allowing the contracting officer of an agency to withhold an appropriate amount of payment with respect to a contract (depending on the size of the contract) until the date of receipt of complete, accurate, and timely subcontracting reports in accordance with paragraph (11).''.

On page 196, lines 17 and 18, strike ''performance, or lack of performance of the subcontractor.'' and insert ''circumstances surrounding the failure to make the timely payment described in subparagraph (A).''.

On page 199, line 3, strike ''(b)'' and insert the following:

(b) HUBZONE STATUS TIMELINE AND COMMENCEMENT.—

(1) IN GENERAL.—A base closure area shall be treated as a HUBZone for a period of 5 years beginning on the date of final closure. A military base that was closed before the date of enactment of this Act shall not be considered a base closure area for purposes of this section.

(2) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of enactment of this Act.

(c)

The bill (S. 1375), as amended, was considered read the third time and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

ENCOURAGING THE PEOPLE'S REPUBLIC OF CHINA TO ESTABLISH A MARKET-BASED VALUATION OF THE YUAN

Mr. FRIST. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further action on S. Res. 219, and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

The resolution (S. Res. 219) to encourage the People's Republic of China to establish a market-based valuation of the yuan and to fulfill its commitments under international trade agreements.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the motion to reconsider be laid upon the table and that any statements regarding this matter be printed in the RECORD.

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

The resolution (S. Res. 219) was agreed to.

The amendment (No. 1789) to the preamble was agreed to, as follows:

AMENDMENT NO. 1789

(Purpose: To make clarifying amendments)

Strike the fourth clause of the preamble.

In the seventh clause of the preamble, strike ''free fluctuation'' and insert ''market-based valuation''.

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 219

Whereas the currency of the People's Republic of China, the yuan or renminbi, has been tightly pegged to the United States dollar at the same fixed level since 1994;

Whereas the undervaluation of China's currency makes exports from China less expensive for foreigners and makes foreign products more expensive for Chinese consumers, an effective subsidization of China's exports and a virtual tariff on foreign imports;

Whereas the Government of the People's Republic of China has significantly intervened in its foreign exchange markets in order to hold the value of the yuan within its tight and artificial trading band, resulting in enormous growth in China's dollar reserves, estimated to be over $345,000,000,000 as of June 2003;

Whereas the practice of ''currency manipulation'' to gain a trade or competitive advantage is a violation of the spirit and letter of the World Trade Organization and International Monetary Fund agreements, of which the People's Republic of China is now party;

Whereas the undervaluation of China's currency has had and continues to have a negative impact on the United States manufacturing sector, contributing to significant job losses and business closures;

Whereas the undervaluation of China's currency also has had and continues to have a negative impact on the economies of its neighbor nations, the European Community, Mexico, and Latin America;

Whereas the free fluctuation of currencies is a key component to the health of global trade, and the stability of the world economy; and

Whereas China's central bank governor has stated that the value of the yuan will eventually be determined by market forces rather than pegged firmly to the dollar: Now, therefore, be it

Resolved, That the Senate of the United States—

(1) supports the Secretary of the Treasury's work with regard to the Secretary's discussions with the Government of the People's Republic of China leading to a market-based valuation of the yuan; and

(2) encourages the People's Republic of China to continue to act on its commitments to the trade rules and principles of the international community of which it is now a member.

SURFACE TRANSPORTATION EXTENSION ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of H.R. 3087, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3087) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

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

Mr. MCCAIN. Mr. President, today, the Senate will approve a 5-month extension of the highway programs authorized by the Transportation Equity Act for the 21st Century, TEA–21, based on an agreement between the Senate and House leadership. Only reluctantly, and because of the need to complete action on the extension immediately to ensure the many TEA–21 programs do not come to a halt, do I accept the terms of the extension as approved by the House for the safety programs administered by the Federal Motor Carrier Safety Administration, FMCSA.

The House-passed short-term extension authorizes $56 million less, on an annualized basis, for motor carrier safety than the program's fiscal year 2003 appropriated level. I am very concerned that the level of funding in the extension is insufficient to make progress toward the national goal of reducing the rate of truck-related crashes by 30 percent by 2008. The extension does not provide sufficient funding for FMCSA to fully implement existing, authorized programs in the short term, including the ''new entrants'' program, hazmat permitting, additional carrier compliance reviews, and completion of long overdue rulemaking proceedings. Further, the bill provides no funds to continue construction of inspection facilities at the border. The funding level is significantly below the President's funding request for fiscal year 2004; the Senate Commerce Committee's TEA–21 reauthorization legislation; and the funding levels approved by the Senate and House Appropriations Committees. And, it is entirely inconsistent with the significant funding increases provided over the short-term for highway construction and maintenance.

FMCSA was created after TEA–21 became law to address the increasing number of truck-related accidents on our nation's roads and highways. The duties assigned to the agency through the Motor Carrier Safety Assistance Act, MCSIA, and other legislation have resulted in funding levels significantly above the administrative takedown authorized by TEA–21. The extension, however, fails to recognize this and, on the grounds that the bill must comply with the budget resolution, funding for motor carrier safety is being curtailed, while highway construction and transit funding is being increased.

I want to put my colleagues on notice that either when the full Senate moves its 6-year reauthorization bill, or is faced with a further extension of TEA–21 next February, I will insist that the motor carrier safety programs are authorized at an appropriate level of funding. I believe my views are shared by Senator HOLLINGS, who joined me in sponsoring legislation, S. 1646, that would have funded the safety programs for 5 months at a level consistent with the Commerce Committee's reauthorization proposal.

I take pride in the fact that the Senate Commerce Committee completed work last June on its 6-year reauthorization of the TEA–21 safety programs under its jurisdiction. Our bipartisan bill is designed to meet the level of commitment to safety needed to achieve aggressive goals for reducing accidents and fatalities on the nation's roadways. Safety deserves at least the same attention and priority as highway construction and again, I will object to any future related measure that does not ensure the motor carrier safety programs are fully funded for the full 2004 fiscal year.

Mr. SARBANES. Mr. President, I join with my colleagues in supporting the pending legislation. This 5-month extension of the Transportation Equity Act for the 21st Century, TEA–21, preserves the basic structure of our Federal surface transportation programs, which have proven to be extremely beneficial for our citizens' mobility and our national economy over the last 6 years.

I want to focus for a moment on the Federal transit program, in which I have a particular interest as the ranking member of the Senate Banking Committee. The Banking Committee and its Housing and Transportation Subcommittee, both last Congress and this Congress, have held a series of hearings on the contributions of the transit program to reducing congestion, strengthening our national economy, and improving our quality of life. The clear message of these hearings is that TEA–21 works. The guaranteed funding, the program structure, and the balanced approach to transportation planning encompassed within TEA–21 have contributed to a renaissance for transit in this country; in fact, transit has experienced the highest percentage of ridership growth among all modes of surface transportation, growing over 28 percent between 1993 and 2001. For this reason, I am pleased that this legislation preserves the structure and programs of TEA–21 for the next 5 months.

While we are talking today about a short-term extension, I think we must take a moment to look toward the future. The transportation needs of this Nation are significant, as more and more communities find themselves confronting the problems of traffic congestion and delay. According to the Texas Transportation Institute, in the year 2000, Americans in 75 urban areas spent 3.6 billion hours stuck in traffic, with an estimated cost to the Nation of $67.5 billion in lost time and wasted fuel. As these figures show, congestion has a real economic cost to this Nation, in addition to the psychological and social costs of spending hours each day sitting in traffic.

It is clear to me that we will have to greatly increase Federal support for transportation to help local communities make the investments in infrastructure and system preservation that will keep America moving forward in the 21st century. The Department of Transportation's Conditions and Performance Report estimates that an average of $127 billion per year is needed over the next two decades to maintain and improve the condition of our highways, bridges, and transit systems. Other estimates show an even greater need. I believe that failure to make the needed investment will result in the continued deterioration of our existing infrastructure.

Moreover, investment in our transportation infrastructure has economic benefits as well. According to the U.S. Chamber of Commerce, each $1 billion invested in transportation infrastructure creates 47,500 jobs. At a time when our economy is struggling, investing in transportation is one of the smartest actions that Government can take. Increased investment creates jobs today and leads to economic growth tomorrow.

For this reason, I am disappointed that the administration has not yet come forward with the resources we will need to develop a full, 6 year reauthorization bill. The administration's reauthorization proposal, known as SAFETEA, provides only a minimal increase for the Federal highway program, and in fact would cut that program in fiscal year 2004 from its fiscal year 2003 level. For transit, SAFETEA not only fails to grow the program at the pace of inflation, it cuts guaranteed funding over the 6 year period, so that the guaranteed level in fiscal year 2009 is actually less than the program level today. Without a serious commitment from the administration to make the kind of investment needed, and strong bipartisan bicameral leadership in the Congress, it will be very difficult for us to reauthorize the surface transportation programs even when this short-term extension expires.

Until that commitment is made, however, it is essential that our States and local communities be able to continue to operate and maintain our Nation's roads, bridges, and transit systems. I encourage the Department of Transportation to use the authority granted by this legislation to provide the needed assistance as expeditiously as possible. I urge my colleagues to support this legislation.

Mr. NICKLES. Mr. President, as the Senate considers this temporary extension of our transportation programs, I would like to note for my colleagues the budgetary implications of this legislation.

This bill is subject to a point of order pursuant to section 302(f) of the Budget Act because the total level of contract authority for transportation programs within the jurisdiction of the Committee on Commerce, Science and Transportation—on an annualized basis—exceeds the allocation provided to that committee in the FY 2004 budget resolution. Because the amount is not significant, and the bill is only a short-term extension, I have chosen not to pursue the point of order at this time.

In addition, section 10 of the bill contains a number of provisions that are within the jurisdiction of the Committee on the Budget, thus subjecting the bill to another 60-vote point of order pursuant to section 306 of the Budget Act. Subsections (a), (b) and (c) amend sections 250 and 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and purport to extend the life of the transportation categories. Subsection (d) deems certain spending adjustments to be ''zero'' for FY 2004. Finally subsection (e) expresses a ''sense of Congress'' with respect to the adjustments for revenue aligned budget authority (aka RABA).

While some may argue that these ''budgetary provisions'' are of little consequence given the expiration of the statutory spending caps which had been set out in section 251, I feel it is still important to comment upon them. I am concerned that their inclusion in this bill may signal to some that we have prejudged the important fiscal policy debate that must take place when the long-term reauthorization comes before the Senate. Let me assure my colleagues, that in agreeing to this necessary stop-gap measure today, I am in no way conceding the future budgetary treatment of transportation spending.

These issues have a long history.

In 1998 the Transportation Equity Act for the 21st Century (TEA–21) was enacted and from a budgetary perspective introduced two new concepts: two transportation categories (for highways and transit) within the discretionary spending limits and an annual automatic adjustment to those limits, aka RABA. Both concepts were enshrined in section 251 as well as in the transportation laws. In general, section 251 set out the statutory discretionary spending limits through FY 2002. These limits were enforced through sequestration. In other words, back in 1998 special (one might even say privileged) consideration was afforded transportation spending within the context of an overall goal to limit spending and balance the budget by 2002. While TEA–21 purported to establish special budgetary treatment through FY 2003, the mechanisms were placed within section 251 which expired on September 30, 2002 (pursuant to section 275(b)). Consequently this special budgetary treatment of transportation spending ceased to have any substantive meaning nearly 2 years ago—after enactment of the FY 2002 appropriations bills.

I must also remind my colleagues that this RABA mechanism was to have been a two-way street. If gas tax revenues exceeded previous estimates, spending for transportation would go up. Similarly if gas tax revenues decreased, spending levels were to have gone down—thus not altering the ''path to a balanced budget.'' This mechanism worked well through the boom time of the late 1990's as actual gas tax revenues consistently exceeded previous estimates and Congress and the President happily spent this windfall. However, when actual gas receipts cam in below predicted levels and the President reflected the lower levels dictated by TEA–21 in his FY 2003 budget, few in Washington were willing to acknowledge this reality and spend less.

I mention this today because I am concerned by the language in this bill that expresses the ''Sense of Congress'' on RABA. While the language is not binding and merely suggests that any future provisions should seek to minimize fluctuations in spending—which sounds like a good thing—its very presence in H.R. 3087 might lead some to believe that the concept of separate transportation categories and the RABA adjustment's inclusion in a long-term extension is a done deal.

The Senate should remember that when TEA–21 was enacted it was done so in the context of 5-year discretionary spending limits—which I remind my colleagues were designed to manage the growth of discretionary spending in order to reach a balanced budget by 2002. Since then, balanced budgets, surpluses and the days of 5-year caps have come and gone. And while I sincerely hope we can exercise fiscal constraint in the coming years, I do not know when or if we will again put 5-year discretionary caps into law. Our recent experiences have shown us that, at best, caps might be useful for 2 years. Consequently, I believe that as we work towards a long-term reauthorization of our Federal transportation programs, we must take a fresh look at any associated budgetary mechanisms.

I look forward to working with my colleagues on these important issues in the future.

Mr. LEVIN. Mr. President, I am reluctant to enact a short-term extension of the highway funding bill without improving equity for donor States. At issue is the historic mistreatment of about 20 States, including Michigan, known as ''donor'' States, who, year after year, have sent more gas tax dollars to the Highway Trust Fund in Washington than were returned in transportation infrastructure spending. The remaining 30 States, known as ''donee'' States, have received more transportation funding than they paid into the Highway Trust Fund.

This came about in 1956 when Senators from a number of small and large States banded together to develop a formula to distribute Federal highway dollars that advantaged their States at the expense of the remaining States. They formed a coalition of about 30 States that would benefit from the formula and, once that formula was in place, have tenaciously defended it.

At the beginning there was some legitimacy to the large low-population predominately Western States getting more funds than they contributed to the system in order to build a national interstate highway system. Some arguments remain for providing additional funds to those States to maintain the national system and our bill will do that. However, there is no justification for any State getting more than its fair share.

Each time the highway bill is reauthorized the donor States that have traditionally subsidized other States' road and bridge projects have fought to correct this inequity in highway funding. It has been a long struggle to change these outdated formulas.

Through these battles, some progress has been made, but we still have a long way to go to achieve fairness for Michigan and other States on the return on our Highway Trust Fund contributions. At stake are tens of millions of dollars a year in additional funding to pay for badly needed transportation improvements in our States and the jobs that go with it. Unfortunately, this short-term extension bill does not make any improvements on the rate of return for donor States, even on the new funds that are included in this bill that are above last year's funding levels.

My colleagues have argued that this short-term bill is a straight ''clean'' extension of Federal highway and transit programs. They have argued that we cannot accommodate any policy changes in an extension bill such as improving the rate of return for donor States. But this bill does include one policy change. It includes an increase in funding over last year. In fairness to donor States and to bring us closer to narrowing the funding gap between donor and donee States, the additional money contained in this bill should have been distributed to donor States at a higher rate.

Unfortunately, this bill does not do this. It contains more money than last year yet fails to address the long-standing inequity. Every time we extend these programs without addressing equity, donor States lose out on getting back their fair share of gas tax dollars currently being spent in other States. There is no logical reason for some States to continue to send that money to other States to subsidize their road and bridge projects and to perpetuate this imbalance is simply unfair.

I plan to enter into a colloquy with the chairman of the Senate Environment and Public Works Committee to obtain a commitment to achieve a 95 percent rate of return for a donor State's share of its contributions to the Highway Trust Fund in the long-term transportation reauthorization bill, up from 90.5 percent under the current bill.

This is an issue of simple fairness and we should not be satisfied until we achieve it.

Mr. INHOFE. Mr. President. I urge my colleagues to support H.R. 3087, the Surface Transportation Extension Act of 2003, which extends the expiring Transportation Equity Act for the 21st Century for an additional 5 months.

As my colleagues are aware, we are just days from the expiration of TEA–21. We continue to make progress in our negotiations on a comprehensive 6-year bill, but we need more time. Earlier this year, 79 Senators voted for the Bond-Reid amendment to the fiscal year 2004 budget resolution which stated clearly that the Senate wanted the funding for a 6-year highway bill at $255 billion.

I believe $255 billion is a reasonable and responsible level given the pressing transportation infrastructure needs that are out there. Now the challenge is to get to that level. My colleagues on the Committee on Environment and Public Works and I have been working closely with Senators GRASSLEY and BAUCUS to find the money. In the meantime, we have to address the imminent expiration of TEA–21.

H.R. 3087 provides 5 months worth of the $35.5 billion allowed under the budget resolution of $14.8 billion and a corresponding amount of obligation limitation. This is a significant, 7 percent increase in highway funding over 2003. This additional $2.2 billion in highway funding will translate into over 100,000 new jobs.

Of course, the best thing we can do to create economic opportunity is enact a comprehensive, 6-year reauthorization. As we all know, highway bills are job bills. A highway bill drafted at $255 billion over 6 years will create about 2 million new American jobs. This combined with the tax cuts signed by President Bush is the best stimulus the economy can receive.

Let me be very clear that my preference is that we would be considering a 6-year comprehensive bill today, not a 5-month extension, but reality is that the funding needed to do a comprehensive 6-year bill at $255 billion has not yet been identified. Because of that, I believe the best outcome for the long-term is to do a 5-year month extension and continue to work on a comprehensive 6-year bill.

Again, I urge my colleagues to support H.R. 3087.

Mr. JEFFORDS. Mr. President. I rise in support of H.R. 3087, a bill to extend the Nation's surface transportation program, TEA–21, for a five-month period. Absent enactment of H.R. 3087, the program will shut down on September 30, 2003. I urge my colleagues to join me in support of this bill.

I regret the need for a short term extension to TEA–21. A short term extension brings uncertainty to our State transportation departments. This leads to postponed projects and job loss. But we have yet to find sufficient revenues to bring a full, 6-year reauthorization bill to the floor.

I have worked for the last 2 years on reauthorization of the transportation program, first as chairman of the committee on Environment and Public Works, and now as ranking member. This work has been bipartisan. I thank and commend Chairman INHOFE and our subcommittee chairman and ranking member, Senators BOND and REID for their approach to this task.

We have made great progress. We concluded early on that the Nation's infrastructure needs far exceed current resources. We shared our findings with our Senate colleagues. They in turn gave overwhelming support to the Bond-Reid amendment to the Senate Budget Resolution, to increase spending on the transportation program by roughly 40 percent to $311 billion. This has guided our work.

Our hearings revealed strong support for the existing TEA–21 program structure. In our work to date, we have retained the program structure largely intact. My goal is to maintain the current patterns in resources allocation among program categories, as well. On funding formulas, we have committed to benefitting all States as the program grows. And the program growth levels approved by our Senate budget resolution will enable such an outcome.

I will continue to work with Chairman INHOFE to bring a full, 6-year bill to the Senate floor within the next 5 months.

Mr. VOINOVICH. Mr. President, I rise in support of H.R. 3087, a bill to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund until February 29, 2004 pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, TEA–21. However, I am disappointed that Congress has been unable to enact a 6-year reauthorization of TEA–21 prior to September 30, 2003.

According to the American Road and Transportation Builders Association, ARTBA, employment in the transportation construction industry was down in July 2003 compared to July 2002. Specifically, there were 12,100 fewer workers on project sites over the last year, a decrease of 3.7 percent. In Ohio, according to the Bureau of Labor Statistics, heavy construction jobs are up slightly from last year; however, there are still 3,800 fewer jobs than in August 2000 when they were at their peak. Moreover, last year had the lowest number of employees in heavy construction since 1995.

Our economy needs a public works program to create jobs. Investment in our Nation's transportation infrastructure through a 6-year reauthorization bill would create thousands of jobs and jumpstart our sluggish economy. According to the U.S. Department of Transportation, for every $1 billion invested in highway construction, 47,500 jobs are created. It is also estimated that every dollar invested in the Nation's highway system generates $5.70 in economic benefits, including reduced delays, improved safety, and reduced vehicle operations costs. This is a six-to-one return on investment.

Although a 5-month extension extension will continue the flow of Federal funding to States' highway programs, it will not deal with the Nation's pressing, long-term transportation infrastructure needs. According to the Federal Highway Administration's, FHWA, 2002 Conditions and Performance Report, the average annual investment level needed to make improvements to highways and bridges is projected to be $106.9 billion through 2020. This amount is 65.3 percent higher than the $64.6 billion of total capital investments spent by all levels of government in 2000.

The average annual investment level necessary to maintain the current condition and performance of highways and bridges is projected to be $75.9 billion through 2020. This amount if 17.5 percent higher than capital spending in 2000.

If we continue to ignore the upkeep, and allow the deterioration of our infrastructure, we risk disruptions in commerce and reduced protection for public safety, health, and the environment. In my view, it is the responsibility of Congress to ensure that funding levels are adequate and efficiently allocated to the Nation's priority needs. In 1998, Congress recognized the importance of the Nation's transportation system through the enactment of TEA–21, a 6-year bill which increased by nearly 40 percent Federal investment in highways and transit. Under TEA–21, Ohio received a 23 percent increase in transportation funding.

As chairman of the National Governors Association, I was involved in negotiating TEA–21 and lobbied Congress to ensure that all Highway Trust Fund revenues were spent on transportation. I also fought to even out highway funding fluctuations and assure a predictable flow of funding to the States. TEA–21 achieved this goal with record, guaranteed levels of funding. While TEA–21 has enabled States and localities to improve the condition of deteriorating and unsafe highways and to increase capacity and performance, the system is still aging, and in need of additional investment.

TEA–21 also dedicated nearly all highway gas taxes to transportation funding and guarantees that States will receive at least 90.5 percent of their share of their contribution to the highway account of the Highway Trust Fund. One of my top priorities for TEA–21 reauthorization is to increase the minimum share for donor states to at least 95 percent. This increase in the rate of return would generate an additional $60 million or more in Federal highway funding for the State of Ohio.

In May 2003, Senator CARL LEVIN and I, along with House majority leader TOM DELAY and Congressman BARON HILL introduced legislation—the Highway Funding Equity Act of 2003—to increase donor States' minimum rate-of-return to 95 percent. Currently, there are 143 cosponsors of the House bill and 22 cosponsors of the Senate bill.

The legislation we are considering today does not improve donor State equity; rather, it continues current law with respect to the minimum guarantee program. For donor States, this is another reason why a 6-year reauthorization is so important and critical to our States. I am strongly committed to improving donor state equity in the longer term reauthorization, and look forward to working with my colleagues on the Environment and Public Works Committee to ensure that states receive their fair share of Highway Trust Fund dollars.

I am disappointed that the legislation we are considering does not contain language which would have ensured that States that consume ethanol-blended fuel are no longer penalized. The Finance Committee reported legislation I have cosponsored that would transfer 2.5 cents of the Federal tax on ethanol-blended fuel from the General Fund of the Treasury to the Highway Account of the Highway Trust Fund and replace the 5.2 cents per gallon reduced tax rate for ethanol-blended fuel with a tax credit. As a result, the same Federal tax will be collected and deposited into the Highway Trust Fund regardless of whether a gallon of fuel contains ethanol. The Ohio Department of Transportation, ODOT, estimates that Ohio would restore up to $170 million annually as a result of the Finance Committee's legislation. I am hopeful this legislation will be passed soon.

Ohio has the Nation's tenth largest highway network, the fifth highest volume of traffic, the fourth largest interstate highway network, and the second largest inventory of bridges in the country. Ohio's transportation challenge is to expand its 1960s transportation system to meet 21st century needs. Recently, Ohio approved a State motor fuel tax increase that will ensure an annual $250 million new construction program for the next 10 years while maintaining bridge and highway conditions. With additional Federal funds, ODOT has set a goal of having a $5 billion, 10-year Ohio construction program dedicated to addressing Ohio's most pressing congestion, safety, and rural access needs. The plan is predicated on Congress enacting legislation to correct the ''ethanol penalty'' which reduces Ohio's transportation revenue, increase donor states' minimum rate-of-return to 95 percent, and provide an increased level of investment in the nation's highways and bridges.

This is why a 6-year reauthorization is important to my State. I am hopeful that Congress can reach a consensus on how to fund a longer-term reauthorization. As far as this Senator is concerned, I support the principle that the highway program is a fully user-fee based system that pays its own way, and I am reluctant to borrow more money for highways.

Furthermore, as chairman of the Clean Air Subcommittee of the Environment and Public Works Committee, I look forward to working with my colleagues to include provisions in the 6-year reauthorization that will streamline the project delivery process while protecting the environment and historic resources, reform the conformity process, and reauthorize and improve the Congestion Mitigation and Air Quality program.

I urge my colleagues to work together to produce a six-year reauthorization of TEA–21 before the extension bill expires at the end of next February. Reauthorization of TEA–21 will be one of the most important actions this Congress will take to get people back to work.

INEQUITY OF DONOR STATES

Mr. LEVIN. Mr. President, I am concerned that the 5-month highway bill extension being considered by the Senate today does not address the inequity faced by the donor States for so many years. The donor State inequity issue is the historic problem of about 20 States, including Michigan, Ohio and Oklahoma, known as "donor" States, who have sent more gas tax dollars year after year to the Highway Trust Fund in Washington than were returned in transportation infrastructure spending. The remaining 30 States, known as "donee" States, have received more transportation funding than they paid into the Highway Trust Fund. For a long time there has been no legitimacy to retaining such antiquated and unfair formulas that require taxpayers in 20 of our States to subsidize highway projects in 30 other States. We should not consider a highway bill without addressing this important issue.

It is a high priority to see that this historic inequity be corrected. At stake are tens of millions of dollars a year in additional funding to pay for badly needed transportation improvements in Michigan and the jobs that go with it. My colleague from Ohio and I have authored legislation that would bring donor States to a 95 percent rate of return on their contributions to the Highway Trust Fund. This would be up from the current minimum rate of return of 90.5 percent under the current TEA–21 bill. I am reluctant to see even a short term extension of the highway bill go through without increasing the minimum rate of return for donor States to address the inequity. I would at the very least like to get a commitment from the chairman that achieving donor State equity in a 6-year reauthorization bill in his intention and an urgent priority. I know he is as determined as we are to achieve equity for donor States.

Mr. VOINOVICH. Mr. President, I couldn't agree more with my colleague from Michigan. There is no logical reason why donor States should be contributing more dollars to the Highway Trust Fund than are returned to them for highway, bridge, and other surface transportation projects. Donor States like Ohio, Michigan, and Oklahoma have as many transportation infrastructure needs as other States. With so many projects needing funding in our own States, why should the citizens in our States continue to pay for transportation improvements in other States?

I, too, would like an assurance that the donor State equity issue will be addressed in the reauthorization of the Transportation Equity Act for the 21st Century and that this long-term reauthorization will be presented to the Senate as soon as possible.

Mr. INHOFE. Mr. President, I want my colleagues from Michigan, Ohio, and the many other donor States to know that I am committed to improving the return to donor States. It is my intention that any comprehensive 6-year reauthorization bill considered by the Senate include a provision that guarantees all donor States get to a 95 percent minimum rate of return at the end of the life of the bill without harming the opportunity for all States to grow. However, Members need to understand that this is only possible if we are able to fund the bill at $255 billion which means we must identify additional revenue.

I also want to further assure my donor State colleagues that the next highway bill I plan to mark up is a 6-year bill.

Mr. LEVIN. Mr. President, I am reassured to hear such a strong commitment from my colleague from Oklahoma to achieve a 95-percent minimum rate of return for all States in the long-term highway reauthorization bill. I look forward to continuing to work closely with the chairman to achieve this goal and in the fight for true donor State equity.

Mr. VOINOVICH. Mr. President, I am also reassured to hear the strong conviction of my colleague from Oklahoma that donor States should receive a minimum rate of return of 95 percent on the share of their contributions to the Highway Trust Fund. I too look forward to working with the chairman and my colleague from Michigan to improve donor State equity.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 3087) was read the third time and passed.

RUNAWAY, HOMELESS, AND MISSING CHILDREN PROTECTION ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 289, S. 1451.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

> A bill (S. 1451) to reauthorize programs under the Runaway and Homeless Youth Act and the Missing Children's Assistance Act, and for other purposes.

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

Mr. LEAHY. Mr. President, I urge the Senate to take up and pass S. 1451, the Runaway, Homeless, and Missing Children Protection Act. It passed unanimously in the Judiciary Committee earlier today, and it deserves the support of every Senator. I joined with Senator HATCH in introducing this legislation to reauthorize and improve the Runaway and Homeless Youth Act, and to extend the authorization of the Missing Children's Assistance Act. This bill follows in the footsteps of the recently enacted PROTECT Act legislation, and presents another milestone in our efforts to safeguard all of our children.

In the 29 years since it became law, the Runaway and Homeless Youth Act has helped some of the most vulnerable children in our country. I have worked in the past to extend the program, most recently in the 106th Congress, when I cosponsored S. 249, the Missing, Exploited, and Runaway Children Protection Act, which extended the act through this year. I am pleased to help extend it once again.

A Justice Department report released last year estimated that 1.7 million young people either ran away from or were thrown out of their homes in 1999 alone. Other studies have suggested an even higher number. This law and the programs it funds provide a safety net that helps give these young people a chance to build lives for themselves. It is slated to expire at the end of this fiscal year, and we should not allow that to happen.

In my State, both the Vermont Coalition for Runaway and Homeless Youth and Spectrum Youth and Family Services in Burlington receive grants under this law, and they have provided excellent services both to young people trying to build lives on their own and to those who are struggling on the streets. Reauthorizing this law will allow them to continue their enormously important work.

This bill would improve the law by extending the period during which older homeless youth can receive services under the Transitional Living Program, to ensure that all homeless youth can take advantage of services at least until they turn 18. The bill would also make permanent the Secretary of Health and Human Services' authority to make grants explicitly to help rural areas meet the unique stresses of providing services to runaway and homeless youth. Programs serving runaway and homeless youth have found that those in rural areas are particularly difficult to reach and serve effectively, and this bill recognizes that fact.

The improvements proposed in this bill to the Missing Children's Assistance Act build on provisions included in the PROTECT Act legislation that we enacted earlier this year. In that bill, we authorized National Center for Missing and Exploited Children, NCMEC, activities through 2005 and authorized the Center to strengthen its CyberTipline to provide online users an effective means of reporting Internet-related child sexual exploitation in distribution of child pornography, online enticement of children for sexual acts, and child prostitution. This bill would extend NCMEC through 2008. Now more than ever, it is critical for Congress to give the center the resources it needs in order to pursue its important work. A missing or abducted child is the worst nightmare of any parent or grandparent, and NCMEC has proved to