

amount of existing sanctions law. The fact that the resolution was adopted by unanimous consent in the Senate and passed by an overwhelming vote of 414 to 8 in the House of Representatives sends a clear signal to Russia and the administration that this dangerous trade must stop now.

I am very pleased that from its inception, this resolution has enjoyed bipartisan support; 39 Senators, from both sides of the aisle, cosponsored the measure and I want to thank them for their support and also thank Representative JANE HARMAN who was the principal sponsor of the resolution in the House of Representatives and worked tirelessly on its behalf. It has been a pleasure working with Representative HARMAN over the past few months and I look forward to continuing to work closely with her to address the national security challenges facing our Nation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Without objection, the quorum call is rescinded.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, at 7:43 p.m., the Senate recessed subject to the call of the Chair.

The Senate reassembled at 8:23 p.m., when called to order by the Presiding Officer (Mr. ROBERTS).

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

SURFACE TRANSPORTATION EXTENSION ACT OF 1997

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. 1454, introduced earlier today by Senator BOND, and others.

The PRESIDING OFFICER. The clerk will read the bill.

The assistant legislative clerk read as follows:

A bill (S. 1454) to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAFEE. Mr. President, I want to say how much I appreciate the wonderful work on this legislation by Senator BOND, Senator WARNER, Senator BAUCUS, and others. I am pleased to joint them in cosponsoring the Surface Transportation Extension Act of 1997.

Seven weeks ago, the Committee on Environment and Public Works unanimously reported out S. 1173, better known as ISTEA II. I am proud of the committee's efforts to come to an agreement on a very difficult piece of legislation. We filed the report at the end of September, and we were prepared to complete action on the bill before the end of the calendar year. Regrettably, a number of unrelated events having nothing to do with ISTEA have prevented us from completing work this year on a 6-year reauthorization bill.

As the prospects have dimmed for the enactment of a 6-year bill this year, it is clear that we cannot go home before taking care of a number of concerns. This past Tuesday, November 4, the Committee on Environment and Public Works Subcommittee on Transportation and Infrastructure held a hearing on which many of these concerns were brought to light. First of all, if Congress does nothing, a number of States will be hard-pressed to survive through the spring on their existing unobligated balances. Second, States are restricted in using their unobligated balances across Federal-aid highway, transit, and safety categories. Third, a number of Federal transportation safety programs, as well as the Federal transit program, have no funds to carry over into this fiscal year. Finally, without any relief, the Federal Highway Administration will be forced to shut down in January, which could result in 3,600 employees being furloughed.

Despite the gloomy reports of what could happen if Congress fails to act, there is a solution. Senators BOND, WARNER, BAUCUS, and I have a measure that addresses the needs of the States, the safety programs, the Federal-aid highway program, and transit. First of all, the bill before us will keep the nation's transportation system up and running until we enact the long-term reauthorization bill. It gives States the flexibility they need to continue transportation planning and construction activities. Each State is guaranteed at least 50 percent of the previous year's spending limitation to spend on any transportation project or program. To keep the States on equal footing, however, no state may spend more than 75 percent of its 1997 spending limitation.

Second, the bill provides states with flexibility to spend their unobligated balances on any highway, safety, or transit program category. To prevent important environmental programs such as the Congestion Mitigation and Air Quality Improvement Program [CMAQ] from being unfairly disadvantaged, however, the Secretary of Transportation would restore the transferred funds back to these programs when the new reauthorization bill is enacted.

Third, the bill provides funding for key ISTEA safety and transit programs. The Motor Carrier Safety Assistance Program, the State and Community Safety Grant Program, the Na-

tional Driver Register, Operation Lifesaver, and the Alcohol-impaired Driving Countermeasures Program, will continue to run. Also, the Federal transit discretionary and formula programs will receive the funds they need. Fourth, the bill provides funds for the Federal Highway Administration to continue operating and assisting the States with their transportation programs.

Before closing, let me comment on what the bill before us does not do. Unlike the 6-month extension bill that was approved by the House earlier this month, this bill does not provide States with contract authority for 1 year's worth of highway construction. Our bill gives the States until May 1 of next year to obligate the funds provided in this bill. The trouble with including funds that will not run out until next November is that there will be no pressure to enact permanent ISTEA legislation until that time, right before the 1998 elections. Pushing the decision off until next fall runs the risk of our being without a bill 1 year from now. Moreover, this measure avoids the contentious fight we would have over apportionment formulas and funding categories if we were to take up the House bill.

The bill before us is by no means perfect, but it is the optimal approach to the situation. Our hopes for an ideal outcome were dashed when we were unable to complete work on a 6-year reauthorization bill. This measure keeps the State and Federal transportation programs running, it ensures that no highway contractors are put out of work, and it continues funding for vital safety and transit programs. Most important, it will keep the momentum going to enact a 6-year bill early next year. And it does all of this without a battle over the formulas.

Again, I want to commend Senator BOND for his determination in moving this measure forward. I also want to thank Senators WARNER and BAUCUS for their excellent work. I urge all of my colleagues to join us in supporting this important measure.

Mr. ABRAHAM. Mr. President, I appreciate the hard work done by the Environment and Public Works Committee, and the compromise it represents. However, I believe the proposal sent over by the House in H.R. 2516 represented a superior short-term reauthorization proposal. Hopefully, many of these funding elements may find their way into the final ISTEA reauthorization proposal.

Mr. President, I would simply like to gain assurance from the chairman of the Environment and Public Works Committee that passage of his short-term proposal in no way obligates the Senate or its Members to support of any specific funding level or formula, and that it is simply a stop-gap measure until we can proceed to a final long-term authorization bill.

Mr. CHAFEE. Mr. President, I can definitely assure the Senator from

Michigan that passage of this short-term bill in no way implies acceptance of any long-term funding level or formula.

Mr. ABRAHAM. Mr. President, I thank the chairman for his assurances, and look forward to working with him in crafting the follow-on legislation to ISTEA that will sufficiently rectify the onerous position in which donor States, like Michigan, find themselves.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the bill be considered read the third time, and passed, that the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

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

I ask unanimous consent that the unanimous-consent request that is pending be amended in order that an amendment of mine, amendment No. 1376, be in order.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, with all due respect to my good friend from Michigan, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEVIN. Reserving the right to object. I have a further inquiry of my good friend from Montana. Would it be fair to say that the adoption of this short term bill would in no way prejudice efforts later on in the next session of Congress to have consideration of amendments, such as No. 1376, and other formulas which are more equitable to many of our States that have not, in our view, been treated equitably.

Mr. BAUCUS. I say to my friend that this measure about to be passed is formula neutral. It in no way would prejudice the amendment to be offered at a later date by the Senator from Michigan, or other amendments offered by other Senators who wish to accomplish objectives for their States as well.

Mr. WARNER. Mr. President, I think the Senator has made it very clear that he was referring to ISTEA I in 1991, was he not?

Mr. LEVIN. I am not referring to the ISTEA I bill.

Mr. BAUCUS. The Senator is referring to next year.

Mr. LEVIN. I thank the Chair.

Mr. CHAFEE. Mr. President, I renew my request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 1454) was considered read the third time, and passed, as follows:

S. 1464

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Surface Transportation Extension Act of 1997".

SEC. 2. ADVANCE AUTHORIZATIONS.

(a) IN GENERAL.—The Secretary of Transportation (referred to in this Act as the

"Secretary") shall apportion funds made available under the amendment made by subsection (d)—

(1) to any State for which the State's unobligated balance, as of October 1, 1997, of Federal-aid highway apportionments subject to any limitation on obligations is less than 50 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; and

(2) in an amount sufficient to increase the State's unobligated balance, as of October 1, 1997, of apportionments described in paragraph (1) to an amount equal to 50 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(b) ELIGIBLE USE OF APPORTIONMENTS.—A State may obligate funds apportioned under subsection (a) for any project eligible for assistance under section 133, 149, 402, or 410 of title 23, United States Code, or chapter 311 of title 49, United States Code.

(c) REPAYMENT FROM SURFACE TRANSPORTATION PROGRAM APPORTIONMENT.—The Secretary shall reduce the amount that would, but for this section, be apportioned to a State under section 104(b)(3) of title 23, United States Code, for fiscal year 1998 under a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act by the amount of any authorization of contract authority provided to a State under subsection (a).

(d) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) is amended by adding at the end the following:

"(d) ADVANCE AUTHORIZATIONS.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2 of the Surface Transportation Extension Act of 1997 \$506,273,000 for the period of January 1, 1998, through January 8, 1998.

"(e) AUTHORIZATION OF CONTRACT AUTHORITY.—

"(1) AUTHORIZATION.—Notwithstanding section 157(e) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 157 of title 23, United States Code, not to exceed \$14,000,000 for the period of January 1, 1998, through January 8, 1998.

"(2) ALLOCATION.—The Secretary shall allocate the amounts authorized under paragraph (1) to each State in the ratio that—

"(A) the amount allocated to the State for fiscal year 1997 under section 157 of that title; bears to

"(B) the amounts allocated to all States for fiscal year 1997 under section 157 of that title.

"(f) CONTRACT AUTHORITY.—Funds authorized under subsections (d) and (e) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code."

(e) LIMITATION ON OBLIGATIONS.—

(1) ALLOCATION OF OBLIGATION AUTHORITY DURING CERTAIN PERIOD.—

(A) IN GENERAL.—Subject to subparagraph (B), after the date of enactment of this Act, the Secretary shall allocate to each State an amount of obligation authority that is—

(i) equal to the greater of—

(I) the State's unobligated balance of Federal-aid highway apportionments subject to any limitation on obligations; or

(II) 50 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; but

(ii) not greater than 75 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(B) LIMITATION ON AMOUNT.—The total of all allocations under subparagraph (A) shall not exceed \$9,786,275,000.

(C) TIME PERIOD FOR OBLIGATIONS OF FUNDS.—

(i) IN GENERAL.—Except as provided in clause (ii), a State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998, until such time as a multiyear law reauthorizing the Federal-aid highway program has been enacted or July 1, 1998 whichever is earlier.

(ii) REOBLIGATION.—Clause (i) shall not preclude the reobligation of deobligated funds.

(iii) DISTRIBUTION OF REMAINING OBLIGATION AUTHORITY.—Upon enactment of a law described in clause (i), the Secretary shall distribute to each State any remaining amounts of obligation authority for Federal-aid highways and highway safety construction programs by allocation in accordance with section 310(a) of the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105-66; 111 Stat. 1425).

(iv) No contract authority made available to the States prior to July 1, 1998, shall be obligated after such date until such time as a multiyear law reauthorizing the Federal-aid highway program has been enacted.

(f) TREATMENT OF OBLIGATIONS.—Any obligation incurred under this Act, or an amendment made by this Act, shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 1998 for the purposes of the matter under the heading "LIMITATION ON OBLIGATIONS" under the heading "FEDERAL-AID HIGHWAYS" in title I of the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105-66; 111 Stat. 1425).

(g) FUNDING BASELINE.—Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907) and the effect of funding provided under this Act or an amendment made by this Act, the baseline prepared by the Congressional Budget Office and the Office of Management and Budget for fiscal years 1998 through 2003 for mandatory contract authority and mandatory outlays for Federal-aid highways and highway safety construction programs shall be the baseline included in the concurrent resolution on the budget for fiscal year 1998.

SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for fiscal year 1998, a State may transfer any funds apportioned to the State for any program under section 104 (including amounts apportioned under section 104(b)(3) or set aside or suballocated under section 133(d)), 144, or 402 of title 23, United States Code, granted to the State for any program under section 410 of that title, or allocated to the State for any program under chapter 311 of title 49, United States Code, that are subject to any limitation on obligations, and that are not obligated, to any other of those programs.

(b) TREATMENT OF TRANSFERRED FUNDS.—Any funds transferred to another program under subsection (a) shall be subject to the provisions of the program to which the funds are transferred, except that funds transferred to the surface transportation program under section 133 of title 23, United States Code, other than paragraphs (1) and (2) of section 133(d) of that title, shall not be subject to section 133(d) of that title.

(c) RESTORATION OF APPORTIONMENTS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act, the Secretary shall restore any funds

that a State transferred under subsection (a) for any project not eligible for the funds but for this section to the program category from which the funds were transferred.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds transferred under subsection (a) from a program category for which funds are no longer authorized may be restored to the Federal-aid highway program.

(d) GUIDANCE.—The Secretary may issue guidance for use in carrying out this section.

SEC. 4. ADMINISTRATIVE EXPENSES.

(a) EXPENSES OF FEDERAL HIGHWAY ADMINISTRATION.—

(1) AUTHORITY TO BORROW.—

(A) FROM UNOBLIGATED FUNDS AVAILABLE FOR DISCRETIONARY ALLOCATIONS.—If unobligated balances of funds deducted by the Secretary under section 104(a) of title 23, United States Code, for administrative and research expenses of the Federal-aid highway program are insufficient to pay those expenses for fiscal year 1998, the Secretary may borrow not to exceed \$60,000,000 for those expenses from unobligated funds available to the Secretary for discretionary allocations.

(B) REQUIREMENT TO REIMBURSE.—Funds borrowed under subparagraph (A) shall be reimbursed from amounts made available to the Secretary under section 104(a) of title 23, United States Code, as soon as practicable after the date of enactment of a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act.

(2) AUTHORIZATION OF CONTRACT AUTHORITY.—

(A) IN GENERAL.—In addition to funds made available under paragraph (1), there shall be available from the Highway Trust Fund (other than the Mass Transit Account) for administrative and research expenses of the Federal-aid highway program \$151,000,000 for fiscal year 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

(3) USE OF CERTAIN ADMINISTRATIVE FUNDS.—Section 104(i)(1) of title 23, United States Code, is amended by inserting “, and for the period of October 1, 1997, through March 31, 1998,” after “1997”.

(b) BUREAU OF TRANSPORTATION STATISTICS.—Section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2172) is amended—

(1) by inserting “(a) IN GENERAL.—” before “Chapter I”; and

(2) in the first sentence of subsection (b)—
(A) by striking “1996, and” and inserting “1996,”; and

(B) by inserting before the period at the end the following: “, and \$12,500,000 for the period of October 1, 1997, through March 31, 1998”.

SEC. 5. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) FEDERAL LANDS HIGHWAYS.—Section 1003(a)(6) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) is amended—

(1) in subparagraph (A)—

(A) by striking “1992 and” and inserting “1992,”; and

(B) by inserting before the period at the end the following: “, and \$95,500,000 for the period of October 1, 1997, through March 31, 1998”;

(2) in subparagraph (B)—

(A) by striking “1995, and” and inserting “1995,”; and

(B) by inserting before the period at the end the following: “and \$86,000,000 for the pe-

riod of October 1, 1997, through March 31, 1998”; and

(3) in subparagraph (C)—

(A) by striking “1995, and” and inserting “1995,”; and

(B) by inserting before the period at the end the following: “, and \$42,000,000 for the period of October 1, 1997, through March 31, 1998”.

(b) NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) (as amended by section 2(d)) is amended by adding at the end the following:

“(e) NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 104(h) of title 23, United States Code, is amended by inserting ‘and \$7,500,000 for the period of October 1, 1997, through March 31, 1998’ after ‘1997.’”

(c) CERTAIN ALLOCATED PROGRAMS.—

(1) HIGHWAY USE TAX EVASION.—Section 1040(f)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1992) is amended in the first sentence by inserting before the period at the end the following: “and \$2,500,000 for the period of October 1, 1997, through March 31, 1998”.

(2) SCENIC BYWAYS PROGRAM.—Section 1047(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1998) is amended in the first sentence—

(A) by striking “1994, and” and inserting “1994,”; and

(B) by inserting before the period at the end the following: “, and \$7,000,000 for the period of October 1, 1997, through March 31, 1998”.

(d) INTELLIGENT TRANSPORTATION SYSTEMS.—Section 6058(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2194) is amended—

(1) by striking “1992 and” and inserting “1992,”; and

(2) by inserting before the period at the end the following: “, and \$56,500,000 for the period of October 1, 1997, through March 31, 1998”.

(e) SURFACE TRANSPORTATION RESEARCH.—

(1) OPERATION LIFESAVER.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the operation lifesaver program under section 104(d)(1) of title 23, United States Code, \$150,000 for the period of October 1, 1997, through March 31, 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

(2) DWIGHT DAVID EISENHOWER TRANSPORTATION FELLOWSHIP PROGRAM.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the Dwight David Eisenhower Transportation Fellowship Program under section 307(a)(1)(C)(ii) of title 23, United States Code, \$1,000,000 for the period of October 1, 1997, through March 31, 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

(3) NATIONAL HIGHWAY INSTITUTE.—Section 321(f) of title 23, United States Code, is amended by adding at the end the following: “There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out this section \$2,500,000 for the period of October 1, 1997, through March 31, 1998.”

(4) EDUCATION AND TRAINING PROGRAM.—Section 326(c) of title 23, United States Code,

is amended by adding at the end the following: “There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out this section \$3,000,000 for the period of October 1, 1997, through March 31, 1998.”

SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) NHTSA HIGHWAY SAFETY PROGRAMS.—Section 2005(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2079) is amended—

(1) by striking “1996, and” and inserting “1996,”; and

(2) by inserting before the period at the end the following: “, and \$83,000,000 for the period of October 1, 1997, through March 31, 1998”; and

(b) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.—Section 410 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by striking “5” and inserting “6”; and
(B) in paragraph (3), by striking “and fifth” and inserting “fifth, and sixth”;

(2) in subsection (d)(2)(B), by striking “two” and inserting “3”; and

(3) in the first sentence of subsection (j)—
(A) by striking “1997, and” and inserting “1997,”; and

(B) by inserting before the period at the end the following: “, and \$12,500,000 for the period of October 1, 1997, through March 31, 1998”.

(c) NATIONAL DRIVER REGISTER.—Section 30308(a) of title 49, United States Code, is amended—

(1) by striking “1994, and” and inserting “1994,”; and

(2) by inserting after “1997,” the following: “and \$1,855,000 for the period of October 1, 1997, through March 31, 1998.”

SEC. 7. EXTENSION OF MOTOR CARRIER SAFETY PROGRAM.

Section 31104(a) of title 49, United States Code, is amended—

(1) in paragraphs (1) through (5), by striking “not more” each place it appears and inserting “Not more”; and

(2) by adding at the end the following:

“(6) Not more than \$45,000,000 for the period of October 1, 1997, through March 31, 1998.”

SEC. 8. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

Title III of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2087-2140) is amended by adding at the end the following:

“SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS FOR THE PERIOD OF OCTOBER 1, 1997, THROUGH MARCH 31, 1998.

“(a) ALLOCATING AMOUNTS.—Section 5309(m)(1) of title 49, United States Code, is amended by inserting ‘, and for the period of October 1, 1997, through March 31, 1998’ after ‘1997.’

“(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.—Section 5337 of title 49, United States Code, is amended—

“(1) in subsection (a), by inserting ‘and for the period of October 1, 1997, through March 31, 1998,’ after ‘1997.’; and

“(2) by adding at the end the following:

“(e) SPECIAL RULE FOR OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—The Secretary shall determine the amount that each urbanized area is to be apportioned for fixed guideway modernization under this section on a pro rata basis to reflect the partial fiscal year 1998 funding made available by section 5338(b)(1)(F).”

“(c) AUTHORIZATIONS.—Section 5338 of title 49, United States Code, is amended—

“(1) in subsection (a)—

“(A) in paragraph (1), by adding at the end the following:

“(F) \$1,349,395,000 for the period of October 1, 1997, through March 31, 1998.”; and

“(B) in paragraph (2), by adding at the end the following:

“(F) \$369,000,000 for the period of October 1, 1997, through March 31, 1998.”;

“(2) in subsection (b)(1), by adding at the end the following:

“(F) \$1,110,605,000 for the period of October 1, 1997, through March 31, 1998.”;

“(3) in subsection (c), by inserting ‘and not more than \$1,500,000 for the period of October 1, 1997, through March 31, 1998,’ after ‘1997.’;

“(4) in subsection (e), by inserting ‘and not more than \$3,000,000 is available from the Fund (except the Account) for the Secretary for the period of October 1, 1997, through March 31, 1998,’ after ‘1997.’;

“(5) in subsection (h)(3), by inserting ‘and \$3,000,000 is available for section 5317 for the period of October 1, 1997, through March 31, 1998’ after ‘1997.’;

“(6) in subsection (j)(5)—

“(A) in subparagraph (B), by striking ‘and’ at the end;

“(B) in subparagraph (C), by striking the period at the end and inserting ‘; and’; and

“(C) by adding at the end the following:

“(D) the lesser of \$1,500,000 or an amount that the Secretary determines is necessary is available to carry out section 5318 for the period of October 1, 1997, through March 31, 1998.”;

“(7) in subsection (k), by striking ‘or (e)’ and inserting ‘(e), or (m)’; and

“(8) by adding at the end the following:

“(m) SECTION 5316 FOR THE PERIOD OF OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—Not more than the following amounts may be appropriated to the Secretary from the Fund (except the Account) for the period of October 1, 1997, through March 31, 1998:

“(1) \$125,000 to carry out section 5316(a).

“(2) \$1,500,000 to carry out section 5316(b).

“(3) \$500,000 to carry out section 5316(c).

“(4) \$500,000 to carry out section 5316(d).

“(5) \$500,000 to carry out section 5316(e).”.

Mr. WARNER. Mr. President, I certainly want to commend our distinguished chairman and distinguished ranking member. The senior Senator from Montana is also ranking on the subcommittee. We express a particular appreciation to the Senator from Missouri, Senator BOND. He seemed to have had an understanding of how we could best and most equitably adopt this short-term provision. I wish to commend him for his special efforts.

I wish to also commend the staff, Mr. President. We have had extraordinary staff participation on this. I have a small piece of paper here signed by the principal Senators expressing our appreciation.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I very much hope that the other body takes up and passes this measure because it has been our judgment that it is about the only approach that is going to allow States to continue the continuity in their highway programs until next year when we pass the full 6-year program.

This measure that we have just adopted here in the Senate is formula neutral. It is designed in a way to

make sure that all of the different States who are in different situations are treated reasonably fairly. Nothing is perfect. But this is a very good effort to deal with various differences among the States. It also will provide enough funds for the Congress next year to take up the full 6-year bill in a reasonable period of time.

So I very much hope that the other body takes it up and passes this bill because it is in the States’ best interests to continue that continuity of funding.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I would also like to express our appreciation to Senator BYRD who was very actively working with us this evening. And I want to associate myself with the remarks of the distinguished Senator from Montana.

Many States have a very short period within which they can do this vital work. The Governors appeared at the hearing of our committee just a few days ago, and expressed a similar interest. It is imperative that we keep this highway program moving ahead until such time as the Congress can pass what I hope will be a 6-year bill.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I express my sincere appreciation to Chairman CHAFEE, Chairman WARNER, and the ranking member, Senator BAUCUS.

When it became clear that we were not going to pass a 6-year reauthorization of the ISTEA, or Intermodal Surface Transportation Efficiency Act, it was obvious to everybody that something had to be done to make sure that we didn’t run out of safety programs; that we didn’t shut the doors on the operations of the Department of Transportation; that we didn’t leave the States without the authority to contract.

Finally, when I suggested that we merely extend the obligations based on a half of last year’s obligation authority up to 75 percent, it was designed, as Senator BAUCUS so ably said, to be totally formula neutral. We are not going to engage in a formula battle. We have some very strong differences of opinion over formulas, and over allocations among States. That will be played out at great length on this floor I hope very early in 1998. But I have never seen anything unify this body more than the agreement by all of the Senators with whom I have spoken—and I have spoken to almost all of them—that we must do something to keep the doors open; to keep construction going; to keep safety and to keep transit programs. And the only way we can do it is to do something that is formula neutral.

This merely extends the obligational authority, and it has overwhelming support. We hope it will have support in the House so that we can send it to the President and make sure that we

don’t shut down operations in the very near future.

I wish to expressly thank staff which has worked night and day—some with almost no sleep: Dan Corbett, Jimmie Powell, Ann Loomis, Kathy Ruffalo, Tom Sliter, and the staff of the Banking Committee, Commerce Committee, and the Environment and Public Works Committee; and on my own personal staff, Tracy Henke who did the initial work of putting this all together.

I hope they can all get some sleep and some rest, and that we can put this measure to bed.

Mr. President, this does not open up any fights. It merely leaves in place vitally needed safety transit, Department of Transportation operations, and the ability to contract while we revisit in early 1998 the very important and very controversial formulas for allocating highway money.

I thank all Senators whose cooperation was necessary for us to bring the measure to the floor, and pass it this evening. But the agreement of all Senators shows what a high priority and what a tremendous importance we place on assuring that our citizens have adequate transit, that we have the highways, the bridges, and the roads that we need for convenience, for our economy, and, most of all, for the safety of our traveling public.

I thank the Chair.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. CHAFEE. Mr. President, this is a very, very contentious issue. Fortunately, in our Environment and Public Works Committee we were able to report out this basic legislation 18 to 0. Then we have to do this so-called stop-gap legislation, because we weren’t able to consider the big bill due to a variety of factors. This bill now is a result of bipartisan cooperation. As we mentioned, Senator BAUCUS has been deeply involved in this, and of course, Senator WARNER, Senator BOND, myself, and others.

I join in the salute to the staff. They have been really terrific. I would like particularly to offer the names of those who worked so hard: Jimmie Powell, Tom Sliter, Kathy Ruffalo, Dan Corbett, Ann Loomis, Peter Rogoff, with Senator BYRD, and Tracy Henke with Senator BOND. Every single one of those staffers was absolutely terrific.

Mr. WARNER. And add Ellen Stein to that.

Mr. CHAFEE. I certainly will.

Mr. President, let me end with a wish. We are going to come back to this, as the majority leader said, the first thing when we return in January. It is going to take every bit of good will and patience and high level of character and perseverance for us to be able to pass a bill that will have the acceptance that legislation had in our committee.

So, in closing, I thank everyone, and urge them to carry on with this same type of effort when we convene on this issue in the last part of January.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, there are two points that I want to make.

We are passing this rather significant piece of legislation because we are doing it in a bipartisan basis. I must remind all of my colleagues that when we get into partisan fights often nothing happens. We make political points but don't pass legislation.

This has been very, very cohesive and bipartisan on both sides of the aisle.

It has been an honor for me—a privilege for me—to participate with Senator WARNER, Senator CHAFEE, Senator BOND, and Senator BYRD in putting this together.

My second point is to reaffirm just how lucky we are to have such a dedicated staff who are so able and so talented. I am always in awe in seeing just how right these people are and how necessary they are.

But, for the record, the one lady who came up with the final solution is on my staff. Her name is Kathy Ruffalo.

I yield the floor.

Mr. WARNER. Mr. President, I will proceed momentarily to the Executive Calendar.

But first we want to thank the Chair. The Chair has been very indulgent, and indeed, the staff of the Senate.

But I want to further say that I hope tomorrow that the infrastructure that follows this type of legislation—the contractors, the secretaries of the various organizations throughout the States who are entrusted with the very important highway construction—would immediately look at this effort by the U.S. Senate, and bring to bear their judgment tomorrow on the other body in the hopes that we can pass this.

I particularly call on the National Governors' Association. They came forward in a hearing that I chaired last week, and were very explicit on this whole matter. It was made very clear by the contractors who also appeared at that hearing that there is a short period for certain States for construction. It is imperative that this matter go forward. We have made, as I say, in a bipartisan way, our best effort. Now, with the help of the infrastructure, I am sure that the other body will see the wisdom in this measure, and pass it.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nomination on the Executive Calendar, No. 419.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nomination appear at this point in the RECORD, the President be immediately

notified of the Senate's action, and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

William Dale Montgomery, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

AUTHORIZING AN INTERPRETIVE CENTER AT FORT PECK DAM, MONTANA

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1456, introduced earlier today by Senator BAUCUS.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1456) to authorize an interpretive center at Fort Peck Dam, Montana.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be considered read three times, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The bill (S. 1456) was read the third time and passed as follows:

S. 1456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FORT PECK DAM INTERPRETIVE CENTER.

(a) IN GENERAL.—The Director of Fish and Wildlife shall design, construct, furnish, and equip an historical, cultural and paleontological interpretive center and museum to be located at Fort Peck Dam, Montana.

(b) COORDINATION.—In carrying out subsection (a), the Director of Fish and Wildlife shall coordinate with officials of the Bureau of Reclamation, Bureau of Land Management, U.S. Army Corps of Engineers and the Fort Peck Dam Interpretive Center and Museum.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of \$10,000,000. Funds appropriated are available until expended.

HAFFENREFFER MUSEUM RESTORATION ACT

Mr. WARNER. Mr. President, I send a bill to the desk on behalf of Senators

CHAFEE and REED, re: the relocation of the Haffenreffer Museum, and ask the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1455) to provide financial assistance for the relocation and expansion of Haffenreffer Museum of Anthropology, Providence, Rhode Island.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAFEE. Mr. President, I am pleased to introduce legislation to assist in the relocation and expansion of the Haffenreffer Museum of Anthropology at Brown University in Providence, RI.

In 1955, the family of Rudolf F. Haffenreffer bequeathed to Brown University the museum he had founded in Bristol, RI. The museum includes more than 100,000 objects from native peoples of the Americas, Africa, Asia, and the Pacific.

This is a teaching museum owned and supported by Brown University. It has a number of world-class holdings that attract scholars from all over the globe, and has been described by the American Association of Museums as a "superb medium- to small-sized facility with outstanding collections, excellent exhibits, and a superb program of public education and outreach."

While maintaining objects from around the world, the Haffenreffer Museum exhibits extensive archaeological materials from New England that are used to interpret prehistoric and historical cultural developments in Rhode Island and surrounding States. The legislation I introduce today authorizes \$3 million to preserve these culturally important collections and to provide expanded exhibition space that will make them more accessible to schoolchildren, scholars, students, and other visitors.

In 1995, Brown University acquired from the Resolution Trust Corporation [RTC] the historic Old Stone Bank Building, built in 1854, along with the early 19th century Federal-style residence known as the Benoni-Cook House, both located in downtown Providence. The RTC took over both properties when the Old Stone Bank failed in 1993.

Prior to Brown's purchase of these sites, it was unclear how or whether they would be put to use. The funds authorized by this bill will contribute a modest portion of the estimated \$15 million Brown University will spend to relocate the Haffenreffer Museum from Bristol, RI, to the bank building and the Benoni-Cook House, both of which are located on the National Register of Historic Places.

Mr. President, this in indeed a win-win project being carried out by Brown University. We will renovate, preserve,