Mr. WYDEN. Reserving the right to object, I am very hopeful I will not have to object in a couple minutes. And just a couple of matters have to be resolved. I think we can do it quickly.

Mr. LOTT. Is there objection?

The PRESIDING OFFICER. There is objection.

Mr. LOTT. Thank you. I thank the Senator for yielding.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I would like to continue.

ISTEA

Mr. WARNER. Equity for the donor States. ''Donor States'' is a category created by ISTEA I. We never actually heard that term prior to ISTEA I. But generally speaking, what it represented was as a consequence of ISTEA I, a group of States, about 18 to 20 in number. Some were right on the borderline. Those States, when their citizens or visitors in those States went to the gas pump and paid this very significant Federal gas tax, those 19 States got back a very small amount in comparison to other States whose return, as a consequence of ISTEA, was far higher.

My State got 79 cents on what we called the apportion dollar that comes back from the highway trust fund; other States had equally. Several had less than my State. And that was basically an unfairness to the citizens of that State, that those moneys that they expended in a Federal tax, and which was represented as to be for the purpose of highways, did not come back in what I believe was a fair formula.

So the foundation in this bill was to change that inequity such that that class of donor States received no less than 90.5 percent.

Mr. REID. Would my friend yield for a unanimous consent request?

Mr. WARNER. Yes.

Mr. REID. I appreciate it very much. I am sorry to interrupt.

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Drew Willison, a congressional fellow in my office, be allowed privileges of the floor during the debate on this conference report.

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

ISTEA

Mr. COVERDELL. Will the Senator yield?

Mr. WARNER. Yes.

Mr. COVERDELL. With regard to this question of donor States, the two States that were the most—if that is a standard, legitimate standard—the two States that received the weakest return were South Carolina and Georgia.

It is my understanding that the provision we are now talking about has a floor of 90——

Mr. WARNER. Ninety and a half.

Mr. COVERDELL. And a half.

Mr. WARNER. That is correct.

Mr. LOTT. Would the Senator allow me to renew this unanimous consent request?

Mr. WARNER. Yes.

Mr. LOTT. I thank the Senators who are on their feet. I think this will allow everybody to continue in a moment.

TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY—CONFERENCE REPORT

Mr. LOTT. I ask unanimous consent again, Mr. President, the Senate proceed to the ISTEA conference report notwithstanding the receipt of the papers and the reading being considered dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. I would suggest perhaps we could make the unanimous consent request subject to the circumstances that are now being discussed with the Senator from Oregon and the Senator from Massachusetts, that assuming that those two matters could be worked out, that no additional unanimous consent requests would be in order.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the ISTEA conference report, notwithstanding the receipt of the papers, and it be in order for me to ask for the yeas and nays on the adoption of the conference report, and, further——

Mr. WYDEN addressed the Chair.

Mr. LOTT. Let me complete my request. And, further, I ask unanimous consent that if the House passes the identical text, the vote be considered as having occurred on the conference report. I further ask unanimous consent that this agreement be null and void only by the Senator from Oregon, Senator WYDEN, within the next 5 minutes.

Mr. HARKIN. I object.

Mr. LOTT. I renew the same request with the exception of Senator WYDEN and the Senator from Iowa.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. Mr. President, in response to the majority leader's request for unanimous consent to proceed to the conference report on ISTEA without having all of the conference report papers in hand, I must withhold my consent until I have had the opportunity to review the sections of the report relating to important funding and project matters for Oregon. It is not my intent to delay final action on this major piece of legislation; however, I want to be assured that commitments that have been made are reflected in fact in the conference documents.

The PRESIDING OFFICER. The report will be stated.

The assistant legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2400), have agreed to recommend and do recommend to their respective Houses this report, signed by majority the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of May 22, 1998.)

Mr. WARNER. Mr. President, I now ask for the yeas and nays on the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. I thank the Chair.

Mr. President, the Senator from Georgia was posing a question to the Senator from Virginia.

Mr. COVERDELL. In essence, I was asking if the conference report—the floor was 90, so that although South Carolina was getting 71 cents back and Georgia 74, we could expect, if this were to pass, 90.5 cents?

Mr. WARNER. Mr. President, the Senator from Georgia is correct. And I must say that it was only because of the efforts of the Senator from Georgia, the Senator from South Carolina, and all in the donee-donor dispute—the donor States bonded together. I thank the Senator for his help, because without it we could not have achieved this result.

Mr. COVERDELL. One more comment. There are still donor States, so there is in this agreement a recognition of special circumstances, distances, rural areas, or other infrastructures. There is still a subsidy that occurs, some of it legitimate.

Mr. WARNER. Mr. President, the Senator is correct. There are certain programs, like the Federal Lands Program, certain environmental programs, to which all the States contribute. The Senator is correct.

But the major achievement is the floor, which is a floor that puts us in range with almost all the other States of significant size. For instance, the smaller States, there are 13 small States. That was the second building block that the Senator from Virginia put together to formulate this bill months ago. It seems so long ago now. The distinguished Senator from Montana was a key player in that, Senator GRAHAM of Florida, and we put this together.

Indeed, I would like to acknowledge the participation by the Governors of these various States, the donor States, and the small States, and their various highway representatives.

So that was the nucleus, the engine that began to take this bill down.

Mr. COVERDELL. I won't interrupt the Senator's speech, but I take this

moment to commend the Senator from Virginia. This has been a very vexing issue, and I thank the Senator.

Mr. WARNER. I thank the Senator for his very active participation. I feel a certain sense of achievement that this Senator from Georgia can go back now and say to his constituents at long last equity prevails in the distribution of our highway trust fund.

Mr. COVERDELL. I thank the Senator.

Mr. WARNER. Did the Senator have a question?

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Virginia has the floor.

Mr. WARNER. I yield for a parliamentary inquiry.

Mr. HARKIN. Parliamentary inquiry. I wonder if we could get 5 more minutes.

Mrs. MURRAY. I object.

Mr. LOTT. Reserving the right to object, you are just extending for 5 more minutes?

Mr. HARKIN. Yes.

Mr. LOTT. I have no objection.

Mr. WARNER. I thank the Chair. The Senator from Virginia is one of the managers of the bill and very much wants to accommodate other Senators.

I understand the distinguished ranking member of our committee is about to have a colloquy with the Senator from Oregon, so I yield for that purpose and then thereafter would like to regain the floor for my speech.

Mr. WYDEN. Thank you, Mr. President. I thank the Senator from Virginia for his graciousness.

Mr. President, I would like to enter into a colloquy with the ranking member regarding the Intelligence Transportation System Program.

Would the Senator from Montana agree the policy in the program intended to encourage private sector investment should be implemented in a manner that does not interfere with ongoing technology, deployment, and system implementation in States that have already made a substantial investment in its tests and deployment?

Mr. BAUCUS. Mr. President, I say to my very good friend, the Senator from Oregon, I strongly agree with the Senator. In States that have already made a substantial investment in intelligence transportation tests and deployment projects, nothing in this bill before us, the new TEA–21, the old ISTEA II bill, will interfere with ongoing deployment and system implementation in these States.

Mr. WYDEN. I thank the Senator from Montana. It is particularly important to encourage transportation innovation.

I thank the Senator. I yield the floor.

Mr. WARNER. Mr. President, referring to the bill, we have not discussed today the important strides made in safety of the traveling public. Nearly 440,000 persons a year, regrettably, lose their lives on highways and many more suffer incredible injuries. The bill includes four new and significant provisions which hold great promise to save lives.

First, there is a new incentive program to give States funding based on each State's improvement in seat belt use. I want to particularly acknowledge the important contribution of public interest groups speaking on behalf of safety. Those groups indicated that this will greatly reduce highway deaths and injuries.

Second, the conference report contains a new incentive grant program to reduce drunk driving by rewarding States who have passed .08 blood alcohol content law.

Third, the conference report includes a new program to require States to adopt minimum penalties for repeat drunk driving offenders.

I am privileged to say that was a conclusion that this Senator made after close consultation with many safety groups, and, indeed, acknowledgment should be to the other groups—restaurant groups and others who came in to see us on this issue. Statistics on drunk driving confirm that repeat drunk drivers represent one of the most significant parts of our tragedy on the highways today, as a consequence of alcohol.

Fourth, another Senate provision requiring States to enact laws against open alcohol containers is included. Senator DORGAN was particularly interested in that, and he deserves much credit for bringing that to the Senate's attention.

These four provisions, I believe, begin a new day in our efforts to improve the safety of our Nation's highways. The conference report contains a new title, championed by Senator CHAFEE, the distinguished chairman, and Senator GRAHAM of Florida, to implement innovative financing techniques to leverage private dollars for transportation projects.

The bill also recognizes the significant needs of our border States who have experienced significant transportation growth since the passage of NAFTA.

There is a new $700 million grant program to meet the needs of our border States and those trade corridor States carrying significant traffic to those areas.

Lastly, there is a provision in the conference report to provide $900 million to replace the aging Woodrow Wilson Bridge. I wish to express my appreciation to my colleagues from Maryland and my colleague from Virginia, Mr. ROBB, and, indeed, strong assistance from the House. Chairman SHUSTER was very supportive, as was Mr. Oberstar. While they did not put it in the House bill, they recognized I would have it in the Senate bill, and at a figure considerably above the request by the President.

The President took a personal interest in this bridge and summoned a number of us to the White House, to a very important conference presided over by the Director of OMB and his senior staff. There was a general consensus at this conference that the $900 million was as much as we could achieve under this particular piece of legislation, recognizing that these dollars were in competition with the other 48 States and Maryland and Virginia and, of course, the District of Columbia.

Therefore, another piece of legislation will have to be carefully drafted by the White House, in consultation with the Governors of Maryland and Virginia and the representatives of the District of Columbia, to allocate the next financing package which could be as high as this one between the several States, notably Maryland and Virginia, and the District. I think they should bear a portion of it, and a further significant contribution, I presume the majority, coming from the Federal Government and how that would be financed. There were a number of schemes which I think were quite innovative and discussed, but I will leave it up to those drafters of the legislation to work out those details.

I will be pleased, and, once again, together with our colleagues, to work towards passage of this legislation in a timely manner.

Mr. President, I conclude my remarks on this bill, again, commending our distinguished chairman, Mr. CHAFEE, and the ranking member, Mr. BAUCUS—the three of us were the principal negotiators for the conference—and, again, paying great respect to my staff, and most particularly to this loyal one seated next to me, Ann Loomis.

I yield the floor.

Mr. DODD. Mr. President, I rise today to express my views on the ISTEA conference report. I commend the work of the Conference Committee on the job it has done. This is landmark legislation. It represents the most substantial transportation legislation ever considered by the Congress. The bill provides much needed funds for both the construction and repair of our nation's roads, bridges and rails. This legislation will provide the additional resources for our states to meet their compelling transportation needs.

I am particularly pleased that the bill preserves the concept of intermodalism. After completing the nation's interstate highway system several years ago, we decided in the ISTEA bill adopted in 1991 that transportation was not just about highway construction. We committed ourselves to investing funds in other modes of transportation, such as light rail, bus and ferries. If our nation is to move people and goods safely and efficiently in the 21st century, we must diversify our transportation system. This legislation continues on that course.

We have also preserved our commitment to mass transit, which is extremely important in densely-populated states like Connecticut. I was particularly pleased to join Senators D'AMATO and SARBANES in a successful

effort to increase funding for mass transit by $2.4 billion dollars during deliberations between the House and the Senate conferees. I want to commend my two colleagues for their vigilance in this effort.

This legislation also furthers environmentally-sound principles such as congestion mitigation, air quality improvement and alternative fuel technologies. I believe that energy-efficient and environmentally-friendly means of transportation are not only possible, but essential if our nation is going to remain strong, competitive and environmentally healthy into the next century. In this regard, I am particularly pleased that the conference report retains the Senate-passed level of funding for the development and deployment of maglev high speed rail. This is an extraordinary technology that can move people and goods on a fixed guideway at speeds of up to 300 mph. I believe that this mode of transportation can be to the 21st century what airplanes were to the 20th century, and trains were to the 19th—namely, a dramatic step forward in safe, efficient and reliable transportation. I applaud Senator MOYNIHAN for his stalwart efforts to support maglev technology.

In summary, Mr. President, this is good and important legislation. It will improve transportation safety, reduce congestion, diminish pollution, increase efficiency and create jobs for the people of America. For these reasons, the conference report has my support. That is not to say, however, that this is a perfect piece of legislation. I have a number of concerns, as I know that my colleagues do, that I hope will be addressed as we go forward.

I am disappointed that the conference report did not include the Senate provision that would penalize states if they failed to change the legal definition of intoxication to .08 nationally. Although I am pleased that the conference report contains incentives for states to move in this direction.

I am also concerned that the bill offsets some of its spending with a reduction in expenditures for veterans in need of treatment for smoking-related illnesses. For years the United States military effectively encouraged active duty forces to smoke by providing them with free cigarettes. Therefore, it is only fair that the federal government bear its fair share of responsibility for treating veterans with illnesses contracted as a result of addiction to those cigarettes. I intend to work with my colleagues, including Minority Leader DASCHLE and Senators LIEBERMAN and ROCKEFELLER, to insure that as Congress continues consideration of tobacco legislation, we provide for the needs of our veterans.

I am also concerned about the reduction in the Social Services Block Grant. This block grant is important to children and families of modest means throughout the country. We must not compromise on our commitment to provide better health care, child care and nutritional assistance to these needy Americans. As a member of the Labor Committee, I intend to work with members of the appropriations committees to made sure that we find the resources to provide for these families.

Mr. WYDEN. Mr. President, for our nation's economy, transportation is literally where the rubber hits the road. There are few things more important to my home State of Oregon or to the country's economy than how well we build and maintain our transportation system. Transportation is one of the basic ingredients in any economic growth recipe. It is one of the key things that businesses will look at as they consider where to locate.

Both houses of Congress recognized this in passing bills to rev up transportation spending over current levels. Providing more money transportation money clearly helps keep us on the road to competitiveness and economic prosperity.

But the transportation debate involves more than just economics, as important as that is, it's also about our quality of life. I've always believed that you can't have major league quality of life with minor league transportation systems. In the modern world, a transportation bill is about so much more than just how you get from point A to point B.

Congress recognized this when we passed the original ISTEA legislation. For the first time, there was Federal recognition that decisions about where and how to build transportation projects can have tremendous impacts on our communities, our environment and our citizens' quality of life. Through ISTEA, we began to consider the true costs of our transportation spending as part of the process of planning transportation projects. And, for the first time, Federal funds were made available to mitigate the impacts of these projects throught the CMAQ and the Transportation Enhancements Programs.

ISTEA recognizes that properly planned and constructed transportation systems are both economically efficient and environmentally sound.

Badly designed or badly built systems waste taxpayer money and contribute to traffic congestion that snarls our highways. This causes both additional stresses for commuters and additional exhaust emissions that degrade the quality of our air.

Both the Senate and the House bills continue many of these landmark initiatives of the original ISTEA legislation. These were clearly good first steps, but if we're going to improve both our transportation system and our quality of life, we need to do more than spin our wheels.

Today, the Congress has recognized that the Federal government's role in funding transportation project also has ripple effects on patterns of development in our local communities. When it comes to transportation, if you build it, they will come and build around it.

Uncontrolled development not only hurts our citizens where they live and breathe, it also hits them in their wallets. Several studies have come out that show the costs of sprawling growth are significantly higher than more compact, managed growth patterns. These studies show that taxpayers can save billions of dollars in public facility capital construction and operation and maintenance costs by opting for growth management.

Because of the major impacts Federally funded transportation projects can have, there is an appropriate role for the Federal government in ensuring these projects and the development they spawn are both economically and environmentally sound.

That role should not be to embroil the Federal government in land use decisions that have historically been State and local issues. We don't want Federal zoning.

Instead, the proper role for the Federal government is create incentives to encourage and build on the State and local efforts to address transportation and growth that are already underway. I am very pleased to report that the ISTEA conference report includes a program I proposed to help local communities grow in environmentally sustainable ways by creating incentives for local growth management.

I greatly appreciate Chairman CHAFEE, Chairman WARNER and Senator BAUCUS working with me to include this program in the bill. Chairman CHAFEE and the other managers of the legislation also deserve enormous credit for how they have built on and reinforced the goals of the original ISTEA law. Thanks to their efforts the bill now before the Senate will enable our national environmental policies to merge more smoothly with our transportation policies.

The new Transportation and Community and System Preservation Program provides $25 million per year investigate and address the relationships between transportation projects, communities and the environment. The Program consists of three parts:

(1) a comprehensive research program;

(2) a planning assistance program to provide funding to States and local governments that want to begin integrating their transportation planning with community preservation, environmental protection and land use policies; and

(3) an implementation assistance program to provide funding to States and local governments that have developed state-of-the-art approaches to integrate their transportation plans and programs with their community preservation, environmental and land use planning programs.

The research program will create a database on the experiences of communities in uniting transportation, community preservation, environmental and land use goals and decision making

processes. This research will also identify benchmarks for measuring the performance of communities' experiences. This information will be a valuable resource to help communities throughout the nation meet their future transportation needs with lower environmental impacts, improved transportation efficiency, lower infrastructure construction and maintenance costs, and in a way that is more responsive to the views of their citizens.

The planning assistance provided by this program will mean additional financial resources to States and communities that wish to explore ways to integrate their transportation programs with community preservation, environmental and land use planning programs. Participants in this planning assistance program would be able to develop their own local approaches to meet their needs. And, as their programs develop, they could become eligible in the future for funding to help implement their locally developed solutions.

Finally, for States and communities which already have established community preservation or land use programs, the program provides additional financial resources to enable them to carry out transportation projects that also meet community preservation, environmental and land use goals. In providing this assistance, the Secretary of Transportation is directed to give priority consideration to applicants that have instituted policies such as directing funds to high growth areas, urban growth boundaries to guide metropolitan expansion, and ''green corridors'' programs.

My home State of Oregon leads the nation in developing innovative approaches to manage our growth and to tie transportation policies in to growth management. Our statewide land conservation and development program requires each municipality to establish an urban growth boundary to define both the areas where growth and development should occur and those areas that should be protected from development. This system keeps agricultural and forest lands in productive use and preserves ''green corridors'' for hiking, biking and other recreational uses that are located in or close to urban areas. Our transportation planning and construction efforts reinforce these policies by not only avoiding developing in environmentally sensitive areas but also by helping make the areas where we want development to occur more accessible.

Oregon recognizes that it's not enough to tell people where they can't build. For our system to work, we have to make it easier to develop the areas where we want growth to occur. And we don't just give lip service to this principle. We actually put our money where our mouth is to make sure the development we want occurs.

The State of Oregon and METRO, the Portland area's regional government, are currently using $3 million of our Surface Transportation Program (STP) funds to develop housing and commercial properties around light rail stations. Our folks have even figured out how to use $3.7 million CMAQ air quality funds to help pay for sidewalks, light rail tracks and landscaping in these developments.

These policies make the State of Oregon, METRO, the City of Portland, and other localities in our State ideal candidates to apply for implementation grants under the Transportation and Community and System Preservation Program.

Mr. KERREY. Mr. President, I rise today to discuss the Conference Report to the Intermodal Surface Transportation Efficiency Act of 1998 (ISTEA). During this period of tremendous economic growth, I believe investing in the nation's transportation infrastructure should be one of our highest priorities. I am pleased to offer my support to the passage of this legislation.

Mr. President, despite my support for the improvements in the transportational infrastructure that will occur as a result of this bill, I have strong concerns about one of the funding sources contained in this legislation. I do not believe that we should take money from veterans disability programs to be spent building roads. At a time in which the veterans hospitals in my state are experiencing budgetary shortfalls, I am troubled about transferring funds away from the Veterans Administration (VA). We in the United States have a long-standing commitment to providing benefits and healthcare to those who have served our country in the Armed Forces. In my opinion we should be working to strengthen that commitment, not weaken it through budgetary slight of hand.

The issue of providing compensation to veterans for tobacco-related illnesses is one which the Congress must take closer look at in the coming months. During consideration of the FY99 Budget Resolution, I voted in favor of an amendment that requires the Veterans Administration, Office of Management and Budget (OMB), and the General Accounting Office (GAO) to jointly study the VA General Counsel's determination regarding compensation for tobacco-related illnesses. I fully expect Congress will conduct a detailed examination of the results of this study and will engage in full debate before any change in permanent law is enacted. Regardless of the ultimate outcome of that debate, any savings as a result of a change in VA compensation policy should be redirected into VA health care and benefits programs, not into transportation infrastructure.

Mr. President, despite my concern about this funding provision, I will vote in favor of this Conference Report because I believe today's investment in roads and transit systems lays the groundwork for economic growth for decades to come. The Senate's passage of this legislation will improve the safety of our roads, create jobs, spur economic activity and give more Americans a shot at the American Dream. I strongly urge my colleagues to join me in support of this legislation.

Mr. SMITH of New Hampshire. Mr. President, I join the majority of my colleagues today in expressing strong support for the conference report on H.R. 2400, the Intermodal Surface Transportation Efficiency Act reauthorization. As a member of the conference committee, I know the amount of time and effort that was put into developing this final agreement. I believe a fair compromise was reached among the wide variety of interests and between the House and Senate.

This legislation represents a change from past transportation legislation and a shift toward an integrated, intermodal transportation system to promote efficiency and economic growth. Some of its major provisions include: assurance that gas tax dollars are used for transportation purposes, greater planning authority for state and local government, increased funding for highway safety, and funding for environmental protection activities.

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

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

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

In conclusion, I believe this is a good bill and deserves Senate approval. The quality of our Nation's transportation system is depending on it. Thank you, Mr. President, and I yield the floor.

Ms. MIKULSKI. Mr. President, I rise in support of the conference report accompanying the re-authorization of the Intermodal Surface Transportation Efficiency Act. While I support this legislation, I am disappointed that veterans programs were used to pay for a portion of this bill. Nonetheless, this bill

contains significant increases in funding for Maryland's highway and transit programs. I am proud to have worked with my colleague Senator SARBANES to make sure Maryland got its fair share of funds for its transportation needs.

With billions in needed maintenance and construction in the State of Maryland, this legislation will make our highways safer and expand transit options for our citizens. It will help to ease the flow of traffic on our major highways and byways and begin the long awaited re-construction of the Woodrow Wilson Bridge.

This bill provides $900 million for a new Wilson Bridge, $500 million more than the Administration proposed last year. Although this does not represent the total cost of a new bridge, it is a first step toward replacement of the bridge. Let me make it clear, I do not consider this funding to be the end. I consider this to be the beginning. In future years, I will continue the effort to secure additional funding to complete the re-building of Wilson Bridge, a critical link on the I–95 system and the only federally owned bridge in the system.

Under this bill, Maryland will receive more money for its highway program than it gets now. Maryland can expect approximately $400 million per year for its highway program—almost $90 million more than it gets now. This is almost a 30 percent increase in funding that will help improve the conditions of our highway system—which is one of the most congested in the nation. The Washington area has the second longest commute time in the nation. The funds authorized in this bill should help provide some much needed relief.

The bill not only provides more funds for Maryland's overall highway program, it specifically targets funds for high priority projects around the State. The bill provides $26 million to upgrade Route 113 in Worcester County, one of the most dangerous highways in the State of Maryland. Every time I visit the Eastern Shore, I am always reminded about the need to upgrade this highway. Too many Marylanders have lost their lives on this stretch of roadway. This legislation will fund the first and most critical phase of this project to make the road safer for those who use it.

Another major project that has desperately needed funds has been the I–70/I–270 interchange in Frederick. It is one of the only interchanges on the interstate system that does not meet interstate standards. It has been a safety hazard for years. The lack of an adequate interchange in the area has forced trucks off the interstate and into surrounding areas. This legislation will provide funding to complete the first phase of reconstruction and relieve the local community of this burden, while improving the safety of this section of highway.

For the first time, almost $10 million will be earmarked for Route 32 in Anne Arundel County in the vicinity of the National Security Agency. This highway is one of the most heavily traveled highways in the State and needs to expand capacity to accommodate the growth in the surrounding area.

This legislation will also increase funding for the Appalachian Highway System. Maryland can expect to receive approximately $6 million per year for the next six years under this bill—that is enough to rebuild U.S. 220 in Allegany County. This is the number one highway priority for Western Maryland and a serious safety problem. This is $4 million per year more than Maryland receives now. Thanks to this legislation, Maryland will have the funds to upgrade this highway.

Mr. President, not only does Maryland receive more highway dollars, we receive more transit dollars. Maryland will receive almost twice as much federal funds for its transit programs. The MARC system will receive an additional $185 million and the Baltimore Light Rail System will receive $125 million to double-track the system. This will continue to expand transit opportunities for Marylanders and help relieve congestion on our highways.

Mr. President, I do have one major reservation to this conference report. I believe it is just plain wrong that our veterans are being asked to sacrifice their compensation for our transportation needs. I made my feelings very clear when I voted in favor of an amendment to the Budget Resolution earlier this year that called on the Congress to protect veterans benefits. As the Ranking Member of the Veterans Affairs Appropriations Subcommittee, I will look for way to ensure that these funds are replenished. Our vets, our heroes, deserve better and I will fight to correct this deep injustice.

Despite my anger over the veterans offset, I will support this legislation because it is so important to improving the safety of Maryland's highways, byways and transit systems. Improving public safety and creating jobs are two of my highest priorities and this bill addresses both.

Mr. ALLARD. Why does ISTEA allow the Administrator of the Environmental Protection Agency to provide for earlier state implementation of the Commission's recommendations?

Mr. BAUCUS. The bill clarifies that it does not affect EPA's authority to provide for state implementation of the agreements and recommendations set forth in the June 1996 Grand Canyon Visibility Transport Commission Report on a schedule consistent with the Commission's Report. This was a critical issue for the conferees. The conferees recognize that the Commission's Report was the product of several years of debate and analysis, and reflects broad consensus on control strategies and measures that should proceed with implementation. The conferees added specific language so as not to preclude the Administrator from providing for earlier state implementation of the Commission's agreements and recommendations, consistent with the implementation schedules in the Commission's Report.

Mr. REED. Mr. President, I rise to briefly discuss my support for the ISTEA conference report which I believe appropriately and rationally expands and improves our nation's transportation programs.

Mr. President, this legislation is good news for Rhode Island, a state that unfortunately has some of the most significant infrastructure needs in our nation according to experts. Yet, many people might overlook the fact that this conference report also provides essential investments in our nation's mass transit programs. Indeed, I am pleased that the Banking Committee's transit title of the conference report contains $35 million for new capital transit programs in Rhode Island as well as $5.79 million for the purchase of urgently needed new buses by the Rhode Island Public Transit Authority. I want to personally thank Chairman D'AMATO and Senator SARBANES, particularly, for their assistance in addressing my state's transit priorities and their hard work in producing a very balanced transit program that will serve our country well.

While there is much that is good in this bill, I am troubled by some of the budgetary offsets used to permit a higher level of transportation investment. Like many of my colleagues, I remain concerned that in order to accommodate essential infrastructure funding within the confines of strict budget caps, this legislation would endorse a plan to deny payments for veterans with service connected smoking-related illnesses. Indeed, earlier this year, I voted against this proposal, and I plan to work with like minded colleagues in the months ahead to see if we can reverse it. In addition, I am saddened that the ISTEA bill no longer contains a tougher national standard for driving under the influence of alcohol. All too often we hear of another senseless death due to drunk driving. A tougher standard for blood alcohol content or BAC would have been an excellent deterrent in the fight against drunk driving tragedies, and I regret that the Senate's strong support for this standard did not prevail in negotiations with the House of Representatives.

Mr. President, like many pieces of legislation, this bill is not perfect. However, repairing my state's roads and bridges; ensuring that thousands of mass transit riders in Rhode Island continue to receive service; and improving safety on our roads; are worthwhile goals that I hope all my colleagues support.

Mr. HOLLINGS. Mr. President, I rise in support of Senate consideration of the Intermodal Surface Transportation Efficiency Act bill, the so-called ISTEA bill.

This bill sets priorities and funds for surface transportation projects and

programs for the next six years. It is the product of many months of negotiations between the House and the Senate and between Members on both sides of the aisle. We have managed to come together on this bill by compromise and a willingness to listen to all points of view for the good of the nation and the States.

As ranking Democrat on the Commerce Committee, I can tell you that the provisions in the Commerce Committee title of the bill were the product of intense negotiations for many weeks. But the way to judge our efforts is the result and I am proud of what has been achieved.

We have provisions to strengthen the safety of motor vehicle air bags and to allow States to design programs to raise the percentage of their citizens who use seat belts. In addition, we have given the Secretary of Transportation the flexibility to design additional commercial motor vehicle safety programs. We have authorized a program to provide funds for the development of rail and intermodal projects. These programs will allow us to expand the nation's infrastructure. Most importantly, the bill contains funds to replace our crumbling bridges and roads. Together these programs will provide our citizens with safer bridges and roads and additional infrastructure will allow our citizens to compete in the world market.

Commerce Committee provisions also address the needs of recreational boaters and anglers. The bill extends the Aquatic Resources Trust Fund and recovers a greater portion of the federal fuel taxes paid by boaters and anglers. In addition, Commerce Committee provisions ensure that funds are available to make boating safer, more accessible, and environmentally cleaner for the 76 million Americans—more than one-fourth of the nations's population—who go boating each year. Finally, the bill extends programs to restore and protect sportfish resources and strengthens efforts to introduce segments of the American public . . . especially our youth . . . to the healthy fun of fishing and boating.

I take this opportunity to thank the staff of the Commerce Committee for their efforts on behalf of this bill, and indeed, on behalf of all of us.

Mr. President, I urge passage of this important piece of legislation.

Mr. DURBIN. Mr. President, today the Senate will vote on the conference report to the Intermodal Surface Transportaton Efficiency Act (ISTEA). I wanted to take this opportunity to discuss the benefits of this legislation for my home state of Illinois.

This conference report is truly historic. It makes the largest investment to date in our nation's aging infrastructure, $216 billion over the next six years. In short, this conference report increases the State of Illinois' total ISTEA dollars and provides greater flexibility. It goes a long way toward improving the conditions of Illinois' roads and bridges, properly funding mass transit in Chicago and downstate, alleviating congestion, and addressing highway safety and the environment.

The bill provides $175 billion over six years for highways, highway safety, and other surface transportation programs. Illinois has the third largest Interstate system in the country; however, its roads and bridges are rated as the second worst in the nation. The State can expect to receive about $5.3 billion over six years from the highway formula. That's nearly a 30 percent increase or $1.2 billion more than the ISTEA of 1991.

Major reconstruction and rehabilitation projects like Downtown Chicago's Wacker Drive and the Stevenson Expressway (I–55) will be able to move forward thanks, in large part, to this legislation. The conference report designates $25 million each for both of these priority projects. In addition, both the Stevenson Expressway and Wacker Drive projects will be able to compete for federal funds through certain discretionary programs.

The conference report also includes funding for over 100 high priority projects from throughout the State worth more than $375 million.

Mass transit funding is vitally important to the Chicago metropolitan area as well as to many downstate communities. It helps alleviate congestion and provides access for thousands of Illinoisans everyday. The conference report includes $41 billion over six years for mass transit. Illinois can expect to receive about $2.5 billion over six years, a 67 percent increase or $1 billion more than the 1991 ISTEA.

The conference report authorizes the Chicago Transit Authority to expand the capacity of the Ravenswood Brown Line and fully funds the rebuilding of the Douglas Branch of the Blue Line. It also will help METRA expand Northeastern Illinois' commuter rail system by double-tracking and extending service into rapidly growing areas. The Metro Link light rail system in St. Clair County will have the ability to complete an extension from East St. Louis through Belleville Area College to MidAmerica Airport under the conference report. The transit provisions will also help transit authorities throughout the State purchase and upgrade buses and bus facilities.

The conference report also includes $150 million per year for the Jobs Access and Reverse Commute Grants program. This program will assist communities in filling the gaps in transit service that prevent welfare recipients from finding and keeping the jobs they need to remain self-sufficient.

Congress also has made a commitment to high-speed passenger rail, a safe, cost-effective means of transportation, in this conference report. With increased funding, it is my hope that the Midwest can develop an effective transportation system.

This legislation also preserves and expands some important environmental and enhancement programs, including the Congestion Mitigation and Air Quality (CMAQ) program. CMAQ's goal is to help states meet their air quality conformity requirements as prescribed by the Clean Air Act. The conference report increases funding for CMAQ by 18 percent. Illinois can expect more than $1 billion over six years under the program. The report also fully funds transportation enhancement activities, such as bicycle pedestrian facilities and historic preservation.

Illinois is one of 15 states that has been responsible enough to pass a .08 legal blood-alcohol concentration level for drivers. The State has had .08 BAC since July of 1997 and we are already beginning to see positive results. Unfortunately, the conference committee did not include language that would have sanctioned states that refused to pass .08 BAC legislaton. Instead, Illinois and other states who have passed .08 will receive as much as $6 million per year in highway safety incentives.

I am pleased that the conference report extends the current excise tax exemption for an important Illinois product—corn-based, renewable ethanol fuel—through 2007. Farmers and the ethanol industry must have the ability to plan for the future. Extending the incentive gives them the tools necessary to expand their operations and this important industry while improving the environment and decreasing our dependence on foreign oil.

Mr. President, I know this conference report is not a perfect document. Illinois' highway formula should be higher. I will work with the Administration to ensure that Illinois competes for and receives a fair share of discretionary transportation funds available as a result of this conference report. With the passage of this legislation, Congress has upheld its obligation to reauthorize and improve our nation's important transportation programs. I am pleased to support this measure.

Mr. SPECTER. I would like to engage the Chairman of the Banking Committee, Senator D'AMATO in a colloquy regarding a Pennsylvania mass transit project. It is my understanding that the project under the transit new start program entitled ''Philadelphia-Pittsburgh High Speed Rail'' is intended to be for initial planning, design and engineering costs for a high speed magnetic levitation public transportation system in Pennsylvania. Having ridden such a system in Germany in January of this year, I believe a system of this nature will revolutionize the steel industry and could provide an excellent means of mass transit in the 21st Century.

Mr. D'AMATO. I concur with my colleague's understanding that the line item he described is intended to make available Federal Transit Administration funds for initial costs of a high speed maglev system in Pennsylvania. It is my understanding that these funds

will be applied for by an existing transit system or state agency in accordance with traditional requirements for FTA grants.

Mr. FEINGOLD. Mr. President, Congress finally completed its work on a six-year bill to reauthorize the Intermodal Surface Transportation Efficiency Act today. This bill has been a long time coming. I'm pleased that Wisconsin will now have a chance to address our state's vital transportation needs for the next year and plan its priorities for the next six years. This bill moves Wisconsin a long way toward achieving fairness in Federal transportation spending, and I cannot overlook this dramatic step forward.

While the bill is not perfect and includes a number of items I would not support individually, it goes a long way toward ending Wisconsin's decades-long legacy as a donor state. Historically, Wisconsin's taxpayers have received about 78 cents for every dollar we have paid into the Highway Trust Fund. As a result, we have lost more than $625 million since 1956. Under this bill, Wisconsin will receive approximately 99 cents for every dollar it contributes to the Highway Trust Fund, beginning next year. I applaud the efforts of Wisconsin's delegation in achieving a greater measure of fairness for Wisconsin's taxpayers. On this travel weekend that many believe will be the biggest in history, the people of Wisconsin should be happy to see that their tax dollars will be used to improve Wisconsin's roads and rails.

Finally, I urge the President to use his line-item veto authority to strike the pork-barrel spending projects inserted into the House reauthorization bill and included in this conference report. We should allow states and localities to decide on how best to address transportation needs. The Senate decided to use more than $2 billion on block grants to states instead of earmarks for particular projects. I am certain that Wisconsin, and other donor states, could have reached even greater equity had the House followed the Senate's lead.

Mr. LAUTENBERG. Mr. President, I would first like to thank the managers of Conference Report. Both Senators CHAFEE and BAUCUS have worked day and night trying to produce a fair and balanced Conference Report. They have done their best to try to accommodate my views. We did not always agree on every issue, but they both tried to work with me and engage in a constructive dialogue when we differed.

I would also like to thank the distinguished Chairman of the Subcommittee, Senator WARNER. He put in a substantial effort to try to create a consensus that would satisfy the need for this critical legislation.

And I would like to thank Senators D'AMATO and SARBANES for their diligence and hard work on the mass transit title. Because of their commitment, this bill represents a balanced transportation bill.

Mr. President, I offer some comments to indicate my specific views on how this good bill will help my State of New Jersey. As a member of the Environment and Public Works Committee, I have been working on the ISTEA reauthorization bill this entire Congress. I have been fighting for increased investment in our nation's infrastructure, a balanced transportation system and critical safety programs.

Overall, on balance, this is a good bill—good for the country and good for New Jersey. It includes $173 billion for highways and $41 billion for mass transit nationally over six years. As the Ranking Democrat on the Budget Committee, I worked hard to increase mass transit funding by almost a third compared to the 1991 ISTEA bill. Overall, this translates to over $4 billion to New Jersey for highways and over $2 billion for mass transit over the six year life of this bill. As a result, New Jersey will receive an increase of over $1 billion in transportation funding as compared to the 1991 ISTEA bill.

Mr. President, the ISTEA bill, like any bill that provides funding to the States, became a battle between regions. Western Senators argued that their needs were greatest because of the sheer miles of highways in their states. Southern Senators suggested that they had population growth and they needed increases. The so-called donor states were pushing a ''minimum allocation'' that would revise the formula that prevailed over the past six years.

Mr. President, obviously, I pushed hard for increased investment in my region and my state. The Northeast states face tremendous infrastructure needs over the next six years. Since we are the oldest region in the country with the highest density and greatest volume of traffic, our infrastructure needs are great. This problem is compounded by harsh weather conditions, intense congestion and air quality.

Mr. President, I didn't get everything I wanted for New Jersey. However, this bill does provide substantial increases in funding for New Jersey for highways and mass transit. It also includes funding for over 40 highway and mass transit projects for my state. I fought to keep all of the my colleagues in the House of Representatives' projects in the final bill. The Senate bill originally did not include any special projects, but I am pleased that a few of them were included in the Conference Report at my request. The first project is an emergency heliport on Cooper Hospital in Camden, New Jersey, which will speed up rapid emergency service for hospital patients in the region. I am also pleased with funding to construct a roadway network using the former Bergen Arches rail corridor going from east to west in Hudson County, New Jersey. The Bergen Arches project will provide congestion relief and will allow the demand for development of the Hudson County waterfront—the so-called ''Gold Coast''—to move at its rapid pace.

Mr. President, anyone who is familiar with my work in the Senate knows that I don't relent when it comes to standing up for my constituents and my state. I feel my responsibilities to the people who sent me here as a sacred obligation and I would never agree to anything that is detrimental to our needs.

Mr. President, this legislation is all about compromise. And this Conference Report is not perfect for my state, but, in the end, the substantial increases in highway and mass transit funding will reduce congestion, increase productivity, clean the air, and improve the quality of life so I will support this legislation.

I yield the floor.

Mr. LEVIN. Mr. President, I must note to my colleagues that the procedure that has been used here on the floor today for consideration of this conference report is outrageous.

Despite the process followed here, I intend to vote for this bill, based on the representations about Michigan's share of highway funds made in the incomplete charts provided by the Conference Committee. I ask unanimous consent that those charts be placed in the RECORD following my statement. The best judgement I can exercise at this point is to support the apparent increases provided to my state. According to these charts, Michigan will receive an annual average of $825 million per year from the Highway Trust Fund, an increase of $310 million over the ISTEA I average. Our percentage return on the dollars distributed will rise from approximately 84% to 90.5% and is guaranteed to go no lower. And, our share of the total funds going to the states will increase from approximately 2.87% to 3.16%, close to the Senate bill's mark.

If the factual matter in those charts proves to be inaccurate, I, and I am sure my donor state colleagues, will seek corrective action.

Michigan and the nation are making some significant progress with the passage of this bill. We are now going to spend all or nearly all our gas tax dollars on transportation, rather than leaving them in the Highway Trust Fund. That means we are going to start addressing the serious backlog of infrastructure projects that are vital to our economy and quality of life.

I understand the report contains a minimum guarantee provision similar to that in the Senate bill, though the ''guarantee'' has been reduced to a 90.5% return on dollars distributed rather than the 91% the donor states were promised. Still, this is some incremental progress for my state, but Michigan will continue to be a substantial donor state and continue sending money to the donee states. We will continue pressing at the next opportunity for more equity, particularly on transit when that title is reauthorized in two years. But, for the moment, we can declare a minor victory.

While I appreciate the conferees', particularly Senator WARNER's, attention to the donor states' needs, I am concerned by one particular provision. Apparently, the report includes an item that could drastically reduce the minimum guarantee funds to states if revenues increase by more than 25% over a 1998 baseline. This provision has no place in this bill, particularly since the total amount authorized and distributed by this bill is projected to rise by approximately 25% over the next six years, assuming current CBO projections. Its inclusion undermines the ''guarantee'' and the promise that the Senate conferees made to the donor states, since we could be disproportionately hurt. I intend to examine this provision closely and will work with the other donor states to change this provision if it proves harmful to us.

I am pleased that the conferees have included a number of important provisions in the report, including a provision similar to one I authored in the Senate's bill enhancing local transportation officials participation in the preparation of the states' transportation improvement program. Also, the international trade corridor number 18, which includes I–69 and I–94, is designated as high priority. Ambassador Bridge access projects are made eligible for Federal funding. The State of Michigan will receive $10 million in FY99 and $13.5 million in FY2000 for buses and bus facilities in a block grant for distribution around the State. Numerous other important projects are identified all over the State, from an Intelligent Transportation System technology project in Lansing, to Monroe Rail Consolidation, to the South Beltline in Grand Rapids, to renovation and rehabilitation of the Detroit Waterfront, to upgrading 3 Mile Road in Grand Traverse County, to upgrading H–58 in Pictured Rocks National Lakeshore., etc.

This is not a perfect bill. But, it is another step on the long, long road toward equity. When I started in the Senate, we were getting somewhere around $.75 cents on our gas tax dollar. The 1991 ISTEA bill brought us up to approximately $.80 per dollar, and the conference report before us should get us to about $.83. Some day, Michigan taxpayers will get back 100% of the gas taxes they pay into the Highway Trust Fund in the form of better roads and bridges and well-maintained infrastructure. But, only if we keep fighting.

I ask unanimous consent to have the charts printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1998–2003 AVERAGE CONFERENCE AGREEMENT

[Dollars in thousands]

State	1992–97			
	No Fed Lnds	Conference	Change	Change (percent)
Alabama	$330,263	$530,516	$200,254	60.6
Alaska	211,782	311,860	100,078	47.3
Arizona	255,665	407,814	152,149	59.5
Arkansas	262,738	345,860	83,122	31.6
California	1,653,208	2,406,992	753,784	45.6
Colorado	200,562	305,526	104,965	52.3
Connecticut	352,409	397,475	45,066	12.8
Delaware	72,136	115,793	43,656	60.5
Dist. of Col.	92,099	103,543	11,445	12.4
Florida	768,360	1,208,600	440,240	57.3
Georgia	541,389	918,804	377,416	69.7
Hawaii	126,276	135,502	9,225	7.3
Idaho	124,765	202,009	77,244	61.9
Illinois	682,070	885,171	203,101	29.8
Indiana	405,583	617,387	211,804	52.2
Iowa	220,296	314,609	94,313	42.8
Kansas	208,439	306,678	98,239	47.1
Kentucky	283,524	454,508	170,983	60.3
Louisiana	264,022	416,163	152,141	57.6
Maine	117,516	137,753	20,237	17.2
Maryland	306,872	394,884	88,012	28.7
Massachusetts	829,663	487,827	−341,836	−41.2
Michigan	512,012	825,390	313,378	61.2
Minnesota	280,096	392,423	112,328	40.1
Mississippi	202,321	318,954	116,633	57.6
Missouri	404,352	618,094	213,742	52.9
Montana	161,357	259,879	98,523	61.1
Nebraska	142,245	203,318	61,072	42.9
Nevada	117,280	189,707	72,428	61.8
New Hampshire	88,260	135,135	46,875	53.1
New Jersey	518,499	675,702	157,203	30.3
New Mexico	178,066	258,702	80,635	45.3
New York	997,644	1,351,299	353,655	35.4
North Carolina	478,837	740,665	261,828	54.7
North Dakota	116,031	171,517	55,486	47.8
Ohio	654,795	896,635	241,839	36.9
Oklahoma	259,338	403,573	144,236	55.6
Oregon	212,782	318,875	106,093	49.9
Pennsylvania	889,759	1,305,731	415,972	46.8
Rhode Island	105,925	155,943	50,018	47.2
South Carolina	232,252	416,425	184,173	79.3
South Dakota	119,210	187,116	67,906	57.0
Tennessee	365,555	592,731	227,176	62.1
Texas	1,174,785	1,887,940	713,155	60.7
Utah	129,854	204,967	75,113	57.8
Vermont	79,354	119,693	40,339	50.8
Virginia	414,572	670,755	256,183	61.8
Washington	341,068	467,856	126,789	37.2
West Virginia	209,742	296,261	86,519	41.3
Wisconsin	351,960	521,277	169,317	48.1
Wyoming	114,900	181,934	67,034	58.3
Apportioned	18, 162,486	26,173,771	8,011,286	44.1

CONFERENCE AGREEMENT 1998–2003 AVERAGE

(Dollars in thousands)

State	IM/NHS	STP	Bridge	CMAQ	ADHS	Rec Trails	Metro planning	High priority projects	Minimum Guarantee	Grand total
Alabama	193,305	131.151	68.092	7,720	40,691	875	20,080	32,429	54,172	530.516
Alaska	100,630	59,687	23,069	14,558		557	937	12,004	100,419	311,860
Arizona	191,283	109,866	9,923	21,938		786	3,003	11,392	59,632	407,814
Arkansas	139,412	93,043	41,869	7,828		822	937	20,964	40,986	345,860
California	868,672	595,027	287,607	286,908		2,890	28,793	153,738	183,358	2,406,992
Colorado	139,193	85,562	29,747	16,111		772	2,688	11,333	20,120	305,528
Connecticut	103,869	71,079	68,300	52,588		549	2,779	23,281	75,032	307,475
Delaware	49,537	31,989	9,462	7,803		580	917	1,505	14,079	11,794
Dist. of Col.	42,152	27,219	20,375	6,640		435	937	7,303	483	103,543

CONFERENCE AGREEMENT 1998–2003 AVERAGE—Continued

(Dollars in thousands)

State	IM/NHS	STP	Bridge	CMAQ	ADHS	Rec Trails	Metro planning	High priority projects	Minimum Guarantee	Grand total
Florida	475,719	323,906	84,881	39,689	.....	1,603	11,507	50,121	221,174	1,208,800
Georgia	365,725	242,869	67,878	28,982	16,262	1.137	3,687	44.618	147,645	918,804
Hawaii	48,343	31.217	24.243	78.616	.....	492	937	8,916	13,739	135,502
Idaho	92,018	44,392	10,745	8,861	.....	704	937	7,460	36,893	202,009
Illinois	338,679	215,077	125,655	82,271	.....	1,112	9,586	65,036	47,7454	885,171
Indiana	263,848	165,802	48,191	16,398	.....	800	3,044	33,'67	86,138	617,387
Iowa	134,786	82,661	55,629	7,009	.....	675	1,086	17,751	15,035	314,809
Kansas	125,928	90,878	851,818	6,892	744	1,152	28,575	18,576	10,693	306,678
Kentucky	178,599	107,979	43,214	10,814	37,328	752	1,444	23,503	50,877	454,508
Louisiana	149,949	99,265	85,303	7,542	.....	981	2,519	31,048	398,555	416.163
Maine	51,481	32,650	24,652	7,545	.....	716	937	8,639	13,473	137,753
Maryland	145,061	94,797	47,040	41,899	6,363	578	4,049	23,149	31.447	394,884
Massachusetts	134,571	.....	98,623	48,525	.....	1,466	6,572	54,354	92,668	825,390
Michigan	297,325	225,858	98,623	48,525	.....	1,466	6,572	54,345	92,668	825,390
Minnesota	165.774	116.267	30,524	16,792	.....	1,183	2,681	31,066	28,136	392,423
Mississippi	124,401	85,645	51,049	7,384	4,563	762	937	17,828	26,384	318.954
Missouri	234,608	153,494	116,148	19,531	.....	926	3,146	42,664	47,576	618,094
Montana	130,719	47,227	20,729	8,764	.....	619	937	3,378	47,457	259,879
Nebraska	94,889	55,922	32,731	6,778	.....	548	937	6,982	4,530	203,318
Nevada	87,742	45,315	10,220	8,428	.....	568	1,000	5,928	30,476	189,707
New Hampshire	49,298	31,834	18,715	7,765	.....	597	937	11.-31	14.958	136,135
New Jersey	185 163	127,709	186,451	81,462	.....	911	7,496	50,721	35,789	675,702
New Mexico	133,720	57,446	11,108	7,969	.....	767	937	13,310	33,444	258,702
New York	344,690	248,343	363,260	147,345	8,770	1,187	15,960	100,490	121,256	1,251,299
North Carolina	263,436	184,568	105,315	15,545	23,958	1,007	2,841	40,008	103,988	740,665
North Dakota	96,450	38,754	8,961	7,380	.....	520	937	3,555	14,951	171,517
Ohio	345,443	216,389	125,594	56,658	18,349	1,145	7,527	56,789	68,740	896,635
Oklahoma	162,956	116,331	60,520	7,366	.....	720	1,531	20,775	33,374	403,573
Oregon	132,439	80,005	46,655	10,295	.....	762	1,606	25,211	21,903	318,875
Pennsylvania	335,854	216,673	365,828	90,210	99,496	1,211	8,149	102.863	86,446	1,205,731
Rhode Island	53,801	34,742	26,377	9,902	.....	490	937	4,121	25,568	155,943
South Carolina	164,303	116,212	43,752	8,266	1,996	765	1,613	17,432	62,088	416,425
South Dakota	92,598	43,756	12,707	7,574	.....	529	937	10,382	18,633	187,116
Tennessee	227,838	139,481	69,917	14,466	45,620	831	2,508	37,519	54,552	592,731
Texas	770,056	518,203	155,804	79,376	.....	1,893	12,858	84,066	265,684	1,887,940
Utah	100,086	49,936	13,716	8,302	.....	678	1,492	13,278	17,480	204,967
Vermont	47,356	30,580	18,115	7,459	.....	559	937	3,676	11,011	119,693
Virginia	256,791	171,557	84,025	31,696	9,589	1,170	4,330	35l074	76,522	670,755
Washington	172,083	115,039	87,530	24,836	.....	909	3,635	32,864	30,960	467,856
West Virginia	71,859	47,396	67,752	7,089	56,580	576	937	31,030	12,943	296,261
Wisconsin	213,290	144,587	34,428	20,638	.....	1,096	2,787	28,376	76,075	521,277
Wyoming	112,230	30,436	9,003	7,424	.....	597	937	5,001	16,306	181,934
Apportioned	9,799,958	6,321,791	3,652,595	1,515.150	369,563	44,348	187,367	1,166,667	2,758,000	28,173,771

1998–2003 AVERAGE CONFERENCE AGREEMENT (REVISED)

[Dollars in thousands]

State	1992–97				1992–97		1992–97	
	No Fed Lnds	Conference	Change	Change (percent)	No Fed Lnds (share percent)	Conference (share percent)	No Fed Lnds (HTF Ratio)	Conference (HTF Ratio)
Alabama	$330,263	$530,516	$200,254	60.6	1.8184	2.0269	0.824	0.918
Alaska	211,782	311,860	100,078	47.3	1.1660	1.1915	5.026	5.136
Arizona	255,665	407,814	152,149	59.5	1.4077	1.5581	0.818	0.905
Arkansas	262,738	345,860	83,122	31.6	1.4466	1.3214	1.005	0.918
California	1,653,208	2,406,992	753,784	45.6	9.1023	9.1962	0.896	0.905
Colorado	220,562	305,526	104,965	52.3	1.1043	1.1673	0.869	0.918
Connecticut	352,409	397,475	45,066	12.8	1.9403	1.5186	1.948	1.525
Delaware	72,136	115,793	43,656	60.5	0.3972	0.4424	1.385	1.542
Dist. of Col.	92,099	103,543	11,445	12.4	0.5071	0.3956	4.034	3.147
Florida	768,360	1,208,600	440,240	57.3	4.2305	4.6176	0.829	0.905
Georgia	541,389	918,804	377,416	69.7	2.9808	3.5104	0.768	0.905
Hawaii	126,276	135,502	9.225	7.3	0.6953	0.5177	2.700	2.011
Idaho	124,765	202,009	77,244	61.9	0.6869	0.7718	1.257	1.412
Illinois	682,070	885,171	203,101	29.8	3.7554	3.3819	1.026	0.924
Indiana	405,583	617,387	211,804	52.2	2.2331	2.3588	0.857	0.905
Iowa	220,296	314,609	94,313	42.8	1.2129	1.2020	1.053	1.043
Kansas	208,439	306,678	98,239	47.1	1.1476	1.1717	0.998	1.019
Kentucky	283,524	454,508	170,983	60.3	1.5610	1.7365	0.814	0.905
Louisiana	264,022	416,163	152,141	57.6	1.4537	1.5900	0.828	0.906
Maine	117,516	137,753	20,237	17.2	0.6470	0.5263	1.243	1.011
Maryland	306,872	394,884	88,012	28.7	1.6896	1.5087	1.014	0.905
Massachusetts	829,663	487,827	−341,836	−41.2	4.5680	1.8638	2.485	1.014
Michigan	512,012	825,390	313,378	61.2	2.8191	3.1535	0.809	0.905
Minnesota	280,096	392,423	112,328	40.1	1.5422	1.4993	1.087	1.057
Mississippi	202,321	318,954	116,633	57.6	1.1139	1.2186	0.844	0.923
Missouri	404,352	618,094	213,742	52.9	2.2263	2.3615	0.866	0.918
Montana	161,357	259,879	98,523	61.1	0.8884	0.9929	1.864	2.083
Nebraska	142,245	203,318	61,072	42.9	0.7832	0.7768	0.975	0.967
Nevada	117,280	189,707	72,428	61.8	0.6457	0.7248	1.013	1.138
New Hampshire	88,260	135,135	46,875	53.1	0.4859	0.5163	1.196	1.271
New Jersey	518,499	675,702	157,203	30.3	2.8548	2.5816	1.037	0.938
New Mexico	178,066	258,702	80,635	45.3	0.9804	0.9884	1.135	1.144
New York	997,644	1,351,299	353,655	35.4	5.4929	5.1628	1.266	1.189
North Carolina	478,837	740,665	261,828	54.7	2.6364	2.8298	0.843	0.905
North Dakota	116,031	171,517	55,486	47.8	0.6388	0.6553	1.785	1.831
Ohio	654,795	896,635	241,839	36.9	3.6052	3.4257	0.952	0.905
Oklahoma	259,338	403,573	144,236	55.6	1.4279	1.5419	0.851	0.918
Oregon	212,782	318,875	106,093	49.9	1.1715	1.2183	0.889	0.925
Pennsylvania	889,759	1,305,731	415,972	46.8	4.8989	4.9887	1.184	1.206
Rhode Island	105,925	155,943	50,018	47.2	0.5832	0.5958	2.131	2.177
South Carolina	232,252	416,425	184,173	79.3	1.2787	1.5910	0.727	0.905
South Dakota	119,210	187,116	67,906	57.0	0.6564	0.7149	1.846	2.010
Tennessee	365,555	592,731	227,176	62.1	2.0127	2.2646	0.804	0.905
Texas	1,174,785	1,887,940	713,155	60.7	6.4682	7.2131	0.812	0.905
Utah	129,854	204,967	75,113	57.8	0.7150	0.7831	0.839	0.919
Vermont	79,354	119,693	40,339	50.8	0.4369	0.4573	1.684	1.763
Virginia	414,572	670,755	256,183	61.8	2.2826	2.5627	0.806	0.905
Washington	341,068	467,856	126,789	37.2	1.8779	1.7875	0.962	0.915
West Virginia	209,742	296,261	86,519	41.3	1.1548	1.1319	1.440	1.411
Wisconsin	351,960	521,277	169,317	48.1	1.9378	1.9916	0.966	0.993
Wyoming	114,900	181,934	67,034	58.3	0.6326	0.6951	1.366	1.501
Apportioned	18,162,486	26,173,771	8,011,286	44.1	100.0000	100.0000	1.000	1.000

URBAN CORE COLLOQUY

Mr. LAUTENBERG. Mr. President, I rise to engage in a colloquy with the distinguished Chairman and the Ranking Member of the Banking Committee. Mr. President, the ISTEA conference report includes language that reauthorizes a very important mass transit project in my state. The New Jersey Urban Core project provides critical links in a rail system that is the backbone of the transportation system of the Northeast and the nation. The Urban Core project links all of New Jersey's rail lines and builds new ones where necessary, to establish one comprehensive and coordinated rail transportation system within the state.

Mr. President, the Conference Report makes a number of changes to the authorization of this important project. The report adds new projects as elements of the Urban Core and makes a number of critical changes. The conference report is silent on the future of full funding agreements. Do the Chairman and Ranking Member of the Banking Committee, who authored the Mass Transit title to the next surface transportation authorization bill, agree that it is important that the Secretary and the State of New Jersey enter into full funding grant agreements sometime in the next six years, for those elements of the Urban Core that can be demonstrated to be under construction by September 30, 2003? Is it your intention to urge the Secretary to work with the State of New Jersey over the next two years to sign full funding grant agreements?

Mr. D'AMATO. Mr. President, I agree with the distinguished Senator from New Jersey that the Urban Core is an important mass transit project that serves millions of people every day and demonstrates every day the importance of mass transit to our national transportation system. I also believe that the Secretary should work with the State of New Jersey during the next few years to provide assistance to those elements of the Urban Core that will move ahead in the next six years.

Mr. SARBANES. Mr. President, I concur with the Chairman of the Banking Committee's statement.

Mr. LAUTENBERG. I thank the distinguished Chairman and Ranking Member of the Banking Committee for their support for the New Jersey Urban Core, and for their support for mass transit nationwide. They are true champions of investing in a sound and balanced transportation system.

Mr. HATCH. Mr. President, I am pleased to support final passage of the conference report on the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA). I commend my colleagues who have worked so hard on this bill, Senator CHAFEE, Senator WARNER and Senator BAUCUS, Senator DOMENICI and Senator D'AMATO.

This has been an incredibly difficult process. Whenever you have to divide resources among competing interests there is going to be friction. The conferees on this legislation have done an admirable job in balancing these competing interests in the name of our shared national interest in safe, efficient highways.

This highway and transit reauthorization is important for the country and for my state of Utah. Utah needs this bill and I am happy that we can deliver it to them. Like a lot of states, Utah has a number of crucial infrastructure improvements needed in our highway and transit systems. Unlike other states, however, Utah must complete a number of these projects in time for the 2002 winter Olympic Games.

This bill makes clear that the federal government has a responsibility to assist my state of Utah make the transportation improvements needed to successfully host the 2002 Games. By including language which gives the Secretary of Transportation the authority to give priority consideration for Olympic host cities, the Congress has acknowledged that these really are America's Games.

I also applaud the members of the Environment and Public Works Committee for crafting a formula which recognizes the fact that there has been a population shift to the west and that a federal highway funding formula must accommodate the rapid growth in western states.

There are a number of important projects authorized in this legislation. I am pleased that we were able to bring a number of earmarked demonstration projects up to an appropriate level. Utah is growing quickly both in population and vehicle miles traveled. These projects, all part of the state's transportation improvement plan, will make a real difference in a number of rural counties.

Finally, I wish to commend all the members of the Utah delegation. We are a small delegation, but we are a strong delegation and when we work together, as we have all done relative to this legislation, we are an effective delegation.

I thank the Chair and yield the floor.

Mr. GORTON. Mr. President, we are now asked to vote on a bill authorizing the expenditure of more than $200 billion. No member of the Senate other than a handful of conferees has seen a copy of the bill; no one knows anything about its major policy implication.

The Senate bill allowed each state's money to be spent as each state determined. This bill included hundreds of Congressionally designated projects in both the highway and mass transit accounts. Although the earmarked Washington state projects were all appropriate in the highway category, the mass transit title did not treat my state fairly. The Regional Transit Authority, perhaps the most cost-effective project in the nation, was less fairly treated than projects abandoned by the communities for which they are authorized.

Even more importantly, the general highway fund distribution formula discriminates unfairly against Washington state. It returns to us a lower percentage of our motor vehicle fuel taxes than does present law, the original Senate bill, or the House bill. Our conferees in the Senate did not represent us well.

The bill is full of pork and unfair. I will vote against it.

Mr. WELLSTONE. Mr. President, I am here on the floor today to explain my concerns about the conference report on the Intermodal Surface Transportation Efficiency Act (ISTEA).

I want to first say that I was pleased to be able to vote for the Senate bill in March. This bill will continue the important work that was begun under the first ISTEA. It represents a comprehensive package to address all transportation needs. It continues the fundamental goal of the original ISTEA, which is to afford state and local governments greater flexibility in allocating transportation dollars.

I believe that investing in our transportation infrastructure is essential if we are to remain economically competitive. Today, our highways and transit systems need continued support in order to meet our commercial and personal transportation requirements.

I also want to thank all the people in Minnesota who have educated me along the way on transportation issues. In addition to the ''traditional highway advocates''—the city, county and state officials, engineers and contractors—I have been working closely with community organizers, architects, preservationists, bicyclers and community activists. Though some may have questions about this or that provision, all of these people support ISTEA.

ISTEA will guarantee that a federal investment will be made in maintaining and expanding Minnesota's highways, transit and other transportation related programs. I am pleased that several transit projects have been proposed in Minnesota, including the Twin Cities Transitway. Improving existing transit and building new transit will be crucial as we see our population in the state continue to grow. It is clear that, as our region continues to grow, we will need alternatives to the traditional car and driver commuting.

Transportation is critical to our daily lives. We cannot separate how people and goods are transported from the many other parts of their social and economic lives. It is important to work together to ensure that we have a fully integrated, safe and environmentally sound intermodal transportation system in the State of Minnesota and the country. ISTEA does this through the MPO, ATP and STIP process. The planning provisions of the bill put the major decision-making back at the local level where it belongs. In addition, the conference report contains language that allows for appropriate meaningful public participation in the MPO process. While the

MPO process has worked well, this new language will make the process that much more responsive to the communities that are most affected by their decisions.

Unfortunately despite these facts, I cannot vote for this conference report for a number of reasons. First, the conferees have reportedly selected major offsets that I strongly oppose. While we do not have all the details, I believe the bill assumes $15.5 billion in savings from denial of compensation claims by veterans with smoking-related illnesses. The veterans health cuts are especially troubling. I believe it is an outrage that funding that could have gone to meet the many pressing needs of this country's veterans, will instead be used as an offset for spending in this bill.

For years, veterans have been told that cuts to the Veterans Administration (VA)—and particularly cuts to veterans health care—were necessary to reduce the deficit and balance the budget. Last year's balanced budget agreement flatlined the VA budget over six years. It provided virtually no allowance for medical inflation, which in years past has come to roughly $500 million per year.

But Congress can no longer pretend that its failure to provide for veterans' programs is a lack of resources. First of all, the budget is now balanced. Indeed, this year we have a projected surplus of somewhere in the range of $50 billion. Second, in this case Congress is taking resources away from veterans themselves. If Congress insists on denying benefits to veterans who were hooked on smoking during their military service, there is no excuse for transferring those savings outside the VA.

I can think of a lot of areas in the veterans budget where we could have put those savings to good use. For example, I have a bill to provide compensation for veterans who were exposed to radiation during their military service. I've been told these atomic vets cannot be compensated because offsets would have to come from elsewhere in the VA budget. Yet this ISTEA bill seizes upon an enormous offset from that very VA budget and dedicates those funds to transportation.

We could certainly provide more resources for veterans health care, which is facing a severe funding crisis. Without additional funding the VA health care system will ''hit the wall,'' VA Undersecretary for Health Dr. Kenneth Kizer has testified.

This particular offset makes a mockery of the Senate's professed concern for veterans and for deficit reduction. I have real doubts about the various estimates of savings from denial of smoking-related claims. I know others do as well. Nobody knows how much VA will save by denying these benefits to veterans. But the conferees have apparently opted for the highest possible number.

This offset makes very clear what some of us have long suspected. The reason veterans programs have been cut in recent years is not deficit reduction. It's not for the purpose of balancing the budget. It's not because full funding would require a tax increase.

It's none of those things. It's because this Republican Congress places a lower priority on veterans than on other areas of the budget. We cannot get around that fact. Congress would rather use these savings elsewhere.

Whether we like it or not, the legislation we pass in this body makes it very clear what our priorities are. I, for one, think we need to reorder those priorities. I think we need to put more emphasis on the needs of working families. And in this case, I think we need to put a lot more emphasis on veterans who have faithfully served their country.

I will also vote no on this bill, as much as I believe in its goals, because of the way it attempts a resolution on an historic land use dispute in my State regarding the management of the Boundary Waters Canoe Area Wilderness, without adequate Congressional consideration or debate. Congressmen BRUCE VENTO and JAMES OBERSTAR this week reached a last-minute, independent agreement on a proposal to change future management of the BWCAW. The proposed agreement would re-open two portages in the BWCAW to motorized transport in return for closing two small, pristine wilderness lakes to future motorized use.

I regret that this agreement was reached in this way, at the last minute in the House-Senate conference committee, without having been debated by either the House of Senate. As I have said elsewhere, I would have preferred an open, fair, public Congressional debate on my legislation, patterned after Minnesota mediation proposals, and the major alternatives offered by my colleagues. I remain convinced that my compromise plan was a viable one which carefully balanced the interests of all parties. I do not think that last-minute private deals like this one are an appropriate way to conduct policy, especially on a major issue which has so divided our stated. Such deals do nothing to improve Minnesotans' confidence in the fairness of the legislative process.

Mr. President, I want to reiterate my support for the overall objectives of this legislation. I believe investing in our transportation infrastructure is essential if we are to remain economically competitive. Today, our highways and transit systems need continued support in order to meet our commercial and personal transportation requirements.

It is therefore with deep regret that I will be voting against this conference report. I believe that we could have done much better and produced a bill that continued federal support for transportation and transit infrastructure without the problems that this bill has created.

Mrs. BOXER. Mr. President, I rise today to give my warmest thanks to the leadership on the Environment and Public Works Committee, on which I proudly serve, for the hard work and dedication that led us to present the Conference Report on the Transportation Equity Act for the 21st Century, also known as ISTEA II.

I ask if the distinguished chairman of the Committee, Senator CHAFEE of Rhode Island, would respond to a question.

Mr. CHAFEE. I will be happy to respond to a question from the Senator from California.

Mrs. BOXER. I thank the Senator. This conference report has provided important funding to preserve a bridge in California. This bridge is not just any bridge. It is the bridge that is a symbol for my state and it is a national treasure. The Golden Gate Bridge is truly a jewel in California. It frames California as our Pacific Gateway. I believe many Americans would agree it is one of our nation's most magnificent architectural treasures.

But, Mr. President, it is also highly vulnerable to earthquakes. We need to protect it. We have a 1.2 billion program in the Bay Area to protect our bridges from earthquakes. This seismic retrofit and new construction is being paid for entirely by state revenues and by tolls paid by our motorists. The Golden Gate, however, is not a state bridge. It is not a Federal bridge. It is owned by the Golden Gate Bridge and Highway Transportation District which collects the tolls and operates a local mass transit service. Consequently, the bridge, this treasure, needs additional funds in order to pay for a $217 million program to protect the bridge from earthquakes.

I am so pleased that Senator CHAFEE and my colleagues on the conference committee heeded our pleas for help on this project and provided $51.75 million for the retrofit program. That amount includes $25 million from the Bridge Discretionary program.

I ask the chairman if it is his understanding that the Golden Gate Bridge is eligible for additional funding from the discretionary bridge program.

Mr. CHAFEE. Yes, the Senator from California is correct, the Golden Gate Bridge is eligible for additional discretionary funding from this program. I wished that the conference could have done more to earmark funding, but the earmark provided was not intended to limit any additional discretionary grants for the bridge.

Mrs. BOXER. I thank the Senator.

Mr. CHAFEE. As the Senate considers the conference report for the Transportation Efficiency Act for the 21st Century, I want to take a moment to discuss the Disadvantaged Business Enterprise (DBE) program that is part of this bill.

The DBE program was designed to ensure that all Americans have the opportunity to compete for the many billions of dollars in contracts that will

flow from this legislation. The program, which has been in place since 1982, has proven both necessary to and effective in our efforts to remedy discrimination in transportation procurement markets. By reauthorizing the DBE program again this year, Congress has signaled its belief that the evidence remains clear: we need this program if we are to remove the continuing barriers confronted by minority- and women-owned businesses.

Let me take a moment to share with my colleagues additional information that has come to light since the two chambers last considered the DBE program. A disparity study conducted for the Colorado Department of Transportation (CDOT) and released in April found that there was a disproportionately small number of women- and minority-owned contractors participating in Colorado's transportation construction industry. The study showed that African-Americans received none of the state-funded highway construction contracts over $500,000. Hispanic firms received less than one-half of one percent (.26%), and women-owned businesses were awarded less than one-quarter of one percent (.18%). The vast majority of contracts—more than 99 percent—went to firms owned by white men. The authors found that a significant disparity existed between what minority contractors actually received and what they might be expected to receive in the absence of discrimination.

The Colorado study also demonstrated that the DBE program has worked in leveling the playing field for women- and minority-owned firms. It notes that ''only when a DBE program has been in effect, has there been any significant dollar amounts utilized with [minority-/women-owned] firms.''

The fact of the matter is that discrimination continues to plague minority- and women-owned firms in America. Congress has a strong and compelling interest in remedying this situation; and in the DBE program, we have had and will continue to have an effective tool.

Mr. BAUCUS. Mr. President, I agree with my colleague from Rhode Island that the Disadvantaged Business Enterprise program has been an effective part of the highway program. It's given construction companies owned by women and minorities a seat at the table.

I also believe that the program is constitutional. Under the Supreme Court's Adarand decision, affirmative action programs like the DBE program must pass two tests. The first is that the program serve a compelling interest. The lower court decision in the Adarand case held that there is such a compelling interest. The Senate debate reinforced this point. There was discussion of discrimination in the construction industry, and of statistics showing the underutilization of women- and minority-owned businesses in that industry, such as evidence of dramatic decreases in DBE participation in those areas in which DBE programs have been curtailed or suspended.

There also was discussion of the second test, whether the program is narrowly tailored. As I explained in my statements during debate on the McConnell amendment, I believe that the program is narrowly tailored, both under the current regulations and the new regulations, which emphasize flexible goals tied to the capacity of firms in the local market, the use of race-neutral measures, and the appropriate use of waivers for good faith efforts.

As I said during the Senate debate, the DBE program is fair. It is necessary. And it works. I am pleased that, in rejecting amendments that would have undermined the DBE program, the Senate has reaffirmed its commitment to equal opportunity.

Mr. CHAFEE. I want to associate myself with the remarks by my friend and colleague from Montana regarding the constitutionality of the program. This is an important matter, and I appreciate his comments. I hope our colleagues will find all of this information of interest.

Mrs. HUTCHISON. Mr. Chairman, I understand the amount authorized under this section for the DART North-Central Light Rail Extension shall be no less than $188 million.

Mr. D'AMATO. Yes, in addition, I understand the federal share of the Full Funding Grant Agreement executed by the Department of Transportation for this project shall be $33 million.

Mrs. HUTCHISON. That is correct, and I thank the Chairman for his support in this matter.

Mr. LIEBERMAN. Mr. President, I rise this afternoon to express my appreciation to Senators on both sides of the aisle, in particular my colleagues on the Environment and Public Works Committee, for all their work in crafting the new six-year transportation bill that is before us. A great deal of the credit must go to Senator CHAFEE and his staff, especially Jimmie Powell, for their tireless efforts in crafting a compromise bill that resolves a good number of contentious issues.

Mr. President, this highway bill reaffirms many of the revolutionary principles established by ISTEA in 1991. Like ISTEA, it provides broad and substantial support for all modes of surface transportation, including transit. It funds important maintenance, safety, and air quality needs as well as the construction of new infrastructure. As the product of difficult House-Senate negotiations, this compromise bill does not include every policy that I would have liked. Yet the bill represents a sound and reasonable basis for strong transportation policy over the next six years, and I support it.

Finally, let me clarify one provision in the bill. A provision I drafted provides funding for the development of a rail trail in Winsted and Winchester, Connecticut. This provision should be read to include the development of the trail in Torrington, Connecticut, as part of this project. The trail will provide residents with access to trails in Barkhamsted and Canton, Connecticut.

Mr. SPECTER. Mr. President, while I am very pleased with the allocations for Pennsylvania, I am voting against the ISTEA conference report because the offsets hit the veterans' accounts so hard.

I compliment House of Representatives Chairman BUD SHUSTER and Senate Chairman JOHN CHAFEE on their extraordinary diligence and accomplishments as lead negotiators on this mammoth bill. I work closely with them in Pennsylvania's infrastructure's needs and I thank them for the accommodations on Pennsylvania's roads, bridges and mass transit systems.

In seeking total offsets of $17.7 billion, the veterans' accounts have been hit for $15.367 billion and 86.8% of the total offsets. As the Chairman of the Veterans' Affairs Committee and a chief advocate for veterans' interests, I believe this is excessively disproportion.

There is an additional $25 billion in the highway trust fund. I am advised that $25 billion will yield approximately $6 billion in interest over the next six years. Those funds could have been used for the offset or at least part of the offset; or other funds could have been found for a part of the offset.

Accordingly, I register this protest vote.

My concern for this veterans' offset is consistent with my position during consideration of the FY '99 Budget Resolution when I opposed this large offset in the veterans' accounts. I shall work to try to recoup these offsets from the veterans' accounts as we move forward in the appropriations process.

Mr. BAUCUS. In July of 1997, the Environmental Protection Agency promulgated final rules that set new National Ambient Air Quality standards for fine particle air pollution, known as PM2.5. The standards require three years of monitoring data to be collected before determining whether an area is meeting the standards.

It is my understanding that under the Clean Air Act, Governors are required to submit designations for attainment, nonattainment and unclassifiable areas within their states within 120 days but no later than 1 year following promulgation of a new or revised standard. The EPA is then required to promulgate designations within two years of the issuance of such final standards.

For the July 1997 PM2.5 standard, this schedule poses a problem. Monitors are not yet in place and three years of monitoring data will not be available to permit Governors and the EPA to determine whether an area is or is not in attainment. Therefore, the Clean Air Act would require EPA to take the meaningless step of designating areas as unclassifiable in July of 1999 on the basis that three years of PM2.5 monitoring data are unavailable.

Mr. INHOFE. That's correct. But the Senate included an amendment in this bill that addresses this problem. Under this amendment, for the July 1997 PM2.5 standards, EPA would no longer be required to designate areas regarding their PM2.5 attainment status in July of 1999.

Instead of the designation schedule currently in the Clean Air Act, this amendment would establish the following requirements for PM2.5 designations: Section 4102 would extend the time for Governors to submit designations for the July 1997 PM2.5 standard until one year after receipt of three years of monitoring data.

Rather than the two year period normally provided by the Clean Air Act, under section 4102(d) of this amendment, EPA would not be required to promulgate nonattainment, attainment and unclassifiable designations for PM2.5 areas until one year after the Governors are required to submit the designations or until Dec. 31, 2005, whichever date is earlier.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, the conference agreement on ISTEA now before the Senate, which will appropriately be entitled ''The Transportation Equity Act for the 21st Century'', is a magnificent accomplishment for those of us who have labored many long months to achieve the enactment of this truly monumental highway bill. Today is the day that we have all been hoping for lo these many months. Today is the day Congress will send to the President a 6-year ISTEA reauthorization act that truly keeps faith with the American traveling public. In adopting this conference report, the Senate will make two profoundly important statements to the American traveling public. First, we are telling the American public that we are finally prepared to guarantee that the revenues collected at the gas pump will indeed be spent for the purpose for which they are collected; namely, the maintenance, upkeep, safety, and expansion of our national highway and transit systems. Second, we are telling the traveling public that we are determined to reverse the Federal Government's chronic underinvestment in our national highway needs.

We are about to send to the President a highway bill calling for a full $216 billion in transportation investments over the six years, 1998 through 2003. Of that amount, $173 billion is provided in contract authority for our national highway system.

Senators will recall that the Omnibus Budget Reconciliation Act of 1993 assessed a new 4.3 cents gas tax, solely for the purpose of deficit reduction. That was the first time since the Highway Trust Fund had been established in 1956, that a permanent gas tax was put on the books for a purpose other than for transportation investments. In May of 1996, our former colleague, Senator Dole of Kansas, rekindled the debate on the appropriate use of the 4.3 cents-per-gallon gas tax. At that time, I signaled to my colleagues my intent to offer an amendment to transfer this 4.3 cents gas tax from the general fund to its rightful place in the Highway Trust Fund so that it could be used to help meet our ever-growing unmet needs in the area of highway construction and maintenance, as well as to rebuild the thousands of unsafe and overburdened bridges throughout the nation. In my view, the Federal Government has, for too long, held its head in the sand while our Federal investment in our nation's infrastructure declined, both as a percentage of our gross domestic product. As such, I was poised to offer my amendment to transfer the 4.3 cents tax into the Highway Trust Fund throughout the summer of 1996. At the behest of both the majority and minority leaders, I deferred offering my amendment on two separate tax bills. Unfortunately, another opportunity to offer my amendment did not arise during the 104th Congress.

During debate on the budget resolution last year, Senator GRAMM offered a Sense-of-the-Senate amendment supporting the transfer of the 4.3 cents-per-gallon gas tax from deficit reduction to the Highway Trust Fund, and the spending of that revenue on our highway construction needs. Senator GRAMM was joined by 81 of our colleagues in support of this amendment. Later that year, when the Finance Committee marked up the Taxpayer Relief Act of 1997, it was Senator GRAMM, who is a member of that committee, who successfully included a provision transferring the 4.3 cents to the Highway Trust Fund. That provision became law with the enactment of the Taxpayer Relief Act in August of 1997.

Transferring this new revenue to the Highway Trust Fund was crucial, because it gave Congress the opportunity to authorize and commit dramatically increased resources on our National Highway System. Unfortunately, however, even with this new revenue coming into the Highway Trust Fund, the Environment and Public Works Committee reported a highway bill on October 1, 1997, that failed to authorize even one penny of this new revenue to be spent on our Nation's highways and bridges. Indeed, under the funding levels reported by the Environment and Public Works Committee for the highway program, the unspent balance in the Highway Trust Fund (including both the highway and transit accounts), was expected to grow from $22.9 billion at the beginning of 1998 to more than $55 billion at the end of 2003, the end of the ISTEA II authorization period. I found these figures to be grossly unacceptable. Senator GRAMM and I did not successfully champion the transfer of the 4.3 cents into the Highway Trust Fund so that the revenue would sit in that Trust Fund, unspent. There was no question that these funds were sorely needed on our Nation's highways. I have taken to the Floor numerous times over the years to remind my colleagues of the hundreds of thousands of miles of highways in the nation that are rated in poor or fair condition, and the thousands of bridges across our nation that are rated as deficient or functionally obsolete.

Following the Environment and Public Works Committee's action, I held several discussions on the subject with members of the committee, including Chairman CHAFEE, and the ranking member, Senator BAUCUS. As a consequence of these discussions, I prepared an amendment to the highway bill to authorize the spending of the full amount of revenues going into the highway account of the Highway Trust Fund. Given the continuing deterioration of our Nation's highways in all 50 states, and the growing volume of concern on the part of the Nation's Governors and State legislators regarding the Federal Government's underinvestment in our infrastructure, I felt that it was essential that the Senate have an opportunity to vote on whether or not we meant what we said when we placed these additional highway tax revenues into the Highway Trust Fund.

I was pleased to have as the very first cosponsor of the amendment I had prepared my very good friend and colleague, Senator GRAMM. Shortly thereafter, our efforts were given a great boost when we were joined by Senator BAUCUS, the ranking member of the Surface Transportation Subcommittee, and Senator WARNER, the subcommittee's chairman. Senators GRAMM, BAUCUS, WARNER, and I diligently sought to obtain cosponsors for our amendment. In total, we were able to secure an additional 50 cosponsors, making a total of 54 cosponsors for the Byrd-Gramm-Baucus-Warner amendment.

Our amendment authorized additional contract authority for highways over the period Fiscal Years 1999 through 2003, totaling $30.971 billion. At the time we introduced our amendment, that amount was the Congressional Budget Office's estimate of the revenue from the 3.45 cents portion of the 4.3 cents gas tax that would be deposited into the highway account of the Highway Trust Fund over that five-year period. In January of this year, the Congressional Budget Office re-estimated that five-year figure to a level of $27.41 billion, or a reduction of $3.561 billion from their earlier forecast.

During Senate debate on the highway reauthorization bill, Mr. President, it appeared that a true battle was brewing. The Senate was divided into two camps—the camp of those that had joined with Senators BYRD, GRAMM, BAUCUS, and WARNER in support of authorizing the spending of the additional revenue to the Highway Trust Fund, and the opposition, led by Senators DOMENICI and CHAFEE, who opposed this approach. This division was causing a delay in Senate consideration of the ISTEA bill, a delay that

made all Senators uncomfortable, since we faced the May 1 deadline beyond which most states could not obligate any federal aid highway funds absent a new authorization bill. The fact is, that the May 1 cutoff of highway obligation authority is still in effect and is a major reason why it is so critical that Congress get this legislation to the President's desk before the Memorial Day Recess. Ultimately, in an attempt to break the Senate deadlock on the highway bill, the majority leader, Mr. LOTT, asked that all parties join him in his office for negotiations on this issue. And so, Senator GRAMM, Senator BAUCUS, Senator WARNER, Senator CHAFEE, Senator DOMENICI, Senator D'AMATO, and I did join with the majority leader to discuss the situation. After several days of back and forth discussions, under the very adept moderating style of the majority leader, I was pleased that an agreement emerged that resulted in an amendment to the then-pending highway bill totaling $25.920 billion in additional highway spending. That amount represented 94 percent of CBO's most recent estimate of the revenue to the highway account, stemming from the 4.3 cents gas tax.

On a matter that was of critical importance to me, the negotiated amendment included $1.89 billion for the Appalachian Development Highway System. Coupled with the $300 million already in the committee bill for this system, total funding over the 6-year ISTEA bill, for the Appalachian Regional Highway System equaled $2.19 billion, the full amount requested by the administration in their ISTEA proposal. Back in December—or January, rather, of 1997, I had met with the President with the goal of convincing him of the importance of completing the Appalachian Highway System. The completion of these highways were promised to the people of Appalachia more than 32 years ago. But as we enter the new millennia, we find that our Interstate Highway System is almost 100 percent complete while the Appalachian Highway System remains less than 78 percent complete. In my home State of West Virginia, we lag behind the average for the region. Our segments of the Appalachian Highway System are only 73 percent complete. I was pleased that, following our meeting, the President saw fit to include $2.19 billion for the Appalachian Highway System in his ISTEA reauthorization proposal. While this amount would not serve to complete the Federal contribution toward the system, it represented a substantial boost to the system and sent a signal to the entire Appalachian region that we are serious about completing these corridors. So the proposal also provided for the Appalachian States to be able to draw down contract authority from the trust fund in order to complete their Appalachian corridors.

The $26 billion included in our amendment not only allowed for a boost to the Appalachian Highway System, it provided for substantial increases in highway funding for all 50 States and many other national highway initiatives. Perhaps, most importantly, it closed the substantial funding gap that existed in the total amount of funding in the Senate highway bill and the highway bill under consideration in the House of Representatives. It paved the way for a less contentious and more amicable conference. Put simply, by bringing the additional $26 billion to the table, our amendment better enabled the conferees to include many critical initiatives in the conference agreement—initiatives that might otherwise have been left out of our Federal Aid Highway program for the next 6 years.

This conference agreement includes an historic increase in the overall level of investment in our Nation's highways, a 44 percent increase over the levels authorized in the original ISTEA legislation for the years 1992 through 1997. The agreement includes a total of $2.25 billion for the Appalachian Highway System. Within that amount, West Virginia can expect to receive roughly $345 million to aid in the completion of Corridor H from Wardensville to Elkins and Corridor D in the Parkersburg area. The bill also includes specific earmarks for several high priority projects throughout the State. These include: $50 million for West Virginia Route 10 from Logan to Man and $22.69 million for the continued construction of the Coalfields Expressway in Southern West Virginia.

Mr. President, I commend the conferees for their diligent efforts in reaching this historic agreement. I especially commend chairman CHAFEE and chairman WARNER, as well as Senator BAUCUS, who have spent untold hours in negotiations with the House conferees in an effort to reach a fair and balanced conference agreement. I also commend chairman SHUSTER for his splendid efforts on the House side in chairing this very difficult conference and for bringing it to a successful conclusion in such an expeditious manner. Further, I want to especially commend my own Congressman, Representative NICK RAHALL of the Third District of West Virginia in which my voting residence is attained. He served as one of the leaders of the House conferees and has been a stalwart ally in the effort to guarantee the American people that their gas taxes will be spent on our Federal highways. His wisdom and his experience have made West Virginia and the Nation proud.

I also compliment the many members of staff—for example Jim English and Peter Rogoff—who have worked diligently over these many, many months, as a matter of fact, in helping to bring this historic bill to fruition. I must thank, again, both leaders, Mr. DASCHLE and Mr. LOTT, for their support of the legislation. I thank all Senators who have participated one way or another in the working out of this agreement. And, again, I compliment and thank Mr. SHUSTER and the Members on the House side.

It was a difficult bill. It was a difficult battle and a difficult conference.

I close by thanking once more, Senator GRAMM of Texas for his splendid leadership, for his unfailing courage, for his high dedication to the passage of this bill, and also for his determination to do everything possible to see to it that the moneys the American people spent on the gas tax when they fill their fuel tanks go into the highway trust fund and are spent on highways. I thank him for joining with me in seeing to it that the amendment which would provide for the expenditure of those trust fund moneys on highways and bridges was implemented. This was the goal that we sought. We thought it was right. We thought that it was being honest with the American people.

I don't think I could have had a better supporter and compatriot and colleague in this effort than Senator GRAMM. He is, indeed, a very able Senator, and has one of the brightest minds I have seen in my 40 years in this Senate. I salute him and express my gratitude for his steadfast support and his encouragement that he gave to me and to others of us who worked together in this matter.

This conference agreement represents a remarkable accomplishment, long sought by the American people and those of us who are fortunate enough to represent them. I commend all those whose efforts have brought us to this historic day.

I yield the floor.

Mr. BREAUX. Mr. President, I want to commend the distinguished Senator from West Virginia not only for his comments, but also for his untiring work on this very important legislation. He is to be commended. I thank all of our colleagues for their work and their contribution on the highway bill. But I assure everyone in this country that were it not for the senior Senator from West Virginia, this bill would not have been passed in this body this afternoon and be part of one of the most massive improvements of our transportation system in this country. He is to be commended. I know there are so many people that are not here today that want to say thank you to the very distinguished Senator for his contribution in this regard.

Mr. BYRD. Mr. President, I thank my friend from Louisiana. I thank him for his kind words, and I thank him for his support all along the way which greatly helped us in bringing this legislation to its fruition. I thank him again.

The PRESIDING OFFICER. The question is on the conference report. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. MCCAIN) would vote ''nay.''

Mr. BREAUX. I announce that the Senator from Arkansas (Mr. BUMPERS), the Senator from Kentucky (Mr. FORD), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

The result was announced—yeas 88, nays 5, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—88

Abraham	Durbin	Lieberman
Akaka	Enzi	Lott
Allard	Faircloth	Lugar
Ashcroft	Feingold	Mack
Baucus	Feinstein	McConnell
Bennett	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Burns	Harkin	Roberts
Byrd	Hatch	Rockefeller
Campbell	Helms	Santorum
Chafee	Hollings	Sarbanes
Cleland	Hutchinson	Sessions
Coats	Hutchison	Shelby
Cochran	Inhofe	Smith (NH)
Collins	Jeffords	Smith (OR)
Conrad	Johnson	Snowe
Coverdell	Kempthorne	Stevens
Craig	Kerrey	Thomas
D'Amato	Kerry	Thompson
Daschle	Kohl	Thurmond
DeWine	Landrieu	Warner
Dodd	Lautenberg	Wyden
Domenici	Leahy	
Dorgan	Levin	

NAYS—5

Gorton	Roth	Wellstone
Kyl	Specter	

NOT VOTING—7

Bumpers	Kennedy	Torricelli
Ford	McCain	
Inouye	Murkowski	

The conference report was agreed to.

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

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

The motion to lay on the table was agreed to.

THE PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the Chair.

(The remarks of Mr. DOMENICI pertaining to the submission introduction of S. Res. 36 are located in today's RECORD under ''Statements on Senate Concurrent and Joint Resolutions.'')

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Louisiana.

Mr. BREAUX. I thank the Chair.

(The remarks of Mr. BREAUX pertaining to the introduction of S. 2121 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

ISTEA

Mr. DASCHLE. Mr. President, I rise for a moment to congratulate all of those Senators who have had so much to do with the success that we have just demonstrated with the passage of the Interstate Transportation Efficiency Act, the so-called ISTEA II bill. Senator BAUCUS, Senator CHAFEE, Senator WARNER, Senator BYRD, and Senator GRAMM deserve our accolades and our commendation for a job extraordinarily well done.

This represents the single biggest investment in our infrastructure in our Nation's history. It represents an effort to recognize the importance of infrastructure and the array of challenges that we face in an information age, as well as at the turn of this century and the entrance into a new millennium.

It also recognizes the importance of regional balance—the West, the South, the Northeast, the Midwest—all with our disparate challenges and problems that we face with infrastructure, all with the needs, all with the recognition that our States are vastly different as those needs are reflected in public policy. This not only represents the greatest investment, in my view, it represents as well the best regional balance that we have been able to demonstrate.

Finally, I think it recognizes the importance of something the distinguished Senator from Louisiana and the Senator from West Virginia have said on the floor many times: We must recognize the critical nature of the trust fund itself and restore the practice that this country had at one point and was religious in adhering to, and that is that we use the funds that are designated for particular trust funds as they should be used. When this legislation is fully implemented, that is exactly what will happen; the trust fund will be used as it must be used.

Today, we spend approximately $32 billion from the trust fund on an annual basis, but only $21 billion goes to highways and infrastructure needs; $11 billion, roughly, goes to needs that are not highway designated, that are not related to infrastructure. Mr. President, the time has come for us to make a change in that practice, and this legislation does it.

There has been a great deal of concern expressed on both sides of the aisle about the veterans' offset. Frankly, I am very disappointed and discouraged about the fact that we are using a veterans' fund for purposes of offset, but this is not the last word. I must say, if we were using the trust fund for which it was designed, we wouldn't need the veterans' fund because the highway fund is more than adequate to cover our needs for infrastructure in this country.

We will revisit the veterans smoking issue, and, in my view, we will revisit it in a successful way. We must recognize there is a dependency created in large measure because of past practices in the Armed Forces that we must address. Whether it is in the smoking bill, whether it is in some other legislation in the future, we will not ignore the fact that veterans need the same consideration as every other smoker in this country; in fact, in some cases you could clearly say more.

There are two issues to be resolved: One is the offset; the second is the policy. I believe in the longer term we will deal with both successfully. But that should not in any way dissuade us from taking great satisfaction today with this accomplishment, for the tremendous job that was done in bringing us to this point; that, in fact, at long last—a month overdue—at long last we did what the Nation was waiting for us to do: Pass a meaningful infrastructure bill that represents the needs, challenges, and demands that must be put on this Nation as we enter a new era.

I yield the floor.

VETERANS

Mr. BREAUX. Let me make a brief comment. I want to associate my comments and feeling with the earlier remarks of the distinguished Democratic leader, Senator DASCHLE, with regard to his comments about this bill and the use of funds in the highway legislation that could be used for veterans disability benefits associated with smoking.

I was very, very pleased to hear Senator DASCHLE point out very clearly that this issue will be revisited. It needs to be revisited. It is unfortunate, I think, that moneys that were going to be available for veterans who have suffered disabilities from smoking problems will be used for part of this legislation that we just recently passed. But I think it is very clear there is a strong feeling among most all members of the Commerce Committee that this is an issue that needs to be revisited. We need to find the funds to make sure that these types of health disabilities are taken care of and that if it is a veterans disability associated with their service that they be treated as such. I support that. I will be here to do anything that I can to try and correct this problem.

As we deal with the tobacco legislation on the floor, it would seem to me this would be, perhaps, a good way of addressing this particular issue as a health-related smoking issue. I hope we could find a way within the tobacco legislation to address this.

I stand committed to work with Senator DASCHLE on finding a way to correct this problem. I am quite confident that we will be able to do so, and certainly I am committed to do that.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Hawaii.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

Mr. AKAKA. Mr. President, before we break for the Memorial Day recess, I