

should support Clinton's call for voluntary national tests for eighth-graders in math. Only a small sample of students now take national tests, and many educators say Clinton's plan—which Congress has delayed—could prompt schools to demand more from students. But critics say the testing Clinton wants could create too much federal involvement in schools and lead to a national curriculum.

The latest test results are the third and final part of an international study that began three years ago. It is the most comprehensive attempt ever made to compare the academic work of students around the world. Some skeptics of other similar efforts say this one is more credible because students from all types of high schools were tested.

One bright spot on the test for the United States was that, unlike in many other nations, the scores of male and female students in math and science were roughly the same.

Mr. DOMENICI. While I am here and while the chairman of the committee is here, let me suggest that it is time we at the national level stop looking at proliferating programs on behalf of education. We don't need any more programs on behalf of education. Let me say what I think we ought to do. Let me state for the Record the General Accounting Office, assisting the Budget Committee, has found the following: We have 86 teacher training programs in 9 agencies and offices of the Government. I repeat, 86 teacher training programs. At-risk and delinquent youth, the Federal Government has 127 at-risk and delinquent programs in 15 agencies and departments. Some of them you don't even have jurisdiction over because they are in Interior and all kinds of departments. Young children, the Federal Government has over 90 early childhood programs in 11 agencies and 20 offices.

It is time we square with the American people and say we have just been duplicating, adding programs on programs because there is a problem out there. Yet today we wake up and read the article in the paper this morning. One wonders whether we have any idea with all this proliferation of programs that I just read.

Frankly, Mr. President, if we ask the GAO to take another five areas they will find a proliferation just as large and significant as previously mentioned. When you wake up today and read this article—let's take another look and try to do it. It doesn't mean more. It means go to the problem and try to solve the problem.

I yield the floor.

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

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

Under the previous order, the Senator from Kansas is recognized for up to 10 minutes.

Mr. BROWNBACK. Mr. President, thank you, very much.

(The remarks of Mr. BROWNBACK and Mr. HUTCHINSON pertaining to the introduction of S. 1673 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. FAIRCLOTH. I thank the Chair. (The remarks of Mr. FAIRCLOTH pertaining to the introduction of S. 1674 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FAIRCLOTH. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HUTCHINSON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, what is the pending situation in the Senate?

The PRESIDING OFFICER. The Senate is conducting morning business until 11:30 a.m., at which time there will be 2 hours of debate on the veto message to accompany H.R. 2631.

Mr. BYRD. Do I have any time under a previous order?

The PRESIDING OFFICER. The Senator from West Virginia had 20 minutes reserved. Since we only have 10 minutes left in morning business, the Senator would be recognized for 10 minutes.

Mr. BYRD. Mr. President, I ask unanimous consent that I may be recognized for the 20 minutes.

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

Mr. GRAMM. Would the distinguished Senator yield?

Mr. BYRD. Yes, I will be happy to.

Mr. GRAMM. Would the distinguished Senator amend his unanimous consent request to include that I might have 5 minutes at the conclusion of his remarks?

Mr. BYRD. Mr. President, parliamentary inquiry. I believe that under the order that was entered into with respect to the line-item veto debate, I had 5 minutes, did I not?

The PRESIDING OFFICER. The Senator from West Virginia will control 30 minutes.

Mr. BYRD. In that debate?

The PRESIDING OFFICER. In that debate.

Mr. BYRD. Mr. President, I ask unanimous consent that I may control 20 minutes in that debate and have 10 minutes now for other purposes.

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

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak out of

order. I yield—how much time does the Senator wish?

Mr. GRAMM. Mr. President, I think 5 minutes would be sufficient.

Mr. BYRD. I yield 5 minutes.

Mr. GRAMM. I will listen to the distinguished Senator from West Virginia. At the conclusion of his speech—would he like me to go ahead and speak?

Mr. BYRD. I prefer that the Senator would go ahead first, if he will.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 minutes.

THE HIGHWAY BILL

Mr. GRAMM. Mr. President, over one year ago the distinguished Senator from West Virginia and I got together to talk about a real problem in America related to highway funding. It is a problem of priorities and it is a problem of basic honesty in Government. The problem of priorities is that we have a crumbling transportation infrastructure in America.

My State has 31,000 miles of highways that are substandard. We built our farm-to-market system in the 1930s, and those roads had a life of about 30 years. That life basically ended in 1960, yet we are still using those roads today. Our newest highways in Texas, our Interstate System, were built in the 1950s and 1960s, and it is approaching the end of its life. This is not just a problem in Texas; it is a problem all over America. That is the priority problem that Senator BYRD and I are concerned about.

The fairness problem, the honesty problem, is that when Americans all over the country go to the filling station and stick that nozzle in the tank of their car or truck, and pump gas, they read right on the sign on the gas pump, that about a third of the cost of a gallon of gasoline is taxes, but the tax goes to build highways. The problem that Senator BYRD and I started working on a year ago, was that that statement is not true. In fact, since the late 1980s, we have been collecting money in gasoline taxes and spending the money on other things. Then starting in 1993, the diversion got as big as about 30 cents on the dollar.

Senator BYRD and I worked together last year on the tax bill where I offered an amendment in committee to guarantee that every penny of the gasoline tax went into the highway trust fund. We offered a sense-of-the-Senate resolution last year on the budget saying that it is the sense of the Senate that the money ought to go into the trust fund and it should be spent on highways. Eighty-three Members of the Senate voted for that amendment, and it is now the law of the land that all gasoline taxes go into the trust fund.

What Senator BYRD and I have been working to do is guarantee that the money is spent on highways. We are in the process now of looking at the highway bill coming up perhaps as soon as tomorrow. Senator BYRD and I have

been pushing to deal with the highway bill since this session started, so we rejoice at that, and we want to thank the majority leader for moving ahead on this issue before current highway funds expire on May 1.

Our position in principle is simple, straightforward, and is not going to change. And that is, we are not asking that the money that has been diverted out of the trust fund in the past be given back to us. While we have every right to ask for that, we are not asking for it. We are not even asking that interest on the trust fund be spent, though it should be. We are asking for something much less demanding. If the American people had a vote on this, our amendment would receive an overwhelming majority.

All we are saying is, from this day forward, the amount of new money coming into the trust fund ought to be spent on highways. Not that it be promised to be spent, not that there be obligations that it be spent in the sweet by-and-by, some time between now and the second coming, but that it actually be spent where the dollars actually go to the States and where the States actually pour the concrete and lay the asphalt. That is our position, and we are in the process now of trying to work out an agreement. That is how the democratic process works.

But today we want to thank the 53 cosponsors we have. We would like to have more. If Members have not signed on, we could be on this bill tomorrow and you have one more opportunity to have your name on this list. When you get to the Pearly Gates, Saint Peter will look down at this bill and see your name on it as a cosponsor if you sign on today. As of tomorrow, it will be too late.

I think if the Lord struck Ananias dead, in the Book of Acts, for claiming he was selling his worldly goods and giving them to the church—not only struck him dead but also struck Sapphira, his wife, dead, too—then maybe there are Members who will want their names on this list. We are going to tell the American people the truth, that if they pay gasoline taxes, that those gasoline taxes are going to be used for the purpose of building highways, and only to build highways.

So we are grateful for the 53 cosponsors we have, but we would like to have more. We have one more day. We hope there will be an agreement. But if there is not an agreement, we are going to be fighting for this principle. I believe we are going to be fighting successfully. The principle is, when you tell people the money is going into the trust fund to be spent on highways, do not spend it on anything else; spend it on highways. It is a simple principle and one we think people understand. The most important principles are simple principles.

So I thank Senator BYRD for his leadership. I thank him for giving me this opportunity to speak before he did. Thank you.

Mr. BYRD. Mr. President, I thank my friend from Texas.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia, of the original 20-minute grant, has 15 minutes remaining.

Mr. BYRD. I had 20 minutes originally out of the order that was previously entered.

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. But I also asked that 10 minutes I will have on the veto override be included. And so that will be 10 minutes off my time in that.

The PRESIDING OFFICER. The Senator has up to 25 minutes.

Mr. BYRD. I thank the Chair.

Mr. President, let me echo the sentiments that have been expressed by my friend from Texas. We want to see this 4.3-cent gas tax that the American people are paying every time they drive up to the pump—they pay 4.3 cents, which, added to the previous taxes, amounts to 18.3 cents on the gallon.

Now, of course, some of that goes for mass transit, but of the 4.3 cents, 3.45 cents on each gallon goes to the highway trust fund for highways, and .85 cents goes to the trust fund for mass transit, am I correct on that? My colleague nods in the affirmative.

Now, Mr. President, I have been on this floor each day urging that the leadership take up the highway bill. I compliment the majority leader on his indications that he intends to take up the highway bill, perhaps as early as tomorrow. That would still be his judgment to make. I also compliment the distinguished majority leader for having some of the principals in his office this morning to discuss this matter so that, hopefully, we can arrive at some conclusions and agreements which will pave the way for expeditious action on the floor in connection with the highway bill when it is taken up. The majority leader did a worthwhile service when he did that.

The majority leader also stressed that this was nonpartisan, and it is. This is not a Republican bill. It is not a Democratic bill.

So for the first time, this morning we sat down to discuss this matter and we had the chairman of the Environment and Public Works Committee, Mr. CHAFEE, the chairman of the Budget Committee, Mr. DOMENICI, the ranking member of the Environment and Public Works Committee, Mr. BAUCUS, we had Senators GRAMM, D'AMATO, WARNER, and myself. We had these Senators together in the room.

Now, Mr. President, I have been reading almost daily—and even this morning before I went to that meeting—that there is a deal. There is no deal. I have been reading little headlines and statements in various publications to the effect that a deal is near. Well, we don't know about that. This is the first time that I have sat down with the principals to discuss this matter. I have

talked about it with my friend from Texas, Mr. GRAMM, and with the other two cosponsors of the amendment, Mr. BAUCUS and Mr. WARNER, but there is no deal, not yet. We all hope that we will reach a point where we can hold each other's hand and say we, as principals in this effort, have agreed to thus and so, and then we will come to the floor and see where we go from there.

I should state at the very beginning, again, that the Byrd-Gramm-Baucus-Warner amendment provides for every State in the United States to have an increase in their highway contract authority—every State, am I not correct on that?

Mr. GRAMM. Yes.

Mr. BYRD. So as far as our amendment is concerned, all States benefit—not just West Virginia, not just Texas, not just Montana, not just Virginia—but that will be discussed at another point. I just want to stress that again.

Mr. GRAMM. Will the Senator yield?

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

Mr. GRAMM. Not only does our amendment provide that every State would have an increase, but the amount is roughly 25 percent. By requiring the Government to live up to the commitment it makes when it collects the tax, to spend the appropriate share on highways, what our amendment would do in essence is guarantee that every State in the Union relative to the bill as it now is written would get approximately 25 percent more.

Mr. BYRD. Exactly.

Mr. GRAMM. That is the difference it makes if you don't divert the gasoline tax to other uses; but you, instead, spend it for the purpose that it is collected.

Mr. BYRD. Absolutely.

Mr. GRAMM. I thank the Senator.

Mr. BYRD. I thank the distinguished Senator.

Until we brought out our amendment there was no other game in town, no game in town, for increasing highway spending in the States over what was in the reported bill. I had various Senators come to me and say, "We need more money." I'm not the chairman of any committee at this point, but I said why not spend this money that the American people are putting into the highway trust fund? So I came forward with the amendment to do that, together with Senators GRAMM, BAUCUS, and WARNER.

Each time citizens go to the gas tank, as gasoline comes out of that nozzle and goes into the tank, the American people see a little cylinder that turns round and round. They should also, in their mind's eye, not only see the gasoline coming out of that nozzle into their tank, they should also see the money which they are paying as an additional tax on gasoline go into that trust fund. As they watch that cylinder, let them think in those terms—there is money going into that trust fund, and they have been told,

there are some who don't like to admit this, but they have been told that this money will be spent on highways. Now, that can be discussed because there was a period when they were not told about a particular portion of that money, the 4.3 cents, there was a brief period when that was not going into the trust fund for highways.

Because of the action by the distinguished Senator from Texas, Mr. GRAMM, and the Finance Committee, that money, the 4.3 cent tax, is not going into the highway trust fund but it is just sitting there. We are saying in our amendment, let's spend it, because the American people think that is what they are getting when they go to the gas tank. Don't let anybody tell you they don't think that.

I was in this Congress in 1956—I was in Congress before that—but in 1956 we created a highway trust fund. That was during the Eisenhower administration. It was during his administration that his great and good idea concerning an interstate highway system came into being. In order to fund that highway system, Congress created a trust fund. The people were told that the moneys that they were putting into that trust fund in 1956 would go for highways, and they have been under that impression for 42 years, except for a couple of years, perhaps, beginning in 1993 or some such.

Mr. President, the people ought to have faith in their Government and that is what this amendment is all about, a faith-in-Government amendment. Build highways. And the Department of Transportation tells us that only 39 percent of the highway systems throughout this great country stretching from the Atlantic to the western waters and from the border of Canada to the Gulf of Mexico can be considered in good condition.

The highways are rapidly deteriorating. So are the bridges. We have over 580,000 bridges and 180,000 of them are either structurally deficient or functionally obsolete. The American people want to see their highways and their bridges built back up. We talk a lot about child care. We see people spending their time in the long lines because of congestion. They ought to be home taking care of the children who have just come in from school. They have to have good highways in order to do that. It took me an hour and 15 minutes to get from my house, 10 miles away, to my office yesterday morning. What are we talking about? What are we kidding the people about? That is our purpose.

Now, I hope, as do my colleagues, that we can reach an agreement among the principals. I am encouraged by this morning's meeting, very much encouraged, by the attitudes and presentations of all who were there. I want to express my compliments and my thanks, again, to the majority leader and to the chairmen of the committees who were there, Mr. DOMENICI, Mr. CHAFEE, and to the ranking members who were there. Everyone participated.

Mr. President, I hope we will be able to continue these discussions. The majority leader is going to ask us to come back tomorrow, and in the meantime we will be talking. But there is no deal, and I hope people will debunk some of such wishful thinking from their minds. We have yet to see where we are going to go and how we are going to get there. We are making progress but we are not there yet.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 13 minutes and 50 seconds remaining.

Mr. BYRD. Mr. President, I see Mr. WARNER has come on the floor. Would he like any time at this point? Our friend, Mr. GRAMM, and I have been discussing this highway bill. I think the Senator who has just walked on the floor would be pleased with what we said.

Mr. WARNER. I was not able to be here when our distinguished colleague from West Virginia spoke, but I am sure the Senator got the assurance of our colleagues to work this problem out, together with the Republican leader, and I am sure, shortly, the Democrat leader, will likewise join. I think it is in the interests of the Senate that this legislation move. That was very definitely Senator LOTT's principal motivation to try and assemble this meeting today. We would not have reached this meeting today had it not been for the leadership shown by the distinguished Senator from West Virginia and the senior Senator from Texas.

Here we go. Let's hope for the best.

Mr. BYRD. I thank my friend from Virginia, Mr. WARNER, who has been a participant in this matter from the beginning. I am sure he will agree that until he and Senator GRAMM and Senator BAUCUS and I came up with this amendment, the Byrd-Gramm-Baucus-Warner amendment, until we came up with that amendment, there wasn't any idea as to how we were going to get more money above the reported bill for the States. It is only because our amendment was prepared and 53 cosponsors are on it today, that any of the States have real prospects for getting more money for highways.

Is that an accurate statement?

Mr. WARNER. Mr. President, I say to my distinguished colleague, you will recall Senator BAUCUS and I had an amendment early on in this procedure. It failed, by my recollection, by one single vote. I believe the distinguished Senator from West Virginia joined in our amendment urging the Senate for a greater allocation of spending.

I do believe, however, there is considerable momentum not only within the 53 Senators who have joined in this Byrd amendment but other Senators who are hearing from their respective highway constituencies, and that is not just the road builders, that is the citizens that use the highways.

As the distinguished Senator from West Virginia pointed out in our meet-

ing with the majority leader this morning, there is one-third growth in the use of highway structure, which in and of itself is perhaps only one-third to 40 percent in top shape. So it is essential for America that this is truly a bipartisan effort, for America to move ahead to improve its infrastructure transportation.

I thank the distinguished Senator.

Mr. BYRD. Mr. President, I just close by thanking the people out in the country who have shown great interest in this amendment, who have discussed it, Senators in their home States with the people, and people who are in the construction business, people who are in the highway construction business, people who are in the cement-asphalt business, other related industries that see the imperativeness of having this highway bill called up, acted on, in time, that it can be acted on in the House, in time, that both Houses can go to conference, in time, that we hopefully can get a signature on the bill by May 1. I thank those groups, as well.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes and 35 seconds remaining.

Mr. BYRD. Mr. President, I will yield back that time. Before I do, I thank all Senators for listening. I thank the Chair.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CANCELLATION DISAPPROVAL ACT—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the veto message to accompany H.R. 2631.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives, as follows:

The House of Representatives having proceeded to reconsider the bill (H.R. 2631) entitled "An Act disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

The PRESIDING OFFICER laid before the Senate a message from the President of the United States to the House of Representatives, as follows:

To the House of Representatives:

I am returning herewith without my approval H.R. 2631, "An Act disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45."

Under the authority of the Line Item Veto Act, on October 6, 1997, I canceled 38 military construction projects to