life, the deep faith and charity of its members, and the responsibilities of the United States in world affairs;

Whereas Pope Benedict XVI has spoken approvingly of the vibrance of religious faith in the United States, a faith nourished by a constitutional commitment to religious liberty;

Whereas Pope Benedict XVI remains committed to ecumenical dialogue and, during his trip to the United States, will meet with leaders of world religions and representatives of other Christian denominations and will visit a synagogue in New York City, all demonstrating his commitment to sincere dialogue and unity among all members of the human family;

Whereas Pope Benedict XVI has authored 2 encyclical letters inviting the world to meditate on the virtues of love and hope, ''Deus caritas est'' and ''Spe salvi'';

Whereas millions of Americans have discovered in Pope Benedict 's words a renewed faith in the power of hope over despair and love over hate;

Whereas Pope Benedict XVI has been a clear and courageous voice for the voiceless, working tirelessly for the recognition of human dignity and religious freedom across the globe;

Whereas Pope Benedict XVI has spoken out for the weak and vulnerable;

Whereas Pope Benedict XVI seeks to advance a ''civilization of love'' across our world; and

Whereas Catholics in parishes and schools across the Nation, and countless other Americans as well, eagerly await the visit of Pope Benedict XVI to the United States: Now, therefore, be it

Resolved, That the Senate welcomes Pope Benedict XVI on the occasion of his first pastoral visit to the United States and recognizes the unique insights his moral and spiritual reflections bring to the world stage.

SCHEDULE

Mr. REID. Madam President, we are going to resume consideration of the highway bill very soon. Yesterday, we filed cloture on the Boxer substitute amendment to the underlying bill.

Under the rule, Senators have until 1 p.m. today to file first-degree amendments. Senator MCCONNELL and I are going to have a consent agreement that we will present to the Senate in the immediate future.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1195, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1195) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

Pending:

Boxer amendment No. 4146, in the nature of a substitute.

Coburn amendment No. 4538 (to amendment No. 4146), to create a bipartisan, bicameral special committee to investigate the improper insertion of an earmark for Coconut Road into the conference report of the 2005 highway bill after both Chambers of Congress had approved identical versions of the conference report.

Boxer amendment No. 4539 (to the text of the committee substitute to be inserted), to call for a review by the Department of Justice of allegations of violations of Federal criminal law.

Coburn amendment No. 4540 (to amendment No. 4539), relative to the Coconut Road Investigation.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. CRAIG. Madam President, I ask unanimous consent that I be allowed to speak for up to 10 minutes in morning business.

Mrs. BOXER. Madam President, reserving the right to object, I wanted to have a minute before to explain the lay of the land.

Mr. CRAIG. I yield to the chairman and leader of the bill.

Mrs. BOXER. Madam President, for the interest of all Members, we have been working now since Monday to pass a technical corrections bill, which, it seems to me, should have been passed very quickly. It basically makes some corrections to the last big highway and transit bill so certain projects that have been held up for technical reasons can go forward, and others that weren't ready, pushed aside, and another can go forward. This will unleash about a billion dollars' worth of important programs for our Nation.

These projects have been vetted, and they have been posted on the Web page of the committee, as we must do according to our new ethics rules. We are very pleased it looks like we might be able to wrap this up in the next few hours.

As far as I am concerned, we are ready to vote. We have the Coburn amendment and the Boxer amendment, which deal with a real problem that occurred at some point during the SAFETEA–LU consideration years ago. We have corrected the problem in the bill. We want to now have some type of investigation to find out exactly what went wrong and if there were any crimes committed. There were two options. Senator COBURN is setting up a complicated select committee of the House and Senate. We believe strongly that it creates constitutional problems, and we think it might interfere with a Justice Department investigation.

And then Senator REID had recommended, I think a far better way to get at the problem, which is a Justice Department investigation. I have written an amendment to go along with that. We are hoping to vote on that and then, hopefully, get to a cloture vote and final passage.

So that is the lay of the land, as best I see it. I wish I had more control over this at the moment. If I did, we would be voting in 5 minutes on the whole package. Until then, I will see you as soon as we have an agreement and, hopefully, we will get this matter done today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

EXTENSION OF THE FARM BILL

Mr. CRAIG. Madam President, I am on the floor to speak about something the majority leader proposed and that we have accepted by unanimous consent; that is, a 1-week extension of existing farm policy, the existing farm bill.

I come to the floor to speak because last night I put a hold on that UC request. I, similar to many Senators—and especially American agriculture—am growing very frustrated and restless about the reality that we don't have a farm bill. As we know, across America and in central parts of our country—certainly in the South—spring is here and it is planting season. The farm bill that is current law, which we extended a few moments ago, actually expired on September 30 of 2007.

It was in July 2007 that the House passed their version, and on December 14 we passed ours. Now, we have offered several extensions so the principals—the House and Senate Ag committees—could work on their differences with the administration and solve these problems. Yet they have not been able to do it.

Is this symbolic of a dysfunctional Congress that we have been experiencing for the last several years, where we simply cannot grapple with the big and responsible basic public policy issues of our country? It appears to be that way. I will blame both sides on this issue. It is both sides that are at fault that they cannot come together and, if you will, split the difference and solve a problem that is the basic public policy for American agriculture. NANCY PELOSI, the Speaker of the House, opposes the tax provision within the bill. Why? She isn't a member of the Finance Committee or a member of the Agriculture Committee. Yes, she is the majority leader and, therefore, if she opposes it, she could certainly block it, and she can kill farm policy.

I have worked with Senator HARKIN and Senator SAXBY CHAMBLISS for the last month, and I know they have worked overtime. This is not a criticism of our colleagues; it is a criticism of a dysfunctional system that no longer can cut a deal and make basic and important public policy. So here we are, with one more extension. SAXBY CHAMBLISS called me this morning and said: LARRY, would you give us another week? I said I would give them 1 more week, but, frankly, this is it; I will not accept another extension next week on the farm bill, unless the deal has been cut, unless the agreement has been made and it is simply the procedure of putting it in writing and getting it to print and to the President.

The President, when he signed the extension last time, said: ''Enough is enough.'' Even this week, he softly talked about vetoing an extension. So I guess the point I am trying to make is, what is at stake? Why are we bickering over the fine points, when the fundamental policy points are in place?

Let's look at what we have done, because we ought to be proud of the work of the new farm bill: Significant increases in conservation funding for our working farmlands, including conservation, stewardship, and environmental quality incentive programs. These are programs that encourage farmers and ranchers to incorporate better tillage practices, thereby sequestering more carbon and doing their part as it relates to reducing greenhouse gas emissions. We have added, for our dairies, better manure management practices to reduce methane gas emissions. Here we are talking about climate change. The President spoke to climate change yesterday. Yet we cannot come to an agreement on something that would allow American agriculture to advance their practices to make it work, in their instance, and allow a contribution to the climate change carbon emissions issue.

There is a provision within the new farm bill that I and Senator STABENOW have worked on—literally for 5 years—to get a new provision in the farm bill to recognize the near 50 percent of gross revenue coming out of agriculture today, known as specialty crops. For the first time, we have a new title on specialty crops. If I say at the end of the week—and their work is not done—I am not going to extend it any more, I am going to have to forgo this. I am going to forgo it and say to the farmers in Idaho and across America: Let's do a 2-year extension on existing policy, or at least 1-year extension so you know where you are when you get to planting season, instead of watching Congress fall all over itself because they cannot cut a deal.

Isn't it about time we settle our differences and show America we can function, that we can work the process? Have we truly become so dysfunctional and partisan on these fundamentally bipartisan issues that they simply cannot be resolved? On our side, there is a bipartisan effort. I cannot speak to the House side. I have not been in the negotiations. I can only see the results. The results simply don't exist. That is why this Senator is on the floor today speaking with considerable frustration over why we have a Congress that, months after the expiration of the law, simply cannot get its work done. Commodity programs maintain a safety net. Yes, commodity prices are high today and farmers are profiting. What goes up clearly can, and does, come down in the commodity markets. A property safety net for wheat and barley was in there. It is extremely important we do that.

There are nutritional program increases, making the school snack program nationwide to deal with better health, and fresh fruit availabilities for our schoolchildren. That is different and better. The disaster assistance program will help aid our farmers and ranchers in a more efficient fashion in periods of serious drought and fire and other whole farm types of disasters.

There is an issue in agriculture and beef production that has been an issue of considerable contention over time. It is called country-of-origin labeling. The American consumer today, when they go to the shelf and pick up a commodity and look at it, wants to know where it comes from. Is it a domestic U.S. product or was it produced somewhere else in the world?

We know we have concern today about certain types of products coming out of China and other areas, and the consumer's right to know the marketing certainly is important in country-of-origin labeling. We finally acquiesced to implement country-of-origin labeling by September of this year. I don't know if we can do it if we keep shoving the farm bill out, keep extending it and not allowing the operative language to come in place.

There are critical tax provisions within this bill. My colleague, Senator MIKE CRAPO, has an Endangered Species Act compliance in reduction and credits. There are wind energy credits and production tax credits for cellulosic ethanol. Once again, as a nation that has grown increasingly dependent on foreign energy sources, we are saying to American agriculture in this farm bill: Here are some incentives for increased production.

I was recently in Ottawa, Canada, looking at a cellulosic ethanol production plant, hoping it will be brought south of the border into the United States so we can begin to use agricultural residues for the purpose of making ethanol, lessening the pressure on some of our grain crops, especially our corn crops.

There are provisions in the bill to incentivize biodiesel. Yet those incentives are the kind Speaker PELOSI says are nonstarters, they are deal breakers. How can making our country energy independent, how can incentivizing the promotion of the Endangered Species Act within private lands and giving folks the benefit of doing that be a deal breaker? It simply demonstrates how this Congress cannot function today. We are basically on hold right now. We are not getting our work done in a variety of areas, and agriculture and the farm bill is simply a very tragic example of that type of effort, or lack thereof.

As I have said, September 30 of last year the policy expired. Current law was extended until March 15 and then again until tomorrow, and that is why the leader was on the floor today advancing it for 1 more week so that agriculture is not without policy in place.

This is the 17th. The work has not been done. This Monday, Chairman HARKIN said he was fed up. If he is fed up and he is a prime negotiator, what do we get? How do we deliver an ultimatum? I am not sure. But I am sure we will not, nor should we, allow American agriculture to be without policy.

All of the gains I have talked about, all of the gains that were negotiated inside the Senate Agriculture Committee and inside the House Agriculture Committee could simply be wiped away because there is no willingness or ability to come together and work together in behalf of American agriculture.

So I agreed on a 1-week extension. This is not an ultimatum, this is simply a statement of fact. I cannot agree any longer. American agriculture and Idaho's farmers need to know. They deserve to know. They should not be kept in limbo bouncing on the end of a string because the politicians in Washington cannot get their act together and simply cannot agree. We have always come to an agreement on agriculture. It has always been a bipartisan policy. I hope that practice of the past is a practice that ultimately can dominate the negotiations over this coming week.

I hope my colleagues will keep their lights on during the weekend. It is time we work a little overtime to get this done because I am one of several Senators who are simply at a point of saying: Can't go there anymore; time to finish it; time to tell American agriculture: Here is the new policy. And if we cannot, then let's extend the old policy and give them certainty for a minimum of at least 1 year.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WICKER. I request permission to speak as in morning business for no more than 7 minutes.

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

TANKER REPLACEMENT PROGRAM

Mr. WICKER. Mr. President, on February 29, 2008, the U.S. Air Force announced its award of the KC–45A air refueling tanker program, a replacement to the aging KC–135 fleet. The two competitors in this process were Northrop Grumman-EADS on the one hand and the Boeing Company on the other. After a 13-month-long process, the Northrop Grumman proposal was selected as the better product for the American soldier and also the better value for the American taxpayer. It should come as no surprise that this decision amounted to a major disappointment for Boeing. Their employees and executives would understandably have appreciated the economic benefit such an award would have brought to them.

The award of the tanker program to Northrop Grumman was not the first setback to the Boeing Company in this regard.

In 2004, Congress intervened, in the fiscal year 2005 Defense bill, to terminate the Air Force tanker lease agreement. This agreement would have been costly and simply bad public policy. Afterward, the Air Force responded with one of the clearest and most transparent acquisition processes in history. The Air Force is now able to purchase and own 179 KC–45s for the same price it was going to spend to lease 100 Boeing 767s.

Compared to the reactions in States where Boeing has a presence, the selection of Northrop Grumman was greeted with enthusiasm in Mobile, AL, and along the gulf coast of my State of Mississippi, where thousands of jobs will be created locally. The tankers will be built in Mobile, but the economic impact will be felt throughout the gulf coast and, in reality, throughout the Nation. Such is the nature of the competitive process. One contestant is selected, and the other must deal with disappointing news.

It is important for Senators to understand that the Air Force and the Defense Department utilized an extremely fair and open acquisition process. The Government requested and received proposals for the tanker in early 2007 and then continued with an open review process until Northrop Grumman was announced as the winner in February of this year.

In winning this contract, Northrop Grumman simply did a better analysis and provided a better solution for the Air Force. The KC–45A carries more fuel, more passengers, and more cargo. It will also cost less to produce, passing along savings to the American taxpayers. By utilizing a broad base of suppliers in 49 of our 50 States, the Northrop Grumman tanker will create 48,000 direct and indirect jobs across our country.

Despite this, some want to stop this process from going forward. I have been disturbed by the words and actions of Boeing and its supporters. The level of misinformation injected into this process with the clear intent of derailing the award is troubling for many reasons—not the least of which is the precedent that would be set by Congress should it overturn this decision. The Air Force should be allowed to make this acquisition decision based solely on the facts and the merits of the two competing proposals, and that is exactly what it did in choosing the Northrop Grumman tanker.

Let's look at some of the claims made by Boeing and its supporters—first, that the competition was somehow unfair. The Air Force and the Defense Department testified recently to the Senate Armed Services Committee that the KC–45A tanker competition was perhaps the most rigorous, fair, and transparent acquisition in DOD history. This open process allowed for a significant amount of dialog among the Air Force, the Department of Defense, and the two bidders. This included weekly teleconferences with the Air Force, which, during the review process, sent Northrop Grumman 295 evaluation notices. They sent approximately 250 notices to Boeing.

Furthermore, following the formal request for proposals in January 2007, the Air Force received no complaints from Boeing or anyone else that the proposal request was somehow unfair. There were ample opportunities for those concerns to be aired, but no one said a word in this regard. Considering this, it is very hard to make a straight-faced claim that the process was not open or fair.

There has also been a high level of misinformation about the so-called exportation of American jobs. Some erroneously claim the Northrop Grumman award will outsource thousands of U.S. jobs to Europe. This is simply not true. No jobs are being exported to Europe. On the contrary, the KC–45A will create thousands of new jobs in America and will support a total of 48,000 direct and indirect jobs in 49 States, as I have said.

More than 230 suppliers across the United States helped make up the 60 percent U.S. content in the KC–45A tanker. This will truly be America's tanker, assembled in America by American workers and for the protection of the American military. The KC–45A will be fully assembled and militarized for U.S. Air Force operations by American workers in two separate facilities in Mobile.

No sensitive military technology will be exported to Europe in connection with this program. Instead, a new aerospace corridor will continue to grow and flourish along the gulf coast region.

The KC–45A tanker will join the Global Hawk, Fire Scout, joint cargo aircraft, and the light utility helicopter production facilities that are already successfully producing high-reliability defense systems for our Nation. The light utility helicopter, for example, is being built by EADS North America in Columbus, MS. It is a true success for the Army and for our economy. The Lakota, as the helicopter is known, was delivered to the Army 3 months ahead of schedule. To date, 24 Lakota helicopters have been delivered on or ahead of schedule. The Lakota has over 2,000 flight hours, with over a 90-percent full mission capable rate. In addition, EADS North America completed a 314,000-square-foot expansion to its Mississippi facility to manufacture this helicopter. Perhaps most importantly, the program is on budget and on schedule to deliver a critical platform to the American warfighter—just another example of EADS North America producing a product for our country's defense, using American workers.

There should be no doubt that the workforce in the gulf coast region is up to the task of building these complex systems. The results to date on the systems I just mentioned speak for themselves.

Our workforce is second to none in the Nation. So this debate, as much as some would make you believe otherwise, is not about American jobs versus European jobs. It is about where in the United States those jobs will be.

A recent full-page ad in newspapers across the country represented the worst of the misinformation. The ad claimed the Air Force selection ''penalized the warfighter and the taxpayer.''

The facts tell another story. The KC–45A was evaluated to be a superior product for the warfighter. It was also judged by the Air Force to be a better value for the taxpayer, providing superior military capability across the board at a lower total cost than the competing KC–767 aircraft.

The U.S. Air Force is not alone in choosing the KC–45A. Our friend and ally, the United Kingdom, recently announced the selection of this same aircraft frame as the best solution to meet their national security requirements. The U.K. selection is the fifth tanker competition in a row where the EADS platform was chosen as the winner over all other competitors. Australia, Saudi Arabia, and the United Arab Emirates have also recently placed orders for this tanker.

Some are calling for tighter restrictions on the level of international content in U.S. defense systems. That, to my mind, would be a mistake and would amount to changing the rules in the middle of the game. The U.S. economy is tightly integrated into the global economy, and the aerospace sector is no exception.

There are numerous examples of transatlantic cooperation on vital U.S. military programs where foreign suppliers do play essential roles. Some of the more visible programs include the F–35 Joint Strike Fighter produced by Lockheed Martin, Northrop Grumman, and British Aerospace; the VH–71 Presidential helicopter produced by Lockheed Martin and Augusta Westland, a European consortium; and the Joint Cargo Aircraft produced by L–3, Boeing, and Alenia, built in Florida from an Italian airframe.

I don't recall anyone in this Chamber or from Boeing expressing concern about the level of European participation in the Joint Cargo Aircraft, which has only about 60 percent U.S. content, nor did anyone complain about possible interruption of supplies of spare parts, which some have suggested would be a likely outcome of buying the KC–45A.

To repeat, Boeing's Joint Cargo Aircraft is 60 percent U.S. content and 40 percent international. When this contract was awarded, no one raised a single complaint about that. Now, when Boeing loses a competition to a partnership with a similar domestic-foreign ratio, they make it sound as if the world is coming to an end.

It seems to me the level of noise depends on whose ox is being gored. I

must stress this point. Any further delay of this contract would put at risk the brave Americans flying the current Air Force fleet of KC–135 tankers. These aircraft, on average, are more than 45 years old. Replacement has been the Air Force's top modernization priority for several years.

If the GAO upholds the Air Force selection and denies Boeing's protest, that should be the end of it. At that point, no Member of this body should stand in the way of the program moving ahead. Any further efforts to delay the program would not only be harmful to our national security but would be viewed by many of our foreign partners and allies as a major shift in U.S. policy.

From an economic point of view, potential retaliation by our European allies could have a negative impact on the current $6 billion in annual purchases of defense systems from the United States.

In closing, I would like to acknowledge that Boeing has every right to protest this decision to the Government Accountability Office. Beyond that, however, if this decision is not overturned by GAO, any attempt to alter this decision through the appropriations process or any other legislative maneuver would be dangerously shortsighted, in my opinion.

It would set a damaging precedent that would destroy our contract process now and in the future. Frankly, I would view such a move as an attack on the competition process itself, not only this award.

The workers along the gulf coast in Alabama and Mississippi and this entire corridor are ready to proceed with this work for our national defense. We would all do well to step back and let the facts in this situation speak for themselves. That is what the Air Force did when choosing the Northrop Grumman tanker as the best option for our warfighters' terms and the American taxpayer and their decision should be allowed to stand.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I ask unanimous consent that no further amendments be in order to H.R. 1195, and that at 3:30 p.m. today, the Senate proceed to vote in relation to Boxer amendment No. 4539, and that the amendment be modified to be to amendment No. 4146; to be followed by a vote in relation to Coburn amendment No. 4538, and that Coburn amendment No. 4540 be withdrawn once this agreement is entered; that each of those two amendments be subject to a 60 affirmative vote threshold, and that if neither achieves that threshold, then it be withdrawn; that if either or both achieve the 60-vote threshold, that it be agreed to and the motion to reconsider be laid upon the table; that prior to each vote there be 2 minutes of debate equally divided and controlled in the usual form, and upon disposition of these listed amendments, the Senate proceed to vote on the motion to invoke cloture on the Boxer substitute, amendment No. 4146; that if cloture is invoked on amendment No. 4146, then the substitute, as amended, if amended, be agreed to, the committee-reported substitute, as amended, be agreed to, and the bill then read a third time; and without further intervening action or debate the Senate proceed to vote on passage of H.R. 1195, as amended; that the cloture motion on the bill be withdrawn; provided further that after the first vote, all subsequent votes in the sequence be limited to 10 minutes each.

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

The Senator from Arizona.

GAS TAX RELIEF

Mr. KYL. Mr. President, about almost 24 hours ago I had asked the chairman of the committee about offering an amendment to this legislation. It is clear that as a result of the agreement that has been worked out and the filing of cloture and so on that it is not going to be possible to get a vote on the amendment I was speaking about.

But I would like to talk briefly about that amendment and indicate that it would be offered on behalf of Senator MCCAIN, my colleague from Arizona, as well as other Senators, some of whom may want to also speak to it briefly.

We all know gasoline prices have risen dramatically. And the amendment Senator MCCAIN and I and others would offer would provide a temporary tax holiday from Memorial Day to Labor Day, preventing the Federal Government from collecting the 18.4-percent tax, the gasoline tax, that otherwise motorists would pay.

I assure my colleagues that the highway trust fund, which that tax goes into, would be kept whole with Federal revenues from the General Treasury. So the money we use to build highways and bridges and so on would not be affected by this amendment.

Briefly, I think we all feel the pinch when we fill up our cars and trucks. But listen to these statistics. According to economy.com, gasoline prices at the pump have increased from $2.22 to $3.33 a gallon, up 50 percent since the start of 2006.

I checked in my home State of Arizona yesterday. It was $3.38. There is very little that Congress can do in the near term to reduce gas prices other than this gas tax holiday. In the long term, we know we have to add more production and refining capacity in our country and that we have to encourage supplies to increase. But for right now, the one thing that Congress can do, and do virtually immediately, is to provide this short-term relief from the Federal gas tax.

At $3.33 a gallon, prices are the highest on record. Nearly 50 cents of the cost of each gallon of gas is due to taxes. According to the Bureau of Labor Statics 2005 Consumer Expenditure Survey, families with two cars spent, on average, $2,013 on gasoline. Since that study was released prices have increased dramatically. Gasoline price increases imply families are now paying at least $3,065 on gasoline in a year.

A big chunk of that is Federal, State, and local taxes. In fact, the average family pays nearly $170 in Federal gas taxes. With the growing financial strains placed on so many Americans' rising food prices and falling home prices, the additional hit of rising fuel prices is becoming a breaking point.

That is why my colleague, Senator JOHN MCCAIN, talked about the need to do something, and do something quickly, and proposed this gas tax holiday in comments he made to the Nation a couple of days ago, and why he has asked this amendment be introduced on his behalf, as well as Senators WARNER, BURR, MARTINEZ, LIEBERMAN, and GRAHAM.

In an effort to ease some of the hardship caused by the higher fuel prices that I have indicated, the amendment would merely suspend the 18.4-percent-per-gallon tax on gas and the 24.4-percent tax on diesel fuel from Memorial Day to Labor Day.

As I said, the amendment would not deplete the highway trust fund balance. The amendment would offset any revenue loss from the suspension of this tax with Treasury revenues. So the highway trust found will remain whole.

We all agree that our roads and highways must be maintained to ensure the safety of the road-traveling public, and this amendment would in no way impact highway construction.

It is interesting, last Memorial Day alone, approximately 32 million Americans traveled by car 50 miles or more from home. So suspending the Federal excise tax during the summer when fuel prices have historically been at their highest level would allow millions of Americans to keep a few more of their hard-earned dollars and help them better make ends meet.

Two final comments: There is an argument that this loss should be offset somehow by programs raising taxes somewhere else. Of course, I have never understood why, if you are going to provide tax relief to Americans, you would want to provide the tax relief and then tax them in some other way.

The Congressional Budget Office, former Council of Economic Advisers, Chairman Martin Feldstein, and Clinton Treasury Secretary Robert Rubin are three of the entities or individuals who have said it is unnecessary to offset temporary tax cuts when an economy is slowing.

The $150 billion stimulus bill that passed the Senate by a vote of 81 to 16

in early February was not offset. The $15 billion-plus housing bill that passed the Senate 84 to 12 last week was not offset. Most of the revenue losses associated with the housing bill benefited companies and other businesses, not consumers. If offsets were not needed to offset the benefit to private firms, I ask why our amendment would need to be offset since it aids struggling American families.

Finally, I heard rumors that Senators would like to propose an alternative to what we have produced, a Democratic alternative that was developed yesterday afternoon, that would effectively raise corporate income taxes on oil and gas companies.

Now, I suppose everyone likes to pick on oil and gas companies, though we sure want to have some gasoline in the pumps when we decide we need to fill up our cars and trucks, but this proposal eliminates or curtails the so-called section 199 domestic production deduction for oil and gas companies.

What that means in regular English is effectively raising the corporate income tax rate by 3 percentage points. That is exactly the wrong medicine at a time when our economy is not doing well. Let me repeat that. The elimination of this tax incentive is designed to encourage oil and gas companies to produce oil and gas in the United States so we do not have to go abroad and buy it from somewhere else.

I don't agree with this approach. Rather than raising taxes on oil companies, we should be encouraging them to explore for oil and to produce oil and gas in the United States, to improve our energy security and, importantly, to reduce prices for American consumers. Why on Earth would anyone actually want to limit domestic production? Reducing domestic production would only make the United States more dependent on foreign oil imports and would likely cause consumers to pay even more at the pump. Besides, a tax increase of the type being proposed would have the effect of raising prices at the pump, as costs obviously would be passed on to consumers. That would obviously have a reverse impact, the exact opposite of what we are trying to do with a reduction of the gas tax on consumers of gasoline products.

Finally, there is a significant problem with the proposal to repeal section 199 for U.S. oil companies. A proposal to do this passed the House of Representatives earlier this year. But this very same provision that passed the House would have the effect of keeping the 199 tax incentive for CITGO, the oil company owned by the Venezuelan Government; obviously, not a good idea while we are repealing it for American companies, to leave that tax incentive for a competitor of our oil companies owned by the Venezuelan Government. I don't know whether that was unintentional, but that is the effect of the amendment. Clearly that is not something we would want to do. I don't think we want to hold consumer relief hostage to a tax increase.

AMENDMENT NO. 4540, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendment No. 4540 is withdrawn.

The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleague, because we need to move this bill along. There are 500 important projects in it. I have colleagues who want to add more projects. I want to say, for the benefit of everyone, there are some very legitimate technical corrections that still need to be done. I have committed to my colleagues, both Democratic and Republican—I have spoken to Senator LINCOLN, Senator LANDRIEU, Senator BEN NELSON, Senator HUTCHISON, only a few moments ago—that our committee, myself working with Senator INHOFE and our colleagues, is going to come up with a follow-on technical corrections bill with the time to ensure it is put together right. We do have some different ethics rules these days. We want to make sure we vet everything and everything is put up on the Web site. We have a number of very important technical corrections still to be done, but we are going to do it in the next 3 weeks in committee. We look forward to it.

I read a very complex unanimous consent request, and I don't think anyone within the sound of my voice could possibly follow all of it. So I thought in plain English, for the good of myself as well as my colleagues, I would say where we are. We are going to have a couple of votes on the issue of Coconut Road, which is a real problem for us, and it has been straightened out in this bill. We fix the problem. But there are colleagues who want to have an investigation, and we have two alternatives. One is the Coburn amendment which sets up what I consider a very complicated special select committee with Members from both bodies. It will have public hearings. It will review things in public. It will do all of that. At the end of that time, what the committee will do is refer something to Justice, if they have found a problem. That is the whole point of the select committee.

The problem is, if you read the Constitution, you see the debate clause. We believe, from our constitutional scholars on this side, that that whole committee will fall. It will not be able to do its job. The House has told us they don't see how Senators can investigate House Members and House Members can investigate Senate Members. We think the best way to go, Senator REID and I and others, is to have the Justice Department get right in there. Ours is not a sense-of-the-Senate approach. We require the Justice Department to move forward. Instead of having a big Senate-House committee, with the press flashing pictures and all the rest, just get to it and ask Justice to investigate. We also worry, if there is a big committee—and there won't be, because the House won't accept it anyway—irony of all ironies, the Coconut Road fix will fall, because we fix it in this bill. If this bill falls because of this committee—because it is unconstitutional—there won't be a fix to Coconut Road. It is going to go back to the terrible change that somebody made in the dead of night. We don't want that to happen.

I hope my colleagues will reject that approach and support the Boxer-Reid approach which I believe is straightforward. It makes sense. It gets right to the heart. If there is a crime, let's find out about it.

On the McCain amendment, I actually was looking forward to debating it. I hope we will be able to, because there is a lot of dispute about how it would actually work in the real world. There is nothing in the McCain amendment that tells the oil companies they can't pocket the 18 cents that is going to come off. We have seen the oil companies. In California, in some places, we are over $4. This hurts our hearts. We see oil company profits soaring. If it were only the cost, they would be having the same profit and passing on the cost. But, no, their profits have gone up. We know about the CEO salaries and all the rest.

There is nothing in the McCain amendment—I would love to talk to JOHN about that—that would say to the oil companies: Don't use this as a moment to raise 18 cents. So where might we be?

We might do this, and we would have to now go to the general fund. All taxpayers would have to pay for this. Let's be clear. There is no pay-for in the McCain amendment—none at all. It goes to the Treasury. Who puts money in the Treasury? My taxpayers, your taxpayers, all taxpayers. So taxpayers are now going to pay for this one way or the other. We take it away from the users and the taxpayers pay, and there is nothing in it that will ensure that the cost won't be nabbed and grabbed by the oil companies. Then they get the extra 18 cents, and we have blown a $9 billion hole in the Federal budget. It is amazing how my colleagues could say, it is a time of stress. We have to do this. We need to be a little bit more responsible.

I am looking forward to this debate. I like to pay for things. Maybe I am old-fashioned. I am an old economics major. I think it is good to pay for things. I think we could figure out a way to pay for things. But to say nobody gets hurt when the tab in the McCain amendment is picked up by all taxpayers is faulty. We will have to make up that $9 billion. We Democrats think there is a way to do it. We see the profits of the oil companies. We say to the oil companies: Good for you, but there is a point at which, when Americans are suffering, you have to do a little bit more.

I, for one, look forward to debating the McCain amendment soon. We will have that debate. But it isn't going to be on this bill. For that, I am grateful for this reason: We are bringing this to a close, and this package is in many ways a ministimulus. It will unleash $1

billion into the economy. It will unleash some of these projects that are so important for our people who got stuck for technical reasons or had to have minor changes for other reasons. This $1 billion, when it is unleashed, will create tens of thousands of good jobs, jobs building highways, bridges, transit systems. We are very happy, and we expect to have this vote at 3:30. We will have first the Boxer amendment, then the Coburn amendment, then a cloture vote, and then a vote on final passage. We should be doing very well.

I ask unanimous consent that Senators GRAHAM, MARTINEZ, and WICKER be recognized for a total of up to 10 minutes and that following their remarks, Senator KENNEDY be recognized for up to 20 minutes.

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

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, there are a lot of things going on in Washington that people probably don't understand and wonder about. How could my Government not do better than it is doing. This is one of the areas where most people understand what we are trying to do and would appreciate any effort on their behalf to accomplish relieving the gas tax for a period of time when a lot of Americans are traveling. If you believe that a $600 check to Americans that comes from the Treasury, that is not offset, is a good thing to help the economy, like 81 of us do, this builds on that concept.

The Senator from California asks what we are trying to do. We are trying to build on some concepts that have already passed the body. We are injecting the economy with money so that people, consumers can buy more to help stimulate the economy. We have all agreed on that being a good idea. What is this doing? This is trying to take a Federal tax that affects every American who drives a car during a window of time when many Americans are going to be on the road doing a lot of things they have looked forward to and planned, to reduce the burden of traveling, to energize the economy, whether it is in terms of recreational travel or business dealings. That will build on the concept we have already agreed on. Now is the time to put money back into the pockets of consumers, and relieving the gas tax during this critical time and during this window of time makes perfect sense. I congratulate Senators MCCAIN and KYL. This will not be a hard sell to anybody out there who is paying taxes and driving a car. I hope we can find a way to make this happen. The public would appreciate it. They are going to appreciate the checks they get. The money will go to good use. If we could relieve the tax burden on traveling by 18.6 cents per gallon of Federal gas taxes during this window of time, people would appreciate it. They understand why we need to do it. It would be a good thing for the Congress, and I appreciate Senators MCCAIN and KYL putting this concept on the floor. It is sad we can't get it passed today, but I hope we do it sooner rather than later.

With that, being from South Carolina and Florida and Mississippi, where people travel to destinations that are attractive to come to, I hope we can pass this and help the American consumer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I am pleased to follow my colleague from South Carolina. I understand where we are. This amendment has been withdrawn. However, let me touch on this issue for a few moments, because it is so very important that we give this concept due consideration. In fact, at some point, the Senate should give it an up-or-down vote. A gas tax holiday from Memorial Day to Labor Day, which has a number of cosponsors, would allow American taxpayers to suspend the gas tax during that period of time. The fact is we are not in easy times in America today. We have rising gas prices, falling home prices, which is resulting in falling home equity opportunities for families to utilize their home as a means of defraying other costs in their family's life. As food prices go up, home prices are going down.

The price of gasoline has gone up tremendously. Unleaded regular has increased 53 cents per gallon this year. As a matter of fact, a tax holiday of 18 cents a gallon gas tax and 24 cents a gallon on diesel fuel from Memorial Day to Labor Day will help American families, will help those who make a living driving on the road, moving and hauling things through the trucking industry.

Why is it important to me as a Senator from Florida? We are a tourism State. A lot of tourists travel to Florida by car. In fact, the overwhelming majority of tourists come to Florida by car.

This is the average working family—the same people we are trying to help with this economic stimulus. This is allowing a family to throw their kids in the car and get on one of the interstate highways and come down to Florida and visit the attractions, visit the beaches this summer, and do what people do to bring families together, to be able to recreate, to be able to vacation as families together.

This is an economic stimulus to the State of Florida. The State of Florida is in hard times today because of the downdraft in the housing economy. So this would act as a tremendous boost, and it would help tremendously the families who are traveling in Florida and coming to Florida.

Gas is about $3.38 a gallon for regular in the State of Florida right now. It is a 51-cent increase from what it was a year ago. We get about 75 million tourists a year who come to the State of Florida. As a result of that, a great deal of economic activity is generated. Over the course of a year, about 25 million families are paying an additional $68 million in Federal gas tax for just one fill-up. That is on top of the fluctuating prices for a barrel of oil.

At the end of the day, we have to recognize this is an opportunity to provide a stimulus to our economy, to help the Florida economy, and to help the American family to be able to vacation this summer.

The Department of Treasury would transfer funds under this amendment to make the highway trust fund whole. So, in other words, it is not going to create a hole in the highway trust fund. It will not mean a diminution in our commitment to maintaining our infrastructure. It is simply going to give families a break between Memorial Day and Labor Day. What a great thing. What a great time of year. For the 4th of July we know millions of American families are going to set to the road—hopefully, set to the road—if they do not have to break to their kids the bad news because of the situation today. Because of difficult family budgets, that kitchen table conversation may also include saying: Children, guess what. We have to cancel our vacation to Florida this summer. We can't afford to take the family car. The price of gas is too high.

This would be a way to give the American family a break.

AMENDMENT NO. 4538

Mr. President, I want to take a moment and comment on something else. The distinguished Senator from California, Chairman BOXER, commented on the issue of Coconut Road. It is in my State of Florida. I am very concerned about what occurred in the situation there, which I think is well known to my colleagues in the Senate.

The fact is, what happened here is, at best, a questionable procedure. So the reason for Senator COBURN's amendment, which I have cosponsored, and Senator NELSON has cosponsored—so it is a bipartisan amendment—is to try to get at the bottom of it. It is not to try to create a Justice Department investigation. I do not know if there is any criminal wrongdoing that has taken place. These are congressional actions which are, frankly, in many ways reprehensible in my view but which may not rise to criminality.

So the issue is, why not just investigate? Let's find out: How did this happen? Because what I would hope we would all want to do is prevent this from happening in the future. Do we need to change rules, do we need to change procedures, or do we need to simply allow the public to know who did something like this and what their motivations were? I am not sure it rises to criminality. That is what the Justice Department does. They investigate criminal conduct. I do think it rises to the level of conduct that is not becoming to public officials that is not designed to enhance the public trust.

The people of southwest Florida, who have tremendous traffic problems—that I–75 is dramatically important to

their lives, frankly, as to the cost of fuel, the cost of how much time they spend idling on the highways—want to know what occurred here.

All I want to do is allow, through this process, to provide some clarity so they can know some answers. I believe the Coburn amendment is appropriate. I do not want to see this be created into some inquisition by the Justice Department but simply to get some Members to come together around a table and say: How did this happen? What happened here?

Let's give the people of southwest Florida the kind of answers they deserve, they demand, and give confidence to the American people that the Congress is acting in the people's best interests and not at the behest of special interests.

With that, Mr. President, I appreciate the opportunity to comment on both of these items, and I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Mississippi.

Mr. WICKER. Mr. President, might I inquire, how much of the 10 minutes is remaining from the request of the Senator from California?

The PRESIDING OFFICER. A minute and a half.

Mr. WICKER. I will do my best.

Mr. President, I thank Senator MCCAIN and Senator KYL for putting forward this proposal. I was delighted to see it. I would, frankly, hope that Democrats and Republicans could come together on this issue in a bipartisan manner and provide this temporary relief for hard-pressed Americans during the summer months.

Many people ask us, why are gas prices so high? Why is this continuing to happen? As we know, there are many complex factors involved in that: worldwide demand, countries such as China and India increasing their demand for oil and gas at this point; also, unstable governments in oil-producing regions; and Americans' continued reliance on foreign sources of oil.

But, also, I must confess the problem being experienced by Americans, in large measure, is due to Federal policies. In the mid-1990s, President Clinton vetoed a proposal to drill in ANWR, even though the residents of the State of Alaska have asked us for permission to drill there and have told us they are satisfied it can be done in an environmentally friendly manner. Also, we have had the refusal to produce energy in America when we know it can be done in an environmentally safe way, whether that be the production of more crude oil, oil shale, or liquefied coal.

So the Federal Government and this Congress bear a good bit of the responsibility. In light of that, I think we have to ask ourselves—Mr. President, might I have an additional 1½ minutes?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WICKER. Thank you, Mr. President.

I think this Senate—Republicans and Democrats—needs to ask: We have a choice. Do we ask the Federal Government to tighten its belt a bit and adopt this summer-long Federal gasoline tax holiday or do we continue to require American families to tighten their belts and pay higher gasoline prices? Do we continue to require American farmers and small businesses, who have to use transportation to earn a living, to tighten their belts?

I think the better answer there is to provide 18 cents per gallon of relief for American families, 24 cents per gallon of relief to those who are required to use diesel to earn their livelihoods, and for the Federal Government to tighten its belt and absorb this $8 billion to $9 billion that the Senator from California talked about.

The Senator from South Carolina mentioned we have already passed a much more expensive economic stimulus measure because we are concerned about the economy. This economy could go either way. We can take action to prevent it from sliding into a recession. We have already adopted one a few months ago. The McCain plan is another one. I enthusiastically support the concept. I think it is time we give Americans a break at the pump. This would do so during an important period as our economy teeters on the edge.

I hope we continue to have this debate, as the Senator from California suggested, and adopt it on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

LILLY LEDBETTER FAIR PAY ACT

Mr. KENNEDY. Mr. President, the Senate must act to pass the Lilly Ledbetter Fair Pay Act, and we must do so now. The House has already acted on this bill to restore the basic protection against pay discrimination as part of our Nation's commitment to equal justice and full civil rights for all.

Protecting these fundamental rights and ending discrimination in all forms are essential to our success as a nation. Republicans and Democrats worked together to enact our civil rights laws, and the American people want and deserve these protections to be implemented in full.

The guarantee of equal pay was first enacted in 1963. When President Kennedy signed the Equal Pay Act in 1963, he emphasized that protection against pay discrimination is ''basic to democracy,'' and those words are still true today.

In the years that followed, Congress passed other strong, bipartisan laws to strengthen the guarantee of equal pay for millions of Americans. Over the years, the Senate has gone on record time and again in favor of fairness and against discrimination.

The Civil Rights Act of 1964 was enacted after long, difficult, and contentious debate, but the cause of justice eventually prevailed. That landmark legislation included many important protections, including, for the first time, protection against pay discrimination on the job because of race, national origin, gender, and religion. That is title VII of the Civil Rights Act of 1964. Public accommodations is another very major part of that legislation. But title VII provided these kinds of protections against discrimination. That legislation passed 73 to 27.

We went on record again when the Age Discrimination in Employment Act was passed in 1967, with unanimous support in the Senate. Equal pay for those who are older; you are not going to be able to discriminate against the elderly. It was passed unanimously.

The consensus in favor of the Rehabilitation Act of 1973, which outlaws discrimination based on disability in federally funded programs and activities, was so strong it passed the Senate by a voice vote.

All of us are familiar with the fact that if there is going to be a dispute or major differences, people are going to call for a rollcall vote, even if there is going to be only a handful of people against it. In this situation, with regard to fair pay, equal pay, in the areas of those people who are working with the disabled, the guarantee was going to be fair pay. It, effectively, in the Rehabilitation Act of 1973, passed the Senate by a voice vote.

In 1990, the Senate passed the Americans with Disabilities Act 91 to 6, and it was signed into law by the first President Bush. The first President Bush has stated—and I have heard him eloquently say it was the most important piece of legislation that passed and he signed into law. It had protections against discriminating against those who are disabled individuals.

We passed the Civil Rights Act of 1991 by an overwhelming margin of 93 to 5. That was a clear vote in favor of fairness. It too was signed into law by the current President's father.

On this chart is the list where the Senate has addressed this issue of equal pay for equal work. Going back to 1963, these are the different Presidents who signed legislation—including President Johnson, President Nixon, President Reagan, President Bush. Look at the overwhelming votes: a clear indication of what the intention has been by this Congress in terms of fairness and justice, and correctly so.

Each time we have considered the issue, the Senate has taken the high road. Once again, we must demonstrate that we mean what we say. These important laws established the bedrock principle of equal pay for equal work, and they have made our Nation a stronger and better and fairer land.

In these times of economic hardship, working people deserve more than ever the chance to earn a fair day's pay for an honest day's work. Yet, as a result of the Supreme Court's 5-to-4 decision—5 to 4: one vote—last May in Ledbetter v. Goodyear Tire & Rubber Company, more American workers will have to endure pay discrimination, without the means to stop it.

Let me show what is happening with regard to women at the present time. We have serious economic challenges we are facing today. But look at the overall economic challenges, the downturn in our economy, and how it is playing out in terms of women. Women's earnings are falling faster than men's. We all hear about the falling of purchasing power among working families across this country. We can see it is falling a good deal faster in terms of the decline in median wages in the year 2007 for women.

As I mentioned, this legislation also applies in terms of African Americans, the disability community, age discrimination, national origin quotas—all of them. Look what is happening with the current economic crisis. Minorities are hit hardest by the economic downturn. So we have the economic downturn going on, and we have this decision which said the employers are going to be able to discriminate against workers on the basis of race, gender, national origin. It is unbelievable that a Supreme Court of the United States, 5 to 4, would overturn 5 to 6 major pieces of legislation that were decided overwhelmingly by this body over a 30-year period which say we want equal pay for equal work.

The list goes on. We know, basically, women make 77 cents for every dollar paid to men. That is existing. These are the current data of the U.S. census in 2007. So this is the current situation, generally. What we are trying to do is change this; to get equal pay for equal work. But inherently, this is where we are in 2007, and unless we change this, it is going to continue or probably even grow worse.

It is reflected, as we would expect, in family income. This chart shows we are talking about equal pay for women, and this legislation also applies to African Americans and national origin. Here we have African-American men receiving 21 percent less pay than White men. We find the same for Latinos. They are affected by this decision as well. Latinos receive 72 cents for every dollar earned by White workers. This shows the distinction, the annual distinction, about $8,000 a year. This has been true.

So we know we are facing a difficult economic time. We also know the people who suffer the most are the people—whether it is women, whether it is African Americans, whether it is Latino, whether it is disability or whether it is elderly, all those groups are affected by the Ledbetter decision, and in the face of 30 years of this Congress saying time and time and time again, in a bipartisan way, we are going to insist on equality of pay for equal work. That is the issue. That had been the law. This legislation we are talking about with Ledbetter, we are trying to go back to what the law was.

This chart indicates—the light green is what we would go back to, and the dark green is where the EEOC held the same as we are proposing in this legislation. This had worked and worked effectively. That is why the CBO said this isn't any further additional burden on industry or business. We are going to hear that argument. We have the CBO study which says that, because basically most employers want to do the right thing. They understand it, they respect it, and they want to do the right thing. So they are not going to be penalized; it will be others who will be penalized.

On this final point, as I mentioned the different groups affected, this shows pay discrimination hurts all kinds of Americans. This orange depicts the disabled, this is national origin, 760. These are cases of pay discrimination charges, including 2,470 in terms of the gender; and on race, 2,352; on age discrimination, 978. So this is 7,000—these are the cases that are brought. Most estimates are it is in the hundreds of thousands of actual cases that are out there that people don't know about.

Lilly Ledbetter didn't know about the fact that she was being shortchanged for years and years and years because people keep the payroll secret. Finally, she hears from others who are working and who are doing comparable work, and she gradually puts it together that she has been shortchanged. Sure enough, she had been shortchanged for years and years and years. The local jury made the decision to pay the damages and the Supreme Court overruled it and said: You are out of luck, Lilly Ledbetter. You should have brought your case within 180 days of the time you were employed. Even though you didn't know about it, you still should have brought it. Even if you didn't know about it, tough luck. You have no remedies. No remedies. No remedies. It has been going on for years. None. That is fundamentally and basically wrong, and that is what we are changing.

We have very strong support for this legislation. We have the support of various groups, including the American Association of People With Disabilities; the AARP, obviously, because of discrimination of the elderly; Business and Professional Women, the NAACP, United Auto Workers, National Congress of Black Women, the Religious Action Center, U.S. Women's Chamber of Commerce. They understand it and see it. The list goes on. I will include a more complete list with my remarks for the RECORD.

Many people give speeches on fairness and the need to help people in these tough economic times. An important way we can do so is by proving we still stand strongly against pay discrimination, that we would not allow the rights workers thought they had to be undone by misguided court decisions. Fair treatment for all employees is especially important now. As I mentioned, our faltering economy is hitting working families hard. There were 230,000 jobs lost in the first 3 months of this year. Unemployment rates climbed. Over 1 million working men and women have joined the unemployed since this past year.

Few doubt that we are now in a serious recession. It has been particularly hard on women and minorities and on workers—particularly hard. Of the 80,000 jobs that were lost in this last month, 50,000 were construction workers. The unemployment rate among women has risen sharply in the past year. Minorities are suffering more. Unemployment for African Americans is now well over 9 percent, almost twice the national average.

The impact of unfair pay practices is staggering. Today, as I mentioned, women still earn 23 percent less than men; African Americans, 21 percent less than White men; and Latinos earn 72 cents for every dollar paid to White workers.

In fact, the financial security of all working men and women is undermined by this recession. Workers are suffering already, and millions increasingly find their paychecks do not go far enough. They don't deserve to bear the additional burden of discrimination in their pay. The cost of this discrimination becomes more and more intolerable over time. Lilly Ledbetter lost tens of thousands of dollars over the course of her career because every paycheck made the burden of the discrimination even greater.

There is no doubt that the Supreme Court's decision in the Ledbetter case has left employees without one of the fundamental protections against pay discrimination that Congress intended them to have. The Court decision undermined their ability to hold employers accountable for such discrimination by imposing serious and unnecessary obstacles to ending the discrimination against them.

Under the Ledbetter case, the time limit for filing of pay discrimination claim begins to run, as I mentioned, when an employer decides to discriminate—not when the worker finds out about the discriminatory paycheck. Employers who conceal their illegal action for 180 days are free to discriminate. They can pay women less than men. They can pay African Americans less than Whites. They can pay older Americans less than younger ones and pay religious minorities and persons with disabilities less than other workers. These employees can never, ever obtain relief. Paycheck after paycheck can keep implementing the discrimination, and workers have no way to hold employers accountable.

Clearly, the decision has opened up a flagrant loophole in our civil rights, and the Congress cannot let it stand. Under this bill, the 180-day clock restarts with every discriminatory paycheck, so employees can challenge ongoing discrimination, even if their employer successfully hides its true motives at first.

Lilly Ledbetter was one of the few women supervisors at the Goodyear Tire and Rubber Company in Gadsen,

AL. She worked at the plant for almost two decades, constantly fighting to prove that women could do a job traditionally done by men. She endured insults from her male supervisors. She was told the plant didn't need women. Yet she persevered and gave the company a fair day's work. She had children and both she and her husband were working hard to support them. She had no idea Goodyear was not living up to its responsibility to pay her fairly.

For almost two decades, the company discriminated against her by using discriminatory evaluations to pay her less than her male colleagues who performed exactly the same duties. Many of those male colleagues had less seniority and experience than she had, but they were still paid more than she was for identical work.

The jury saw the injustice of Goodyear's mistreatment of Ms. Ledbetter and awarded her full damages. Five members of the Supreme Court ignored that injustice and ruled Ms. Ledbetter was entitled to nothing at all—nothing at all—because she filed her claim too late. The Court's decision gives countless employers a free hand to conceal and continue illegal discrimination and leaves workers powerless to stop it.

The bipartisan Fair Pay Restoration Act will restore the clear intent of Congress when we passed the important laws I mentioned earlier. It would restore the fair and reasonable rule that applied in the vast majority of the country until May 29 of last year. If we pass this bill, we can go back to the longstanding rule that the clock begins to run for filing a pay discrimination claim on the day a worker receives a discriminatory paycheck, rather than the day the employer first decides to discriminate.

By enacting this law, we will restore a rule that reflects how pay discrimination actually occurs in the workplace, and it will give all workers a fair means to stop ongoing discrimination and obtain fair compensation for the discrimination they have endured. By doing so, we will also be helping to prevent employers from engaging in such discrimination in the first place.

There is nothing radical about the changes this bill will make. It simply restores the law employers and workers had lived with for many years, until last May 29, the date of the Supreme Court's distressing decision.

I urge my colleagues to join me in restoring the full strength of the antipay discrimination laws we have enacted in the past. Let's take a clear stand for all working men and women and pass the Lilly Ledbetter Fair Pay Act.

Mr. President, I ask unanimous consent that this list of supporters be printed in the RECORD.

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

ORGANIZATIONS IN SUPPORT OF THE FAIR PAY RESTORATION ACT (S. 1843)

LCCR; 9to5, National Association of Working Women; Advocacy, Inc.; Alliance for Disabled in Action; Alliance for Justice; American Association of People with Disabilities (AAPD); AARP; American Association of University Women; American Civil Liberties Union; American Federation of Labor and Congress of Industrial Organizations (AFL–CIO); American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers (AFT); American Humanist Association; American Library Association; Anti-Defamation League; Asian American Justice Center; Association for Women in Science; Bazelon Center for Mental Health Law; Business and Professional Women.

Center for Inquiry; Center on Women and Policy; Clearinghouse on Women's Issues; Coalition of Labor Union Women (CLUW); Consortium of Citizens with Disabilities Rights Task Force; Educational Foundation of America; Easter Seals; Equip for Equality; Equal Rights Advocates; Federally Employed Women; Feminist Majority; Healthy Teen Network; International Union, United Auto Workers (UAW); Jobs with Justice; Lawyers' Committee for Civil Rights Under Law; League of United Latin American Citizens (LULAC); Legal Momentum; Let Justice Roll Living Wage Campaign; MANA—A National Latina Organization; Mexican American Legal Defense and Educational Fund (MALDEF).

NAACP; NAACP Legal Defense & Educational Fund, Inc.; National Academy of Engineering; National Association for Girls and Women in Sports; National Association of Collegiate Women Athletic Administrators; National Associations of Commissions for Women; National Center for Lesbian Rights; National Center on Domestic and Sexual Violence; National Coalition for Disability Rights; National Committee on Pay Equity; National Congress of Black Women, Inc.; National Council of Jewish Women (NCJW); National Council of Women's Organizations; National Disability Rights Network; National Education Association; National Employment Lawyers Association; National Fair Housing Alliance; National Gay and Lesbian Task Force; National Organization for Women (NOW); National Partnership for Women & Families; National Senior Citizens Law Center.

National Women's Conference Committee; National Women's Law Center; National Women's Political Caucus; NETWORK, A National Catholic Social Justice Lobby; OWL—The Voice of Midlife and Older Women; Paralyzed Veterans of America; People For the American Way (PFAW); Religious Action Center; Sargent Shriver National Center on Poverty Law; Service Employees International Union (SEIU); The Disability Law Center of Massachusetts; The Impact Fund; The WAGE Project, Inc.

U.S. Women's Chamber of Commerce; USAction; Veteran Feminists of America; Wider Opportunities for Women; WIN Group International; Women Employed; Women Work! Women Work! The National Network for Women's Employment; Women's Institute for a Secure Retirement; Women's Law and Policy Project; Women's Law Project; Women's Research & Education Institute (WREI); Women's Sports Foundation; YWCA USA; 4ERA.org; 9to5 Atlanta; 9to5 Bay Area; 9to5 Colorado; 9to5 Los Angeles; 9to5 Poverty Network Initiative; ACLU Women's Rights Project; Adrian Middle School; ADA Watch; AFSCME; Alliance for Disabled in Action; Alliance for the Status of Missouri Women.

AAUW of Alabama; AAUW of Alaska; AAUW of Arizona; AAUW of Arkansas; AAUW of California; AAUW of Colorado; AAUW of Connecticut; AAUW of Delaware; AAUW of District of Columbia; AAUW of Florida; AAUW of Georgia; AAUW of Hawaii; AAUW of Idaho; AAUW of Illinois; AAUW of Indiana; AAUW of Iowa; AAUW of Kansas; AAUW of Kentucky; AAUW of Louisiana; AAUW of Maine; AAUW of Maryland.

AAUW of Massachusetts; AAUW of Michigan; AAUW of Minnesota; AAUW of Mississippi; AAUW of Missouri; AAUW of Montana; AAUW of Montgomery County; AAUW of Nebraska; AAUW of Nevada; AAUW of New Hampshire; AAUW of New Jersey; AAUW of New Mexico; AAUW of New York; AAUW of North Carolina; AAUW of North Dakota; AAUW of Ohio; AAUW of Oklahoma; AAUW of Oregon; AAUW of Pennsylvania; AAUW of Rhode Island.

AAUW of South Carolina; AAUW of South Dakota; AAUW of Tennessee; AAUW of Texas; AAUW of Utah; AAUW of Vermont; AAUW of Virginia; AAUW of Washington; AAUW of West Virginia; AAUW of Wisconsin; AAUW of Wyoming; Arizona Coalition Against Domestic Violence; Asian American Justice Center; Association for Women in Science; Black Women's Health Imperative; BPW/Alabama; BPW/Alaska; BPW/American Samoa; BPW/Arizona; BPW/Arkansas.

BPW/California; BPW/Colorado; BPW/Connecticut; BPW/Delaware; BPW/District of Columbia; BPW/Florida; BPW/Georgia; BPW/Hawaii; BW/Idaho; BPW/Illinois; BPW/Indiana; BPW/Iowa; BPW/Kansas; BPW/Kentucky; BPW/Louisiana; BPW/Maine; BPW/Maryland; BPW/Massachusetts; BPW/Michigan; BPW/Minnesota.

BPW/Mississippi; BPW/Missouri; BPW/Montana; BPW/Montgomery County; BPW/Nebraska; BPW/Nevada; BPW/New Hampshire; BPW/New Jersey; BPW/New Mexico; BPW/New York; BPW/North Carolina; BPW/North Dakota; BPW/Ohio; BPW/Oklahoma; BPW/Oregon; BPW/Pennsylvania; BPW/Puerto Rico; BPW/Rhode Island; BPW/South Carolina.

BPW/South Dakota; BPW/Tennessee; BPW/Texas; BPW/Utah; BPW/Vermont; BPW/Virgin Islands; BPW/Virginia; BPW/Washington; BPW/West Virginia; BPW/Wisconsin; BPW/Wyoming; Chicago Abortion Fund; Citizen Action of NY; Clearinghouse on Women's Issues; Philadelphia CLUW; Connecticut Permanent Commission on the Status of Women Crossrodes; Urban Center; Dads and Daughters; Georgia Coalition Against Domestic Violence; Georgia Rural Urban Summit.

Hard Hatted Women; Justice Jane; Las Animas County CSE; Legal Momentum; Let Justice Roll Living Wage Campaign; MANA A National Latina Organization; NETWORK, A National Catholic Social Justice Lobby; National Capital Area Union Retirees Club; National Center for Lesbian Rights; National Coalition for Disability Rights; National Council of Jewish Women—California; National Council of Jewish Women—Connecticut; National Council of Jewish Women—Greater Detroit Section; National Council of Jewish Women—Greater New Orleans; National Council of Jewish Women—Minnesota; National Council of Jewish Women—Northern Virginia; National Council of Jewish Women—Ohio; National Council of Jewish Women—Pennsylvania; National Council of Jewish Women—Portland; National Council of Jewish Women—Rhode Island; National Council of Jewish Women—St. Louis.

National Council of Jewish Women—Virginia; National Council of Jewish Women—West Virginia; National Council of Women's Organizations; Alabama, NOW; California, NOW; Colorado, NOW; Connecticut, NOW; Fayetteville, NOW; Florida, NOW; Georgia, NOW; 1Illinois, NOW; Iowa, NOW; Kansas, NOW; Lawrence Chapter, NOW; Los Angeles, NOW; Maryland, NOW; Massachusetts, NOW; Minnesota, NOW; Missouri, NOW; Nevada, NOW.

New Hampshire, NOW; New Jersey, NOW; Oregon, NOW; Santa Fe, NOW; Treasure Valley, NOW; Utah, NOW; Virginia, NOW; West

Pinellas, NOW; Missouri Women's Network; MomsRising.org; Montgomery County Commission for Women; National Women's Conference Committee; National Women's Law Center; National Women's Political Caucus; New Mexico Voices for Children; New York State Pay Equity Coalition; Ohio Domestic Violence Network; San Bernardino, OWL; PathWaysPA.

Pennsylvania NOW, Inc.; Pick Up the Pace; Planned Parenthood of Nassau County; Project IRENE; Silver & Brass Music; South Dakota Advocacy Network for Women; UAW 1853 Women's Committee; Veteran Feminist of America; USAction; West Virginia Women's Commission; Wisconsin Women's Network; Women Against Sexual Harassment; Women on the Job Task Force, NY; Women's Institute for a Secure Retirement; Women's Law Center of Maryland, Inc.; Women's Opportunity Link of Delaware, Inc.; Women's Research & Education Institute (WREI); YWCA Greensboro.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I believe I have an obligation to say a few things about the amendments offered by Senators COBURN and BOXER regarding the investigation of the Coconut Road controversy.

As most of my colleagues know, there are reports that a Member of the House of Representatives arranged to have the text of the 2005 highway bill changed during the enrolling process, which is quite unusual. This was after the bill had passed both Houses. Serious allegations have been made about the motives of this Member for doing this. The facts are not certain, but some say they are clear.

The junior Senator from Oklahoma has done an important service by shining public attention on this matter. The facts are not yet all known, as I have just said, but if these allegations—or some of them—are true, this is one more example of the corruption that permeated the Congress in recent years. We have two Members of Congress who have gone to prison. We have staff members who are in prison. Some are on probation and have pled guilty. So it is fair to say there was a lot of corruption in recent years.

Just last year, the new Democratic Congress passed S. 1, the most sweeping lobbying reform effort in the history of our country, in an effort to restore public trust in Congress. These reforms are already changing the way business is done in Washington. Lobbyists have less influence, and there is more transparency in the legislative process.

We all agree that any misconduct in the legislative process should be fully investigated. Specifically, we want to get to the bottom of this alleged misconduct involving the Coconut Road provision in the 2005 highway bill. The only disagreement between Senators COBURN and BOXER is how the investigation should be conducted.

Certainly, an investigation of the conduct of a Member of the House of Representatives should be done by the House. I think we get ourselves into a problem we should not, constitutionally or morally, by having the House tell us what we should do as far as our own Senators. We should not be telling them what they should be doing regarding House Members. Our Constitution does not provide the Senate with authority to direct a House committee to initiate any kind of action like that.

The Coburn amendment proposes a committee of Members from both the House and Senate conduct this investigation. But I believe Senators should not and cannot investigate a House Member any more than a House Member should or could investigate a Senator. Although Senator COBURN's goal of fully investigating the incident is worthy—and I think everyone shares his goal—the Senator's amendment is at odds with article I of the Constitution.

If we send this constitutionally dubious amendment to the House, it could jeopardize the entire highway technical corrections bill. Why do we want to mess with that? We should not. That is why Senator BOXER has proposed that the Justice Department review the allegations of criminal misconduct.

I would want everyone to recognize that in law, there is this saying: What are you trying to do, make a Federal case out of it? Why do we say that? Because it puts the fear into people because they know the Justice Department does a better job than anyone else investigating wrongdoing.

So what Senator BOXER proposed is to let the Department of Justice review the allegation of criminal conduct, which is the right way to go, and it is not an easy way to go.

According to public reports, the Justice Department and the FBI may already be investigating related matters, and who knows, maybe this precise matter.

If violations of Federal criminal law occur, it is in the province of the Justice Department and FBI to investigate and prosecute. The Boxer amendment simply calls on the Justice Department to review allegations of impropriety and find if Federal criminal laws have been broken.

The Boxer amendment asks the Justice Department to act in an appropriate manner. In fact, to be precise, it says the Department ''shall act consistent with applicable standards and procedures.'' In effect, we are asking that this be made a Federal case. This phrase recognizes the importance of separation of powers that we have in our great country. The language incorporates the principles, privileges, and responsibilities that guide Congress's exercise of its constitutional authority to discipline itself. It also remains true to the principles of legislative autonomy and fair, neutral enforcement of the laws.

This amendment does not waive any legislative privileges of Members or committees of Congress. It does not seek to intrude upon the constitutional duty of each House of Congress to discipline its own Members, nor does it alter the duty of the executive branch to faithfully execute laws.

The amendment simply memorializes the reality that there are serious allegations that may rise, perhaps to the level of criminal violations.

Again, what we are trying to do is make a Federal case out of this. It is entirely appropriate for the Justice Department to assume this responsibility.

For these reasons, I urge my colleagues to support the Boxer amendment and oppose the Coburn amendment. I express my appreciation to Senator BOXER for her hard work on this bill and certainly on this amendment. Those of us who know Senator BOXER know how tenacious she is. We have had the good fortune to work together for almost 26 years in Congress. I have the greatest affection, admiration, and respect for her as a person and her legislative skills and abilities. They certainly have been made very apparent with the work done on this latest piece of work which we hope will be completed in an hour or so from right now.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from California is recognized.

Mrs. BOXER. Madam President, before the majority leader leaves the floor, I thank him very much because he helped me enormously in this whole matter of an investigation. What we all want to do is get to the bottom of what happened with this Coconut Road situation, where it appears as if there may have been some activity that merits punishment.

When we heard that Senator COBURN wanted to take on this issue, we welcomed that because we do believe we have a responsibility to regain the trust of our people. That is why under Senator REID's leadership we passed the most far-reaching ethics reforms ever.

I see my friend is in the chair. She is part of the new class of Senators who pushed very hard for that legislation. Therefore, when Senator COBURN came forward, we believed we certainly wanted to do something. But what Senator REID, because he is a distinguished attorney, taught me is, there is a speech and debate clause in the Constitution, and this investigation with a select committee, House Members and Senate Members investigating each other and staff, could fall.

Here is the point, before my friend leaves the floor. The irony of all ironies is, if, in fact, the Coburn solution were to be adopted today and it did go forward, although we think it will bring the whole bill down, it wouldn't.

But let's say it is adopted. Nothing they do would really lead to anything until the end of their hearings. I call it kind of a circus atmosphere where colleagues would come, flashbulbs in everybody's face, and they take testimony. Nothing of consequence would occur, I say to my friend, until the end when they decide if there was something the Justice Department needed to look into.

Why have all that hoopla when you can get to the heart of the matter, which is saying to the Department of Justice: We want you—and this will require them. It doesn't say you ''may,'' it says you ''shall'' look into this. If the bill did fall, here is the totally irony: The fix to Coconut Road would fall. In other words, in the technical corrections bill, we fix the problem. If this whole thing falls because of the Coburn amendment, then we go back to the real problem of somebody changing the route of this particular road or building, freeway, whatever it was that was going to increase somebody's property. That would be the worst of all worlds.

I thank my leader for his help on this matter. He knows when I heard about this amendment, I said to him: Yes, we need to look into this, and he wanted to do it in the right way. He and his staff have been so helpful in getting us to this point where we have a very good alternative. I hope everybody votes for it.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I hope everyone heard what the chairman of the Environment and Public Works Committee just said. If we are unable to pass this technical corrections bill, which we hope to do in an hour, an hour and a half, if we fail to do that, the fix that was put in the bill, the technical correction that was made to take care of the Coconut Road problem would not be taken care of. That would be a travesty and a circular road to nowhere.

I even hope my friend, Dr. Coburn, would withdraw his amendment. He perhaps will not do that, but I hope that everyone, Democrats and Republicans—this is not a partisan issue. It deals with housekeeping that we do. It is important.

I say to my friend, the chairman of the Environment and Public Works Committee, she also has another job that is extremely difficult and extremely important. She is chairman of the Ethics Committee. Having served on that Ethics Committee and having chaired that committee for a long time, I know it is a tough job. This gives me an opportunity publicly to say—and I think all Senators will extend this appreciation to her, Senator CORNYN and the other four Members who serve on that most important committee, for the dedication and the hours they spend away from the cameras. These are in closed hearings talking about allegations made against individual Senators. They have done, and they continue to do, a remarkably good job.

There is no one who is in a better position today to talk about what is going on in the Senate with matters of violations having been alleged than the Senator from California.

What I think the amendment does is focus attention on the Justice Department, just where it should be. I hope everyone will go along with that amendment, Democrats and Republicans.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

HEALTH CARE

Mr. VITTER. Madam President, today I stand on the Senate floor and continue a very important discussion that I began with all of my Republican classmates in the Senate several weeks ago. It is about the need for dramatic, bold, health care reform in this country.

We adopted this as a class project, if you will. Again, I thank my colleagues Senators THUNE, BURR, DEMINT, MARTINEZ, ISAKSON, and COBURN for their hard work on this important debate, on this important discussion.

Again, the idea is very simple: to put forward our conservative, free-market principles and what vision that leads to in terms of necessary, bold, transformative health care reform, and also to provide a clear contrast between that vision and the alternative, which is clearly in our mind a big government solution, a one-size-fits all solution that has the government role in health care grow and grow and private individual choice lessened and lessened.

In the first week of this discussion on the Senate floor, I rose and laid out our broad principles and where we wanted this discussion to lead. Again, as I said that week, I believe there is great consensus in America, almost universal consensus that our health care delivery system is badly broken and that major reform needs to take place. But, of course, having said that, the hard part is figuring out what that change is and how it can work best for the American people.

As I said in those introductory comments, I believe the broad choices are clear. Our conservative, free-market vision is to empower the individual, to maximize choice, to help everyone get good private insurance that is accessible and affordable, to use taxpayer dollars where appropriate to help the truly poor afford that sort of good private insurance that stresses preventive care and other measures that will bring down health care costs. But that is a very different vision from one based on Government first and foremost, based on Government programs, one-size-fits-all, growing those programs and in the process lessening individual choice and responsibility and lessening the sanctity of the individual doctor-patient relationship.

In the second week of our discussion, our colleague JOHN THUNE came to the floor and elaborated on a very important component of this message, which is that we want to stress a choice of private health plans as a predominant factor in American health care versus Government programs, or the one-size-fits-all, pushing people more and more in that direction and increasing the dominance of Government in this very major sector of our economy.

Following up on that, I come to the Senate floor this week to talk about a closely related principle and closely related theme, which is, again, opting for individual choice and incentives versus forced enrollment or forcing action upon citizens by the Government. Again, this is a crucial element of our vision for the dramatic, bold health care reform we need.

We believe firmly and we believe strongly that individuals are capable of choosing their own health insurance plan and that we must continue to focus on individuals and empowering individuals with choices and with incentives, not forcing individuals in a certain direction. So we are opposed to forcing people to enroll in certain plans rather than providing incentives for individuals to make rational choices that fit their own circumstances.

Congress should be pushing reform that creates those incentives for individuals, for employers, for insurance companies, and for States to come up with innovative solutions. We shouldn't be forcing mandates down people's throats, forcing them to enroll in any particular big government or other program. The way we can most effectively maximize this choice and empower the individual is through the Tax Code, creating options for families and individuals through the Tax Code that help those families buy insurance, that create those incentives that make sure it is accessible and affordable for everyone.

Now, as I suggest, Madam President, I have some pretty fundamental philosophical objections to mandating action on people. But in addition to that, I have some very practical concerns. If we look at other jurisdictions—States, even other countries—that force these mandates on people, we find they really don't work in the end.

A few examples. Hawaii—obviously a State—has a mandate that all employers must provide their workers with health insurance. Well, they think that is a magic wand that just automatically solves the problem. But it doesn't. First of all, unfortunately, it creates a barrier in many instances to creating jobs, increasing employment, and growing business. So that is a problem. But even beyond that, it doesn't insure all workers. In fact, in Hawaii, 10 percent of workers—not unemployed people, not nonworkers, but

10 percent of workers—- do not have health insurance. So there is the very practical issue of simply throwing out an edict, a mandate from the Government which doesn't accomplish the goal.

Another example is Canada. Canada requires everyone to be covered. Again, that creates significant challenges in actually making that happen and enforcing that rule. For instance, in the province of British Columbia alone, more than 40,000 people somehow slipped through the cracks or slipped through that mandate. It isn't a magic wand, and it doesn't get done.

So we believe there is a better way, and that is to maximize choice, empower the individual, and create incentives. That will get a great number of people enrolled and provide more affordability and access to health care.

We believe, as a part of that, that existing Government programs can be improved and modernized and made more efficient. And that is important. But we are opposed to attempts which often come up in this body and the other body of Congress that try to significantly expand these programs well beyond the bounds of how they were originally set up, well beyond the core constituencies or income levels for which they were established. We believe that is going down the path of big government, nationalizing health care, making government the dominant force by far, and we don't want to do that.

We also believe that encouraging competition in the marketplace is key to lowering health care costs. So we are opposed to price controls, profit ceilings, rigid expensive requirements, and mandates that usually end up doing exactly the opposite.

We believe in recognizing that seniors have increasingly turned to Medicare Advantage Plans because they offer a better value and in many cases a higher quality of care than traditional fee-for-service Medicare. So we are opposed to efforts to dismantle these programs and again lessen choice, lessen individual responsibility and choice, and push folks in one certain direction—back to a one-size-fits-all traditional Medicare fee-for-service.

We also believe that taxes should be as low as possible and that the Tax Code should be changed to put money back into families' hands, which would allow them to purchase their own health insurance. We are opposed to increasing taxes and using that money to pay for a big government one-size-fits-all model.

Madam President, I look forward, as do all of my Republican Senate classmates—Senators THUNE and BURR, DEMINT, MARTINEZ, ISAKSON, and COBURN—to continuing this discussion, continuing this debate. As I said at the beginning, I believe virtually all of America agrees that the American health care delivery system is badly broken, that we are in desperate need of not just tinkering around the edges but bold, dramatic reform. So we want to come forward and lay out those conservative and market-based principles that we believe are the right type of change, the type of reform Americans want, reform that empowers the individual, that respects that individual doctor-patient relationship, and that maximizes choice and creates incentives, and not the wrong choice that grows big government, that lessens choice, that increases mandates, that pushes individuals in a certain direction rather than allowing them to understand what best meets their needs.

Next week, Madam President, we will continue the discussion as another of my Republican Senate classmates takes to the floor to talk about another issue in this important debate, and I look forward to listening and participating in that discussion.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

COBURN AND BOXER AMENDMENTS

Mr. COBURN. Madam President, I wish to spend a few minutes just to make some observations during this short debate we are going to have before the amendments are voted on.

We are going to have a vote on the Boxer amendment and then on the Coburn amendment, both trying to get to the bottom of a problem. We have agreed to a 60-vote margin on both of those, but I wonder what happens to this issue if neither of those amendments gets 60 votes, and why are we having a 60-vote margin? Everybody agrees that this amendment about a postenrollment change to a bill needs to be solved. The mystery surrounding how it happened, where it happened, and why it happened needs to be solved. But now we have before us a hurdle which, in all likelihood, will eliminate our ability to find out.

It is claimed, and understandably, that my amendment would look into a problem in the House. That assumption, however, is incorrect because nobody knows exactly where this enrollment change happened. Some may think they do, but we don't know that.

Second of all, and probably more importantly, is the fact that a bill agreed to by both Houses of Congress was changed before it got to the President without our knowledge.

There also is the claim that if, in fact, we would have a bipartisan committee, with Members of both Houses looking into this, it is somehow precedent setting. It is not. In 1992, the House and Senate did combine—not on this specific issue—so there is a precedent there that no one can deny, that we looked at rules and processes and procedures, and we did that without any difficulty.

On the other side of the aisle is the Boxer amendment, which says we are going to ask the Justice Department. We are not going to ask them, actually, we are going to tell them that they shall do this.

The argument has been made that the speech and debate clause is violated by my amendment. I don't think that is accurate, but I will take that as an argument. But for the Boxer amendment to pass, the separation of powers will be violated. These are not laws. These are rules of Congress. Yet we are going to now invite in the executive branch to handle what we refuse to handle? The cynicism in me says that maybe we don't want to know the answer to this question.

We very simply could have had a majority vote on both of these, and the one that got the most votes would have won. We don't have the parliamentary power to force that to happen, and we do have the concurrent agreement of the chairwoman of the EPW Committee to have a vote, which I appreciate. I would not tell her that I do not appreciate that. I do appreciate the opportunity to have a vote. But the question still remains: What happens if we don't get 60 votes? Will something happen on this?

What I want us to do is restore the integrity of the enrollment process. If we fail to do that, if we fail to do that and if we invite the executive branch into our Houses, we have failed—we have failed to live up to our own responsibility in the Senate and in the House, and we have failed to protect what is truly a separation between us and the executive branch in how we have gone about it.

So I thank the good nature and good humor of the chairman of the committee for the lively debate we had yesterday. But, someday, somebody will write about this issue, and I am not sure history is going to be very kind to us as we worry about partisan issues, who gets credit, who didn't, pointing fingers.

The fact is, we have a problem that should be solved by a joint group of Members of this body. To say we can't do that denies the fact that we have integrity. We do have integrity. We do have honor. We do have commitment. And most of all, we want to build the confidence of the American people in Congress. I believe that will happen under my amendment. I am not sure it will happen if we don't pass it. As a matter of fact, I am certain that if we don't have one of these that gets accepted in conference, we will not be able to claim that.

I have heard the statements of the chairwoman of the EPW Committee, and I believe her statements. So whatever happens here, it is my hope that she will encourage that to happen in conference. It won't be telling the House what to do; rather, it will be asking them to concur that we ought to look into this.

Washington has a problem, and the problem is this: We are not believable

to the American public. More than 70 percent of the people in this country have no confidence in us, and we ought to be about repairing the institution and repairing that confidence.

With that, Madam President, I yield back.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I thank my colleague for bringing this issue to our attention. I think he knows that in the beginning there were some voices that said: Let's not deal with this. But we worked together, and we did come up eventually with a way to deal with it.

I think some of our colleagues believe that where there is a constitutional issue and a precedent-setting issue here involving such a delicate matter, such a matter that could lead to a criminal investigation and punishment, we ought to have some type of consensus on it. But I share his concern.

Madam President, I ask unanimous consent for an additional minute before we go to the regular order.

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

Mrs. BOXER. I think if neither amendment gets 60 votes—and I certainly hope the Boxer amendment does, and I expect it would, but I don't know, it might not—I am already working on an alternative I would talk to my friend about right now, which is for us to communicate in writing very strongly to the Justice Department and tell them how strongly we feel.

I also wish to make the point that my friend is right. Someday, somebody will write about this. People are already writing about it because of the work we are doing on this matter. The Senator and I have been quite forceful in the way we feel about this. People are writing about it. My hope is that what we do is not create a new kind of select committee. My friend said it has been done before, and he may be right. But why a committee when we can get right to the heart of the matter, which is: Was there a crime? If so, let's get to the bottom of it.

I do want to say, and I say this as chair of the Ethics Committee of the Senate, nothing is more important to me than having a fair Ethics Committee that works hard and is objective. Any Member of the Senate can make a complaint any day of the week and it automatically is looked at. I want to reiterate that. If people have an issue, please, let us know. That is why we are there.

For those of us who care a lot about this matter, we do need, if nobody gets 60—I hope we will, but if nobody does, this issue does not go away as far as I am concerned. It cannot go away.

I think it is very important, the way we deal with this, to understand that if we do something that the House has constitutional objections to and it brings down the technical corrections bill, the irony of ironies is the Coconut Road project doesn't get fixed, it goes back to the crooked way it was handled. We don't want that. We want to fix the Coconut Road problem and we want to have an investigation.

I yield the floor to get to the regular order at this time.

AMENDMENT NO. 4539, AS MODIFIED

The PRESIDING OFFICER. Under the regular order, there will be 2 minutes of debate prior to a vote on amendment No. 4539, offered by the Senator from California, as modified.

Mrs. BOXER. Madam President, we have a very simple amendment. Sometimes in simplicity is strength. Sometimes in simplicity is power. Sometimes in simplicity you get to the place you want to get.

I do not like a lot of words. I believe a few words will say it. Look at what we say here:

> Consistent with applicable standards and procedures—

which means everybody's rights are protected—

> the Department of Justice shall review allegations of impropriety regarding item 462 in section 1934(c) of Public Law 109–59—

That is the Coconut Road project—

> to ascertain if a violation of Federal criminal law has occurred.

I think we know enough to warrant this kind of amendment. I think we know enough to be concerned. I think we know enough to say to the Justice Department: Please pay attention to this. Do your work. Make a determination and get on with it because this is very serious.

I yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Oklahoma.

Mr. COBURN. Madam President, I will repeat the three points I think are important. No. 1 is we do not know enough. The next amendment relates to the Justice Department if we do know enough.

No. 2 is I am very hesitant to set a precedent that invites the Justice Department to come into the Senate and House to investigate us.

No. 3, and finally, the Justice Department does not have to do it even if we say they shall. They do not have to do it. There is no force of law that we can make the Justice Department come and investigate us. If we did, our forefathers would roll over in their graves. That is what the separation of powers is all about. When we go directly to the Justice Department, we shirk our responsibility to control our own house and bring our own Members under it.

I urge my colleagues to not support this new precedent setting seeking of the Justice Department, in violation of the separation of powers, to come into the Senate and the House to do an investigation before we have done our own investigation to find out the jot and tittles.

I yield the floor.

Mrs. BOXER. I ask for 10 more seconds.

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

Mrs. BOXER. I want to make the point, if we pass the Boxer amendment today and this bill gets signed into law by the President and we are requiring the Justice Department to do this, then they will be breaking the law.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 28, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—64

Akaka	Feinstein	Reed
Baucus	Harkin	Reid
Bayh	Isakson	Roberts
Bingaman	Johnson	Rockefeller
Bond	Kennedy	Salazar
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Brownback	Kohl	Smith
Bunning	Landrieu	Snowe
Cantwell	Lautenberg	Specter
Cardin	Leahy	Stabenow
Carper	Levin	Sununu
Casey	Lieberman	Tester
Chambliss	Lincoln	Thune
Coleman	Martinez	Vitter
Collins	McConnell	Voinovich
Conrad	Menendez	Warner
Corker	Mikulski	Webb
Dodd	Murray	Whitehouse
Dole	Nelson (FL)	Wyden
Dorgan	Nelson (NE)	
Durbin	Pryor	

NAYS—28

Allard	DeMint	Inhofe
Barrasso	Domenici	Kyl
Bennett	Ensign	McCaskill
Burr	Enzi	Murkowski
Byrd	Feingold	Sessions
Coburn	Graham	Shelby
Cochran	Grassley	Stevens
Cornyn	Gregg	Wicker
Craig	Hatch	
Crapo	Hutchison	

NOT VOTING—8

Alexander	Hagel	McCain
Biden	Inouye	Obama
Clinton	Lugar	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Ms. LANDRIEU. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. For the information of Senators, we have three more votes. We are going to be in session tomorrow, but there will be no votes. Because of the Passover holiday, on Monday, there will be no votes. We expect to have a full, heavy week next week.

I appreciate the cooperation of Senators this week. As indicated, we should be finished within the next hour.

AMENDMENT NO. 4538

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to a vote on the Coburn amendment.

Mr. COBURN. Madam President, we have voted an invitation to the Justice Department to investigate a rules violation in either the House or the Senate. We have set an amazing precedent.

What we recommend is a bicameral committee made up of four members of each body, two from each party, that would report back to the appropriate ethics committee or to the Justice Department, if there is, in fact, an infraction of law.

My hope would be that we would take care of the problems in our own body. The House would take care of the problems in their body and that we would, in fact, give greater than 36 votes to this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from California.

Mrs. BOXER. Colleagues, this is very important. I wish to commend my colleague for bringing this whole issue to the floor of the Senate. But I think we have done something important. We have taken his concerns to heart, and with a very big vote, we have stated that the Justice Department is now required to open an investigation.

What the Senator does is set up an elaborate commission of Senators, of House Members; it is political on its face. It will only put off the day until an investigation is done by Justice. Because after having this elaborate commission, Senators investigating House Members, House Members investigating Senators, it is unconstitutional on its face on the speech and debate clause.

That will bring down this entire bill. Here is the irony of ironies. If we bring this bill down, the fix of Coconut Road will fall. We fix the Coconut Road problem in this bill.

I urge you, please say no to this idea because I feel we have done the right thing on this matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COBURN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER), would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 43, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—49

Allard	Crapo	McCaskill
Barrasso	DeMint	McConnell
Bayh	Dole	Murkowski
Bennett	Domenici	Nelson (FL)
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Feingold	Shelby
Burr	Graham	Smith
Cardin	Grassley	Specter
Chambliss	Gregg	Stevens
Coburn	Hatch	Sununu
Cochran	Hutchison	Thune
Coleman	Inhofe	Vitter
Collins	Isakson	Warner
Corker	Klobuchar	Wicker
Cornyn	Kyl	
Craig	Martinez	

NAYS—43

Akaka	Johnson	Reed
Baucus	Kennedy	Reid
Bingaman	Kerry	Rockefeller
Boxer	Kohl	Salazar
Brown	Landrieu	Sanders
Byrd	Lautenberg	Schumer
Cantwell	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Conrad	Lincoln	Voinovich
Dodd	Menendez	Webb
Dorgan	Mikulski	Whitehouse
Durbin	Murray	Wyden
Feinstein	Nelson (NE)	
Harkin	Pryor	

NOT VOTING—8

Alexander	Hagel	McCain
Biden	Inouye	Obama
Clinton	Lugar	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

Mrs. BOXER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to the cloture vote on the substitute amendment.

The Senator from California.

Mrs. BOXER. Madam President, we are ready.

Mr. INHOFE. We are ready.

Mrs. BOXER. All we want is an ''aye'' vote. Let's get this good bill passed. Let's unleash $1 billion worth of good, important projects into our communities and create tens of thousands of jobs.

We appreciate we have come this far. We thank you.

I yield to my colleague.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I think we have talked enough on this bill. Everyone knows what it is. We have to get our road construction programs going. We cannot do it without an ''aye'' vote on this motion. I urge you to vote aye.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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, hereby move to bring to a close debate on the Boxer substitute amendment No. 4146 to H.R. 1195, an act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

Barbara Boxer, Harry Reid, Charles E. Schumer, Frank R. Lautenberg, Jon Tester, Mark L. Pryor, Bernard Sanders, Benjamin L. Cardin, Jeff Bingaman, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Bill Nelson, John D. Rockefeller, IV, Jack Reed, Ron Wyden, Dianne Feinstein.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4146, offered by the Senator from California, to H.R. 1195, the highway technical corrections bill, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 90, nays 2, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—90

Akaka	Bennett	Brownback
Allard	Bingaman	Bunning
Barrasso	Bond	Burr
Baucus	Boxer	Byrd
Bayh	Brown	Cantwell

Cardin	Hatch	Pryor
Carper	Hutchison	Reed
Casey	Inhofe	Reid
Chambliss	Isakson	Roberts
Coburn	Johnson	Rockefeller
Cochran	Kennedy	Salazar
Coleman	Kerry	Sanders
Collins	Klobuchar	Schumer
Conrad	Kohl	Sessions
Corker	Kyl	Shelby
Cornyn	Landrieu	Smith
Craig	Lautenberg	Snowe
Crapo	Leahy	Specter
Dodd	Levin	Stabenow
Dole	Lieberman	Stevens
Domenici	Lincoln	Sununu
Dorgan	Martinez	Tester
Durbin	McCaskill	Thune
Ensign	McConnell	Vitter
Enzi	Menendez	Voinovich
Feingold	Mikulski	Warner
Feinstein	Murkowski	Webb
Graham	Murray	Whitehouse
Grassley	Nelson (FL)	Wicker
Harkin	Nelson (NE)	Wyden

NAYS—2

DeMint Gregg

NOT VOTING—8

Alexander	Hagel	McCain
Biden	Inouye	Obama
Clinton	Lugar	

The PRESIDING OFFICER. On this question, the yeas are 90, the nays are 2. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. SPECTER. Madam President, I have sought recognition to speak to an amendment to the pending legislation by myself and Senator CASEY, which would authorize an addition of lane miles in Pennsylvania to the Appalachian Development Highway System so that a vital highway project can be constructed.

The Central Susquehanna Valley Thruway project is a proposed 13-mile, four-lane limited access highway extending from the Selinsgrove Bypass of U.S. Routes 11/15 to PA Route 147 in Northumberland. Because the project involves construction of a bridge across the Susquehanna River, the estimated cost to construct it is $370 million. The current conditions are a major impediment to north-south travel in Central Pennsylvania and this project is widely supported by State and local elected officials. In addition to the traffic problems it will address, the project is a major economic development initiative in the predominately rural region between Williamsport and Harrisburg. The Pennsylvania Department of Transportation, PENNDOT, has thus far not been able to identify the funds necessary to construct this project, and neither has the Federal Government. However, it has been suggested that if the 12-mile route were added to the Appalachian Development Highway System, ADHS, it would open up a new source of funds which PENNDOT could use to construct this project.

The ADHS encompasses 2,600 miles across the Appalachian States and is administered by the Appalachian Regional Commission. The intention of this highway system is to improve the connectivity of economically depressed Appalachian regions with metropolitan areas. Approximately 500 miles of the ADHS have yet to be completed, including 178 miles which need to be completed within Pennsylvania. Although the affected counties of Northumberland, Snyder, and Union are within the Appalachian region, this 12-mile route in question is not a part of the existing ADHS system and therefore does not qualify for ADHS funding.

This amendment would authorize Federal ADHS assistance for the 13-mile thruway project. For purposes of connectivity, it would also authorize a larger 52-mile segment from I–180 near Williamsport to the intersection of U.S. 11/15 and U.S. 22 near Duncannon as part of the ADHS. This will connect the 13-mile system to the rest of Pennsylvania's existing ADHS system, but the only segment of this 52-mile addition that would be eligible for funding under the amendment is the 13-mile thruway project. Further the amendment provides that this addition will not affect Pennsylvania's Federal ADHS apportionment. It is important to note that the amendment does not provide more funding to Pennsylvania, it simply gives PENNDOT the ability to use existing ADHS apportionment funding for this high-priority project.

Madam President, I also wish to speak to an amendment to the pending legislation by myself and Senator CASEY, regarding the use of ''toll credits'' by the Pennsylvania Department of Transportation, PENNDOT, with respect to construction of the U.S. Route 219 highway improvement project in Somerset County, PA.

The Somerset County Commissioners have identified the U.S. Route 219 improvement project as essential to improving north-south transportation mobility and safety in Somerset County. The project involves construction of a four-lane, limited access highway connecting the towns of Somerset and Meyersdale, PA. A 1999 study conducted by PENNDOT noted that this section of U.S. Route 219 has a number of deficiencies that cause traffic congestion and high accident rates. The project also promises economic benefits by linking motorists with a new business park. PENNDOT received approval to conduct environmental and engineering studies in 1999 and planned on using ''toll credits'' to match $45 million in Federal funds allocated to the project through the Appalachian Development Highway System, ADHS, program. However, the necessary land was not acquired until 2006, and in the meantime, the 2005 SAFETEA–LU bill prohibited the use of toll credits as a non-Federal match requirement to ADHS funds.

Toll credits are a ''soft-match'' that allow States to substitute previous, toll-financed transportation spending as a credit toward the match requirement. In doing so, it effectively increases the Federal share to 100 percent, thereby reducing the pot of available Federal funds. With the limited availability of Federal resources, I can understand why Congress would have an interest in ensuring that States contribute actual dollars toward highway construction projects rather than credits. That is why this amendment does not eliminate the prohibition on the use of toll credits to match ADHS dollars. This is something that we can debate as we consider the next highway and transit authorization bill.

This amendment provides for a narrow exception to that prohibition. It would allow PENNDOT, in the case of U.S. Route 219 only, to use toll credits so that this important transportation and economic development project can move forward. I believe this exception to the toll credit prohibition is warranted at this time because PENNDOT was planning on using them when it entered the environmental and engineering phase of this project. Without the ability to use credits, I am advised that PENNDOT has no matching funds available to finance this project.

Mr. DODD. Mr. President, the Senate is now debating the SAFETEA–LU technical corrections bill. It is regrettable that we had to file cloture on the motion to proceed to this bill in order to make progress on this legislation. This is a technical corrections bill. It fixes mistakes made in the heat of passage of SAFETEA–LU, a bill that was 835 pages long. These types of technical corrections bills are not at all uncommon, and almost always pass with little, if any debate, much less disagreement.

All of the relevant committees the Banking Committee, which has jurisdiction over the transit title of the bill, the EPW Committee, with highway jurisdiction, and the Commerce Committee, which oversees highway safety—have worked together in a bipartisan fashion to produce a corrections bill with broad support.

I thank my colleague and ranking member on the Banking Committee, Senator SHELBY, for his work in producing this title, which passed the Banking Committee unanimously in May of last year. I also want to commend EPW Chairman BOXER and Ranking Member INHOFE, as well as Commerce Chairman INOUYE and Ranking Member STEVENS, for their hard work on developing this highly technical bill.

Unfortunately, despite these efforts, we have been blocked from moving forward by a small handful of our colleagues. I want to thank the majority leader for making time in the Senate's schedule to debate this bill.

Although this is only a corrections bill, it will have a real impact for our local communities, which are struggling to keep up with the demands of crumbling infrastructure. There are funds that were authorized in SAFETEA–LU to help meet these demands, but for technical reasons, they have not been distributed. This bill will unlock those funds so that they can be used for the purpose for which they were intended, which is to shore up our transit systems, our roads and bridges—all of the vital components of

the transportation network that we rely on every day for the safe and efficient movement of people and goods.

The funds that would be unlocked by passage of this bill will allow for critical maintenance and capital improvement projects to go forward on our roadways; they will allow for dangerous overpasses to be replaced; they will allow for transit systems to more efficiently meet the needs of their riders; and they will allow for a greater degree of safety on our roads and rails.

And it is important to understand, this bill does not cost a single penny. It allows funds that have already been authorized to be distributed as intended.

The Banking Committee reported the transit title of this bill last May. We worked closely with our colleagues here in the Senate as well as in the House to develop a bipartisan, consensus package. I want to again thank my ranking member, Senator SHELBY, for his efforts on this bill; he has worked hard to try to get this done since the last Congress.

The Banking Committee's title of this bill addresses the drafting errors contained in the transit title of SAFETEA–LU and makes necessary changes to various project authorizations so that funds can be released. In addition, I just want to note that this bill recognizes the hard work and leadership of our former colleague, and past chairman of the Banking Committee, Senator Paul Sarbanes, by naming the Transit in Parks program, which he authored, after him.

It is more important than ever that we invest in our Nation's transit systems. Safe, reliable, and efficient public transportation is essential if we are to tackle the growing problems of traffic congestion, rising gas prices, and global climate change. Transit systems provide significant benefits both to transit riders and to others in the community, including employers, property owners, and automobile drivers. For example, when people ride transit, the amount of time that transit riders and automobile drivers alike spend in traffic goes down; in fact, the Texas Transportation Institute has estimated that transit saves Americans over $18 billion a year by reducing the time they would otherwise waste sitting on clogged roadways.

And, in this era of high gasoline prices, public transportation provides an additional benefit: according to economists Robert Shapiro and Kevin Hassett, public transportation saves more than 855 million gallons of gasoline a year, helping to reduce our dependence on foreign oil and providing us with a cleaner, healthier environment.

Transit ridership is at the highest level in 40 years, and strong support for transit is essential in light of this increasing demand. In fact, I strongly believe that if we are to keep up with the demands of our growing economy, we must renew our commitment to our Nation's infrastructure, not just in transportation, but in water systems, housing, and other areas. Senator HAGEL and I have put forward a proposal to create a National Infrastructure Bank, which would leverage private investment through tax-credit bonds to fund large-scale, regionally or nationally significant infrastructure projects. I held a hearing on this proposal last month and I intend to hold another in the coming weeks.

We have an enormous challenge before us in meeting the infrastructure needs of our nation. The National Infrastructure Bank is not intended to be the only tool in our toolbox; neither is the technical corrections bill we are discussing today.

But passage of the bill now before the Senate would be an essential step forward in meeting that challenge. It would put an end to the technicalities that are holding up vital funding for road and transit improvements. There is no excuse for any further delay in getting these funds to the communities which need them.

Let me take just a moment to address the Administration's Statement of Administration Policy opposing one of the provisions in the transit title of this bill, related to the transit New Starts program. This program, which supports the development and construction of new transit systems, is widely recognized for its focus on performance measures and accountability. Each applicant for New Starts funds enters a rigorous review process based on statutory rating criteria, including factors such as mobility improvements, environmental benefits, and cost effectiveness. In order to more fully capture the impact that a major transit project has on communities, Congress in SAFETEA–LU added economic development and land use effects to the statutory list.

However, the Federal Transit Administration is not applying the statutory rating criteria as Congress intended. Instead, the FTA has assigned inordinate weight to a few statutory factors, while giving others, such as economic development and environmental benefits, only minimal weight.

The language in the technical corrections bill reiterates Congress's intent in SAFETEA–LU that each of the factors must be given comparable weight when evaluating New Starts grant applications. This language passed the House of Representatives last summer as part of their technical corrections package.

I say to my colleagues, I could not disagree more with the position the administration is taking on this point. The language in the transit title has broad bipartisan support, both from the Banking Committee and from the House Transportation and Infrastructure Committee. If the Administration does not agree with the criteria included in SAFETEA–LU for the evaluation of New Starts projects, I would be happy to consider their views in the context of the next reauthorization. I intend to begin that process later this year and I expect to proceed in an open and bipartisan way. In the meantime, the administration's responsibility is to implement the law, and unfortunately they have failed to do so in this case.

In conclusion, although it is technical, this is an important bill. It has broad bipartisan support on both sides of the Capitol and would allow urgently needed funds to be distributed to the States and local communities trying to address their transportation needs. I commend it to my colleagues and ask for their support.

Mr. BYRD. Madam President, I am proud to support H.R. 1195, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act, and the benefits that it will provide to West Virginia and the rest of the country. However, I must oppose the two amendments offered by Senators BOXER and COBURN. Both amendments have the good intention of ensuring open and honest government, but I must oppose them because of my concerns about their implications, particularly as they may impinge on the powers of the legislative branch.

I applaud the Senators for their attempts to eliminate any waste, fraud, and abuse that have plagued the Congress in previous years. As chairman of the Appropriations Committee, I have instituted on-line access to spending bills, so that the public may see where their tax money is being spent. But both of these amendments may inappropriately expose Congress to scrutiny by the executive branch by way of the Department of Justice.

Congress is fully capable of proceeding with its own internal investigations. Both Houses have bipartisan Ethics Committees that may undertake these investigations. If criminal activities are discovered in the course of a congressional inquiry, such crimes should then be investigated by the appropriate Federal authorities.

The PRESIDING OFFICER. Under the previous order, the Boxer substitute amendment No. 4146, as amended, is agreed to.

The committee substitute, as amended, is agreed to.

The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. DORGAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN),

the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Illinois (Mr. OBAMA), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Ms. LANDRIEU) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Sentor from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 2, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—88

Akaka	Domenici	Murkowski
Allard	Dorgan	Murray
Barrasso	Durbin	Nelson (FL)
Baucus	Ensign	Nelson (NE)
Bayh	Enzi	Pryor
Bennett	Feingold	Reed
Bingaman	Feinstein	Reid
Bond	Graham	Roberts
Boxer	Grassley	Rockefeller
Brown	Harkin	Salazar
Brownback	Hatch	Schumer
Bunning	Hutchison	Sessions
Burr	Inhofe	Shelby
Byrd	Isakson	Smith
Cantwell	Johnson	Snowe
Cardin	Kennedy	Specter
Carper	Kerry	Stabenow
Casey	Klobuchar	Stevens
Chambliss	Kohl	Sununu
Coburn	Kyl	Tester
Cochran	Lautenberg	Thune
Coleman	Leahy	Vitter
Collins	Levin	Voinovich
Conrad	Lieberman	Warner
Corker	Lincoln	Webb
Cornyn	Martinez	Whitehouse
Craig	McCaskill	Wicker
Crapo	McConnell	Wyden
Dodd	Menendez	
Dole	Mikulski	

NAYS—2

DeMint	Gregg

NOT VOTING—10

Alexander	Inouye	Obama
Biden	Landrieu	Sanders
Clinton	Lugar	
Hagel	McCain	

The bill (H.R. 1195), as amended, was passed, as follows:

H.R. 1195

Resolved, That the bill from the House of Representatives (H.R. 1195) entitled ''An Act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes.'', do pass with the following amendment:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''SAFETEA–LU Technical Corrections Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HIGHWAY PROVISIONS

Sec. 101. Surface transportation technical corrections.
Sec. 102. MAGLEV.
Sec. 103. Projects of national and regional significance and national corridor infrastructure improvement projects.
Sec. 104. Idling reduction facilities.
Sec. 105. Project authorizations.
Sec. 106. Nonmotorized transportation pilot program.
Sec. 107. Correction of Interstate and National Highway System designations.
Sec. 108. Budget justification; buy America.
Sec. 109. Transportation improvements.
Sec. 110. I–95/Contee Road interchange design.
Sec. 111. Highway research funding.
Sec. 112. Rescission.
Sec. 113. TEA–21 technical corrections.
Sec. 114. High priority corridor and innovative project technical corrections.
Sec. 115. Definition of repeat intoxicated driver law.
Sec. 116. Research technical correction.
Sec. 117. Buy America waiver notification and annual reports.
Sec. 118. Efficient use of existing highway capacity.
Sec. 119. Future interstate designation.
Sec. 120. Project flexibility.
Sec. 121. Effective date.

TITLE II—TRANSIT PROVISIONS

Sec. 201. Transit technical corrections.

TITLE III—OTHER SURFACE TRANSPORTATION PROVISIONS

Sec. 301. Technical amendments relating to motor carrier safety.
Sec. 302. Technical amendments relating to hazardous materials transportation.
Sec. 303. Highway safety.
Sec. 304. Correction of study requirement regarding on-scene motor vehicle collision causation.
Sec. 305. Motor carrier transportation registration.
Sec. 306. Applicability of Fair Labor Standards Act requirements and limitation on liability.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Conveyance of GSA Fleet Management Center to Alaska Railroad Corporation.
Sec. 402. Conveyance of retained interest in St. Joseph Memorial Hall.

TITLE V—OTHER PROVISIONS

Sec. 501. De Soto County, Mississippi.
Sec. 502. Department of Justice review.

TITLE I—HIGHWAY PROVISIONS

SEC. 101. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Paragraphs (3)(A) and (5) of section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) are amended by striking ''paragraph (1)'' each place it appears and inserting ''paragraph (2)''.

(b) CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1158) is amended by striking ''among the States''.

(c) CORRECTION OF FEDERAL LANDS HIGHWAYS.—Section 1119 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1190) is amended by striking subsection (m) and inserting the following:

''(m) FOREST HIGHWAYS.—Of the amounts made available for public lands highways under section 1101—

''(1) not more than $20,000,000 for each fiscal year may be used for the maintenance of forest highways;

''(2) not more than $1,000,000 for each fiscal year may be used for signage identifying public hunting and fishing access; and

''(3) not more than $10,000,000 for each fiscal year shall be used by the Secretary of Agriculture to pay the costs of facilitating the passage of aquatic species beneath forest roads (as defined in section 101(a) of title 23, United States Code), including the costs of constructing, maintaining, replacing, and removing culverts and bridges, as appropriate.''.

(d) CORRECTION OF DESCRIPTION OF NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—Item number 1 of the table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in the State column by inserting ''LA,'' after ''TX,''.

(e) CORRECTION OF HIGH PRIORITY DESIGNATIONS.—

(1) KENTUCKY HIGH PRIORITY CORRIDOR DESIGNATION.—Section 1105(c)(18)(E) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 112 Stat. 189; 115 Stat. 872) is amended by inserting before the period at the end the following: '', follow Interstate Route 24 to the Wendell H. Ford Western Kentucky Parkway, then utilize the existing Wendell H. Ford Western Kentucky Parkway and Edward T. Breathitt (Pennyrile) Parkway to Henderson''.

(2) INTERSTATE ROUTE 376 HIGH PRIORITY DESIGNATION.—

(A) IN GENERAL.—Section 1105(c)(79) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1213) is amended by striking ''and on United States Route 422''.

(B) CONFORMING AMENDMENT.—Section 1105(e)(5)(B)(i)(I) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) is amended by striking ''and United States Route 422''.

(f) CORRECTION OF INFRASTRUCTURE FINANCE SECTION.—Section 1602(d)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1247) is amended by striking ''through 189 as sections 601 through 609, respectively'' and inserting ''through 190 as sections 601 through 610, respectively''.

(g) CORRECTION OF PROJECT FEDERAL SHARE.—Section 1964(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1519) is amended—

(1) by striking ''only for the States of Alaska, Montana, Nevada, North Dakota, Oregon, and South Dakota,''; and

(2) by striking ''section 120(b)'' and inserting ''section 120''.

(h) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS DEFINED.—Section 101(a) of title 23, United States Code, is amended by adding at the end the following:

''(39) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

''(A) IN GENERAL.—The term 'transportation systems management and operations' means an integrated program to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

''(B) INCLUSIONS.—The term 'transportation systems management and operations' includes—

''(i) regional operations collaboration and coordination activities between transportation and public safety agencies; and

''(ii) improvements to the transportation system, such as traffic detection and surveillance, arterial management, freeway management, demand management, work zone management, emergency management, electronic toll collection, automated enforcement, traffic incident management, roadway weather management, traveler information services, commercial vehicle operations, traffic control, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations.''.

(i) CORRECTION OF REFERENCE IN APPORTIONMENT OF HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS.—Effective October 1, 2007, section 104(b)(5)(A)(iii) of title 23, United States Code, is amended by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways''.

(j) CORRECTION OF AMENDMENT TO ADVANCE CONSTRUCTION.—Section 115 of title 23, United States Code, is amended by redesignating subsection (d) as subsection (c).

(k) CORRECTION OF HIGH PRIORITY PROJECTS.—Section 117 of title 23, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(2) by redesignating the second subsection (c) (relating to Federal share) as subsection (d);

(3) in subsection (a)(2)(A) by inserting ''(112 Stat. 257)'' after ''21st Century''; and

(4) in subsection (a)(2)(B)—

(A) by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(B) by striking ''SAFETEA–LU'' and inserting ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256)''.

(l) CORRECTION OF TRANSFER OF UNUSED PROTECTIVE-DEVICE FUNDS TO OTHER HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS.—Section 130(e)(2) of title 23, United States Code, is amended by striking ''purposes under this subsection'' and inserting ''highway safety improvement program purposes''.

(m) CORRECTION OF HIGHWAY BRIDGE PROGRAM.—

(1) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

*(A) in the section heading by striking ''**replacement and rehabilitation**'';*

(B) in subsections (b), (c)(1), and (e) by striking ''Federal-aid system'' each place it appears and inserting ''Federal-aid highway'';

(C) in subsections (c)(2) and (o) by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways'';

(D) in the heading to paragraph (4) of subsection (d) by inserting ''SYSTEMATIC'' before ''PREVENTIVE'';

(E) in subsection (e) by striking ''off-system bridges'' each place it appears and inserting ''bridges not on Federal-aid highways'';

(F) by striking subsection (f);

(G) by redesignating subsections (g) through (s) as subsections (f) through (r), respectively;

(H) in paragraph (1)(A)(vi) of subsection (f) (as redesignated by subparagraph (G) of this paragraph) by inserting ''and the removal of the Missisquoi Bay causeway'' after ''Bridge'';

(I) in paragraph (2) of subsection (f) (as redesignated by subparagraph (G) of this paragraph) by striking the paragraph heading and inserting ''BRIDGES NOT ON FEDERAL-AID HIGHWAYS'';

(J) in subsection (m) (as redesignated by subparagraph (G) of this paragraph) by striking the subsection heading and inserting ''PROGRAM FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS''; and

(K) in subsection (n)(4)(B) (as redesignated by subparagraph (G) of this paragraph) by striking ''State highway agency'' and inserting ''State transportation department''.

(2) SPECIAL CONDITIONS.—Section 1114 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1172) is amended by adding at the end the following:

''(h) SPECIAL CONDITIONS.—Any unobligated or unexpended funds remaining on completion of the project carried out under section 144(f)(1)(A)(vi) of title 23, United States Code, shall be made available to carry out the project described in section 144(f)(1)(A)(vii) of that title after the date on which the Vermont Agency of Transportation certifies to the Federal Highway Administration the final determination of the agency regarding the removal of the Missisquoi Bay causeway.''.

(3) CONFORMING AMENDMENTS.—

(A) METROPOLITAN PLANNING.—Section 104(f)(1) of title 23, United States Code, is amended by striking ''replacement and rehabilitation''.

(B) EQUITY BONUS PROGRAM.—Subsections (a)(2)(C) and (b)(2)(C) of section 105 of such title are amended by striking ''replacement and rehabilitation'' each place it appears.

(C) ANALYSIS.—The analysis for chapter 1 of such title is amended in the item relating to section 144 by striking ''replacement and rehabilitation''.

(n) METROPOLITAN TRANSPORTATION PLANNING.—Section 134 of title 23, United States Code, is amended—

(1) in subsection (f)(3)(C)(ii) by striking subclause (II) and inserting the following:

''(II) FUNDING.—For fiscal year 2008 and each fiscal year thereafter, in addition to other funds made available to the metropolitan planning organization for the Lake Tahoe region under this title and chapter 53 of title 49, prior to any allocation under section 202 of this title and notwithstanding the allocation provisions of section 202, the Secretary shall set aside ½ of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.'';

(2) in subsection (j)(3)(D) by inserting ''or the identified phase'' after ''the project'' each place it appears; and

(3) in subsection (k)(2) by striking ''a metropolitan planning area serving''.

(o) CORRECTION OF NATIONAL SCENIC BYWAYS PROGRAM COVERAGE.—Section 162 of title 23, United States Code, is amended—

(1) in subsection (a)(3)(B) by striking ''a National Scenic Byway under subparagraph (A)'' and inserting ''a National Scenic Byway, an All-American Road, or one of America's Byways under paragraph (1)''; and

(2) in subsection (c)(3) by striking ''or All-American Road'' each place it appears and inserting ''All-American Road, or one of America's Byways''.

(p) CORRECTION OF REFERENCE IN TOLL PROVISION.—Section 166(b)(5)(C) of title 23, United States Code, is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

(q) CORRECTION OF RECREATIONAL TRAILS PROGRAM APPORTIONMENT EXCEPTIONS.—Section 206(d)(3)(A) of title 23, United States Code, is amended by striking ''(B), (C), and (D)'' and inserting ''(B) and (C)''.

(r) CORRECTION OF INFRASTRUCTURE FINANCE.—Section 601(a)(3) of title 23, United States Code, is amended by inserting ''bbb minus, BBB (low),'' after ''Baa3,''.

(s) CORRECTION OF MISCELLANEOUS TYPOGRAPHICAL ERRORS.—

(1) Section 1401 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1226) is amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) Section 1404(e) of such Act (119 Stat. 1229) is amended by inserting ''tribal,'' after ''local,''.

(3) Section 10211(b)(2) of such Act (119 Stat. 1937) is amended by striking ''plan administer'' and inserting ''plan and administer''.

(4) Section 10212(a) of such Act (119 Stat. 1937) is amended—

(A) by inserting ''equity bonus,'' after ''minimum guarantee,'';

(B) by striking ''freight intermodal connectors'' and inserting ''railway-highway crossings'';

(C) by striking ''high risk rural road,''; and

(D) by inserting after ''highway safety improvement programs'' the following: ''(and separately the set aside for the high risk rural road program)''.

SEC. 102. MAGLEV.

(a) FUNDING.—Section 1101(a)(18) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1155) is amended by striking ''Act—'' and all that follows through the end of the paragraph and inserting ''Act, $45,000,000 for each of fiscal years 2008 and 2009.''.

(b) CONTRACT AUTHORITY.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by adding at the end the following:

''(e) CONTRACT AUTHORITY.—Funds authorized under section 1101(a)(18) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the funds shall not be transferable and shall remain available until expended, and the Federal share of the cost of a project to be carried out with such funds shall be 80 percent.''.

(c) ALLOCATION.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by striking subsection (d) and inserting the following:

''(d) ALLOCATION.—Of the amounts made available to carry out this section for a fiscal year, the Secretary shall allocate—

''(1) 50 percent to the Nevada department of transportation who shall cooperate with the California-Nevada Super Speed Train Commission for the MAGLEV project between Las Vegas and Primm, Nevada, as a segment of the high-speed MAGLEV system between Las Vegas, Nevada, and Anaheim, California; and

''(2) 50 percent for existing MAGLEV projects located east of the Mississippi River using such criteria as the Secretary deems appropriate.''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2007.

SEC. 103. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE AND NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECTS.

(a) PROJECT OF NATIONAL AND REGIONAL SIGNIFICANCE.—The table contained in section 1301(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1203) is amended—

(1) in item number 4 by striking the project description and inserting ''$7,400,000 for planning, design, and construction of a new American border plaza at the Blue Water Bridge in or near Port Huron; $12,600,000 for integrated highway realignment and grade separations at Port Huron to eliminate road blockages from NAFTA rail traffic'';

(2) in item number 19 by striking the project description and inserting ''For purposes of construction and other related transportation improvements associated with the rail yard relocation in the vicinity of Santa Teresa''; and

(3) in item number 22 by striking the project description and inserting ''Redesign and reconstruction of interchanges 298 and 299 of I–80 and accompanying improvements to any other public roads in the vicinity, Monroe County''.

(b) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—The table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in item number 23 by striking the project description and inserting ''Improvements to State Road 312, Hammond''.

SEC. 104. IDLING REDUCTION FACILITIES.

Section 111(d) of title 23, United States Code, is repealed.

SEC. 105. PROJECT AUTHORIZATIONS.

(a) PROJECT MODIFICATIONS.—The table contained in section 1702 of the Safe, Accountable,

Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended—

(1) in item number 34 by striking the project description and inserting ''Removal and Reconfiguration of Interstate ramps, I–40, Memphis'';

(2) by striking item number 61;

(3) in item number 87 by striking the project description and inserting ''M–291 highway outer road improvement project'';

(4) in item number 128 by striking ''$2,400,000'' and inserting ''$4,800,000'';

(5) in item number 154 by striking ''Virginia'' and inserting ''Eveleth'';

(6) in item number 193 by striking the project description and inserting ''Improvements to or access to Route 108 to enhance access to the business park near Rumford'';

(7) in item number 240 by striking ''$800,000'' and inserting ''$2,400,000'';

(8) by striking item number 248;

(9) in item number 274 by striking the project description and inserting ''Intersection improvements at Belleville and Ecorse Roads and approach roadways, and widen Belleville Road from Ecorse to Tyler, Van Buren Township, Michigan'';

(10) in item number 277 by striking the project description and inserting ''Construct connector road from Rushing Drive North to Grand Ave., Williamson County'';

(11) in item number 395 by striking the project description and inserting ''Plan and construct interchange at I–65, from existing SR–109 to I–65'';

(12) in item number 463 by striking ''Cookeville'' and inserting ''Putnam County'';

(13) in item number 576 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of Nebraska Highway 35 between Norfolk and South Sioux City, including an interchange at Milepost 1 on I–129'';

(14) in item number 595 by striking ''Street Closure at'' and inserting ''Transportation improvement project near'';

(15) in item number 649 by striking the project description and inserting ''Construction and enhancement of the Fillmore Avenue Corridor, Buffalo'';

(16) in item number 655 by inserting '', safety improvement construction,'' after ''Environmental studies'';

(17) in item number 676 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(18) in item number 770 by striking the project description and inserting ''Improve existing Horns Hill Road in North Newark, Ohio, from Waterworks Road to Licking Springs Road'';

(19) in item number 777 by striking the project description and inserting ''Akutan Airport access'';

(20) in item number 829 by striking the project description and inserting ''$400,000 to conduct New Bedford/Fairhaven Bridge modernization study; $1,000,000 to design and build New Bedford Business Park access road'';

(21) in item number 881 by striking the project description and inserting ''Pedestrian safety improvements near North Atlantic Boulevard, Monterey Park'';

(22) in item number 923 by striking the project description and inserting ''Improve safety of a horizontal curve on Clarksville St. 0.25 miles north of 275th Rd. in Grandview Township, Edgar County'';

(23) in item number 947 by striking the project description and inserting ''Third East/West River Crossing, St. Lucie River'';

(24) in item numbers 959 and 3327 by striking ''Northern Section,'' each place it appears;

(25) in item number 963 by striking the project description and inserting ''For engineering, right-of-way acquisition, and reconstruction of 2 existing lanes on Manhattan Road from Baseline Road to Route 53'';

(26) in item number 983 by striking the project description and inserting ''Land acquisition for highway mitigation in Cecil, Kent, Queen Annes, and Worcester Counties'';

(27) in item number 1039 by striking the project description and inserting ''Widen State Route 98, including storm drain developments, from D. Navarro Avenue to State Route 111'';

(28) in item number 1047 by striking the project description and inserting ''Bridge and road work at Little Susitna River Access road in Matanuska-Susitna Borough'';

(29) in item number 1124 by striking ''bridge over Stillwater River, Orono'' and inserting ''routes'';

(30) in item number 1206 by striking ''Pleasantville'' and inserting ''Briarcliff Manor'';

(31) in item number 1281 by striking the project description and inserting ''Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 2, and Ethel, Attala County'';

(32) in item number 1487 by striking ''$800,000'' and inserting ''$1,600,000'';

(33) in item number 1575 by striking the project description and inserting ''Highway and road signage, and traffic signal synchronization and upgrades, in Shippensburg Boro, Shippensburg Township, and surrounding municipalities'';

(34) in item number 1661 by striking the project description and inserting ''Sheldon West Extension in Matanuska-Susitna Borough'';

(35) in item number 1810 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(36) in item number 1852 by striking ''Milepost 9.3'' and inserting ''Milepost 24.3'';

(37) in item numbers 1926 and 2893 by striking the project descriptions and inserting ''Grading, paving roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, Ohio'';

(38) in item number 1933 by striking the project description and inserting ''Enhance Byzantine Latino Quarter transit plazas at Normandie and Pico, and Hoover and Pico, Los Angeles, by improving streetscapes, including expanding concrete and paving'';

(39) in item number 1975 by striking the project description and inserting ''Point MacKenzie Access Road improvements in Matanuska-Susitna Borough'';

(40) in item number 2015 by striking the project description and amount and inserting ''Heidelberg Borough/Scott Township/Carnegie Borough for design, engineering, acquisition, and construction of streetscaping enhancements, paving, lighting and safety upgrades, and parking improvements'' and ''$2,000,000'', respectively;

(41) in item number 2087 by striking the project description and inserting ''Railroad crossing improvement on Illinois Route 82 in Geneseo'';

(42) in item number 2211 by striking the project description and inserting ''Construct road projects and transportation enhancements as part of or connected to RiverScape Phase III, Montgomery County, Ohio'';

(43) in item number 2234 by striking the project description and amount and inserting ''North Atherton Signal Coordination Project in Centre County'' and ''$400,000'', respectively;

(44) in item number 2316 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(45) in item number 2420 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(46) in item number 2482 by striking ''Country'' and inserting ''County'';

(47) in item number 2663 by striking the project description and inserting ''Rosemead Boulevard safety enhancement and beautification, Temple City'';

(48) in item number 2671 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George'';

(49) in item number 2743 by striking the project description and inserting ''Improve safety of culvert replacement on 250th Rd. between 460th St. and Cty Hwy 20 in Grandview Township, Edgar County'';

(50) by striking item number 2800;

(51) in item number 2826 by striking ''State Street and Cajon Boulevard'' and inserting ''Palm Avenue'';

(52) in item number 2931 by striking ''Frazho Road'' and inserting ''Martin Road'';

(53) in item number 3047 by inserting ''and roadway improvements'' after ''safety project'';

(54) in item number 3078 by striking the project description and inserting ''U.S. 2/Sultan Basin Road improvements in Sultan'';

(55) in item number 3174 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(56) in item number 3219 by striking ''Forest'' and inserting ''Warren'';

(57) in item number 3254 by striking the project description and inserting ''Reconstruct PA Route 274/34 Corridor, Perry County'';

(58) in item number 3260 by striking ''Lake Shore Drive'' and inserting ''Lakeshore Drive and parking facility/entrance improvements serving the Museum of Science and Industry'';

(59) in item number 3368 by striking the project description and inserting ''Plan, design, and engineering, Ludlam Trail, Miami'';

(60) in item number 3410 by striking the project description and inserting ''Design, purchase land, and construct sound walls along the west side of I–65 from approximately 950 feet south of the Harding Place interchange south to Hogan Road'';

(61) in item number 3537 by inserting ''and the study of alternatives along the North South Corridor,'' after ''Valley'';

(62) in item number 3582 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(63) in item number 3604 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(64) in item number 3632 by striking the State, project description, and amount and inserting ''FL'', ''Pine Island Road pedestrian overpass, city of Tamarac'', and ''$610,000'', respectively;

(65) in item number 3634 by striking the matters in the State, project description, and amount columns and inserting ''FL'', ''West Avenue Bridge, city of Miami Beach'', and ''$620,000'', respectively;

(66) in item number 3673 by striking the project description and inserting ''Improve marine dry-dock and facilities in Ketchikan'';

(67) in item number 2942 by striking the project description and inserting ''Redesigning the intersection of Business U.S. 322/High Street and Rosedale Avenue and constructing a new East Campus Drive between High Street (U.S. 322) and Matlock Street at West Chester University, West Chester, Pennsylvania'';

(68) in item number 2781 by striking the project description and inserting ''Highway and road signage, road construction, and other transportation improvement and enhancement projects on or near Highway 26, in Riverton and surrounding areas'';

(69) in item number 2430 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(70) by striking item number 20;

(71) in item number 424 by striking ''$264,000'' and inserting ''$644,000'';

(72) in item number 1210 by striking the project description and inserting ''Town of New Windsor—Riley Road, Shore Drive, and area road improvements'';

(73) by striking item numbers 68, 905, and 1742;

(74) in item number 1059 by striking ''$240,000'' and inserting ''$420,000'';

(75) in item number 2974 by striking ''$120,000'' and inserting ''$220,000'';

(76) by striking item numbers 841, 960, and 2030;

(77) in item number 1278 by striking ''$740,000'' and inserting ''$989,600'';

(78) in item number 207 by striking ''$13,600,000'' and inserting ''$13,200,000'';

(79) in item number 2656 by striking ''$12,228,000'' and inserting ''$8,970,000'';

(80) in item number 1983 by striking ''$1,600,000'' and inserting ''$1,000,000'';

(81) in item number 753 by striking ''$2,700,000'' and inserting ''$3,200,000'';

(82) in item number 64 by striking ''$6,560,000'' and inserting ''$8,480,000'';

(83) in item number 2338 by striking ''$1,600,000'' and inserting ''$1,800,000'';

(84) in item number 1533 by striking ''$392,000'' and inserting ''$490,000'';

(85) in item number 1354 by striking ''$40,000'' and inserting ''$50,000'';

(86) in item number 3106 by striking ''$400,000'' and inserting ''$500,000'';

(87) in item number 799 by striking ''$1,600,000'' and inserting ''$2,000,000'';

(88) in item number 159—

(A) by striking ''Construct interchange for 146th St. and I–69'' and inserting ''Upgrade 146th St. to I–69 Access''; and

(B) by striking ''$2,400,000'' and inserting ''$3,200,000'';

(89) by striking item number 2936;

(90) in item number 3138 by striking the project description and inserting ''Elimination of highway-railway crossing along the KO railroad from Salina to Osborne to increase safety and reduce congestion'';

(91) in item number 2274 by striking ''between Farmington and Merriman'' and inserting ''between Hines Drive and Inkster, Flamingo Street between Ann Arbor Trail and Joy Road, and the intersection of Warren Road and Newburgh Road'';

(92) in item number 52 by striking the project description and inserting ''Pontiac Trail between E. Liberty and McHattie Street'';

(93) in item number 1544 by striking ''connector'';

(94) in item number 2573 by striking the project description and inserting ''Rehabilitation of Sugar Hill Road in North Salem, NY'';

(95) in item number 1450 by striking ''III–VI'' and inserting ''III–VII'';

(96) in item number 2637 by striking the project description and inserting ''Construction, road and safety improvements in Geauga County, OH'';

(97) in item number 2342 by striking the project description and inserting ''Streetscaping, bicycle trails, and related improvements to the I–90/SR–615 interchange and adjacent area and Heisley Road in Mentor, including acquisition of necessary right-of-way within the Newell Creek development to build future bicycle trails and bicycle staging areas that will connect into the existing bicycle trail system at I–90/SR–615, widening the Garfield Road Bridge over I–90 to provide connectivity to the existing bicycle trail system between the I–90/SR–615 interchange and Lakeland Community College, and acquisition of additional land needed for the preservation of the Lake Metroparks Greenspace Corridor with the Newell Creek development adjacent to the I–90/SR–615 interchange'';

(98) in item number 161 by striking the project description and inserting ''Construct False Pass causeway and road to the terminus of the south arm breakwater project'';

(99) in item number 2002 by striking the project description and inserting ''Dowling Road extension/reconstruction west from Minnesota Drive to Old Seward Highway, Anchorage'';

(100) in item number 2023 by striking the project description and inserting ''Biking and pedestrian trail construction, Kentland'';

(101) in item number 2035 by striking ''Replace'' and inserting ''Repair'';

(102) in item number 2511 by striking ''Replace'' and inserting ''Rehabilitate'';

(103) in item number 2981 by striking the project description and inserting ''Roadway improvements on Highway 262 on the Navajo Nation in Aneth'';

(104) in item number 2068 by inserting ''and approaches'' after ''capacity'';

(105) in item number 98 by striking the project description and inserting ''Right-of-way acquisition and construction for the 77th Street reconstruction project, including the Lyndale Avenue Bridge over I–494, Richfield'';

(106) in item number 1783 by striking the project description and inserting ''Clark Road access improvements, Jacksonville'';

(107) in item number 2711 by striking the project description and inserting ''Main Street Road Improvements through Springfield, Jacksonville'';

(108) in item number 3485 by striking the project description and inserting ''Improve SR 105 (Heckscher Drive) from Drummond Point to August Road, including bridges across the Broward River and Dunns Creek, Jacksonville'';

(109) in item number 3486 by striking the project description and inserting ''Construct improvements to NE 19th Street/NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue, Gainesville'';

(110) in item number 3487 by striking the project description and inserting ''Construct improvements to NE 25th Street from SR 26 (University Blvd.) to NE 8th Avenue, Gainesville'';

(111) in item number 803 by striking ''St. Clair County'' and inserting ''city of Madison'';

(112) in item number 615 by striking the project description and inserting ''Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue'';

(113) by striking item number 889;

(114) in item number 324 by striking the project description and inserting ''Alger County, to reconstruct, pave, and realign a portion of H–58 from 2,600 feet south of Little Beaver Lake Road to 4,600 feet east of Hurricane River'';

(115) in item number 301 by striking the project description and inserting ''Improvements for St. Georges Avenue between East Baltimore Avenue on the southwest and Chandler Avenue on the northeast'';

(116) in item number 1519 by inserting ''at the intersection of Quincy/West Drinker/Electric Streets near the Dunmore School complex'' after ''roadway redesign'';

(117) in item number 2604 by inserting ''on Coolidge, Bridge (from Main to Monroe), Skytop (from Gedding to Skytop), Atwell (from Bear Creek Rd. to Pittston Township), Wood (to Bear Creek Rd.), Pine, Oak (from Penn Avenue to Lackawanna Avenue), McLean, Second, and Lolli Lane'' after ''roadway redesign'';

(118) in item number 1157 by inserting ''on Mill Street from Prince Street to Roberts Street, John Street from Roberts Street to end, Thomas Street from Roberts Street to end, Williams Street from Roberts Street to end, Charles Street from Roberts Street to end, Fair Street from Roberts Street to end, Newport Avenue from East Kirmar Avenue to end'' after ''roadway redesign'';

(119) in item number 805 by inserting ''on Oak Street from Stark Street to the township line at Mayock Street and on East Mountain Boulevard'' after ''roadway redesign'';

(120) in item number 2704 by inserting ''on West Cemetery Street and Frederick Courts'' after ''roadway redesign'';

(121) in item number 4599 by striking the project description and inserting ''Pedestrian paths, stairs, seating, landscaping, lighting, and other transportation enhancement activities along Riverside Boulevard and at Riverside Park South'';

(122) in item number 1363 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, handicap access ramps, parking, and roadway redesign on Bilbow Street from Church Street to Pugh Street, on Pugh Street from Swallow Street to Main Street, Jones Lane from Main Street to Hoblak Street, Cherry Street from Green Street to Church Street, Main Street from Jackson Street to end, Short Street from Cherry Street to Main Street, and Hillside Avenue in Edwardsville Borough, Luzerne County'';

(123) in item number 883 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, parking, roadway redesign, and safety improvements (including curbing, stop signs, crosswalks, and pedestrian sidewalks) at and around the 3-way intersection involving Susquehanna Avenue, Erie Street, and Second Street in West Pittston, Luzerne County'';

(124) in item number 625 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Sampson Street, Dunn Avenue, Powell Street, Josephine Street, Pittston Avenue, Railroad Street, McClure Avenue, and Baker Street in Old Forge Borough, Lackawanna County'';

(125) in item number 372 by inserting '', replacement of the Nesbitt Street Bridge, and placement of a guard rail adjacent to St. Vladimir's Cemetery on Mountain Road (S.R. 1007)'' after ''roadway redesign'';

(126) in item number 2308 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign, including a project to establish emergency access to Catherino Drive from South Valley Avenue in Throop Borough, Lackawanna County'';

(127) in item number 967 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and catch basin restoration and replacement on Cherry Street, Willow Street, Eno Street, Flat Road, Krispin Street, Parrish Street, Carver Street, Church Street, Franklin Street, Carolina Street, East Main Street, and Rear Shawnee Avenue in Plymouth Borough, Luzerne County'';

(128) in item number 989 by inserting ''on Old Ashley Road, Ashley Street, Phillips Street, First Street, Ferry Road, and Division Street'' after ''roadway redesign'';

(129) in item number 342 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and cross pipe and catch basin restoration and replacement on Northgate, Mandy Court, Vine Street, and 36th Street in Milnesville West, and on Hillside Drive (including the widening of the bridge on Hillside Drive), Club 40 Road, Sunburst and Venisa Drives, and Stockton #7 Road in Hazle Township, Luzerne County'';

(130) in item number 2332 by striking ''Monroe County'' and inserting ''Carbon, Monroe, Pike, and Wayne Counties'';

(131) in item number 4914 by striking the project description and inserting ''Roadway improvements on I–90 loop in Mitchell along

Haven Street from near Burr Street to near Ohlman Street'';

(132) by striking item number 2723;

(133) in item number 61 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Wiregrass Central RR at Boll Weevil Bypass in Enterprise, AL'', and ''$250,000'', respectively;

(134) in item number 314 by striking the project description and amount and inserting ''Streetscape enhancements to the transit and pedestrian corridor, Fort Lauderdale, Downtown Development Authority'' and ''$610,000'', respectively;

(135) in item number 1639 by striking the project description and inserting ''Operational and highway safety improvements on Hwy 94 between the 20 mile marker post in Jamul and Hwy 188 in Tecate'';

(136) in item number 2860 by striking the project description and inserting ''Roadway improvements from Halchita to Mexican Hat on the Navajo Nation'';

(137) in item number 2549 by striking ''on Navy Pier'';

(138) in item number 2804 by striking ''on Navy Pier'';

(139) in item number 1328 by striking the project description and inserting ''Construct public access roadways and pedestrian safety improvements in and around Montclair State University in Clifton'';

(140) in item number 2559 by striking the project description and inserting ''Construct sound walls on Route 164 at and near the Maersk interchange'';

(141) in item number 1849 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(142) in item number 697 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(143) in item number 3597 by striking the project description and inserting ''Road Alignment from IL Route 159 to Sullivan Drive, Swansea'';

(144) in item number 2352 by striking the project description and inserting ''Streetscaping and transportation enhancements on 7th Street in Calexico, traffic signalization on Highway 78, construction of the Renewable Energy and Transportation Learning Center, improve and enlarge parking lot, and create bus stop, Brawley'';

(145) in item number 3482 by striking the project description and inserting ''Conduct a study to examine multi-modal improvements to the I–5 corridor between the Main Street Interchange and State Route 54'';

(146) in item number 1275 by striking the project description and inserting ''Scoping, permitting, engineering, construction management, and construction of Riverbank Park Bike Trail, Kearny'';

(147) in item number 726 by striking the project description and inserting ''Grade Separation at Vanowen and Clybourn, Burbank'';

(148) in item number 1579 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(149) in item number 2690 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(150) in item number 2811 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(151) in item number 259 by striking the project description and inserting ''Design and construction of the Clair Nelson Intermodal Center in Finland, Lake County'';

(152) in item number 3456 by striking the project description and inserting ''Completion of Phase II/Part I of a project on Elizabeth Avenue in Coleraine to west of Itasca County State Aid Highway 15 in Itasca County'';

(153) in item number 2329 by striking the project description and inserting ''Upgrade streets, undertake streetscaping, and implement traffic and pedestrian safety signalization improvements and highway-rail crossing safety improvements, Oak Lawn'';

(154) in item number 766 by striking the project description and inserting ''Design and construction of the walking path at Ellis Pond, Norwood'';

(155) in item number 3474 by striking the project description and inserting ''Yellow River Trail, Newton County'';

(156) in item number 3291 by striking the amount and inserting ''$200,000'';

(157) in item number 3635 by striking the matters in the State, project description, and amount columns and inserting ''GA'', ''Access Road in Montezuma'', and ''$200,000'', respectively;

(158) in item number 716 by striking the project description and inserting ''Conduct a project study report for new Highway 99 Interchange between SR 165 and Bradbury Road, and safety improvements/realignment of SR 165, serving Turlock/Hilmar region'';

(159) in item number 1386 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities, and street lighting in Haddon Heights'' and ''$300,000'', respectively;

(160) in item number 2720 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities and street lighting in Barrington and streetscape improvements to Clements Bridge Road from the circle at the White Horse Pike to NJ Turnpike overpass in Barrington'' and ''$700,000'', respectively;

(161) in item number 2523 by striking the project description and inserting ''Penobscot Riverfront Development for bicycle trails, amenities, traffic circulation improvements, and waterfront access or stabilization, Bangor and Brewer'';

(162) in item number 545 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewistown and Auburn downtowns'';

(163) by striking item number 2168;

(164) by striking item number 170;

(165) in item number 2366 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and paving of the parking lot at the Casey Plaza in Wilkes-Barre Township'';

(166) in item number 826 by striking ''and Interstate 81'' and inserting ''and exit 168 on Interstate 81 or the intersection of the connector road with Northampton St.'';

(167) in item number 2144 by striking the project description and inserting ''Design, engineering, right-of-way acquisition and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Third Street from Pittston Avenue to Packer Street; Swift Street from Packer Street to Railroad Street; Clark Street from Main Street to South Street; School Street from Main Street to South Street; Plane Street from Grove Street to William Street; John Street from 4 John Street to William Street; Grove Street from Plane Street to Duryea Borough line; Wood Street from Cherry Street to Hawthorne Street in Avoca Borough, Luzerne County'';

(168) in item number 1765 by striking the project description and amount and inserting ''Design, engineering, right-of-way acquisition, and construction of street improvements, streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign in Pittston, including right-of-way acquisition, structure demolition, and intersection safety improvements in the vicinity of and including Main, William, and Parsonage Streets in Pittston'' and ''$1,600,000'', respectively;

(169) in item number 2957 by striking the project description and amount and inserting ''Design, engineering, land acquisition, right-of-way acquisition, and construction of a parking garage, streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign in the city of Wilkes-Barre'' and ''$2,800,000'', respectively;

(170) in item number 3283 by striking the project description and amount and inserting ''Pedestrian access improvements, including installation of infrastructure and equipment for security and surveillance purposes at subway stations in Astoria, New York'' and ''$1,300,000'', respectively;

(171) in item number 3556 by striking the project description and amount and inserting ''Design and rehabilitate staircases used as streets due to the steep grade of terrain in Bronx County'' and ''$1,100,000'', respectively;

(172) by striking item number 203;

(173) by striking item number 552;

(174) by striking item number 590;

(175) by striking item number 759;

(176) by striking item number 879;

(177) by striking item number 1071;

(178) by striking item number 1382;

(179) by striking item number 1897;

(180) by striking item number 2553;

(181) in item number 3014 by striking the project description and amount and inserting ''Design and Construct school safety projects in New York City'' and ''$2,500,000'', respectively;

(182) in item number 2375 by striking the project description and amount and inserting ''Subsurface environmental study to measure presence of methane and benzene gasses in vicinity of Greenpoint, Brooklyn, and the Kosciusko Bridge, resulting from the Newtown Creek oil spill'' and ''$100,000'';

(183) in item number 221 by striking the project description and inserting ''Study and Implement transportation improvements on Flatbush Ave. between Avenue U and the Marine Park Bridge in front of Gateway National Park in Kings County, New York'';

(184) in item number 2732 striking the project description and inserting ''Pedestrian safety improvements in the vicinity of LIRR stations'';

(185) by striking item number 99;

(186) in item number 398 by striking the project description and inserting ''Construct a new 2-lane road extending north from University Park Drive and improvements to University Park Drive'';

(187) in item number 446 by striking the project description and inserting ''Transportation improvements for development of the Williamsport-Pile Bay Road corridor'';

(188) in item number 671 by striking ''and Pedestrian Trail Expansion'' and inserting '', including parking facilities and Pedestrian Trail Expansion'';

(189) in item number 674 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Conecuh Valley RR at Henderson Highway (CR–21) in Troy, AL'', and ''$300,000'', respectively;

(190) in item number 739 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Luxapalila Valley RR in Lamar and Fayette Counties, AL (Crossings at CR–6, CR–20, SH–7, James Street, and College Drive)'', and ''$300,000'', respectively;

(191) in item number 746 by striking ''Planning and construction of a bicycle trail adjacent to the I–90 and SR 615 Interchange in'' and inserting ''Planning, construction, and extension of bicycle trails adjacent to the I–90 and SR 615 Interchange, along the Greenway Corridor and throughout'';

(192) in item number 749 by striking the matters in the State, project description, and

amount columns and inserting ''PA'', ''UPMC Heliport in Bedford'', and ''$750,000'', respectively;

(193) in item number 813 by striking the project description and inserting ''Preliminary design and study of long-term roadway approach alternatives to TH 36/SH 64 St. Croix River Crossing Project'';

(194) in item number 816 by striking ''$800,000'' and inserting ''$880,000'';

(195) in item number 852 by striking ''Acquire Right-of-Way for Ludlam Trail, Miami, Florida'' and inserting ''Planning, design, and engineering, Ludlam Trail, Miami'';

(196) in item number 994 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construct 2 flyover ramps and S. Linden Street exit for access to industrial sites in the cities of McKeesport and Duquesne'', and ''$500,000'', respectively;

(197) in item number 1015 by striking the project description and inserting ''Mississippi River Crossing connecting I–94 and US 10 between US 160 and TH 101, MN'';

(198) in item number 1101 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(199) in item number 1211 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Road improvements and upgrades related to the Pennsylvania State Baseball Stadium'', and ''$500,000'', respectively;

(200) in item number 1345 by striking ''to Stony Creek Park, 25 Mile Road in Shelby Township'' and inserting ''south to the city of Utica'';

(201) in item number 1501 by striking the project description and inserting ''Construction and right-of-way acquisition of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(202) in item number 1525 by striking ''north of CSX RR Bridge'' and inserting ''US Highway 90'';

(203) in item number 1847 by striking the project description and inserting ''Improve roads, sidewalks, and road drainage, City of Seward'';

(204) in item number 2031 by striking the project description and inserting ''Construct and improve Westside Parkway in Fulton County'';

(205) in item number 2103 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(206) in item number 2219 by striking ''SR 91 in City of Twinsburg, OH'' and inserting ''Center Valley Parkway in Twinsburg, OH'';

(207) in item number 2302 by inserting ''and other road improvements to Safford Street'' after ''crossings'';

(208) in item number 2560 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(209) in item number 2563 by striking the project description and amount and inserting ''Construct hike and bike path as part of Bridgeview Bridge replacement in Macomb County'' and ''$486,400'', respectively;

(210) in item number 2698 by striking the project description and inserting ''Interchanges at I–95/Ellis Road and between Grant Road and Micco Road, Brevard County'';

(211) in item number 3141 by striking ''$2,800,000'' and inserting ''$1,800,000'';

(212) by striking item number 3160;

(213) in item number 3353 by inserting ''and construction'' after ''mitigation'';

(214) in item number 996 by striking ''$2,000,000'' and inserting ''$687,000'';

(215) in item number 2166 by striking the project description and inserting ''Design, right-of-way acquisition, and construction for I–35 and CSAH2 interchange and CSAH2 corridor to TH61 in Forest Lake'';

(216) in item number 3251 by striking the project description and inserting ''I–94 and Radio Drive Interchange and frontage road project, design, right-of-way acquisition, and construction, Woodbury'';

(217) in item number 1488 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border'';

(218) in item number 3240 by striking the project description and inserting ''Railroad-highway crossings in Pierre'';

(219) in item number 1738 by striking ''Paving'' and inserting ''Planning, design, and construction'';

(220) in item number 3672 by striking the project description and inserting ''Pave remaining stretch of BIA Route 4 from the junction of the BIA Route 4 and N8031 in Pinon, AZ, to the Navajo and Hopi border'';

(221) in item number 2424 by striking ''Construction'' and inserting ''preconstruction (including survey and archeological clearances) and construction'';

(222) in item number 1216 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''For roadway construction improvements to Route 222 relocation, Lehigh County'', and ''$1,313,000'', respectively;

(223) in item number 2956 by striking ''$1,360,000'' and inserting ''$2,080,000'';

(224) in item number 1256 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construction of a bridge over Brandywine Creek as part of the Boot Road extension project, Downingtown Borough'', and ''$700,000'', respectively;

(225) in item number 1291 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Enhance parking facilities in Chester Springs, Historic Yellow Springs'', and ''$20,000'', respectively;

(226) in item number 1304 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 4003 (Kernsville Road), Lehigh County'', and ''$250,000'', respectively;

(227) in item number 1357 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Intersection signalization at SR 3020 (Newburg Road)/Country Club Road, Northampton County'', and ''$250,000'', respectively;

(228) in item number 1395 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 29, Lehigh County'', and ''$220,000'', respectively;

(229) in item number 80 by striking ''$4,544,000'' and inserting ''$4,731,200'';

(230) in item number 2096 by striking ''$4,800,000'' and inserting ''$5,217,600'';

(231) in item number 1496 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Study future needs of East-West road infrastructure in Adams County'', and ''$115,200'', respectively;

(232) in item number 2193 by striking the project description and inserting ''710 Freeway Study to comprehensively evaluate the technical feasibility of a tunnel alternative to close the 710 Freeway gap, considering all practicable routes, in addition to any potential route previously considered, and with no funds to be used for preliminary engineering or environmental review except to the extent necessary to determine feasibility'';

(233) in item number 2445 by striking the project description and inserting ''$600,000 for road and pedestrian safety improvements on Main Street in the Village of Patchogue; $900,000 for road and pedestrian safety improvements on Montauk Highway, between NYS Route 112 and Suffolk County Road 101 in Suffolk County'';

(234) in item number 346 by striking the project description and inserting ''Hansen Dam Recreation Area access improvements, including hillside stabilization and parking lot rehabilitation along Osborne Street between Glenoaks Boulevard and Dronfield Avenue'';

(235) by striking item number 449;

(236) in item number 3688 by striking ''road'' and inserting ''trail'';

(237) in item number 3695 by striking ''in Soldotna'' and inserting ''in the Kenai River corridor'';

(238) in item number 3699 by striking ''to improve fish habitat'';

(239) in item number 3700 by inserting ''and ferry facilities'' after ''a ferry'';

(240) in item number 3703 by inserting ''or other roads'' after ''Cape Blossom Road'';

(241) in item number 3704 by striking ''Fairbanks'' and inserting ''Alaska Highway'';

(242) in item number 3705 by striking ''in Cook Inlet for the Westside development/Williamsport-Pile Bay Road'' and inserting ''for development of the Williamsport-Pile Bay Road corridor'';

(243) in item number 3829 by striking the amount and inserting ''$3,050,000'';

(244) by inserting after item number 3829 the following:

''3829A	CO	U.S. 550, New Mexico State line to Durango	$950,000'';

(245) in item number 4788 by striking the project description and inserting ''Heidelberg Borough/Scott Township/Carnegie Borough for design, engineering, acquisition, and construction of streetscaping enhancements, paving, lighting and safety upgrades, and parking improvements'';

(246) in item number 3861 by striking the project description and inserting ''Creation of a greenway path along the Naugatuck River in Waterbury'';

(247) in item number 3883 by striking the project description and inserting ''Wilmington Riverfront Access and Street Grid Redesign'';

(248) in item number 3892 by striking ''$5,000,000'' and inserting ''$8,800,000'';

(249) in item number 3894 by striking ''$5,000,000'' and inserting ''$1,200,000'';

(250) in item number 3909 by striking the project description and inserting ''S.R. 281, the Avalon Boulevard Expansion Project from Interstate 10 to U.S. Highway 91'';

(251) in item number 3911 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(252) in item number 3916 by striking the project description and inserting ''City of Hollywood for U.S. 1/Federal Highway, north of Young Circle'';

(253) in item number 3937 by striking the project description and inserting ''Kingsland bypass from CR 61 to I–95, Camden County'';

(254) in item number 3945 by striking ''CR 293 to CS 5231'' and inserting ''SR 371 to SR 400'';

(255) in item number 3965 by striking ''transportation projects'' and inserting ''and air quality projects'';

(256) in item number 3986 by striking the project description and inserting ''Extension of Sugarloaf Parkway, Gwinnett County'';

(257) in item number 3999 by striking ''Bridges'' and inserting ''Bridge and Corridor'';

(258) in item number 4003 by striking the project description and inserting ''City of Council Bluffs and Pottawattamie County East Beltway Roadway and Connectors Project'';

(259) in item number 4043 by striking ''MP 9.3, Segment I, II, and III'' and inserting ''Milepost 24.3'';

(260) in item number 4050 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(261) in item number 4058 by striking the project description and inserting ''For improvements to the road between Brighton and Bunker Hill in Macoupin County'';

(262) in each of item numbers 4062 and 4084 by striking the project description and inserting ''Preconstruction, construction, and related research and studies of I–290 Cap the Ike project in the village of Oak Park'';

(263) in item number 4089 by inserting ''and parking facility/entrance improvements serving the Museum of Science and Industry'' after ''Lakeshore Drive'';

(264) in item number 4103 by inserting ''and adjacent to the'' before ''Shawnee'';

(265) in item number 4110 by striking the project description and inserting ''For improvements to the road between Brighton and Bunker Hill in Macoupin County'';

(266) in item number 4120 by striking the matters in the project description and amount columns and inserting ''Upgrade 146th Street to Improve I–69 Access'' and ''$800,000'', respectively;

(267) in item number 4125 by striking ''$250,000'' and inserting ''$1,650,000'';

(268) by striking item number 4170;

(269) by striking item number 4179;

(270) in item number 4185 by striking the project description and inserting ''Replace the Clinton Street Bridge spanning St. Mary's River in downtown Fort Wayne'';

(271) in item number 4299 by striking the project description and inserting ''Improve U.S. 40, MD 715 interchange and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth'';

(272) in item number 4313 by striking ''Maryland Avenue'' and all that follows through ''Rd. corridor'' and inserting ''intermodal access, streetscape, and pedestrian safety improvements'';

(273) in item number 4315 by striking ''stormwater mitigation project'' and inserting ''environmental preservation project'';

(274) in item number 4318 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewiston and Auburn downtowns'';

(275) in item number 4323 by striking the project description and inserting ''MaineDOT Acadia intermodal passenger and maintenance facility'';

(276) in item number 4338 by striking the project description and inserting ''Construct 1 or more grade-separated crossings of I–75, and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282'';

(277) in item number 4355 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(278) in item number 4357 by striking the project description and inserting ''Design, construct, ROW, and expand TH 241 and CSAH 35 and associated streets in the city of St. Michael'';

(279) in item number 4360 by striking the project description and inserting ''Planning, design, and construction for Twin Cities Bioscience Corridor in St. Paul'';

(280) in item number 4362 by striking the project description and inserting ''I–494/U.S. 169 interchange reconstruction including U.S. 169/Valley View Road interchange, Twin Cities Metropolitan Area'';

(281) in item number 4365 by striking the project description and inserting ''34th Street realignment and 34th Street and I–94 interchange, including retention and reconstruction of the SE Main Avenue/CSAH 52 interchange ramps at I–94, and other transportation improvements for the city of Moorhead, including the SE Main Avenue GSI and Moorhead Comprehensive Rail Safety Program'';

(282) in item number 4369 by striking the project description and inserting ''Construction of 8th Street North, Stearns C.R. 120 to TH 15 in St. Cloud'';

(283) in item number 4371 by striking the project description and inserting ''Construction and ROW of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(284) in item number 4411 by striking ''Southaven'' and inserting ''DeSoto County'';

(285) in item number 4424 by striking the project description and inserting ''U.S. 93 Evaro to Polson transportation improvement projects'';

(286) in item number 4428 by striking the project description and inserting ''US 76 improvements'';

(287) in item number 4457 by striking the project description and inserting ''Construct an interchange at an existing grade separation at SR 1602 (Old Stantonsburg Rd.) and U.S. 264 Bypass in Wilson County'';

(288) in item number 4461 by striking the project description and inserting ''Transportation and related improvements at Queens University of Charlotte, including the Queens Science Center and the Marion Diehl Center, Charlotte'';

(289) in item number 4507 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of Highway 35 between Norfolk and South Sioux City, including an interchange at milepost 1 on U.S. I–129'';

(290) in item number 4555 by inserting ''Canal Street and'' after ''Reconstruction of'';

(291) in item number 4565 by striking the project description and inserting ''Railroad Construction and Acquisition, Ely and White Pine County'';

(292) in item number 4588 by inserting ''Private Parking and'' before ''Transportation'';

(293) in item number 4596 by striking the project description and inserting ''Centerway Bridge and Bike Trail Project, Corning'';

(294) in item number 4610 by striking the project description and inserting ''Preparation, demolition, disposal, and site restoration of Alert Facility on Access Road to Plattsburgh International Airport'';

(295) in item number 4649 by striking the project description and inserting ''Fairfield County, OH U.S. 33 and old U.S. 33 safety improvements and related construction, city of Lancaster and surrounding areas'';

(296) in item number 4651 by striking ''for the transfer of rail to truck for the intermodal'' and inserting '', and construction of an intermodal freight'';

(297) in item number 4691 by striking the project description and inserting ''Transportation improvements to Idabel Industrial Park Rail Spur, Idabel'';

(298) in item number 4722 by striking the project description and inserting ''Highway, traffic, pedestrian, and riverfront improvements, Pittsburgh'';

(299) in item number 4749 by striking ''study'' and inserting ''improvements'';

(300) in item number 4821 by striking ''highway grade crossing project, Clearfield and Clinton Counties'' and inserting ''Project for highway grade crossings and other purposes relating to the Project in Cambria, Centre, Clearfield, Clinton, Indiana, and Jefferson Counties'';

(301) in item number 4838 by striking ''study'' and inserting ''improvements'';

(302) in item number 4839 by striking ''fuel-celled'' and inserting ''fueled'';

(303) in item number 4866 by striking ''$11,000,000'' and inserting ''$9,400,000'';

(304) by inserting after item number 4866 the following:

''4866A	*RI*	*Repair and restore railroad bridge in Westerly*	*$1,600,000'';*

(305) in item number 4892 by striking the project description and inserting ''Construct a 4-lane highway between maverick Junction and the Nebraska border'';

(306) in item number 4916 by striking ''$1,000,000'' and inserting ''$328,000'';

(307) in item number 4924 by striking ''$3,450,000'' and inserting ''$4,122,000'';

(308) in item number 4960 by inserting ''of which $50,000 shall be used for a street paving project, Calhoun'' after ''County'';

(309) in item number 4974 by striking '', Sevier County'';

(310) in item number 5008 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(311) in each of item numbers 5011 and 5033 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(312) in item number 5021 by striking ''Pine View Dam,'';

(313) in item number 5026 by striking the project description and inserting ''Roadway improvements on Washington Fields Road/300 East, Washington'';

(314) in item number 5027 by inserting ''and roadway improvements'' after ''safety project'';

(315) in item number 5028 by inserting ''and roadway improvements'' after ''lighting'';

(316) in item number 5029 by inserting ''and roadway improvements'' after ''lights'';

(317) in number 5032 by striking the project description and inserting ''Expand Redhills Parkway, St. George'';

(318) in item number 5132 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(319) in item number 5161 by striking the project description and inserting ''Raleigh Street Extension Project in Martinsburg'';

(320) in item number 1824 by striking the project description and inserting ''U.S. Route 10 expansion in Wadena and Ottertail Counties'';

(321) in item number 1194 by striking the project description and inserting ''Roadway and pedestrian design and improvements for Pennsylvania Avenue, Brooklyn'';

(322) in item number 2286 by striking the project description and inserting ''Road improvements for Church Street between NY State Route 25A and Hilden Street in Kings Park'';

(323) in item number 1724 by striking the project description and amount and inserting ''For road resurfacing and upgrades to Old Nichols Road and road repairs in the Nissequogue River watershed in Smithtown'' and ''$1,500,000'', respectively;

(324) in item number 3636 by striking the matters in the State, project description, and amount columns and inserting ''NY'', ''Road repair and maintenance in the Town of Southampton'', and ''$500,000'', respectively;

(325) in item number 3638 by striking the matters in the State, project description, and amount columns and inserting ''NY'', ''Improve NY State Route 112 from Old Town Road to NY State Route 347'', and ''$6,000,000'', respectively;

(326) in item number 3479 by striking the project description and inserting ''Road improvements and utility relocations within the city of Jackson'';

(327) in item number 141 by striking ''construction of pedestrian and bicycle improvements'' and inserting ''transportation enhancement activities'';

(328) in item number 1204 by striking ''at SR 283'';

(329) in item number 2896 by striking the project description and inserting ''Improve streetscape and signage and pave roads in McMinn County, including $50,000 that may be used for paving local roads in the city of Calhoun'';

(330) in item number 3017 by striking '', Pine View Dam'';

(331) in item number 3188 insert after ''Reconstruction'' the following: ''including U.S. 169/Valley View Road Interchange,'';

(332) in item number 1772 by striking the project description and inserting ''Reconstruction of Historic Eastern Parkway'';

(333) in item number 2610 by striking the project description and inserting ''Reconstruction of Times and Duffy Squares in New York City'';

(334) in item number 2462—

(A) by striking ''of the New Jersey Turnpike, Carteret'' and inserting ''and the Tremley Point Connector Road of the New Jersey Turnpike''; and

(B) by striking ''$1,200,000'' and inserting ''$450,000'';

(335) in item number 2871 by striking the amount and inserting ''$2,430,000'';

(336) in item number 3381 by striking the project description and inserting ''Determine scope, design, engineering, and construction of Western Boulevard Extension from Northern Boulevard to Route 9 in Ocean County, New Jersey'';

(337) in item number 2703 by striking the project description and inserting ''Upgrading existing railroad crossings with installation of active signals and gates and to study the feasibility and necessity of rail grade separation'';

(338) in item number 1004 by inserting ''SR 71 near'' after ''turn lane on'';

(339) in item number 2824 by striking the project description and inserting the following: ''Sevier County, TN, SR 35 near SR 449 intersection'';

(340) in item number 373 by striking the project description and inserting ''Widening existing Highway 226, including a bypass of Cash and a new connection to Highway 49'';

(341) in item number 1486, by striking the project description and inserting ''Bridge reconstruction and road widening on Route 252 and Route 30 in Tredyffrin Township, PA, in conjunction with the Paoli Transportation Center Project'';

(342) in item number 4541 by striking ''of the New Jersey Turnpike, Carteret'' and inserting ''and the Tremley Point Connector Road of the New Jersey Turnpike'';

(343) in item number 4006 by striking the project description and inserting ''Improvement to Alice's Road/105th Street Corridor including bridge, interchange, roadway, right-of-way, and enhancements'';

(344) in item number 2901 by striking the project description and inserting ''Purchase of land and conservation easements within U.S. 24 study area in Lucas, Henry, and Fulton Counties, Ohio'';

(345) in item number 2619 by striking the project description and inserting ''Improve access to I–55 between Bayless Avenue and Loughborough Avenue, including bridge 230.06'';

(346) in item number 1687 by striking the project description and inserting ''Construct an interchange at I–675 and Warren Avenue near downtown Saginaw'';

(347) by striking item number 206;

(348) by striking item number 821;

(349) by striking item number 906;

(350) by striking item number 1144;

(351) in item number 1693 by striking the project description and amount and inserting ''Plan and implement truck route improvements in the Maspeth neighborhood of Queens County'' and ''$500,000'', respectively;

(352) in item number 3039 by striking the project description and inserting ''Pittsfield greenways construction to connect Pittsfield to the Ann Arbor greenway system, Pittsfield Township'';

(353) in item number 2922 by striking the project description and amount and inserting ''Detroit River International Wildlife Refuge for land acquisition adjacent to I–75 in Monroe County for wetland mitigation and habitat restoration, Fish and Wildlife Service'' and ''$1,800,000'', respectively;

(354) in item number 3641 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''River Raisin Battlefield for acquisition of historic battlefield land in Monroe County, Port of Monroe'', and ''$1,200,000''; respectively;

(355) in item number 3643 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''Phase 1 of Monroe County greenway system construction, Monroe County'', and ''$940,000'', respectively;

(356) in item number 3645 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''East County fueling operations consolidation at the Monroe County Road Commission and enhancement of facilities to accommodate biodiesel fuel pumps, Monroe County'', and ''$1,000,000'', respectively;

(357) in item number 3646 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''Greenway trail construction from City of Monroe to Sterling State Park, City of Monroe'', and ''$100,000''; respectively;

(358) in item number 1883 by striking the project description and inserting ''Planning for the Orangeline High Speed MAGLEV from Los Angeles County to Orange County'';

(359) in item number 3757 by inserting '', including Van Asche Drive'' after ''Corridor'';

(360) in item number 4347 by striking the project description and inserting ''Alger County, to reconstruct, pave, and realign a portion of H–58 from 2,600 feet south of Little Beaver Lake Road to 4,600 feet east of Hurricane River'';

(361) in item number 4335 by striking the project description and inserting ''Construct an interchange at I–675 and Warren Avenue near downtown Saginaw'';

(362) in item number 4891 by striking the project description and inserting ''Widening U.S. 17 in Charleston County from the Isle of Palms Connector to a point at or near Darrell Creek Trail'';

(363) in item number 3647 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Drainage and infrastructure improvements on U.S. 11 in front of Springville Middle School in Springville'', and ''$1,000,000'', respectively;

(364) in item number 3648 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Transportation enhancement projects for sidewalks and streetscaping along Cahaba Road between the Botanical Gardens and the Birmingham Zoo in the City of Birmingham'', and ''$1,075,000'', respectively;

(365) in item number 3651 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Engineering and right-of-way acquisition for the McWrights Ferry Road extension between Rice Mine Road and New Watermelon Road in Tuscaloosa County'', and ''$1,075,000'', respectively;

(366) in item number 562 by striking ''a designated truck route through'' and inserting ''roadway and sidewalk improvements in'';

(367) in item number 2836 by striking the project description and inserting ''Traffic calming and safety improvements to Lido Boulevard, Town of Hampstead, Nassau County'';

(368) in item number 1353 by striking the project description and inserting ''Improve the flow of truck traffic in Orrville'';

(369) in item number 1975 by striking the project description and inserting ''Hatcher Pass Ski Development Road in Matanuska-Susitna Borough'';

(370) in item number 1661 by striking the project description and inserting ''Hatcher Pass Ski Development Road in Matanuska-Susitna Borough'';

(371) in item number 1574 by striking the project description and inserting ''Construct commuter parking structure in the central business district in the vicinity of La Grange Road, and for projects identified by the Village of La Grange as its highest priorities'';

(372) in item number 3461 by striking the project description and inserting ''Construct Leon Pass overpass, and for projects identified by the Village of Hodgkins as its highest priorities'';

(373) in item numbers 1310 and 2265 by striking the project descriptions and inserting ''To construct up to 2 interchanges on U.S. Alternate Highway 72/Alabama Highway 20 from Interstate 65 to U.S. Highway 31 in Decatur, Alabama, with additional lanes as necessary'';

(374) in item number 4934 by striking ''connection with Hermitage Avenue'' and inserting ''Hermitage Avenue and pedestrian connection'';

(375) in item number 1227 by striking the project description and inserting ''Construct road improvements near industrial park near SR 209 and CR 345 that improve access to the industrial park'';

(376) in item number 2507 by striking the project description and inserting ''Texas Department of Transportation: for those projects the Department has identified as its highest priorities'';

(377) in item number 3903 by striking the project description and inserting ''Planning, design, and engineering study to widen (4 lanes) SR 87 from the intersection of US 90 and SR 87 South to the Alabama State line'';

(378) in item number 56 by striking the project description and inserting ''Bicycle and pedestrian improvements, Oregon'';

(379) in item number 604 by striking the amount and inserting ''$11,800,000'';

(380) in item number 1299 by striking the amount and inserting ''$9,800,000'';

(381) in item number 1506 by striking the amount and inserting ''$5,100,000'';

(382) in item number 1904 by striking the project description and inserting ''Study and construct access to intermodal facility in Azusa'';

(383) in item number 3653 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''Bicycle and pedestrian trails in Harrison Township'', and ''$2,900,000'', respectively;

(384) in item number 3447 by striking the project description and inserting ''Carlton, 4th Street Railroad Crossing Improvement Project: Construct a safe, at grade crossing of the railroad and necessary bridge, connecting the community's educational and athletic facilities'';

(385) in item number 2321 by striking the project description and inserting ''Design and construct roadway and traffic signal improvements on Stella Street and Front Street, Wormleysburg, PA''; and

(386) in item number 370 by striking the project description and inserting ''Pedestrian paths, stairs, seating, landscaping, lighting, and other transportation enhancement activities along Riverside Boulevard and at Riverside Park South''.

(b) UNUSED OBLIGATION AUTHORITY.—Notwithstanding any other provision of law, unused obligation authority made available for an item in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) that is repealed, or authorized funding for such an item that is reduced, by this section shall be made available—

(1) for an item in section 1702 of that Act that is added or increased by this section and that is in the same State as the item for which obligation authority or funding is repealed or reduced;

(2) in an amount proportional to the amount of obligation authority or funding that is so repealed or reduced; and

(3) individually for projects numbered 1 through 3676 pursuant to section 1102(c)(4)(A) of that Act (119 Stat. 1158).

(c) TRANSFER OF PROJECT FUNDS.—The Secretary of Transportation shall transfer to the Commandant of the Coast Guard amounts made available to carry out the project described in item number 4985 of the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for

Users (119 Stat. 1447) to carry out that project, in accordance with the Act of June 21, 1940, commonly known as the ''Truman-Hobbs Act'', (33 U.S.C. 511 et seq.).

(d) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Of the funds apportioned to each State under section 104(b)(3) of title 23, United States Code, a State may expend for each of fiscal years 2008 and 2009 not more than $1,000,000 for the following activities:

(1) Participation in the Joint Operation Center for Fuel Compliance established under section 143(b)(4)(H) of title 23, United States Code, within the Department of the Treasury, including the funding of additional positions for motor fuel tax enforcement officers and other staff dedicated on a full-time basis to participation in the activities of the Center.

(2) Development, operation, and maintenance of electronic filing systems to coordinate data exchange with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(3) Development, operation, and maintenance of electronic single point of filing in conjunction with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(4) Development, operation, and maintenance of a certification system by a State of any fuel sold to a State or local government (as defined in section 4221(d)(4) of the Internal Revenue Code of 1986) for the exclusive use of the State or local government or sold to a qualified volunteer fire department (as defined in section 150(e)(2) of such Code) for its exclusive use.

(5) Development, operation, and maintenance of a certification system by a State of any fuel sold to a nonprofit educational organization (as defined in section 4221(d)(5) of such Code) that includes verification of the good standing of the organization in the State in which the organization is providing educational services.

(e) PROJECT FEDERAL SHARE.—Section 1964 of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1519) is amended by adding at the end the following:

''(c) SPECIAL RULE.—Notwithstanding any other provision of law, the Federal share of the cost of the projects described in item numbers 1284 and 3093 in the table contained in section 1702 of this Act shall be 100 percent.''.

SEC. 106. NONMOTORIZED TRANSPORTATION PILOT PROGRAM.

Section 1807(a)(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1460) is amended by striking ''Minneapolis-St. Paul, Minnesota'' and inserting ''Minneapolis, Minnesota''.

SEC. 107. CORRECTION OF INTERSTATE AND NATIONAL HIGHWAY SYSTEM DESIGNATIONS.

(a) TREATMENT.—Section 1908(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1469) is amended by striking paragraph (3).

(b) NATIONAL HIGHWAY SYSTEM.—Section 1908(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1470) is amended by striking ''from the Arkansas State line'' and inserting ''from Interstate Route 540''.

SEC. 108. BUDGET JUSTIFICATION; BUY AMERICA.

(a) BUDGET JUSTIFICATION.—Section 1926 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1483) is amended by striking ''The Department'' and inserting ''Notwithstanding any other provision of law, the Department''.

(b) BUY AMERICA.—Section 1928 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1484) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the current application by the Federal Highway Administration of the Buy America test, that is only applied to components or parts of a bridge project and not the entire bridge project, is inconsistent with this sense of Congress;''.

SEC. 109. TRANSPORTATION IMPROVEMENTS.

The table contained in section 1934(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1486) is amended—

(1) in item number 436 by inserting '', Saole,'' after ''Sua'';

(2) in item number 448 by inserting ''by removing asphalt and concrete and reinstalling blue cobblestones'' after ''streets'';

(3) by striking item number 451;

(4) in item number 452 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(5) in item number 12 by striking ''Yukon River'' and inserting ''Kuskokwim River'';

(6) in item number 18 by striking ''Engineering and Construction in Merced County'' and inserting ''and safety improvements/realignment of SR 165 project study report and environmental studies in Merced and Stanislaus Counties'';

(7) in item number 38 by striking the project description and inserting ''Relocation of the Newark Train Station'';

(8) in item number 57 by striking the project description and inserting ''Kingsland bypass from CR 61 to I–95, Camden County'';

(9) in item number 114 by striking ''IA–32'' and inserting ''SW'' after ''Construct'';

(10) in item number 122 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of the SW Arterial and connections to U.S. 20, Dubuque County'';

(11) in item number 130 by striking the project description and inserting ''Improvements and rehabilitation to rail and bridges on the Appanoose County Community Railroad'';

(12) in item number 133 by striking ''IA–32'';

(13) in item number 138 by striking the project description and inserting ''West Spencer Beltway Project'';

(14) in item number 142 by striking ''MP 9.3, Segment I, II, and III'' and inserting ''Milepost 24.3'';

(15) in item number 161 by striking ''Bridge replacement on Johnson Drive and Nall Ave.'' and inserting ''Construction improvements'';

(16) in item number 182 by striking the project description and inserting ''Improve U.S. 40, M.D. 715 interchange, and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth'';

(17) in item number 198 by striking the project description and inserting ''Construct 1 or more grade separated crossings of I–75 and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282'';

(18) in item number 201 by striking the project description and inserting ''Alger County, to reconstruct, pave, and realign a portion of H–58 from 2,600 feet south of Little Beaver Lake Road to 4,600 feet east of Hurricane River'';

(19) in item number 238 by striking the project description and inserting ''Develop and construct the St. Mary water project road and bridge infrastructure, including a new bridge and approaches across St. Mary River, stabilization and improvements to United States Route 89, and road/canal from Siphon Bridge to Spider Lake, on the condition that $2,500,000 of the amount made available to carry out this item may be made available to the Bureau of Reclamation for use for the Swift Current Creek and Boulder Creek bank and bed stabilization project in the Lower St. Mary Lake drainage'';

(20) in item number 329 by inserting '', Tulsa'' after ''technology'';

(21) in item number 358 by striking ''fuel-celled'' and inserting ''fueled'';

(22) in item number 374 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border'';

(23) in item number 402 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George'';

(24) in item number 309 by striking the project description and inserting ''Streetscape, roadway, pedestrian, and parking improvements at the intersection of Meadow Lane, Chestnut Lane, Willow Drive, and Liberty Avenue for the College of New Rochelle campus in New Rochelle''; and

(25) in item number 462 by striking the project description and inserting ''I–75 widening and improvements in Collier and Lee Counties, Florida''.

SEC. 110. I–95/CONTEE ROAD INTERCHANGE DESIGN.

Section 1961 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1518) is amended—

(1) in the section heading by striking ''study'' and inserting ''design'';

(2) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DESIGN.—The Secretary shall make available the funds authorized to be appropriated by this section for the design of the I–95/Contee Road interchange in Prince George's County, Maryland.''; and

(3) by redesignating subsection (d) as subsection (b).

SEC. 111. HIGHWAY RESEARCH FUNDING.

(a) F–SHRP FUNDING.—Notwithstanding any other provision of law, for each of fiscal years 2008 and 2009, at any time at which an apportionment is made of the sums authorized to be appropriated for the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, or the highway safety improvement program, the Secretary of Transportation shall—

(1) deduct from each apportionment an amount not to exceed 0.205 percent of the apportionment; and

(2) transfer or otherwise make that amount available to carry out section 510 of title 23, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) FUNDING.—Section 5101 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779) is amended—

(A) in subsection (a)(1) by striking ''509, and 510'' and inserting ''and 509'';

(B) in subsection (a)(4) by striking ''$69,700,000'' and all that follows through ''2009'' and inserting ''$40,400,000 for fiscal year 2005, $69,700,000 for fiscal year 2006, $76,400,000 for each of fiscal years 2007 and 2008, and $78,900,000 for fiscal year 2009''; and

(C) in subsection (b) by inserting after ''50 percent'' the following ''or, in the case of funds appropriated by subsection (a) to carry out section 5201, 5202, or 5203 of this Act, 80 percent''.

(2) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—Section 5210 of such Act (119 Stat. 1804) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CONTRACT AUTHORITY.—Funds made available under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share shall be determined under section 510(f) of that title.

(d) APPLICABILITY OF OBLIGATION LIMITATION.—Funds made available under this section shall be subject to any limitation on obligations

for Federal-aid highways and highway safety construction programs under section 1102 the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 104 note; 119 Stat. 1157) or any other Act.

(e) EQUITY BONUS FORMULA.—Notwithstanding any other provision of law, in allocating funds for the equity bonus program under section 105 of title 23, United States Code, for each of fiscal years 2008 and 2009, the Secretary of Transportation shall make the required calculations under that section as if this section had not been enacted.

(f) FUNDING FOR RESEARCH ACTIVITIES.—Of the amount made available by section 5101(a)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779)—

(1) at least $1,000,000 shall be made available for each of fiscal years 2008 and 2009 to carry out section 502(h) of title 23, United States Code; and

(2) at least $4,900,000 shall be made available for each of fiscal years 2008 and 2009 to carry out section 502(i) of that title.

(g) TECHNICAL AMENDMENTS.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 502 of title 23, United States Code, is amended by striking the first subsection (h), relating to infrastructure investment needs reports beginning with the report for January 31, 1999.

(2) ADVANCED TRAVEL FORECASTING PROCEDURES PROGRAM.—Section 5512(a)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1829) is amended by striking ''PROGRAM APPRECIATION.—'' and inserting ''PROGRAM APPLICATION.—''.

(3) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506 of title 49, United States Code, is amended—

(A) in subsection (c)(2)(B) by striking ''tier'' and inserting ''Tier'';

(B) in subsection (i)—

(i) by striking ''In order to'' and inserting the following:

''(1) IN GENERAL.—In order to''; and

(ii) by adding at the end the following:

''(2) SPECIAL RULE.—Nothing in paragraph (1) requires a nonprofit institution of higher learning designated as a Tier II university transportation center to maintain total expenditures as described in paragraph (1) in excess of the amount of the grant awarded to the institution.''; and

(C) in subsection (k)(3) by striking ''The Secretary'' and all that follows through ''to carry out this section'' and inserting ''For each of fiscal years 2008 and 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section''.

SEC. 112. RESCISSION.

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (as amended by section 1302 of the Pension Protection Act of 2006 (Public Law 109–280)) (119 Stat. 1937; 120 Stat. 780) is amended by striking ''$8,593,000,000'' each place it appears and inserting ''$8,708,000,000''.

SEC. 113. TEA–21 TECHNICAL CORRECTIONS.

(a) SURFACE TRANSPORTATION PROGRAM.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by striking ''2003'' and inserting ''2009''.

(b) PROJECT AUTHORIZATIONS.—The table contained in section 1602 of such Act (112 Stat. 257) is amended—

(1) in item number 1096 (as amended by section 1703(a)(11) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1454)) by inserting '', and planning and construction to Heisley Road,'' before ''in Mentor, Ohio'';

(2) in item number 1646 by striking ''and construction'' and inserting ''construction, reconstruction, resurfacing, restoration, rehabilitation, and repaving''; and

(3) in item number 614 by inserting ''and for NJ Carteret, NJ Ferry Service Terminal'' after ''east''.

SEC. 114. HIGH PRIORITY CORRIDOR AND INNOVATIVE PROJECT TECHNICAL CORRECTIONS.

(a) HIGH PRIORITY CORRIDORS.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1212) is amended—

(1) in paragraph (63) by striking ''and United States Routes 1, 3, 9, 17, and 46,'' and inserting ''United States Routes 1, 9, and 46, and State Routes 3 and 17,''; and

(2) in paragraph (64)—

(A) by striking ''United States Route 42'' and inserting ''State Route 42''; and

(B) by striking ''Interstate Route 676'' and inserting ''Interstate Routes 76 and 676''.

(b) INNOVATIVE PROJECTS.—Item number 89 of the table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2052) is amended in the matter under the column with the heading ''INNOVATIVE PROJECTS'' by inserting ''and contiguous counties'' after ''Michigan''.

SEC. 115. DEFINITION OF REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(5) of title 23, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) receive—

''(i) a driver's license suspension for not less than 1 year; or

''(ii) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program if an ignition interlock device is installed on each of the motor vehicles owned or operated, or both, by the individual;

''(B) be subject to the impoundment or immobilization of, or the installation of an ignition interlock system on, each motor vehicle owned or operated, or both, by the individual;''.

SEC. 116. RESEARCH TECHNICAL CORRECTION.

Section 5506(e)(5)(C) of title 49, United States Code, is amended by striking ''$2,225,000''and inserting ''$2,250,000''.

SEC. 117. BUY AMERICA WAIVER NOTIFICATION AND ANNUAL REPORTS.

(a) WAIVER NOTIFICATION.—

(1) IN GENERAL.—If the Secretary of Transportation makes a finding under section 313(b) of title 23, United States Code, with respect to a project, the Secretary shall—

(A) publish in the Federal Register, before the date on which such finding takes effect, a detailed written justification as to the reasons that such finding is needed; and

(B) provide notice of such finding and an opportunity for public comment on such finding for a period of not to exceed 60 days.

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in paragraph (1) shall be construed to require the effective date of a finding referred to in paragraph (1) to be delayed until after the close of the public comment period referred to in paragraph (1)(B).

(b) ANNUAL REPORTS.—Not later than February 1 of each year beginning after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the projects for which the Secretary made findings under section 313(b) of title 23, United States Code, during the preceding calendar year and the justifications for such findings.

SEC. 118. EFFICIENT USE OF EXISTING HIGHWAY CAPACITY.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the impacts of converting left and right highway safety shoulders to travel lanes.

(b) CONTENTS.—In conducting the study, the Secretary shall—

(1) analyze instances in which safety shoulders are used for general purpose vehicle traffic, high occupancy vehicles, and public transportation vehicles;

(2) analyze instances in which safety shoulders are not part of the roadway design;

(3) evaluate whether or not conversion of safety shoulders or the lack of a safety shoulder in the original roadway design has a significant impact on the number of accidents or has any other impact on highway safety; and

(4) compile relevant statistics.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

SEC. 119. FUTURE INTERSTATE DESIGNATION.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of Transportation shall designate, as a future Interstate Route 69 Spur, the Audubon Parkway and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky. Any segment of such routes shall become part of the Interstate System (as defined in section 101 of title 23, United States Code) at such time as the Secretary determines that the segment—

(1) meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

(2) connects to an existing Interstate System segment.

(b) SIGNS.—Section 103(c)(4)(B)(iv) of title 23, United States Code, shall apply to the designations under subsection (a); except that a State may install signs on the 2 parkways that are to be designated under subsection (a) indicating the approximate location of each of the future Interstate System highways.

(c) REMOVAL OF DESIGNATION.—The Secretary shall remove designation of a highway referred to in subsection (a) as a future Interstate System route if the Secretary, as of the last day of the 25-year period beginning on the date of enactment of this Act, has not made the determinations under paragraphs (1) and (2) of subsection (a) with respect to such highway.

SEC. 120. PROJECT FLEXIBILITY.

Section 1935(b)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1510) is amended by inserting ''the project numbered 1322 and'' before ''the projects''.

SEC. 121. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act (including subsection (b)), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXCEPTION.—

(1) IN GENERAL.—The amendments made by this Act (other than the amendments made by sections 101(g), 101(m)(1)(H), 103, 105, 109, and 201(o)) to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) shall—

(A) take effect as of the date of enactment of that Act; and

(B) be treated as being included in that Act as of that date.

(2) EFFECT OF AMENDMENTS.—Each provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) (including the amendments made by that Act) (as in effect on the day before the date of enactment of this Act) that is amended by this Act (other than sections 101(g), 101(m)(1)(H), 103, 105, 109, and 201(o)) shall be treated as not being enacted.

(c) CONFORMING AMENDMENT TO HIGHWAY TRUST FUND.—Subsections (c)(1) and (e)(3) of section 9503 of the Internal Revenue Code of 1986 are each amended by striking ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users'' and inserting ''SAFETEA–LU Technical Corrections Act of 2008''.

TITLE II—TRANSIT PROVISIONS

SEC. 201. TRANSIT TECHNICAL CORRECTIONS.

(a) SECTION 5302.—Section 5302(a)(10) of title 49, United States Code, is amended by striking ''charter,'' and inserting ''charter, sightseeing,''.

(b) SECTION 5303.—

(1) Section 5303(f)(3)(C)(ii) of such title is amended by striking subclause (II) and inserting the following:

''(II) FUNDING.—For fiscal year 2008 and each fiscal year thereafter, in addition to other funds made available to the metropolitan planning organization for the Lake Tahoe region under this chapter and title 23, prior to any allocation under section 202 of title 23, and notwithstanding the allocation provisions of section 202, the Secretary shall set aside ½ of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 of title 23, and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.''.

(2) Section 5303(j)(3)(D) of such title is amended—

(A) by inserting ''or the identified phase'' before ''within the time''; and

(B) by inserting ''or the identified phase'' before the period at the end.

(3) Section 5303(k)(2) of such title is amended by striking ''a metropolitan planning area serving''.

(c) SECTION 5307.—Section 5307(b) of such title is amended—

(1) in the heading for paragraph (2) by striking ''2007'' and inserting ''2009'';

(2) in paragraph (2)(A)—

(A) by striking ''2007'' and inserting ''2009''; and

(B) by striking ''mass'' and inserting ''public'';

(3) by adding at the end of paragraph (2) the following:

''(E) MAXIMUM AMOUNTS IN FISCAL YEARS 2008 AND 2009.—In fiscal years 2008 and 2009—

''(i) amounts made available to any urbanized area under clause (i) or (ii) of subparagraph (A) shall be not more than 50 percent of the amount apportioned in fiscal year 2002 to the urbanized area with a population of less than 200,000, as determined in the 1990 decennial census of population;

''(ii) amounts made available to any urbanized area under subparagraph (A)(iii) shall be not more than 50 percent of the amount apportioned to the urbanized area under this section for fiscal year 2003; and

''(iii) each portion of any area not designated as an urbanized area, as determined by the 1990 decennial census, and eligible to receive funds under subparagraph (A)(iv), shall receive an amount of funds to carry out this section that is not less than 50 percent of the amount the portion of the area received under section 5311 in fiscal year 2002.''; and

(4) in paragraph (3) by striking ''section 5305(a)'' and inserting ''section 5303(k)''.

(d) SECTION 5309.—Section 5309 of such title is amended—

(1) in subsection (d)(5)(B) by striking ''regulation.'' and inserting ''this subsection and shall give comparable, but not necessarily equal, numerical weight to each project justification criteria in calculating the overall project rating.'';

(2) in subsection (e)(6)(B) by striking ''subsection.'' and inserting ''subsection and shall give comparable, but not necessarily equal, numerical weight to each project justification criteria in calculating the overall project rating.'';

(3) in the heading for paragraph (2)(A) of subsection (m) by striking ''MAJOR CAPITAL'' and inserting ''CAPITAL''; and

(4) in subsection (m)(7)(B) by striking ''section 3039'' and inserting ''section 3045''.

(e) SECTION 5311.—Section 5311 of such title is amended—

(1) in subsection (g)(1)(A) by striking ''for any purpose other than operating assistance'' and inserting ''for a capital project or project administrative expenses'';

(2) in subsections (g)(1)(A) and (g)(1)(B) by striking ''capital'' after ''net''; and

(3) in subsection (i)(1) by striking ''Sections 5323(a)(1)(D) and 5333(b) of this title apply'' and inserting ''Section 5333(b) applies''.

(f) SECTION 5312.—The heading for section 5312(c) of such title is amended by striking ''MASS TRANSPORTATION'' and inserting ''PUBLIC TRANSPORTATION''.

(g) SECTION 5314.—Section 5314(a)(3) is amended by striking ''section 5323(a)(1)(D)'' and inserting ''section 5333(b)''.

(h) SECTION 5319.—Section 5319 of such title is amended by striking ''section 5307(k)'' and inserting ''section 5307(d)(1)(K)''.

(i) SECTION 5320.—Section 5320 of such title is amended—

(1) in subsection (a)(1)(A) by striking ''intra—agency'' and inserting ''intraagency'';

(2) in subsection (b)(5)(A) by striking ''5302(a)(1)(A)'' and inserting ''5302(a)(1)'';

(3) in subsection (d)(1) by inserting ''to administer this section and'' after ''5338(b)(2)(J)'';

(4) by adding at the end of subsection (d) the following:

''(4) TRANSFERS TO LAND MANAGEMENT AGENCIES.—The Secretary may transfer amounts available under paragraph (1) to the appropriate Federal land management agency to pay necessary costs of the agency for such activities described in paragraph (1) in connection with activities being carried out under this section.'';

(5) in subsection (k)(3) by striking ''subsection (d)(1)'' and inserting ''subsection (e)(1)'';

(6) by redesignating subsections (a) through (m) as subsections (b) through (n), respectively; and

(7) by inserting before subsection (b) (as so redesignated) the following:

''(a) PROGRAM NAME.—The program authorized by this section shall be known as the Paul S. Sarbanes Transit in Parks Program.''.

(j) SECTION 5323.—Section 5323(n) of such title is amended by striking ''section 5336(e)(2)'' and inserting ''section 5336(d)(2)''.

(k) SECTION 5325.—Section 5325(b) of such title is amended—

(1) in paragraph (1) by inserting before the period at the end ''adopted before August 10, 2005'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(l) SECTION 5336.—

(1) APPORTIONMENTS OF FORMULA GRANTS.—Section 5336 of such title is amended—

(A) in subsection (a) by striking ''Of the amount'' and all that follows before paragraph (1) and inserting ''Of the amount apportioned under subsection (i)(2) to carry out section 5307—'';

(B) in subsection (d)(1) by striking ''subsections (a) and (h)(2) of section 5338'' and inserting ''subsections (a)(1)(C)(vi) and (b)(2)(B) of section 5338''; and

(C) by redesignating subsection (c), as added by section 3034(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1628), as subsection (k).

(2) TECHNICAL AMENDMENTS.—Section 3034(d)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1629), is amended by striking ''paragraph (2)'' and inserting ''subsection (a)(2)''.

(m) SECTION 5337.—Section 5337(a) of title 49, United States Code, is amended by striking ''for each of fiscal years 1998 through 2003'' and inserting ''for each of fiscal years 2005 through 2009''.

(n) SECTION 5338.—Section 5338(d)(1)(B) of such title is amended by striking ''section 5315(a)(16)'' and inserting ''section 5315(b)(2)(P)''.

(o) SAFETEA–LU.—

(1) SECTION 3011.—Section 3011(f) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1589) is amended by adding to the end the following:

''(5) Central Florida Commuter Rail Transit Project.''.

(2) SECTION 3037.—Section 3037(c) of such Act (119 Stat. 1636) is amended—

(A) in paragraph (3) by striking ''Phase II''; and

(B) by striking paragraph (10).

(3) SECTION 3040.—Section 3040(4) of such Act (119 Stat. 1639) is amended by striking ''$7,871,895,000'' and inserting ''$7,872,893,000''.

(4) SECTION 3043.—

(A) PORTLAND, OREGON.—Section 3043(b)(27) of such Act (119 Stat. 1642) is amended by inserting ''/Milwaukie'' after ''Mall''.

(B) LOS ANGELES.—

(i) PHASE 1.—Section 3043(b)(13) of such Act (119 Stat. 1642) is amended to read as follows:

''(13) Los Angeles—Exposition LRT (Phase 1).''.

(ii) PHASE 2.—Section 3043(c) of such Act (119 Stat. 1645) is amended by inserting after paragraph (104) the following:

''(104A) Los Angeles—Exposition LRT (Phase 2).''.

(C) SAN DIEGO.—Section 3043(c)(105) of such Act (119 Stat. 1645) is amended by striking ''LOSSAN Del Mar-San Diego—Rail Corridor Improvements'' and inserting ''LOSSAN Rail Corridor Improvements''.

(D) SAN DIEGO.—Section 3043(c)(217) of such Act (119 Stat. 1648) is amended by striking ''San Diego'' and inserting ''San Diego Transit''.

(E) SACRAMENTO.—Section 3043(c)(204) of such Act (119 Stat. 647) is amended by striking ''Downtown''.

(F) BOSTON.—Section 3043(d)(6) of such Act (119 Stat. 1649) is amended to read as follows:

''(6) Boston-Silver Line Phase III, $20,000,000.''.

(G) PROJECT CONSTRUCTION GRANTS.—Section 3043(e) of such Act (119 Stat. 1651) is amended by adding at the end the following:

''(4) PROJECT CONSTRUCTION GRANTS.—Projects recommended by the Secretary for a project construction grant agreement under section 5309(e) of title 49, United States Code, or for funding under section 5309(m)(2)(A)(i) of such title during fiscal year 2008 and fiscal year 2009 are authorized for preliminary engineering, final design, and construction for fiscal years 2007 through 2009 upon the completion of the notification process for each such project under section 5309(g)(5).''.

(H) LOS ANGELES AND SAN GABRIEL VALLEY.—Section 3043 of such Act (119 Stat. 1640) is amended by adding at the end the following:

''(k) LOS ANGELES EXTENSION.—In evaluating the local share of the project authorized by subsection (c)(104A) in the new starts rating process, the Secretary shall give consideration to project elements of the project authorized by subsection (b)(13) advanced with 100 percent non-Federal funds.

''(l) SAN GABRIEL VALLEY—GOLD LINE FOOTHILL EXTENSION PHASE II.—In evaluating the local share of the San Gabriel Valley—Gold Line Foothill Extension Phase II project authorized by subsection (b)(33) in the new starts rating process, the Secretary shall give consideration to project elements of the San Gabriel Valley—Gold Line Foothill Extension Phase I project advanced with 100 percent non-Federal funds.''.

(5) SECTION 3044.—

(A) PROJECTS.—The table contained in section 3044(a) of such Act (119 Stat. 1652) is amended—

(i) in item 25—

(I) by striking ''$217,360'' and inserting ''$167,360''; and

(II) by striking ''$225,720'' and inserting ''$175,720'';

(ii) in item number 36 by striking the project description and inserting ''Los Angeles County Metropolitan Transportation Authority (LACMTA) for bus and bus-related facilities in the LACMTA's service area'';

(iii) in item number 71 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(iv) in item number 84 by striking the project description and inserting ''Improvements to the existing Sacramento Intermodal Facility (Sacramento Valley Station)'';

(v) in item number 94 by striking the project description and inserting ''Pacific Transit, WA Vehicle Replacement'';

(vi) in item number 120 by striking ''Dayton Airport Intermodal Rail Feasibility Study'' and inserting ''Greater Dayton Regional Transit Authority buses and bus facilities'';

(vii) in item number 152 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(viii) in item number 416 by striking ''Improve marine intermodal'' and inserting ''Improve marine dry-dock and'';

(ix) in item number 457—

(I) by striking ''$65,000'' and inserting ''$0''; and

(II) by striking ''$67,500'' and inserting ''$0''; and

(x) in item number 458—

(I) by striking ''$65,000'' and inserting ''$130,000'';

(II) by striking ''$67,500'' and inserting ''$135,000''; and

(xi) in item number 57 by striking the project description and inserting ''Wilmington, NC, maintenance and operations facilities and administration and transfer facilities'';

(xii) in item number 460 by striking the matters in the project description, FY08 column, and FY09 column and inserting ''460. Mid-Region Council of Governments, New Mexico, public transportation buses, bus-related equipment and facilities, and intermodal terminals in Albuquerque and Santa Fe'', ''$500,000'', and ''$500,000'', respectively.

(xiii) in item number 138 by striking ''Design'' and inserting ''Determine scope, engineering, design,'';

(xiv) in item number 23 by striking ''Construct'' and inserting ''Design, engineering, right-of-way acquisition, and construction'';

(xv) in item number 439 by inserting before ''Central'' the following: ''Design, engineering, right-of-way acquisition, and construction'';

(xvi) in item number 453 by inserting before ''Central'' the following: ''Design, engineering, right-of-way acquisition, and construction'';

(xvii) in item number 371 by striking the project description and inserting ''Regional Transportation Commission of Southern Nevada, Sunset Bus Maintenance Facility'';

(xviii) in item number 487 by striking ''Central Arkansas Transit Authority Facility Upgrades'' and inserting ''Central Arkansas Transit Authority Bus Acquisition'';

(xix) in item number 491 by striking the project description and inserting ''Pace, IL, Cermak Road, Bus Rapid Transit, and related bus projects, and alternatives analysis'';

(xx) in item number 512 by striking ''Corning, NY, Phase II Corning Preserve Transportation Enhancement Project'' and inserting ''Transportation Center Enhancements, Corning, NY'';

(xxi) in item number 534 by striking ''Community Buses'' and inserting ''Bus and Bus Facilities'';

(xxii) in item number 570 by striking ''Maine Department of Transportation-Acadia Intermodal Facility'' and inserting ''MaineDOT Acadia Intermodal Passenger and Maintenance Facility'';

(xxiii) in item number 80 by striking the project description and amounts and inserting ''Flagler County, Florida–buses and bus facility'', ''$57,684'', ''$60,192'', ''$65,208'', and ''$67,716'' respectively;

(xxiv) in item number 135 by striking the project description and inserting ''Pace Suburban Bus, IL–Purchase Vehicles'';

(xxv) in item number 276 by striking the project description and amounts and inserting ''Long Beach Transit, Long Beach, California, for the purchase of transit vehicles and enhancement of para-transit and senior transportation services'', ''$128,180'', ''$133,760'', ''$144,906'', and ''$150,480'', respectively; and

(xxvi) by adding at the end—

(I)(aa) in the project description column ''666. New York City, NY, rehabilitation of subway stations to include passenger access improvements including escalators or installation of infrastructure for security and surveillance purposes''; and

(bb) in the FY08 column and the FY09 column ''$50,000'';

(II)(aa) in the project description column ''667. St. Johns County Council on Aging buses and bus facilities, Florida''; and

(bb) in the FY06, FY07, FY08, and FY09 columns ''$57,684'', ''$60,192'', ''$65,208'', and ''$67,716'', respectively;

(III)(aa) in the project description column ''668. The City of Compton, California, for the replacement of buses and paratransit vehicles''; and

(bb) in the FY06, FY07, FY08, and FY09 columns ''$128,180'', ''$133,760'', ''$144,906'', and ''$150,480'', respectively; and

(IV)(aa) in the project description column ''669. City of Los Angeles, California, for the purchase of transit vehicles in Watts and enhancement of paratransit and senior transportation services''; and

(bb) in the FY06, FY07, FY08, and FY09 columns ''$128,200'', ''$133,760'', ''$144,908'', and ''$150,480'', respectively.

(B) SPECIAL RULE.—Section 3044(c) of such Act (119 Stat. 1705) is amended—

(i) by inserting '', or other entity,'' after ''State or local governmental authority''; and

(ii) by striking ''projects numbered 258 and 347'' and inserting ''projects numbered 258, 347, and 411''; and

(iii) by striking the period at the end and inserting: '', and funds made available for fiscal year 2006 for the bus and bus-related facilities projects numbered 176 and 652 under subsection (a) shall remain available until September 30, 2009.''.

(6) SECTION 3046.—Section 3046(a)(7) of such Act (119 Stat. 1708) is amended—

(A) by striking ''hydrogen fuel cell vehicles'' and inserting ''hydrogen fueled vehicles'';

(B) by striking ''hydrogen fuel cell employee shuttle vans'' and inserting ''hydrogen fueled employee shuttle vans''; and

(C) by striking ''in Allentown, Pennsylvania'' and inserting ''to the DaVinci Center in Allentown, Pennsylvania''.

(7) SECTION 3050.—Section 3050(b) of such Act (119 Stat. 1713) is amended by inserting ''by negotiating the extension of the existing agreement between mile post 191.13 and mile post 185.1 to mile post 165.9 in Rhode Island'' before the period at the end.

(p) TRANSIT TUNNELS.—In carrying out section 5309(d)(3)(D) of title 49, United States Code, the Secretary of Transportation shall specifically analyze, evaluate, and consider—

(1) the congestion relief, improved mobility, and other benefits of transit tunnels in those projects which include a transit tunnel; and

(2) the associated ancillary and mitigation costs necessary to relieve congestion, improve mobility, and decrease air and noise pollution in those projects which do not include a transit tunnel, but where a transit tunnel was one of the alternatives analyzed.

(q) KNOXVILLE, TENNESSEE, PROPERTY ACQUISITION.—The acquisition of property for the city of Knoxville, Tennessee, for the Knoxville, Tennessee, Central Station project shall be deemed to qualify as an acquisition of land for protective purposes pursuant to section 622.101 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act. The Secretary of Transportation may allow the costs of such acquisition to be credited toward the non-Federal share for the project.

(r) CALIFORNIA TRANSIT SERVICES.—The Secretary of Transportation shall use not more than $3,000,000 of the funds made available for use at the discretion of the Secretary for fiscal year 2007 for Federal Transit Administration Discretionary Programs, Bus and Bus Facilities to reimburse the California State department of transportation for actual and necessary costs of maintenance and operation, less the amount of fares earned, for additional public transportation services that were provided by the department of transportation as a temporary substitute for highway traffic service following the freeway collapse at the interchange connecting Interstate Routes 80, 580, and 880 near the San Francisco-Oakland Bay Bridge, on April 29, 2007, until the reopening of that facility on June 29, 2007. The Federal share of the cost of activities reimbursed under this subsection shall be 100 percent.

TITLE III—OTHER SURFACE TRANSPORTATION PROVISIONS

SEC. 301. TECHNICAL AMENDMENTS RELATING TO MOTOR CARRIER SAFETY.

(a) CONFORMING AMENDMENT RELATING TO HIGH-PRIORITY ACTIVITIES.—Section 31104(f) of title 49, United States Code, is amended by striking the designation and heading for paragraph (1) and by striking paragraph (2).

(b) NEW ENTRANT AUDITS.—

(1) CORRECTIONS OF REFERENCES.—Section 4107(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1720) is amended—

(A) by striking ''Section 31104'' and inserting ''Section 31144''; and

(B) in paragraph (1) by inserting ''(c)'' after ''the second subsection''.

(2) CONFORMING AMENDMENT.—Section 7112 of such Act (119 Stat. 1899) is amended by striking subsection (c).

(c) PROHIBITED TRANSPORTATION.—Section 4114(c)(1) of the such Act (119 Stat. 1726) is amended by striking ''the second subsection (c)'' and inserting ''(f)''.

(d) EFFECTIVE DATE RELATING TO MEDICAL EXAMINERS.—Section 4116(f) of such Act (119 Stat. 1728) is amended by striking ''amendment made by subsection (a)'' and inserting ''amendments made by subsections (a) and (b)''.

(e) ROADABILITY TECHNICAL CORRECTION.—Section 31151(a)(3)(E)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''section''.

(f) CORRECTION OF SUBSECTION REFERENCE.—Section 4121 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1734) is amended by striking ''31139(f)(5)'' and inserting ''31139(g)(5)''.

(g) CDL LEARNER'S PERMIT PROGRAM TECHNICAL CORRECTION.—Section 4122(2)(A) of such Act (119 Stat. 1734) is amended by striking ''license'' and inserting ''licenses''.

(h) CDL INFORMATION SYSTEM FUNDING REFERENCE.—Section 31309(f) of title 49, United States Code, is amended by striking ''31318'' and inserting ''31313''.

(i) CLARIFICATION OF REFERENCE.—Section 229(a)(1) of the Federal Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note; 119 Stat. 1743) is amended by inserting ''of title 49, United States Code,'' after ''31502''.

(j) REDESIGNATION OF SECTION.—The second section 39 of chapter 2 of title 18, United States Code, relating to commercial motor vehicles required to stop for inspections, and the item relating to such section in the analysis for such chapter, are redesignated as section 40.

(k) OFFICE OF INTERMODALISM.—Section 5503 of title 49, United States Code, is amended—

(1) in subsection (f)(2) by striking ''Surface Transportation Safety Improvement Act of 2005'', and inserting ''Motor Carrier Safety Reauthorization Act of 2005''; and

(2) by redesignating the first subsection (h), relating to authorization of appropriations, as

subsection (i) and moving it after the second subsection (h).

(l) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Section 13908 of title 49, United States Code, is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following:

''(e) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Fees collected under this section may be credited to the Department of Transportation appropriations account for purposes for which such fees are collected and shall be available for expenditure for such purposes until expended.''.

(m) COMMERCIAL MOTOR VEHICLE DEFINITION.—Section 14504a(a)(1)(B) of title 49, United States Code, is amended by striking ''a motor carrier required to make any filing or pay any fee to a State with respect to the motor carrier's authority or insurance related to operation within such State, the motor carrier'' and inserting ''determining the size of a motor carrier or motor private carrier's fleet in calculating the fee to be paid by a motor carrier or motor private carrier pursuant to subsection (f)(1), the motor carrier or motor private carrier''.

(n) CLARIFICATION OF UNREASONABLE BURDEN.—Section 14504a(c)(2) of title 49, United States Code, is amended by striking ''interstate'' the last place it appears and inserting ''intrastate''.

(o) CONTENTS OF AGREEMENT TYPO.—Section 14504a(f)(1)(A)(ii) of title 49, United States Code, is amended by striking ''or'' the last place it appears.

(p) OTHER UNIFIED CARRIER REGISTRATION SYSTEM TECHNICAL CORRECTIONS.—Section 14504a of title 49, United States Code, is amended—

(1) in subsection (c)(1)(B) by striking ''the a'' and inserting ''a'';

(2) in subsection (f)(1)(A)(i) by striking ''in connection with the filing of proof of financial responsibility''; and

(3) in subsection (f)(1)(A)(ii) by striking ''in connection with such a filing'' and inserting ''under the UCR agreement''.

(q) IDENTIFICATION OF VEHICLES.—Section 14506(b)(2) of title 49, United States Code, is amended by inserting before the semicolon at the end the following: ''or under an applicable State law if, on October 1, 2006, the State has a form of highway use taxation not subject to collection through the International Fuel Tax Agreement''.

(r) DRIVEAWAY SADDLEMOUNT VEHICLE.—

(1) DEFINITION.—Section 31111(a)(4) of title 49, United States Code, is amended—

(A) in the paragraph heading by striking ''DRIVE-AWAY SADDLEMOUNT WITH FULLMOUNT'' and inserting ''DRIVEAWAY SADDLEMOUNT'';

(B) by striking ''drive-away saddlemount with fullmount'' and inserting ''driveaway saddlemount''; and

(C) by inserting ''Such combination may include one fullmount.'' after the period at the end.

(2) IN GENERAL.—Section 31111(b)(1)(D) of such title is amended by striking ''a driveaway saddlemount with fullmount'' and inserting ''all driveaway saddlemount''.

SEC. 302. TECHNICAL AMENDMENTS RELATING TO HAZARDOUS MATERIALS TRANSPORTATION.

(a) DEFINITION OF HAZMAT EMPLOYEES.—Section 7102(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1892) is amended—

(1) by striking ''(3)(A)'' and inserting ''(3)'';

(2) in subparagraph (A) by striking ''clause (i)'' and inserting ''clause (i) of subparagraph (A)''; and

(3) in subparagraph (B) by striking ''clause (ii)'' and inserting ''subparagraph (A)(ii)''.

(b) TECHNICAL CORRECTION.—Section 5103a(g)(1)(B)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''subsection''.

(c) PREEMPTION CORRECTION.—Section 5125 of title 49, United States Code, is amended—

(1) in subsection (d)(1) by striking ''5119(e)'' and inserting ''5119(f)'';

(2) in each of subsections (e) and (g) by striking ''5119(b)'' and inserting ''5119(f)''; and

(3) in subsection (g) by striking ''(b), (c)(1), or (d)'' and inserting ''(a), (b)(1), or (c)''.

(d) RELATIONSHIP TO OTHER LAWS.—Section 7124(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1908) is amended by inserting ''the first place it appears'' before ''and inserting''.

(e) REPORT.—Section 5121(h) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking ''exemptions'' and inserting ''special permits''; and

(2) in paragraph (3) by striking ''exemption'' and inserting ''special permit''.

(f) SECTION HEADING.—Section 5128 of title 49, United States Code, is amended by striking the section designation and heading and inserting the following:

''§ 5128. Authorization of appropriations''.

(g) CHAPTER ANALYSIS.—The analysis for chapter 57 of title 49, United States Code, is amended in the item relating to section 5701 by striking ''Transportation'' and inserting ''transportation''.

(h) NORMAN Y. MINETA RESEARCH AND SPECIAL PROGRAMS IMPROVEMENT ACT.—Section 5(b) of the Norman Y. Mineta Research and Special Programs Improvement Act (49 U.S.C. 108 note; 118 Stat. 2427) is amended by inserting ''(including delegations by the Secretary of Transportation)'' after ''All orders''.

(i) SHIPPING PAPERS.—Section 5110(d)(1) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''SHIPPERS'' and inserting ''OFFERORS''; and

(2) by striking ''shipper's'' and inserting ''offeror's''.

(j) NTSB RECOMMENDATIONS.—Section 19(1) of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (49 U.S.C. 60102 note; 120 Stat. 3498) is amended by striking ''165'' and inserting ''1165''.

SEC. 303. HIGHWAY SAFETY.

(a) STATE MINIMUM APPORTIONMENTS FOR HIGHWAY SAFETY PROGRAMS.—Effective October 1, 2007, section 402(c) of the title 23, United States Code, is amended by striking ''The annual apportionment to each State shall not be less than one-half of 1 per centum'' and inserting ''The annual apportionment to each State shall not be less than three-quarters of 1 percent''.

(b) CONSOLIDATION OF GRANT APPLICATIONS.—Section 402(m) of title 23, United States Code, is amended in the first sentence—

(1) by striking ''through'' and inserting ''for which''; and

(2) by inserting ''is appropriate'' before the period at the end.

(c) TECHNICAL CORRECTIONS.—

(1) Section 2002(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1521) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as (2) and (3), respectively.

(2) Section 2007(b)(1) of such Act (119 Stat. 1529) is amended—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A);

(B) by striking ''and'' at the end of subparagraph (B); and

(C) by striking subparagraph (C).

(3) Effective August 10, 2005, section 410(c)(7)(B) of title 23, United States Code, is amended by striking ''clause (i)'' and inserting ''clauses (i) and (ii)''.

(4) Section 411 of title 23, United States Code, is amended by redesignating the second subsection (c), relating to administration expenses, and subsection (d) as subsections (d) and (e), respectively.

SEC. 304. CORRECTION OF STUDY REQUIREMENT REGARDING ON-SCENE MOTOR VEHICLE COLLISION CAUSATION.

Section 2003(c)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1522) is amended in the second sentence by striking ''shall'' and inserting ''may''.

SEC. 305. MOTOR CARRIER TRANSPORTATION REGISTRATION.

(a) GENERAL REQUIREMENTS.—Section 31138 of title 49, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GENERAL REQUIREMENT.—

''(1) TRANSPORTATION OF PASSENGERS FOR COMPENSATION.—The Secretary of Transportation shall prescribe regulations to require minimum levels of financial responsibility sufficient to satisfy liability amounts established by the Secretary covering public liability and property damage for the transportation of passengers for compensation by motor vehicle in the United States between a place in a State and—

''(A) a place in another State;

''(B) another place in the same State through a place outside of that State; or

''(C) a place outside the United States.

''(2) TRANSPORTATION OF PASSENGERS NOT FOR COMPENSATION.—The Secretary may prescribe regulations to require minimum levels of financial responsibility sufficient to satisfy liability amounts established by the Secretary covering public liability and property damage for the transportation of passengers for commercial purposes, but not for compensation, by motor vehicle in the United States between a place in a State and—

''(A) a place in another State;

''(B) another place in the same State through a place outside of that State; or

''(C) a place outside the United States.''; and

(2) by striking ''commercial'' each place it appears in subsection (c)(4).

(b) TRANSPORTATION OF PROPERTY.—Section 31139 of such title is amended—

(1) by striking ''commercial motor vehicle'' in subsection (b)(1) and inserting ''motor carrier or motor private carrier (as such terms are defined in section 13102 of this title)''; and

(2) by striking ''commercial'' in subsection (c).

(c) DEFINITIONS RELATING TO MOTOR CARRIERS.—Paragraphs (6)(B), (7)(B), (14), and (15) of section 13102 of such title are each amended by striking ''commercial motor vehicle (as defined in section 31132)'' and inserting ''motor vehicle''.

(d) FREIGHT FORWARDERS.—Section 13903(a) of such title is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall register a person to provide service subject to jurisdiction under subchapter III of chapter 135 as a freight forwarder if the Secretary finds that the person is fit, willing, and able to provide the service and to comply with this part and applicable regulations of the Secretary and the Board.''.

(e) BROKERS.—Section 13904(a) of such title is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall register, subject to section 13906(b), a person to be a broker for transportation of property subject to jurisdiction under subchapter I of chapter 135, if the Secretary finds that the person is fit, willing, and able to be a broker for transportation and to comply with this part and applicable regulations of the Secretary.''.

SEC. 306. APPLICABILITY OF FAIR LABOR STANDARDS ACT REQUIREMENTS AND LIMITATION ON LIABILITY.

(a) APPLICABILITY FOLLOWING THIS ACT.—Beginning on the date of enactment of this Act, section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall apply to a covered employee notwithstanding section 13(b)(1) of that Act (29 U.S.C. 213(b)(1)).

(b) LIABILITY LIMITATION FOLLOWING SAFETEA–LU.—

(1) LIMITATION ON LIABILITY.—An employer shall not be liable for a violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) with respect to a covered employee if—

(A) the violation occurred in the 1-year period beginning on August 10, 2005; and

(B) as of the date of the violation, the employer did not have actual knowledge that the employer was subject to the requirements of such section with respect to the covered employee.

(2) ACTIONS TO RECOVER AMOUNTS PREVIOUSLY PAID.—Nothing in paragraph (1) shall be construed to establish a cause of action for an employer to recover amounts paid before the date of enactment of this Act in settlement of, in compromise of, or pursuant to a judgment rendered regarding a claim or potential claim based on an alleged or proven violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) occurring in the 1-year period referred to in paragraph (1)(A) with respect to a covered employee.

(c) COVERED EMPLOYEE DEFINED.—In this section, the term ''covered employee'' means an individual—

(1) who is employed by a motor carrier or motor private carrier (as such terms are defined by section 13102 of title 49, United States Code, as amended by section 305);

(2) whose work, in whole or in part, is defined—

(A) as that of a driver, driver's helper, loader, or mechanic; and

(B) as affecting the safety of operation of motor vehicles weighing 10,000 pounds or less in transportation on public highways in interstate or foreign commerce, except vehicles—

(i) designed or used to transport more than 8 passengers (including the driver) for compensation;

(ii) designed or used to transport more than 15 passengers (including the driver) and not used to transport passengers for compensation; or

(iii) used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of title 49, United States Code, and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103 of title 49, United States Code; and

(3) who performs duties on motor vehicles weighing 10,000 pounds or less.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. CONVEYANCE OF GSA FLEET MANAGEMENT CENTER TO ALASKA RAILROAD CORPORATION.

(a) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services shall convey, not later than 2 years after the date of enactment of this Act, by quitclaim deed, to the Alaska Railroad Corporation, an entity of the State of Alaska (in this section referred to as the ''Corporation''), all right, title, and interest of the United States in and to the parcel of real property described in subsection (b), known as the GSA Fleet Management Center.

(b) GSA FLEET MANAGEMENT CENTER.—The parcel to be conveyed under subsection (a) is the parcel located at the intersection of 2nd Avenue and Christensen Avenue in Anchorage, Alaska, consisting of approximately 78,000 square feet of land and the improvements thereon.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the parcel to be conveyed under subsection (a), the Administrator shall require the Corporation to—

(A) convey replacement property in accordance with paragraph (2); or

(B) pay the purchase price for the parcel in accordance with paragraph (3).

(2) REPLACEMENT PROPERTY.—If the Administrator requires the Corporation to provide consideration under paragraph (1)(A), the Corporation shall—

(A) convey, and pay the cost of conveying, to the United States, acting by and through the Administrator, fee simple title to real property, including a building, that the Administrator determines to be suitable as a replacement facility for the parcel to be conveyed under subsection (a); and

(B) provide such other consideration as the Administrator and the Corporation may agree, including payment of the costs of relocating the occupants vacating the parcel to be conveyed under subsection (a).

(3) PURCHASE PRICE.—If the Administrator requires the Corporation to provide consideration under paragraph (1)(B), the Corporation shall pay to the Administrator the fair market value of the parcel to be conveyed under subsection (a) based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Corporation.

(d) APPRAISAL.—In the case of an appraisal under subsection (c)(3)—

(1) the appraisal shall be performed by an appraiser mutually acceptable to the Administrator and the Corporation; and

(2) the assumptions, scope of work, and other terms and conditions related to the appraisal assignment shall be mutually acceptable to the Administrator and the Corporation.

(e) PROCEEDS.—

(1) DEPOSIT.—Any proceeds received under subsection (c) shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) EXPENDITURE.—Funds paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator; except that the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate 30 days advance written notice of any expenditure of the proceeds.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions to the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

(g) DESCRIPTION OF PROPERTY AND SURVEY.—The exact acreage and legal description of the parcels to be conveyed under subsections (a) and (c)(2) shall be determined by surveys satisfactory to the Administrator and the Corporation.

SEC. 402. CONVEYANCE OF RETAINED INTEREST IN ST. JOSEPH MEMORIAL HALL.

(a) IN GENERAL.—Subject to the terms and conditions of subsection (c), the Administrator of General Services shall convey to the city of St. Joseph, Michigan, by quitclaim deed, any interest retained by the United States in St. Joseph Memorial Hall.

(b) ST. JOSEPH MEMORIAL HALL DEFINED.—In this section, the term ''St. Joseph Memorial Hall'' means the property subject to a conveyance from the Secretary of Commerce to the city of St. Joseph, Michigan, by quitclaim deed dated May 9, 1936, recorded in Liber 310, at page 404, in the Register of Deeds for Berrien County, Michigan.

(c) TERMS AND CONDITIONS.—The conveyance under subsection (a) shall be subject to the following terms and conditions:

(1) CONSIDERATION.—As consideration for the conveyance under subsection (a), the city of St. Joseph, Michigan, shall pay $10,000 to the United States.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions for the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

TITLE V—OTHER PROVISIONS

SEC. 501. DE SOTO COUNTY, MISSISSIPPI.

Section 219(f)(30) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 114 Stat. 2763A–220; 119 Stat. 282; 119 Stat. 2257) is amended by striking ''$55,000,000'' and inserting ''$75,000,000''.

SEC. 502. DEPARTMENT OF JUSTICE REVIEW.

Consistent with applicable standards and procedures, the Department of Justice shall review allegations of impropriety regarding item 462 in section 1934(c) of Public Law 109–59 to ascertain if a violation of Federal criminal law has occurred.

Mrs. BOXER. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, this is a good day for the Senate. It took us a while to get here. I will thank staff in a moment—floor staff as well, and Senator REID's staff, Senator INHOFE's staff, and my own staff.

Before that, I have two unanimous consent requests to make.

The PRESIDING OFFICER. The Senator will state the requests.

UNANIMOUS CONSENT REQUEST—H.R. 2828

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 403, H.R. 2828, the Foreign Service Victims of Terrorism Act, which will provide compensation to relatives of U.S. citizens killed as a result of the bombing of United States Embassies in East Africa on August 7, 1998; that the bill be read the third time, and passed; and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 1595

Mrs. BOXER. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1595, the Guam World War II Loyalty Recognition Act; that the bill be read the third time, and passed; and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. Madam President, we just heard objection, but we didn't get objection, finally, to the technical corrections bill. We are happy about that. You and I serve together on the Environment and Public Works Committee. We know our work is important because we know that no country can be great if it doesn't have an infrastructure that is up to par. The occupant of the chair knows more than most what it means when a bridge collapses. We know what that means. So what we are doing here is a matter of life and death, quite often.

This technical corrections bill will make it possible to continue work on over 500 projects that were stymied for various reasons. It is going to put a billion dollars into our economy, and it will provide tens of thousands of jobs. Senator INHOFE and I are very grateful that—even though this was not an easy week and this bill took so many twists and turns and we had to work our way through many issues—we have arrived at the point where it passed.

Let me say how much I enjoyed working with my staff and the staff of Senator INHOFE. I am going to read the names of those who deserve to be recognized and thanked. From my staff are Bettina Porier, Kathy Dedrick, Tyler Rushforth, Jeff Rosato, Erik Olsen, Paul Ordal, and the rest of my staff. We do work as a team.

I thank Senator INHOFE's staff, and I am sure there are more to be thanked, but the ones I worked with closely are, of course, Andy Wheeler, chief over there, Ruth Van Mark, James O'Keeffe, and Alex Herrgott. We are so grateful to you for being close to us, staying close to us, letting us know when there were problems. We appreciate that.

I say to the majority leader, Senator REID, how much I appreciated his interest in this bill. He really helped us. Bob Herbert, of his staff, Ron Wynch, and Mike Castellano—we had technical issues and legal issues and they were there.

If I am leaving anyone out, please know it is not my intention. So many others helped us.

Mr. CARPER. Will the Senator yield for a moment?

Mrs. BOXER. Yes.

Mr. CARPER. The Senator is leaving herself out and Senator INHOFE. On behalf of all of us who have been anxious for this day—to see this technical corrections bill put together and have the result we have had, I thank the Senator for dealing with the competing forces and getting the job done. Someone said it was ugly, but it is beautiful in the end. It is going to be good for the folks in all of our States. We worked together in a bipartisan way, and I am grateful for that.

Mrs. BOXER. I thank the Senator. Senator CARPER, from Delaware, is one of the senior members on the committee, whom we love working with. He is part of our team. We have a great committee. It is why I like to be a legislator.

I want to say, in closing, to floor staff, all of you here, thank you for your patience. You have to answer questions. The pages have to be available to us. You all let us know what is going on and whether we are doing it right or wrong. Of course, in particular, I thank Lula, Tim, and Dave. Without the three of you, we could not have gotten this done.

Yes, sometimes when you get to this point, it is a little like making sausage—that is what they say about how a bill becomes a law; it is not a pretty thing. But we got it done. The most important thing is all of the people who helped us from the outside groups—I thank them—such as the construction industry, the construction workers, the transit district operators, the sand and gravel people. You know who you are. You made the point that we should not bog this bill down, that we should get it going.

I am delighted we had a victory here with the Water Resources Development Act. We are pleased. Up and coming, we are going to have a markup in a couple of weeks, and then we will get to global warming. I don't know how that will end, but I know it is going to be very exciting. We hope everybody will participate in that debate.

Is the Senator from Virginia going to speak?

I will yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

(The remarks of Mr. WARNER are printed in today's RECORD under ''Morning Business''.)

Mr. WARNER. Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

REPUBLICAN FILIBUSTERS

Mr. DURBIN. Mr. President, today the Senate had a historic moment. We passed a bill that has been long awaited across America—one that was read about and heard about. It finally passed this afternoon. It was a bill called the technical corrections bill.

It was a bill that changed and corrected the punctuation and references in a highway bill we enacted several years ago. It was not that historic. In fact, it is fairly routine. You see, after you pass a bill that affects the whole United States and billions of dollars, sometimes, on reflection, you find some of the facts were wrong, some of the words were wrong; and you have to clean it up. And so a technical corrections bill is very common around here. It happens to correct mistakes, to make sure things are done well and done accurately. It is the kind of bill that historically would pass without any debate whatsoever. Many times it would pass by a voice vote late at night when no one is here because there is so little controversy attached to it.

So despite what I said at the outset, it is not that historic. But what made this process historic, and we are researching this, but we believe for the first time in the history of the Senate, the Republicans initiated not one but two filibusters on our effort to pass this technical corrections bill.

We brought this bill to the floor a week ago today, asked that it pass, and then faced a filibuster from the Republicans. That filibuster was broken on Monday, with a 93-to-1 vote, and then a second filibuster had to be initiated by the Republicans before we could finally pass the bill today.

For those following this from the outside, I am afraid I might have lost some of them. But what it boiled down to was that the Republican minority was determined that we would burn 1 week of Senate activity on a bill that should have taken 5 minutes. They were determined that we would have a succession of rollcall votes on a bill which by and large had no controversy. There was one little issue that could have been resolved quickly, perhaps in an hour, in a good-faith debate with a vote. They stretched it out for a week.

Why are we in this stall? Why do the Republicans want to slow us down? It is part of a strategy. Republican filibusters this Congress, as of today, went up to 66; 66 Republican filibusters this Congress and still counting. Is that a lot? Historically, the Senate has never had more than 57 filibusters in any 2-year period. We have had 66 in a matter of a year and 3 or 4 months. So they are about to break all records with filibusters in an attempt to slow down the Senate. They can't even come to a bipartisan agreement on a technical corrections bill. The Republicans insist on these filibuster rollcalls on a technical corrections bill. Why?

First, they want to slow the Senate down as much as possible so we don't act on issues that really count. They don't want us to take up an energy bill to talk about energy tax credits so that we can expand renewable sources of energy. They don't want us to take up a bill to deal with children's health insurance, a bill vetoed twice by President Bush, which would provide health care protection for many children not poor enough to qualify for Medicaid, not fortunate enough to have parents with health insurance. They don't want us to take up important legislation dealing with the state of our economy, legislation to extend unemployment benefits to the millions of Americans who are out of work. Those numbers are reaching modern records. We know many of these families are struggling to find a job. We want to extend benefits so these people can feed their families while they are looking for work. Republicans don't want us to take up that legislation. So they keep throwing filibusters in our path, slowing down the Senate, making sure the Senate never gets to the issues that are critically important. Whether it is funding our schools or paying for health care, taking care of unemployed workers, providing money for medical research, trying to bring down the high cost of gasoline, the high cost of health care and college, they continue to throw filibusters in our path.

GOP is shorthand for the Republican Party. It technically used to stand for Grand Old Party. The Republicans in the Senate have created a new GOP.