

I thank the chairman and the ranking member for the extraordinary efforts they have made to advance this legislation. We are being held up here because some are unhappy, some are not getting all they would like to get. That is pretty much the norm around here. None of us get quite what we would like. I would like much more for my State. But I know the reality we confront. I know the urgency of the need to act.

I ask my colleagues, please, let's invoke cloture. Let's proceed. We will still have opportunities to amend this bill. Members can come before the Senate and offer amendments to change this legislation. They can either prevail or lose, but they will have had their chance. I hope my colleagues will support the move to invoke cloture on this legislation so we can proceed, so the American people can know the important business of highway construction, highway repair, bridge construction, and bridge repair can move forward.

Mr. JEFFORDS. Mr. President, I thank the Senator for his good words. I hope the Senators viewing this will join so we can expedite passage of this bill.

Mr. CONRAD. Mr. President, again I thank the ranking member, Senator JEFFORDS, who has put so much time and effort into this legislation so that all at the table are fairly represented. I thank the chairman, as well. The chairman has strived valiantly over an extended period of time. I remember last year as we moved, we hoped, toward conclusion, our House colleagues had a different point of view than the Senate. I thank the chairman and ranking member for their exceptional efforts.

Now we have a chance to do it, to move forward. We need this cloture vote to proceed.

I yield the floor.

Mr. INHOFE. I thank the Senator from North Dakota. It is not as great a problem in Oklahoma as the problem in North Dakota because your construction season is shorter than ours. Right now one of our major concerns is that we can get in there and get the contracts in a timely fashion so we can get under construction and do the work we are supposed to be doing.

Also, before the Senator from North Dakota came in, we commented this is somewhat of a life-and-death situation. Last year, nearly 43,000 people died on our Nation's highways. This represents the single greatest cause of accidental death in Americans ages 2 to 33.

The core safety programs will be corrected. According to the Department of Transportation, time in congestion increased from 31.7 percent in 1992 to 33 percent in 2000. We had several discussions yesterday about the cost of fuel and the fact that if you have all this congestion—certainly we know what this is in Washington, DC—the cars are out there idling, burning fuel, not getting anywhere. We need to get this country moving.

I appreciate the comments of the Senator from North Dakota.

We are at the time designated to have the vote. This could be one of the maybe two or three most significant votes we have this year. It will allow us to do all that we have been talking about for the last hour. It is rather refreshing during this time we did not have anyone coming down and opposing this motion to proceed.

The Senator from North Dakota is exactly right. We want to encourage people who have a problem to come down. Maybe we can make them better. We want to consider amendments. We want to get this done.

The PRESIDING OFFICER. Without objection, all time is yielded back.

CLOTURE MOTION

Under the previous order, the Senate will proceed to a vote on the motion to invoke cloture on the motion to proceed to H.R. 3, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 69, H.R. 3, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Bill Frist, John Warner, Lindsey Graham, Craig Thomas, Mike DeWine, Richard Burr, Susan Collins, Johnny Isakson, James Inhofe, Gordon Smith, Pete Domenici, Thad Cochran, John Thune, Orrin Hatch, Chuck Grassley, David Vitter, Mitch McConnell.

The PRESIDING OFFICER. Under unanimous consent, the mandatory quorum has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3, the Transportation Equity Act: A Legacy For Users, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 94, nays 6, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—94

Akaka	Craig	Kohl
Alexander	Crapo	Landrieu
Allard	Dayton	Lautenberg
Allen	DeMint	Leahy
Baucus	DeWine	Levin
Bayh	Dodd	Lieberman
Bennett	Dole	Lincoln
Biden	Domenici	Lott
Bingaman	Dorgan	Lugar
Bond	Durbin	Martinez
Boxer	Ensign	McConnell
Brownback	Enzi	Mikulski
Bunning	Feingold	Murkowski
Burns	Feinstein	Murray
Burr	Frist	Nelson (FL)
Byrd	Graham	Nelson (NE)
Cantwell	Grassley	Obama
Carper	Hagel	Pryor
Chafee	Harkin	Reed
Chambliss	Hatch	Reid
Clinton	Inhofe	Roberts
Coburn	Inouye	Rockefeller
Cochran	Isakson	Salazar
Coleman	Jeffords	Santorum
Collins	Johnson	Sarbanes
Conrad	Kennedy	Schumer
Corzine	Kerry	Sessions

Shelby	Stevens	Voivovich
Smith	Talent	Warner
Snowe	Thomas	Wyden
Specter	Thune	
Stabenow	Vitter	

NAYS—6

Cornyn	Hutchison	McCain
Gregg	Kyl	Sununu

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 6. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Ms. MIKULSKI. Mr. President, I ask unanimous consent to speak for 7 minutes on the topic of the 15th anniversary of the Hubble telescope.

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

FIFTEENTH ANNIVERSARY OF THE HUBBLE SPACE TELESCOPE

Ms. MIKULSKI. Mr. President, this week marks the 15th anniversary of the launch of the Hubble space telescope. As we watched Hubble lift off 15 years ago, we had great hopes for the Hubble and great hopes for science. Guess what. We were not disappointed.

Hubble ushered in a new era of astronomy and science. Hubble has exceeded all expectations. It is the greatest tool for studying the universe since Galileo himself invented the telescope. Because of the Hubble, we are now living in what astronomers call the "golden age" of astronomy and physics. How incredible, how spectacular. It has been America's gift to the world. It has been one of the greatest acts of public diplomacy in history. Hubble has become a symbol of America's generosity of spirit. Whatever the Hubble sees in the world, it downloads for the rest of the world to have access. Hubble even has its own Web site. It gets e-mails from people all over the world. Some of them from the children are the most touching. There are e-mails that say: Dear Mr. Hubble, did you see God today? Have you met an angel? Is there another universe? What does it look like? They actually talk to Hubble, and it has inspired their curiosity and their desire to engage in science.

It is not surprising; just look at what it has accomplished.

The Hubble telescope has accounted for 35 percent of all of NASA's discoveries for the past 30 years. It has seen farther and sharper than any telescope in history. It has observed more than 14,000 objects in space. It has been the No. 1 producer of science for NASA over the past 10 years. Over 2,600 scientific papers have been written on the Hubble results. It has dramatically improved our understanding of the atmosphere of planets; the size of galaxies; the birth, life, and death of stars; the existence of black holes; the age of the universe and how the universe expands.

I have a photograph in my office of a swirling galaxy. They call it the "eye of God" because you literally see those spectacular pictures, and you feel in this one picture that God himself is staring down at us from the universe.

Hubble has rewritten the science textbooks almost every year. It has exceeded our wildest expectations. But it didn't start that way. Fifteen years ago, I was chairing the subcommittee that finances NASA, and we were so excited when Hubble took off. But no sooner was it in space when we saw that the Hubble did not work. Something was wrong with its mirror. Hubble could not see. I immediately had a hearing and said, oh my gosh, Hubble has a cataract. It needs space surgery. It needs a space contact lens. Well, I never saw myself as a space ophthalmologist, but, quite frankly, working with my dear friend from the other side of the aisle, Senator Jake Garn, we took a risk to finance the fix for Hubble.

Well, this country and this world, this big planet, was not disappointed. We took the risk because we believed in Hubble's potential. We believed in the engineers and the scientists at NASA to know how to fix it. We believed in our astronauts, that they could go to the Hubble and fix it and return safely to Earth. Thanks to those astronauts and engineers, Hubble was saved. We did fix it with a contact lens that has lasted now for many years. We have had to go back to space and give it new batteries. We have also had to give it new gyroscopes so it doesn't vibrate in space. We even improved its lens. Each year it gets better and better. From the brink of failure to extraordinary success, this has been the story of Hubble.

Now we are once again going to have to come to the rescue of Hubble. Last year, the NASA Administrator announced that he was terminating the final servicing mission to give Hubble new batteries and extend its life. The Administrator rejected it, saying that the Hubble would shut down in 4 years when its battery runs out. The reason he gave was astronaut safety. I was troubled by that because astronaut safety has been my No. 1 priority as an appropriator for the space program.

However, I was uncertain about that decision and, like any good scientist, I asked for a second opinion. First, I asked Admiral Gehman, who had done the study of what went wrong with Columbia, for his opinion. He said go to the National Academy of Sciences. I did that, and we found a study that concluded that a servicing mission was no more risky than going back to the space station.

Once again, Mr. President, our shuttle is going to start flying again, and our hearts and prayers will go with Colonel Collins as she takes astronauts back into space and, God willing and with the help of our engineers, returns to Earth safely.

The next mission needs to go up and fix the Hubble. I believe the American people want it. We have the will. Now we have to find the wallet. President George Bush, with poor advice from the NASA Administrator, canceled it out of the budget. I want the President to

look at those NASA pictures. I want him to know what NASA has meant to the world and to America in space. I am going to work with him, on a bipartisan basis, to find the money to keep Hubble flying and seeing the universe. Who knows, maybe we will meet an angel and make some interesting new friends.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:25 p.m., recessed and, at 2:16 p.m., reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Ohio, I suggest the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRANSPORTATION EQUITY ACT; A LEGACY FOR USERS—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I rise today to talk about simple fairness and equity in this highway bill. I commend the chairman and managers of the bill for working hard to get it to the floor. Now that it is here, I have some serious concerns with the bill, as reported, that I would like to share with my colleagues.

This bill is not fair to the States called donor States that send more of their Federal gas tax dollar and get less of it in return. Those are called donor States. We donor States—and Florida is one of them—are, once again, being cheated out of our fair share of highway dollars. Florida and roughly 20 other donor States deserve true equity, not simply what the donee States think we should be happy with. They send in a dollar of gas tax but they get more than a dollar in return. Our States, called the donor States, send in a dollar of gas tax money, and we receive less than a dollar of gas tax money in return.

In the case of Florida over the years, it has been down in the seventies. Presently—although it is scored at 90 cents—return on the dollar, in reality, when all the formulas are plugged in, is more like 87 cents. So in Florida we send a dollar of gas tax money to Washington, and we get only 87 cents of that dollar back. That is not fair.

The argument I am making is not a new argument. These are arguments that the ones who send in a dollar and get back less of their gas tax money

are pitted against the donee States. Approximately 30 of the donee States get back more than a dollar of the gas tax money. So there are 20 States that get less and approximately 30 States that get more. I am tired of hearing we should be happy with what we get. I am not happy with the formula on the redistribution of the gas tax money in the highway bill.

Last year's bill that we passed in the Senate got us a lot further toward equity than this year's bill. I was disappointed, even in that bill, because although we had a target to get us from 90 percent, which is really 87 percent, return on our gas tax dollar, all the way up to 95 percent, we did not get that 95 cents back on the dollar until the very last year of the 6-year authorization of the highway bill.

Florida is in the category with other States such as Arizona, California, and Texas. We were not going to get 90 cents on the dollar, boosted to 95 cents on the dollar, until the very last of 6 years in the bill. Those States that I just mentioned, mine included, are named superdonor States. In reality, it means we are the last in line to get our fair share.

As I look back at last year's bill, I yearn for it because that is not what this bill does. This bill gets the States only to 92 cents on the dollar, and large States such as Florida, California, Texas, and Arizona only get there, again, at the end of the 6-year authorization on the highway bill.

So what am I forced to look at? I am looking at we were getting it up to 95 cents on the dollar last year, and under this bill we are only getting it up to 92 cents on the dollar. Well, this is unacceptable. There is clearly a push from both sides of the aisle to add more money to the bill. I support more money in the bill. What we passed in the Senate last year was \$318 billion for highway construction authorized over a 6-year period. What is in this bill is \$284 billion over a 6-year period. If we want to add more money to the bill for highways, I am certainly for that, but I support more money if there is an increase in the rate of the return for States that are giving more money than what they are getting in return.

It simply does my State and these other States no good to grow a pot of money if we are not getting our fair share of the pot.

I have been told by the 30 donee States—remember, those are the States that get more on their dollar of gas tax than they put in—I have been told by those States to look at how much money, in actual dollars, Florida will receive and how much Florida will grow in an overall percentage from the last authorization bill.

I am happy to know Florida, under the chairman's proposal, gets more dollars in this bill than it did in the last authorization, but Florida should be getting more money this time around because it is putting more money in. The number that is important, and the