

are they holding down? With 0.4% unemployment in this field, and record-low unemployment in the broader U.S. economy, where are the out-of-work Americans displaced by foreign talent?

America's loss is our foreign competition's gain. Our need for engineers has driven us to start R&D centers anywhere we can find engineers—currently, in England, Ireland and India. We're forced offshore to fill the jobs that we cannot fill here—a fine way to "protect" American jobs.

Legal immigrants currently constitute 8.5% of the U.S. population, well below the 13%-plus levels maintained from 1860 to 1939. Immigrants add less than 0.4% to the population yearly. If this administration ignores Silicon Valley's need for 25,000 to 35,000 more immigrant engineers—a mere 3% or so of the million-plus yearly legal immigrants—the only result will be to drive high-tech hiring offshore. And it will have added the H1-B visa issue—along with litigation reform, encryption export and Internet regulation—to its list of Silicon Valley snubs.

Raising quotas by only 3%, specifically to bring in critical engineers and scientists, would be an obvious benefit to all Americans. Why are we sending the first-round draft choices of the high-tech world to play on other country's teams?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The PRESIDING OFFICER. Under the previous order, the Senate will now return to the consideration of S. 1173, which the clerk will report.

The assistant 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, with a modified committee amendment in the nature of a substitute (Amendment No. 1676).

Pending:

McCain Amendment No. 1726 (to Amendment No. 1676), to provide that demonstration projects shall be subject to any limitation on obligations established by law that applies in Federal-aid highways and highway safety construction programs.

AMENDMENT 1726

Mr. MACK. Mr. President, it is time we end the practice of earmarking highway projects. This practice continues to disadvantage my state, and most others. Commonly referred to as demonstration projects, these earmarked dollars literally come off the top of the transportation funding available under this legislation.

The rationale behind apportionment formulas and funding allocations is that these transportation funds are distributed according to state's needs. Notwithstanding disagreements over whether these distributions accurately reflect a state's transportation needs, the practice of authorizing demonstra-

tion projects undermines the rationale supporting the use of these formulas. Moreover, this practice literally deprives states of the funding which would otherwise be available for states' highway priorities as established by state and local transportation planners.

While I believe this is a wasteful practice, history has shown there is little chance of its outright elimination. Beginning in 1982 when \$362 million was set-aside for 10 such earmarks, the inclusion of such earmarks has continued to grow as illustrated in the 1991 transportation bill, ISTEA, where over \$6 billion was provided for 538 location specific projects.

While the Senate's Environment and Public Works Committee has shown great restraint in this area, it is well understood that the House of Representatives has been unable to curtail this practice. In fact, the House is fully expected to come forward this year with billions of dollars in transportation earmarks.

Accordingly, the amendment offered by Senator MCCAIN does the next best thing. It requires that any highway demonstration projects come from within a state's total funding and not at the expense of funding otherwise available to all other states.

For all my colleagues who have argued in favor of the formulas contained in the bill and the rationale behind them, support of this provision remains consistent with that position. And, for those of my colleagues who are not as enthusiastic over the distribution of highway dollars in the underlying legislation, this provision will ensure that your states prospective return on their transportation dollar will not be eroded any further.

I look forward to the overwhelming support of my colleagues on this common sense amendment, and I thank Senator MCCAIN for his excellent work in crafting this provision.

Mr. BROWNBACK. Mr. President, I rise today in strong support of the McCain amendment to require that demonstration projects be funded from each state's allocation and be subject to annual limitation.

The current system for designating large construction projects advantages a few states over the majority. It prioritizes construction needs based more on political seniority that it does an impartial evaluation of transportation needs. It creates pressure for Members of Congress to engage in porkbarrel spending rather than to concentrate on prudent national policy. I believe the McCain amendment would help move us away from this system because it would not give states or members an incentive to seek out demonstration or critical needs projects, as securing these projects would not increase the amount of federal funds flowing to a state.

I further support the McCain amendment because it gives states greater say in determining what projects have

the highest priority for their locality. It should be up to cities, counties, and the state Departments of Transportation to prioritize what projects need immediate attention in their state—not the federal government. Too often under the current system, a state has to put aside its own priorities because it must use its own limited funds to provide matching funds for the large federally designated construction projects, or risk losing federal funding. This "Washington knows best" approach to transportation planning needs to end.

Finally, I support this amendment because it would end a system that disadvantages the infrastructure needs of a majority of states to the benefit of a few. In order to maintain a strong, truly national infrastructure system, we must give every state the tools and funding its needs to maintain its share of the system. Ending a system that gives a few states an inordinate amount of construction dollars is one step in the right direction toward that goal.

I applaud the Senator from Arizona for proposing this approach to increase fiscal responsibility in transportation spending and to empower the communities in which the infrastructure lies. I urge my colleagues to support its passage.

The PRESIDING OFFICER. The question now is on agreeing to amendment No. 1726 offered by Senator MCCAIN. The yeas and nays have been offered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 78, nays 22, as follows:

[Rollcall Vote No. 29 Leg.] YEAS—78

Abraham	Dorgan	Lieberman
Akaka	Enzi	Lott
Allard	Faircloth	Lugar
Ashcroft	Feingold	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Nickles
Bumpers	Gregg	Reed
Burns	Hagel	Robb
Chafee	Hatch	Roberts
Cleland	Helms	Rockefeller
Coats	Hutchinson	Roth
Cochran	Hutchison	Sessions
Collins	Inhofe	Smith (NH)
Conrad	Inouye	Smith (OR)
Coverdell	Johnson	Snowe
Craig	Kempthorne	Stevens
D'Amato	Kerrey	Thomas
Daschle	Kohl	Thompson
DeWine	Kyl	Thurmond
Dodd	Landrieu	Warner
Domenici	Levin	Wyden

NAYS—22

Boxer	Hollings	Santorum
Bryan	Jeffords	Sarbanes
Byrd	Kennedy	Shelby
Campbell	Kerry	Specter
Durbin	Lautenberg	Torricelli
Feinstein	Leahy	Wellstone
Ford	Mikulski	
Harkin	Reid	

The amendment (No. 1726) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay it on the table.

The motion to lay the amendment on the table was agreed to.

AMENDMENT NO. 1998 TO AMENDMENT NO. 1676

Mr. CHAFEE. Mr. President, on behalf of Senator D'AMATO and Senator SARBANES, I send to the desk an amendment to the transit title.

The PRESIDING OFFICER (Mr. ROBERTS). The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. D'AMATO and Mr. SARBANES, proposes an amendment numbered 1998 to No. 1676.

Mr. CHAFEE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 55, all after line 11, insert the following

(A) ESTABLISHMENT OF CENTER—(1) Section 5317(b) of title 49, United States Code, is amended by adding the following new paragraph:

"(6) The Secretary shall make grants to the University of Alabama Transportation Research Center to establish a university Transportation Center.

Mr. CHAFEE. Mr. President, inadvertently the managers of the bill omitted important language from the transit title. I am grateful to the chairman and ranking member of the Banking Committee for bringing that to our attention. This amendment has approval of this side.

Mr. BAUCUS. This amendment has been cleared, and I urge its approval.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1998) was agreed to.

AMENDMENT NO. 1999 TO AMENDMENT NO. 1676

(Purpose: To require the Comptroller General to conduct a study to assess the impact that a utility company's failure to relocate its facilities in a timely manner has on the delivery and cost of Federal-aid highway and bridge projects)

Mr. CHAFEE. Mr. President, on behalf of Senator TORRICELLI, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. TORRICELLI, proposes an amendment numbered 1999 to amendment No. 1676.

The amendment is as follows:

On page 85, between lines 18 and 19, insert the following:

(d) EVALUATION OF PROCUREMENT PRACTICES AND PROJECT DELIVERY.—

(1) STUDY.—The Comptroller General shall conduct a study to assess—

(A) the impact that a utility company's failure to relocate its facilities in a timely manner has on the delivery and cost of Federal-aid highway and bridge projects;

(B) methods States use to mitigate delays described in subparagraph (A), including the use of the courts to compel utility cooperation;

(C) the prevalence and use of—

(i) incentives to utility companies for early completion of utility relocations on Federal-aid transportation project sites; and

(ii) penalties assessed on utility companies for utility relocation delays on such projects;

(D) the extent to which States have used available technologies, such as subsurface utility engineering, early in the design of Federal-aid highway and bridge projects so as to eliminate or reduce the need for or delays due to utility relocations; and

(E)(i) whether individual States compensate transportation contractors for business costs incurred by the contractors when Federal-aid highway and bridge projects under contract to the contractors are delayed by delays caused by utility companies in utility relocations; and

(ii) methods used by States in making any such compensation.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study, including any recommendations that the Comptroller General determines to be appropriate as a result of the study.

Mr. CHAFEE. Mr. President, this amendment provides for a GAO study on facilitating the relocation of utilities that occur as part of highway construction projects.

Mr. BAUCUS. Mr. President, it is fine.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1999) was agreed to.

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

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

AMENDMENT NO. 2000 TO AMENDMENT NO. 1676

(Purpose: To provide for high risk hazardous material and hazardous waste transportation safety)

Mr. BAUCUS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for Mr. TORRICELLI, proposes an amendment numbered 2000 to amendment No. 1676.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In title III, strike section 3215 and insert the following:

SEC. 3215. HAZARDOUS MATERIAL TRANSPORTATION REAUTHORIZATION.

(a) IN GENERAL.—Chapter 51, as amended by section 3214 of this Act, is amended by redesignating section 5128 as section 5129 and by inserting after section 5127 the following:

"§5128. High risk hazardous material and hazardous waste; motor carrier safety study

"(a) STUDY.—The Secretary of Transportation shall conduct a study—

"(1) to determine the safety benefits and administrative efficiency of implementing a Federal permit program for high risk hazardous material and hazardous waste carriers;

"(2) to identify and evaluate alternative regulatory methods and procedures that may improve the safety of high risk hazardous material and hazardous waste carriers and shippers, including evaluating whether an annual safety fitness determination that is linked to permit renewals for hazardous material and hazardous waste carriers is warranted;

"(3) to examine the safety benefits of increased monitoring of high risk hazardous material and hazardous waste carriers, and the costs, benefits, and procedures of existing State permit programs;

"(4) to make such recommendations as may be appropriate for the improvement of uniformity among existing State permit programs; and

"(5) to assess the potential of advanced technologies for improving the assessment of high risk hazardous material and hazardous waste carriers' compliance with motor carrier safety regulations.

(b) TIMEFRAME.—The Secretary shall begin the study required by subsection (a) within 6 months after the date of enactment of the Intermodal Transportation Safety Act of 1998 and complete it within 30 months after the date of enactment of that Act.

(c) REPORT.—The Secretary shall report the findings of the study required by subsection (a), together with such recommendations as may be appropriate, within 36 months after the date of enactment of the Intermodal Transportation Safety Act of 1998."

(b) SECTION 5109 REGULATIONS TO REFLECT STUDY FINDINGS.—Section 5109(h) is amended by striking "not later than November 16, 1991." and inserting "based upon the findings of the study required by section 5128(a)."

(c) CONFORMING AMENDMENT.—The chapter analysis for chapter 51, as amended by section 3214, is amended by striking the item relating to section 5128 and inserting the following:

"5128. High risk hazardous material and hazardous waste; motor carrier safety study.

"5129. Authorization of appropriations."

Mr. BAUCUS. Mr. President, this amendment is in the jurisdiction of the Commerce Committee. It is cleared by the committee. It will authorize a study to investigate the best methods of improving safety procedures that govern the transportation of hazardous materials, including linking the renewal of a hauler's Federal permit to an annual safety review.

As I said, the Commerce Committee has cleared this. I urge its adoption.

Mr. CHAFEE. Mr. President, this amendment is agreeable to this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2000) was agreed to.

Mr. BAUCUS. Mr. President, I move to reconsider the vote.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENT NO. 2001 TO AMENDMENT NO. 1676
(Purpose: To make minor and technical corrections in subtitle F of title III (relating to sport fishing and boating safety))

Mr. CHAFEE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Rhode Island (Mr. CHAFEE) proposes an amendment numbered 2001 to amendment No. 1676.

The amendment is as follows:

On page 154, line 6, strike "1998;" and insert "1999;"

On page 154, line 7, strike "1999;" and insert "2000;"

On page 154, line 8, strike "2000;" and insert "2001;"

On page 154, line 9, strike "2001;" and insert "2002; and"

On page 154, line 10, strike "2002;" and insert "2003;"

On page 154, strike line 11.

On page 158, strike lines 1 through 19, and insert the following:

"(1) FISCAL YEAR 1998.—In fiscal year 1998, an amount equal to \$20,000,000 of the balance remaining after the distribution under subsection (a) shall be transferred to the Secretary of Transportation and shall be expended for State recreational boating safety programs under section 13106(a)(1) of title 46, United States Code.

On page 162, line 7, strike "(1)(c)" and insert "(2)(B)".

On page 162, line 11, strike "(1)(c)" and insert "(2)(B)".

On page 163, strike lines 24 and 25.

On page 164, line 24, strike "4(b)" and insert "4(b)(2)".

Mr. CHAFEE. Mr. President, this amendment makes a series of technical date changes in the Wallop-Breaux provisions of the Commerce Committee title. These are entirely technical modifications. They have the approval of this side.

Mr. BAUCUS. Mr. President, these are technical corrections that are necessary because of an earlier action that we took. It is clearly minor and technical and should be approved.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment (No. 2001) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENT NO. 2002 TO AMENDMENT NO. 1676

(Purpose: To provide for a school transportation safety study)

Mr. CHAFEE. Mr. President, on behalf of Senator DEWINE, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island (Mr. CHAFEE), for Mr. DEWINE, proposes an amendment numbered 2002 to amendment No. 1676.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in subtitle D of title III, insert the following:

SEC. 34. SCHOOL TRANSPORTATION SAFETY.

(a) STUDY.—Not later than 3 months after the date of enactment of this Act, the Secretary shall offer to enter into an agreement with the Transportation Research Board of the National Academy of Sciences to conduct, subject to the availability of appropriations, a study of the safety issues attendant to the transportation of school children to and from school and school-related activities by various transportation modes.

(b) TERMS OF AGREEMENT.—The agreement under subsection (a) shall provide that—

(1) the Transportation Research Board, in conducting the study, shall consider—

(A) in consultation with the National Transportation Safety Board, the Bureau of Transportation Statistics, and other relevant entities, available crash injury data;

(B) vehicle design and driver training requirements, routing, and operational factors that affect safety; and

(C) other factors that the Secretary considers to be appropriate;

(2) if the data referred to in paragraph (1)(A) is unavailable or insufficient, the Transportation Research Board shall recommend a new data collection regimen and implementation guidelines; and

(3) a panel shall conduct the study and shall include—

(A) representatives of—

(i) highway safety organizations;

(ii) school transportation; and

(iii) mass transportation operators;

(B) academic and policy analysts; and

(C) other interested parties.

(c) REPORT.—Not later than 12 months after the Secretary enters into an agreement under subsection (a), the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains the results of the study.

(d) AUTHORIZATION.—There are authorized to be appropriated to the Department of Transportation to carry out this section—

(1) \$200,000 for fiscal year 1999; and

(2) \$200,000 for fiscal year 2000.

Mr. DEWINE. Mr. President, approximately 25 million students are transported to and from school and school-related activities on buses. The National Highway Traffic Safety Administration (NHTSA) has established a series of federal motor vehicle safety standards to assist those responsible for transporting our school children on school buses.

These features include: clearly distinguishable vehicles with built-in pas-

senger restraint systems; flashing red lights that are activated as students enter and leave the school bus; specially trained drivers; and specially designed routes and schedules to minimize the distance that students need to walk to the bus stop.

Unfortunately, despite all of these safety features on school buses, more student fatalities and serious injuries occur during the loading and unloading process than occur while students are being transported.

As my colleagues know, there are mandates relating to school facilities, teacher salaries, computers, and books. However, in most states, there is no mandate that school districts must provide pupils with transportation to and from school. Because of this, many school systems are being forced to seek alternative, cost-effective means of providing transportation services for students, and a growing number of schools are turning to public transit. In 1994 alone, transit buses provided more than 800 million student-related passenger trips and approximately 2 million students rode transit buses to school.

Mr. President, I do not believe that sending children to school on transit buses is necessarily a bad thing. The fact is that I don't know what this trend means in terms of a child's safety. I do know, however, that students are injured or killed most often when entering or exiting school buses—buses with special safety features designed to prevent such tragedies. Moreover, I know that the US Department of Transportation has conflicting requirements with respect to school transportation. On the one hand, NHTSA requires school buses to meet stringent safety standards and has issued guidelines for covering the operational aspects of pupil transportation safety. On the other hand, the Federal Transit Administration provides funding for transit companies that provide transportation to and from school for students each day on vehicles that do not meet NHTSA's school bus safety standards.

As more and more schools are forced to decide on cost-saving ways to transport children, schools are forced to make these decisions in a vacuum. We do not know how safe our children are when they board and ride the transit bus to school. After all, we need to know that information when we decide ways for children to get to and from school safely. I've been greatly involved in efforts to improve the safety of school buses—and that effort began with seeking information. I'm proposing that we seek similar information on public transit buses.

This amendment, would authorize \$400,000 for the Secretary of Transportation to study safety issues related to the transportation of school children by various different modes of transportation. I have worked on this amendment with the chairman of the Commerce Committee, and it meets with

his approval. I appreciate the assistance of the Senator from Arizona and his staff in this effort.

Mr. President, it is my understanding that this amendment has been cleared on both sides and I move for its adoption.

Mr. CHAFEE. Mr. President, this amendment provides for a study of transportation of school children on transit buses. The Secretary of Transportation will study safety issues relating to the transportation of school children by various and different modes of transportation.

Mr. BAUCUS. Mr. President, this is an amendment not in our committee jurisdiction. It is a Commerce Committee amendment. It has been cleared by that committee. We, therefore, feel it should be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment (No. 2002) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1986 TO AMENDMENT NO. 1676
(Purpose: To designate a commercial zone within which the transportation of certain property in commerce is exempt from certain provisions of Chapter 135 of title 49, United States Code)

Mr. CHAFEE. Mr. President, on behalf of Senator DOMENICI, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island (Mr. CHAFEE), for Mr. DOMENICI, proposes an amendment numbered 1986 to amendment No. 1676.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . DESIGNATION OF NEW MEXICO COMMERCIAL ZONE.

(a) COMMERCIAL ZONE DEFINED.—Notwithstanding the provisions of 49 U.S.C. Section 13902(c)(4)(A), in this section, for the transportation of property only, the term "commercial zone" means a zone containing lands adjacent to, and commercially a part of, 1 or more municipalities with respect to which the exception described in section 13506(b)(1) of title 49, United States Code, applies.

(b) DESIGNATION OF ZONE.—

(1) IN GENERAL.—The area described in paragraph (2) is designated as a commercial zone, to be known as the "New Mexico Commercial Zone."

(2) DESCRIPTION OF AREA.—The area described in this paragraph is the area that is comprised of Dona Ana County and Luna County in New Mexico.

(c) SAVINGS PROVISION.—Nothing in this section shall affect any action commenced or pending before the Secretary of Transportation or Surface Transportation Board before the date of enactment of this Act.

Mr. DOMENICI. Mr. President, I want to thank the distinguished manager of the bill for accepting my amendment to establish a much-needed commercial zone in my home state to facilitate trade and transportation of raw materials and goods across our border with Mexico. I agree with him that we need to take a comprehensive approach to opening the entire border with Mexico.

In the past, commercial zones were established by the Interstate Commerce Commission in numerous states to improve local border trade activities, as well as to control movement and uphold American safety requirements for foreign vehicles operating within the United States.

Within these zones, commercial vehicles of Canadian and Mexican registry are authorized to deliver products from their country of origin to United States' distribution points or warehouses without extended delays at the border or the need for unloading the cargo for reloading and shipment by American vehicles. These same vehicles also are authorized to pick up products in the United States for export to their respective countries.

Since the passage of NAFTA, New Mexico has witnessed its exports to Mexico increase by over 1,000 percent. Unfortunately, New Mexico still lags behind 35 other states in the amount of exports it sends to Mexico, and it has become increasingly clear that establishing a commercial zone is a necessary step in improving New Mexico's economic relationship with our neighbor to the south.

The need for a commercial zone in New Mexico is most critical to the continued viability of several food processing plants which employ thousands of New Mexicans in the southern part of the state. Later this year, Mexican farmers will harvest their chili crops and sell them to the plants in New Mexico for processing. Right now, without a designated commercial zone, Mexican farmers must transport the chili crop to the border, unload the cargo at an off-loading site, and reload it onto an American carrier to travel the remaining 30 miles to the processing plant. Clearly, without a commercial zone, there is large economic disincentive for Mexican farmers to do business with New Mexico food processors.

This amendment should be non-controversial. It allows New Mexico to compete for NAFTA-related business on the same level playing field as our neighboring border states—California, Arizona and Texas—all of which already have established commercial zones.

This amendment is supported by New Mexico's Governor Gary Johnson, the State Economic Development Department, the New Mexico Border Authority, the U.S.-Mexico Chamber of Commerce, the New Mexico food processing industry and the New Mexico Motor Carriers Association and the cities Las

Cruces and Deming. Again, I thank the manager of the bill and the Ranking Minority Member for accepting this amendment and I yield the floor.

Mr. MCCAIN. Mr. President, the Senate will soon adopt an amendment offered by Senator DOMENICI to establish a new commercial zone in New Mexico. As a representative from a neighboring border state, I understand the importance of this commercial zone to New Mexico. However, I also know that this new zone is only a temporary solution to a much bigger issue, that is, the implementation of the NAFTA cross-border trucking provisions.

I want my colleagues to recognize the critical importance of fulfilling our obligations under NAFTA. The NAFTA agreement authorized access for U.S. trucking companies to Mexico's northern provinces, with reciprocal rights for Mexican trucks to enter the four Southwest border states. Under the NAFTA agreement, the U.S.-Mexico border was to open December 18, 1995. Two years later, we have heard little from the Administration on its efforts to meet our nation's obligations.

Mr. DOMENICI. I agree implementation of the cross-trucking border provisions of NAFTA has been delayed far too long. Our states were prepared to go forward in 1995. Had that occurred, my amendment today would not be necessary.

The state of New Mexico has been seeking to establish a new commercial zone since 1992, prior to passage of NAFTA. In 1995, the Interstate Commerce Commission, which had jurisdiction over commercial zones, essentially announced the State's effort was moot since the border was to open shortly. Yet here we are, more than two years later, and nothing has changed. New Mexico's economy has been held stagnant because not only did the border not open, but we are precluded from any trade benefits associated with a commercial zone—benefits enjoyed by the other border states.

Mr. MCCAIN. The Department of Transportation did not oppose the establishment of the new commercial zone. I know the Senator from New Mexico shares my concerns that we do nothing to impede the on-going NAFTA harmonization negotiations. And, when the NAFTA provisions are implemented, the zones in our border states will essentially be irrelevant. In the meantime, I will continue to do all I can to encourage the President to move forward on implementation of this important agreement. The continued delay robs the entire region of the full economic benefits that NAFTA promises.

Mr. CHAFEE. Mr. President, this amendment relates to the Commerce Committee's amendment. It is under the jurisdiction of the Commerce Committee, and has been approved by the chairman and ranking member of that committee. It establishes a commercial zone designation for two counties in New Mexico.

Mr. BAUCUS. Mr. President, it is a good amendment. I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from New Mexico.

The amendment (No. 1986) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENTS NOS. 2003 AND 2004, EN BLOC TO
AMENDMENT NO. 1676

Mr. CHAFEE. Mr. President, I send an amendment to the desk, and then a further amendment.

The PRESIDING OFFICER. Without objection, both amendments will be considered en bloc. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE] proposes amendments Nos. 2003 and 2004 to amendment No. 1676.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2003

(Purpose: To provide for the continuation of the Disadvantaged Business Enterprise program in the mass transportation programs of the Federal government)

On page 77, line 20, strike "and II" and insert ", II, and V".

AMENDMENT NO. 2004 TO AMENDMENT NO. 1969

(Purpose: To allow entities and persons to comply with court orders relating to disadvantaged business enterprises and to require the Comptroller General to carry out a review of the disadvantaged business enterprises program and discrimination in general)

On page 79, between lines 13 and 14, insert the following:

(e) COMPLIANCE WITH COURT ORDERS.—Nothing in this section limits the eligibility of an entity or person to receive funds made available under titles I, II, and V of this Act, if the entity or person is prevented, in whole or in part, from complying with subsection (a) because a Federal court issues a final order in which the court finds that the requirement of subsection (a), or the program established under subsection (a), is unconstitutional.

(f) REVIEW BY COMPTROLLER GENERAL.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of, and publish and report to Congress findings

and conclusions on, the impact throughout the United States of administering the requirement of subsection (a), including an analysis of—

(1) in the case of small business concerns certified in each State under subsection (d) as owned and controlled by socially and economically disadvantaged individuals—

(A) the number of the small business concerns; and

(B) the participation rates of the small business concerns in prime contracts and subcontracts funded under titles I, II, and V of this Act;

(2) in the case of small business concerns described in paragraph (1) that receive prime contracts and subcontracts funded under titles I, II, and V of this Act—

(A) the number of the small business concerns;

(B) the annual gross receipts of the small business concerns; and

(C) the net worth of socially and economically disadvantaged individuals that own and control the small business concerns;

(3) in the case of small business concerns described in paragraph (1) that do not receive prime contracts and subcontracts funded under titles I, II, and V of this Act—

(A) the annual gross receipts of the small business concerns; and

(B) the net worth of socially and economically disadvantaged individuals that own and control the small business concerns;

(4) in the case of business concerns that receive prime contracts and subcontracts funded under titles I, II, and V of this Act, other than small business concerns described in paragraph (2)—

(A) the annual gross receipts of the business concerns; and

(B) the net worth of individuals that own and control the business concerns;

(5) the rate of graduation from any programs carried out to comply with the requirement of subsection (a) for small business concerns owned and controlled by socially and economically disadvantaged individuals;

(6) the overall cost of administering the requirement of subsection (a), including administrative costs, certification costs, additional construction costs, and litigation costs;

(7) any discrimination, on the basis of race, color, national origin, or sex, against small business concerns owned and controlled by socially and economically disadvantaged individuals;

(8)(A) any other factors limiting the ability of small business concerns owned and controlled by socially and economically disadvantaged individuals to compete for prime contracts and subcontracts funded under titles I, II, and V of this Act; and

(B) the extent to which any of those factors are caused, in whole or in part, by discrimination based on race, color, national origin, or sex;

(9) any discrimination, on the basis of race, color, national origin, or sex, against construction companies owned and controlled by socially and economically disadvantaged individuals in public and private transportation contracting and the financial, credit, insurance, and bond markets;

(10) the impact on small business concerns owned and controlled by socially and economically disadvantaged individuals of—

(A) the issuance of a final order described in subsection (e) by a Federal court that suspends a program established under subsection (a); or

(B) the repeal or suspension of State or local disadvantaged business enterprise programs; and

(11) the impact of the requirement of subsection (a), and any program carried out to

comply with subsection (a), on competition and the creation of jobs, including the creation of jobs for socially and economically disadvantaged individuals.

Mr. CHAFEE. Mr. President, if I can briefly explain. These amendments deal with the application of the DBE Program to the transit title. Inadvertently, these provisions were left out when the original transit title was adopted. These amendments provide for the DBE portion of the transit title, and the second provision deals with the McConnell modifications to that. The McConnell modifications were the ones we adopted to the DBE in the highway program yesterday.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, the amendment here will extend current law so there will be no change in current law. The DBE Program now does apply to the mass transit title of the bill; that is, the mass transit portion of the law. The point of this amendment is to continue that program so it also applies to the mass transit title in the bill once the bill is finally passed.

Mr. CHAFEE. With one addition, the application of the McCONNELL amendment to that title.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendments.

(The amendments Nos. 2003 and 2004 to amendment No. 1676, en bloc, were agreed to.)

Mr. CHAFEE. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I want to make some comments about the bill. I then want to talk about a remaining problem that I hope we can work out.

Mr. President, today we are going to pass the highway bill. This is really the result, for some of us, of a 2-year effort. It is the culmination of 2 years of hard work in trying to achieve two things. No. 1 is trying to force the Federal Government to live up to the commitments that it makes to Americans when they go to the filling station and fill up their car with gas, and pay a third of the cost of a gallon of gasoline in gasoline taxes. They are told right on the tank that every penny they pay in gasoline taxes goes to build roads, and yet last year almost 30 cents out of every \$1 of gasoline taxes went to fund everything except roads.

We have had a 2-year effort to change that, and the passage of this bill today

will guarantee that every penny we collect in gasoline taxes will be spent for the purpose for which that tax is collected, and that is to build roads. That is a major victory for the driving public. It is a major victory for taxpayers. It is a major victory for those who depend on good roads and highways and interstates to earn a living, to get back and forth to work, and to enjoy the fruits of their labor in terms of using their automobiles for pleasure travel. I think we can all rejoice in that victory.

I would like to also note that it is a bipartisan victory. The success we celebrate today is the first real bipartisan effort of this Congress. I hope it is an omen of things to come. I thank Senator BAUCUS and Senator WARNER for their leadership on this bill, and Senator CHAFEE and Senator DOMENICI for working to reach a consensus which, quite frankly, in many ways is better than the position that either party started with. I think those who wonder how the legislative process actually works could be satisfied in looking at how we have reached a consensus on this bill.

I would also like to say I have appreciated having the opportunity to work with the sage of the U.S. Senate. I have been greatly honored to have the opportunity to work as a partner with Senator BYRD in putting together an effort that today is succeeding in guaranteeing that the gasoline tax is spent for the purpose of building roads. I thank Senator BYRD for his leadership and say it has been a great pleasure to work with him and to watch him work. I think this is a very important bill, and I am pleased about it.

The second thing that we have done, principally as a result of Senator WARNER's leadership, is we have moved to a greater position of equity with regard to donor States. This is a very difficult issue for many Members of the Senate to understand, and, frankly, on occasion it is very difficult for me to understand. But the plain truth is we have a National Highway System. In building a National Highway System, there are always phases where the construction projects in some States are bigger, in terms of cost, than the amount of money that they are paying into the highway trust fund. If you did not have a National Highway System, what would happen, especially in the western part of the country, is you would build big interstate highways that would get to Western States with very low population bases, States where people who live in the State pay relatively little gasoline tax, and you would end up with the interstate ending at their State border. So we can never expect in any one year for there to be a perfect fit between the amount of money a State is paying in and how much they are getting in Federal highway construction funds in that year.

But the disparity had gotten so large that it had become a source of friction in the Senate. It had become a source

of Members feeling that their States were being cheated, not just in an interim period but permanently. I thank Senator WARNER for working to guarantee in this bill that no State will ever again get less than 91 cents out of every dollar that it sends to Washington in gasoline taxes, no matter how we might be spending money in constructing a National Highway System. That is an absolute minimum set by this bill.

We have not reached this point easily. It has taken a tremendous amount of work. Senator WARNER has been a leader in that effort. And this was a very big deal for many States, 29 States to be specific, and my State in particular. As a result of spending the gasoline tax for the purpose that it is collected and guaranteeing that no State will get back less than 91 cents out of every \$1 that it sends to Washington in gasoline taxes in the future, the allocation for my State, which is typical of the 29 donor States, has risen from \$7 billion in the last highway bill to \$10.9 billion in this bill.

What that will mean is that for the 31 million miles—the 31,000 miles—Texans think big—the 31,000 miles of substandard highways that we have in Texas, we will now have the resources to allow us to move ahead and catch up with some of the modernization and maintenance that we need, the tens of thousands of bridges that are substandard, the north-south Interstate Highway System that we need to build—all of those things will be made possible, or at least substantial progress toward achieving them will be made possible, by this bill.

There is one remaining issue outstanding in the bill, and it has to do with NAFTA highways and international trade corridors.

I remind my colleagues that when we passed the North American Free Trade Agreement, part of the deal was an agreement by the Federal Government to take into account the infrastructure needs with regard to transportation, the fact that opening up free trade north-south, involving Canada, the United States and Mexico, would create a tremendous increase in the demand for north-south traffic.

The result of NAFTA has been that I-35 in my State, currently, and certainly, the most important international trade corridor in the country, the only interstate that runs north-south throughout the length of the whole country through the industrial heartland of the Americas, is the most congested interstate highway in America.

We know that over the next 7 years, the level of truck traffic related to Canadian, United States, and Mexican trade on that road will double over a 7-year period and, obviously, we need to build a north-south interstate highway system in America. If you look at a map of the country and you highlight interstate highways, while there are few exceptions, basically we have an

east-west interstate highway system in America.

One of the things that the demands of NAFTA trade will produce is a requirement to build a north-south interstate highway system to go with the east-west highway system that we currently have.

We have in the bill \$450 million provided for the purpose of beginning to allow us to focus on NAFTA trade and international trade corridors. That money is vitally important for doing the engineering work and beginning construction on major projects related to north-south trade. I-35 is a big project in my State, as is I-69 and the potential for other major highways or interstate highways through El Paso and in west Texas.

Here is the remaining problem in the bill, so far as I am concerned. Under the old bill, there was discussion of a NAFTA provision. Money was mentioned as potentially being provided, but as often happens in these bills, there was no money provided, but we had a list of criteria that were set out to direct the Secretary as to how money should be provided if money ever were provided.

In the Byrd-Gramm-Baucus-Warner amendment, one of our provisions was actually providing money for NAFTA, \$450 million. We subsequently have tried to go back and set out objective criteria to guarantee that every State that has international trade flowing from NAFTA—basically north-south trade—could be a beneficiary. We have tried to set out a rational list of items that should be looked at in determining where the highest and best use of this money would be, guaranteeing that not just border States would benefit, but also States in the interior of the country that would find themselves as part of the roadway for a major north-south international trade corridor.

I had thought last night that we had reached a consensus. I spent much of yesterday talking to every Member of Congress who had a concern about this area. We have come up with a consensus amendment now that will set out objective criteria for international trade, for growth in commercial traffic since the passage of NAFTA. We have gotten input from Democrats and Republicans, and yet this amendment continues to be delayed.

I just want to put my colleagues on notice that one of the things I have discovered around here is that if you wait until the end of the bill to get your item fixed, you often end up not having it fixed. I assure my colleagues, having done all this work on this provision, I want to be sure we have a rational set of criteria for allocating the money. When there was no money, nobody cared what these criteria were. But, obviously, now that funds are provided, I want to ensure that States that are impacted by NAFTA trade, whether they be Michigan or Arizona or New Mexico or Texas or California or Washington

or Oregon and all the States in between, have a fair chance of competing for these funds and that these funds, provided specifically for this purpose, do not turn into a grab bag where people simply make up provisions that would qualify a particular project in their State, even though it might have absolutely nothing to do with international trade and might have absolutely nothing to do with NAFTA.

I believe we have a consensus amendment. It is my understanding that someone somewhere still has objections. I will say, at some point, regrettably, I am going to have to object to amendments coming up until we have made a decision about this amendment. I do not want it to be the last amendment of the day. As a result, I simply urge anyone who has a concern about this—and we have had the involvement of roughly a half dozen Republicans and Democrats. Everyone has signed off on the amendment who has been involved in any way in it. If someone has an objection, I urge them to come to the floor or at least send a staff person to the floor so we can try to work this out.

Barring the ability to do that, we are getting ready to stop the train from moving, because this was an issue which I thought was agreed to last night, but I find it is not agreed to this morning. I am eager to get on with it and finish this last piece, which represents for me the last piece in getting the puzzle together.

I thank the Chair for recognition and yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first, I thank the Senator from Texas. He was very modest in his remarks recounting the history of how we got from the very beginning to where we are today.

Yes, he did refer to the sage in the Senate, Senator ROBERT BYRD. I, like the Senator from Texas, am privileged to be part of that team. I had an opportunity to work many times with Senator BYRD, and there is not one of us in the Senate and the United States who cannot learn and benefit from his wisdom.

Indeed, the Senator from West Virginia and the Senator from Texas took on a battle that the Senator from Montana and I started and lost by one vote. The rest is history.

As I talk to so many Senators—and will continue to do so for the next hour about this bill—I think there is a feeling in the Senate that we have really done a very significant piece of legislation and we have corrected the inequities of the past.

All of us know that fighting for our individual States is that responsibility which is foremost, but there comes a time when we have to reconcile our differences and recognize that each of the 50 States has its own particular problems as they relate to transportation, whether it is in the far reaches of Alas-

ka, the northern tier, or down on the border where the distinguished Senator from Texas works so hard on behalf of his constituents.

We are there and we have tried and will continue to try through conference to keep that 91 percent as the target goal for all States. The donor States have now been recognized through the efforts of many. I was privileged to be a part of it. They have at long last pulled alongside so that they are getting an equitable and fair distribution with the other States. I thank the Senator from Texas. He is a bulldog to work with. I tell you, I would rather be on his side than opposing him.

This is the last amendment that we are working on. I have a few small items which I will move to momentarily. Then, in conjunction with the distinguished floor manager on the other side, I will ask unanimous consent that there be no further amendments and we begin to vote on final passage about the hour of 2:15. That is just preliminary for Senators who might have an interest so they can attend to those interests between now and the hour of 2:15.

I see my good friend and colleague in so many joint ventures—a travel partner recently to the gulf States and Russia—on the floor. Therefore, I yield the floor.

Mr. LEVIN. Mr. President, I thank my good friend from Virginia. Indeed, we have worked long and hard on a number of issues, including the donor State issue. The amendment that I am going to call up in a minute is not a donor State amendment. We have had many of those, some of which we have had some success on, some of which we have not.

Since the question of donor States has been raised, let me say for those 15 to 20 of our States that contribute historically much more than we get back in terms of Federal gas tax dollars, the bill that is before us now does take some small steps on a long road to fairness for those donor States.

We hope that we can improve this bill further in conference from where it is now. There have been some small steps taken through the efforts of many. We are grateful for all of those efforts.

AMENDMENT NO. 1375 TO AMENDMENT NO. 1676
(Purpose: To provide for greater local input in transportation planning and programming)

Mr. LEVIN. Mr. President, I call up amendment No. 1375.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 1375 to amendment No. 1676.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 125, lines 5 and 6, strike “not less than 15 percent” and insert “not less than 25 percent, nor more than 35 percent.”

On page 156, strike lines 21 through 23 and insert the following:

(B) in paragraph (3)—

(i) in the first sentence of subparagraph (A), by striking “80” and inserting “82”; and
(ii) in subparagraph (B)—

(I) by striking “tobe” and inserting “to be”; and

(II) by adding at the end the following: “A project under this subparagraph shall be undertaken on a road that is classified as below a principal arterial.”; and

On page 274, strike lines 3 through 7 and insert the following:

“(ii) NONMETROPOLITAN AREAS.—

“(I) IN GENERAL.—With respect to each nonmetropolitan area in the State, the program shall be developed jointly by the State, elected officials of affected local governments, and elected officials of subdivisions of affected local governments that have jurisdiction over transportation planning, through a process developed by the State that ensures participation by the elected officials.

“(II) REVIEW.—Not less than once every 2 years, the Secretary shall review the planning process through which the program was developed under subclause (I).

“(III) APPROVAL.—The Secretary shall approve the planning process if the Secretary finds that the planning process is consistent with this section and section 134.

On page 286, between lines 10 and 11, insert the following:

SEC. 1605. STUDY OF PARTICIPATION OF LOCAL ELECTED OFFICIALS IN TRANSPORTATION PLANNING AND PROGRAMMING.

(a) STUDY.—The Secretary shall conduct a study on the effectiveness of the participation of local elected officials in transportation planning and programming.

(b) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the study required under subsection (a).

Mr. LEVIN. Mr. President, this amendment will be modified in a moment. We have worked with the floor managers and their staffs to modify this amendment so it will be acceptable. What this does is improve the bill's focus on the transportation needs of small metropolitan and rural areas by involving them in a greater way in the planning process.

It is important that a State transportation improvement program be developed with the cooperation of our nonmetropolitan planning organizations, as well as the metropolitan planning organizations.

The bill, unless we adopt this modified amendment, will simply continue the ISTEA I structure, which only requires that nonmetropolitan area planning organizations be consulted in the planning process. We raise that one level to require that there be cooperation with those smaller units of government. That has a significance to our Department of Transportation and to the States and greater significance to the smaller units of government and their planning organizations so that they will be involved in a greater way in the planning process.

AMENDMENT NO. 1375, AS MODIFIED

Mr. LEVIN. Mr. President, in order to accomplish what I just stated, with the support, I understand, now of the managers, I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 274, strike lines 3 through 7 and insert the following:

“(i) NONMETROPOLITAN AREAS.—

“(I) IN GENERAL.—With respect to each nonmetropolitan area in the State, the program shall be developed in cooperation with the State, elected officials of affected local governments, and elected officials of subdivisions of affected local governments that have jurisdiction over transportation planning, through a process developed by the State that ensures participation by the elected officials.

“(II) REVIEW.—Not less than once every 2 years, the Secretary shall review the planning process through which the program was developed under subclause (I)

“(III) APPROVAL.—The Secretary shall approve the planning process if the Secretary finds that the planning process is consistent with this section and section 134.

Mr. LEVIN. I yield the floor.

Mr. WARNER. Mr. President, this amendment has been carefully considered on this side. For purposes of proceeding, we are going to adopt it. However, I have to say that we will have to readdress the amendment in the conference—I think my distinguished colleague understands that—because it affects the plan process and relationship between the States and local governments.

From the very inception of this legislation, in the subcommittee of which I am privileged to be the chairman, we have been very careful to maintain the balance that was developed in ISTEA I. That has worked, we believe, quite well over this period of 6 years. We will make certain in the conference structure to maintain this balance, and we will look at the amendment in that context.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I thank the Senator for that. In fact, I look forward to the conferees looking at this balance. Right now, the metropolitan areas of our country have planning organizations, and the States are required to coordinate the plan with those metropolitan areas. But when it comes to the smaller areas, planning units, there is no such requirement. There is a “consultation” requirement, which is two notches below coordination.

What we are simply doing here is having a little fairer balance with the smaller units. By the way, this concept has been approved by the National League of Cities. What we simply do here is say that the States will cooperate with these nonmetropolitan planning organizations so that we get a little greater input. But I would welcome, as a matter of fact, the conferees look-

ing very closely at this concept. And I understand what the Senator said. It is with that understanding that we welcome the manager’s support.

Mr. WARNER. Mr. President, I urge that the Senator, between now and the conference period, allow the various representatives of AASHTO to discuss it. I have found through many years of working on legislation for our highways, AASHTO is an organization that has a lot of credibility and lot of knowledge. It is composed of the various highway officials of our 50 States. They have given effective and balanced and credible advice to the Senate on many, many occasions. For the moment, they express some discomfort with this. And we want to make sure that the Senator has that opportunity.

Is the Senator ready to adopt the amendment?

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

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

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Could we get this passed? If it is not—

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

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 2005 TO AMENDMENT NO. 1375, AS MODIFIED

(Purpose: To modify the factors that the Secretary is required to consider in selecting States, metropolitan planning organizations, and projects to receive grants under the program to provide Federal assistance for trade corridors and border infrastructure safety and congestion relief)

Mr. GRAMM. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself, Mrs. HUTCHISON and Mr. ABRAHAM, proposes an amendment numbered 2005 to amendment No. 1375, as modified.

Mr. GRAMM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. LEVIN. Reserving the right to object, Mr. President.

Mr. GRAMM. Mr. President, go ahead and read the amendment.

Mr. LEVIN. I would just like to make an inquiry of my friend from Texas as to whether or not he is offering a second-degree amendment to my pending amendment? Is that what the Senator is doing?

Mr. GRAMM. Yes. It does not change the underlying amendment. It simply adds my amendment to it.

Mr. LEVIN. It simply adds it on to it.

May I ask one other question to my friend from Texas. Does his amendment now have the support of the managers?

Mr. GRAMM. As far as I know, it has been signed off on by everybody.

Mr. LEVIN. I thank the Senator.

Mr. GRAMM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

(2) SELECTION OF STATES, METROPOLITAN PLANNING ORGANIZATIONS, AND PROJECTS TO RECEIVE GRANTS.—Notwithstanding any other provision of this Act, in selecting States, metropolitan planning organizations, and projects to receive grants under subsection 1116(d), the Secretary shall consider—

(A) the extent to which the annual volume of commercial vehicle traffic at the border stations or ports of entry of each State—

(i) has increased since the date of enactment of the North American Free Trade Agreement Implementation Act (Public Law 103-182); and

(ii) is projected to increase in the future;

(B) the extent to which commercial vehicle traffic in each State—

(i) has increased since the date of enactment of the North American Free Trade Agreement Implementation Act (Public Law 103-182); and

(ii) is projected to increase in the future;

(C) the extent of border transportation improvements carried out by each State since the date of enactment of that Act;

(D) the extent to which international truck-borne commodities move through each State;

(E) the reduction in commercial and other travel time through a major international gateway expected as a result of the proposed project; including the level of traffic delays at at-grade highway crossings of major rail lines in trade corridors.

(F) the extent of leveraging of Federal funds provided under this subsection, including—

(i) use of innovative financing;

(ii) combination with funding provided under other sections of this Act and title 23, United States Code; and

(iii) combination with other sources of Federal, State, local, or private funding; including State, local and private matching fund.

(G) improvements in vehicle and highway safety and cargo security in and through the gateway concerned;

(H) the degree of demonstrated coordination with Federal inspection agencies;

(I) the extent to which the innovative and problem solving techniques of the proposed project would be applicable to other border stations or ports of entry;

(J) demonstrated local commitment to implement and sustain continuing comprehensive border planning processes and improvement programs; and

(K) the value of the cargo carried by commercial vehicle traffic, to the extent that the value of the cargo and congestion impose economic costs on the nation’s economy.

Mr. GRAMM. Mr. President, this amendment simply makes the technical changes to go with the NAFTA highway provision in the bill. It has been worked on by over a dozen Members. It has cosponsors. We have had no objection from any Member that we know of. I thank my colleagues.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I am informed it is a matter that has been cleared on both sides and, therefore, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the second-degree amendment.

The amendment (No. 2005) was agreed to.

Mr. WARNER. I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question arises—

Mr. WARNER. Mr. President, the underlying amendment was part of the package that just passed the Senate?

The PRESIDING OFFICER. No, it was not.

The question is on agreeing to the underlying amendment.

The amendment (No. 1375), as modified, as amended, was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I thank the Senator from Texas and others. That was a contentious matter. We were able to resolve it.

Mr. REID. Mr. President, I wish to ask a question of the manager of the bill. Does the Senator from Virginia have more business now?

Mr. WARNER. Yes. I say to the Senator, I have some business related to the bill. But I want to accommodate my good friend. Does he have another matter?

Mr. REID. I have something in morning business that will take about 3 minutes. We will do that when you finish.

Mr. WARNER. If the Senator will forbear for a few minutes.

AMENDMENT NO. 2006 TO AMENDMENT NO. 1676
(Purpose: To change the date of a letter referred to in a provision relating to obligation limitations)

Mr. WARNER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

Mr. WARNER. It has been cleared on both sides. It is on behalf of Senator CHAFEE and myself.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER), for Mr. CHAFEE, for himself and Mr. WARNER, proposes an amendment numbered 2006 to amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The amendment is as follows:

On page 39, line 15, in the matter added by Chafee Amendment No. 1311, strike "October 6, 1997" and insert "March 12, 1998".

Mr. WARNER. Mr. President, this amendment, as I said, has been accepted on both sides. It changes a date in the letter of the bill relating to obligation limitations.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 2006) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2007 TO AMENDMENT NO. 1676
(Purpose: To provide assistance to seaports and airports affected by the increase in trade with Canada and Mexico resulting from the enactment of the North American Free Trade Agreement Implementation Act)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of Senator LAUTENBERG from New Jersey and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER), for Mr. LAUTENBERG, proposes an amendment numbered 2007 to amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 91, between lines 23 and 24, insert the following:

(1) AFFECTED PORT OF ENTRY.—The term "affected port of entry" means a seaport or airport in any State that demonstrates that the transportation of cargo by rail or motor carrier through the seaport or airport has increased significantly since the date of enactment of the North American Free Trade Agreement Implementation Act (Public Law 103-182).

On page 91, line 24, strike "(1)" and insert "(2)".

On page 92, line 5, strike "(2)" and insert "(3)".

On page 92, line 11, strike "(3)" and insert "(4)".

On page 92, line 17, strike "(4)" and insert "(5)".

On page 93, line 3, strike "(5)" and insert "(6)".

On page 93, line 6, strike "(6)" and insert "(7)".

On page 95, line 10, before the period, insert the following: "and through affected ports of entry".

On page 95, line 12, insert "and affected port of entry" after "corridor".

On page 95, line 14, before the period, insert the following: "or by the State in which the affected port of entry is located".

On page 95, strike lines 16 through 23 and insert the following:

(A) IN GENERAL.—As a condition of receiving a grant under paragraph (1), a State shall enter into an agreement with the Secretary that specifies that, not later than 2 years after receipt of the grant—

(i) in cooperation with the other States along the corridor, the State will submit a plan for corridor improvements to the Secretary; or

(ii) the State will submit a plan for affected port of entry improvements to the Secretary.

On page 98, line 19, insert "and affected port of entry" after "border".

On page 98, line 24, insert "or affected port of entry" before "expected".

On page 99, line 12, insert "or affected port of entry" after "gateway".

On page 99, line 21, insert "or affected port of entry" after "border".

Mr. LAUTENBERG. Mr. President, I join with the cosponsors of this amendment, Senators WARNER, MOYNIHAN and CHAFEE in offering this amendment. This amendment will make so-called "ports of entry" eligible for the planning and infrastructure funding authorized for this new trade corridor program. To qualify for funding, a port would have to show that there had been a significant increase in the transportation of cargo by rail and motor carrier through that facility since the enactment of NAFTA.

The trade corridor and border crossing program is intended to address the strain on the U.S. transportation system caused by the increase in international trade following enactment of NAFTA. However, in addition to the increase in commercial traffic at border crossings and along highways, other areas, such as ports of entry, are significant trade corridors for the movement of cargo, either by ship, rail or air, since NAFTA. These ports of entry, including the Port of New York and New Jersey, and the Port of Philadelphia/Camden, bears significant infrastructure costs from the increase of this cargo. This amendment would enable ports of entry to compete for funds in the Trade Corridor program.

In a State-by-State comparison of the total value of international truck shipments through each State, New Jersey ranks third, trailing only New York and Pennsylvania, for total value of international shipments moving through the State. Thus, New Jersey's ports are supporting a significant portion of the Nation's international trade activities and are contributing a great deal to the sound economic status we are now enjoying. However, this increase in trade and traffic is taking its toll on the infrastructure of ports in States like New Jersey. With this amendment, these ports, that are working so hard to support international trade and the U.S. economy as a whole, will be able to apply for assistance. This amendment is a significant step toward addressing the burden of increased international trade on States with very active ports, like New Jersey.

With this amendment, the trade corridor program will be balanced so that those areas and facilities that have indeed seen increases in cargo shipments will be eligible to compete for these scarce funds.

Mr. WARNER. Mr. President, I have sent this amendment to the desk on behalf of the distinguished Senator from New Jersey. It concerns ports of entry. This amendment clarifies that the ports of entry are eligible to participate in the trade corridor program. As I say, it has been accepted on both sides. I urge its adoption.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 2007) was agreed to.

Mr. WARNER. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2008 TO AMENDMENT NO. 1676
(Purpose: To provide a program for remote sensing and spatial information technologies)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of the distinguished majority leader, Mr. LOTT of Mississippi.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. LOTT, proposes an amendment numbered 2008 to amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SEC. . REMOTE SENSING AND SPATIAL INFORMATION TECHNOLOGIES.

(a) IN GENERAL.—The Secretary shall establish and carry out a program to validate remote sensing and spatial information technologies for application to national transportation infrastructure development and construction.

(b) PROGRAM STAGES.—

(1) FIRST STAGE.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall establish a national policy for the use of remote sensing and spatial information technologies in national transportation infrastructure development and construction.

(2) SECOND STAGE.—After establishment of the national policy under paragraph (1), the Secretary shall develop new applications of remote sensing and spatial information technologies for the implementation of such policy.

(c) COOPERATION.—The Secretary shall carry out this section in cooperation with the National Aeronautics and Space Administration and a consortium of university research centers.

(d) FUNDING.—There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 1999 and \$10,000,000 for each of fiscal years 2000 through 2004.

Mr. WARNER. Mr. President, this amendment establishes a program for remote sensing and spatial information technologies. It has been accepted on both sides. I urge its adoption.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2008) was agreed to.

Mr. WARNER. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

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

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I appreciate the managers of the bill letting me proceed at this time.

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

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

Mr. WARNER. Before the distinguished Senator speaks, do you wish to address the matter we discussed by phone at all at this point in time? Or do you feel we have covered that?

Mr. REID. Yes.

Mr. WARNER. I thank the Senator.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator may proceed.

(The remarks of Senator REID are printed in today's RECORD under "Morning Business.")

Mr. WARNER. I want to continue to finish the bill here.

MODIFICATION TO AMENDMENT NO. 2005

Mr. WARNER. I ask unanimous consent a modification to the Gramm amendment No. 2005, which clarifies that "ports of entry" are eligible under the "border infrastructure and trade crossings," section of the bill be accepted.

The modification is as follows:

On page 2, in insert (c), after "border", insert: "or ports of entry".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2005), as modified, was agreed to.

AMENDMENT NO. 2009 TO AMENDMENT NO. 1676

Mr. WARNER. I send to the desk an amendment on behalf of Senator DOMENICI.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. DOMENICI, proposes an amendment numbered 2009 to amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 100 at the end of line 14, insert: "including the deployment of technologies to detect and deter illegal narcotic smuggling."

Mr. WARNER. The amendment makes clear that the deployment of technologies to delete and detect illegal narcotic drug smuggling is eligible activity under the Trade Corridor and Border Crossing Program.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2009) was agreed to.

Mr. WARNER. I move to reconsider the vote, and I move to lay it on the table.

The motion to lay the amendment on the table was agreed to.

AMENDMENT NO. 2010 TO AMENDMENT NO. 1676

(Purpose: To require the Secretary to conduct a comprehensive assessment of the state of the transportation infrastructure on the southwest border between the United States and Mexico)

Mr. WARNER. Mr. President, I send to the desk an amendment on behalf of Senator FEINSTEIN of California which authorizes the Secretary of Transportation to conduct a study in border infrastructure at the Southwest border.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mrs. FEINSTEIN, proposes an amendment numbered 2010 to amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 309, between lines 3 and 4, insert the following:

SEC. 18. SOUTHWEST BORDER TRANSPORTATION INFRASTRUCTURE ASSESSMENT.

(a) IN GENERAL.—The Secretary shall conduct a comprehensive assessment of the state of the transportation infrastructure on the southwest border between the United States and Mexico (referred to in this section as the "border").

(b) CONSULTATION.—In carrying out subsection (a), the Secretary shall consult with—

- (1) the Secretary of State;
- (2) the Attorney General;
- (3) the Secretary of the Treasury;
- (4) the Commandant of the Coast Guard;
- (5) the Administrator of General Services;
- (6) the American Commissioner on the International Boundary Commission, United States and Mexico;

(8) State agencies responsible for transportation and law enforcement in border States; and

(9) municipal governments and transportation authorities in sister cities in the border area.

(c) REQUIREMENTS.—In carrying out the assessment, the Secretary shall—

(1) assess—
(A) the flow of commercial and private traffic through designated ports of entry on the border;

(B) the adequacy of transportation infrastructure in the border area, including highways, bridges, railway lines, and border inspection facilities;

(C) the adequacy of law enforcement and narcotics abatement activities in the border area, as the activities relate to commercial and private traffic; and

(D) future demands on transportation infrastructure in the border area; and

(2) make recommendations to facilitate legitimate cross-border traffic in the border area, while maintaining the integrity of the border.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the assessment conducted under this section, including any related legislative and administrative recommendations.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2010) was agreed to.

Mr. WARNER. I move to reconsider the vote, and I move to lay it on the table.

The motion to lay the amendment on the table was agreed to.

Mr. WARNER. I ask unanimous consent to add Senators CHAFEE, WARNER, and MOYNIHAN to the Lautenberg amendment adopted earlier this morning concerning ports of entry.

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

AMENDMENT NO. 2011 TO AMENDMENT NO. 1676

(Purpose: To identify certain routes in Louisiana as part of the North-South Corridor, a high priority corridor on the National Highway System)

Mr. WARNER. I send to the desk an amendment on behalf of two distinguished Senators from Louisiana, Mr. BREAU and Ms. LANDRIEU and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. BREAU and Ms. LANDRIEU, proposes an amendment No. 2011 to amendment No. 1676.

Mr. WARNER. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 309, strike line 3 and insert the following:

SEC. 18. IDENTIFICATION OF HIGH PRIORITY CORRIDOR ROUTES IN LOUISIANA.

Section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) is amended—

(1) in subsection (c)(1)—

(A) by striking "Corridor from Kansas" and inserting the following: "Corridor—"(A) from Kansas";

(B) in subparagraph (A) (as so designated), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(B) from Shreveport, Louisiana, along Interstate Route 49 to Lafayette, Louisiana, and along United States Route 90 to the junction with Interstate Route 10 in New Orleans, Louisiana."; and

(2) in subsection (e)(5)(A), by inserting "in subsection (c)(1)(B)," after "routes referred to".

Mr. WARNER. The amendment is self-explanatory.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2011) was agreed to.

Mr. WARNER. I move to reconsider the vote, and I move to lay it on the table.

The motion to lay the amendment on the table was agreed to.

ADVANCED COMPOSITE BRIDGE RESEARCH

Mr. DASCHLE. Mr. President, the Senate owes a great debt of gratitude to the Committee on Environment and Public Works, its Chairman (Mr. CHAFEE) and Ranking Member (Mr. BAUCUS) for developing an excellent legislative package to reauthorize the

Federal surface transportation programs. Among the many visionary provisions in this bill, the Committee included a provision in S. 1173 that requires the United States Department of Transportation to carry out a bridge research grant program to demonstrate the application of innovative materials in the construction of bridges.

The State of South Dakota is on the cutting edge of efforts to develop innovative materials for use in bridge construction. Polymer Bridge Systems, Inc., of Mitchell, South Dakota, has developed a very impressive technology that makes it possible to construct items like bridges and utility poles out of composite plastics. Its products use a relatively inexpensive bamboo core for strength. Advanced composites show great promise in reducing costs of bridges and speeding their construction, particularly in rural areas such as those found in our states.

This Senator has seen samples of this innovative product. It has won wide national recognition ahead of others developed by large corporations we are all familiar with. In fact, the South Dakota Department of Transportation is installing a model bridge developed by Polymer Bridge Systems, Inc., at a weigh station in the state. This product shows great economic development potential, as they intend to manufacture it in the State.

Mr. President, I would inquire of the distinguished ranking member (Mr. BAUCUS), if advanced composites are the type of material the Committee on Environment and Public Works intended to be researched under this new grant program?

Mr. BAUCUS. Mr. President, the Senator from South Dakota (Mr. DASCHLE) is entirely correct. Advanced composites are one of many types of innovative materials this bridge research program was created to deal with. Would my distinguished colleague, the Chairman of the Committee (Mr. CHAFEE), agree with our assessment?

Mr. CHAFEE. Mr. President, I share the Senators' view that advanced composites deserve further investigation for their applications to bridge construction, and are certainly innovative materials that fall under the purview of the bridge research program.

Mr. DASCHLE. I thank my colleagues, and look forward to working with them on this and other important initiatives to improve our nation's transportation system.

Mr. WELLSTONE. Mr. President, I come to the floor today to add my voice to those of my colleagues in support of S. 1173, the Intermodal Surface Transportation Efficiency Act (ISTEA) II. This bill is tremendously important to the residents of the state of Minnesota. I want to thank the Manager of the bill for his excellent work in bringing this important legislation to the floor.

ISTEA represented a comprehensive package to address all transportation needs. I am proud to be able to say that

I will support S. 1173 the ISTEA reauthorization bill. This is a good piece of legislation. It continues the fundamental goal of the original ISTEA, which is to afford state and local governments greater flexibility in allocating transportation dollars. Investing in our transportation infrastructure is essential if we are to remain economically competitive. Today, our highways and transit systems need continued support in order to meet our commercial and personal transportation requirements.

In addition to the "traditional highway advocates"—the city, county and state officials, engineers and contractors—I have been working closely with community organizers, architects, preservationists, bicyclers and community activists. All of these people support ISTEA. I want to thank all of the county commissioners, city and state officials, as well as transit advocates, community organizers and others who have educated me along the way on transportation issues.

I am pleased to say that the Senate will be passing a very good bill today that will provide a much higher level of funding for the transportation infrastructure and investment in Minnesota. This bill will make over \$2 billion available to the state of Minnesota over six years.

With this funding a continued federal investment will be made in maintaining and expanding Minnesota's highways, transit and other transportation related programs. Not only was the Senate able to increase funding for the traditional highway programs, including bridges, but this bill will also authorize additional funding for transit programs. I am pleased that several transit projects have been proposed in Minnesota including the Twin Cities Transitway. Improving existing transit and building new transit will be crucial as we see our population in the state continue to grow. It is clear that as our region continues to grow we will need alternatives to the traditional car and driver commuting.

I am also pleased that this bill continues the Disadvantaged Business Enterprise (DBE) program. The DBE program, which was first authorized in 1982, has been very successful in my home state of Minnesota. Through the DBE program minority and women owned businesses have grown. Businesses that in the past had been cut out from important highway construction dollars have been able to compete and get contracts to build and maintain our nation's interstate highway system.

Transportation is critical to our daily lives. We cannot separate how people and goods are transported from the many other parts of their social and economic lives. It is important to work together to ensure that we have a fully integrated, safe and environmentally sound intermodal transportation system in the state of Minnesota and the country. ISTEA does this through the MPO, ATP and STIP

process. The planning provisions of the bill put the decision making back at the local level. I am pleased that the Senate bill includes language that I authored to require MPO's to provide meaningful public participation in the MPO process. While the MPO process has worked well, this new language will make the process that much more responsive to the communities that are most impacted by their decisions.

Again, I am pleased to add my support to this important bill.

Mr. WARNER. Momentarily, I will seek unanimous consent regarding the bill, but I will take this opportunity to express my profound appreciation to so many persons who were instrumental in achieving this landmark piece of legislation, which originated in the subcommittee on which I am privileged to chair, and with the help of the distinguished ranking member of the subcommittee and ranking member of the full committee, Mr. BAUCUS. I think we can say with some immodesty that we achieved the goals we set out to establish months and months ago when we started hearings.

Indeed, we held hearings in many places in the United States to get the input of various Governors and other State officials and people across our country as we were putting together this legislation, which I am confident will enable not only the lifestyle of individuals to improve, to eliminate hours, endless hours on the highways in traffic congestion, but to improve safety.

I see the distinguished ranking member has just arrived. I was about to extol the Senator during his absence, but I will continue. Those goals—we sat down in the subcommittee and in the hearings that we had—we had a hearing in Montana, as well as Idaho, and produced the various principles we have incorporated in this bill. There came a time when Senator BAUCUS and I believed we needed added dollars. We made that effort. We lost by a single vote on the floor.

But I think we understood at that time that the leadership, both Republican and Democrat, needed more time. I say throughout this bill we have received the strongest support from the majority leader and the distinguished minority leader, Mr. DASCHLE. As a matter of fact, the majority leader presided over a series of meetings we had in connection with the Byrd-Gramm-Baucus-Warner amendment. I can see Senator LOTT in his private office now patiently listening as we advocated the need for additional funding and the chairman of the Budget Committee, Mr. DOMENICI, in a very pragmatic and straightforward way, explaining the various priorities of many programs, but the willingness on behalf of the majority leader to listen and the chairman of the Budget Committee to finally accept the consensus of that.

Mr. CHAFEE worked with us throughout. There was a time when he was not entirely in favor of what Mr. BAUCUS

and I were trying to do, then a little less disfavor with the Byrd-Gramm-Baucus-Warner amendment. I remember him walking out of here at one point late in the afternoon and he said he was going to put a shield on and take out a sword and this measure would not pass. He, too, came to recognize the need for additional funding.

I think, indeed, the consensus of the Senate as a body—both sides realized, fully bipartisan—was that additional highway funding was needed. Senator CHAFEE, together with Senator BAUCUS, in markup in the full committee, got the unanimous adoption of the subcommittee bill. Then when there was reconciliation on the Byrd amendment, again, Mr. CHAFEE took the leadership in our committee and received unanimous support from all Members and eventually brought to the floor the Chafee amendment which added those funds.

Mr. President, we have come a long way. We are here, and within a short period I hope this measure is voted on final passage.

I want to thank Ann Loomis of my staff. I have never in my 19 years in the Senate witnessed a higher dedication and commitment by any person serving in the capacity of the staff than this fine person, together with her assistant, Ellen Stein, in helping me. We were joined by Dan Corbett, Kathy Ruffalo of Senator BAUCUS' staff, Jimmie Powell, the staff director, Thomas Sliter, the minority staff director, as well as Cheryl Tucker, Abigail Kinnison, and Linda Jordan. What a marvelous group. We have worked together in a bipartisan way to achieve this legislation. I hope other members of the staff and the Senate recognize how their peer group throughout the Senate worked—those assigned to the highway responsibilities and the legislative offices of every Senator—to bring about this bill. We thank all of you. We really got a remarkable piece of legislation and here we are.

I think there is one matter still remaining. I yield the floor, and 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.

AMENDMENT NO. 2012 TO AMENDMENT NO. 1676
(Purpose: To expand the scope of the hazard elimination program)

Mr. WARNER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. TORRICELLI, proposes an amendment numbered 2012.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 223, strike lines 4 and 5 and insert the following:

(1) in subsection (a)—
(A) by striking “(a) Each” and inserting the following:

“(a) IN GENERAL.—

“(1) PROGRAM.—Each”;

(B) by inserting “, bicyclists,” after “motorists”; and

(C) by adding at the end the following:

“(2) HAZARDS.—In carrying out paragraph (1), a State may, at its discretion,

“(A) identify through a survey hazards to motorists, users of public transportation, bicyclists, pedestrians, and individuals who live or work near transportation facilities; and

“(B) develop and implement projects and programs to address the hazards.”;

Mr. WARNER. Mr. President, this is cleared on both sides.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 2012) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2013 TO AMENDMENT NO. 1676

(Purpose: To modify a high priority corridor on the National Highway System)

Mr. WARNER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. ABRAHAM and Mr. LEVIN, proposes an amendment numbered 2013 to Amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 309, between lines 3 and 4, insert the following:

SEC. 1802. MODIFICATION OF HIGH PRIORITY CORRIDOR.

Section 1105(c)(18) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended—

(1) by striking “(18) Corridor from Indianapolis,” and inserting the following:

“(18)(A) Corridor from Sarnia, Ontario, Canada, through Port Huron, Michigan, southwesterly along Interstate Route 69 through Indianapolis.”; and

(2) by adding at the end the following:

“(B) Corridor from Sarnia, Ontario, Canada, southwesterly along Interstate Route 94 to the Ambassador Bridge interchange in Detroit, Michigan.

“(C) Corridor from Windsor, Ontario, Canada, through Detroit, Michigan, westerly along Interstate Route 94 to Chicago, Illinois.”.

Mr. WARNER. This amendment is cleared on both sides.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2013) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, on behalf of the majority leader and the distinguished minority leader, I make the following unanimous consent request:

I ask unanimous consent that no further amendments—with the exception of one to be offered by the Senator from Alabama, Mr. SESSIONS, which is still under consideration as to whether or not we will accept it—be in order to the committee substitute, and that the vote occur on the substitute beginning at 2:15 today.

I further ask unanimous consent that immediately following the adoption of Senate amendment No. 1676, S. 1173 be read the third time and the bill be set aside upon receipt of the House companion. I further ask consent that at that time the Senate proceed to the House companion and all after the enacting clause be stricken, the text of S. 1173, as amended, be inserted in lieu thereof, the bill be considered read the third time, and passed, and the Senate insist on its amendment and request a conference with the House. Finally, I ask consent that S. 1173 then be indefinitely postponed and the foregoing occur without any intervening action.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object, I have now been informed that Senator MOSELEY-BRAUN is on her way with an amendment, too. I have no idea what it is.

Mr. WARNER. I simply amend the UC to reflect two pending amendments, one from the Senator from Alabama and one from the Senator from Illinois.

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

Mr. BOND addressed the Chair.

Mr. WARNER. Will the Senator yield briefly?

Mr. BOND. Yes.

AMENDMENT NO. 2014 TO AMENDMENT NO. 1676

(Purpose: To designate certain segments of corridors of the Appalachian development highway system in Mississippi and Alabama as routes on the Interstate System)

Mr. WARNER. Mr. President, I send to the desk, as stipulated in the unanimous consent request just adopted, an amendment by the Senator from Alabama, Mr. SESSIONS, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. SESSIONS, proposes an amendment numbered 2014 to Amendment No. 1676.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of subtitle H of title I, add the following:

SEC. 18. DESIGNATION OF CORRIDORS IN MISSISSIPPI AND ALABAMA AS ROUTES ON THE INTERSTATE SYSTEM.

(a) IN GENERAL.—

(1) DESIGNATION.—Subject to subsection (b)(2), notwithstanding section 103(c) of title 23, United States Code, the segments described in paragraph (2) are designated as routes on the Interstate System.

(2) SEGMENTS.—The segments referred to in paragraph (1) are—

(A) the portion of Corridor V of the Appalachian development highway system from Interstate Route 55 near Batesville, Mississippi, to the intersection with Corridor X of the Appalachian development highway system near Fulton, Mississippi; and

(B) the portion of Corridor X of the Appalachian development highway system from near Fulton, Mississippi, to the intersection with Interstate Route 65 near Birmingham, Alabama.

(b) SUBSTANDARD FEATURES.—

(1) UPGRADING.—Each portion of the segments described in subsection (a)(2) that does not substantially meet the Interstate System design standards under section 109(b) of title 23, United States Code, in effect on the date of enactment of this Act shall be upgraded in accordance with plans and schedules developed by the applicable State.

(2) DESIGNATION.—Each portion of the segments described in subsection (a)(2) that on the date of enactment of this Act does not meet the Interstate System design standards under section 109(b) of that title and does not connect to a segment of the Interstate System shall—

(A) be designated as a future Interstate System route; and

(B) become part of the Interstate System at such time as the Secretary determines that the portion of the segment—

(i) meets the Interstate System design standards; and

(ii) connects to another segment of the Interstate System.

(c) TREATMENT OF ROUTES.—

(1) MILEAGE LIMITATION.—The mileage of the routes on the Interstate System designated under subsection (a) shall not be charged against the limitation established by section 103(c)(2) of title 23, United States Code.

(2) FEDERAL FINANCIAL RESPONSIBILITY.—

(A) IN GENERAL.—Subject to subparagraph (B), the designation of the routes on the Interstate System under subsection (a) shall not create increased Federal financial responsibility with respect to the designated segments.

(B) USE OF CERTAIN FUNDS.—A State may use funds available to the State under paragraphs (1)(C) and (3) of section 104(b) of title 23, United States Code, to eliminate substandard features of, and to resurface, restore, rehabilitate, or reconstruct, any portion of the designated segments.

(3) ELIGIBILITY FOR OTHER FUNDING.—(A) This section shall not affect the amount of funding that a State shall be entitled to receive under any other section of this Act or under any other law.

“(B) EFFECT OF PROVISION.—Nothing in this section shall result in an increase in a State’s estimated cost to complete the Appalachian development highway system or in the amount of assistance that the State shall be entitled to receive from the Appalachian Development Highway System under this Act or any other Act.”

Mr. WARNER. Mr. President, Senator SESSIONS is a member of the committee. He has worked very hard on this bill, and the citizens of his State should be aware of how hard he has worked on this bill, particularly this amendment, which has taken 3 days of negotiation to clear.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2014) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAUCUS. Mr. President, we are close to wrapping up this bill. I would like to just inform the Senate of the very, very hard work that a lot of my staff have performed, as well as the staff of many others. It is worth repeating every time we manage a bill or are involved with a bill. Each of us knows how very hard and how diligent each of our staffs is. They don’t sleep nights. They stay here all night long, and they work very aggressively and diligently, and they struggle home to sleep a little, and they get up in the morning, without complaint, and come back to work. They also work over weekends. It is just incredible.

I wish the American public could see just how hard our staffs work for the public good. I take my hat off to them. I believe, frankly, Mr. President, that a most noble human endeavor is public service, whether it is service to church, family, friends, whatever capacity each person might feel most comfortable with. But our staffs’ dedication to the public service is above and beyond the call of duty by far, and they don’t even get any recognition for it. Senators like to get headlines, like to be on TV; they like to get credit for what they do for the people in their home States and to the country. But the staff, I say, work harder and get no headlines, no recognition, no credit. Why are they doing it? They are doing it because they believe in service to our States and service to our Nation. They are just tremendous.

I would like to highlight my staff, because I know each Senator will do his own.

Tom Sliter is the minority staff director. Anybody that knows Tom Sliter knows there is none better. There are some as good, but there is none better than Tom Sliter for his dedication. And the same goes for everybody else on the minority side.

Kathy Ruffalo. Those who work with Kathy, try to clear amendments with Kathy, and go to Kathy for advice on how to work out this or that amendment, also know there is nobody more of an expert on the transportation bill or the highway bill or who finds solutions to problems more than Kathy.

Mr. WARNER. Mr. President, I must ask to join the Senator. Indeed, Kathy Ruffalo and Ann Loomis were at the very inception on the subcommittee, before it got up to the staff director level. They have really worked together as a team throughout. I certainly join in that. She is a distinguished citizen of the State of Montana, and she has weathered many

storms to be able to join in working late at night on this bill.

Mr. BAUCUS. That is true about the cooperation among our staffs. It is incredible. It is a joy to behold, frankly, to see Ann Loomis and Kathy and Tom and Dan and Jimmie. We have a real family here, I might say. As closely as we have worked together, it has been done without rancor, without anger, without any testy feelings. It has been a tremendous, seamless web of teamwork, and it has been wonderful. I mean that; I am not just saying it.

In addition, Mike Evans and Jo-Ellen Darcy, Barbara Roberts, and John Hemphill have all worked just as hard. We may not see them much on the floor here, but behind the scenes they have worked extremely hard and intelligently. I have not worked that much with Ann Loomis until recently. She is a wonderful woman, a very talented young lady. When Senator WARNER got up to speak on behalf of Ann, I thought, that's right, she is really good. The same is true with her counterpart, Kathy Ruffalo. They are a dynamo team. If you want to get two people working on a project and you want to win, get the two of them working together.

In addition, Dan Corbett of Senator CHAFEE's staff is an expert. Also, there is Cheryl Tucker, Linda Jordan, and Amy Dunathan. I don't know her, but I have heard of her, and she is good. Also, Abigail Kinnison of Senator CHAFEE's staff. Jimmie Powell did a terrific job as majority staff director. Secretary Slater has been helpful, along with Jack Basso, who has been here to answer questions relating to the Department of Transportation. He is always available and helpful.

In my State of Montana, Sandy Straehl, who is with the Montana Department of Transportation, has been terrific in working up data, amendments, and ways to help improve this bill. They worked very hard on this bill. I thank them very much.

In addition, Janine Johnson, with the Senate legislative counsel. It is pretty hard, when you are working for the legislative counsel and putting up with urgent, immediate requests of Senators and staffs, to try to write legislation, write amendments in a way that makes sense, to advance the issues we are trying to proceed with. Janine Johnson has been terrific.

There is also Ellen Stein with Senator WARNER's office. Ellen has been working as hard as Ann and the rest of them. I could go on forever, but I see Senators who wish to speak. I can't speak enough about the staff. They have been first-rate.

Mr. WARNER. Janine Johnson worked tirelessly, hour after hour, to see that our hand-scribbled notes were transitioned into legislative language.

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

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I rise today to say what the distinguished bill managers have already said, and that is a sincere thank you to the many people who made this bill possible. But I want to say it again. It is appropriate that Chairman WARNER and Senator BAUCUS express their appreciation, but I want to do so as well.

Mr. President, highways and ISTEA debates are not an academic debate from Missourians; they are more life and death matters. The State of Missouri has always been a leader in the area of transportation. One example is that the first construction contract awarded under the Interstate Highway System some 40 years ago was for part of I-70 near St. Charles, MO. But the problem is that Missouri has been shortchanged in the past. Missouri has been a donor State putting in more than a dollar for every dollar they get back.

This final bill that has been crafted through a great deal of work is "rough justice" and demonstrates that reasonable people with passionate differences can reach compromise. My State of Missouri stands to gain \$1.2 billion—that is not "million"; that is "billion" dollars—more over the next 6 years than during the last 6 years to improve highway safety and infrastructure. That amounts to a 50-percent increase to Missouri for Missouri's essential transportation infrastructure.

I have worked long and hard on this bill with my distinguished friends and colleagues on the Environment and Public Works Committee. The underlying bill that the committee reported addresses the priorities I have had all along—increased funding overall, increased funding for the State of Missouri, fairness, and flexibility.

I express my sincerest thanks to Chairman CHAFEE, Chairman WARNER, Senator BAUCUS, and to all members of the committee for their assistance on things like my wetlands mitigation amendment, the triple-trailer amendment, and especially the amendments that we put in with respect to bridges, which are vitally important to my State. I look forward to the House passing the bill so we can get to conference and send to the President a transportation bill that will take us into the 21st century.

I would like to offer my own special thanks, among others, to the fine people who were mentioned. I need to mention my assistant, Tracy Henke, who worked I don't know how many hundreds of hours per week and over the weeks on this bill, and prior to that time. I express my thanks to Jimmie Powell, to Dan Corbett, to Ann Loomis, Cathy Ruffalo, Ellen Stein, Tom Sliter, and Abigail Kinnison. As has already been said, these people put in untold hours, and they did what I think is a good job. It is a job that makes nobody perfectly happy. But it is a job that lays the foundation for the kind of transportation system that we need to have in this Nation for the 21st century.

I am proud to have worked on this measure, and I thank my colleagues, and particularly their staffs who worked so hard to bring us to this point.

I thank the Chair. I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Virginia.

Mr. WARNER. Mr. President, before the distinguished Senator from Missouri departs the floor, I certainly want to refer to the early days in the consideration of this bill, and to the tenacious manner in which he fought on behalf of not only his State but other States that found themselves in similar disparity in terms of the allocation of funds under the 1991 act. It is through his leadership that much of the achievement of equity in this bill has been reached. And I just want to personally thank him.

Mr. BOND. Mr. President, I say that the leadership of the chairman of the subcommittee is something for which we are all grateful. He helped donor States that were being shortchanged to come up to a much fairer level. It really makes a difference when you have a leader like Senator WARNER, who is working to assure fairness to assure the goals that we all seek, and I am deeply indebted to my good friend for the work that he has done not just for Virginia, but for many States and for everybody in America.

I thank my distinguished colleague.

Mr. WARNER. Mr. President, I thank my colleague.

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.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2015 TO AMENDMENT NO. 1676

(Purpose: To increase funding for the Railway-Highway Crossing Hazard Elimination Program)

Ms. MOSELEY-BRAUN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois (Ms. MOSELEY-BRAUN) proposes an amendment numbered 2015.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 220, after line 23, insert the following:

(E) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated

\$45,000,000 in each of fiscal years 1998 through 2003 to carry out this subsection."

Ms. MOSELEY-BRAUN. Mr. President, this is an amendment authorizing \$45 million annually across the country for railway crossing improvements that are necessary in high-speed rail corridors across the country. High-speed rail, of course, is the future of passenger rail in America, and it holds great promise for our country.

One high-speed rail network is under development right now in the Midwest that will connect Chicago with St. Louis, Milwaukee, Detroit, and possibly even Minneapolis and Cincinnati. There are a number of corridors under development throughout the country—in Florida, in California, and the Pacific Northwest, North Carolina, and in New York. There are proposed high-speed rail corridors in Ohio, Georgia, and other States as well.

Perhaps the greatest challenge impeding the development of high-speed rail are problems and issues at rail crossings. When trains begin to exceed speeds of 110 or 125 miles an hour, grade crossings that might otherwise be safe are made unsafe. The possibility for a tragedy increases incrementally.

We had a terrible tragedy a couple of years ago outside of Chicago. A school bus was struck by a train in Fox River Grove, Illinois, and seven children died. It was a terrible tragedy. That is the type of accident that we ought to do everything we possibly can do to prevent. It should never have happened. Again, with trains going at speeds of 110 and 125 miles an hour, the likelihood of a tragedy like this happening, unfortunately, increases incrementally.

This amendment will authorize an additional \$45 million annually for the improvement of railroad highway crossings on high-speed rail corridors. The funds will not come out of any other program. They will not come out of any one's highway or transit program. It is simply an authorization of additional funds for improving safety at rail crossings.

I urge my colleagues to support this amendment.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, we know this amendment has just come to us, and the distinguished ranking member, Mr. BAUCUS, is now in consultation with the proponent. It seems to me that the amendment is acceptable and that this is a matter that deserves the meritorious consideration of the committee now and eventually in conference.

Ms. MOSELEY-BRAUN. I thank my colleague, and I am grateful for his consideration of this safety matter. I know it is a matter of great concern to him, and the ranking member as well. I thank them both very much for considering this issue.

Mr. BAUCUS. Mr. President, I appreciate what the Senator said, but with

the understanding that it is amended down at the lower amounts.

Ms. MOSELEY-BRAUN. Of course. I do understand that.

Mr. BAUCUS. It is a needed program, particularly for high-speed rail crossings.

I must say to the Senator that it is very important to address hazardous high-speed rail problems. It is also a problem, because tragically 2 days ago there was a bus accident at a rail crossing in my State of Montana where two schoolchildren were killed. It is devastating, as you might guess, to the families and to the school. It is a small school in central Montana. When we write this bill, we need to make sure that we address hazardous rail crossings across the country, as well as high-speed also.

Ms. MOSELEY-BRAUN. I think that is right.

Again, as the ranking member is aware, I talked about how Illinois is a hub State for transportation generally. We are a hub State for rail have among the highest numbers of rail crossings in the country. So we have so much more of this. We have so many more rail crossings that in the development of the high-speed rail—which everyone wants to see because it is the future of rail transportation and rail transit in the country—I think we need not be unmindful. We need to be mindful, and focus in on safety.

I am grateful to the leaders on this legislation for their consideration of this matter.

Mr. WARNER. Mr. President, if I might say, another Senator, I have just been informed, had a similar amendment. We are now checking with his office to determine whether or not he desires to go on, given that we were not able to accept his amendment in the form that it was presented to the committee.

Ms. MOSELEY-BRAUN. If I may, I hope that Member can be added as a co-sponsor. I don't know who it is. If he is so willing, we would be happy to have the support.

I thank the Senator. I thank the Chair.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I simply want to rise to join in the congratulation of the leadership of this bill. It has been a pleasure for me to serve on this committee and on this subcommittee, and to see us coming finally to closure on a bill that I suspect is one of the most important that we will deal with in the next several years. It is certainly one of the most contentious, because it is one in which each of us seeks to satisfy our own needs, one in which we finally have to come to some accommodation for the different kinds of needs we have, and certainly no one is ever going to be perfectly satisfied. But I think we have come to a very successful conclusion in this bill.

I hope that we can maintain basically the formulas that we struck. Ob-

viously, the total spending is one of the issues. Obviously, the formula for distribution is one of the issues. Each of us have differences. Some of us have lots of miles and not many people; some of us have lots of public lands, and so on. So it is most difficult.

I simply want to congratulate the chairman of the subcommittee and the ranking member, as well as the chairman and ranking member of the committee, and urge that we get on with it. Our States are waiting to be assured of the funds they will have, particularly in our northern States where the contracting season and the construction season is relatively short.

All of us have properly given some credit to our staff. Each of us had a staff person. I had a young man named Chris Jahn, who did an excellent job not only working with the committee but with our State transportation department, and I am proud of what he did.

So, Mr. President, I certainly add my congratulations and urge that we get this bill out of the Congress to the President as soon as we possibly can.

I yield the floor.

Mr. WARNER. Mr. President, I wish to thank the Senator for his comments, but more importantly his participation. He is a member of the Environment and Public Works Committee, and has played a very active role throughout the formulation of this legislation, and always with a very gentle but firm hand saying, "I am watching for Wyoming." And that he did. We are very proud of that. I do hope this bill is received in his State as it will be, I hope, in other States, as truly an accomplishment.

I thank the Senator.

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. WARNER. 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. WARNER. Mr. President, the chairman, Mr. CHAFEE, when the time came to develop this legislation, reposed his full trust and confidence in the subcommittee to draw up a bill. And that we did. And, indeed, that bill, with the exception of the additional money, remained intact throughout this deliberation.

I want to pay special tribute to the members of that subcommittee who worked with me and Senator BAUCUS, the ranking member, through the period of a year's time. Many of them traveled with us when we went to various places in the United States. That is Mr. SMITH; Mr. KEMPTHORNE; Mr. BOND; Mr. INHOFE; and Mr. THOMAS, who just spoke; Mr. MOYNIHAN; Mr. REID; Mr. GRAHAM; and Mrs. BOXER.

As I said earlier, Mr. GRAHAM of Florida worked with me on STEP 21, which

was the foundation group that we eventually went into partnership with on Stars 2000, under the leadership of Mr. BAUCUS. So I want to pay special tribute to each of these individuals who worked so hard on this bill. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I want to pay a special tribute to the Senator who just spoke, Senator WARNER of Virginia. This is the first opportunity I have had to work closely with the Senator from Virginia. When you work on a major bill like this, you get to learn a lot about the person you are working with. I want to just tell the Senator how much I appreciate his grace, style, honesty, dedication, efficiency in getting the job done, cooperation, making sure we touch all the bases, making sure we talk to the leader about this, better talk to the chairman about this and the ranking member of the Appropriations Committee, too; making sure all the bases are touched so we get a balanced, fair bill, one that is fair to everybody not only in the letter of the law but the spirit of it.

Senator, you have done a great job and I want to thank you for that.

Mr. WARNER. Mr. President, I thank my colleague, but I also thank him for the opportunity to learn. I remember one time we were in a hearing, I believe it was in Idaho, if I am correct in my recollection. You and I were chairing it with Senator KEMPTHORNE. You pointed out the technical problems in many of the roads in the West, where they have to traverse such long distances and it is very expensive, given the weather; therefore, through the years they have shortchanged the sides of the road, the unpaved portions, and how that has contributed to a number of accidents.

I just point out that one technical thing because throughout this bill it has been a great learning process on the particular needs of the individual States as they relate to their geographical locations, temperatures and weather conditions that they have. The Senator fought tenaciously for the West. Now he goes in to meet his greatest challenge in the House where there are far fewer Members of the House of Representatives representing the West. I know that the West can count on the Senator for upholding their position in this bill, which he has fought for and achieved, together with Senator KEMPTHORNE, who I think was a partner in this endeavor. I think the Senator for his kind comments but also for a learning curve that taught me a lot about things, like the shoulders of the road. Now this bears on your shoulders, to protect them in the West.

Mr. BAUCUS. It is also true you learn what a mosaic this country is and how each State's needs are unique. The New England States, for example, the Northeast States, have definite needs, obviously, with relation to the population density; relative donor

States. Then, obviously, some of the Western States with public lands, some of the Indian roads. I compliment the Senators who worked very hard for their own States and who worked with the Senate to get a balance. One who comes to mind is Senator LEVIN, and Senator ABRAHAM from Michigan.

Mr. WARNER. Tell us.

Mr. BAUCUS. They are very tenacious in pressing for their States' best interests.

Mr. WARNER. Bulldogs.

Mr. BAUCUS. My colleague says "bulldogs." They are bulldogs. But they are, if possible—I am sure bulldog owners will think it's possible—fair bulldogs, once they charge ahead.

Mr. WARNER. Let's add the Governor from that State.

Mr. BAUCUS. The Governor of Michigan, to say nothing of the Governors from some other States—Massachusetts, for example. I thank Senators KENNEDY and KERRY for their hard work for their State, along with Senator LAUTENBERG from New Jersey and the Connecticut Senators. Senator MOYNIHAN, who in many ways is the father of this bill, helped make sure there was a Northeast balance to the bill. And many other western Senators came to me and said, let's make sure this is fair to the West. I mentioned the donor States.

On our committee, I would like also to thank Senator BOXER—she has pressed California's interests very ably—Senator REID from Nevada; Senator LIEBERMAN; Senator LAUTENBERG, who I also mentioned; Senator GRAHAM from Florida—he is tenacious in fighting for Florida's interests, making sure, as a donor State it is not taken advantage of. But, again, it all came together in a very fair way.

It sounds kind of platitudinous, but it is true. These Senators worked extremely hard for their States and at the same time, in the end, they worked together to make sure we would get a very strong bill. That is quite an achievement, frankly, as we move on to the next century, the next millennium. We are passing a major infrastructure bill—major. Every \$1 billion of highway spending accounts for about 42,000 jobs. This bill is about \$171 billion, roughly, over 6 years. When we finish with the House, it perhaps could be a few more dollars.

Also, just in terms of making sure our highways are as up-to-date as possible, as any businessman knows, the better the condition of our roads and highways, the less congestion there is, the more money he is going to make, the more that helps his bottom line. This is going to help us be competitive in the next century.

Again, I thank Senators for their great work.

AMENDMENT NO. 2015, AS MODIFIED

Mr. BAUCUS. Mr. President, I am advised we need to make a technical adjustment to an amendment just offered, which has been agreed to, an amendment offered by Senator

MOSELEY-BRAUN. I also understand that Senator FAIRCLOTH would like to be added as a cosponsor.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WARNER. The Senator is correct. Senator FAIRCLOTH had a very similar amendment, which at that time we felt we could not accept. In every respect he is a full cosponsor of the efforts reflected in the amendment of the Senator from Illinois. It has now been amended to be an amount not to exceed \$15 million.

Mr. BAUCUS. That is correct. But there is another exception making sure it's not contract authority but authorizing language.

Mr. WARNER. That is correct.

Mr. BAUCUS. Mr. President, I have the changes in the amendment. I send them to the desk.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

The amendment (No. 2015), as modified, is as follows:

On page 220, after line 23, insert the following:

(E)(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$15,000,000 in each of fiscal years 1998 through 2003 to carry out this subsection.

(2) AVAILABILITY.—Notwithstanding section 118(a), funds made available under paragraph (1) shall not be available in advance of an annual appropriation."

Mr. BAUCUS. This is the amendment that makes sure the \$15 billion is not contract authority but is authorization. I urge its adoption.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 2015), as modified, was agreed to.

Mr. WARNER. I move to reconsider and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2005, AS FURTHER MODIFIED

Mr. WARNER. Mr. President, I ask unanimous consent the Gramm amendment No. 2005 be modified to be a first-degree amendment with the changes that are now with the clerk.

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

The amendment (No. 2005), as further modified, is as follows:

Strike pages 98 and 99 and insert the following:

(2) SELECTION OF STATES, METROPOLITAN PLANNING ORGANIZATIONS, AND PROJECTS TO RECEIVE GRANTS.—Notwithstanding any other provision of this Act, in selecting States, metropolitan planning organizations, and projects to receive grants under subsection 1116(d), the Secretary shall consider—

(A) the extent to which the annual volume of commercial vehicle traffic at the border stations or ports of entry of each State—

(i) has increased since the date of enactment of the North American Free Trade Agreement Implementation Act (Public Law 103-182); and

(ii) is projected to increase in the future;

(B) the extent to which commercial vehicle traffic in each State—

(i) has increased since the date of enactment of the North American Free Trade Agreement Implementation Act (Public Law 103-182); and

(ii) is projected to increase in the future;

(C) the extent of border or ports of entry transportation improvements carried out by each State since the date of enactment of that Act;

(D) the extent to which international truck-borne commodities move through each State;

(E) the reduction in commercial and other travel time through a major international gateway expected as a result of the proposed project; including the level of traffic delays at at-grade highway crossings of major rail lines in trade corridors;

(F) the extent of leveraging of Federal funds provided under this subsection, including—

(i) use of innovative financing;

(ii) combination with funding provided under other sections of this Act and title 23, United States Code; and

(iii) combination with other sources of Federal, State, local, or private funding; including State, local and private matching fund;

(G) improvements in vehicle and highway safety and cargo security in and through the gateway concerned;

(H) the degree of demonstrated coordination with Federal inspection agencies;

(I) the extent to which the innovative and problem solving techniques of the proposed project would be applicable to other border stations or ports of entry;

(J) demonstrated local commitment to implement and sustain continuing comprehensive border planning processes and improvement programs; and

(K) the value of the cargo carried by commercial vehicle traffic, to the extent that the value of the cargo and congestion impose economic costs on the nation's economy.

Mr. DOMENICI. Mr. President, I would like to take this opportunity to commend the many Senators whose cooperative efforts have brought this vital legislation to the Senate floor. I personally wish to thank the distinguished Environment and Public Works Committee Chairman JOHN CHAFEE of Rhode Island for his work in helping negotiate the deal to increase highway funding while maintaining the balanced budget agreement reached last year. When I entered the Senate in 1973 until 1987, I served on the Environment and Public Works Committee. I know the history and evolution of highway programs in this country. We are, Mr. President, a country on wheels.

I know the importance of highways to our economy. Every dollar invested in the highway system yields \$2.60 in economic benefits to the nation. A transportation system that works without traffic jams, and efficiently moves goods across town or across the state, is an important asset for economic development. Good roads lower the price consumers pay for food, clothing and other goods. Lower prices can increase disposable income, attract new business and new jobs to an area.

The highway system is the economic lifeblood of our nation, and of my home state of New Mexico. Good roads get us where we need to go, on time and safely. President Eisenhower recognized that roadways are the arteries of

American body politic when he created the Interstate system following World War II.

My constituents in New Mexico have indicated their biggest concern is roads.

Bad roads constitute 43% of the New Mexico road system, placing us, Mr. Chairman, behind only Rhode Island in the highest percentage of bad roads in the Country. Driving on roads riddled with potholes, bumps, buckles and cracks costs New Mexico motorists \$281 million a year just in additional mechanic's repair bills and operating costs.

Highway improvements are urgently needed in New Mexico, and this agreement will assure us of substantial increases for that work over next 6 years. Should the current version of this bill pass, New Mexico would receive more than \$1.5 billion for road construction and maintenance funds over the next six years—a 48% increase.

Financing highway construction and related activities creates jobs. Almost 10 million workers, a full seven percent of the civilian workforce, are employed in transportation and related industries. Each \$1 billion in new federal highway investment nationwide generates an additional 439 full-time jobs in my state of New Mexico.

Repairing the national transportation system will increase productivity in all sectors of the economy. The goal of this legislation is the efficient and safe transportation of goods and people. We have agreed to spend all incoming gas taxes on highways, so New Mexicans can be sure they are getting their money's worth at the pump. We have encountered some potholes on this road of reaching an agreement consistent with the balanced budget agreement. But make no mistake, throughout negotiations, PETE DOMENICI has been for building roads in New Mexico.

The New Mexico Legislature recently approved, and Governor Johnson signed, a \$1.1 billion highway funding package that depends on federal dollars from this legislation to complete projects in the state. For the first time in history, every community in New Mexico with a population over 15,000 will be served by a four lane highway connected to the interstate highway system. For example, Highway 44 between Bernalillo and Bloomfield, one of the most dangerous stretches of road in the country, will be widened to 4 lanes with the arrival of these additional federal dollars.

After waiting for more than 25 years, New Mexico will finally be able to complete improvements to highway 70; a vital link on the Eastern side of the state connecting the mountainous community of Ruidoso to Roswell and Portales.

What we in New Mexico affectionately refer to as "the Big I"—the intersection of Interstates 25 and 40 which bisects the state in Albuquerque—is in desperate need of improvement. Too

often this area resembles a parking lot rather than a main thoroughfare. Traffic is so bad that normally courteous drivers often become frustrated and succumb to "road rage;" jockeying for position, cutting each other off, and making single-finger salutes.

A recent Albuquerque Journal article suggests that motorists in New Mexico's largest city may begin to refer to 1998 as the year of the orange barrel. However, the city of Albuquerque, as well as the nation, will benefit from the long-awaited improvements to this vital crossroad.

Congestion and traffic have contributed to the "brown cloud" in Albuquerque from carbon monoxide. The \$6.6 million provided to New Mexico annually in the Congestion Mitigation Air Quality portion of this bill will continue the programs which have allowed Albuquerque to become the first U.S. city to emerge from non-compliance with air quality standards.

It may seem unusual to some that a Senator from New Mexico helped protect mass transit dollars in this road bill. However, New Mexico will benefit from these funds in the development of transit systems in, as well as between, her larger cities. Even the smaller city of Roswell as contributed to mass transit technology. The NovaBus Corporation has designed efficient busses which have been utilized in metropolitan areas like New York City. New Mexico has lots to offer our nation's transportation needs.

New Mexico is the fifth largest state, comprising nearly 3.5% of the land area of the United States, yet it ranks only 36th in population. However, New Mexico is also one of the fastest growing states in the Union, and its traffic volume has tripled in the last ten years. Heavy 18 wheelers moving goods pass through New Mexico, between manufacturing and population centers in Texas and California. We don't directly benefit from the majority of this traffic, but it does tear up our roads.

As I have been recently reminded, almost 27 million acres of my fair state, approximately 1/3 of its land area, is owned by the federal government, with more held in trust for the many native Americans within its borders. As this nation's Interstate highway ages, repaving and maintenance is endless. Major reconstruction is necessary, which is the state's responsibility. New Mexico maintains highway systems through those lands, while having no tax base to recover any costs.

I am pleased this bill includes an additional \$250 million for roadway improvements on public lands throughout the nation. Perhaps the National Park Service will improve the roads within the Chaco Culture National Historic Park so that visitors from around the country will be able to share in its splendor.

New Mexico also shares 175 miles of its border with Mexico. Our state has welcomed the increased economic activity associated with the passage of

NAFTA, but the nation must also realize the increased traffic and cost to road infrastructure which has followed. I am pleased that this bill includes \$450 million for states to meet NAFTA-related road needs. I am also pleased my amendment which amends the Trade corridor and Border Crossing planning program was approved.

This amendment allows the Secretary of Transportation to consider the projected increase in commercial traffic when selecting recipients of border grants. The current provisions direct the Secretary of Transportation to only consider current and past traffic when allocating funds under this program. Many border facilities, including Santa Teresa in New Mexico, have opened since the passage of NAFTA. This amendment will enable the Secretary to consider the future growth of commercial traffic at ports when awarding grant requests.

I, along with the other Senator from New Mexico, also offered amendments which enable the Department of Transportation to benefit from the expertise of our nation's federal laboratories in solving transportation needs. In utilizing existing laboratory capability where appropriate, we can ensure past taxpayer investment will earn dividends long into the future. Our amendments encourage cooperation and information exchange within the federal system in development of transportation technology. We should, where we can, avail ourselves of the exceptional talent already available in our federal laboratories.

I encourage the prompt passage of ISTEA II in the Senate, so that the House of Representatives will quickly address the country's transportation needs and construction can continue without delay. New Mexico is a large state with a small population, many citizens are isolated without adequate roads. Contract authority provided by this legislation is needed to continue federal road and transit construction and maintenance throughout the country. Major construction season is about to commence; states need their highway funds.

I urge prompt passage of this important bill.

Mr. President, again, let me thank all the Senators who have worked together to get this bill moving on the Senate floor. In addition to the distinguished chairman CHAFEE, I thank Senator BYRD and Senator PHIL GRAMM, who originally brought up the idea trying to spend as much of the 4.3 cents as had been transferred to the trust fund as possible, consistent with the caps we have heretofore agreed upon in the balanced budget.

During the 14 years I served on the Environment and Public Works Committee I learned that there is nothing more important to the American people and the people of my State than the roads they drive every day of their lives. Many Americans work miles from where they live. Freedom to

many is to get where you want to go as easily as possible, and in your own car.

Frankly, I believe that is as much a part of the good life in America as anything else.

But while we have been taking highway money and spending it on other projects, congestion grows. While we are all interested in mass transit and transportation technology, it is obvious that you have to spend money on bricks, mortar, cement, and the like, to improve the roadway system.

New Mexicans are going to be very pleased when this bill clears the House and goes to the President, because our State is going to be able to take care of many projects that have been long delayed. We will try to make improvements to the interstate in our largest city to relieve congestion. A city of 750,000 should not be so congested.

There are many aspects of this bill that are going to help New Mexico. Many of roads on Indian lands are impassable in winter months. Only in the last 16 years have we been allocating federal funds to improve these roads, and this bill increases that funding by \$50 million to \$250 million annually.

Our legislature has cooperated with our Governor, and they have a series of major projects that are going to be funded out of the highway program in, indeed, new and innovative ways, with long-term bonds and financing, if and when this bill becomes law. I look forward to that.

I have already commented how this highway money is needed in the State of New Mexico. I will conclude by saying that when we have an economy as robust as ours is today, it is not time to let up on road building. Our economy lives on the highways and byways of America. The more congestion, the less efficient, the less effective we are. Moving business efficiently and effectively the length and breadth of this nation, will ensure the American economy continuing its rather tremendous competitive advantage in the world.

From the smallest town that needs its roads improved to the very big issue of how this Nation remains competitive—I feel that passage of this bill is as important as anything else we do in the next 4 or 5 years.

INCREASING THE ALLOCATIONS TO INDIAN RESERVATION ROADS

Most Indians today still live in poverty. This is reflected in a per capita income figure that is one-sixth to one-fifth the national average for the 10 largest Indian reservations. In simplest terms, most reservation Indians have one dollar of income for every five dollars of income available to average Americans.

On the Papago reservation in Arizona, the per capita income is \$3,113 compared to \$18,325 for all Americans (1990 Census). At Zuni Pueblo, the per capita income is \$3,904 and at that Navajo reservation it is \$3,735. These figures have changed only slightly since the 1990 Census.

Fifty-one percent of American Indians residing on reservations live below

the poverty line; and unemployment averages 37%.

ISTEA has already helped tremendously to increase the accessibility of Indian people, but much remains to be done.

We can help accelerate the movement of Indian people into mainstream economic activities by improving their accessibility to better markets and better tourism opportunities.

ISTEA II, S. 1173, now authorizes a grand total of \$173 billion for all programs over the six year life of the bill. This is a nominal increase of about 43 percent.

As passed by the Senate, S. 1173 funds the Indian Reservations Roads Program at \$200 million for 1998 and \$250 million per year for each of the following five years of the bill, from 1999 through 2003.

I am pleased that the Committee on Environment and Public Works has included \$9 million annually (within the total \$250 million) to allot to the repair and construction of Indian bridges.

The Domenici-Inouye-Bingaman amendment, as accepted by the Committee will add a total of \$250 million over five years.

Our amendment brings the six year total IRR funds up to \$1.450 billion from the current \$1.200 billion prior to the Domenici amendment.

While our original IRR bill, S. 437, included road maintenance as an eligible activity, this amendment does not include road maintenance. We expect the BIA to continue to fund its road maintenance program, hopefully at higher levels than \$25 million per year.

The Indian Reservation Road Program is directed to about 22,000 miles of BIA roads serving Indian lands. There is a total road mileage, counting BIA, state, federal, tribal, and county roads, of about 50,000 miles on our nation's Indian lands. The BIA is directly responsible for about 44% of this total road system serving Indian tribes. About 5% are tribal roads and the other half are other federal roads and state and county roads.

Within the BIA road system, 22,000 miles of roads, only 11% of the paved roads are rated as being in good condition. Of the unpaved roads, 90% are known to be in poor condition. None of the BIA unpaved roads are rated as being in good condition.

Since 1982, the Highway Trust Fund has been the primary source of funds for the design and construction of BIA roads serving Indian tribes. In the mid-1980's this funding was about \$100 million per year; it fell to about \$80 million per year in the late-1980's; and with the advent of ISTEA I, Indian Reservation Roads have been funded at \$191 million per year.

Now that Welfare Reform is a reality, it is more imperative than ever to help create Indian reservation-based employment opportunities. ISTEA funding has become the primary source of road planning and construction in Indian Country.

In addition to direct employment opportunities, ISTEA funds provide an essential component of community infrastructure development. As observed in the Committee Report on S. 1173,

Transportation provides the links between businesses, industries and consumers. The national economic benefits of a healthy and reliable Federal investment in transportation infrastructure are well documented.

The ability of new businesses to arise in Indian Country is seriously hindered by the current state of their road system. Health and education indicators are also well below national averages.

Today's Senate action to increase the Indian Reservation Road program by \$50 million per year will add significantly to improving the accessibility of Indian reservations to the benefits of our national economy.

On the Navajo reservation, annual funding is likely to increase from about \$55 million to over \$65 million. On Pueblo lands in New Mexico, funding will increase from about \$12 million to \$15 million.

I am pleased that the full Senate preserved this important funding increase for Indian reservation roads to \$250 million per year, from \$200 million per year, as originally proposed by the Environment and Public Works Committee, and from \$191 million per year under current law.

Another significant change in this legislation is the national priority system for Indian reservation bridges. Rather than allocate a small percentage of bridge funds from each of the fifty states for use within those states, we now have a single national Indian bridge program that will target the most deficient bridges for early repair or replacement.

I thank Chairman CHAFFEE and Ranking Member BAUCUS for their assistance in adding significant funding for the Indian Reservation Road Program and creating a simpler Indian bridge program.

NHTSA FUNDING

Mr. McCAIN. Mr. President, I would like to take a moment to recognize the very important role of the National Highway Transportation Safety Administration (NHTSA) and its immense contributions to promoting transportation safety throughout our nation. I would particularly like to commend Dr. Ricardo Martinez, Administrator of NHTSA, for his strong leadership in highway safety over these past several years.

Since 1992, seat belts, child safety seats, motorcycle helmets, and the age 21 minimum drinking age laws have saved over 40,000 lives. Thanks in large part to NHTSA, the nation also has made great progress in reducing the motor vehicle fatality rate. In 1966, when the highway safety statute NHTSA administers was enacted, the nation's motor vehicle fatality rate stood at 5.5 deaths per hundred million vehicle miles traveled. Today it stands at 1.7, the lowest rate recorded.

The keystone of NHTSA's efforts in highway safety, jointly administered

with the Federal Highway Administration (FHWA), is the State and community highway safety grant program, commonly referred to by its US Code provision as the "Section 402" program. The major goal of the Section 402 Program is to provide Federal leadership, encouragement and technical assistance to States and communities in their effort to develop and implement the most effective highway safety programs to reduce traffic crashes and resulting deaths, injuries, and property damage. Section 402 funds are provided to all States, territories, the District of Columbia, and the Secretary of the Interior on behalf of Indian Reservations. At least 40 percent of these funds are used for local and community projects with the remainder going to the State.

Last week, the Commerce Committee's safety amendment to S. 1173 was adopted by unanimous consent. That amendment acknowledges the important functions of NHTSA and authorizes funding for the agency's many programs for six years. Unfortunately, due to budget considerations, the authorization levels included in the Commerce Committee's amendments for NHTSA's highway safety programs, as well as programs under the Office of Motor Carriers, fall short of meeting agency needs forecast for the next six years.

Mr. President, I want to ensure there is no question about the Committee's commitment to transportation safety. While many of us wish we could have authorized funding at the levels requested by the Administration, the Committee had to also acknowledge the budget agreement entered into last year. Accordingly, the levels authorized for NHTSA and all of the other safety programs authorized under our amendment reflect that budget agreement.

I am well aware additional funds are needed to meet NHTSA's goals on such vital programs as safety belt use and drunk driving prevention. As Chairman of the authorizing committee, I stand ready to increase the funding levels should an agreement be reached with the Budget Committee and other pertinent Committees to enable a higher authorization level for NHTSA, as well as other agencies' safety programs.

While we have not found a way to increase the funding at this time, I will continue working on this during conference consideration. I will do all I can during conference deliberations to seek higher authorizing levels for transportation safety.

AMENDMENT NO. 1977

Mr. CLELAND. Mr. President, I would like to take a minute to address a Senate action which took place yesterday on March 11, 1998, specifically the passage of my amendment number 1977 to the bill S.1173 which involves the addition of Elbert and Hart Counties, Georgia to the Appalachian Regional Commission.

First, I would like to thank my distinguished colleagues, the Chairman

Senator CHAFFEE and Ranking Member Senator BAUCUS for their superb leadership on this bill as well as Senators WARNER and BYRD for their input and guidance to insure that my efforts on behalf of Elbert and Hart Counties in Georgia were able to come to fruition. I also wish to commend Georgia Governor Zell Miller for his role in bringing this matter to my attention.

As you know, my amendment will allow Elbert and Hart counties to gain membership in the Appalachian Regional Commission (ARC). I am extremely proud to be able to help the fine Georgians who reside in Elbert and Hart Counties to join the region served by the ARC. Back when the Appalachian Regional Commission was established in 1965, these two counties were geographically eligible to be included, but the local leadership at the time declined to do so.

Well, here we are, over 30 years later, and the people of Elbert and Hart Counties have been given what we all need in life, "a second chance." The economic and educational assistance provided by the valuable programs of the Appalachian Regional Commission will be extremely valuable for the forty-thousand or so people who reside in Elbert and Hart Counties in their efforts to better their economies and their communities.

I, along with those Georgians of Elbert and Hart Counties, would like to thank my Senate colleagues for their wisdom and generosity in providing for successful passage of this amendment.

ALAMEDA CORRIDOR-EAST PROJECT IN THE SAN GABRIEL VALLEY OF CALIFORNIA

Mrs. BOXER. Mr. President, before we bring to a close this reauthorization of the Intermodal Surface Transportation Act, I'm pleased to draw the attention of the Senate to an outstanding trade corridor project in my home state of California.

The Senate may remember that, in 1996, I worked with the state of California and the California delegation to achieve funding for the Alameda Corridor, a major trade corridor to move the thousands of box cars a day unloaded at the Ports of Long Beach and Los Angeles through southern Los Angeles County to Redondo Junction. From there, the railroads move the cargo east to virtually every state in the Union. While I'm very pleased that we were able to arrange a private public partnership to fund the Alameda Corridor, I must point out that further work must be done to relieve the congestion east of the Alameda Corridor.

As the trains are loaded at Redondo Junction, they head east, going through a very heavily populated area known as the San Gabriel Valley. In this 35-mile corridor, there are 79 highway rail grade crossings located along the Union Pacific and former Southern Pacific main lines between downtown Los Angeles and the City of Pomona. The train traffic through this Valley is currently 67 trains per day and is projected to increase about 60% to as high

as 109 trains per day by the year 2020. This will result in a doubling of the amount of time a grade crossing will be closed, to as high as 140 minutes a day. This obviously has adverse effects on mobility, both for the local citizen and freight movement. More important, however, it has a terrible impact on safety and I believe it is our responsibility to address this situation.

I am pleased to report that the San Gabriel Valley Council of Governments, working in concert with the Southern California Association of Governments and the California Department of Transportation, has developed a plan to improve safety and mobility in the San Gabriel Valley. It is a very aggressive 8-year, \$950 million program which calls for an initial investment of \$220 million from the Federal government over the next 6 years. The program is ready to begin immediately with a jump-start program of \$60 million, which would address the most critical bottlenecks and improve safety through a series of grade crossing improvements and traffic signalization. In addition to the safety and mobility aspects, if fully implemented, the Alameda Corridor East Gateway to America Project would annually take 128 tons of air pollutants out of the worst air basin in the nation.

This is a very important project, Mr. President, and I ask that when you go to conference with the House you give this project every consideration in urging the Secretary of Transportation to support this project out of the discretionary monies in the high priority trade corridor program of this legislation.

Mr. CHAFEE. Mr. President, from my visits to California, I have learned first hand how the traffic coming through the Ports of Long Beach and Los Angeles are expected to more than double by the year 2020 with 25% of all U.S. imports coming through these two ports. If we are to realize the benefits of this increased trade, we must improve the efficient movement of the cargo throughout this nation while at the same time taking every step to enhance the safety of the residents of the area and to improve the environment.

The Senator should be assured that I will give this project every consideration as we move to final enactment of this bill.

Mr. HATCH. Mr. President, I just want to take a moment to express appreciation to the Environment and Public Works Committee members, particularly Senators CHAFEE, BAUCUS, and WARNER, for the yeoman's effort they have made to get this bill to the floor and ultimately passed by the United States Senate.

Developing a measure this complex, with so many competing interests, isn't easy. Believe me, I've been there, done that. My hat is off to my colleagues who have succeeded in guiding this well-balanced package this far through the legislative process.

My colleagues on the Environment and Public Works Committee have had

a difficult row to hoe in even bringing this measure to the floor a few weeks ago. In fact, I seem to recall hearing that the joke around the EPW Committee was that ISTEA was a six year reauthorization, not a six year reauthorization process.

Additionally, I commend our determined and highly effective Majority Leader. Without the direct influence of Senator LOTT, we would not have gotten a bipartisan agreement on the committee's amendment to ISTEA which provides for additional funding for highway projects. And without his statesmanlike intervention last fall, we would not have had the six-month extension that was so critical to Utah and, I'm sure, to other states as well.

Along with my junior colleague from Utah, Senator BENNETT, I communicated my concerns about the effect that a delay on the ISTEA reauthorization would have on my state of Utah to the Majority Leader, and I appreciate the fact that he moved quickly on this legislation once the Senate returned from the recent recess.

I commend as well, Senators DOMENICI, BYRD and GRAMM for their efforts in ensuring that our nation's vital transportation infrastructure needs are met in a responsible manner which does not violate the balanced budget agreement.

I enthusiastically support final passage of ISTEA. Here's why.

Utah faces a number of transportation challenges. The most critical is the reconstruction of the I-15 corridor. Designed in the 1960s, with a life span of 20 years, the seventeen mile I-15 corridor enters its third decade with certain areas close to collapse.

In photos I have observed which detail the level of disintegration to the highway and bridge structure along I-15, I could actually see the sky breaking through holes in the infrastructure.

It has also been reported that employees who park underneath some of the I-15 bridge structures had to sign safety waivers! Before construction began, a dozen of the bridges along I-15 posed direct safety threats.

Additionally, despite an earthquake fault line along the Wasatch front, none of I-15's bridges met modern earthquake standards.

The I-15 corridor reconstruction project is vital to the economic growth of our nation, the safety of the traveling public, and presents a unique opportunity to study the effects of an innovative "Design/Build" approach to highway construction.

The I-15 project is the largest "Design/Build" project ever undertaken in the United States. As my colleagues know, the "Design/Build" process is the cost and time savings process of having the same contracting team that designs the project actually build the project.

In Utah, it is estimated that this approach will save half a billion dollars and cut construction time in half. The I-15 project will provide vital data to

transportation policy makers, engineers, and state and federal departments of transportation as more states opt to use the "Design/Build" approach.

In addition to the challenges associated with the I-15 corridor project, Utah is a fast growing state that must make substantial improvements to accommodate not only its own rapid growth but also interstate commerce.

And, although some colleagues may think of Utah as being an essentially rural state with wide open spaces, Utahns face rush hour traffic gridlock that rivals the Washington Beltway.

The rate of population growth in Utah currently exceeds the national average by two to three times. Over the next two decades, the population in the Salt Lake Valley alone is expected to escalate to 1.3 million people, a 66% increase.

The area south of Salt Lake is becoming known as the new "Silicon Valley," home to Novell and other high tech employers. North of Salt Lake, the population of Davis and Weber Counties are expected to grow 55% and 37%, respectively. All together, the 100-mile corridor along the Wasatch Front will exceed 2 million by 2015.

Travel in the Salt Lake Area is projected to grow significantly over the next 20 years. Total trips will grow by 57%, from 7.25 million trip-ends per day to 11.4 million in 2015.

Vehicle-Miles Traveled (VMT) will grow even faster, from current level of 21 million to 34 million in 2015 or 62%.

Our dependence on mass transit is also increasing. Total daily transit ridership will be 128,000 by 2010—an increase of 103% over 1993.

All of this would be enough for Utahns to support prompt passage of the ISTEA reauthorization. But, in addition, Utah faces an important deadline for completion of key transportation projects. That deadline, of course, is the 2002 Winter Olympics, which Salt Lake City will host on behalf of all Americans.

During the 2002 Olympic Winter Games, more than 2 million tickets will be issued to 179 events, which will be spread over five city and five mountain venues, each within a 55 minute drive of the Olympic Village.

It goes without saying that the efficient—not to mention safe—transportation of athletes, their families and coaches, American and foreign press, volunteers and visitors from one place to another is crucial. And, we can't postpone critical construction and improvements. In Utah's climate, we have basically four construction seasons remaining to meet this deadline, and some of our road projects are necessarily going to have to be front-loaded into this time frame.

I know that I felt a sense of pride when the Olympic flag passed from Japan to the United States at the closing ceremonies in Nagano. Perhaps my colleagues noticed the banner carried by our U.S. athletes into the arena

that said: "Thank you, Nagano! See you in Salt Lake!" You don't have to be a Utahn to want to show off our country.

I am confident that the bill before us provides the funding and the mechanism for Utah to meet its own transportation needs as well as to fulfill its obligation to our country as host of this prestigious international event.

Again, I want to commend and thank my colleagues for their fine work on this legislation. I am pleased to vote for final passage of S. 1173.

Mr. HOLLINGS. Mr. President, we come again to the highway bill and the question of fairness. Seven years ago I voted against passage of the highway bill, called "ISTEA," because it did not provide a fair share of funding to South Carolina. We were told we had a so-called "90% minimum allocation," but hindsight now shows that we received only 71 cents on the dollar.

I think we are on a better track today. The latest chart shows South Carolina getting 90 cents on the dollar for apportioned funds. I still do not believe that amount is fair, but it represents progress and I will keep working to improve on this amount. Also, "donor" states like South Carolina were told last week that the bill would provide a floor of 91 cents on the dollar, and we clearly do not have that guarantee in the bill yet. However, I appreciate the difficult job the managers of the bill have in balancing the many needs under this bill, and have tried to help them pass a fair bill in accord with the needs of my state.

Particularly, I have strongly supported putting increased gas tax funds into the Highway Trust Fund, and spending those funds on highways rather than non-transportation purposes. This is the right thing to do, it is good budget policy, and of course, it helps the managers of this bill provide an increased share of funding for "donor" states like South Carolina.

Again, I remain concerned that, while there was an indication last week that donor states would receive 91 cents back for each dollar contributed, donor states have not in reality been given this amount. And I stand by my support for legislation giving donor states a guarantee of 95 cents or higher. But I am pleased to see some progress on the issue of fairness and hope we can continue to work together to improve the bill.

Mr. SMITH of New Hampshire. Mr. President, I join the majority of my colleagues today in expressing strong support for the reauthorization of the Intermodal Surface Transportation Efficiency Act, otherwise known as "ISTEA." I was a proud supporter of this legislation in 1991 and continue to support its goals today.

While the acronym "ISTEA" is often joked about, it does share at least one quality of the popular summer drink—It is refreshing. ISTEA also represents a revolutionary change from past transportation legislation and a shift

toward an integrated, intermodal transportation system to promote efficiency and economic growth. Some of its major provisions include: assurance that gas tax dollars are used for transportation purposes, greater planning authority for state and local governments, increased research for innovative technologies such as intelligent vehicle highway systems, and funding for environmental protection activities.

A reauthorized ISTEA should continue to recognize regional differences, but at the same time, recognize that our transportation system is a national system. Certainly, every state wants to get its "fair share," and we will need to balance each state's needs with the needs of the nation as a whole.

While there is some merit to having various funding programs to serve specific needs, it is important to me in the development of this legislation that we refrain from creating new funding categories or set-asides, and allow for maximum flexibility between the various programs. I also believe we should not be adding onerous mandates or sanctions on the states. I firmly believe that state governments are capable of protecting the health and safety of their citizens.

From New Hampshire's perspective, it is important to ensure that small states continue to receive adequate funding for their infrastructure needs. New Hampshire strongly supports certain programs, such as the Bridge Rehabilitation, Scenic Byway and Recreational Trail programs, that other states may not need as much. The strength of ISTEA is that it recognizes these varying needs and provides states with the flexibility to direct funding as they see appropriate.

There are many challenges before us as we operate in a balanced budget environment—something for which I have fought long and hard. Our needs will always outweigh our resources. But, we also have to recognize how critical our transportation system is to our economy and social well-being. While it is difficult to balance these frequently competing goals, I believe this bill strikes the right balance in providing an adequate amount of resources within the context of the balanced budget agreement reached last year.

There is one other subject that I want to touch on briefly, and that is the environmental review and permitting process. I believe S. 1173 makes good progress toward streamlining the environmental review process. However, I do not believe we have gone far enough in resolving this problem.

As it stands now, it takes as long as eight years to complete the planning and permitting phase of a highway project. This is simply too long and too wasteful of taxpayer dollars. We must take steps to shorten this process while still maintaining high environmental standards.

There are numerous examples from all regions of the country that show

why the current system is broken. One of these examples is from my home state of New Hampshire. The Nashua Circumferential Highway project was in the planning and environmental review phase for more than 10 years and had received the necessary permits from the Corps of Engineers when, at the eleventh hour, EPA stepped in and exercised its veto authority. EPA vetoed the project even though a \$31 million environmental mitigation package was committed by the state. A scaled back version of this project is finally back on the table. However, many years and a significant amount of resources were unnecessarily wasted. This is just one of many fiascos that have occurred all over the country.

We need to bring some common sense and reason to the environmental permitting process. Unfortunately, there are certain groups who consider the National Environmental Policy Act, NEPA, to be sacred and untouchable. But, I am pleased to say that we have at least begun a debate on this issue and that a bipartisan effort to improve the environmental review process has taken place. While I think the language in S. 1173 represents a good first step, I still believe we could do more to streamline and improve the review process without circumventing protections for the environment.

In addition, I am pleased that the bill managers agreed to include my amendment to authorize a recycled materials research program at the University of New Hampshire, UNH. UNH has already begun extensive research into the use of secondary or recycled materials in transportation infrastructure. The data developed through the university's testing and demonstration of the feasibility of certain recycled materials in road building will be extremely valuable to state departments of transportation, the Federal Highway Administration, and the construction industry.

On balance I believe this is a good bill and deserves Senate approval. I look forward to swift action by the House on its ISTEA reauthorization bill, so we can get to conference and reach final agreement by the May 1 expiration date. Thank you, Mr. President, and I yield the floor.

AIR QUALITY STANDARDS

Mr. LOTT. Mr. President, I would like to commend my friend from Oklahoma for his leadership in educating me and my colleagues about the new air quality standards. Before we wrap up action on ISTEA, I would ask that he clarify a few issues regarding his amendment that was adopted earlier by the Senate.

Mr. INHOFE. I would be pleased to respond to the Majority Leader, and I would like to thank him for his assistance in getting this amendment adopted.

Mr. LOTT. I thank my friend from Oklahoma. It is my understanding that the amendment you offered would not affect any pending litigation, nor

would it ratify the new standards. Is that a correct assessment of the savings clause?

Mr. INHOFE. That is correct, nothing in the amendment will affect pending lawsuits and nothing will affirm or ratify EPA's standards.

Mr. LOTT. On the day that the amendment was offered, the Senator from Oklahoma discussed a conversation he had with the EPA Administrator. I would appreciate a clarification of that conversation.

Mr. INHOFE. Mr. President, I am pleased that the Majority Leader raised this issue. I have seen press reports that have not accurately represented my conversation with Administrator Browner. During that conversation, I indicated that I had no plans to offer any additional clean air NAAQS legislation this year should the amendment be signed into law, barring any unforeseen circumstances. I did not indicate, however, that I would not offer clean air standards legislation after this year. I would not want to give up my right to legislate in the future and I did not do that.

Mr. LOTT. Thank you for that clarification. I appreciate the Senator's willingness to work with the EPA and other federal agencies, and agree that it is the prerogative of the Senate to decide how and when to legislate.

Mr. President, I appreciate the Senator's efforts and commend his success on this amendment. He has dedicated countless hours to this issue, both personally and in his subcommittee, and I thank him. I fully expect to see his clean air standards amendment—if not a stronger one—in the final bill reported from Conference.

GRAMM-GORTON AMENDMENT ON SECTION 1116(d)

Mr. GORTON. Mr. President, I rise today in support of the Gramm-Gorton amendment which modifies Section 1116(d), the Trade Corridor and Border Crossing Planning provision. This amendment will improve the criteria for receiving funds under this section and ensure that these funds are best utilized.

The U.S. economy depends on the efficient flow of goods, and the federal government has realized that bottlenecks at U.S. ports are a national concern. The Ports of Seattle and Tacoma are the second largest load center in the United States, with more than 70 percent of their cargo traveling to or from points outside the Puget Sound region. Congestion around these ports can cause significant delays which are not acceptable in today's just-in-time high-technology economy.

As a major gateway to Asia, Washington state serves as a major export and import hub for trans-Pacific trade. By 2015 Asia is expected to comprise 45% of the world population, and a significant amount of the goods traveling to and from this region will pass through Washington state ports, both land and sea. As the volume of trade grows, rail, truck, and air traffic will increase proportionally.

Mr. President, as anyone who has driven in the Puget Sound region will attest, it is no joy to travel the I-5 or I-405 during rush hour. While the Sound and Lake Washington add so much of the beauty to this unique region, they also form geographical barriers that limit transportation options. These two bodies of water necessitate narrow transportation corridors, much like a funnel, that create massive congestion problems. When you add in freight traffic of trucks and trains, you have a serious situation that requires a serious solution.

Local officials have recognized the severity of the transportation problems of the region and have developed the Freight Action Strategy for the Seattle-Tacoma Corridor (FAST Corridor) to address these needs. The FAST Corridor project identifies choke points from Everett to Tacoma that both hinder freight mobility and increase traffic congestion. Solutions to these problems will take a comprehensive effort encompassing federal, state, local, and private interests.

The region is prepared to address these problems, and is awaiting assistance at the federal level to meet the daunting challenge of improving freight mobility and automobile traffic. The explosive projected growth in the Northwest, coupled with pressing infrastructure needs can only be mitigated by this cooperative effort which I look forward to facilitating.

Mr. DEWINE. Mr. President, I would like to take a moment to commend the Chairman of the Environment and Public Works Committee, Senator CHAFEE, and Senators WARNER and BAUCUS for their work on this transportation reauthorization bill. It is not easy to balance the competing interests in this bill, but I believe the managers of this reauthorization bill have been fair and very accommodating. In short, they have done an excellent job in shepherding this bill through the Senate.

I would like to bring an issue that is very important to my fellow Ohioans who reside and work in Cuyahoga County to the attention of my friend from Rhode Island.

In late 1996, the Ohio Department of Transportation submitted a request to the Federal Highway Administration requesting funding approval for the Cuyahoga River Bridge project in Cleveland through the Congestion Mitigation/Air Quality (CMAQ) program. The project would reduce the volume of heavy industrial traffic in Cuyahoga County by nearly one million miles each year, reducing vehicle emissions and removing thousands of vehicles from crowded city streets. Consequently, construction of this bridge is very important to Northeast Ohio's efforts to remain in compliance with air quality standards. By removing large volumes of industrial traffic from city streets, construction of the bridge would also enhance safety and would save significant sums of money by reducing road maintenance costs to municipalities and the State of Ohio.

Unfortunately, FHWA was not able to approve CMAQ funding for construction of this bridge due to statutory restrictions. In a letter dated February 26, 1997, Jane Garvey, then Acting Administrator of FHWA, stated that, "Because the Cuyahoga River Bridge project involves the construction of a new two-lane bridge that, as proposed, will add capacity for single-occupant vehicles, it does not meet CMAQ criteria for eligibility." In other words, despite the obvious environmental benefits of having this bridge, CMAQ funds could not be used because it would add capacity for single-occupant vehicles.

Mr. President, this project is very important to Cleveland, Northeast Ohio, and the State of Ohio. I do not believe that, because it does not fall under a set of strict statutory restrictions, it should be abandoned. Last year, when the House Committee on Transportation and Infrastructure marked up its ISTEA reauthorization bill, the Committee included language that would allow the Cuyahoga River Bridge to be built using CMAQ funds. This project has broad support and FHWA does not object to the language.

I see my friend from Rhode Island on the floor and urge my colleague to accept the House language on this issue when this bill goes to Conference.

Mr. CHAFEE. I thank the Senator from Ohio for his statement. If this issue is in the House bill it will be before the conference committee.

METROPOLITAN PLANNING ORGANIZATION
STATUS FOR THE LAKE TAHOE BASIN

Mr. REID. My colleague, Senator BRYAN, and I rise today to describe and elaborate on language that was accepted as an amendment to the Senate's reauthorization of the Intermodal Surface Transportation Efficiency Act.

Last week, our colleagues agreed to create a Metropolitan Planning Organization for the Lake Tahoe Basin between Nevada and California. In addition to being one of the most beautiful places on Earth, the Lake Tahoe Basin is also one of the most environmentally sensitive. Locals within the Basin, the Washoe Indian Tribe, and the State Governments of Nevada and California have long recognized the unique status of Lake Tahoe.

The Lake is the 3rd deepest in North America and the 10th deepest in the World. At its deepest point the Lake is 1,645 feet deep and averages about 1000 feet. Stretching 22 miles in length by 12 miles in width, the Lake has 72 miles of beautiful shore line that has beckoned millions of visitors over the years.

For years, the many competing interests in the Basin have found ways to work together to protect the famed water quality of the Lake. Environmentalists, small businessmen, resorts and gaming interests, and private property owners have all long recognized that Lake Tahoe is a national treasure and must be preserved.

The partnerships they have developed are unique and have proved the notion that it is not necessary to harm the

economy to improve the environment. This has not been easy. The Basin consists of 4 different counties and one city located in two different states. There are portions of three separate National Forests in the Basin. The largest property owner, by far, is the United States Forest Service, which owns over 70 percent of the land. With so many competing stakeholders, it is amazing that so much has been accomplished.

To assist in their efforts, Congress passed Public law 96-551, the Lake Tahoe Bi-State Compact, which established a locally-based planning process for Nevada and California. This compact recognized the unique nature of Tahoe and requires the region to meet or exceed a multitude of stringent state and federal transportation and air quality requirements.

Last Summer, President Clinton hosted an environmental forum at Lake Tahoe to address the interrelated transportation, forest health, and water quality concerns that face the Basin. Transportation was identified as one of the key areas where improvements to infrastructure could also yield key environmental benefits.

To enhance the ability of the residents of the Tahoe Basin to solve these transportation problems, my colleagues Senator BRYAN, Senator BOXER and Senator FEINSTEIN and I have asked the other members of the Senate to confer Metropolitan Planning Organization status on the Basin. Our colleagues have graciously granted our request, so Senator BRYAN and I wanted to take several minutes to discuss what this status does (and does not mean) to Lake Tahoe.

Is it not true that Metropolitan Planning Organization status for Lake Tahoe is merely designed to enhance the ability of the community's within the Basin to compete for federal transportation planning funds?

Mr. BRYAN. The Senator is correct. As you have mentioned, the Lake Tahoe Basin consists of parts of two states, 4 counties, 3 National Forests, and one city. However, as the Bi-State Compact recognizes, the Basin has unique environmental needs that require the cooperation of all people and groups that own or manage property within the Basin.

The ability to compete for and utilize federal transportation planning dollars will allow the Basin to fulfill many of the goals identified in the Basin's Environmental Improvement Program.

Mr. REID. The Forest Service owns over 70 percent of the land within the Basin. Doesn't it seem reasonable that the federal land management agencies of the Basin have a role in this new process?

Mr. BRYAN. I agree with the Senator. Our legislation addresses the fact that the federal government is the biggest property owner in the Basin. As such, there is a need for federal involvement in both the planning and program implementation of transpor-

tation projects at Lake Tahoe. Our amendment gives the Basin access to both planning and program implementation funds for programs of federal land management agencies, such as the U.S. Forest Service.

President Clinton made it clear last summer that the U.S. federal government must fulfill its obligations within the Tahoe Basin. Although this amendment does not include a seat on the MPO for the U.S. Department of Transportation, this provision would provide a role for U.S. DOT to assist in fulfilling these obligations by assisting the federal land management agencies in preparation of transportation plans.

Mr. REID. What will be the federal role on the MPO itself?

Mr. BRYAN. Our legislation makes it clear that there will be a representative of a federal land management agency on the Lake Tahoe MPO. This is only reasonable.

Mr. REID. Our Nation's transportation laws and regulations and programs can be a bit complicated. What changes does this make to existing law or programs?

Mr. BRYAN. There should not be an impact. This MPO should not affect other program aspects under Title 23. The section we have written is designed to allow Tahoe to organize for transportation. There is no intent to change other policies of the federal transportation program.

Mr. REID. I thank my colleague.

NATIONAL INTERMODAL SET-ASIDE PROGRAM

Mr. BREAUX. Thank you, Mr. President, for this opportunity to discuss with you and my distinguished colleague from Louisiana, Senator LANDRIEU, our proposal to establish a nationally-level set-aside program from the federal highway trust fund to help states to finance certain types of nationally-significant intermodal projects, of which Louisiana has several.

We appreciate your consideration of our proposal, Mr. President, to set aside \$100 million for the fiscal years 1998-2003 for obligation by the Secretary for intermodal projects. We want to continue working closely with you and other members on its behalf when the Senate and House go to conference on the surface transportation bill.

Congress acted wisely in the 1991 ISTEA by creating the National Highway System, NHS, which brought focus to intermodalism as part of the nation's surface transportation policy. In addition to the NHS account, funds from the Surface Transportation Program (STP) may be used by the states for intermodal projects. The use of NHS and STP funds for intermodal projects are left to the discretion of the states and intermodal projects are but one option available to them.

I also hope that funds authorized for the Trade Corridor and Border Crossing Planning and Infrastructure Program in S. 1173 will be available for use on intermodal projects in port areas and

for transportation systems which connect to ports. Equal emphasis needs to be given in this program to intermodal projects in states such as Louisiana, where the combination of ports, waterways, roads, rail and airports constitute some of the finest examples of intermodalism on a national and international scale.

As helpful as these three programs have the potential to be under ISTEA II for nationally-significant intermodal projects, more funding is needed to help the states build them.

For example, the New Orleans Regional Intermodal Project brings together in a matter of a few square miles major rail, water, air and highway transportation centers. This project is designed to increase the transportation efficiency of the entire metropolitan area, including the Parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and St. Charles.

The New Orleans Regional Intermodal Project represents a unique implementation program focused on closer integration of several highway, port, rail, and air facilities in the Earhart corridor, from the Tchoupitoulas port complex on the Mississippi River to the new Air/Cargo facilities at New Orleans International Airport.

This initiative is as important to the nation as it is to the New Orleans metropolitan area. Because of its geographic location, the area is the hub for several national cargo transportation systems. This relatively small area is the juncture point between several major north/south and east/west railroad lines; two major north/south and east/west interstate highways; a major international cargo and passenger airport; and two of the most significant waterway systems in the country, the Mississippi River and the Intracoastal Waterway.

When one combines the services and impact of the intermodal complexes at Baton Rouge and the Port of South of Louisiana at LaPlace, each of which should be considered for this type of funding, with those of the New Orleans regional complex, then the order of magnitude and impact truly is one of international as well as national significance.

In a similar manner, other Louisiana intermodal projects with national significance should be considered. These include: Much-needed improvements to Louisiana Highway 1, from the mammoth Port Fourchon area on the Gulf of Mexico to U.S. Highway 90, because of the major contribution this route is playing in the development of oil and gas fields in the Gulf; this intermodal complex is increasing the delivery of domestic energy supplies and strengthening national security by limiting national dependency on fuel imports; highways, waterways and pipelines make Port Fourchon one of the most important intermodal complexes in the nation today and Louisiana Highway 1 a major roadway which connects the

Gulf of Mexico to other major intermodal systems via U.S. Highway 90; developments in the Central and North-west Louisiana regions, which include the growing highway, port, rail, water and air complexes along the Red River, starting at the Caddo-Bossier Port, continuing to the Ports of Natchitoches and Alexandria, and finally linking with the Mississippi River; this link brings together goods and services from the Central and Mid-western United States to the water, rail, air and highway systems leading to and from the Mississippi River and its internationally-significant intermodal systems; Barksdale Air Force Base, located at the juncture of two major interstate systems in the Shreveport-Bossier City area of Louisiana, and home of the 8th Air Force, together with Ft. Polk, home of the Army's Joint Readiness Training Center, located at Leesville, Louisiana, are major military installations in the state. It is critical that strategic national defense installations such as these have the proper access and connections to transportation systems, including roads, rail and waterways, to respond effectively in time of need. An intermodal set-aside at the national level would be another means to help the states address the transportation system needs for these military installations.

It is hoped, Mr. President, that the type of fund we envision could also be used to provide additional funding for critical projects such as extending Interstate 49 in Louisiana, from its current Southern terminus at Lafayette to New Orleans.

An extension of I-49 from Lafayette to New Orleans is much-needed from a national perspective because of the benefits it would bring by linking goods and services from the Central and Midwestern United States to the New Orleans region's intermodal complexes.

As important, the extension of I-49 from Lafayette to New Orleans would link the expanding energy industry at Port Fourchon and the trade from other ports along that route, such as the Ports of Iberia, West St. Mary, and Morgan City, to the New Orleans region's intermodal systems. Tying into that system, too, could be trade from the port at Abbeville, just south of Lafayette.

I-49 also connects with Interstate 10, a major interstate corridor which runs from Florida to California. In Louisiana, I-10 westbound from Lafayette has ports which connect directly or indirectly to it, such as the major Port of Lake Charles, and those at Cameron and Mermentau.

The full benefits of these surface transportation systems cannot be fully realized without an investment in the roadways and connectors that will allow true intermodalism. The Louisiana intermodal complexes and systems represent the best opportunity for this nation to leverage a small investment

in infrastructure to gain major dividends in efficiency that will benefit our entire national economy.

Ms. LANDRIEU. Mr. President, by implementing such a program we will enhance our region's national economic competitiveness, especially in our natural resource sector which has been the backbone of our economy; contribute to the revitalization and growth of both suburban and central city business engaged in global trade; provide new opportunities for job creation throughout metropolitan and rural areas; and promote national efficiency. With hundreds of major navigable waterways, ports and rail systems throughout Louisiana, we are favored by many in the Midwest and Eastern United States as the gateway to the Southern Hemisphere. Louisiana is of vital importance to the United States as such a gateway and very supportive of additional federal funding to better connect their water, rail and transportation systems that are vital to enhancing international trading opportunities for our nation.

While I understand that the managers of S. 1173 will not include additional funding amendments in this bill, such as the one Senator BREUX and I propose, I hope to work on this proposal with Senate leaders during conference with the House to promote intermodalism in those places where we can gain the greatest national benefit.

Mr. CHAFEE. Thank you Senator BREUX and Senator LANDRIEU for bringing this proposal to our attention. Although we continue to face a significant challenge in providing funding for the complete range of national transportation needs, I will work with you and other Senators as this bill progresses to provide funding for those critical areas in which we can gain the greatest value for our public investment.

MARINE FERRY TRANSPORTATION

Mr. INOUE. Mr. President, I would like to express my support for the amendment offered by Senator STEVENS to promote the use of marine ferry and high-speed marine ferry services. This amendment will help promote marine ferry transportation, a widely overlooked, but incredibly efficient sector of our public transportation system.

The marine ferry system of the United States is invaluable in meeting the transportation needs of our nation. As a Senator from an island state, I appreciate the need for passenger/vehicle ferry services. In general, marine ferries require minimal costs as compared to the costs of new infrastructure such as highways, bridges and tunnels.

In coastal urban centers, marine ferry service can provide low-cost, environmentally friendly transportation to areas suffering from congestion. For instance, the cost of additional roadways and bridges in the New York/New Jersey metropolitan area could be astronomical compared to the minimal

costs of helping to establish a regular ferry route. In addition, in coastal urban centers the reduction of automobile use mitigates environmental air quality problems.

In rural coastal areas, such as the barrier islands of Maine, North Carolina, and Florida, marine ferries have been utilized as the sole source of transportation to connect coastal communities to the mainland. States like North Carolina utilize their state ferry system as an integral part of their hurricane disaster planning, when traffic can be congested during an evacuation. Ferries were used in the aftermath of the earthquakes in northern California to provide transportation across San Francisco Bay.

Marine ferry transportation can also provide benefits to inland states with marine barriers such as rivers or lakes. Many states have utilized marine ferries as low-cost alternatives to highway bridges or to circumvent large inland lakes. Again, this provides the lowest cost transportation alternative to the taxpayer.

In states such as Washington and Alaska, ferry transportation is vital and crucial to the population. These states have invested, with great success, in state-run marine ferry services, and have far-flung populations where highway road service is inefficient or in some cases impossible. Other states such as New York, New Jersey, and my own state of Hawaii, are exploring incentives to induce private ferry operations in order to fulfill certain transportation objectives.

This year I introduced S. 961, the Marine Ferry and High-Speed Marine Ferry Act. Senator STEVENS' amendment includes many of the provisions that were included in S. 941, and they will help us to fulfill our Nation's potential for both the continued use of traditional ferry services and to help develop potential use of high-speed marine technology.

In the early 1970s, Boeing Marine pioneered the development and construction of commercial passenger hydrofoils capable of operating at 45 knots. Boeing built 25 hydrofoils for high-speed use on the Hong Kong-Macau route before licensing production to Kawasaki Heavy Industries of Japan in the early 1980s, and by 1989, only one high-speed marine passenger/vehicle ferry of significant size was in operation.

The international and domestic high-speed marine passenger vessel market has recently seen a dramatic expansion, and currently over 60 high-speed marine passenger/vehicle ferries are in service or under construction. Fast ferries, until recently, have been primarily used in short sea services on protected routes, but recent advances in design and materials have allowed for the construction of larger vessels capable of being operated on longer open sea routes. These technologies are integral to the development of ferry service in the Hawaiian islands, where

we have rougher and more exposed sea routes. New technologies have also opened possibilities for high-speed cargo-carrying operations.

The United States has benefitted from a number of recent high-speed projects, and from the establishment of a shipyard specifically designed for high-speed marine passenger vessel construction. The Maritime Administration's 1996 Outlook for the U.S. Shipbuilding and Repair Industry indicates:

New orders for ferries should also continue to provide work for the second-tier shipyards. The enactment of ISTEA continues to provide a significant boost to new ferry projects. In addition, MARAD has a Title XI application pending for the construction of two passenger/vehicle ferries for a foreign owner, valued at more than \$171 million. Demand will come from continued promotion of states of ferries for use in their tourist industries, as well as in transportation/commuting, as an alternative to building infrastructure projects such as highways and bridges. The recent award of a \$181 million contract to Todd Seattle for three 2,500-passenger ferries and the solicitation for proposals for two additional 350-passenger ferries by the State of Washington, is an added sign that the ferry industry is strong. On the private sector side, there is a demand for the deployment of high-speed, high-tech ferries in the passenger excursion industry.

The Stevens amendment will build on previous enactments aimed at promoting marine ferry operations. The bill would reauthorize section 1064 of ISTEA, at levels consistent with past years, to allow state-run ferry programs to apply for federal grants for the construction of ferries, and/or related ferry infrastructure.

The Stevens amendment would also require DOT to report on existing marine ferry operations and to make recommendations on areas that could benefit from future marine ferry operations, and directs DOT to meet with relevant state and local municipal planning agencies to discuss the marine ferry option to transportation planning. I think that municipal planners will be convinced that marine ferries can be the lowest cost alternatives available.

I am happy the amendment has been incorporated in the bill, and thank my colleagues for their support of marine ferry operations. For a relatively small investment, we can encourage state and private operations to address our pressing infrastructure demands.

RED RIVER TRADE CORRIDOR

Mr. CONRAD. Mr. President, my fellow senator from the State of North Dakota and I would like to engage the Ranking Member of the Committee on Environment and Public Works in a colloquy regarding the importance of the transportation infrastructure of our region and our states to inter-regional, national, and international trade.

Mr. President, we have followed with interest the development of S. 1173, the ISTEA II legislation. We have been especially interested in Section 1116, which provides planning and border

project implementation grants to improve the movement of products and at international border crossings with Mexico and Canada, and along significant transportation trade corridors.

As you will recall, in 1994, Congress established the Northern Great Plains Rural Development Commission to develop a ten-year plan for the economic future of our region. One of the priorities of the Commission is developing a transportation strategy for the region. One important aspect of that strategy is the proposal to designate the Red River Trade Corridor—a multi-state corridor that includes Interstate 29 and Interstate 35—as an official national trade corridor under Section 1116.

We think it is wise to discuss our objective with the Committee so that our region is not overlooked when these corridors are selected—or in the event that the Committee makes recommendations for recognizing specific corridors.

Our objective is clear: if we in North Dakota and the rest of the Northern Great Plains are going to keep our rural communities and businesses thriving, we must have the transportation infrastructure necessary to reach local, regional, and international markets. We are at an important stage in our economic development. We are poised to take advantage of the new trade created by NAFTA, which places our region of the country within a new era as a geographical crossroads for international trade. The importance to the economy of our states cannot be overlooked. To take advantage of the benefits that can be derived from the changing global economy, our highway transportation infrastructure must be capable of serving those international trade and transportation needs.

Mr. BAUCUS. I appreciate the gentleman's comments and understand his concerns. The Committee is aware of the importance of the Northern Great Plains states, including North Dakota, in moving traffic from north to south, as well as from east to west. The cooperation among the states in the region and the work being done with the government of the neighboring province of Manitoba will be important in applying for grants in the trade corridor program in the bill.

Mr. DORGAN. Mr. President, I very much appreciate the Chairman's interest in the Red River Trade Corridor. As you know, I have long supported efforts to add value to the agricultural products produced by the farmers in my state and within the entire region. However, adding value is only one part of the picture. We must also ensure that the products can get to market, especially in light of the current era of international trade and consumer demand for fresher and higher-quality products. Giving our region the ability to develop a transportation infrastructure to improve the movement of products to market in a timely fashion, and to link infrastructure investment to international trade, is essential in

order for our region to bring new opportunities to our farmers and rural communities.

If North Dakota and the region are to continue to benefit from new export opportunities, such as those offered by NAFTA, we must have the transportation infrastructure to deliver perishable, high-quality products.

Simply put, our goal is to make truck transportation across the United States faster, easier, and more cost-effective. But federal support for states and communities along the Red River Trade Corridor is essential to improve the infrastructure of the corridor and to streamline traffic across the United States and from the Canadian and Mexican borders.

Mr. BAUCUS. The Senator from North Dakota accurately notes the important link between export opportunities and an adequate transportation infrastructure. The development of the transportation infrastructure is crucial to ensure that export products from not only the Northern Great Plains region but also the nation—and our neighboring countries—are able to reach their destinations in an efficient manner.

Mr. CONRAD. We appreciate the interest of the Ranking Member in our request to provide an official designation to the Red River Trade Corridor. We look forward to working with them on this designation, which is critical to the future of our state and the Northern Great Plains region.

Mr. LEAHY. Mr. President, we have before the Senate one of the most important pieces of legislation that the Senate will consider this year, the Intermodal Surface Transportation Efficiency Act of 1998, the so-called ISTEA II bill. The bill touches every American, from Vermont to Florida, from Washington State to Washington D.C. ISTEA II, with its transit and safety subtitles, will spend more than \$215 billion over six years on our nation's highways, transit systems, and safety programs.

That is a lot of money, but it is sorely needed. The United States has the largest transportation system in the world—170,000 miles of National Highway System routes, 900,000 miles of other Federal-aid roads, and 3.7 million miles of public roads. Prior to 1991, our national priority had been on building the national Interstate system which had been under construction since 1957. Six years ago, thanks to the leadership of Senators MOYNIHAN and CHAFEE, this nation made a fundamental change in the way that it allocates its public investment in transportation. That change was based on the premises that local people understand local needs, that funding should be flexible, and that transportation should contribute to meeting national environmental and public health goals. In my estimation, ISTEA has been a resounding success.

The bill before the Senate will come to be known as ISTEA II. I want to commend the managers of the bill,

Senators CHAFEE and BAUCUS, for crafting a landmark piece of legislation. This bill is good for the nation and good for my state of Vermont. It maintains and enhances our transportation commitments in ways that Vermonters will be proud of.

First of all, the bill maintains its flexibility. Vermont will retain full authority, in partnership with local governments, to decide an appropriate level of investment in roads, bridges, bicycle paths, and transit. One of the most important additions to this bill is a provision that will allow Vermont to spend its highway money on Amtrak capital improvements. Our small state has two successful Amtrak trains, both of which operate with assistance from the state. If this provision survives the conference committee with the House of Representatives, Vermont Amtrak service can be expanded to include even more communities. In western Vermont, our Ethan Allen train could be expanded to serve Bennington, Rutland, Middlebury, and Burlington.

The second goal that this bill will accomplish is that it strengthens ISTEA's commitment to the environment. There is increased funding for congestion mitigation, a new wetlands restoration pilot program, continued funding for recreational trails, and a greater than 25% increase in funds for bicycle transportation and pedestrian walkways.

Finally, this bill will bring more resources to Vermont. It will give Vermont a major boost in highway and transit funding, so we can better maintain our existing roads. We need the funds. For example 41% of Vermont's bridges are structurally deficient, the 11th worst rate in the nation. Today we get about \$78 million in federal highway funds. Under the bill which we will pass today, Vermont will annually receive \$118 million on average for the next six years.

Operating assistance for transit will increase from about \$1.5 million annually to \$1.8 million annually. A new \$750 million trade corridor and border infrastructure program will result in enhancements at Vermont's border with Canada. A big reason for the increase for Vermont's funds is because, for the first time since 1993, every cent of the gasoline tax will be spent on roads. For the last six years, 4.3 cents of the gas tax have been dedicated to reduce the federal deficit. But with the federal budget in balance for the first time in 30 years, we can now spend those funds on badly needed transportation infrastructure.

We live in a competitive world, Mr. President. Many of our economic competitors pay their workforce much less than comparable workers here in the United States. Yet we often not only compete with the world, but we lead it in many industries. One of the big reasons why we compete and win is because we have a superior transportation infrastructure. Mr. President, this bill will modernize our infrastruc-

ture, while protecting the environment and giving Vermonters unprecedented choice in how to spend federal funds. I am proud to vote for the bill, and I hope that the Senate preserves as much of it as possible in conference.

MON VALLEY-FAYETTE EXPRESSWAY/SOUTHERN BELTWAY

Mr. SPECTER. Since the mid-1980's, I have worked with elected officials from Allegheny, Washington, and Fayette Counties, the Pennsylvania Turnpike Commission, and the Mon Valley Progress Council to obtain funds for the Mon Valley-Fayette Expressway and Southern Beltway project, which has tremendous economic development potential from West Virginia into Pittsburgh and to the Pittsburgh International Airport. The seven segments of the Expressway and the Beltway will cost \$2.5 billion to complete (\$1.8 billion Mon Valley-Fayette, \$700 million Southern Beltway) and will include 92.5 miles of new toll road in the Pittsburgh region.

One of the more notable aspects of this project is that the Commonwealth of Pennsylvania has committed to providing \$2 billion, or 80 percent, of the \$2.5 billion, which is highly commendable and unusual.

While I recognize that you do not wish to earmark projects in the pending bill, or I would have proposed such an amendment, Mr. Chairman, I would welcome your assurance that in conference you will keep this project in mind as an example of a project that merits consideration.

Mr. CHAFEE. I want to assure the Senator from Pennsylvania that I am well aware of this project and his support for it. It certainly is commendable when a State will put up 80 percent of any highway project and I thank the Senator for his input, which will be helpful as we proceed to a conference with the House.

INCREASING THE ALLOCATIONS TO INDIAN RESERVATION ROADS

Mr. DOMENICI. Mr. President, most Indians today still live in poverty. This is reflected in a per capita income figure that is one-sixth to one-fifth the national average for the 10 largest Indian reservations. In simplest terms, most reservation Indians have one dollar of income for every five dollars of income available to average Americans.

On the Papago reservation in Arizona, the per capita income is \$3,113 compared to \$18,325 for all Americans (1990 Census). At Zuni Pueblo, the per capita income is \$3,904 and at that Navajo reservation it is \$3,735. These figures have changed only slightly since the 1990 Census.

Fifty-one percent of American Indians residing on reservations live below the poverty line; and unemployment averages 37%.

ISTEA has already helped tremendously to increase the accessibility of Indian people, but much remains to be done.

We can help accelerate the movement of Indian people into mainstream

economic activities by improving their accessibility to better markets and better tourism opportunities.

ISTEA II, S. 1173, now authorizes a grand total of \$173 billion for all programs over the six year life of the bill. This is a nominal increase of about 43 percent.

As passed by the Senate, S. 1173 funds the Indian Reservations Roads Program at \$200 million for 1998 and \$250 million per year for each of the following five years of the bill, from 1999 through 2003.

I am pleased that the Committee on Environment and Public Works has included \$9 million annually (within the total \$250 million) to allot to the repair and construction of Indian bridges.

The Domenici-Inouye-Bingaman amendment, as accepted by the Committee will add a total of \$250 million over five years.

Our amendment brings the six year total IRR funds up to \$1.450 billion from the current \$1.200 billion prior to the Domenici amendment.

While our original IRR bill, S. 437, included road maintenance as an eligible activity, this amendment does not include road maintenance. We expect the BIA to continue to fund its road maintenance program, hopefully at higher levels than \$25 million per year.

The Indian Reservation Road Program is directed to about 22,000 miles of BIA roads serving Indian lands. There is a total road mileage, counting BIA, state, federal, tribal, and county roads, of about 50,000 miles on our nation's Indian lands. The BIA is directly responsible for about 44% of this total road system serving Indian tribes. About 5% are tribal roads and the other half are other federal roads and state and county roads.

Within the BIA road system, 22,000 miles of roads, only 11% of the paved roads are rated as being in good condition. Of the unpaved roads, 90% are known to be in poor condition. None of the BIA unpaved roads are rated as being in good condition.

Since 1982, the Highway Trust Fund has been the primary source of funds for the design and construction of BIA roads serving Indian tribes. In the mid-1980's this funding was about \$100 million per year; it fell to about \$80 million per year in the late-1980's; and with the advent of ISTEA I, Indian Reservation Roads have been funded at \$191 million per year.

Now that Welfare Reform is a reality, it is more imperative than ever to help create Indian reservation-based employment opportunities. ISTEA funding has become the primary source of road planning and construction in Indian Country.

In addition to direct employment opportunities, ISTEA funds provide an essential component of community infrastructure development. As observed in the Committee Report on S. 1173:

Transportation provides the links between businesses, industries and consumers.

The national economic benefits of a healthy and reliable Federal investment in transportation infrastructure are well documented.

The ability of new businesses to arise in Indian Country is seriously hindered by the current state of their road system. Health and education indicators are also well below national averages.

Today's Senate action to increase the Indian Reservation Road program by \$50 million per year will add significantly to improving the accessibility of Indian reservations to the benefits of our national economy.

On the Navajo reservation, annual funding is likely to increase from about \$55 million to over \$65 million. On Pueblo lands in New Mexico, funding will increase from about \$12 million to \$15 million.

I am pleased that the full Senate preserved this important funding increase for Indian reservation roads to \$250 million per year, from \$200 million per year, as originally proposed by the Environment and Public Works Committee, and from \$191 million per year under current law.

Another significant change in this legislation is the national priority system for Indian reservation bridges. Rather than allocate a small percentage of bridge funds from each of the fifty states for use within those states, we now have a single national Indian bridge program that will target the most deficient bridges for early repair or replacement.

I thank Chairman CHAFEE and Ranking Member BAUCUS for their assistance in adding significant funding for the Indian Reservation Road Program and creating a simpler Indian bridge program.

Mr. MOYNIHAN. Mr. President, I wish to salute my distinguished colleagues on the Environment and Public Works Committee, Chairman CHAFEE of Rhode Island, Senator BAUCUS of Montana, and Senator WARNER of Virginia, for their leadership and vision in crafting ISTEA II. I also wish to salute my fellow New Yorker, Senator D'AMATO and Senator SARBANES of Maryland, for their outstanding work on the transit title of this bill and the careful compromise they were able to fashion. Finally, I congratulate Senator ROTH of Delaware, for all his skill on crafting the tax title to ISTEA II.

In 1991, Congress developed the principles for the first highway bill to mark the post-Interstate era. That previous era had seen development of a nationwide, multi-lane, limited access highway system, as first envisioned at the General Motors Futurama exhibit at the 1939 World's Fair, and then funded by a dedicated tax proposed by President Eisenhower and approved by Congress in 1956.

Those principles were designed to address the fundamental imbalance in national transportation investment, and in so doing, promote intermodalism, improve mobility and access to jobs, protect the environment, increase participation by local communities, and enhance transportation safety.

ISTEA spurred the Federal government and the States to invest their transportation dollars in whatever modes were most efficient for moving people and goods and to solicit the input of local communities in planning those investments. The result was a dramatic increase in investment in maintenance and rehabilitation of existing roads and bridges, in mass transit, and in creative approaches to our transportation needs, from bicycle and pedestrian paths to ferry boats.

I am proud to see that the bill we will pass today is true to those principles, retaining ISTEA I's major environmental programs such as the Congestion Mitigation and Air Quality Program and the Transportation Enhancements Program, as well as creating a new innovative finance program that will help fund projects across the nation. This bill is good for New York, providing the State with over \$14 billion in highway and transit funds over the next six years.

I also salute the EPW Committee for including a program to develop magnetic levitation projects in this country. Maglev was first conceived in 1960 by a young Brookhaven scientist, James Powell, as he sat mired in traffic on the Bronx-Whitestone Bridge. But it is the Germans and Japanese who are building it. It promises to be the most important development in transportation technology since the airplane and we must not be left behind.

I want to close with a word about mass transit. One of the most important things that ISTEA I accomplished was to begin the work of repairing the damage done to our cities by the Interstate Highway System. American cities were cruelly split, their character and geography changed forever, with interstate highways running through once-thriving working class neighborhoods from Newark to Detroit to Miami. Homes and jobs were dispersed to the outlying suburbs and beyond. The physical and economic damage is still with us today.

But our cities have used ISTEA funds to repair the damage where they could, using funds for transit—even bike and pedestrian paths—instead of more road building. Under the flexibility granted to them under ISTEA I, States transferred \$3.6 billion from highways to transit, spurring improvements in transit systems all across the country.

This bill will continue a strong investment in transit, and improve and expand transit commuting benefits for employees. Mass transit is vital to the economic health of our cities, which remain the primary generators of wealth in the United States. Mass transit enables our cities to thrive by retaining their physical density, richness, and character. Without mass transit, urban life and culture disperse and eventually disappear, leaving all Americans poorer indeed.

Ms. MIKULSKI. Mr. President, I rise in support of final passage of S. 1173,

the Intermodal Surface Transportation Efficiency Act. I support this bill because of its strategic importance to Maryland's economy and the national economy.

To put it simply Mr. President, Maryland will receive more dollars for highways under this bill than it does now. Under this legislation, Maryland can expect to receive almost \$400 million per year for its highway system and roughly \$100 million for its transit needs.

That means better highways, byways, trains and buses for Marylanders.

Maryland's interstate highways are among the busiest in the nation. Funding under this bill will help maintain our highways and help relieve the congestion that so many of our commuters face each day.

Highways and transit systems are the arteries for our economy. This legislation will help increase the capacity of our highways and transit systems, and will promote economic growth and job creation.

This bill also means more money for transit, to keep our buses, trains and subways in top form.

For Maryland, this means that our MARC trains, the Baltimore Metro, as well as our rural and suburban bus systems such as Montgomery County's Ride-On system will continue to receive the help they need to buy new equipment and expand capacity.

The ISTEA bill also maintains the important programs for our environment to reduce congestion and improve air quality.

It funds the development and construction of a state of the art Maglev system. Maryland is one of the states that has a Maglev project on the drawing board and could receive federal assistance to build the nation's first Maglev system. A Maglev line between Baltimore and Washington would reduce commuting time to less than 20 minutes between the two cities.

While I am pleased at the funding for highways, transit, environmental programs and Maglev, I am disappointed that this bill does not provide full federal funding for the replacement of the Woodrow Wilson Bridge.

The bill provides \$900 million to replace the Wilson Bridge. This is substantially higher than the \$400 million that was proposed by the U.S. Department of Transportation.

In my opinion, \$900 million is a down payment. I am hopeful that funding and additional financing measures can be included as the legislation proceeds.

Maryland and Virginia cannot shoulder a majority of the cost for replacement of the Wilson Bridge. It is the responsibility of the federal government, not the states, to construct a suitable alternative to the current bridge. It is my hope that this will be resolved in conference with the House.

Despite my concerns over the Wilson Bridge, I believe this legislation will make major improvements to our nation's infrastructure, and Maryland's

economy. That is why I support this legislation.

Mr. THURMOND. Mr. President, I rise to commend the Chairman of the Environment and Public Works Committee, Mr. CHAFEE, the ranking member, Mr. BAUCUS, and the Chairman of the Transportation Subcommittee, Mr. WARNER, for their skill and their hard work in moving this important legislation through the Senate.

Senator CHAFEE has been most courteous in his willingness to listen to the concerns of the donor states during the course of this debate. His efforts to assist us are sincerely appreciated. Mr. WARNER introduced the original bill that would ensure that donor states are protected from the devastating rates of return on their allocations that some of us have seen in the past. His determination and his diligence in this have also been noticed and are appreciated.

I will vote for this measure, but I do so reluctantly. The reason for my dissatisfaction is that under it, South Carolina remains a donor State and would receive only about 90% of its share of contributions back from the program. Many of my colleagues may wonder at the intensity with which we who represent so-called "donor states" approach this issue. South Carolina has sent, every year since the program began in 1956, more money to fund the highway needs of other states than have been sent back to us. The total loss, in the case of South Carolina, now stands at over \$1 billion and will continue to rise. At first, this disparity was justifiable to build the Interstate Highway System across the nation, and our constituents accepted this willingly. There was always the expectation that when this good purpose was achieved, we would then be assisted with our own road needs. After all, we had to postpone tending to our own infrastructure while the Federal Government used the gasoline tax for priorities elsewhere.

However, every six years, with each subsequent highway bill, new justifications are brought forth as to why the needs of other states are greater than ours. Those justifications range from air pollution and aged infrastructure in the Northeast to the completion of the Appalachian Highway System. South Carolina has some roads in the Appalachian Highway System, but we do not consider those roads to be any more or less a priority over needs of others in the rest of our State simply because of that status. We never seem to receive the consideration we deserve.

All that we ask is that the system be fair. As it happens, not only is fairness in returning to States the same percent as they put into the fund the right thing to do, it is the most efficient system for financing our infrastructure. My colleagues may remember that in the ISTEA bill of 1991, we requested a study by the General Accounting Office on how we should distribute highway funds. The GAO issued that report in

November 1995. Its major conclusion was that the amount of gas taxes paid locally is one of the most accurate indicators of where transportation is needed. This makes sense, of course. People should be able to expect the tax they pay to go to maintain the roads they are driving on. Unfortunately, this sensible proposal has been ignored and funds under this bill would be distributed for various political reasons and, apparently, for the main reason that this is the way we have always done it.

I support this bill as a first step in finally achieving fairness. It is my hope that our colleagues in the House and our colleagues who will sit on the Conference Committee can achieve greater equity.

Mr. GLENN. Mr. President, I rise today to express my strong support for the legislation to reauthorize the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. In 1991, the Congress passed the first ISTEA bill. Upon its enactment, ISTEA revolutionized transportation funding in the United States. Prior to ISTEA, states like Ohio gave substantially more in support of the national highway system than we received in return. While we understood that the completion of the national highway system was a goal worthy of support, in 1991 that system was 95% complete. It was time to shift our priorities and our resources accordingly. As one of the largest of these so-called "donor states," I worked with my colleagues to enact a law that provided a better return on our transportation dollars, allowed flexibility for states and localities in determining transportation spending priorities, and that provided a record amount of funding for alternatives to highway transportation like transit, light rail, and pedestrian walkways.

The second step in this new transportation journey, ISTEA II reduces further the inequitable relationship between donor and donee states, streamlines programs to improve their efficiency, and increases the flexibility of states and localities in spending highway funds for alternate modes of transportation. Mr. President, the bill provides a record return for donor states, ensuring that Ohio and all donor states realize returns of 91 cents on every transportation dollar contributed to the Highway Trust Fund. For Ohio, that translates to \$5.2 billion over six years, an average of \$868.9 million a year. Nationally, ISTEA II authorizes the spending of \$151.4 billion over six years, averaging \$25.2 billion a year.

In addition to these formula funds, Ohio will receive \$65 million per year over five years for the High Density Transportation Program, the Appalachian Development Highway System Program, and other programs important to our state.

The bill provides \$41.3 billion for transit over five years, including \$500 million for rural transit, \$100 million for welfare to work funding and other

programs essential to the efficient operation of urban and rural transit systems. In total, ISTEA II provides an increase in transit funding of \$9.8 billion.

During ISTEA II's consideration, I cosponsored amendments that reduce the legal level of intoxication to .08 blood alcohol content (BAC) and that prohibit open containers of alcoholic beverages in automobiles. Their successful passage and implementation will assist law enforcement officials in reducing the all too real threat that drunk drivers pose to our families and friends. Mr. President, if one tragedy like those that have affected so many of us can be avoided, I believe these laws will have served their purpose.

In addition, I maintained my strong support for the enhancements provisions of this law. These enhancements provide states with much needed funds for historic preservation, bicycle trails, and pedestrian walkways. I cosponsored an amendment to provide \$25 million a year for six years in annual appropriations for the preservation of historic covered bridges. Ohio has the second highest number of covered bridges in the United States. Of the 144 covered bridges in Ohio, 126 of these will be eligible for this funding.

ISTEA II continues other important programs like the Disadvantaged Business Enterprise (DBE) program, which provides opportunities for women and minority owned businesses to participate in the highway construction industry. In 1996, businesses owned by non-minority women in Ohio received \$79.5 million and minority-owned Ohio firms received \$74.4 million, representing 22.7% of the total contracting dollars awarded in Ohio. The DBE program enhances opportunities for all Ohioans and I am proud to lend my strong support.

Mr. President, an ancient Chinese proverb states that a journey of a thousand miles must begin with a single step. In the case of ISTEA II, the second step is just as important. ISTEA II is the logical next step in furthering our nation's transportation interests and priorities.

Mr. LEVIN. Mr. President, this bill is going to help the State of Michigan address crucial transportation needs. Our highway infrastructure and our transit systems desperately require the increased funding that this bill promises to deliver. We should celebrate that Congress is finally spending all or nearly all the gas tax money put into the Highway Trust Fund on transportation. This means somewhere between \$250 million to \$300 million more for Michigan.

However, this bill is a complex tangle of programs and funding. When the bill's managers sought to summarily add roughly \$26 billion in new funding to the reported bill without sharing much information about how this would impact Michigan or the other donor states (states which pay more into the Highway Trust Fund than they receive out of it), I objected. As a

Senator from a historical donor state, I saw no reason to rush to send more of Michigan's gas taxes out to other states. Then, when the Federal Highway Administration provided a chart showing Michigan's share of this new money was actually lower than our share in the reported bill, my objection was justified.

I and other donor state Senators met with the bill managers to encourage them to accept changes to the bill that would improve our return on taxes sent to the Trust Fund. We argued for equity and fairness. But, because of the way these bills are constructed, it is hard for any state to improve its standing without other states losing.

Then, the Majority Leader, as is his right and responsibility, sought unanimous consent to override germaneness requirements in order to adopt the tax and transit titles to the bill. I objected because I did not feel that Michigan had yet been adequately treated. We were certainly not at or above the so-called "91% guaranteed" return level, according to Federal Highway Administration charts. My objection slowed the bill down a little, but it gave me and other Senators, including Senator ABRAHAM, the time to work with the bill managers to fashion a more equitable bill.

The bill managers agreed to some further assistance for seven donor states, including Michigan, which we accepted and appreciated. And, I pushed a little more to get Michigan eligible for the new pot of money made available for the "high-density transportation program." These two efforts now should add about \$20 million annually to our average annual expected allocation to about \$842 million over the next six years.

That is the good news. More of the gas tax money being collected will be returning to the states for transportation purposes. Unfortunately, though more is being distributed, Michigan's return is not likely to improve by more than a few pennies on the gas tax dollar. In the last year of ISTEA, Michigan sent \$631 million to the Highway Trust Fund account and got back \$605 million. Under ISTEA II (average), Michigan will send \$932 million to the Highway Trust Fund and receive back \$842 million. So, although the overall pie has been increased by 39%, Michigan's slice has only increased by about 34%.

Mr. President, I am voting for this bill because it takes a few small steps on the long road toward fairness for Michigan. We fought hard for those steps. But, while Michigan is getting considerably more money, it will contribute more still into the Highway Trust Fund, leaving Michigan in a significant "donor state" status. I hope my colleagues in the House will be successful in their upcoming battle.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, at the outset, I congratulate my distin-

guished colleagues who have managed this bill, with special appreciation to Senator CHAFEE, Senator BAUCUS, Senator WARNER, Senator D'AMATO, and others. But in the final analysis, I feel constrained to vote against the bill because it reduces the share of federal highway funds for my State, the Commonwealth of Pennsylvania, under the formula. I will vote against the bill with reluctance, but I feel it important to register my disagreement, as will my distinguished colleague, Senator SANTORUM, with the hope that these disparities will be improved in conference.

While opposing the bill for specific reasons, which I shall enumerate, there are many portions of the bill which I believe are very sound indeed as I will describe shortly.

When one thinks of roads, highways, and bridges, one thinks of Pennsylvania. There are records of a public road in Philadelphia County dating back to 1696. Inspired by George Washington's own surveys as a means for western movement, one of the oldest highways in the nation is now U.S. Route 40 (the National Road), which passes through Somerset, Fayette, and Washington counties and was built between 1811 and 1818. And, the first privately built toll road, the Lancaster Pike, was constructed from 1792 to 1794.

Now, as Pennsylvania prepares to enter the 21st Century, this legislation is of critical importance to the Commonwealth because it now has nearly 119,000 miles of public highways, with 27,183 miles eligible for federal highway funding and over 23,000 bridges over 20 feet in length which are eligible for federal rehabilitation and replacement funds (and of which 40 percent are classified as structurally deficient or functionally obsolete based on federal bridge criteria).

There is much that is worthwhile in the ISTEA bill being considered by the Senate, including record levels of spending on highways and mass transit. Further, the bill contains funding for programs I support, such as the development of magnetic levitation transportation systems, innovative bridge research and development, and intelligent transportation systems.

Nonetheless, I am greatly troubled that the pending bill would reduce Pennsylvania's share of the total highway formula from the 4.32 percent share under the original ISTEA law (FY92-97) to 3.79 percent. In actual dollars, Pennsylvania averaged \$890 million annually through the original ISTEA law (including earmarked projects), whereas the Environment and Public Works Committee reported bill only provided Pennsylvania with an annual average from FY98-2003 of \$836 million, an average reduction of federal spending of \$53 million, making my State one of only two States to lose funds under the bill's new formula (Massachusetts being the other). Further, according to the Pennsylvania Department of Transportation, and

Secretary Brad Mallory, with whom I have discussed the pending legislation, S. 1173 puts Pennsylvania at a disadvantage because it folds the federal bridge program into a larger funding scheme and will result in less funding for rehabilitating our more than 23,000 bridges.

At a time when my travels throughout the Commonwealth suggest that there has never been a greater need to invest in Pennsylvania's roads, highways, and bridges this bill would undermine our ability to meet pressing needs in the 67 counties which comprise the Keystone State.

During the last few months, as the ISTEA bill was drafted, considered in Committee, and brought to the floor, much has been made about "donor" States, "donee" States, and concepts such as "minimum allocation." Senators from States which have felt aggrieved under previous formula allocations have instituted regional warfare and sought to prevent States such as Pennsylvania from retaining their share of spending from the Highway Trust Fund.

While I am sympathetic to any Senator's wish to maximize federal spending in his or her State, it is not logical to presume that there must be percentage equities involved in our nation's infrastructure spending. In our federal system, and with such a diverse nation, there will always be differences in how much the government provides. In Pennsylvania, we are fortunate not to have the kind of earthquakes which rock California and necessitate billions in Federal disaster assistance. Similarly, we do not begrudge the millions spent by the Federal government on Florida's efforts to restore the Everglades, or the federal tax credits which are designed to stimulate oil and gas production in Oklahoma and Texas.

As I noted in my letters with Senator SANTORUM to Chairman CHAFEE, Chairman WARNER, and Senator BAUCUS dated September 12, 1997, Pennsylvania's contribution to the Nation is often through its roads and highways, which serve a vital role in interstate commerce, connecting East and West, as well as North and South. For economic, environmental, and safety reasons, there is a tremendous need to rehabilitate Pennsylvania's highway system, and I am deeply concerned that the funding level envisioned in this bill is not adequate to the task.

Since the bill has been pending, it has been improved to some degree by the adoption of provisions designed to increase spending from the Highway Trust Fund. Initiated by the Byrd-Gramm amendment, which I cosponsored last Fall, this bipartisan effort to raise the highway funding levels in this bill met with some success. Particularly helpful was that the Byrd-Gramm amendment sought to increase funding for continued work on the Appalachian Regional Highway System, where Pennsylvania has the most miles of unfinished roads of any State included in the 13-State Appalachian region.

On paper, the pending bill as amended by Senator CHAFEE's amendment suggests that Pennsylvania would receive an average of \$955 million annually in highway apportionments, up from the \$836 million figure in the version of the ISTEA bill reported out of the Environment and Public Works Committee. However, the funds added by the Chafee amendment (based on the Byrd-Gramm amendment) are all dependent on how high an obligation ceiling is set each year by the Appropriations Committee. If the obligation ceiling on spending is not set high enough in the annual Transportation Appropriations bill, the figures anticipated by the Chafee bill will not materialize and Pennsylvania will be hardpressed to match the annual receipts from the original ISTEA formula.

I am hopeful that in conference, where we have Chairman Bud Shuster from Pennsylvania, the chair of the House authorizing committee, the formula allocation will be made more equitable for Pennsylvania. But in the interim, I believe that my vote necessarily should be cast against this bill.

Mr. President, while I have specified portions of the legislation that I am opposed to, I do want to acknowledge the significant increases for mass transportation where, through the leadership of Chairman D'AMATO of the Banking, Housing, and Urban Affairs Committee, some \$5 billion has been added to the \$36 billion already in the bill, which will facilitate to a number of very, very important mass transit projects.

Because this is a significant bill with many aspects worth commenting on, I wish to note a few of its highlights. First, I am very pleased that Chairman D'AMATO has shown such leadership in crafting a \$41 billion reauthorization of federal transit programs, including \$17 billion for discretionary grants overall of which nearly \$8 billion will be for New Starts such as the Schuylkill Valley Metro from Philadelphia to Reading, the rehabilitation of the light rail system in Allegheny County, and possibly a light rail system in the Harrisburg-Carlisle area.

As a member of the Transportation Appropriations Subcommittee, and as the co-chair of the Senate Transit Coalition, I have worked hard for several years to increase funding on mass transit. Last July, I introduced my own transit reauthorization bill (S. 764), the Mass Transit Amendments Act of 1997, with Senators SANTORUM and LAUTENBERG to give the Banking Committee some idea of the bipartisan consensus for increased transit spending. Accordingly, I am very pleased that the Banking Committee title represents real increases in transit spending, particularly now that a bipartisan group of Senators succeeded in obtaining the additional \$5 billion in negotiations with the Leadership and Budget Committee Chairman DOMENICI. Once the

\$24 billion was added for highways, it was imperative to increase transit's share as well, and I was pleased to join Senator D'AMATO, Senator SANTORUM, and 21 other Senators in a letter dated February 24 to the Republican and Democratic Leaders in which we called for the historic balance between highway and transit spending to be observed.

I am pleased that the Senate accepted by voice vote 2 days ago my amendment to establish a Reverse Commute Program as a discretionary grant administered by the Federal Transit Administration. Recently, I visited the Bala Cynwyd station, which would serve a proposed 62-mile light rail system running from the center of Philadelphia to Reading, PA, known as the Schuylkill Valley Metro. This project exemplifies the type of reverse commute system that is very important because it can take people who need jobs from the inner city to the suburbs where employers are in need of employees.

I had first proposed a Reverse Commute Program in S. 764 and believed that it was a worthwhile addition to the Banking Committee bill. My amendment, offered with Senators SANTORUM, MOSELEY-BRAUN and D'AMATO, authorized this new \$100 million/year program and increased from \$100 million to \$150 million the authorization for the new access to jobs/welfare to work program in the bill. The Reverse Commute Program is designed to facilitate access to suburban job opportunities for residents of cities, small towns, and rural areas. That is where mass transit can be most effective and where there is a great need for the federal government to stimulate the transportation marketplace. I am hopeful that this program will be preserved in conference and look forward to working with my colleagues to ensure that the House accepts it.

The transit provisions also include a fix in the formula by which the fixed guideway modernization funds are allocated, so that Pittsburgh's system gets an incremental adjustment it has sought since the 1991 ISTEA law was enacted.

I am also pleased to note that this bill contains the text of legislation which Senator MOYNIHAN and I have cosponsored which will provide funding for the development of magnetic levitation, maglev, which has enormous potential to benefit the United States.

Recently, I visited a maglev trial run in Germany on a train which traveled about 250 miles an hour, a really exhilarating experience. Maglev could provide transportation, nonstop, from Philadelphia to Pittsburgh in 1 hour 30 minutes. In 2 hours 7 minutes, the train could go from Philadelphia to Pittsburgh and could make intermediate stops at Lancaster, Harrisburg, Altoona, Johnstown, Greensburg, and then a final destination in Pittsburgh, with enormous economic development for those communities. With a slightly

increased timespan, it could go to the State College and Lewistown as well.

The cost of maglev, as represented to me, is about \$20 million a mile, so a 300-mile run, approximately, from Philadelphia to Pittsburgh could be constructed at a cost of some \$6 billion, which is not out of line when you consider the Los Angeles subway system is receiving a Federal allocation of some \$3.1 billion of its \$6 billion total cost. If we are to have economic expansion in the future, we do need to take care of the infrastructure. It ought to be noted that there are adequate funds to provide for this kind of funding in the highway trust fund, which has as its purpose highways, bridges and mass transit, to be used for that instead of being integrated into the overall budget to make the deficit look less problematic.

I have worked with MAGLEV, Inc. in Pittsburgh since the mid-1980's to obtain federal support for that company's effort to research and develop a maglev system in Pennsylvania. Now, we are at the brink of a maglev age, I believe, with MAGLEV, Inc. looking into a 60-mile route from Greensburg, Pennsylvania through Pittsburgh to the International Airport as its first segment at an estimated cost of \$1.3 billion.

Not only does maglev have the chance to revolutionize travel, it would mean billions of dollars in steel and construction materials and thousands of jobs for America's steelworkers and others who would fabricate the steel and concrete guideways.

This bill provides a total of \$30 million in contract authority in FY99 and FY2000 for capital assistance for development of a maglev system selected after a careful review by the Transportation Secretary, and more than \$900 million in authorizations of appropriations in the outyears. While I would have preferred more contract authority, given the difficulties of obtaining substantial appropriations, it is important that this transportation bill recognize that the future of transportation may well be maglev and it merits an investment at this time. This bill, therefore, represents a real breakthrough for the efforts of MAGLEV, Inc. in Pittsburgh and others who support this new technology.

I am pleased to note that the Senate accepted by voice vote my amendment, cosponsored by Senators MOYNIHAN and SANTORUM, to extend eligibility for federal funding assistance to the pre-construction planning activities associated with maglev projects in Pennsylvania and elsewhere. I intend to fight to retain this amendment in conference with the House of Representatives and to work with the Secretary of Transportation to ensure that these funds are made available expeditiously to qualified entities, such as Pittsburgh's MAGLEV, Inc., which are well on their way to bringing this technology from the drawing boards to reality.

It is also significant that the ISTEA bill includes a \$100 million program for

innovative bridge research and construction, which I sought with my colleagues on the Senate Steel Caucus in a letter to Chairman CHAFEE dated July 25, 1997. Our nation's bridges are rapidly deteriorating, presenting serious safety concerns to the traveling public and forcing restrictions on bridges unable to accommodate heavy vehicles. The need to invest more heavily in bridge infrastructure is clear, and this program will fund basic and applied research designed to develop innovative, cost-effective steel bridge applications to improve lifespan and performance, as well as fund field testing of this research.

As we consider the ISTEA II bill, I remain convinced that Congress needs to do more to spend the funds which have accumulated and will continue to accumulate in the Highway Trust Fund and the Mass Transit Account. In 1991, during consideration of the original ISTEA bill, I offered an amendment to take the transportation trust funds off-budget for the purpose of ensuring that all federal gas tax receipts are spent on transportation infrastructure and not used to mask the true size of the deficit. In June, 1991, my amendment was defeated by a 29-69 vote, failing to obtain the 60 votes needed to waive the limitations of the Budget Act. Perhaps that amendment was ahead of its time, given the more recent success of Congressman SHUSTER in lining up support for his off-budget proposal. I believe that when Americans pay at the pump, either as individuals or on behalf of businesses, there is an understanding that their fuel taxes will be spent on improving the roads and bridges on which they are driving and improving mass transit. Accordingly, I am hopeful that my colleagues will soon entertain a proposal to take the transportation trust funds off budget or, at the very least, ensure that prospectively every dollar which comes in is spent on improving our transportation infrastructure.

Among the positive elements of this bill which deserve commendation are the increases in funding for the Congestion Mitigation and Air Quality (CMAQ) improvement program by an average of 18 percent over current levels. These funds are available with substantial flexibility to the State to provide to communities for projects reducing traffic congestion, such as the Pittsburgh Airport Busway, a significant mass transit project undertaken by the Port Authority of Allegheny County which will have a positive impact on air pollution in that region.

I was pleased to cosponsor an amendment by Senator JEFFORDS which will establish a new grant program to preserve and rehabilitate our nation's historic covered bridges. In many parts of Pennsylvania, such as Berks County, covered bridges are tourist attractions which generate economic growth and necessary means of transportation for residents. Many are in substandard condition and these funds are intended

to preserve this important element of our culture.

Mr. President, reauthorizing the 1991 ISTEA law also provides Congress an opportunity to single out vital highway and transit projects throughout the nation for special funding. There are many, many projects which deserve such consideration, and, as I did in my Senate Floor statement of June 18, 1991, I think it worthwhile to comment on a few in my State of Pennsylvania. I cannot cover them all, of course, in these remarks, but the following highway and transit projects are indicative of the needs we have across the Commonwealth for improved, safer roads and for new public transportation facilities.

EXAMPLES OF KEY PENNSYLVANIA HIGHWAY AND TRANSIT PROJECTS

Schuylkill Valley Metro—At a time when we need to do more to facilitate travel from downtown metropolitan areas to suburban job centers, I am pleased that the Southeastern Pennsylvania Transportation Authority (SEPTA) is working with the Berks Area Reading Transportation Authority (BARTA) to develop light rail or commuter rail service between Philadelphia and the Reading area. This project involves the construction of a 62-mile corridor between Philadelphia and Wyomissing, via Norristown, Phoenixville, Pottstown, and Reading. The new rail line would stop at 28 stations and serve an estimated 30,500 passengers/day if light rail, or 20,800 if commuter rail. I visited one of the proposed stations in Bala Cynwyd on March 2, 1998, and believe that the Schuylkill Valley Metro exemplifies the type of transit project for which the New Starts account was developed. Total project cost estimates are \$720 million for light rail (\$576 million federal share) and \$403 million for commuter rail (\$322.4 million federal share).

Frankford Transportation Center—On May 12, 1997, I joined Congressman ROBERT BORSKI at the site of the proposed Frankford Transportation Center, which is the final piece of SEPTA's Frankford Elevated Reconstruction project, the largest capital project in SEPTA's history. SEPTA seeks \$112 million in federal funds for this \$140 million project, which would include construction of a new transit center and parking facilities at the Bridge-Pratt Terminal and the realignment and rehabilitation of the elevated guideway between Dye Avenue and Bridge Street. A new terminal will serve elevated, bus, and trackless trolley passengers, taking thousands of cars off Philadelphia's streets each day.

Route 309 Improvements/Montgomery County—For many years, there have been far too many accidents along Route 309 in suburban Montgomery County, particularly in the vicinity of the Fort Washington Interchange. Based on my recent visit in February, 1998, where Congressman JON FOX and I

were briefed by the Pennsylvania Department of Transportation, I believe that we are now in a position to initiate and complete substantial improvements to 10.2 miles of Route 309 from Greenwood Avenue to Welsh Road during the five years covered by the ISTEA bill. PennDOT has already undertaken some preliminary engineering work and this \$188 million project (\$97 million federal share) would include pavement reconstruction, lengthening of acceleration and deceleration lanes, widened shoulders, replacement of signs and guide rails, and drainage improvements. As someone who travels regularly on Route 309, I urge my colleagues to designate this highway as a high priority for federal construction funds in this bill.

Interstate 95/Pennsylvania Turnpike Interchange—For those of us who live and travel extensively in the Philadelphia area, it is still hard to believe that there is no connection between Interstate 95 and the Pennsylvania Turnpike, two of the most significant highways in the Northeast. At long last, this legislation offers us the chance to construct an interchange, which will reduce congestion on local roadways, facilitate the movement of goods through Pennsylvania and New Jersey, and reduce motorist confusion when traveling from one of these roadways to the other. This \$572 million project (\$337 million federal share) would entail construction of a high-speed interchange, widening sections of the Turnpike and I-95 near the interchange from four to six lanes, modification of toll facilities, and increasing the capacity of the Delaware River Bridge through construction of a new parallel structure. On February 18, 1998, I joined Congressman JIM GREENWOOD in visiting the site of the proposed interchange and came away even more impressed than before by the need for funding this vital project in Bucks County.

Philadelphia International Airport—There are plans to construct a new \$300 million international terminal at the Airport, which is expected to generate 3,000 jobs and more than \$3 billion in economic activity. This project is critical to the Airport's emergence as a major international gateway, and I am hopeful that the final bill will include funds for roadway and ramp improvements involving Interstate 95 and local roads, which will cost an estimated \$90 million.

Mon Valley-Fayette Expressway/Southern Beltway—Since the mid-1980's, I have worked with elected officials from Allegheny, Washington, and Fayette Counties, the Pennsylvania Turnpike Commission, and the Mon Valley Progress Council to obtain funds for this very important project, which has tremendous economic development potential from West Virginia into Pittsburgh and to the Pittsburgh International Airport. The seven segments of the Expressway and the Beltway will cost \$2.5 billion to complete

(\$1.8 billion Mon Valley-Fayette, \$700 million Southern Beltway) and will include 92.5 miles of new toll road in the Pittsburgh region. To date, \$24 million in federal funds have been allocated for the entire project. Some of the segments have recently entered the initial construction phase, while others must still undergo environmental studies. In the economically depressed areas of Southwestern Pennsylvania, a highway project of this magnitude, linking Interstate highways in the region for commerce and tourism, will bring new opportunities for growth and economic expansion. Now, more than ever, Congress needs to recognize the potential of this project and provide the funding necessary to complete construction once and for all.

Allegheny County—Stage II Light Rail Transit—Allegheny County has made a real investment in mass transit in recent years, particularly on the Airport Busway/Wabash HOV project, which I have been pleased to support as a member of the Transportation Appropriations Subcommittee. The next significant undertaking by the Port Authority of Allegheny County is a project to reconstruct 12 miles of its 25 mile light rail system, including upgrading the Overbrook, Library, and Drake trolley lines to light rail standards, as well as the addition of 2,500 park and ride spaces and the acquisition of 27 new light rail vehicles. I met with local officials and the leadership of the Port Authority on February 20, 1998 at South Hills Junction and believe that this \$493 million project (\$394 million federal share) deserves full consideration for funding within the transit New Starts account. This is especially true when one notes that the Stage II project is expected to carry 25,000 riders daily by 2015 and thus remove 2,000 daily automobile trips from local roads.

North Shore Central Business District—City and regional planners in Pittsburgh have proposed the development of a complete transportation improvement package, including transit, roadway, pedestrian and parking that accommodates both the access and connectivity needs of existing activities in the district and the needs of several proposed development projects. Working with the Port Authority of Allegheny County, local economic development leaders believe that a fixed guideway transit system and intermodal facility is an essential part of any plan for this part of Pittsburgh. Initial estimates are that \$190 million are needed for this project.

U.S. Route 219—“Continental One”—Another matter of great importance, from a safety and economic development perspective, is the effort to upgrade the U.S. Route 219 corridor throughout Pennsylvania as part of a long-term project to create the Continental One superhighway and NAFTA trade corridor from Canada to Mexico. Route 219 stretches 199 miles through Pennsylvania from Maryland to New

York via Somerset, Cambria, Clearfield, Jefferson, Elk, and McKean Counties. The 1991 ISTEA law provided \$89 million in federal funds for Route 219 projects, as I had urged in my Senate floor speech of June 18, 1991. Since then, I have met with the U.S. Route 219 International Trade and Travel Corridor Coalition in Washington and have spoken to local officials and countless Pennsylvanians who support improvements to Route 219 which are necessary to establishing a major trade corridor and generating substantial economic development in the region. Although the total price tag for upgrading the entire Route 219 corridor of \$3.4 billion is too much to obtain in this one piece of legislation, I believe Congress should provide substantial funds for engineering and construction of high priority segments within the Route 219 corridor.

Wilkes-Barre Intermodal Transportation Center—I have been pleased to work for more than one year with Wilkes-Barre Mayor Tom McGroarty, who first proposed this to me and Congressman PAUL KANJORSKI in February, 1997. This \$17.3 million transportation center (\$13.8 million federal share) would coordinate multiple modes of transportation by combining a bus terminal for Luzerne County Transportation buses and inter-city buses, as well as a taxi loading area and a park-and-ride lot. Having visited the site in April, 1997 and in February, 1998, I am confident that the Center will increase downtown economic development by providing additional parking, improve safety by loading and unloading passengers in a designated area, and reduce traffic congestion by encouraging the use of mass transit. I was pleased to obtain \$1.5 million for this project in the FY98 Transportation Appropriations Act for initial engineering and design work and believe that it merits designated funds in this ISTEA legislation.

Erie East Side Connector—In 1991, I was pleased to join with then-Congressman Tom Ridge in support of \$7.5 million specifically included in the original ISTEA law for preliminary engineering and environmental impact statement for the Erie East Side Connector project. Construction of this project will cost \$94 million and involves a new 4-lane highway to connect the Bayfront Parkway in the City of Erie to I-90 at Exit 9. This project has the support of Congressman PHIL ENGLISH and local officials because it will help stimulate economic growth on Erie's East side and represents a missing link in the region's transportation infrastructure.

Allentown American Parkway—This \$35 million project involves a 1.6 miles controlled access, four-lane highway and new bridge connecting both the Allentown central business district and the riverfront area of the city to U.S. Route 22 and the Lehigh Valley International Airport. The goal would be to relieve congestion on the three existing

river crossings and spur economic development in the area.

Pittston Airport Access Road—In August, 1997, I toured the site of this proposed \$8.3 million project (\$6.6 million federal share), which would create a new 1.6 mile access road connecting the main entrance of the Wilkes-Barre/Scranton International Airport to several commercial and industrial sites on airport land and on two industrial tracts southeast of the Airport. Both Congressman PAUL KANJORSKI and I agree that this project merits ISTEA funding because the benefits of building this road include reduced traffic congestion and improved public safety and the prevention of traffic accidents such as those that have occurred along several narrow and winding roads near the industrial development.

Lackawanna Valley Industrial Highway—Congressman MCDADE has been active in the House of Representatives in support of a \$2.2 million project to construct a new ramp between Exits 56 and 57 on Interstate 81 in Lackawanna County as an extension of the \$360 million Lackawanna Valley Industrial Highway project. The proposed on-off ramp will improve traffic conditions on I-81 and provide more direct access to the 180-acre Viewmont Mall/Viewmont Commerce Center and Dickson City Crossings. In addition, it will provide access to 450 acres of adjacent property. Local officials support the project because it will reduce traffic congestion and facilitate development at these commercial facilities, creating an estimated additional 1,700 full-time and part-time jobs in the area.

U.S. Route 222 (Berks County)—Throughout parts of Berks County, it is well-recognized that there is a need for improvements to U.S. Route 222, which are estimated to cost \$195 million. In the 1991 ISTEA law, we were able to obtain \$6.6 million for the Warren Street Bypass Extension North project, which is being used at present for construction that should be completed in November, 2000. Three other segments of U.S. Route 222 deserve consideration for special priority in this bill, including the Warren Street Bypass Extension South, Lancaster Pike Reconstruction (widening and reconstructing four miles of Route 222 from Grings Hill Road to the Berks/Lancaster County Line), and construction of a new interchange between Route 222 and State Route 183 in the City of Reading.

U.S. Route 30—Lancaster County is one of the fastest growing counties in population and economic growth throughout Pennsylvania and its infrastructure needs to keep up with increased demands. For several years, there has been an effort to improve Route 30, particularly for safety concerns. Specifically, the \$86 million Route 30 Bypass multi-lane highway project will be the final connecting

link across Southeastern and South Central Pennsylvania, with the "East" Section stretching from U.S. Route 222 to PA Route 340 in Manheim and East Lampeter Townships and the City of Lancaster, and the "West" Section stretching from PA Route 741 to PA Route 72 in East Hempfield and Manheim Townships and the City of Lancaster.

Williamsport-Lycoming County Airport Access Road—I have met regularly with representatives from Lycoming County and the City of Williamsport on their transportation needs, particularly for improvements in the vicinity of the Williamsport-Lycoming County Airport. In the House, Congressman MCDADE has sought an earmark for \$12 million in federal funds toward the \$15 million project cost to construct a new access road from Interstate-180 to the Airport. The primary objective is to improve access to the Airport (which is essential to its ability to grow as a regional transportation hub), provide development opportunities on lands adjacent to the Airport, and to coordinate these improvements with a levee system around the Borough of Montoursville to provide flood protection.

Mr. BYRD. Mr. President, passage of the Intermodal Surface Transportation Efficiency Act of 1997, signals a significant accomplishment for this session of the 105th Congress. In passing this comprehensive six-year surface transportation bill, the Senate makes two profoundly important statements to the American traveling public. First, we are telling the American public that we are intent on using the revenues that we collect at the gas pump, from the American highway user, on the purposes for which they were collected; namely, the maintenance, upkeep, and expansion of our national highway and transit systems. Second, we are telling the traveling public that we intend to reverse the federal government's chronic underinvestment in our national highway needs.

I want to take this opportunity to recount the major milestones of a multi-step process that brought us to this point where we will pass a highway bill calling for a full \$173 billion of investment over the six years, 1998 through 2003. I also want to thank the many persons and organizations that have brought us to this point in time.

The Omnibus Budget Reconciliation Act of 1993 assessed a new 4.3 cents gas tax solely for the purposes of deficit reduction. This was the first time since the Highway Trust Fund had been established in 1956, that a permanent gas tax was put on the books for a purpose other than highway investment. In May of 1996, our former colleague, Senator Dole of Kansas, rekindled the debate on the appropriate use of the 4.3 cents-per-gallon gas tax. At that time, I signaled to my colleagues my intent to offer an amendment to transfer the 4.3 cent gas tax to the Highway Trust Fund so that it could be used for our

ever-growing unmet needs in the area of highway construction and the maintenance of our nation's bridges. During the summer of 1996, at the behest of both the majority and the minority leaders, I deferred offering my amendment to transfer this tax into the Highway Trust Fund on two separate tax bills. Unfortunately, another opportunity to offer my amendment did not arise during the 104th Congress.

Last year, at the beginning of the 105th Congress, I found a strong ally for my efforts in my colleague, Senator GRAMM of Texas. During debate on the budget resolution last year, Senator GRAMM offered a sense of the Senate resolution supporting the transfer of the 4.3 cents-per-gallon gas tax from deficit reduction to the Highway Trust Fund, and the spending of that revenue on our highway construction needs. Senator GRAMM was joined by 81 of our colleagues in support of this resolution. Later that year, when the Finance Committee marked up the Taxpayer Relief Act of 1997, Senator GRAMM, a member of that committee, successfully included a provision transferring the 4.3 cents to the Highway Trust Fund. That provision became law with the enactment of the Taxpayer Relief Act in August of 1997.

In transferring this new revenue to the Highway Trust Fund, the Congress was presented with an opportunity to authorize and spend dramatically increased resources on our highway needs. There is no question that these funds are sorely needed. I have taken to the Floor numerous times over the past three years to remind my colleagues of the hundreds of thousands of miles of highways in the nation that are rated in poor or fair condition, and the thousands of bridges across our nation that are rated as structurally deficient or functionally obsolete. Unfortunately, the highway bill, as originally reported by the Environment and Public Works Committee, did not authorize one penny of this new revenue to be spent on our nation's highways and bridges. Indeed, under the funding levels reported by the Environment and Public Works Committee for the highway program, the unspent balance in the Highway Trust Fund (including both the highway and transit accounts), was expected to grow from \$22.9 billion at the beginning of 1998 to more than \$55 billion at the end of 2003, the end of the ISTEA II authorization period. Upon learning of this situation, I held several discussions on the subject with members of the Environment and Public Works Committee, including Chairman CHAFEE, and the Ranking Member, Senator BAUCUS. Following these discussions, I decided to prepare an amendment which would authorize the full amount of revenues going into the highway account of the Highway Trust Fund. Given the continuing deterioration of our nation's highways in all 50 states, and the growing volume of concern on the part of the nation's governors and state legislators, on the fed-

eral government's underinvestment in our infrastructure, I felt that it was essential that the Senate have an opportunity to vote on whether or not we mean what we say when we place highway tax revenues into the Highway Trust Fund.

I was first joined in the amendment by my colleague, Senator GRAMM. Shortly thereafter, our efforts were given a great boost when we were joined by Senator BAUCUS, the Ranking Member of the Surface Transportation Subcommittee, and Senator WARNER, the subcommittee's chairman. Despite substantial early opposition from certain Senators, including the Chairman of the full Environment and Public Works and Budget Committees, Senators GRAMM, BAUCUS, WARNER, and I diligently sought to obtain co-sponsors for our amendment. In total, we were able to secure an additional 50 co-sponsors, making a total of 54 co-sponsors for the Byrd/Gramm/Baucus/Warner amendment.

Our amendment authorized additional contract authority for highways over the period Fiscal Year 1999 through 2003, totaling \$30.971 billion. That amount was the Congressional Budget Office's estimate of the revenue from this portion of the 4.3 cents gas tax that would be deposited into the highway account of the Highway Trust Fund over that five-year period. In January of this year, the Congressional Budget Office reestimated that five-year figure to a level of \$27.41 billion, or a reduction of \$3.561 billion from their earlier forecast.

At the end of last month, Mr. President, it appeared that a true battle was brewing. The Senate was divided into two camps—the camp of those that had joined with Senators BYRD, GRAMM, BAUCUS, and WARNER in support of authorizing the spending of the additional revenue to the Highway Trust Fund, and the opposition, led by Senators DOMINICI and CHAFEE, who opposed this approach. This division was causing a delay in Senate consideration of the ISTEA bill, a delay that made all Senators uncomfortable since we continue to face the May 1 deadline beyond which most states cannot obligate any federal aid highway funds absent a new authorization bill. At the end of last month, the Majority Leader, Senator LOTT, asked that all parties join him in his office for negotiations on this issue. While I must admit I was not inclined to negotiate in a manner that would cause us to abandon our principle of authorizing the spending of the Highway Trust Fund revenue, I, along with Senator GRAMM, Senator BAUCUS, and Senator WARNER, did join with the Majority Leader, and Senator CHAFEE, Senator DOMINICI and, at times, Senator D'AMATO to discuss the situation. After many days of back and forth, and the very adept moderating style of the Majority Leader, I was pleased that an agreement emerged that enabled us to add an amendment totaling 25.920 billion dollars to the

highway bill. This amount represents 94 percent of CBO's most recent estimate of the revenue to the highway account, stemming from the 4.3 cents gas tax. I was especially pleased that, as part of these negotiations, Senator DOMENICI, Chairman of the Budget Committee, committed himself to finding the outlays through the budget resolution process to see to it that these funds will not just be authorized, but will also be spent through the annual appropriations process. Further, I appreciate the support of the agreement by the Distinguished Chairman of the Environment and Public Works Committee, Senator CHAFEE, as well as for his outstanding work in managing this complex bill over the several weeks that it has been before the Senate. I also wish to recognize the cooperation and support that I have received for many months on my amendment to this important legislation by our Distinguished Minority Leader Mr. DASCHLE. He joined as a cosponsor of the Byrd/Gramm/Baucus/Warner amendment early on and was a staunch advocate and supporter throughout.

On a matter that is of critical importance to this Senator, this amendment included \$1.89 billion for the Appalachian Development Highway System. Coupled with the \$300 million already in the committee bill for this system, total funding over the six-year ISTEA bill, for the Appalachian Highway System, will equal \$2.19 billion, the full amount requested by the Administration in their ISTEA proposal.

I ask unanimous consent that Senator JEFFORDS be added as a cosponsor to amendment number 1397, the so-called Byrd/Gramm/Baucus/Warner amendment, to S. 1173.

The PRESIDING OFFICER. Without objection.

Mr. BYRD. That brings the total number of cosponsors to 54. Mr. President, I thank all cosponsors of our amendment who, in effect, were trying to force the government to live up to the commitment it made to the American people and require that money collected in gasoline taxes for the purpose of building roads actually be spent for that purpose. At various times over the course of the last several months, many of these cosponsors spoke on the Floor in an attempt to bring to the attention of the leadership the importance of bringing up the ISTEA II bill as expeditiously as possible, and I thank those members for their efforts.

In addition to the support of these cosponsors, we had outstanding support from a large number of outside organizations ranging from the American Automobile Association to the U.S. Chamber of Commerce. I wish to thank all of these organizations, without whose support it would have been impossible to have been successful in our efforts to not only bring the bill up as quickly as we were able to, but to have adopted the Environmental and Public Works Committee amendment, which provides some 94 percent of the con-

tract authority proposed in the original Byrd/Gramm/Baucus/Warner amendment. Indicative of the support received by these organizations was a very strong statement given before the National Governors Association by the President and CEO of the American Automobile Association, Robert L. Darbelnet, in which he expressed strong support for the Byrd/Gramm/Baucus/Warner amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of the 54 co-sponsors of the Byrd/Gramm/Baucus/Warner amendment, a list of the organizations which assisted in our efforts to bring the highway bill to the Floor in an expeditious manner, and the aforementioned statement by Mr. Darbelnet, President and CEO of the American Automobile Association.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CO-SPONSORS OF THE BYRD/GRAMM/BAUCUS/
WARNER AMENDMENT

Senator Akaka, Senator Ashcroft, Senator Baucus, Senator Bingaman, Senator Breaux, Senator Brownback, Senator Bryan, Senator Bumpers, Senator Burns, Senator Byrd, Senator Campbell, Senator Cleland, Senator Conrad, Senator Coverdell, Senator Craig, Senator Daschle, Senator DeWine, Senator Dodd, Senator Dorgan, Senator Faircloth, Senator Feinstein, Senator Ford, Senator Glenn, Senator Gramm, Senator Grams, Senator Harkin, Senator Helms, Senator Hollings, Senator Hutchinson, Senator Hutchison, Senator Inhofe, Senator Inouye, Senator Jeffords, Senator Johnson, Senator Kempthorne, Senator Kennedy, Senator Kerrey, Senator Kerry, Senator Landrieu, Senator Leahy, Senator Levin, Senator Lieberman, Senator McCain, Senator McConnell, Senator Mikulski, Senator Nickles, Senator Reid, Senator Rockefeller, Senator Santorum, Senator Sessions, Senator Shelby, Senator Specter, Senator Thomas, and Senator Warner.

BYRD/GRAMM/BAUCUS/WARNER AMENDMENT
SUPPORT GROUP PARTICIPANTS

American Automobile Association.
American Automobile Manufacturers Association.
American Consulting Engineers Council.
American Highway Users Alliance.
American Iron and Steel Institute.
American Petroleum Institute.
American Portland Cement Alliance.
American Road and Transportation Builders Association.
American Traffic Safety Services Association.
American Trucking Association.
Associated Builders and Contractors.
Associated Equipment Distributors.
Associated General Contractors.
Ashland Oil, Inc.
Carpenters Union.
Construction Industry Manufacturers Association.
Contech Construction Products Inc.
Donor State Industry Coalition.
Energy Absorption Systems Inc.
Equipment Manufacturers Institute.
International Union of Operating Engineers.
Keep America Moving.
Laborers' International Union of North America, AFL-CIO.
Motor Freight Carriers Association.
National Asphalt Pavement Association.
National Association of Home Builders.

National Association of Manufacturers.
National Association of Truck Stop Operators.
National Governors Association.
National Private Truck Council.
National Stone Association.
Recreation Vehicle Industry Association.
Service Station Dealers of America.
The Road Information Program.
Transportation Construction Coalition.
Transportation Intermediaries Association.
United Parcel Service.
U.S. Chamber of Commerce.
Vulcan Materials.

ROBERT L. DARBELNET, AAA PRESIDENT & CEO, NATIONAL GOVERNORS ASSOCIATION, COMMITTEE ON ECONOMIC DEVELOPMENT AND COMMERCE, SUNDAY, FEBRUARY 22, 1998—WASHINGTON, DC.

Governors, distinguished guests.

It is a pleasure to be here. And a privilege to address you on behalf of AAA's 40 million members.

American motorists depend on their cars to get them to and from work, the Little League game, the grocery store. Safe and efficient roads and bridges are high priorities to them. And they have been paying \$30 billion a year in federal gasoline taxes to keep their roads in good repair.

The problem is that the government has been siphoning off \$10 billion a year to create the illusion of a smaller deficit. AAA strongly supports a balanced budget, but not at the expense of essential public services.

Last year, AAA supported efforts to redirect 4.3 cents per gallon of the gasoline tax from deficit reduction to the Highway Trust Fund. While those efforts were successful, there is still no authority to invest that money in transportation.

That's why AAA is urging passage of the Byrd-Gramm-Warner-Baucus Amendment to the highway bill. We want that 4.3 cents per gallon invested in properly maintained roads and bridges that improve traffic safety and reduce congestion.

In June 1996, AAA launched a national campaign called "Crisis Ahead" to alert the country about the rapid deterioration of our highway and bridges. We said at that time that unless our citizens and government policymakers were moved to action, a national crisis would be inevitable.

Here we are nearly two years later and, unfortunately, the policy makers have not acted effectively. As a result, the crisis AAA predicted . . . may no longer be ahead. It may already be here.

The numbers tell a tragic story:

1. Almost 30% of all motor vehicle crashes are caused, at least in part, by poorly designed or maintained roads.
2. The number of people killed on our highways is rising—from 39,000 to 42,000 annually.
3. In fact, according to the Department of Transportation, someone in the United States dies in a motor vehicle crash every 13 minutes.

To understand why things are deteriorating, consider this gap:

Since 1960, vehicle miles traveled in this country jumped 234%.

The taxes motorists paid to fix highways shot up 155%.

But investment in our highway system plummeted 50%.

To sum the situation up: Motorists are paying more taxes to drive more vehicles more miles, over roads maintained with less money.

As a result: More than one-third of major U.S. roads are in poor to mediocre condition.

Almost a third of the nation's bridges are dilapidated, too narrow or too weak to safely

carry traffic across them for much longer. The Woodrow Wilson Bridge here in Washington is a prime example.

Other consequences are more difficult to measure but are nonetheless real. Such as:

The downturn in a region's economy, as its businesses and jobs relocate to communities with better roads and less congestion.

Road rage and aggressive driving.

Deaths and injuries that might have been prevented by guard rails, wider lanes or better lighting.

A study by the AAA Foundation for Traffic Safety—a copy of which you should have in front of you—outlines the safety benefits we can achieve if we invest our transportation resources wisely.

For example:

By increasing lane width one foot, we can reduce crashes by 12%.

Removing hazards within 10 feet of a road would reduce these types of crashes by 25%.

Removing hazards that are within 20 feet would reduce crashes by 44%.

Every dollar we spend making these improvements on lower-grade roads actually produces a savings of nearly \$3. In my view, that's a wise investment.

Allowing federal gas tax dollars to accumulate in the Highway Trust Fund is NOT a wise investment. It may look like a savings on paper but, in reality, it merely shifts expenses to other areas of the economy:

It pushes up the cost of insurance.

It pushes up the cost of health care.

It pushes up the cost of doing business.

And it delays the inevitable time when road and bridge work—not done today—will HAVE to be done anyway. But at that point, the work will not only be more urgent, it will be much more costly.

Fortunately, there are obvious solutions

First, we must get the ISTEA bill on the floor for debate and action—now. Further delay will only make matters worse.

And second, we should invest every penny in the Highway Trust Fund the way American motorists intended when they passed the gasoline tax—to keep our transportation system running safely and efficiently.

We're not talking about paving over the nation with new roads. We're talking about maintaining and improving the ones we've got. Preventing further deterioration. Making roads safer.

AAA is proud to lend the voices of its 40 million members in support of the governors and the Coalition for TRUST in their mission to increase the transportation investment.

Our goal is to ensure safety and freedom of mobility for this generation and generations to come.

In addition to improving roads and saving lives . . .

Spending the trust fund as it was intended will produce two beneficial side effects:

1. American motorists will get what they're paying for. That's all they want. And . . .

2. Congress and the Administration will protect one of their greatest assets. I'm not referring to the transportation infrastructure. I'm referring to the trust of the American people.

The money has been collected for transportation.

It shouldn't be highjacked.

Mr. BYRD. Mr. President, in addition to thanking these many groups, I also deeply appreciate the efforts of the staffs of the principal co-sponsors of our amendment. They include Steve McMillin of Senator GRAMM's staff, Tom Sliter and Kathy Ruffalo of Senator BAUCUS' staff, Ann Loomis and

Ellen Stein of Senator WARNER's staff, and Jim English and Peter Rogoff of my own staff. Also, the majority leader's staff, namely Keith Hennessey and Carl Biersack, deserve great credit for their efforts toward reaching a consensus on the critical funding agreement to this bill. Finally, I also thank the individuals at the Federal Highway Administration, who have toiled diligently outside of the limelight, in bringing this bill to closure. They include Jack Basso in Secretary Slater's office, as well as Bud Wright, Patty Doersch, and Bruce Swindford, at the Federal Highway Administration. Their assistance was instrumental in providing data and technical assistance in development of the Byrd/Gramm/Baucus/Warner Amendment, as well as for the underlying committee bill.

This is a bill, of which I am proud, and of which all Senators should be proud, and for which I urge all Senators to vote aye.

Mr. WARNER. Mr. President, I think the silence indicates assent that will soon be given, in perhaps three-quarters of an hour's time, to this momentous piece of legislation. My rough calculations are that over the next 5 years it will be in the area of \$215 billion, well spent—well spent—on America's transportation infrastructure. I thank, again, my distinguished colleague from Montana, who has been a partner throughout this effort.

I think this silence reflects the credit we may be owed for working on this bill together with Senator CHAFEE, who will be back momentarily.

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. WARNER. 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. WARNER. Mr. President, I am pleased that the Senate will soon favorably conclude action on S. 1173, the Intermodal Surface Transportation Efficiency Act of 1998, or ISTEA II.

ISTEA II is a 6-year bill that reauthorizes our nation's highway construction, highway safety and research programs. As reported from the Committee on Environment and Public Works, it provides \$171.3 billion over 6 years.

Our funding level of \$171.3 billion is 36 percent greater than the \$120 billion funding level provided in ISTEA I.

Our funding level of \$171.3 billion exceeds the funding level of \$135 billion proposed in the Administration's NEXTEA bill.

Mr. President, along with my strong working partner, Senator BAUCUS, I have worked for higher funding levels for our nation's surface transportation programs. Last year, I joined the efforts of Senators BYRD and GRAMM to increase the spending for highway programs.

I am pleased that our final bill invests some \$214 billion in our nation's transportation infrastructure.

I am grateful to the Majority Leader who gave great assistance in our efforts to include more money for our surface transportation needs. Clearly, the additional funds allowed us to get to this point today. This increase in funding moved us one step closer to completion of this matter prior to our May 1 deadline.

Our state and local transportation partners deserve nothing less. Due to the significant length of time required to plan and design any transportation project—an average of 7 years—our states must be able to efficiently respond to transportation demands.

Mr. President, this bill is one that the full Senate can be proud to support as balanced and fair.

Those are the two principles that guided my efforts in the drafting of this bill.

I am well aware that every Senator may not be entirely pleased with this bill. I am convinced, however, that overall we bring to the Senate a bill—that addresses the mobility demands of the American people and the growing freight movements of American goods; that will continue to ensure America's competitiveness in a "one-world" market; and, that, for the first time, provides a fair and equitable return to every state based on the amount of funds we spend.

Every state will be guaranteed 91 percent of the funds we spend based on each state's contributions to the Highway Trust Fund.

This legislation represents the results of hard fought negotiations between Chairman CHAFEE, Senator BAUCUS and myself.

I want to thank both Senators for their leadership, and all the members of the Committee for their contributions, in developing a compromise that represents a balance among the 50 states.

This legislation is the product of months of spirited discussions.

It is a compromise that addresses the unique transportation needs in the different regions of the country—the congestion demands of the growing South and Southwest, the aging infrastructure needs of the Northeast, and the national transportation needs of the rural West.

In putting together this bipartisan and comprehensive measure, great care was taken to preserve fundamental principles of ISTEA I that worked well.

ISTEA II upholds and strengthens ISTEA'S laudable goals of mobility, intermodalism, efficiency and program flexibility.

We were committed to continuing those hallmarks of ISTEA which have proven to be successful and are strongly supported by our state and local transportation partners, including—ensuring that our transportation programs contribute to and are compatible with our national commitment to

protect our environment; building upon the shared decision-making between the Federal state and local governments; and ensuring that the public continues to participate fully in the transportation planning process.

Mr. President, perhaps the most critical issue that the Committee addressed in this legislation is the development of equitable funding formulas.

ISTEA I failed to distribute funding to our states based on current data that measures the extent, use and condition of our transportation system. ISTEA I apportioned funds to the States based on each State's historical share of funds received in 1987.

As we prepare for the transportation challenges of the 21st century, reforms to the funding formulas were long overdue.

This legislation uses indicators that measure the current needs of our transportation system. Many of the factors used to distribute funds are consistent with the alternatives identified in GAO's 1995 report entitled, "Highway Funding, Alternatives for Distributing Federal Funds."

These indicators are standard measurements of lane miles which represent the extent of the system in a state, vehicle miles traveled which represent the extent of congestion, and structural and capacity deficiencies of our nation's bridges.

Using current measurements of our transportation system were called for in every major reauthorization bill introduced this session—including the Administration's NEXTEA bill, STEP-21, STARS 2000, and ISTEA Works.

In revising these funding formulas, I believe we have made significant progress in addressing one of the major shortfalls of ISTEA—namely, providing every state a fair return based on their contributions to the Highway Trust Fund.

Our bill today ensures fairness. Every state will receive a minimum guarantee of 91 percent of the funds apportioned to the states.

This guarantee is very different from the so-called 90 percent Minimum Allocation in ISTEA I.

The Minimum Guarantee is applied to 100 percent of apportioned funds—those funds sent to the states.

Second, the Minimum Guarantee calculation is reformed so that the percent guarantee is actually achieved. We all know that ISTEA I gave many states less than 90 percent because it did not include all the funds that were distributed to states.

I am also pleased to report that ISTEA makes great progress in consolidating and streamlining the program.

Under ISTEA I there are 5 major program categories. Under ISTEA II, those program categories have been consolidated into 3 major programs—the Interstate and National Highway System program, the Surface Transportation Program, and the Congestion Mitigation and Air Quality program.

Under ISTEA I there are 5 apportionment adjustments—most of them designed to address concerns of donor states—that have not worked. ISTEA II provides for two simple adjustments. One, for donor states and small states to provide them a minimum share of funding. The second, to provide a transition for states based on part of their ISTEA funding.

The Committee bill also includes many revisions to Federal highway procedures to streamline the complex process of Federal reviews of state projects.

It is my very strong hope that these provisions will enable our states to improve project delivery—the time it takes for a project to move from design to construction to completion.

Today, it takes on average 7 years to complete a project. We must provide our states with the tools to do better. I believe many provisions in this bill will free them from Federal redtape which has delayed many projects.

Mr. President, those are some of the important highlights of the Committee bill.

Before concluding my remarks, I must also recognize the significant contributions of the Secretary of Transportation, Rodney Slater. As the former Administrator of the Federal Highway Administration, Secretary Slater brought a great deal of personal knowledge and expertise to our efforts. Throughout our efforts to draft this legislation and to devise the funding formulas, we were highly dependent on the expertise of the many dedicated professionals at the Federal Highway Administration. I want to particularly recognize Jack Basso, Patty Doersch, Bud Wright, Tom Weeks, Roger Mingo and Bruce Swinford.

Again, I want to commend Chairman CHAFEE and Senator BAUCUS for their leadership bridging the many different views on this bill. I believe this is a good bill that deserves the strong support of the Senate.

Mr. President, I have just had the unique opportunity here on the floor to recognize the presence of the chairman of the House Committee on Transportation, Mr. SHUSTER, who came over to consult with me and indicate that the Speaker of the House has established a task force of the leadership of the House and the task force has been moving; that he anticipates that he will have a bill ready, hopefully passed April 1, first recognizing that during the course of the month of May, we can complete a conference and send a bill to the President, perhaps complete it before the 1st of May. That is a key deadline for so many States.

I certainly thank the many Governors throughout the United States who have come in individually in their own quiet way to consult with the leadership of the Senate and the leadership of the Transportation Committee on an absolute, imperative need that legislation be in place in that May timeframe to enable them to do this important work.

Mr. President, I am happy to yield the floor, and I note on the floor the distinguished chairman, Mr. CHAFEE. I again thank him for all his leadership and work. He was not on the floor when so many Senators came to compliment him in his capacity as chairman of the committee. We just wish to thank him. He is a very humble man in many respects, but his firm leadership will enable us to, in a few moments, pass this piece of legislation.

Mr. CHAFEE. Mr. President, I shall enthusiastically read the RECORD tomorrow to find out about all these fine comments. I want to take this opportunity before he leaves the floor to thank my good friend, the chairman of the subcommittee that dealt with this legislation. He gave us such a hand on the floor. We had a few problems to start with, but they were soon eliminated, and we charged on.

Mr. WARNER. Mr. President, those were a few funding problems, goals for funding.

Mr. CHAFEE. Those were taken care of, and we were able to charge on to this successful conclusion.

Mr. WARNER. I am sure the chairman shares the views about Senator BAUCUS.

Mr. CHAFEE. I was just about to say, Senator BAUCUS is not here, but I thank Senator BAUCUS for the wonderful work he did. We worked as a team. We went over the amendments we were going to accept. If there was a problem, he cleared them rapidly with those on his side of the aisle so we could ascertain where the problems were and attempt to work them out. It has been a splendid relationship.

I will say, that applies to every member of our committee. It is a committee that, indeed, does work together. It is a committee that reported this bill out not once, but twice, 18-0. Every single member of the committee voted for it. I thank every member of the committee, whether they are Democrat or Republican, for the wonderful cooperation they have given.

Mr. WARNER. Mr. President, I am sure the Senator shares the view on the leadership given by Senator LOTT and also Senator DASCHLE. There were many times for their decisive hands and decisions, which only they could make.

Mr. CHAFEE. That is correct, Mr. President. The majority leader sat in with us when we were negotiating a resolution to some of the problems. The leader of the minority, Senator DASCHLE, has been extremely cooperative. I salute both of them.

Also, Mr. President, like all cases, we could not ever have done this bill with all its complexities without the splendid staff—Jimmy Powell and Dan Corbett and Ann and everyone else who worked so hard in connection with resolving this. The same goes for Tom Sliter and others on the Democratic side. I thank the staff. They should feel very, very proud of what they have accomplished.

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

The PRESIDING OFFICER. The Chair notes the leadership of two distinguished former Secretaries of the Navy.

Mr. WARNER. Mr. President, we thank the Presiding Officer for that.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAFEE. 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. CHAFEE. Mr. President, I am delighted and, indeed, grateful that the Senate is about to conclude action on ISTEA II. I congratulate my colleagues for wrapping up this effort with such alacrity, rescuing us from a Saturday or even Sunday session, as the majority leader pointed out. He—and I agreed with him—was determined we were going to finish this bill, and we are finishing it way ahead of the outlying time.

We have before us a very fine piece of legislation of which we can all be proud. It will truly bring our Nation's transportation system into the 21st century. It will do so with an unprecedented increase in funding, \$214 billion over 6 years, for all surface transportation programs. That is the highway plus the transit money.

That includes \$171 billion for highways. This increase represents the Senate's understanding of the breadth of the needs of our infrastructure and our commitment to meeting these needs.

One year ago, the Senate was very divided on the issue of how ISTEA II should look. Within the Committee on Environment and Public Works, of which I have the privilege of being chairman, we had not one, not two, but three very different proposals on what to do with this legislation, how to proceed, how to make the allotments amongst the various States. All of these proposals had merit, and the duty was to try to coalesce them into one unified plan. And we did so.

Once ISTEA II reached the Senate floor, we had to address even more complex issues, such as funding, affirmative action, penalties on drunk driving, not to mention the countless highway- and transportation-related concerns which are inherent in this legislation.

When it was enacted in 1991, ISTEA I transformed transportation policy in this Nation, what was once simply a highway program—if you had more requirements, you built more roads; needed more lanes, go ahead and build them. But the purpose of this national transportation program is not simply to build more roads; it is to move people and goods as efficiently, swiftly and safely as possible.

I pay tribute to the splendid leadership that was given to us on that splendid legislation when it came out of the

Environment Committee, on the floor and in the conference. Senator PATRICK MOYNIHAN from New York gave us that leadership. I am pleased that ISTEA II perpetuates the critical central ideals of ISTEA I passed in 1991—flexibility and efficiency and intermodalism.

We ironed out in ISTEA II some of the problems that were apparent under ISTEA I. With the passage of ISTEA II, transportation policy will be even more responsive to the challenges of the new century.

It contains provisions that address the infrastructure challenges of the new millennium, the new period we are going into. This legislation will endure into the first several years of that new millennium.

There are exciting technological advances that are made in this legislation and innovative financing mechanisms. It redoubles our Nation's already strong commitment to the environmental health of our people and their safety. There are important measures that strengthen each of these areas.

In the bill before us, we recognize we must reach out and be creative. First of all, ISTEA includes a number of innovative ways to finance transportation projects. It establishes a Federal credit assistance program for surface transportation. This new program leverages limited Federal funds by allowing up to a \$10.6 billion Federal line of credit for transportation projects, at a cost to the Federal budget of just over half a billion dollars—\$500 million.

The bill expands and simplifies the State Infrastructure Bank Program to enable States to make the most of their transportation dollars. It includes a new program that will make it easier for the private sector to participate in financing transportation infrastructure. So that is the first big step—innovative financing.

The second step recognizes the important role technology plays in an efficient transportation system. Transportation technologies offer a wide array of benefits. They relieve traffic congestion if you can spend money on coordinating your traffic lights, for example, not just building more lanes, but move the same amount of traffic or increase the amount of traffic in the same lanes in a swifter and safer fashion. That is what the technology innovations do. We strengthen the intelligent transportation systems, so-called ITS programs, which were established in the original ISTEA. We provide technologies that have new options to address safety and capacity concerns.

Third, the bill before us significantly reforms ISTEA funding formulas. Now we are into the formula business. To balance the diverse regional needs of the Nation, we address the inequities that came about under ISTEA I. The bill before us addresses the tremendous infrastructure needs and terrible congestion problems of densely populated States such as California, New Jersey,

and Illinois. And it strengthens the programs tailored to rural expanses in Federal lands in the West.

Fourth, we provide real flexibility to localities and States and make the program easier to administer. In ISTEA I, there were five program categories. We reduce that to three, and that includes more than 20 improvements to reduce red tape. As valuable as transportation is to society, there is no question but these new roads and the automobiles and trucks that are on them have taken a tremendous toll on our Nation's air, land, and water. I am proud that ISTEA II builds on the original ISTEA efforts to preserve and protect the environment.

In addition, what we do is to concentrate on the safety of drivers and passengers. In the United States, these figures are really shocking. More than 40,000 highway deaths occur every year. And just as troublesome and worrisome as that is, there are 3.5 million automobile crashes that occur each year. These do not—these do not—every one result in fatalities, obviously, but from these crashes come people who are terribly injured. And these injuries, in frequent cases, are detrimental to these individuals throughout the rest of their lives.

ISTEA II provides several provisions to reverse this trend of 40,000 deaths a year. We increase the funds devoted to highway safety, and we include incentives for States to increase safety belt use in their States. We encourage the States to pass legislation dealing with seatbelts and to police that requirement, and we do this by not a stick, not by punishing them if they fail to do it, but by a carrot, in giving them increased moneys if they pass such legislation and enforce it.

I am pleased that during floor consideration of the bill the Senate increased its commitment to safety by adopting tougher drunk driving standards.

I want to extend my heartfelt thanks to Senators WARNER and BAUCUS. I previously mentioned both of them, but I want to repeat that. They are my distinguished comanagers of floor action on ISTEA II. Always, it is a pleasure to work with each of them. My gratitude goes as well to Senators MCCAIN and HOLLINGS, chairman and ranking member of the Commerce Committee; Senators D'AMATO and SARBANES, chairman and ranking member of the Banking Committee; Senators ROTH and MOYNIHAN, chairman and ranking member of the Finance Committee, for their efforts on the portions of ISTEA which were within their jurisdiction.

Finally, I want to thank the majority and minority leaders, Senators LOTT and DASCHLE, for their skillful work in bringing this bill to such a fine conclusion.

I also thank the staff for their hard work and diligence. From my staff, I wish to thank Dan Corbett, Jimmie Powell, Linda Jordan, Abigail Kinnison, Cheryle Tucker, Bob Greenawalt, and Amy Dunathan.

Mr. President, this legislation is very complicated. Nearly every Senator here has an amendment. And they bring them up to us, as is proper, for consideration. And they want an answer: "Are you going to accept this amendment? If you are not willing to accept it, can we make changes to make it palatable to all concerned? Are you going to reject it so we have to go to a vote?" It puts a tremendous burden on the staff, and they try—and in this case have succeeded—to give swift answers to the proponents of each amendment. We had some 500-plus amendments that were submitted in connection with this legislation. All of them had to be looked at.

I want to recognize the tireless efforts of Ann Loomis and Ellen Stein from Senator WARNER's staff, and Kathy Ruffalo and Tom Sliter from Senator BAUCUS' office, and Janine Johnson from the Senate legislative counsel's office.

Last but not least, Mr. President, I extend my appreciation to a number of individuals from the Federal Highway Administration who have been with our staff on the weekends and well past midnight working on this legislation—Patty Doersch, Tom Weeks, Roger Mingo, Deidra Goodman, Bud Wright and his staff. Also, I want to thank the Secretary of Transportation, Secretary Rodney Slater, for his cooperation. And we have had the assistance of the head of the Federal Highway Administration, Gen. Kenneth Wykle, whom we consulted with several times in connection with this legislation. They are always within a phone's reach, both he and the Secretary. And they have been very valuable.

So, in conclusion, Mr. President, I urge all my colleagues to cast a resounding "yea" vote in favor of S. 1173.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Are we under an order whereby I cannot speak at this point, or may I speak before the vote?

The PRESIDING OFFICER. The Senator may speak.

Mr. DOMENICI. I don't want to use the rest of the time. Are we scheduled to vote at 2:15?

The PRESIDING OFFICER. At 2:15.

Mr. DOMENICI. I note the presence on the floor of a number of Senators with whom I have worked diligently to try to get this bill accomplished. I am very proud of the result.

Let me suggest, however, that I now hear rumors coming from, it seems, the direction of the House, that we have not done enough. Well, that may be one thing in terms of how many demonstration projects we have to do. I as-

sume we will go through that general ritual, and who knows where the wheel of fortune—we see that every night at 6:30 or 7 o'clock—will land, who will win, and who gets all the goodies. Somebody, obviously.

I hear, in addition to that, that there is some thought we ought to go further, that we ought to take the entire trust fund off budget. Let me suggest to my friends in the Senate, obviously, I have little or no impact, I assume, on the House at this point on that issue. Frankly, I thought we engaged in good faith in a way to get us through this transition of 4 or 5 years when we have caps we have to comply with. I have committed to try to do that in a way that doesn't decimate domestic programs that are within that cap.

Frankly, if somebody wants to go much further and take the entire program off budget, then I don't know how we will meet those caps, for they take with it the few billion dollars in reserves that have accumulated, that are in the unified budget. They are mostly interest payments that have accrued over time. I thought we made a very, very, honest effort to find a way to get through. Those caps are applicable for only 3 more years—after the one that is the prime year in this bill, only 3 years after that—and then they are not there anymore and we all have some work to do. It is not just highways. We have to pay for the National Institutes of Health. We have to pay for education. These programs compete with them. I have said let's compete with them and let's try to find offsets. I submit, to make that job almost impossible would be the result if you took this in conference and took it all off budget.

Frankly, I don't know that I can do any more than say that and say I hope the Senators won't, in conference, agree to any such thing. I hope that it is left as it is and you make whatever accommodations you have to make and this program will live to be seen and heard from another day, as will the trust fund. I don't believe we can spend much more than we are planning here. I think we ought to leave it alone.

I urge my fellow Senators, with whom I have worked very hard, try to see that is the result coming out of conference.

I yield the floor.

Mr. CHAFEE. Mr. President, as the chairman of the Budget Committee well knows, I am always opposed to taking these programs off budget. That is my position, and that is the position we will take going into conference. We have been treated very well by the Budget Committee in connection with this legislation. The Budget chairman has assumed some very onerous burdens to find the money for us to come up with this program. Certainly I don't think the answer is to take this trust fund off budget.

Mr. DOMENICI. I thank the Senators for listening.

Mr. CHAFEE. 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. CHAFEE. 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. CHAFEE. Mr. President, the yeas and nays have not been ordered on the committee amendment, have they?

The PRESIDING OFFICER. That's correct.

Mr. CHAFEE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the modified committee amendment in the nature of a substitute (amendment No. 1676), as amended. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 96, nays 4, as follows:

The result was announced—yeas 96, nays 4, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—96

Abraham	Enzi	Lieberman
Akaka	Faircloth	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Breaux	Grassley	Murray
Brownback	Gregg	Nickles
Bryan	Hagel	Reed
Bumpers	Harkin	Reid
Burns	Hatch	Robb
Byrd	Helms	Roberts
Campbell	Hollings	Rockefeller
Chafee	Hutchinson	Roth
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kennedy	Stevens
D'Amato	Kerrey	Thomas
Daschle	Kerry	Thompson
DeWine	Kyl	Thurmond
Dodd	Landrieu	Torricelli
Domenici	Lautenberg	Warner
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden

NAYS—4

Feingold	Santorum
Kohl	Specter

The amendment (No. 1676), as amended, was agreed to.

The PRESIDING OFFICER. The bill will be read a third time and returned to the calendar.

The bill (S. 1173), as amended, was read the third time.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I know that congratulations have already been

extended to the managers of this very important ISTEA bill. But I want to join again in expressing my appreciation for the leadership of the Senator from Rhode Island.

Mr. BYRD. Mr. President, could we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

The distinguished majority leader.

Mr. LOTT. Mr. President, thank you. Mr. President, the Senator from Rhode Island, Mr. CHAFEE, did an outstanding job in managing this legislation. I think it is quite an achievement that actually in about 9 days we were able to get this bill through the Senate. There were some bumps along the way, but we were able to work them out without acrimony or regional bias. I think really they did a magnificent job. The Senator from Montana, Senator BAUCUS, worked very closely with the chairman of the committee, but it took cooperation with Senator WARNER of the subcommittee, and Senator GRAMM was involved in some key negotiations, and obviously Senator BYRD, who always provides direction and leadership that is very important.

To all the members of the committee, I thank you for this. I think the Senate has really provided leadership and given a marker to our colleagues on the other side of the Capitol to take up this important legislation, get it to conference, and get it agreed to by May 1, when the extension will expire.

So I think this was certainly a good couple of weeks' work, and I thank the Senate for its cooperation. This can be an example, I hope, of what we can do on other bills, how we can work together and work out problems that appear to be insurmountable. If we had taken this legislation up the first week we were back, it would probably have been a lot messier and we might not have come to the good result that we have fashioned here in this bill. So thanks to one and all. I appreciate it very much.

I mentioned Senator BAUCUS. He has certainly been a very important part of this.

Would the distinguished Democratic leader like to comment at this point?

Mr. DASCHLE. Mr. President, I share the view expressed just now by the majority leader. Certainly, our chairs and ranking members have done an outstanding job. I especially want to commend the dean of the Senate, our former majority leader, ROBERT BYRD, and his colleague, PHIL GRAMM, and others who had so much to do with making this possible.

This has been an effort that will have extraordinary consequences for years to come, both in terms of infrastructure and an array of different questions that we have to address. This has been an issue that Senator BYRD has instructed and educated the Senate about for many, many months. It was his leadership and diligence, along with Senator CHAFEE and BAUCUS and Senator WARNER and so many others, that

brought us to the successful conclusion that we have now achieved.

I commend them. I thank them. And I hope we can use this as a real model for other pieces of legislation that may come before the Senate this year.

I yield the floor.

Several Senators addressed the Chair.

Mr. LOTT. Mr. President, I am prepared now to move to a unanimous consent request with regard to the China human rights issue. I will yield to the Senator from Montana if he would like to make some further comment on the highway surface transportation bill.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I would like to thank a group that has not been thanked yet. That is the Department of Transportation—Secretary Slater, Mort Downey, Kenneth Wykle, and others at DOT who I note are in the gallery. They are watching these proceedings. They have been a very integral part of the passage of this bill. We have gone to the Department of Transportation many times to get data, to get their assistance. I want to thank not only Senators and staff but also the Department of Transportation for their assistance.

Mr. WARNER. Mr. President, I have paid compliments to some who have worked on this bill. I want to add the name of Lee Brown.

Lee Brown has the current title of assistant editor of morning business, and he is soon to be, I am told, elevated to the position of editor. Now, those who watch the floor proceedings of the Senate on occasion see Mr. Brown, in his usual quiet manner, come up and take from a Senator a document which he has asked unanimous consent to have placed in the RECORD. Lee Brown and his associates in this Institution somehow find where to put it in the RECORD, match it up with the statement, and get it correct. That is not an easy job.

So I want to express my appreciation to Mr. Brown for his effective work and efforts on this bill, which has had a very significant amount of inserts.

RESOLUTION ON THE PEOPLE'S REPUBLIC OF CHINA

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of calendar No. 325, S. Res. 187, and that the resolution be considered under the following limitations: That there be 1 hour for debate on the resolution and preamble, with no amendments or motions in order thereto, with the time divided as follows: Senator GRAMM controlling 20 minutes and Senator MACK controlling 10 minutes, Senator WELLSTONE controlling 30 minutes, or their designees; and, upon the use or yielding back of time, the Senate proceed to a vote on the adoption of the resolution, and, if the resolution is adopted, the preamble be agreed to, with the above occurring without intervening action.

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

Mr. LOTT. Mr. President, I yield the floor. Senators then can proceed under the time agreement that we have entered into.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 187) expressing the sense of the Senate regarding the human rights situation in the People's Republic of China.

The Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MACK. Mr. President, before I begin my remarks, I want to thank the Members of the Senate for their cooperation in this effort. Senator WELLSTONE and I have been attempting to get this resolution to the floor for some time now, but because of the cooperation of Chairman HELMS and many others, we have now worked our way through to the point where we, in fact, could bring this resolution to the floor and, hopefully, within not too long a period of time have agreement on this resolution.

My resolution, introduced with Senator WELLSTONE and 11 other Senators, urges the President to take all action necessary to introduce and pass a resolution at the annual meeting of the U.N. Human Rights Commission critical of the human rights abuses in China and Tibet. I hope the President will take note and take action. This resolution passed out of the Foreign Relations Committee yesterday by a vote of 16 to 1. Again, I express my appreciation to Senators WELLSTONE, HELMS, THOMAS, LUGAR, COVERDELL, FEINGOLD, HAGEL, BIDEN, and a number of others. With this action, the committee voiced its strong support for the passage of this resolution unamended.

Now I would like to state five points as to why we should pass the resolution now.

First, we know that offering and debating this resolution at the annual U.N. Human Rights Commission in Geneva advances human rights in China and Tibet. We know that in past years the Government in Beijing has made gestures towards improving human rights just prior to the annual Human Rights Commission consideration of a China resolution.

We know from testimony by Wei Jingsheng, Harry Wu, and many other political prisoners, that conditions for political prisoners improve when the resolution is being debated and they deteriorate when the resolve of the United States weakens. Again, I learned this not just from testimony before committees but I learned it from personal experiences and discussion with both Mr. Wei Jingsheng and Mr. Harry Wu, who actually told us they could tell the rhythm, if you will, of what was going on in the world by the way they were treated in prison in