from Massachusetts was quite right in saying that the senior Senator from Massachusetts during his long years here has certainly had a significant impact on legislation, and we all should recognize that and pay tribute to him for what he has done.

Mr. President, I would also like to note that the Presiding Officer is a former marine. So he is celebrating today likewise the 222d birthday of the U.S. Marine Corps. So we are all celebrating together.

SURFACE TRANSPORTATION EXTENSION ACT OF 1997

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. 1519, introduced earlier today by Senator BOND.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 1519) 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 ask unanimous consent the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1519) was deemed read a third time and passed, as follows:

S. 1519

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. ADVANCES.

(a) IN GENERAL.—The Secretary of Transportation (referred to in this Act as the ''Secretary'') shall apportion funds made available under section 1003(d) of the Intermodal Surface Transportation Efficiency Act of 1991 to each State in the ratio that—

(1) the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; bears to

(2) all States' total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) PROGRAMS.—Of the funds to be apportioned to each State under subsection (a), the Secretary shall ensure that the State is apportioned an amount of the funds, determined under paragraph (2), for the Interstate maintenance program, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, minimum allocation under section 157 of title 23, United States Code, Interstate reimbursement under section 160 of that title, the donor State bonus under section 1013(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1940), hold harmless under section 1015(a) of that Act (105 Stat. 1943), 90 percent of payments adjustments under section 1015(b) of that Act (105 Stat. 1944), section 1015(c) of that Act (105 Stat. 1944), an amount equal to the funds provided under sections 1103 through 1108 of that Act (105 Stat. 2027), and funding restoration under section 202 of the National Highway System Designation Act of 1995 (109 Stat. 571).

(2) IN GENERAL.—The amount that each State shall be apportioned under this subsection for each item referred to in paragraph (1) shall be determined by multiplying—

(A) the amount apportioned to the State under subsection (a); by

(B) the ratio that—

(i) the amount of funds apportioned for the item, or allocated under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027), to the State for fiscal year 1997; bears to

(ii) the total of the amount of funds apportioned for the items, and allocated under those sections, to the State for fiscal year 1997.

(3) USE OF FUNDS.—Amounts apportioned to a State under subsection (a) attributable to sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 shall be available to the State for projects eligible for assistance under chapter 1 of title 23, United States Code.

(4) ADMINISTRATION.—Funds authorized by the amendment made by subsection (d) shall be administered as if they had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code; except that the deduction under section 104(a) of title 23, United States Code, the set-asides under section 104(b)(1) of that title for the territories and under section 104(f)(1) of that title for metropolitan planning, and the expenditure required under section 104(d)(1) of that title shall not apply to those funds.

(c) REPAYMENT FROM FUTURE APPORTIONMENTS.—

(1) IN GENERAL.—The Secretary shall reduce the amount that would, but for this section, be apportioned to a State for programs under chapter 1 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 that is apportioned to each State under subsection (a) and section 5(f) for each such program.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds apportioned under subsection (a) for a program category for which funds are not authorized under a law described in paragraph (1) may be restored to the Federal-aid highway program.

(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.—

''(1) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 1997 $5,500,000,000 for the period of November 16, 1997, through January 31, 1998.

''(2) SPECIAL RULE.—Funds apportioned under subsection (a) shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

''(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 $15,460,000 for the period of January 26, 1998, through January 31, 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) IN GENERAL.—Subject to paragraph (2), after the date of enactment of this Act, the Secretary shall allocate to each State an amount of obligation authority made available under the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105–66) that is—

(A) equal to the greater of—

(i) the State's unobligated balance, as of October 1, 1997, 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

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

(2) LIMITATION ON AMOUNT.—The total of all allocations under paragraph (1) shall not exceed $9,786,275,000.

(3) TIME PERIOD FOR OBLIGATIONS OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998, until the earlier of the date of enactment of a multiyear law reauthorizing the Federal-aid highway program or July 1, 1998.

(B) REOBLIGATION.—Subparagraph (A) shall not preclude the reobligation of previously obligated funds.

(C) DISTRIBUTION OF REMAINING OBLIGATION AUTHORITY.—On the earlier of the date of enactment of a law described in subparagraph (A) or July 1, 1998, 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).

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

(4) TREATMENT OF OBLIGATIONS.—Any obligation of an allocation of obligation authority made under this subsection 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).

SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.

(a) IN GENERAL.—In addition to any other authority of a State to transfer funds, 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, before, on, or after the date of enactment of this Act, granted to the State for any program under section 410 of that title before, on, or after such date of enactment, or allocated to the State for any program under chapter 311 of title 49, United States Code, before, on, or after such date of enactment, 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 a program under section 133 (other than subsections (d)(1) and (d)(2)) of title 23, United States Code, 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 not authorized may be restored to the Federal-aid highway, highway safety, and motor carrier safety programs.

(3) LIMITATION ON STATUTORY CONSTRUCTION.—No provision of law, except a statute enacted after the date of enactment of this Act that expressly limits the application of this subsection, shall impair the authority of the Secretary to restore funds pursuant to this subsection.

(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 to pay those expenses not to exceed $60,000,000 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 $158,500,000 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, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(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 period 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 $47,000,000 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, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(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, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(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, and such funds shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.''.

(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, and such funds shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.''.

(f) METROPOLITAN PLANNING.—

(1) AUTHORIZATION OF CONTRACT AUTHORITY.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 134 of title 23, United States Code, $78,500,000 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, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(2) DISTRIBUTION OF FUNDS.—The Secretary shall distribute funds authorized under paragraph (1) to the States in accordance with section 104(f)(2) of title 23, United States Code.

(g) TERRITORIES.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) (as amended by subsection (b)) is amended by adding at the end the following:

''(f) TERRITORIES.—

''(1) IN GENERAL.—In lieu of the amounts deducted under section 104(b)(1) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands $15,000,000 for the period of October 1, 1997 through March 31, 1998.

''(2) CONTRACT AUTHORITY.—Funds authorized under this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.''.

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) $1,328,400,000 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) $1,131,600,000 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).'.''.

SEC. 9. EXTENSION OF TRUST FUNDS FUNDED BY HIGHWAY-RELATED TAXES.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 (relating to Highway Trust Fund) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''1997'' and inserting ''1998''; and

(ii) by striking the last sentence and inserting the following new flush sentence:

''In determining the authorizations under the Acts referred to in the preceding subparagraphs, such Acts shall be applied as in effect on the date of the enactment of this sentence.'';

(B) in paragraph (4)(A), by striking ''1997'' and inserting ''1998'';

(C) in paragraph (5)(A), by striking ''1997'' and inserting ''1998''; and

(D) in paragraph (6)(E), by striking ''1997'' and inserting ''1998''; and

(2) in subsection (e)(3)—

(A) by striking ''1997'' and inserting ''1998'', and

(B) by striking all that follows ''the enactment of'' and inserting ''the last sentence of subsection (c)(1).''

(b) AQUATIC RESOURCES TRUST FUND.—Section 9504(c) of the Internal Revenue Code of 1986 (relating to expenditures from Boat Safety Account) is amended by striking ''April 1, 1998'' and inserting ''October 1, 1998''.

(c) NATIONAL RECREATIONAL TRAILS TRUST FUND.—Section 9511(c) of the Internal Revenue Code of 1986 (relating to expenditures from Trust Fund) is amended by striking ''1997'' and inserting ''1998''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1997.

Mr. CHAFEE. Mr. President, I am pleased to announce that the Senate and House have reached an agreement to continue funding for the Nation's Federal-aid highway, safety and transit programs. The Surface Transportation Extension Act of 1997 will keep our transportation system up and running. It will give States the flexibility they need to continue transportation planning and construction activities until a permanent reauthorization of the Intermodal Surface Transportation Efficiency Act [ISTEA] is enacted, hopefully early next year.

The Senate-House agreement provides $9.7 billion of obligation authority—money States actually can spend. This $9.7 billion in spending authority is distributed according to the structure provided in S. 1454, the Senate-passed extension bill, which we passed this month. Each State is guaranteed at least 50 percent of its previous year's limitation to spend on any transportation project or program. To keep the States on an equal footing, however, no State may spend more than 75 percent of its 1997 spending limitation.

As you might know, one of the major concerns we had with the 6-month extension bill passed by the House was its formula structure. By adopting the spending structure in the Senate bill, we have avoided the contentious fight over formulas that would have prevented us from going forward had we adopted the House formulas.

Another important feature of the Senate-passed bill we have agreed to preserve is the flexibility provision. Under current law, the States are restricted in using their unobligated balances across Federal-aid highway, transit and safety categories. The Senate-House agreement allows the States to spend their balances on any Federal-aid highway, transit or safety 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 must restore the transferred funds back to these programs when the long-term reauthorization bill is enacted.

The Senate-House agreement preserves the Federal commitment to safety by funding key ISTEA safety programs. This is a very important part of our legislation. In the United States, there are more than 40,000 fatalities and 3.5 million collisions on our highways every year. The measure before us will help ongoing efforts to reverse this disturbing trend. Funds are provided to enable the Motor Carrier Safety Assistance Program, the State and Community Safety Grant Program, the National Driver Register, and the Alcohol Impaired Driving Countermeasures Program.

The federal transit discretionary and formula programs will receive the funds they need.

The Senate-House agreement will provide funds for the Federal Highway Administration to continue its operations and to assist the States in running their transportation programs. Without the measure before us, the Federal Highway Administration would have shut down in January and 3,600 employees would have been sent home because we lack the ability to pay them.

The Senate-House agreement extends the transfer of funds from the highway trust fund to the aquatic resources trust Fund to be used for sport fish restoration and boating safety programs.

The bill also will provide funds necessary for our local transportation planners, the metropolitan planning organizations, to continue their work.

The agreement also provides $5.5 billion in new contract authority, which will be distributed proportionately according to the structure in the Senate-passed bill. I want to make it clear that this new contract authority will not affect the overall spending limitation of $9.7 billion provided in the agreement.

Let me add that we will have the opportunity next year to enact a long-term ISTEA reauthorization that will set the comprehensive transportation policy necessary to take us into the next century.

The majority leader has assured me that the ISTEA II bill—in other words, the one that we will be considering next year, that we have already had on the floor but regrettably we weren't able to get to it for longer—that the bill which was reported out of the Environment and Public Works Committee 7 weeks ago will be the first item before the Senate when we reconvene in January.

That is the statement of the majority leader.

In the meantime, the Senate-House agreement will keep the State and Federal transportation programs running. It will ensure that no highway contractors will be put out of work because of lack of Federal dollars. And it will continue funding for vital safety and transit programs. Moreover, it will keep the momentum going to enact the 6-year bill early next year.

Before closing, Mr. President, I want to give special recognition to Senator BOND, who was instrumental in making sure that we addressed these important issues before going home for the year. Senator BOND did yeoman work on this program, as did Senator WARNER and Senator BAUCUS, both of whom are on the floor. And I personally thank them for their diligent and constructive work on this program.

I also wish to thank the majority leader for all of his help. He was a steadfast ally in assuring that this work would be completed.

Further, Mr. President, the staff of all members have been tremendously helpful. Jimmie Powell, Dan Corbett, Tom Sliter, Linda Jordan, Cheryle Tucker, Kathy Ruffalo, Ann Loomis, Ellen Stein, Tracy Henke, and Keith Hennessey of Senator LOTT's staff, every single one of them have done yeoman's work in connection with getting this bill in the shape it is now, and all of us join in thanks to each and every one of them.

I thank the Chair.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I have known Senator CHAFEE since 1969, when we served together in the Department of the Navy. One of the hallmarks of this great American is humility, and he always displays it. But we know that in the final few hours here it has been our chairman, JOHN CHAFEE, who has struck the final chords of negotiation and coordinated with our distinguished leader, Mr. LOTT, and was able together in consultation with Senator BAUCUS, myself, and Senator BOND to fashion the final portion of this interim highway measure.

So we thank the chairman, indeed, the staff and all, and again our distinguished leader. I have now served under three leaders, and Senator LOTT has the ability to tell a chairman to go get the job done. If necessary, you can contact me. Otherwise, I trust you. He effectively runs the Senate, certainly on our side of the aisle, with that type of strong leadership and confidence in which he imposes on chairmen and members to do the job.

I think we have done the job for both sides. It has been a bipartisan effort. As a committee chairman, it is a privilege for me to have the distinguished senior Senator from Montana [Mr. BAUCUS], as my ranking member on the subcommittee which he takes on in addition to his overall responsibilities as ranking member on the full committee.

It is interesting; the three of us, in guiding through the principal bill, ISTEA II, the 6-year bill, have been really working in concert as a triumvirate all along in fashioning this important piece of legislation.

Mr. President, the distinguished chairman went over the various provisions here—flexibility whereby the States are allowed to spend unobligated balances for highway construction, highway safety and transit projects, and, second, continues transportation programs. Every State will have 50 percent of their 1997 allocation to continue highway spending. This is a unique formula. Recognizing that this Chamber was not going to pass a 6-month bill as sent over by the House, Mr. Bond, of Missouri, came forward with this basic blueprint which then the four of us crafted, and it took a lot of give and take to craft it in such a way that we did not restore the formula—no formula fight at this point in time.

I do not call it a formula fight. I just call it a formula resolution because eventually we are going to have to resolve this formula thing, and we will do it. But thus far this bill, this particular Bond bill preserves the flexibility for the Senate to continue with the ISTEA II bill which is a bill that I term fair. Fairness is the hallmark of all of our work that has gone into the ISTEA II 6-year bill which hopefully we will pass in large measure as currently structured by our committee, but it is a formula which is fair, and that is the thing that was so lacking in ISTEA I.

New funds for critical programs; continues funding the Federal Government for 6 months for essential safety, transit and Federal highway operations. Three thousand five hundred jobs were held in abeyance and still are until the President's signature is affixed to this piece of legislation.

Now, they are the persons not only here in the Nation's Capital but each of the 50 States, in the highway offices, who day in and day out through good weather and bad weather, through one administration in the State and the next administration, are there as professional advisers on the very important obligation that all of us have to modernize and to continue to improve America's highway infrastructure.

A major change from the Bond bill provides $5.5 billion in new contract authority to the States using the Senate's approach. Now, that is a large measure we should acknowledge came from the House of Representatives under the leadership of their chairman and ranking member. And Mr. CHAFEE, Mr. BAUCUS, Mr. BOND, and I have met with them the past several days. That was something they felt very strongly about, and it is the result of a compromise. They fought very hard in some instances to make some modifications for States which deservedly should have some additional recognition. It was the judgment of those of us certainly on this side that we could not in this bill at this time begin to single out some of those hardship cases, but their rights to reassert those hardship cases for several States are preserved under this bill for the 6-year bill next year. These funds are an advance to the States. These funds will be counted as part of each State's formula until the final bill is done.

So that in substance concludes my remarks, Mr. President. It is really just so pleasing for us, after such a long struggle, to preserve this infrastructure so that the jobs can continue. All over America, literally millions of jobs depend on the passage of this piece of legislation. And the several Governors I think can say to themselves that they have had a strong influence on this bill, all 50, one way or another together with their respective secretaries of transportation and the officials in that State who have in them the responsibility for transportation.

I think, all in all, we have done a good job.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I will not comment on the specifics of the short-term bill. They have been adequately described by the very distinguished chairman of the committee, Senator CHAFEE, of Rhode Island, as well as the distinguished chairman of the subcommittee, Senator WARNER.

I do have a couple of points I want to make which I think are very important. No. 1, this is a true compromise. We in this body suggested $500 million in new contract authority. The House originally suggested about $12 billion in new contract authority for next year. We have compromised on $5.5 billion in new contract authority, and we have done it in a way which does not get into new formulas. The Senate has its formula certainly in the 6-year bill it passed. The House has their formula approach.

This short-term bill is a compromise in the amounts of the contract authority, but in a way that does not get into formulas. I think that is very fair, again reminding Senators that about $9.7 billion will be available May 1.

The second point is this will allow States to have continuity in their highway programs. Contractors, highway commissions, employees, guys in the various labor unions, men and women who actually do the work here are very worried about whether we will have continuity, whether the program will continue, whether States will be able to let bids and accept bids and set up new projects. This bill, the short-term bill, maintains the continuity until we get over into a full 6-year bill, which I hope we pass early next year.

Senator LOTT suggested that we will take up the 6-year bill as the first order of business after the State of the Union Address next year, and I am very hopeful the House will also act very quickly.

Another point is that even though we are somewhat congratulating ourselves in working with the other body in passing this short-term bill, we have to remember that the major challenge is still before us. It is passing that 6-year bill. I urge all my colleagues as well as Members of the other body to be ready to roll up their shirt sleeves the beginning of next year to work very hard to get this 6-year bill passed so then States will truly be assured of continuity.

I particularly wish to thank Members of the other body, the chairman of the House Committee, Mr. SHUSTER of Pennsylvania, also Mr. OBERSTAR, who is the ranking member of the full committee, Mr. PETRI and also Mr. RAHALL. The four of them met with us, and I very much compliment them because they worked very cooperatively with Senators CHAFEE, myself, and Senator WARNER in figuring out this short-term solution. Sometimes negotiations between this body and the other body get a little protracted and unnecessarily so. That was not the case here. The Members I mentioned worked very hard and worked very well together. I thank them very much for all that they have done. This is a good compromise. It provides flexibility and it is something we can proudly pass, so long as we remember that next year we have major work ahead of us.

I particularly wish to thank our outstanding staff: Jimmie Powell, Dan Corbett, as well as Linda Jordan, and Cheryle Tucker, who are with Senator CHAFEE's staff, worked extremely effectively and hard, Ann Loomis and Ellen Stein with Senator WARNER, and Tracy Henke, the voice of Senator BOND. She is very, very good. I was very impressed with her in these negotiations. And two members of my own staff, of course, Kathy Ruffalo and Tom Sliter. I will not say they are better than the others, but they are very, very good. We have a good team, and we work very well together. I was really struck with just how closely we have been working together. Senator WARNER and Senator CHAFEE have alluded to it, but it is also at the staff level. It is cooperation and it is teamwork which I very much look forward to as we work out the 6-year bill next year.

I thank the chairman and I thank the chairman of the subcommittee.

I yield the floor.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. ABRAHAM. I thank the Chair.

I would like to just comment on the legislation which we are passing here, the 6-month extension of the highway legislation. I compliment all of the Members on this side who have been involved in these negotiations for their success in bringing about a short-term extension.

As one of the numerous Members here who has been in correspondence as well as in conversation with the leadership on this issue for the last several weeks urging a short-term extension, I am pleased that we have reached one. As I think all of the participants know, last week when the first effort along these lines was undertaken, I offered, or attempted to offer as a substitute, to actually call up the bill which had been passed, Representative SHUSTER'S bill, H.R. 2516. That legislation from the standpoint of my State would have provided more funds, much needed funds for our State of Michigan over the next 6 months, and I had hoped that perhaps we could have that legislation fully considered as part of this process. An objection was raised, and I understand the reasons for it, and consequently we did not have the opportunity to actually vote on the House legislation. Had we had that chance, I would have voted to support it, which is the reason I sought to bring it to the floor.

Nevertheless, moving forward with an extension of one sort or another—as long as it begins to move us in a direction, from Michigan's perspective, of fairness and equity with regard to transportation dollars—was important for us to accomplish for several reasons. First, because highway planning and construction need some sort of legislative framework in which to operate. In my State of Michigan, highway commissioners and contractors are now in a position to begin planning for next year's construction season. In addition, of course, it is vitally important that highway and trucking safety programs are provided the necessary funding to continue operating as well. In addition, this short-term extension does provide new funding for my State, funding which is at a level greater than that which we are used to under the current ISTEA formula that has been in effect in recent years.

Finally, the legislative extension provides a deadline of July 1 for us to pass follow-on legislation to ISTEA. That, in my judgment, will level the playing field during the legislative process and take away the incentives for some States with high levels of unobligated balances to engage in delaying and other types of dilatory tactics in order to force donor States to continue to operate under the old deal, which was a bad deal.

Let me also speak specifically about this legislation's impact on Michigan and our funding levels. Under the legislation passed here today, Michigan will receive $163 million in additional contract authority. This will provide Michigan with a total of $380 million in highway funds through May 1, or $650 million on an annual basis. This is $135 million more than Michigan averaged under ISTEA and $130 million more than we would have received under the original Senate formula that was proposed last week.

So I thank and compliment our Senate participants here, the leadership of the Environment and Public Works Committee, as well as the Subcommittee on Transportation and Public Works for the movement that has taken place since last week. This definitely, from the standpoint of Michigan, is a good start. But I want to stress that I see it as a good start, not the end of the story, as the Senator from Montana just indicated. There is much more to be done. A full 6-year bill is now the next item for us to consider with respect to transportation funding. Apparently it will be at the beginning of next year's session that we take up that 6-year plan. So I intend to continue working, as I have worked during this process, to ensure that Michigan's return on gas tax dollars is more equitable than it has been in the past.

Michigan is 1 of the 21 donor States. We have traditionally received back as little as 69 cents for every dollar of gas tax we have sent to Washington. Our high-water mark is usually, at the best, in the 90-cents-back-per-dollar-sent-to-Washington range. But that doesn't happen very often.

As a result, the roads, the bridges and the other projects that fall under this legislation in our State have been dramatically underfunded. At the State level, action has been taken this year to provide more funding through an increase in the State gas tax to address in part these problems. But it is equally clear that, unless more funding is made available to Michigan from the Federal level, we will not be able to meet all of our transportation obligations as we move into the next century. The reason we are not receiving the level that we should is a result of the formulas that have been in place and the various other sorts of projects that have been in place during recent years.

So I stand here today to indicate my continued vigilance on this issue, my continued willingness to work with all of the Members on the Senate side, and anyone on the House side as well who will be participating in this process, for the purpose of securing Michigan its fair share. For too long we have been sending more highway dollars, more gas tax dollars to Washington than we have been receiving back. That has hurt our State. It is time for that to change. So we will continue the effort. I look forward to working with Senators CHAFEE and WARNER and BAUCUS and others.

In the remarks of the Senator from Virginia, he mentioned certain hardship States. I don't think the term ''hardship'' could be more applicable than it is to the State of Michigan. We suffer from the fact that our Interstate System is 7 years older on average than the rest of the country's. We have, as a result of the climate and the cold weather that we confront in our winters, far more seasonal challenges than most States must face.

For all of these reasons, combined with the fact that we have been a donor State, we do not have the infrastructure transportation system that the citizens of our State deserve. So this Senator will continue to work to ensure, when the final decisions are made and when the ISTEA package for 6 years into the future is ultimately resolved, that it reflects Michigan's needs, the hardships we have worked under, and the legitimate requirements that we have to address our economic and transportation challenges in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, the Senator from Michigan mentioned that he was going to be vigilant. I can assure everybody within range he has been vigilant, continuously, on this legislation. As a matter of fact, I have not quite gotten to the situation where, when I see him coming down the hall, I will duck into a nearby doorway, but he has pressed Michigan's case very, very strongly. When he assures us that he is going to continue that vigilance, I am not sure I look forward to that with the greatest of pleasure.

Nonetheless, he argues his case very, very well in behalf of Michigan, and I am sure he will continue that vigorous presentation in the future. So I thank him because he does present his arguments well, and that is very, very helpful.

Mr. ABRAHAM. Will the Senator from Rhode Island yield? I would just like to thank the Senator from Rhode Island, as I said. While I know I have been a frequent visitor to his doorstep and to those of the other Members here, he consistently and very graciously listened to our case, and we look forward to working with him and thank him for his consideration and his willingness to work with us.

Mr. CHAFEE. Mr. President, the Senator from Montana was so right in recognizing the cooperation of the Members of the House. I worked with them, as did the other Members. Several times we had meetings, telephone calls with Representative SHUSTER, the chairman of the counterpart committee in the House, Representative PETRI, Representative OBERSTAR, and Representative RAHALL. All of them were very helpful. Obviously, you cannot get a compromise unless you get the other side to join in the compromise. Fortunately, they were helpful in achieving that.

Mr. President, also, when I listed the staff members that we worked so closely with, I omitted Brian Riley from the Budget Committee, who was extremely helpful to us. His knowledge and expertise were very, very useful.

Mr. LEVIN. Mr. President, I would like to engage in a brief colloquy with the distinguished chairman of the Subcommittee on Transportation and Infrastructure regarding the bill we have before us.

Does this bill extend or otherwise reauthorize the inequitable formulas that were part of ISTEA?

Mr. WARNER. Only insofar as the fiscal year 1997 allocations are a reflection of the formulas that were operating in the final year of ISTEA. However, this bill is formula neutral. We are simply allowing States to use a portion of their unobligated balances with a nominal amount of new contract authority. This will not and should not change any States' relative bargaining position when we finally act on a longer-term authorization bill which provides new obligation authority to the States for fiscal year 1998 and beyond.

Mr. LEVIN. Is there anything in this bill that would prejudice efforts later in this Congress by me and other Senators from donor States to seek more equitable treatment for our States than we received under ISTEA, such as in Senate amendment No. 1376, which I offered on October 27.

Mr. WARNER. No. This is simply a stopgap measure to allow Federal Highway Administration, safety and transit programs, and to distribute limited highway obligation authority to the States so these important transportation programs can continue, albeit at a minimum level. Formula changes could occur next year and it is our intent they be retroactive.

Mr. LEVIN. Lastly, I understand that any contract authority distributed through this bill to a State will be subtracted from each State's allocation in fiscal year 1998 and later. Could the Senator comment on that statement?

Mr. WARNER. The Senator is correct. Though this bill cannot bind the outcome of the multi-year bill, we have an agreement that any contract authority distributed to a State will count against the amount that that state will be authorized to receive in fiscal year 1998 and beyond.

Mr. LEVIN. I thank the Senator for his assistance, and his continuing hard work on behalf of a fairer highway funding formula.

Mr. MOYNIHAN. Mr. President, Senators CHAFEE, BOND, WARNER, and BAUCUS are to be commended upon their successful negotiations with the House to produce a short-term extension to the Intermodal Surface Transportation Efficiency Act [ISTEA] of 1991. This bill will provide the States with the necessary funding while Congress completes its consideration of a 6-year authorization bill early next year.

I am pleased that the agreement authorizes the States to spend up to $9.7 billion in highway funds and up to nearly $3 billion in transit funds over the next 7 months. The bill also provides an additional $5.5 billion in advance contract authority for the future continuation of our highway program.

The bill provides States with flexibility to transfer money among program categories. The Secretary of Transportation is required to ensure, however, that all transferred funds be restored to their original intended use once a long-term bill ISTEA is passed. I intend to join with my colleagues to make sure that the Secretary faithfully carries out this directive and that none of ISTEA's key environmental programs, like CMAQ and Enhancements, will suffer because of the flexibility granted in this measure. The bill also provides $78.5 million directly to the metropolitan planning organizations, so they will not be adversely affected by this flexibility provision.

New York will be apportioned $325 million in new highway funds and $380 million in transit funds. With its existing balances, New York will be able to spend nearly $900 million over the next half year on transportation. I am confident that with this measure, New

York will be able to maintain its highway and transit construction program over the short term.

I am concerned, however, that come May, the House and Senate will still not be close to agreement and we will face the need to pass another short-term measure. It is essential that the process for passing any future ISTEA extensions be inclusive and address the needs of the transit program, which, unlike highways, will have almost no unobligated balances by May. ISTEA's goal was to create an intermodal transportation system and I will fight any attempt to divorce highway needs from transit needs.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FAST-TRACK LEGISLATION

Mr. FORD. Mr. President, the Senate is in the process of considering fast-track legislation—a take-it-or-leave-it procedure for any trade agreements the administration sends to the Congress for approval. This procedure, created back in 1974, prevents Congress from taking any steps to improve trade agreements, even if there is unanimous agreement to do so.

While it has only been used five times since its creation, Americans need to understand that it amounts to an abdication of Congress' power, granted under article I, section 8 of the Constitution: ''to regulate commerce with foreign nations.''

Fast track does not provide the President with negotiating authority. The President already has that authority. Agreements are then submitted to Congress for its approval.

In fact, this President has concluded over 200 trade agreements since taking office, only 2 of which were approved by Congress under fast-track procedures.

Mr. President, much is at stake in this debate. The issue today is how we can best ensure that all Americans—corporate chiefs, shareholders, and workers—can benefit from expanded trade.

Supporters of fast-track legislation are misleading the American public when they claim our economic leadership is at stake. Last month's turmoil in the financial markets provided new evidence that the entire world takes its economic cues largely from what happens here in America.

This is also not a battle that pits free traders versus protectionists. With exports a key part of the U.S. economy, no one is discounting our economy's global nature. But the fact remains that this Nation is already the most open market on the Earth. And no one opposing fast track today is seeking to raise a tariff wall against goods from other nations.

The real issue is what America's trade policy should be for the 21st century. Do we continue doing things the way we have been doing them for the last 20 years? Or do we find the courage to develop a trade policy that benefits all Americans, from the corporate office to the assembly line to the storefront. And do we finally forge a true partnership between the executive and legislative branch to develop trade policy?

Fast-track supporters maintain that, without the fast-track procedure, Congress will simply amend any trade agreement to death. They say trade agreements involve too many players, are too complicated, and are too delicate to risk bringing before a Congress where most Members didn't have direct involvement in the negotiations.

This is nonsense. There are many, very complicated and delicate issues passed by Congress through the normal legislative process. This year's budget deal is a prime example, There were many players involved. The subject matter was broad and complex. Most Members did not play a direct role in the negotiations. And the final resolution involved a delicate compromise that could have easily fallen apart.

But Congress took up the entire package and passed it. The President signed it and we are now on our way to a balanced budget. I believe the same model could be applied to trade talks.

Mr. President, aside from the basic philosophical differences over how this Nation should approach trade policy, the fast-track bill reported by the Finance Committee forces the President to negotiate trade agreements in a vacuum. Under this legislation, the President is forced to ignore the lack of fair labor standards or adequate environmental standards in other countries.

We should not simply accept the premise that labor and environmental standards have nothing to do with trade. Any business in America recognizes that labor and environmental policy is, in fact, competitiveness policy. If they didn't believe it, they wouldn't oppose even modest increases in the minimum wage. If they didn't believe it, they wouldn't be concerned about new EPA regulations on clean air.

But the fact is, they do believe it. And so should Congress when it comes to the labor and environmental policies of our trading partners. They make a difference wherever goods are made, bought, or sold.

My colleagues should also be aware that the committee bill requires the President to ignore environmental and labor policy, while at the same time requiring him to negotiate on several other nontrade areas.

Patent and copyright law. Monetary policy. Food safety issues. Government procurement policies. All of these are included in the bill's principal negotiating objectives because the committee recognizes that these nontrade areas have an impact on trade.

We do use trade agreements to promote more consistent and more equitable regulatory systems around the world. And we need to recognize, once and for all, that the nonenforcement—or nonexistence—of labor and environmental standards jeopardizes American jobs and industry just as much as the nonenforcement and nonexistence of intellectual property laws.

One of the first agreements that would come before the Senate under fast track would be the accession of Chile to the NAFTA. So, it's fair to ask how well this agreement, negotiated and adopted under fast-track procedures, has operated for our country.

One year before the implementation of NAFTA, the United States had a trade surplus with Mexico of about $2 billion. Last year, the United States had a trade deficit with Mexico of nearly $17 billion—a $19 billion shift in trade over a 3-year period. The administration claims that 120,000 to 160,000 jobs have been created as a result of NAFTA. But the Labor Department's NAFTA Trade Adjustment Assistance Program has certified 136,000 workers as having lost their jobs as a result of NAFTA. Other estimates, including a recent one by the Economic Policy Institute, put the number at 400,000 jobs lost.

By far, the hardest hit has been the apparel sector, which has lost 158,000 workers in the last 28 months as apparel imports from Mexico have doubled.

NAFTA certainly has been a success—for Mexico. Unfortunately, America has fared much worse under the agreement.

Fast-track supporters argue that if we don't act now to expand the NAFTA to include Chile, and, ultimately, other South American countries, we will cede our leadership and fall behind to other trading partners.

But listen to what the pro-NAFTA 20th Century Fund has to say about the cost of not expanding NAFTA:

> What are the costs to the United States if NAFTA is not expanded? . . . Despite the growth of intraregional trade outside the NAFTA, the costs to the United States of failing to expand NAFTA are not high in strictly economic terms. Whatever occurs on the trade front, the United States will remain the region's dominant economy. NAFTA represents 75% of trade in the hemisphere. . .And NAFTA's exports and imports are more than ten times those of Mercosur, the next largest regional organization.

And the facts bear out what the 20th Century Fund says. In the past year, without fast track and without new trade agreements, our trade surplus with South America has doubled, to $3.6 billion.

As bad as the national numbers are, they are still worse for my own State of Kentucky. Exports to Mexico account for just 3 percent of all Kentucky's exports and support just 950 jobs, according to the pro-NAFTA