

forceful advocacy. That is what this place is all about. And there is no more forceful advocate for children in this Chamber than the Senator from Connecticut, Senator DODD. He cares deeply about this subject. He fights for what he thinks is an appropriate allocation of resources to make the changes that are desirable.

So it is not a matter of irritation. It was a matter of tough negotiation, and he is a darned good negotiator. Anybody who is able to increase an allocation they care about by 100 percent—there is only one person in that category: The Senator from Connecticut. But it was for a good cause, and we very much appreciate his support for the legislation.

(The remarks of Mr. CONRAD, Mr. REED, Mr. KENNEDY, and Mr. BAUCUS pertaining to the introduction of S. 1638 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I yield to my very, very good friend, the distinguished senior Senator from West Virginia who is the ranking member of the Appropriations Committee and has held more titles around here than I can think of. It is an honor to yield to him.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I thank the Senator. Mr. President, how much time do I have remaining under my reservation?

The PRESIDING OFFICER. The Senator from West Virginia has 35 minutes remaining of his reservation.

Mr. BYRD. I thank the Chair. I may or may not use all of that today. Whatever I use at this point, I ask that it be taken off my time that has been reserved.

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

Mr. BYRD. I thank my friend, and I will be about 5 minutes.

#### SENATOR SPECTER'S 68TH BIRTHDAY

Mr. BYRD. Mr. President, it is an unfortunate fact of life in today's Senate that, as Members go about the business of fulfilling their duties, it is increasingly difficult to find time in our hectic schedules to acknowledge the personal milestones of our colleagues. I intend to rectify this situation in part today by taking just a few minutes to congratulate my friend from Pennsylvania, Senator ARLEN SPECTER, on the occasion of his 68th birthday.

Oh, Mr. President, only to be 68 again. Oliver Wendell Holmes said, "Oh, just to be 70 again." Well, I feel very much in that same mode.

Born in the prairie town of Wichita, Kansas, at the start of the Great Depression, ARLEN SPECTER, through the diligent application of his intellect and his tenacity, has become the 1,750th individual to serve this great nation as a United States Senator.

Mr. President, Senators serve with Presidents. I hope Senators will remember that. Senators don't serve under Presidents. Senators serve with Presidents. President is another office, a high office, indeed, in the executive branch. But Senator SPECTER is the 1,750th individual to serve this great Nation as United States Senator, and he has served with Presidents in both parties.

Woodrow Wilson reportedly said, "The profession I chose was politics; the profession I entered was law. I entered the one because I thought it would lead to the other." Mr. President, I do not know if, in Senator SPECTER's case, he came to the same conclusion or if politics was for him a natural calling, but whatever the case, the melding of politics and law in the person of this thoughtful, soft-spoken Pennsylvanian has resulted in an inspired result for the people of the Keystone State.

A graduate of the University of Pennsylvania and Yale University Law School, ARLEN SPECTER began his remarkable public career as an assistant district attorney in Philadelphia, where he won the first conviction in the Nation of labor racketeers, fought consumer fraud, and relentlessly prosecuted corrupt public officials. That willingness to take on the tough fights, no matter where they might lead, has become the hallmark of the senior Senator from Pennsylvania, Mr. SPECTER.

But dogged pursuit of righting criminal wrongs is only one facet of ARLEN SPECTER's many-faceted character. As a Member of the Appropriations Committee in the Senate, Senator ARLEN SPECTER has worked long hours, and with great determination, in an effort to see that Federal dollars are wisely used to combat breast cancer, prostate cancer, heart disease, and Alzheimer's disease. Indeed, I believe it is fair to say that my friend from Pennsylvania takes a second seat to no one when it comes to his commitment to doing all that he can to provide a better, healthier life not only for those whom he represents in Pennsylvania, but also for all Americans.

Mr. President, it is this fortuitous combination of legal acumen, tenacity, and compassion for the difficulties of others that has made ARLEN SPECTER a highly-respected Member of this body, one whose counsel is so valuable to all who know him and work with him. As Henri Frederic Amiel noted in his Journal on April 7, 1851, "man becomes man only by the intelligence, but he is man only by the heart." Senator SPECTER is a superior example of what Henri Frederic Amiel meant by that pronouncement. So I offer my friend and colleague my heartfelt congratulations, and also my thanks to him for his wisdom, his character, and his decency on this day which marks the beginning of his 68th—almost the beginning—I suppose it is the beginning of his 68th year. Oh, but to be 68 again.

So I say to my friend from Pennsylvania:

The hours are like a string of pearls,  
The days like diamonds rare,  
The moments are the threads of gold,  
That bind them for our wear.  
So may the years that come to you  
Such wealth and good contain  
That every moment, hour and day  
Be like a golden chain.

Mr. President, I thank my friend from Montana for his kindness in yielding to me. I yield the floor.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I join my colleague in congratulating our friend, Senator SPECTER from Pennsylvania, on his 68th birthday. I have watched Senator SPECTER over the years, and I can say I do not think there is a Senator with a finer legal mind than the Senator from Pennsylvania, particularly from a criminal law perspective, constitutional law perspective, and a prosecutorial perspective as a former prosecutor in Pennsylvania.

He brings to this body tremendous experience and tremendous judgment. And I join my colleague in wishing our colleague from Pennsylvania the very best returns on his 68th birthday.

#### THE NEED FOR ISTE A

Mr. BAUCUS. Mr. President, I rise today, along with my colleagues, to urge the Senate to begin the debate on the ISTE A reauthorization bill.

That is important for a number of reasons, that I will get to in a moment. But first let me comment on why we find ourselves in this position.

As my colleagues know, the current ISTE A legislation expired on September 30th of last year.

The Environment and Public Works Committee, under the leadership of our chairman Senator CHAFEE and our subcommittee chairman Senator WARNER, reported the 6-year reauthorization bill on October 1.

About that same time, the House Transportation and Infrastructure Committee reported a stop gap 6-month extension. Unfortunately, as we all recall, the Senate bill got caught up in an unrelated debate over campaign finance reform.

So, regrettably, last session ended with the Congress—both House and Senate—unable to complete action on a long-term bill to reauthorize this important legislation. The best we could do was to extend the funding until May 1 of this year.

Now, there is plenty of blame to go around for this unfortunate situation. Whether it was the failure to invoke cloture, or the filling of the amendment tree, which prevented Senators from offering amendments, there were lots of reasons for our failure last year.

But that was then, and this is now. And the plain fact is that pointing fingers at one another about what did, or did not, happen last year will not help us move a reauthorization bill this year.

So let us stop blaming one another for last year and let us start figuring out how to get the ISTEA legislation reauthorized quickly this year.

Now, Mr. President, let me talk about why we need to move quickly with ISTEA. The simple fact is that without quick action, highway projects, safety programs, and transit projects will begin to lose the ability to meet our country's transportation needs.

Already State highway officials tell us that they are beginning to delay projects. Why should this be so?

Why are States slowing down, or stopping, some projects—even though there are still 42 days of funding left until the May 1st deadline?

The reason is that most highway projects take a long time to complete. It is not unusual for even relatively simple projects to take three, four or five years to finish. Sometimes even more. And complicated or controversial projects, such as the Central Artery in Boston, can take a decade or two to go from conception to completion.

In the highway business, you don't start a project unless you know you will have the funds to complete it.

After all, these projects cannot be turned on and turned off like a faucet. Doing so wreaks havoc on the construction itself, on the neighborhood, on traffic congestion, and so on.

Because these projects extend over many years, they require a certainty in funding that extends over a comparable period. That is why highway bills need to last for several years. ISTEA ran for 6 years. The Senate-reported bill also lasts for 6 years. This time provides a good sense of stability to the financing of projects and allows states and communities to plan their transportation programs efficiently.

But a short-term extension gives you uncertainty, not stability. Especially for large projects, if states cannot assure that Federal matching funds will be available to finish it, they won't even start it. So they delay projects, even if there may be a few weeks of funding left.

At the end of my remarks, I will list a few of the States that are beginning to delay projects. I hope my colleagues will pay close attention to it. Because the longer we delay a reauthorization bill, the longer this list will grow.

Now, let me talk for a few minutes about how the highway program works on the ground. And the process I will describe is essentially the same in every State.

Each project normally has three distinct stages—planning, development, and construction. Each stage can last from weeks to years, depending on the specific project. The charts I have here today focus on the project development stage, that is, the process of taking a project proposed by local government and getting it ready for construction.

As my colleagues can see, it is not simple. A highway project goes through a very complicated process.

The chart on my right shows the first phase—the "survey phase".

This is the part of a project where State Departments of Transportation do such things as prepare for public hearings; begin to draft environmental documents; collect soil samples; begin preliminary engineering; assess traffic noise impacts; begin subsurface utility relocation; and assess wetlands and water quality impacts.

The second chart, on my left, shows the "design phase". Here, States must prepare the design documents for a project. These documents include traffic access plans; wetland mitigation plans; review of soil samples for hazardous materials; and applications for water quality permits.

Of course, it also includes preparation of final construction drawings, route alignments, schedules of materials, and the like.

The third chart covers the "right-of-way" phase. In this phase, States prepare the final environmental documents; determine where rights-of-way must be acquired; determine utility relocations; determine final traffic access controls; obtain wetlands permits; and review all of the documents from the previous design phase.

And as I said before, all this must be done before one shovelfull of dirt is turned.

Now, Mr. President, I explain this process to my colleagues so that they can begin to understand the complicated nature of the highway program. Every project in every State must go through this type of process. In Montana, we have over 450 projects going through it. In States with larger transportation budgets, there can be as many as 1,500 projects in the pipeline.

No project can be ready to go to construction if it has been held up at any point in the development process. And States will not obligate funds to prepare a project for construction if they are uncertain they will actually be able to construct it at some point.

For some projects that are large and complicated, the project development process can be longer than others. But the typical development time for a major construction project can range from five to seven years. That is, it can take five to seven years for a project to reach the point that it is ready for construction.

Once a project is ready for construction, States must still advertise the project—which can take 3 to 4 weeks. Then States must receive bids, open the bids and award the contracts. That can take an additional 4 weeks. And workers, equipment and materials must be mobilized and brought to the construction site. More time.

Finally, there is the time spent on actual construction.

With such a complicated, time consuming process, it is important that Members of the Senate understand that even brief interruptions during project development can cascade into lengthy delays in construction.

That is why the ISTEA bill runs for six years, to give the States some assurance they will not face wasteful delays and disruptions caused by funding uncertainties. That is also why a short-term extension, or worse, a series of short term extensions, is so disruptive.

I have heard many Members ask "what does it matter if we wait until late March or April to do this bill?" I hope that once Members and staff become more familiar with this program, that will be a simple answer.

If we wait to begin the debate until "later", this bill will not be done by the May 1st deadline. That means more projects will be delayed. It means thousands of workers will lose jobs. And I am afraid that such job losses will begin to happen soon.

I have heard of one contractor who plans to lay off his construction workers on May 1st and will not rehire them until at least 30 days after the final conference report is agreed to.

That same contractor will not be placing any orders with his suppliers until 45 to 60 days after a new bill is in place because he is uncertain he will have construction contracts to work on. And I am confident there are more contractors throughout the country making the same business decision.

Mr. President, the hardworking Americans who lose their jobs because of these delays will do so through no fault of their own. These folks will be ready to show up for work every day and do a good job. And yet they will be told they must find other work because Congress couldn't resolve its differences and get the ISTEA bill reauthorized in time.

Every State will feel this pain. Yes, some will hurt more than others. But every State will have to delay projects.

As I mentioned earlier in my remarks, some States have already listed the projects that will most likely be delayed if a reauthorization bill is not signed into law by May 1st. These are real projects.

These are projects that communities were counting on. These are projects that are important for the safety and mobility of drivers and pedestrians and to relieve congestion in these States.

The States that have already made plans to delay projects include: Kentucky, South Dakota, Maine, Wyoming, Georgia, Nevada, Texas, Missouri, Oklahoma, Indiana, New Hampshire, Indiana, North Dakota and Utah.

More States are expected to announce their plans soon.

Mr. President, let's not treat the reauthorization of ISTEA as a political football. The consequences for all of our States are very real. For those Senators who doubt the impacts, I simply ask that they call their State Department of Transportation. Ask them what they plan to do in the coming weeks. I can assure you that it will not be good news.

So we have a very important job to do—to reauthorize ISTEA. Let's get to it.

I stand ready to work with the Majority Leader, with Senator DASCHLE, with my committee leadership, with Senators BYRD and GRAMM, with the Budget Committee and all my colleagues to find a way to bring this bill up as soon as possible.

Mr. BYRD. Will the Senator yield?

Mr. BAUCUS. I am happy to yield to the Senator.

Mr. BYRD. I thank the distinguished Senator for his remarks on this very important subject. I sat and listened to them. I found them to be very illuminating, very interesting, very informative and refreshing.

I have been around a good many years. I didn't realize all of the steps, the lengthy process, the consumption of time that is required from the alpha to the omega of planning and completing the highway. This has been most edifying to me as I have listened. I thank the Senator.

I recommend to all Senators that they read in the CONGRESSIONAL RECORD the statement that has been made today by Senator BAUCUS. He sits on the authorizing committee, and he has had an opportunity because of the jurisdiction of that committee over highways, he has invested many years in the study of this subject matter, and it is a real privilege to have him part of the Senate. I thank him for imparting to me, and I am glad I took the time and sat here and listened to him.

This vast knowledge—I am sure he could speak all afternoon on this subject without notes. I thank him. His comments have been very helpful. I hope all Senators will read these remarks in the RECORD and that Senators will join in cosponsoring the Byrd-Grumm-Baucus-Warner amendment.

If the Senator will allow me 10 more seconds, I ask unanimous consent that the following three Senators be added as cosponsors to the Byrd-Grumm-Baucus-Warner amendment numbered 1397 to the bill S. 1173, the Intermodal Surface Transportation Efficiency Act of 1997: Senator DODD, Senator BINGAMAN, Senator THURMOND.

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

Mr. BYRD. I thank the distinguished Senator.

Mr. BAUCUS. I thank my good friend from West Virginia. Nobody has worked harder on this issue than he. We all owe him a tremendous debt of gratitude for his very fine work.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### A SEARCH FOR TRUTH WITH AN INDEPENDENT COUNSEL

Mr. MCCONNELL. Mr. President, I rise today to call attention to a serious

and deeply troubling crisis in our country. This is a crisis of confidence, of credibility, and of integrity. Our Nation is indeed at a crossroads. Will we pursue the search for truth, or will we dodge, weave, and evade the truth?

I am, of course, referring to the investigation into serious allegations of illegal conduct by the President of the United States—that the President has engaged in a persistent pattern and practice of obstruction of justice. The allegations are grave, the investigation is legitimate, and ascertaining the truth—the whole truth, and nothing but the unqualified, unequivocal truth—is absolutely critical. The search for truth is being led by a highly capable former Solicitor General of the United States and a former judge of the U.S. Court of Appeals for the D.C. Circuit, Kenneth Starr.

Mr. President, I am deeply troubled today because Judge Starr's pursuit of the truth is being undermined every step of the way, every single day, in the press by those whose sole mission is to attack and impugn the court-appointed independent prosecutor and the congressionally created process. These attackers are not the journalists or the broadcasters.

Mr. President, what troubles me the most here is that these reckless attacks and ruthless onslaughts are being carried out by the closest advisers to the President of the United States.

Just this past Sunday on Meet the Press, Paul Begala, Assistant to the President, accused Judge Starr of leaks and lies and called him "corrupt." That is not a paraphrase, that is a direct quote. He actually used the word "corrupt." The smear campaign is being orchestrated by the White House.

Obviously, I can't vouch for the truth or falsity of the obstruction-of-justice charges against the President. But what I can tell you is that the assaults on Judge Starr, the character assassination against the court-appointed independent prosecutor, is authorized and approved by the President of the United States. And it should stop.

The White House and the First Lady have announced that the President's problems are nothing more than a "vast right-wing conspiracy." As many commentators have pointed out, this so-called conspiracy is so vast and so broad that it encompasses both the media and a White House intern.

But I would like to point out today that the vast and broad conspiracy just got bigger. Apparently, this vast right-wing conspiracy is so sweeping and so pernicious that, in 1993, it compelled a Democrat-chaired Ethics Committee in a Democratic-controlled Congress to appoint Judge Kenneth Starr to help investigate whether Republican Senator Bob Packwood should be expelled from the U.S. Senate.

Mr. President, let me refresh the recollection of the Senate regarding the 3-year Packwood investigation, which began in late 1992 and ended with

Senator Packwood's resignation in 1995.

I was the vice chairman, and later the chairman, of the Ethics Committee during that investigation. As everyone will recall, that investigation was a very sensitive, personal and serious matter. It involved the allegation that Senator Packwood had "engaged in sexual misconduct" and "attempted to intimidate and discredit the alleged victims, and misuse[d] official staff in attempts to intimidate and to discredit."

During this lengthy investigation, Senator Packwood objected to the Ethics Committee's review of his personal diary entries in the fall of 1993. The committee proposed a process where the diaries would be reviewed by an independent hearing examiner who would serve two functions: First, the examiner would review the diaries to ensure that the committee would see all relevant and probative information. Second, the examiner was asked to protect the privacy interests of Senator Packwood, his family and friends.

The Ethics Committee had to choose a person who was fair, impartial, prudent, and trustworthy. Someone who wouldn't be on a vendetta against Democrats or Republicans; someone who had earned the clear respect of both parties; someone with the highest integrity; someone with a clean track record; a man with sound credentials, who was above reproach. And the Ethics Committee chose such a man.

They chose a man who was the son of a Baptist minister, a graduate of Duke University Law School, a former clerk for Chief Justice Warren Burger. The Ethics Committee—chaired at the time by a Democrat in a Democrat-controlled Congress—chose a man who was the former Solicitor General of the United States, a former judge of the U.S. Court of Appeals.

That man was Kenneth Starr.

Let me tell you who was on the committee at that time. The committee was chaired by my colleague from Nevada, DICK BRYAN. The Republicans on the committee included myself, Senator CRAIG and Senator BOB SMITH of New Hampshire. The other Democrats were my dear colleagues, Senator MIKULSKI of Maryland and the current minority leader, Senator TOM DASCHLE.

The matter was not quiet and secretive. The entire U.S. Senate knew who would be called upon to exercise impartiality, discretion, and judgment in a highly important and highly sensitive matter. We actually discussed this matter on the floor of the Senate because there was a needed Senate action to enforce the subpoenas. Senator Alan Simpson referred to Judge Starr as "a splendid man," and "a man of judgment, honesty, integrity, and common sense."

Senator ARLEN SPECTER stated, "Many people have spoken about