

steadfast adherence to supporting national security and maintaining an adequate National defense since its foundation in 1922.

179,000 Reservists met the call in Korea. They were there in Viet Nam. 166,000 in the Persian Gulf and today 5,000 are on duty in Bosnia.

Let us hereby resolve that the torch of freedom that was lit 75 years ago on this spot shall burn ever more brightly in our hands for all the years to come in defense of liberty and justice for all.

URGING CONSIDERATION OF ISTEA LEGISLATION

Mr. INOUE. Mr. President, I rise today to urge my colleagues to begin immediate consideration of the ISTEA reauthorization legislation. The current federal funding authorization for our nation's roads and bridges expires May 1st. If we allow this funding authority to expire, the ability of our state and local agencies to plan, design, implement, and manage transportation improvements and resources will be compromised.

This lapse in new highway funding authority will jeopardize highway projects and safety programs across our country, and will have significant effects on Hawaii.

Federal highway projects support approximately 5,816 jobs in Hawaii, and without a reauthorization of the ISTEA legislation, those 5,816 people may lose their jobs. In addition to employment effects, an expiration of ISTEA spending authorization will place the safety of all Hawaii's citizens at risk. More than half, 51%, of Hawaii's bridges are structurally deficient or functionally obsolete. Further, 28% of Hawaii's major roads are in poor or mediocre condition, which increases the possibility of motor vehicle crashes.

A failure to reauthorize this transportation spending authority will only increase the cost Hawaii's motorists currently pay due to poor road conditions. Each Hawaii motorist pays an additional \$102 each year in extra vehicle repairs and operating costs caused by driving on roads in need of repair. Furthermore, 45% of Hawaii's urban freeways are congested, which costs Hawaii's motorists in wasted time and fuel.

"The effects of our failure to reauthorize the ISTEA legislation will be felt not only in Hawaii, but also in every state in the nation by every citizen of our nation. Every single citizen benefits from our transportation infrastructure every day. Even if you do not drive you benefit from our transportation system through the products you consume that were transported via our roads and highways. The development of our transportation infrastructure helped fuel the development of our nation. We must not let it fall into disrepair.

There may be concerns that the proposed ISTEA legislation is not the best way to meet our country's transportation needs. We must allow ourselves

ample time to debate and consider all the issues surrounding ISTEA reauthorization, so that we may pass the most effective legislation. We must bring this legislation to the floor now.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1998

Mr. LOTT. Mr. President, I see that the distinguished chairman of the committee that has jurisdiction over the surface transportation bill is in the Chamber. I believe that the ranking member is on his way. In fact, I see he has just arrived in the Chamber.

So, I now move to proceed to S. 1173, the Intermodal Surface Transportation Efficiency Act of 1997.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1173) to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Chafee/Warner amendment No. 1312, to provide for a continuing designation of a metropolitan planning organization.

Chafee/Warner amendment No. 1313 (to language proposed to be stricken by the committee amendment, as modified), of a perfecting nature.

Chafee/Warner amendment No. 1314 (to amendment No. 1313), of a perfecting nature.

Motion to recommit the bill to the Committee on Environment and Public Works, with instructions.

Lott amendment No. 1317 (to instructions of the motion to recommit), to authorize funds for construction of highways, for highway safety programs, and for mass transit programs.

Lott amendment No. 1318 (to amendment No. 1317), to strike the limitation on obligations for administrative expenses.

Mr. LOTT. Mr. President, I ask unanimous consent that it not be in order to offer any amendments relative to funding or financing prior to the Senate resuming consideration of the bill on Wednesday, March 4, 1998.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I would like to state at this point that I did consult with the leaders of the committee and with the Democratic leader about this issue. There are still discussions underway with regard to funding, whether or not some additional funds would be available, and how much.

There will be meetings occurring on that, I am sure, later on this afternoon, tonight, and over the weekend. But there are a number of amendments that are pending to this bill that we can go ahead and take up that would take some time for debate and be considered and have debate and vote. It is my hope that we can get our colleagues to come on to the floor, offer amendments, and, hopefully, we could even have some amendments disposed of this afternoon.

I have indicated to the Democratic leader that we have to expect votes on Monday and Friday in March, because we have not only this very important bill but a number of other important bills. We are just going to have to start having votes in order to complete this very ambitious agenda.

Does the Senator wish me to yield?

Mr. DASCHLE. Mr. President, I thank the majority leader. I think he just clarified it. I just came from our Policy Committee luncheon. The question was asked about votes tomorrow. I assured them it was the majority leader's expectation that there would be votes, and I think he just confirmed that it is his expectation that we will see votes on Friday. At what point could we expect to see votes on Monday?

Mr. LOTT. I think we would honor our previous understanding that we would stack votes, if any were available, for 5 o'clock Monday afternoon. But, again, we will consult and have some further announcement on this after we get a better feel of how it is going to go later on today or before we go out for the week.

Mr. President, I further ask unanimous consent that it be in order for me to withdraw all amendments and the pending motion pending to S. 1173, except the pending committee amendment, and it be further modified to be in the form of a complete substitute subject to further amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1312, 1313, 1314, 1317, 1318, AND MOTION TO RECOMMIT WITHDRAWN

Mr. LOTT. Mr. President, therefore, I withdraw amendments numbered 1312, 1313, 1314, 1317, and 1318 and the motion to recommit.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, again, what we are doing here, without going back and touching on last year's history—I do not want you to recall that—we did have some amendments that had been added to the tree, so to speak. We are withdrawing all of these now. We have the substitute bill out of committee. It is ready for amendments, and Senators will be able to come and offer their amendments, and we will have debate and vote.

AMENDMENT NO. 1676.

(Purpose: To provide a substitute)

Mr. LOTT. Mr. President, so, on behalf of the chairman, I further modify the committee amendment to reflect

what is now in the form of a substitute amendment and, therefore, subject to further amendments and ask that the amendment be printed as a Senate amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT), for Mr. CHAFEE, proposes an amendment numbered 1676.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LOTT. Mr. President, I thank the Senator from South Dakota for his cooperation in this effort.

Obviously, this is very important legislation. I believe progress has been made over the past couple of days in a bipartisan way to come to some agreements, although they have not been reached, that would allow us to complete this bill in a way that would be fair to most all Senators.

I thank the Senator, and I thank Senator BAUCUS for his cooperation and particularly the chairman, Senator CHAFEE.

I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Senate minority leader.

Mr. DASCHLE. Mr. President, Let me thank the majority leader for his efforts in scheduling this legislation.

As I think everyone knows, this has been a matter of great priority for many of us. We are very pleased that now we are able to move ahead with the debate and consideration of this important legislation.

We do not want to miss the construction cycle, and, certainly, by passing the legislation at an early date, we ought to be in a position to send a clear indication as to what our intentions are with regard to highway funding for the foreseeable future in time to meet the construction season.

We hope that our House colleagues will also be sensitized to the importance of moving this legislation ahead quickly.

Obviously, this legislation will go to conference. That will take some time. Even if we can expeditiously consider it now, it will be some time before we are prepared to send it over to the President. The sooner we can do that the better.

It is for that reason that I hope we can avoid debate on extraneous amendments and legislation that may not be directly germane to the issues that fall within the consideration of this title and of this bill. It is for that reason that it is not our intention to offer campaign reform legislation to this bill or other forms of legislation that might be of high priority to the Democratic caucus.

I will say, with regard to campaign reform legislation, there is no doubt at some point that it will be our intention to revisit the question, revisit the issue, but not on this bill, not at this time. Our hope now is that we can ex-

peditionously consider it so we can get the legislation passed in time to assist States in planning for resources and the allegation of the available funding that will be made as a result of the completion of this legislation.

So, I thank again the leader and all colleagues involved for bringing us to this point.

I yield the floor.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, the majority leader has outlined or stated clearly what the situation is. We are going to now proceed with the Intermodal Surface Transportation Efficiency Act of 1998.

I have a statement. I suspect that the distinguished ranking member will have a statement. Then we want to get on with amendments.

The amendments that are available to consider today, tomorrow, and early next week will be amendments that are not relative to funding or financing. Funding and financing matters are now being worked out between various participants in that matter. So we will not touch on allotments or matters like that. But there is a whole series of amendments. There are some 200 amendments that have been filed, and a whole series of them have nothing to do with either financing or funding.

So I hope that the authors of those amendments will bring them over, and let's debate them. If we can get a time agreement, three cheers, and get the vote. We have a lot of work to do. I just hate to have matters pile up toward the end. The majority leader has indicated he is very anxious to complete this legislation. I join in that desire.

Mr. President, at long last, the Senate will begin its consideration of the "Intermodal Surface Transportation Efficiency Act of 1998," which will be referred to constantly on this floor as ISTEA or ISTEA II. This legislation is the product of more than a year of hard work and careful negotiations in the face of tremendous obstacles.

At this time last year, the Committee on Environment and Public Works had before us three different very good proposals. But they were different. We were able to integrate them into one unified plan that I believe is deserving of the entire Congress' support.

I might say, Mr. President, that this bill was reported out of the committee unanimously—18 to nothing. Democrats and Republicans all supported it.

When ISTEA was enacted in 1991—that is, ISTEA I, the original bill—it transformed national transportation policy. What was once simply a highway program is now a surface transportation program. That is the name of the bill. It is the Intermodal Surface Transportation Efficiency Act. That is what it is. It isn't just a highway bill; it is a surface transportation bill.

We recognize that transportation touches every facet of our lives. The transition from the old policies and

practices to those embodied in ISTEA I wasn't easy, and as for S. 1173, ISTEA II, it will carry forward the strengths of ISTEA I. But it also corrects some weaknesses that were in that legislation. And it will provide a responsive and, I believe, responsibly financed transportation program.

ISTEA II preserves and builds upon the worthy objectives of intermodalism. That is a big word that we will be using around here. Intermodalism means in conjunction with and cooperation of a series of methods of transportation—it might be railroad, it might be aircraft, it might be automobiles and trucks—all working together to the greater strength of all.

ISTEA II provides \$145 billion. That is what we have as of now. Perhaps that will be increased as the result of the negotiations that are taking place. That is for over 6 years. It provides it for our Federal highway system, for highway safety, and other surface transportation systems. Moreover, it aims to stretch these dollars as far as possible.

Mr. President, in the 1940s and 1950s the mindset—and understandably so—was to build an expensive highway system to move goods and passengers throughout the country. Now the interstate system is completed, and the mindset has shifted. The goal is no longer simply to build more highways but to preserve and maximize the strengths of our existing system, do the best we can to move more vehicles over the existing roads in a safe and efficient manner. We must reach out for ideas on creative ways of meeting our infrastructure needs.

One of the primary goals of the Committee on Environment and Public Works as we drafted ISTEA II was that limited Federal funding be spent as efficiently as possible. We sought to accomplish this in several ways.

First, ISTEA II provides real flexibility to States and localities and makes the program easier to understand. We believe this is a more simplified program than ISTEA I. It reduces the number of the program categories from five to three, and it includes more than 20 improvements to reduce the red tape involved in carrying out transportation projects. These provisions address some of the chief complaints we heard about ISTEA I.

Second, ISTEA II includes a number of innovative ways to finance transportation projects. It establishes the Federal credit assistance program for surface transportation. The new program leverages limited Federal dollars by allowing up to a \$10.6 billion line of credit for transportation projects at a cost to the Federal budget of just over \$500 million. In other words, for \$5 billion we get a \$10.6 billion line of credit. The bill also expands and simplifies the State Infrastructure Bank Program to enable States to make the most of their transportation dollars.

The third change we made, or key feature of this bill, is it strengthens

the transportation technology programs of the original ISTEA. Transportation technologies offer a wide array of benefits. They relieve traffic congestion and improve safety.

A key forward-looking initiative of ISTEA II has been the Intelligent Transportation Systems, or the so-called ITS. ITS technologies provide new options for transportation planners to address safety and capacity concerns without the negative environmental or social effects of just expanding the highways, adding more lanes, constantly widening the highway. The Intelligent Transportation Systems also provide timely information to travelers and more efficient ways to design and build transportation infrastructure.

The beauty of these innovative technologies is they boost the potential of our existing transportation system by moving more cars through existing lanes. That is what I was talking about before. Let me give you an example. I think we can take a good lesson from the Nation's airports. In the past decade we have only built one new airport, a major one, in our country. That is the International Airport in Denver—the only one new airport in the country in the last 10 years. Nonetheless, we have increased the capacity of our existing airports through state-of-the-art technology. By learning from innovations and air traffic control and operations used in our airports where more aircraft carrying more people are using the existing facilities, we can maximize the so-called throughput of our highways, our rail system, and our transit systems just as well.

Fourth, the bill before us significantly reforms the ISTEA funding formulas to balance the diverse regional needs of our Nation. The aging infrastructure and congested areas of the Northeast, the growing population and capacity limitations in the South and Southwest, rural expanses in the West require different types of transportation investments. Under ISTEA II, 48 of the 50 States share in the growth of the overall program, and the bill guarantees 90 cents back for every dollar a State contributes to the highway fund. This is up. In the past, under the ISTEA I, some States were as low as getting back 70 cents for every dollar. This would boost them all up to 90 cents on the dollar.

One of the wisest transportation investments we can make is safety for our passengers and drivers. In the United States alone there are more than 40,000 fatalities. That is something like 800-plus deaths a week on our highways in the United States. There are 3.5 million automobile crashes every year. Between 1992 and 1995 the average highway fatality rate increased by more than 2,000 deaths a year, while the annual injury rate increased by over 380,000.

We must work vigorously to reverse this trend, and this bill will help us do that. ISTEA II substantially increases

the Federal commitment to safety. The funds set aside for safety programs such as hazard elimination and railroad-highway crossings under this bill total nearly \$700 million a year, a 55 percent increase over the current level.

As valuable as transportation is to our society, it has taken a great toll on our Nation's air, water, and land. The cost of air pollution alone that can be attributed to cars and trucks has been estimated to range from \$30 billion to \$200 billion a year. I am proud that the bill before us increases funding for ISTEA's key programs to offset transportation's impact on the environment.

ISTEA II provides an average of \$1.18 billion per year over the next 6 years for congestion mitigation and air quality improvements, sometimes referred to as CMAQ—congestion mitigation, reducing congestion and improving air quality. The amounts for this program are a substantial increase over the current funding levels for transit improvements, shared-ride services, and other activities to fight air pollution.

Over the past 6 years, the Transportation Enhancements Program has offered a remarkable opportunity for States and localities to use their Federal transportation dollars to preserve and create more livable communities. Our highway program has devastated many communities, barging through them in a fashion that was designed to "get the road built. Forget about the neighborhoods or what is happening in the communities that these highways are going through." That was the old system.

Starting with ISTEA I, continued with ISTEA II, we provide a 24 percent increase in funding for transportation enhancements such as bicycle and pedestrian facilities, billboard removal, historic preservation, rails-to-trails programs.

In addition to CMAQ and enhancements, the ISTEA II establishes a new wetlands restoration pilot program. The purpose of the program is to fund projects to offset the loss or degradation of wetlands resulting from Federal-aid transportation projects.

The original ISTEA, ISTEA I, recognized that transportation is but one part of a complex web of competing and often conflicting demands. As we all know, it is not a simple task to resolve the competing and often conflicting interests and demands with respect to transportation. The statewide metropolitan planning provisions of ISTEA I have yielded high returns by bringing all interests to the table and increasing the public's inputs into the decision-making process. This is the so-called metropolitan planning provision that we had in ISTEA I.

ISTEA II continues and strengthens the planning provisions of the original ISTEA. This program is a comprehensive approach to transportation and has been working well. ISTEA II continues the spirit of intermodalism by extending the eligibility of the National Highway System and Surface

Transportation Program funds to passenger rail, such as Amtrak, and magnetic levitation systems which we are just embarking on. By unleashing the efficiency and environmental benefits of all modes of transportation systems—highway, rail and transit—the bill before us will meet these demands and give a better quality of life for all Americans.

I wish to express my appreciation to the majority leader for helping us to expedite the Senate's consideration of this important measure. The majority leader has been deeply involved in the conversations we have been having in connection with this legislation.

I also thank Senators WARNER and BAUCUS, and other members of the Environment and Public Works Committee, including our distinguished Presiding Officer this afternoon, each, for their excellent works in developing this legislation. It has been a challenging but rewarding exercise, to write the bill before us. I look forward to working with other Members of the Senate as well as the House leadership to enact a bill that will take the Nation's transportation system into the 21st century.

So, Mr. President, again I issue a call to all who may be in their offices or listening. Now is the time to bring up amendments. Undoubtedly the distinguished ranking member will have a statement. But after that we are ready to go. I will feel distressed if we just sit here waiting for people to respond and they do not bring over these amendments. As I say, there are some 200 amendments out there. Some of them, obviously, are involved with fiscal matters which we cannot take up; but the others we can and we would like to.

I thank the Chair.

The PRESIDING OFFICER (Mr. AL-LARD). The Senator from Montana.

Mr. BAUCUS. Mr. President, I am very pleased to join my good friend and colleague, the chairman of the Public Works Committee, Senator CHAFEE. We have been friends for many, many years, have been on the committee for many, many years, and here we are again with the highway bill. I compliment the chairman for his graciousness, his hard work, his dedication to public service. I think the citizens of Rhode Island already know this, but for those who may not know it, or are wondering, I would like, to them and the rest of the country, to say they could not have a finer Senator than Senator CHAFEE.

Mr. CHAFEE. Thank you very much.

Mr. BAUCUS. I would also like at this point to thank our leader, Majority Leader TRENT LOTT, who has worked hard, particularly in the last several weeks, with various Senators, various groups, to assure we could bring this bill, the highway bill, the ISTEA bill, up earlier than it looked like would be the case.

At the end of the last session of Congress, the leader indicated he would like to bring this bill up as one of the

first orders of business in 1998. Other factors intervened and made that difficult, extremely difficult. But, through his hard work, he was able to work out a way to bring this up very soon. One main reason is because of the tremendous need in our country. The current highway program expired several months ago. It expired the end of September. We don't have a highway program. We did pass a short-term extension until the end of April—it expires April 30—but there are not many weeks left between now and April 30. It is, therefore, incumbent upon us to take up this bill early because it is so complex, there are so many Senators who have such interest; let alone Members of the House, the other body; let alone taking it to conference. Again, I tip my hat to the majority leader for bringing this up very quickly.

The current ISTEA legislation, as I mentioned, expired the 30th of last September, and, as I mentioned, it means we are currently operating under a 6-month extension which expires May 1. I might say that is just 9 weeks from now. I might also say that after this May 1 date, States will no longer be able to obligate any Federal funds. That means we have to finish this bill very soon. By that I mean, after May 1 a State may not obligate, that is, may not contract, funds to contractors, to designers, for rights-of-way or whatever is part of the highway program.

That is not true for other bills around here, other laws that are passed here in Congress as a general rule. Sometimes an authorizing program expires and the Congress appropriates dollars for the program. That is not the same for the highway program. The highway program has to be in place in order for States and highway departments to contract dollars to people in their States to build highways.

Since it has been a little while since we debated this bill, I would like to just add a few points to those made by the chairman of our committee, Senator CHAFEE. I want to begin by saying that we have tremendous infrastructure needs in our country. It's a big, fancy term, infrastructure. It's roads, highways, it's telephone lines and power lines—all of the basic structure that is the foundation for the rest of the country to operate on. You just can't let it deteriorate.

Other countries spend more on infrastructure than we do, more on a per capita basis of their gross domestic product. Japan, for example, spends about four times what we do on infrastructure per capita; Germany spends a couple of times more than we do per capita. I might say that the Germans spend a lot of money on their highway program, and a lot of it goes into research. They have researched highways so much, when you build a highway in Germany now it lasts forever, virtually. They have a whole new technology, ways to bring their highways up to date. They spend a lot more on research and development than we do.

We are a bigger country. We have to spend the dollars on our roads.

Once we spend more dollars on our highway programs, it will go a long way, obviously, to reduce congestion. There are more cars every year, not fewer. This will also help increase highway safety. It will mitigate the impacts of transportation on the environment.

Some people think of this only as a highway bill. This isn't only a highway bill. There are lots of other parts of this bill, and one of them is it helps improve the air quality in our country. The bill will also improve our mobility, our efficiency as a nation. That's a cost of doing business. A businessman knows, a company knows, the more efficient the transportation system, the more he or she is able to reduce the costs of doing business. So it's not just pleasure. It's not just convenience. It's a matter of doing business.

The bill also increases the dollars for research and for the deployment of new transportation technologies. That is very important as we move into the next millennium.

Some may ask, why is transportation so important? I have given some very obvious reasons already, but let me just amplify them a little bit. Transportation really affects us every day. Certainly when we get in our cars and drive, if we get in a taxicab, or try to move from one place to another, it very much does affect our quality of life. It also means investment. It means jobs. Over 42,000 jobs are created for every \$1 billion of Federal spending. Stop and think about that for a moment. Mr. President, 42,000 jobs in America are created for each \$1 billion of Federal spending. And most of those jobs are good-paying jobs. They are operating engineers, or they are laborers, they are with companies making the asphalt, concrete, highway resurfacing aggregate—those are good jobs. That's income. It helps our economy.

Transportation and related industries employ almost 10 million people overall each year. Again, transportation and related industries employ about 10 million people every year. Transportation is one of the largest sectors of our economy; about 11 percent of gross domestic product. There are only three other sectors that have a higher percentage of our national gross domestic product; that's housing, that's health care, and that's food. Highway ranks No. 4.

In addition to the economic implications of transportation investments, we cannot overlook the impact of our quality of life. The United States has the largest transportation system in the world. We enjoy the premier system of highways: a 45,000-mile interstate system; about 4 million miles of other roads.

To put that in perspective, these 4 million miles of roads in the United States would circle the Earth 157 times. Just think about it, 4 million miles of basic roads in the U.S. would

circle the Earth 157 times. In a population of about 265 million, our people drive over 2.4 trillion miles each year on these highways.

I was trying to think of an example of what 2.4 trillion really means. It is such a staggeringly high number. No example immediately comes to mind, but if people just stop and think a little bit, we are not talking about millions, not billions, but trillions, 2.4 trillion miles each year on our highways.

Obviously, it causes us to repair them more. They get more beat up by trucks and cars. Some roads in our part of the country, Mr. President, thaw, freeze, thaw and freeze again. They get cracks in the pavement and fill with water and freeze again. They get bigger and cars and trucks pound on them. It is a problem.

Not only does it cause highway repair bills for our cars, but it causes us to rattle our teeth a little bit and utter a few words about our highways, roads and potholes. The Transportation Department estimates that we need about \$54 billion every year just to maintain our current highway system—\$54 billion every year just to maintain. If we want to spend \$74 billion a year, we could improve our system. That is the needs assessment of the Department of Transportation, \$54 billion to maintain. If we want to improve our system to a level that makes sense for America, it would be about \$74 billion. I must say, at all levels—State, local and Federal—we spend about \$34 billion a year. So just to maintain the current level, it would cost \$54 billion. If we want a premier system, it would be \$74 billion. But we in America spend not \$54 billion to maintain to stay even, we spend \$34 billion. That is a total of Federal, State and local spending on our highway system.

That means we are challenged in the Congress to come up with legislation that is very efficient, that does what it can with what we have.

I think this bill does that. It is not perfect. No legislation is perfect. We are 100 Senators; we are not one. We have to compromise. Again, I think this is a good compromise. Why?

First, it builds on the successes of its predecessor, the highway bill, otherwise known as ISTEA of 1991. That was authored by my good friend and colleague from New York, Senator MOYNIHAN, in the Senate. That was a landmark piece of legislation because it recognized the intermodal nature of transportation in America, much more than previous highway bills, and how connected we are for a more fluid flow of traffic and commerce and people, more of a seamless system.

Our transportation system is more intermodal now. Also, State and local governments will be able to choose transportation projects that meet their diverse needs. We are one country, but we are also 50 States with many, many localities. This legislation gives local municipalities more control in making decisions for themselves. No longer are

we restricted in our mode of transportation. States can build highways, transit facilities, bike paths. Different communities certainly over the last 2, 3, 4 years have been more and more interested in, the fancy term is enhancements, but basically it is more concretely things like bike paths, pedestrian walkways. Again, that is a local decision hopefully covered enough in this bill.

It also continues, as I said, along that path, no pun intended. We have some improvements, and I think we will be able to have even more improvements, that is, even more dollars added to this bill in the next several days.

Let me talk a little bit about what we have attempted to do to make this bill more efficient and user friendly. The current highway program, again the fancy term is ISTEA, has about 11 categories from which dollars are taken to spend on various projects, whether it is interstate maintenance or whether it is interstate construction enhancement, bridges, whatnot. We have reduced those 11 categories down to five.

They are: the Interstate National Highway System, that is one category; the Surface Transportation Program; the Congestion Mitigation and Air Quality Program; and then two other equity accounts essentially to make this all fit. Yet, we have maintained the integrity of ISTEA.

What do I mean by that? Six years ago, Congress declared the end of the interstate era. Essentially, the interstate system had been completed. We are now in the process of combining the interstates with other key, most important primary highways in our country. We call that the National Highway System, or NHS. This National Highway System is a system of about 170,000 miles of roads and bridges, and they carry the vast majority of our traffic—commercial and passenger. These are the roads which provide access to rural and urban areas. They are the ones that connect farms to markets and homes to jobs. Mr. President, 170,000 miles, that is the interstate system, plus the other major highways in our country.

This legislation before us today recognizes the important role of that National Highway System and its key component the interstate system. Under the bill, about \$12 billion a year will be spent on the National Highway System and at least half of that, about \$6 billion, will be spent to maintain the interstate system of roads and bridges.

While we have eliminated the current bridge program, and I won't get into details except to say a lot of communities have abused the current bridge program; that is, they say they need all this money for bridges and then they take the money and don't spend it on bridges but spend it on something else. Obviously, we want to reduce that dodge but yet maintain the quality of our bridges. So we have folded the cur-

rent bridge program into other categories. States will receive about \$4.2 billion under certain bridge apportionment factors, and they will be required to spend at least what they are spending on bridges today. This will help ensure improvements in the conditions of our bridges.

The second category, the Surface Transportation Program, is retained. That is a very flexible funding category. It is very important to give State highway commissions flexibility because, after all, they know what their needs are. This STP, Surface Transportation Program, provides this flexibility for all kinds of transportation projects from new construction to improvements in current highways, just to name a couple examples.

In addition to this second program, Surface Transportation Program can be used for bike paths or pedestrian walkways or transit capital projects, transportation enhancement projects, rail highway crossing safety improvements, hazard elimination projects—again, a lot of flexibility to the highway commissions.

We also maintain a very important program to improve air quality and reduce congestion around the country. That program is called the Congestion Mitigation and Air Quality Program, otherwise known as CMAQ. This program provides dollars to nonattainment areas so they can undertake projects to improve their air quality.

What does that mean? Mr. President, as you well know, under the Clean Air Act that was passed in 1991, certain regions and certain cities of our country are "not in attainment" of air quality standards which they are working toward. We want to make sure that the highway program doesn't make attainment or air quality worse, because sometimes if you have a lot more traffic in a certain city that is having a hard time meeting its level of air quality, that is going to make it even more difficult for that community to meet air quality standards. We are trying to figure how to work the two together.

The solution, as in last year's bill, is the CMAQ Program. States then will use these dollars on certain projects that help reduce congestion in certain areas, therefore, to help that community meet its air quality requirements.

I must say, the past 6 years have demonstrated terrific benefits which CMAQ has contributed to many areas reaching attainment. It has helped areas reach attainment and helped reduce traffic flows and reduce congestion. Most important, we have updated the formulas. These factors are much more current in helping calculate what a State will receive. The bill recognizes the diverse transportation needs of our country, from large southern States to donor States to the densely populated Northeast. The bill uses transportation factors and measures the extent of the use of the highway system.

Use of these factors ensures that the funding is directed to the States based

upon their need for highway funding. Just as a sidelight, I must say that the last ISTEA bill, the one we are operating under, uses very dated data. It is based on the 1980 census, for example, even though it was a 1991 bill. The ISTEA program, when it was passed in 1991, used the 1980 census data. It also uses 1916 postal roads requirements. There is a lot in there that doesn't make sense for 1998 and particularly as we move into the next century.

So we have used and changed the formulas, brought them up to date based upon the needs of a State. Just as transit program formulas measure ridership in the extent of an area's transit system, it only makes sense that highway formulas do the same. That is what we have done in this bill.

In addition to providing funding to improve infrastructure, the bill before us today also pays for more research, more development of new transportation technologies. We are not saying we are as up to date and as fancy with new technologies on our highway system as the Internet is with all the advances in computer technology, but we are developing intelligent transportation systems—shorthand ITS technologies—that will help increase the capacity of existing transportation systems without having to add new lanes and make this more efficient with the use of technologies and increase safety on our roads with new technology.

An example I might give is transponders on cars which could read the ownership and the distance a car is traveling going through a toll so you don't have to stop and pay the toll every time.

In addition to that, in my State of Montana, and I know yours, too, Mr. President, in Colorado, sometimes we drive along and there are deer and elk on the road ahead, livestock in my State. Sometimes in the southern part of the State we have bison on the road, or winter range. We are developing technology to warn cars ahead of time that there is livestock on the road, there is bison, deer and elk on the road. It is not fully developed, but it is an example of the kind of things we are working on just to help improve and update our highways.

Let me sum up by saying that I think this bill is very balanced. It passed the committee by a unanimous vote. It is a fair bill. It is good for the country and for our future, and I think it is very important we begin work today so we can meet our May 1 deadline.

I strongly urge Senators who have amendments, and under the agreement we are operating right now, as you know, we are providing only for non-funding amendments; that is, amendments that don't deal with money in the bill, and there are a lot of them. So I ask Senators who have those amendments to come to the floor now today because we all know that when we get up to the deadline—a weekend—that things get pretty tight. It is far better to bring your amendments up earlier

than later if you want them to be considered, otherwise they will not be fully considered and will go down the drain most likely.

Mr. President, I also want to mention and give tremendous credit to the Senator from Virginia, Senator WARNER, chairman of the transportation subcommittee of our full committee. He has worked very, very hard. He has many, many responsibilities around here with everything under the Sun, frankly, yet he has diligently, with his staff, worked to come up with this compromise, and I might say, also, with tremendous grace and style and class. And it has been a real pleasure to work with the Senator from Virginia.

In addition, we are here today in large part, Mr. President, because of the efforts of Senator BYRD, from West Virginia, and Senator GRAMM, from Texas. There was a problem as to whether—we did not know whether we were going to get this bill up before the budget bill. But Senators BYRD and GRAMM have offered an amendment. It is very simple. The amendment is not before us now. It is part of the matrix of this whole highway bill.

It is a very simple amendment which says, essentially, of the 4.3 cents of Federal gasoline taxes, which we last year transferred from general revenue into the highway trust fund, that money should also be spent back on highway programs, at least that portion dedicated to highways.

That is the amendment. And because of that amendment, and because of the urgency of making sure that our motorists in our States get what they pay in taxes, we are here now today, before the budget resolution is before us, and again it is Senator BYRD and Senator GRAMM who in large part are responsible, in addition to the leader and Senator WARNER and others as to why we are here.

So I close, Mr. President, because I see my good friend, Senator WARNER, standing over here ready to speak. And I thank him for what he has done.

Mr. WARNER. Mr. President, I thank my distinguished colleague. And indeed the Senator from Montana and I have been partners on this throughout. There was a time when it was just the two of us together. And we stood steadfast and put together the basic coalition of States that gave us the nucleus of concepts and ideas which were incorporated in the subcommittee bill, of which I am privileged to chair and the distinguished Senator from Montana is not only ranking on the full committee but he is ranking on the subcommittee that drew up this bill.

I thank him because there were some lonely days in the course of the development of this bill, and we stood together as we have throughout. He has quite properly acknowledged the important contributions of Senator BYRD and Senator PHIL GRAMM of Texas. And we have been meeting together with the distinguished majority leader, the chairman of the Budget Committee,

chairman CHAFEE, Chairman D'AMATO, as we try to work through a solution to the timing and the presentation of that amendment.

So, Mr. President, I want to give a statement on behalf of the bill. But two of our colleagues have time constraints, and if it is agreeable to the distinguished floor manager here on the Democrat side, I would like to yield at this point in time the floor such that these Senators can get recognition and do their important work.

I yield the floor.

Mr. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that I might proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUTCHINSON. I would also like to add my commendation to the distinguished Senator from Virginia for his outstanding leadership on the ISTE II bill and on his commitment to the infrastructure of this country. It has been my privilege in my first year in the Senate to serve with Senator WARNER on the Environment and Public Works Committee, and it has been an honor indeed to see his commitment to improving the infrastructure of this Nation and his willingness to work with me on our particular needs in my home State. I commend you for your leadership.

(The remarks of Mr. HUTCHINSON pertaining to the introduction of S. 1684, S. 1685, and S. 1686 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HUTCHINSON. Mr. President, I yield the floor.

Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes for the purpose of introducing legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. THOMPSON pertaining to the introduction of S. 1687 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THOMPSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX MORATORIUM ON INTERNET TRANSACTIONS

Mr. GREGG. Mr. President, the administration comes in for a fair amount of criticism from our side of the aisle, and I think most of it is well directed. So when they do something that is positive and which is, in my opinion, proper policy, it should also be acknowledged.

The administration's decision today, the White House decision, the decision of the President, as presented by the President's people at Treasury, Deputy Secretary Summers, to put in place a moratorium, or send up legislation to put in place a moratorium on any tax relative to transactions over the Internet which States might try to assess is the absolute right decision.

I know that the Governors of the different States were in Washington this week, and that they made one of their priorities the ability to assess a tax on transactions which occur over the Internet. That is wrong. The Internet is obviously the last Wild West of American and world entrepreneurship. It is an explosive technology of which, as we all know, we have only seen the tip of the iceberg.

I can't think of any quicker way to retard that explosion of technology, creativity, entrepreneurship, and the prosperity which will arise from it, than to create a hodgepodge of taxation across this country assessed against the Internet by each State. I can't think of anything that would have a more chilling effect on the capacity of people using the Internet to participate in transactions involving commercial sales than if they were subjected to a tax policy which would vary from border to border, and probably within States from community to community.

This would definitely undermine the condition in which the Internet has become one of the more effective ways that this Nation markets its products, not only within the United States but internationally. It would also undermine our capacity as a Nation to speak to other countries in this world which might be considering putting a tax on the Internet or Internet transactions, which would create a waterfall effect as other nations tried to join into it. It would be truly not only a bad example, it would end up being an incredibly bad policy for our Nation as a world leader in the area of technology. So the White House has chosen the right course here.

I recognize that for years many of the Governors have sought the ability to tax interstate sales which occur through the mails. The *Bellas Hess* case has been the law of the land, which says that is not something that States can do and that the catalog companies that are based around the Nation, when they sell through the catalogs, are not subject in many instances to the sales taxes of the local States. I happen to think that is also the correct policy, but I recognize that many of the Governors do not.