SEC. 6. ARMOR PIERCING AMMUNITION.

(a) UNLAWFUL ACTS.—Section 922(a) of title 18, United States Code, is amended by striking paragraphs (7) and (8) and inserting the following:

"(7) for any person to manufacture or import armor piercing ammunition, unless such sale or delivery—

"(A) is for the use of the United States, any department or agency of the United States, any State or any department, agency, or political subdivision of a State;

"(B) the manufacture of such ammunition is for the purpose of exporting; or

"(C) the manufacture or importation of such ammunition is for the purpose of testing or experimentation and has been authorized by the Attorney General;

"(8) for any manufacturer or importer to sell or deliver armor piercing ammunition, unless such sale or delivery—

"(A) is for the use of the United States, any department or agency of the United States, any State, or any department, agency, or political subdivision of a State;

"(B) is for the purpose of exporting; or

"(C) is for the purpose of testing or experimentation and has been authorized by the Attorney General.;"

(b) PENALTIES.—Section 922(c) of title 18, United States Code, is amended by adding at the end the following:

"(5) Except where the extent of a greater minimum sentence is otherwise provided under this subsection, or by any other provision of law, any person who, during and in relation to any crime of violence or drug trafficking crime (including a crime of violence or drug trafficking crime that provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) for which the person may be prosecuted in a court of the United States, uses or carries armor piercing ammunition, or who, in furtherance of any such crime, possesses armor piercing ammunition, shall, in addition to the punishment provided for such crime of violence or drug trafficking crime or conviction under this section—

"(A) be sentenced to a term of imprisonment of not less than 15 years; and

"(B) if death results from the use of such ammunition—

"(i) if the killing is murder (as defined in section 1111), be punished by death or sentenced to a term of imprisonment for any term of years or for life; and

"(ii) if the killing is manslaughter (as defined in section 1112), be punished as provided in section 1112.;"

(c) STUDY AND REPORT.—

(1) STUDY.—The Attorney General shall conduct a study to determine whether a uniform standard for the testing of projectiles against Body Armor is feasible.

(2) REPORT.—The study conducted under paragraph (1) shall include—

(A) variations in performance that are related to the length of the barrel of the handgun or center-fire rifle from which the projectile is fired; and

(B) the amount of powder used to propel the projectile.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit a report containing the results of the study conducted under this subsection to—

(A) the chairman and ranking member of the Committee on the Judiciary of the Senate; and

(B) the chairman and ranking member of the Committee on the Judiciary of the House of Representatives.

SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. INHOFE. Mr. President, I submit a report of the committee of conference on the bill (H.R. 3), and ask for its immediate consideration.

THE PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3), entitled the "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users," in the One Hundred Ninth Congress, first session, having met, agrees to the following:

The Conference report is printed in the Record of July 28, 2005.

Mr. INHOFE. I understand we have 15 minutes, divided equally between the majority and minority, and the Senator from Arizona has up to 30 minutes. I ask now to recognize the Senator from Arizona for up to 30 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, this is a remarkable piece of work. I want to assure my colleagues that I will not take a half hour, but I will take a few minutes to talk about some of the interesting and egregious and remarkable aspects of this bill.

There is an old saying about evil, and that is, if you do not check it or reverse it, then it just continues to get worse. I have to say, I haven’t seen anything quite like this, although I have seen some pretty bad things in the years that I have been here.

It is $286.4 billion, terrifying in its fiscal consequences and disappointing for the lack of fiscal discipline it represents. I wonder what it is going to take to make the case for fiscal sanity here. If you had asked me years ago, I would have said that the combination of war, record deficits, and the largest public debt in the country’s history would constitute a sufficient perfect storm to break us out of this spending addiction that has been so wrong. I think we can weather almost any storm thrown at us. This week’s expenditures, I think, are a pretty good example.

I mentioned before, we are all the beneficiaries of the President Eisenhower and the Congress that helped to shepherd the original highway bill legislation. I have carried it to the floor before. It is about that thick. It has two demonstration projects in it. This is just a small example of some of the provisions in this bill, which are unnumbered. The conference didn’t even have time to number the pages. I have no idea how many billions are in here. Some, I am sure, are very good projects. Many of them are interesting. Some of them are entertaining. Just glance right here: Parking facility in Peoria, IL, $800,000. A parking facility in a highway bill.

The original bill as proposed by President Eisenhower and amended by the Congress had two demonstration projects. Now we have a lot. No one has counted them yet. No one has counted these projects because we have not, of course, had time because they have been stuffed in late, in the middle of the night.

Not surprisingly, my colleagues have come to me and begged: Please make this short; I have a plane to catch. Please don’t take too long; I have a plane to catch. I have to get out of here.

Of course, it is just a coincidence that we happen to be considering this legislation just before we leave.

How do we celebrate? Let me count the ways.

Section 1963, Apollo theater leases. The section would require the Economic Development Administration to approve the Apollo Theater, in Harlem, New York.

The Apollo Theater in Harlem, NY, Midway Airport, directs the Coast Guard, in consultation with the Department of Transportation, to make grants or other funding to provide for the operation of Midway Airport.

This is not an airport bill; this is a highway bill.

Expands the authority of the State of Oklahoma in environmental matters to extend over “Indian country” within that State.

Let me say that again.

Expands the authority of the State of Oklahoma in environmental matters to extend over “Indian country” within that State.

I don’t know what that costs. But what in the world is it doing on a highway bill?

Requires for Treatment as a State under EPA regulations an Indian Tribe in Oklahoma, and the State of Oklahoma, must enter a cooperative agreement to jointly plan and administer program requirements.

What is that all about? No one has ever brought it to my attention as chairman of the Indian Affairs Committee. I admit it, it is a long-proposed committee—at least until recently.

Eligibility to Participate in Western Alaskan Community Development Quota Program. Designates a community to be eligible to participate in the Western Alaska Community Development Program, established under the Magnuson-Stevens Act.

It may be worthwhile. I have no clue. What in the world does it have to do with a highway bill?

This is one of the most remarkable I have ever seen. I have been talking about legislation to lend these for years and years, but this is truly remarkable. This is a “technical adjustment.”

This section would overturn a decision by the 9th Circuit Court of Appeals.
It overturns a court decision in a highway bill, and legislatively a settlement between the parties that would authorize $4 million to be provided, tax free, to the Alaska Native fund. That $4 million is going to be spent to be provided, tax free, the Alaska Native fund, in a highway bill.

This section was not in either the Senate-passed or the House-passed bill. Neither one. So right there it is in violation of the rules of the Senate and the Congress. It wasn’t in either bill.

The technical adjustment is neither technical nor an adjustment, but it is a bail out for Hawaii and a blatant giveaway to the Alaska Native population. In 2000, the General Services Administration donated to Tanadguxish Corporation, called TDX, which is an Alaska Native corporation, a World War II decommissioned dry dock under the condition that it be transported from its holding area in Hawaii and placed in Alaska.

The dry dock is sold to this condition. However, after receiving title, TDX began operating the dry dock in Hawaii. GSA attempted to enforce the contract, TDX sued the Government. A Federal district court and the Ninth Circuit Court of Appeals had both ordered TDX to tow the dry dock to Alaska. Additionally, the Department of Justice has filed a false claim suit against TDX for its illegal use of the dry dock.

None of this seems to matter to the conferees who require the dry dock to be sold, so long as the buyer agrees to operate the dry dock outside the United States to protect the ports in Hawaii and Alaska from competition.

The conferees also require the Government to compensate TDX with $4 million tax free.

Why? Again, what in the world does this have to do with highways? And why should we be bailing out corporations using court orders? Why? It is only $4 million. We are talking about $230-some billion. But this is a bail out for Hawaii and a tax-free gift to Alaska.

Conferees also have tax cuts. Do you know in this bill we have tax cuts, repeal of special occupational taxes on producers and marketers of alcoholic beverages? We don’t want people to drink and drive on highways, so I guess there is some connection to the highway bill, repeal their alcohol taxes.

There are income tax credits for distilled spirits wholesalers. Income tax credits for distilled spirits wholesalers in a highway bill.

Caps on excise tax on certain fishing equipment. I guess you have to drive on a highway to go fishing. Maybe that is it.

There are tax breaks for luxury transportation. We don’t want to leave our big donors out of this bill. Tax breaks for luxury transportation, exemption from taxes on transportation provided by seaplanes and certain sightseeing flights. I guess you could land a seaplane on a highway—although that is hard, as an old pilot, I have to say. Exemption on taxes on transportation provided by seaplanes and certain sightseeing flights.

I might add to my colleagues, we have had a couple of hours to examine a 2,000-page bill. Section 1114, Highway Bridge Program. The section contains bridge construction or improvement projects totaling $100 million for the fiscal year.

We are getting up there a little bit now.

These include $12,500,000 per fiscal year for the Golden Gate Bridge, $18,750,000 per fiscal year for the construction of a bridge joining the island of Gravina to the community of Ketchikan in Alaska.

Let me tell you that once again: $18,750,000 per fiscal year. We figure it is about $80 million. It could be a lot more than that. Guess how many people live on the Gravina Island? Fifty; five-zero. I don’t know what that works out to per capita, but it is about a million-some odd dollar per person at least.

...and $12,500,000 per fiscal year for the State of Missouri for construction of a structure over the Mississippi River to connect the City of St. Louis, MO, to the state of Illinois.

National Corridor Infrastructure Improvement Program. Directs the Department of Transportation to establish and implement a program for highway construction in corridors of National significance to promote economic growth and international or inter-regional trade pursuant to criteria in the section.

It lists 33 earmarks for 24 States totaling $1.95 billion—Billion dollars. Freight Intermodal Distribution Pilot Program.

It is always interesting when you see the words “pilot program.” Directs the Secretary of Transportation to establish a freight intermodal distribution pilot grant program authorized for a total of $24 million. A portion of the funding must be used for the following projects:

- Short-haul intermodal projects, Oregon $5 million; the Georgia Port Authority, $5 million; the ports of Los Angeles and Long Beach, California, $5 million.

- Ports—ports, my friends, not highways. Ports.

- Fairbanks, Alaska [of course] $5 million. Just throw that in.

- Charlotte Douglas International Airport Freight Intermodal Facility, North Carolina, $5 million.

- South Piedmont Freight Intermodal Center, North Carolina, $5 million.

- Development of Magnetic Levitation Transportation Systems. Authorizes a total of $40 million for MAGLEV deployment and earmarks 50 percent of the funding made available each year for a MAGLEV project between Las Vegas and Primm, Nevada, and 50 percent for a project east of the Mississippi River.

- So we are going to have $40 million for MAGLEV deployment and half of it goes to Nevada and half of it goes for a project east of the Mississippi River.

- Project Authorizations, this section contains fund 5,172 projects, totaling $14.8 billion.

Here is my favorite so far: $2,320,000 to add landscaping enhancements along—get this—the Ronald Reagan Freeway. I wonder what Ronald Reagan would say: $2,320,000.

In my youth, I have watched Ronald Reagan deride this kind of activity on the part of Congress. He used to get a pretty good response.

$800,000 to rehabilitate a historic warehouse on the Erie Canal in the town of Lyons, New York.

A historic warehouse. I hope we all have a chance to visit it sometime.

$600,000 for High Knob Horse Trails, constructed of horse trails and associated facilities in High Knob area of the Jefferson National Forest in Virginia.

$2,560,000 for the Daniel Boone Wilderness Trail in Virginia. These funds would be used for acquiring the site; designing and constructing an interpretive center, and for the enhancement of the trail corridor.

$120,000 for the Town of St. Paul—restoration of Hillman House to serve as a trail information center.

$900,000 to rehabilitate and redesign Erie Canal Museum in Syracuse, New York.

$2,400,000 for the National Infantry Museum Transportation Network in Georgia.

$900,000 for transportation enhancements to the Children’s Museum of Los Angeles.

$1,200,000 for the Rocky Knob Heritage Center in Virginia.

$1,600,000 for the Blue Ridge Music Center in Virginia.

So we can listen to music as we are travelling on the highways.

$300,000 for the deer avoidance system to deter deer from milepost markers in Pennsylvania and New York.

$1,280,000 for the Cultural and Interpretive Center in Richland, WA.

$1,200,000 for the planning and engineering of the American Road, the Henry Ford Museum, Dearborn, MI.

$1 million for the Oswego, NY pedestrian walkway.

$400,000 for the Uptown Jogging, Bicycle, Trolley Trail in Columbus, GA.

$2 million for Ketchikan, AK, to improve marine drydock facilities.

$3 million for dust control mitigation on rural roads in Arkansas.

Dust control mitigation on rural roads. Good luck.

$850,000 for the Red River National Wildlife Refuge Visitor Center in Louisiana.

$5 million for the Grant Tower reconfiguration in Salt Lake City, UT.

I guess we don’t know what the problem with the present configuration of the Grant Tower is in Salt Lake City. Construction of ferry boats and ferry terminal facilities, which would set aside $20 million for the construction of ferry terminal facilities and ferry terminal facilities and guess what, of this amount $10 million would be earmarked for, guess where, Alaska. And $5 million would be earmarked for New Jersey. Way to go, New Jersey. And $5 million would be earmarked for Washington.

It authorizes such sums as may be necessary for 465 earmarked projects totaling $2,602,000,000, and the big winners are Alaska, Colorado, Georgia, Iowa, Michigan, Missouri, Montana, New Mexico, Oregon, Pennsylvania, and Vermont.

- Going-To-The-Sun Road in Glacier National Park in Montana. Authorizes the Government to compensate TDX with $4 million tax free.

- Why? Again, what in the world does this have to do with highways? And why should we be bailing out corporations using court orders? Why? It is only $4 million. We are talking about $230-some billion. But this is a bail out for Hawaii and a tax-free gift to Alaska.

- Conferees also have tax cuts. Do you know in this bill we have tax cuts, repeal of special occupational taxes on producers and marketers of alcoholic beverages? We don’t want people to drink and drive on highways, so I guess there is some connection to the highway bill, repeal their alcohol taxes.

- There are income tax credits for distilled spirits wholesalers. Income tax credits for distilled spirits wholesalers in a highway bill.

- Caps on excise tax on certain fishing equipment. I guess you have to drive on a highway to go fishing. Maybe that is it.

- There are tax breaks for luxury transportation. We don’t want to leave our big donors out of this bill. Tax breaks for luxury transportation, exemption from taxes on transportation provided by seaplanes and certain sightseeing flights. I guess you could land a seaplane on a highway—although that is hard, as an old pilot, I have to say. Exemption on taxes on transportation provided by seaplanes and certain sightseeing flights.
$50 million for a project to be 100 percent federally funded to reconstruct a road in Glacier National Park. I am sure no one else with a national park in their State has need for roads that would outdo this one.

Bear Tooth Highway in Montana. Upon request by the State of Montana, the Secretary shall obligate such sums as necessary to reconstruct the Bear Tooth Highway. I think this might fit nicely into the $3 million we provided a few years ago on another appropriation bill to study the DNA of bears in Montana so they could use the Bear Tooth Highway.

The Great Lakes ITS implementation: $9 million to continue ITS activities in the Milwaukee, Chicago, and Gary, IN, area.

There is a lot more.

The Knik Arm Bridge funding clarification: Directs the DOT to provide all funds earmarked for the Knik Arm Bridge to provide the Knik Arm Bridge and Toll Authority, $229.45 million. The Knik Arm Bridge, a name that is hard to pronounce, I admit, will be renamed Don Young’s Way.

Another section in the legislation: Traffic circle construction, Clarendon, VT—$1 million for the State of Vermont to plan and complete construction of a traffic circle at a specified location.

Three million dollars—$3 million—to fund the production of a documentary—get this: $3 million to fund the production of a documentary about infrastructure that demonstrates advancements in Alaska, the last frontier.

Statewide transportation funding. This section would fund ferry projects, including $25 million for projects in Alaska and Hawaii, and extension projects utilizing ferry boats, ferry boat terminals, or approaches to ferry boat terminals; $2.5 million for the San Francisco Water Transit Authority; $2.5 million for the Massachusetts Bay Transportation Authority Ferry System; $1 million for the Governor’s Island New York ferry system, and $1 million for the Philadelphia Penn’s Landing ferry terminal.

The Department of Transportation is going to provide grants to the Oklahoma Transportation Center to study motorcycle accident investigation methodology, $1,408,000. And then, of course, $1 million for fiscal years 2006 and 2007 for a wood composite products demonstration project at the University of Maine.

Well, anyway, that is how we are doing the grand plan, and I would point out to my colleagues there are, according to the information I have, 30 donor States that are losers and there are 20 States that are winners. Some States have as much as 526 percent return on every dollar that is sent to Washington, and others have as low as 92 percent. Some have 206 percent, 218 percent, 207 percent, 227 percent.

I ask unanimous consent that this chart be printed in the RECORD. I think my colleagues would be interested to see how they came out on this.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
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<tr>
<th>State</th>
<th>Average Annual Funding</th>
<th>Rate of Return</th>
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</thead>
<tbody>
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<td>Alabama</td>
<td>558,328,105</td>
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<td>Alaska</td>
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<tr>
<td>Connecticut</td>
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<td>Minnesota</td>
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<td>Nevada</td>
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<td>New Hampshire</td>
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<td>New Jersey</td>
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<td>New Mexico</td>
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<td>Ohio</td>
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<td>South Carolina</td>
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<td>South Dakota</td>
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<tr>
<td>Tennessee</td>
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<td>Texas</td>
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<tr>
<td>Utah</td>
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<td>Vermont</td>
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<td>Virginia</td>
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<tr>
<td>Washington</td>
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<tr>
<td>West Virginia</td>
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<tr>
<td>Wisconsin</td>
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</tr>
<tr>
<td>Wyoming</td>
<td>191,521,337</td>
<td>103.67%</td>
</tr>
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All States: 27,923,20,971 36,390,600,000 8,657,179,030 11.32% 100.00% 100.00% 100.00% 100.00% 100.00%
Mr. MCCAIN. What is so harmful in this is, because I happen to represent, as do some other Senators, fast-growing States, it is the rapidly growing States that are penalized the most here: Arizona, California, Colorado, Florida, Georgia, and many other States the ones that are receiving the smallest amounts of money, and it is obviously very unfair. I think we all know what the answer is. Let the States keep the dollars they collect in the form of taxes and spend it within their own State. I think the answer is that simple.

This is how this Congress administers the money of the American people. Mr. President, I refer you President Eisenhower’s “Grand Plan” was being formulated, the country focused on building a unified transportation system to improve the safety, security, and economy of our Nation as a whole. Now, Congress circles transportation funds like sharks. Instead of serving the public good, this Congress slices and dices the Treasury’s money to fill up the pork barrel. And we do so with grand speeches and lofty language.

We live in the Era of the Earmark. Mr. President. In 1982, the transportation bill included 19 earmarks costing $396 million. In 1987, the bill included 152 earmarks, with a cost of $1.4 billion. By 1991, the bill included 538 earmarks—costing taxpayers over $6 billion. Our most recent transportation bill, TEA-21, included 1,850 earmarks with a price tag of more than $9 billion. The legislation report states on today's numbers those I am told that SAFETEA-LU includes over 6,300 earmarked projects totaling over $20 billion.

Some Members of Congress may be happy to associate their names with this legislation—the chairman of the House Transportation and Infrastructure Committee for example has made sure that this legislation renames the Knick Ann Bridge in Alaska Don Young's Way. The Knick Ann Bridge would now receive more than $220 million. I want no part of this, Mr. President. This legislation is not—I emphasize not—my way of legislating.

And I’m sure that if we had adequate time to review this conference report we would find more pork and more inappropriate provisions. But of course, we will once again go through this process too quickly for a proper evaluation. This legislation report is over 2,000 pages long—and over six and one-half inches high—and yet we’ve had less than a day to review it. And that doesn’t even include the statement of managers, which sits in a box in the cloakroom, making it difficult for any member to read.

Fiscal prudence is crucial. But even if the conference had excluded pork from this legislation, that alone would not make it adequate. Equity is also essential, and unfortunately—the conference report that is before us still retains a grossly unfair feature of past legislation.

This conference report perpetuates the historical discrepancy between donor States and donee States. Remarkably, not only does the bill continue this disparity, it actually exacerbates it. Whereas the bill that was approved by the Senate in 2007 would have increased, at least theoretically, every State’s rate of return to 95 percent in the final year of the bill—2009—the substitute amendment before the Senate only promises a rate of return of 92 percent in 2009 for those States.

Until then, many States will linger at a rate of return of 90.5 percent in the first year and less than 92 percent thereafter while others receive more— in some cases much more—than what they contribute to the Highway Trust Fund.

If that weren’t enough, this year’s bill would actually propose to create further disparities between States. Though “Equity” is in the title of the legislation, the higher the rate, the stronger the bias against the donor States.

As if that weren’t enough, this year’s bill would actually propose to create further disparities between States. Though “Equity” is in the title of the legislation, the higher the rate, the stronger the bias against the donor States.

Mr. President, I fully recognize that during the years when the Federal Government was building the Interstate system, a redistribution of funding between the States may have made sense. Clearly, it would have been very difficult for the State of Montana, for example, with fewer than a million people, to pay the full cost of building its share of the Interstate system. But, Mr. President, that era is over. Congress declared the construction of the Interstate system complete in 1991. Yet here we are, almost 15 years later, and donor States are still expected to agree to the redistribution of hundreds of millions of dollars to other States regardless of the already enormous transportation needs of donor States.

That’s not where this story ends, though. The rate of return formula is based on the authorized funds that are “below the line”—that is, that count towards the calculation of the rate of return. There is a significant amount of funds that is “above the line.” These funds are not counted in the rate of return calculation. It is above the line that matters for Alaska. For example, $100 million is earmarked for the Alaska Way Viaduct and Seawall Replacement project above the line. This means that Alaska’s rate of return significantly understates the amount of Federal funding that Alaska receives under this legislation. The race for pork that takes place above the line also explains why some States that are nominally donor States might be happier with this legislation than one would expect. For example, California will receive over $2 billion in funding for earmarked projects above the line—that’s well over the average state funding that California receives below the line.

In closing, I note that the conference report exceeds the funding level requested by the President of $284 billion by over $2 billion. I am sorry. I would likely to yield 2 minutes of time and yield back the rest of my time after yielding 2 minutes to the Senator from Arizona.

Mr. KYL. I thank you, Madam President. I thank my colleagues. I know that the chairman of the committee is anxious to conclude the legislation so I will be brief.

I simply reiterate the point that I hope colleagues sincerely consider the points made by the senior Senator from Arizona—not meant to embarrass but if we do not then we will better fund our transportation needs in the country. We are all pretty bright and pretty good on identifying what is necessary, but far better it would be, as he pointed out, to let the States keep the money raised in the States and for them to decide how best to use the money in their own States. It would be much more fair than taxing some States and giving it to residents of other States. Even for the donor States such as ours, instead of having to receive only 100 percent of the targeted amount that was provided in the bill in the first year, some are lucky if they get there at the very end of the period of time. There needs to be a fix to this problem sooner or later. I hope my colleagues again will sincerely consider the remarks of those who regretfully are required to vote against this legislation because of its unfairness and because of the way taxpayer dollars are used for projects, some of which do not even relate to highways or to transportation.

Madam President, I yield the floor.
It is my understanding that steel grid reinforced concrete decking has significant technological benefits and the ability to accomplish the goals of bridge and highway officials across the Nation. Among the many benefits of this type of bridge deck system is its long service life, rapid and/or staged installation, and reduced maintenance costs and closures. Unfortunately, this type of bridge deck system is underused because of the larger initial costs incurred. I regret that the benefits of this technology would be noted in the conference report of SAFETEA-LU. While it was my understanding that efforts were made by the distinguished chairman to incorporate language regarding this technology into this important piece of legislation, the issue of steel grid reinforced concrete decking was not directly addressed in the conference report. Accordingly, I would like to ask the chairman whether he agrees with me on the potential of steel grid reinforced concrete decking.

Mr. INHOFE. Mr. President, I thank the Senator from Pennsylvania for his persistence in advocating on behalf of steel grid reinforced concrete decking as a way of modernizing and strengthening our Nation’s bridges. Be assured that it was my intention to assist this technology gain greater prominence among transportation officials at the national, State, and local level. I understood my good friend from Pennsylvania’s enthusiasm for this technology and desire to expand its use. I look forward to working with Senator SANTORUM to educate our colleagues and transportation officials about the vast benefits of this technology.

Mr. CONRAD. Mr. President, I would like to engage my friend from Iowa, the chairman of the Finance Committee, as well as my friend Senator BAUCUS, the ranking member of the Finance Committee, to educate our colleagues and transportation officials about the vast benefits of this technology.

Mr. BAUCUS. Mr. President, I rise in strong support of the transportation reauthorization bill. This bill is long overdue and will provide Colorado and other Federal transportation reauthorization to improve our transportation infrastructure.

Mr. SALAZAR. Mr. President, I rise in strong support of the transportation reauthorization bill. This bill is long overdue and will provide Colorado and other Federal transportation reauthorization to improve our transportation infrastructure.

I regret that this bill could not do more to correct the fundamental injustice that States like Colorado—a donor State—for years under our highway funding system.

Nonetheless, Colorado does get much-needed relief in this bill. It will receive a 46.7 percent increase over the last time this bill was reauthorized. That’s the largest percentage increase under this bill and more than any other State. That is $156 million more over the life of the bill than we received under the previous transportation bill, TEA-21.

This increase in transportation funding to Colorado will help ensure that the highest level of our transportation infrastructure is maintained. Having a first-class transportation system is critical to Colorado. Transportation infrastructure is critical to the health and vitality of our State, from the Eastern Plains to the West Slope, and from Weld County to Conejos County. Coloradans depend on safe and well-funded highways.

Recognizing Colorado’s varied needs, I worked hard with the Colorado Department of Transportation and with counties and municipalities across the state to ensure these precious tax dollars will be well spent. I am especially happy with our efforts to secure authorizations for the following highway projects:

- I-70/Havana/Yosemite; Wadsworth and U.S. 36 Broomfield interchange; Wadsworth Bypass, Grandview Grade Separation; U.S. 287 Ports to Plains Corridor; SH99 Corridor; SH38 interchange; improvements to Powers Blvd. and Woodman Rd. interchange; improvements to I-25, Douglas, Arapahoe County line to El Paso; improvements to U.S. 36; improvements to U.S. 24—Tennessee Pass; improvements to Bromley Lane and U.S. 85 interchange; improvements to 104th and U.S. 85 interchange; improvements to 255, Douglas, Arapahoe County line to El Paso; improvements to U.S. 36; improvements to U.S. 24—Tennessee Pass; improvements to Bromley Lane and U.S. 85 interchange; improvements to 104th and U.S. 85 interchange; improvements to I-25 North, Denver to Ft. Collins; improvements to I-70 East multimodal corridor; improvements to Parker and Arapahoe Rd. interchange; improvements to I-215, Parker Road to I-70; improvements to I-70 West Mountain Corridor, Denver to Garfield; improvements to I-70—Northeast Gateway; improvements to C470 and U.S. 85 Interchange; improvements to Wadsworth and Bowles intersection; improvements to U.S. 100, Wolf Creek Pass; Fort Carson I-25 and Highway 16 interchange; U.S. 50 East Pueblo to Kansas border; Heartland Expressway improvements; I-25 Front Range; I-25 improvements; Pueblo Dixon Drive at I-25 overpass and ramp; Denver Union Station Interchange; improvements to 56th and Quebec Street; U.S. 550 New Mexico State Line to Durango; SH 121 Bowles Ave. intersection and Ridgeview; improvements, Jefferson County, CO; construction of McCaslin Blvd., U.S. 36 interchange in Superior; I-70 East Multimodal Corridor to Denver; I-25 Front Range; I-25 improvements; Arapahoe County interchange to SH44 from CO Boulevard; improvements to SH550 btw Grand Avenue, N/S of city; improvements on U.S. 36 corridor from I-25 to Boulder.

Earlier this month I met with community leaders in Colorado Springs to discuss their efforts to prepare for the influx of troops and their families associated with BRAC changes and the redeployment of the Army’s 4th Infantry Division to Fort Carson. Community leaders were unified in their desire to see improvements and upgrades of the interchange of I-25 and Highway 16 at Fort Carson. The upgrade of this interchange is of vital importance to ensure that traffic flows freely into Fort Carson along I-25.

I am pleased that we were able to secure $5 million for that project, and that my Colorado colleague Senator ALLARD was able to secure an additional $3 million for that project. Unfortunately, the sale of the transportation bill being passed today did not include the correct highway number for this project. The report wrongly lists Highway 12, rather than rightly listing highway 16. I will seek a correction of this in the technical corrections bill later this year.

This is an important bill, and I am happy to support it.

Mr. OBAMA. Mr. President, I am pleased that the conference report on H.R. 3, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, protects an important program administered by the Department of Transportation the Disadvantaged Business Enterprise Program, also known as DBE Program.

The DBE Program ensures that small businesses owned and controlled by socially and economically disadvantaged individuals are able to compete on a level playing field for federally funded highway and transit contracts.

I strongly endorse the DBE Program and am pleased that this program continues to enjoy bipartisan support.

Since the DBE Program was started in 1982, the field of highway contracting has grown more racially diverse. The DBE Program was expanded to include women in 1987, and that improvement to the program has opened the doors for women contractors to join what has traditionally been an all-male field. Despite the increased fairness and greater opportunity for minority and women contractors since the inception of DBE, there continues to be a strong need for the DBE Program.

Unfortunately, studies have shown that when DBE Programs end, many contractors have grown more racially diverse. The DBE Program was expanded to include women in 1987, and that improvement to the program has opened the doors for women contractors to join what has traditionally been an all-male field. Despite the increased fairness and greater opportunity for minority and women contractors since the inception of DBE, there continues to be a strong need for the DBE Program.

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that the DBE Program is still needed to secure the gains made and encour-
age even greater opportunity for these small businesses, and I am pleased that the conferees have recognized that continuing need and have retained this program.

Federally funded highway and transit contracts are big business, and it is imperative that we give everyone the big guys and the little guys a fair opportu-
nity to take part. The DBE is vital to increasing participation in our fed-
erally funded projects.

Ms. MIKULSKI. Mr. President, I rise in support of final passage of the trans-
portation reauthorization bill. The road to final passage has been long and brutal, but I am pleased that we have finally reached this point. This is a good bill for Maryland and a good bill for our Nation.

The State of Maryland is the fifth most densely populated State in the Nation. Our highways and byways serve as the arteries for more than 54 billion vehicle miles of travel annually. Maryland has the second largest urban interstate traffic density and the sixth largest percent-
age of roads in urban areas in the United States. As part of the Northeast corridor, Maryland experiences an extremely high volume of through traffic, especially on roadways such as I-95. Maryland is also one of the few States in the Nation with two major metro-
politan areas, Washington, D.C. and Baltimore, and two major beltways with some of the highest traffic volumes in the country, within 30 miles of each other. In the Washington metropolitan area, we have the third longest average commute time in the Nation.

This bill will provide much needed relief to the stresses that our com-
muters experience every day by mak-
ing critical investments to highway safety and expansion, improvements to our Metro system, and expansion of our transit system.

Maryland will receive more funding for highways and mass transit under this bill than it does now. For high-
ways, Maryland can expect to receive $1.4 billion more per year in Federal highway formula money, more than $500 million. This means critical funding to improve the capacity of the Washington Metro and expand and build capacity for transit systems throughout Maryland.

In closing, I would like to thank my colleague, Senator SARRANES, for all of his hard work on this bill, particularly for his steadfast dedication to the trans-
it needs of Maryland and our Nation. Thanks to his efforts, this bill provides essential support to State and local governments to secure greater access to safe and reliable transit services.

Mr. PRYOR. Mr. President, I rise in support of the highway bill conference report. This legislation is 2 years over-
due, and I am pleased that we are fi-
ally completing this very critical piece of legislation.

I would like to thank Senators INHOFE, BOND, JEFFORDS, BAUCUS, and their staffs, for their unflagging work on this bill and commend them for the bi-
 partisan way in which they have pro-
duced this bill.

I would also like to thank Senator LOTT and Senator INOUYE, the chair-
man and co-chairman of the Commerce Subcommittees on Surface Transpor-
tation and Merchant Marine, for their work on the safety portions of this bill, as well as Senator STEVENS, the chair of the full Commerce Committee. I was proud to have worked on these very im-
portant motor carrier and passenger safety provisions.

I have addressed this body before with my concerns about the need for a high-
way bill. In America over one-third of our major roads have both deteriorating and congested. In Arkansas, 47 percent of our roads are in poor or mediocre con-
dition—almost half. Additionally, over one in four bridges are structurally de-
ficient or functionally obsolete.

The U.S. Department of Transpor-
tation estimates that close to 42,800 persons died in car crashes in 2004. Over 2,000 Arkansans have died on our high-
ways over the past several years. Too many families die on our highways—
plain and simple.

The amount of freight expected to travel on our Nation's highways over the next 20 years is expected to double. Not only do we need to improve the ex-
isting system, we need to increase the capacity of the system.

This bill would decrease congestion on American roads and enable busi-
nesses to transport their materials across the United States safely. It would also spur economic development and create many jobs for hard-working Americans.

The U.S. Department of Transpor-
tation estimates that for every $1 bil-
on of investment in our highways, we create 47,500 jobs annually. This bill provides a record amount of invest-
ment in our Nation's highways and interstates, over $236 billion.

But we still have much work to do. We must continue to make invest-
ments in infrastructure, and we must work toward finding creative solutions to our transportation problems. After all, good schools, good health care, and good jobs don't mean much if you can't get there.

I am pleased this bill provides fund-
ing increases that could be used to make substantial progress on impor-
tant economic development projects in my State and around the country. With passage of this bill, Arkansas would be able to make progress on many critical projects such as the Northeast Arkan-
sas Connector, the Caraway Bridge Overpass, the Interstate 430/630 Inter-
change Modification, the Perry Road Overpass, and the Hot Springs East-
West Arterial, just to name a few. These projects will greatly enhance the capacity and safety of Arkansas road-
ways.

This bill also enables Arkansas to make significant progress on our two lane corridors I-49 and I-69, that, if completed, would help generate eco-

This is a wise investment that will pay for itself by fostering interstate commerce, bolstering tourism, and creating jobs.

Mr. President, this is a good bill. It is a long overdue bill. It is a bipartisan bill. My constituents support it, I sup-
port it, and I urge my colleagues to support it.

Mr. President, I yield the floor.

Mrs. BOXER. Mr. President, today we are passing a significant bill for the people of this country. It will create hundred of thousands of jobs, help reduce congestion on our highways. It will move goods more efficiently. And it will improve local transit systems.

I was pleased to have been a part of putting this bill together as a member of the Environment and Public Works Committee and as a conferee on this legislation.

This is a good bill for the State of California. In total, California will re-
ceive $21.6 billion in highway and trans-
portation funding over the next 5 years. That is an average of $1.175 billion more per year for California than the last high-
way bill in 1998. And it will create an estimated 800,000 jobs in my State.

When I arrived in the Senate in 1993, California was getting about 83 cents on the dollar in highway funds. I am pleased to report that with this bill California's rate of return will reach 92 percent. Not what it should be—but a significant improvement.

The bill also includes over $1 billion in special projects for California, in-
cluding over $130 million for the I-405 HOV lanes in the Los Angeles area and $38 million for the Golden Gate bridge seismic retrofit—an extremely impor-
tant project in helping to preserve one of America's landmarks.

Let me tell you why increased fund-

According to the Texas Transpor-
tation Institute, Los Angeles and the San Francisco-Oakland region are ranked No. 1 and 2 for the worst road-
way congestion in this country. Cali-
ifornia has two more cities in the top five, with San Jose ranked fourth and
San Diego ranked fifth. The inland empire of San Bernardino and Riverside Counties is ranked 12th and Sacramento is ranked 13th.

What does this congestion translate to? Delays—in the Los Angeles area, 136 hours per year, or an average per driver, in peak hours. Drivers in the San Francisco and Oakland area experience 92 hours of delays, and San Jose drivers endure 74 hours of delays. Inland empire drivers are delayed 64 hours, and San Diego drivers are delayed 51 hours a year. This is time people could spend with their families, reading a book, or any number of other things; instead, they are stuck in traffic.

Congestion will not get better over time. California's population is expected to increase from 35 million people today to 50 million people by 2020. We need to make significant improvements in our transportation system. This bill will help fund the roads that will help ease congestion.

And we will also fund transit systems that will enable more people to get off the roads and onto buses, trains, and subways.

Transit ridership is up growing rapidly in California. The number of miles traveled per transit passenger grew by 20 percent between 1997 and 2001. The number of annual passenger trips was up 14 percent. In the San Francisco Bay Bridge corridor, 38 percent of all trips are on transit. And 30 percent of all trips into central Los Angeles are on transit.

This is why I am pleased that California will receive $4.6 billion in guaranteed transit funding over the next 5 years.

To mention a few specific examples of projects in California, this bill funds the Metro Gold Line eastside extension in Los Angeles, the Mission Valley east extension in San Diego, the Muni Third Street light rail in San Francisco, and the South Davis light rail extension in Sacramento.

Another issue that I spent a lot of time working on involves grade crossings. Over 40 percent of all the Nation’s imported goods come through California ports. The majority enter through the ports of LA and Long Beach. Many of the goods are then put on trains, leave Los Angeles, and travel through Riverside and San Bernardino Counties. This causes terrible local congestion.

To help that problem, this bill funds over $150 million for the Alameda corridor east for grade separations.

In addition to congestion, grade crossings create significant safety problems. This bill includes my provision for a study of grade crossing safety. The study would direct the Secretary of Transportation, in consultation with State and local government officials, to conduct a study of the impact of grade crossings both on accidents and on the ability of emergency responders to perform public safety and security duties. This would include the ability of police, fire, ambulances, and other emergency vehicles to cross the railroad tracks during emergencies.

Finally, this legislation recognizes that we can both improve our transportation system and improve our environment at the same time.

For example, the legislation includes provisions to ensure that fuel-efficient hybrid cars can be allowed on HOV lanes. This will provide incentives for people to purchase fuel-efficient vehicles, and will allow the State of California to implement a law passed last year.

In addition, this bill promotes bike and pedestrian paths. Funding is provided for the Virginia Corridor Rails to Trails plan, which will convert a Union Pacific railroad right of way into a bicycle and pedestrian trail in Modesto. Also, Marin County will receive $25 million to develop a network of bike and pedestrian paths.

This bill has been several years in the making. It has been the subject of intense and constant negotiation. But in the end, I am glad I had the opportunity to help craft a bill that will do so much to improve the lives of Californians, create so many jobs in California, and make such significant improvements to our transportation system.

I encourage all of my colleagues to support the bill.

Mrs. MURRAY. Mr. President, I would like to briefly explain the scope of the Transit New Start project listed in Senate Amendment No. 364, subsection (b), line 136: 'Green Line Extensions.' The project authorization does not authorize any Federal funding for the 14-mile Green Line approved by Seattle voters in November 2002. The 14-mile Green Line was approved by voters using entirely local funds. The authorization in this bill is for a possible second monorail line or an extension of the Green Line following construction of the 14-mile line.

Mr. KOHL. Mr. President, I proudly rise in support of the transportation bill that Congress passed today. It has been 3 years in the making, and I must admit there were times when I thought this moment would never come.

I could not be more pleased to vote for this transportation bill. When the Senate passed this legislation in May, I feared that Wisconsin would suffer under an unfair, 5-year bill. Today, Congress passed legislation that is significantly different. This legislation treats my State equitably. Over the next five years, Wisconsin will receive an average rate of return of $1.06. Wisconsin taxpayers are getting their fair share under this bill, and that deserves everyone's support.

The Wisconsin delegation has worked tirelessly on improving this legislation over the past 3 years. I would especially like to thank Congressman PETRU, whose efforts as chairman of the Subcommittee on Highways, Transit and Airports helped ensure the fair treatment of Wisconsin. Throughout the process, Congressman PETRU worked with others in the delegation, and this bill is truly the result of bipartisan cooperation. I would also like to thank the members of the Environment and Public Works Committee: Chairman INHOFE and Ranking Member Jeffords, along with Senators BOND and Bayh. They all worked hard to ensure that the needs of all fifty States were met.

Three years in the making and this legislation is long overdue. This bill will mitigate the congestion that clogs our roadways, and it will enhance safety on our highways too.

It provides needed funding for such critical projects as the Marquette Interchange, the St. Croix River Crossing and the Sturgeon Bay Bridge. Commuters and visitors alike will see a direct benefit from this legislation, in addition to the thousands of jobs that the funding in this bill will create.

For 3 years, I have been consistent in my request for Congress to complete an equitable transportation authorization bill. I am proud to join my colleagues in supporting exactly that.
that it is appropriate in this country to set national goals for what we will do to try to break down the walls of discrimination, the barriers against equal opportunity, in order to give people an opportunity to share in the full breadth of the economic life of our Nation. The goal for each agency, including the Department of Transportation, is negotiated on an annual basis, allowing the flexibility that is so desired.

In addition, the DBE Program is very flexible. It allows each State to respond to local conditions. In the implementation of the DBE Program, the Secretary of Transportation has the authority to increase, decrease or even waive the DBE goal where it is not possible to achieve the goal in a particular contract or for a given year.

Many opponents to this and other programs aimed at offering assistance to disadvantaged business owners often argue that it is inconsistent with the Supreme Court's decision in Adarand v. Pena which required that affirmative actions programs, such as this one, be "narrowly tailored" to serve the Government's "compelling interest." It is clear that rectifying past discrimination is a compelling Government interest. And, I believe that the flexibility I described above demonstrates that program is narrowly tailored to achieve that interest. In fact, it has been upheld by every court that has reviewed it.

It is the duty of Congress to use whatever means available to this body to enhance competition on federally funded projects by promoting equal opportunity and the full participation of all segments of the community in a marketplace environment that is free from the effects of past or present discrimination. The reality is that those effects, those inequalities and those injustices still exist. Justice Sandra day O'Connor, who joined the Supreme Court's majority opinion in the Adarand decision, stated, "the unhappy persistence of both the practice and the lingering effects of racial discrimination against minority groups in this country is an unfortunate reality, and government is not disqualified from acting in response to it."

Many of the firms that have been able to use the program, the women-owned firms or minority-owned businesses, would have been excluded from doing so altogether were it not for the DBE Program. Arguments against these programs often point to the possibility of firms being excluded for other reasons such as size, experience or specific qualifications necessary. However, the reality in America's history is that the individuals running these disadvantaged firms often do not meet these standards because they were prevented from doing so by a lack of access to capital, training, or the influence of prominent Government policies. As the Congress, and this body in particular, has upheld in numerous debates, the Federal Government has an affirmative obligation, both a statutory one and a moral one, to do something very specific to respond to that kind of discrimination.

Mr. President, time has shown that the DBE Program meets the test of a program that has a rational, national compelling interest. I am happy to reiterate my support for this essential program that has served an enormous benefit to countless minority and women-owned businesses in the country. Thank you, Mr. President.

Mr. KYL. Mr. President, I understand the need for a good highway and transit bill.

As debate on this bill has dragged on over the last year and a half, I have heard from many Arizonans in industry, as well as users of our surface transportation system detailing the pressing needs in our state.

But through it all, I have expressed concern that the reauthorization legislation that has been brought before this Chamber has had certain fundamental deficiencies.

The conference report before us today preserves two of the most objectionable defects: a grossly unfair formula for apportioning highway funds among the States and a staggering quantity of pork-barrel earmarks.

It is simply impossible to explain to my constituents why more than 9.5 cents out of every dollar in gas taxes they pay at the pump goes to subsidize road construction in other States.

And while it is true that this conference report makes the barest progress toward equity by ensuring that rate of return to high-growth States like Arizona will inch up to 92 cents on the dollar, I believe that much more progress could have been attained given that this bill spends some 30 percent more than its predecessor.

This conference report preserves Arizona's rock-bottom standing in the donor/done sweepstakes.

And it does so in a way that adds insult to injury, for even as Arizona and other high-growth states continue to heavily subsidize the others, and are only moved up to the higher rate of return in the bill's fourth year, others are raised up immediately.

Even as the sponsors of this legislation consistently ignored the express intent to which Arizona highway users will be compelled to subsidize those in other States, but they ensured that their own apportionments were promptly and generously supplemented.

I must also object to the out-of-control earmarking in this conference report.

Earmarking is, of course, the insertion into the bill of projects selected not through a merit-based process, but through the influence of Members.

Consider: The 1982 highway bill contained 10 such projects. The 1991 bill had 538. The 1998 bill had 1,800. This bill has somewhere in the neighborhood of 6,000. The list alone goes on for 250 pages.

Among those listed is the notorious "Bridge to Nowhere," the 200 foot high $223 million bridge connecting Ketchikan, Alaska, to an island of 50 people and is currently accessible to the mainland by a 10 minute ferry ride.

I hope that between now and the next time Congress takes up a highway bill, we will take a serious look at the flawed process that permits the diversion of funds from fast-growing States, as well as at the unsustainable rate at which earmarking has been proliferating.

But for now I can only note my disappointment in what we have produced, a bill the Wall Street Journal today describes as a monument to "extravagance"—and vote against this conference report.

I ask unanimous consent that the article from the Wall Street Journal be printed in the RECORD.

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

[From the Wall Street Journal, July 29, 2005]

CAPITO&HILL BLOWOUT
HIGHWAYS, BIKE PATHS, ETHANOL, "BIOMASS"—
CONGRESS THROWS A SPENDING PARTY

President Bush had to twist a lot of arms to squeak his Central American Free Trade Agreement through Congress, but Republicans are about to make sure he pays for a whole lot more than their chiropractor bills. Having sacrificed to support free trade, these Members prepared for the August recess by throwing themselves a giant spending party.

Speaker Dennis Hastert had barely waited for dawn to break after the midnight Cafta vote before he directed the House to pass a $286.4 billion highway bill. He expects Mr. Bush to sign this because it is "only" $2.4 billion more than the President's 2005 veto limit, which is "only" $28 billion more than his 2004 veto limit of $258 billion, which was "only" a 17% increase over the previous six-year highway spending level. "Only" in Washington could spending so much money be considered an act of fiscal discipline.

"The bill is all about self-promotion," declared Mr. Hastert, and he's right if he's referring to the Members' re-election prospects. The House version alone contained 3,700 special earmarks, doled out liberally across state and party lines.

Democrat Jim Clyburn retained another $25 million for his famous "Bridge to Nowhere," a project in rural South Carolina that has already sucked up $34 million in federal funds. The California delegation secured $2.5 billion for freeway landscaping. And ranking Transportation Committee Democrat James Oberstar snatched more than $4 million for Duluth, Minnesota, including $3.2 million for an extension of the longest paved recreational path in the nation.

Next to this highway extravagance, the energy bill seems almost a bargain at an estimated $66 billion or so. Minor highlights here include the repeal of a Depression-era law (Puhca) that will damage the country's high-tech industry; new reliability standards for the national power grid; more federal authority to settle siting disputes over nuclear power; new incentives for offshore oil and gas resources that may someday encourage more exploration.
We can also say this for the bill: It doesn’t pick energy winners or losers. Everyone who produces so much as a kilowatt hour is a winner in this subsidy-feast of tax credits and new and uniquely determined grants for forest biomass, $100 million for hydroelectric production, and $1.8 billion for “clean coal.” There are subsidies for wind, solar, nuclear and (despite $0 oil) even for oil and gas.

Most egregious is the giant transfer of wealth from car drivers to Midwestern corn farmers (and Archer-Daniels-Midland) via a new 7.5-billion-gallon-a-year ethanol mandate, which will raise gas prices by as much as a penny a gallon in the East and coastal states. Oh, and don’t forget the $15 billion (a 155% increase) in federal home heating subsidies. $100 million for “fuel cell” school buses, and $6 million for a government program to encourage people to ride their bikes—presumably among Mr. Oberstar’s newly paved trail.

All of this points up the bill’s underlying mortal failing, which is that it abandons the lesson of the 1980s that the best way to ensure abundant energy supplies is to let the price mechanism determine how much we produce. At least the House conferees dropped a Senate provision that would have mandated that 10% of all electricity come from “renewable” sources by 2020. The supply is simply and demand. Although in return for killing this, the House had to drop its liability protection for producers of MTBE, a gas additive that Congress mandated in 1990 but now wants to feed to the trial bar.

It’s too much to hope that Mr. Bush will target one of these fiascoes with his first veto; any chance of a highway veto vanished when Mr. Hastert scheduled the bill immediately after Cafta. At least the Members are leaving town for August; too bad they plan to come back.

Mr. REED. Mr. President, I rise in strong support of the conference report on H.R. 3, which will reauthorize our Nation’s surface transportation laws and provided significant and needed resources to maintain and improve our nation’s roads, bridges, and transit systems.

For Rhode Island, this legislation is welcome news and will bring tremendous resources to address a number of high-traffic highway and transit projects.

This conference report is the product of hard work and bipartisan cooperation, and I was pleased and proud to be named as a conferee on the transit title of this conference report. I believe the transit title of this bill continues the trend of TEA-21 of investing more in transit systems to the benefit of our economy and our environment.

I would like to thank Chairman SHELBY and Sherry Little, Rich Steinman, and John East of his staff for their hard work and bipartisan spirit. I also want to commend my ranking member, Senator SARBANES, who has fought for transit since the first day he took office, as well as his staff, Sarah Kline and Aaron Klein, for their tireless work in helping my office and others.

Lastly, I want to thank my sub-committee chairman, Senator ALLARD, and his able staff, Tewana Wilkerson, for their ongoing efforts to balance the needs of old and new transit systems.

Mr. LEVIN. Mr. President, for over 2 years Congress has been trying to reauthorize the Federal surface transportation and safety programs that to keep commerce and traffic flowing smoothly across our Nation. The reauthorization bill is long overdue and I am pleased Congress will finally complete this process today. Funding for programs such as new overpasses to reconnect Van Tyle to Milbocker and McCoy Roads and a new overpass to reconnect overpass to reconnect Van Tyle to South Wisconsin Road. It also provides $1.123 billion annually to fund transportation projects in Michigan, $239 million more per year than the prior 6 year highway bill, and will create 61,500 new jobs across the State.

Furthermore, the bill provides funding for a number of critical highway related projects in Michigan. I am delighted to have helped to secure significant additional funding for Michigan roads and highway related projects which will help make up for the fact that we are a donor State.

For example, the bill provides $40.8 million to reconstruct and widen I-94 in Kalamazoo. The bill also provides $29 million for the Detroit Riverfront Conservancy to establish a West Riverfront walkway and greenway along the Detroit River from Riverfront Towers to the Ambassador Bridge. It provides $12 million for the construction of a new at-grade crossing and I-75 interchange in Gaylord to reconnect Milbocker and McCoy Roads and a new overpass to reconnect Van Tyle to South Wisconsin Road. It also provides $13.28 million to repave a portion of H-53 in Alger County.

The legislation we will pass today represents some progress in the ongoing fight for equity for donor states. I support this important legislation as I have done when similar measures came before the Senate last year and again in May. I believe it is a
critical step toward funding our Na-
tion's transportation infrastructure and
creating much needed jobs.

This process was not perfect. It took
12 short term extensions and nearly 2
years to complete this bill. The Senate
funding level began at $318 billion and
roses, for generations.

I want to thank Chairman STEVENS,
Chairman LOTT, Senators PRYOR,
and our House colleagues to support
projects such as the Chicago railroad
initiative CREATE and the new Mis-
sissippi River bridge in St. Clair Coun-
ty.

Mass transit funding is vitally impor-
tant to our metropolitan area as well as
to many downstate communi-
cities. It helps alleviate traffic con-
testion, lessen air emissions, and provides
access for thousands of Illinoiso
everyday. Illinois would receive about
$2.467 billion under SAFETEA-LU, a
128 percent increase from TEA-21.

The transit section authorizes CTA
and Metra projects as well as provides
funding for transit systems in Spring-
field, Rock Island, Ottawa, and Rock-
ford.

This legislation also preserves some
important environmental and enhance-
ment programs, including the Congres-
sion Mitigation and Air Quality,

CMAQ, program. CMAQ's goal is to
help States meet their air quality con-
formity requirements as prescribed by
the Clean Air Act. This legislation
would increase funding for CMAQ by 7.5
percent.

With regard to highway safety, Illi-
nois is one of 20 States that has en-
acted a primary seat belt law. H.R. 3
would ensure the State of Illinois and
other states who have passed primary
seat belt laws to obtain Federal funds
to implement this program and further
improve auto safety.

I know this legislation is not perfect.
Congress should have stood up to the
President and passed a bill with greater
funding for highways and transit. Il-
nois' highway formula should be high-
er, and this bill should have been fin-
ished 2 years ago. But thankfully we
have reached the end of this very long
road. Thankfully, the State of Illinois
will not miss another construction sea-
son.

I would like to take a minute to
thank Senator OBAMA for his work on
this bill. As a member of the Environ-
ment and Public Works Committee and
a conferee, he was able to ensure Illi-
nois received its fair share of highway
funding. I was pleased to work with him and my House col-
leagues to deliver a transportation bill
that will move our State forward and
address highway safety and the environ-
ment.

Illinois has the third largest Inter-
state system in the country; however,
its roads and bridges are rated among
the worst in the Nation. The State can
expect to receive more than $6.18 bil-
ton over the next 5 years from the
highway formula contained in the Sen-
ate bill. That is a 33.34 percent increase
or $1.545 billion over the last transpor-
tation bill.

With these additional funds, the Illi-
nois Department of Transportation will
be able to move forward on major re-
construction, rehabilitation, and hind
projects throughout the State.

My Illinois colleague, Senator OBAMA,
and I were able to add more than
$215 million for projects through the
State. And we worked closely with
our House colleagues to support
projects such as the Chicago railroad
initiative CREATE and the new Mis-
sissippi River bridge in St. Clair Coun-
ty.

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funding. I was pleased to work with him and my House col-
leagues to deliver a transportation bill
that will move our State forward and
address highway safety, bridge, and
transit needs.

With the passage of this legislation,
Congress has upheld its obligation to
reauthorize and improve our Nation's
important transportation programs. I am pleased to support SAFETEA-LU.

Mr. INOUYE. Mr. President, I rise to
support the passage of the conference
report for H.R. 3, SAFETEA-LU, the
reauthorization of our Federal surface
transportation programs. During my 42
years in the Senate, it has been the
rare occasion when we pass a piece of
legislation that is guaranteed to save
thousands of lives. But the safety provisions au-
thorized by the Senate Commerce Com-
mittee in this transportation reauthor-
ization bill will save thousands of lives, and
prevent thousands of serious inju-
ries, for generations.

I want to thank Chairman STEVENS,
Chairman LOTT, Senators PRYOR,
ROCKEFELLER, BURNS, DORGAN, LAU-
TENBERG, and BOXER of the Senate
Commerce Committee for working so
closely with me to develop a consensus,
and create a bipartisan safety bill in the Senate.

Likewise, Chairman YOUNG, Chairman
PETRI, Chairman BARTON, and Ranking
Members OBERSTAR, DEFAZIO, and DINGEL, from the House
Transportation and Infrastructure and Energy and
Commerce Committees for their efforts in
merging our bills into a truly land-
mark conference report.

In crafting our bill and conference re-
port, we have incorporated many of the
administration's recommendations and
provisions from our stand effort that
passed the Senate last year covering
auto, truck, rail safety, and hazardous
materials transportation safety. The
bill also strengthens consumer protec-
tions for those who entrust their be-
ings to a moving company, provides
more robust, predictable funding for
boating safety and sport fish re-
storatior programs, and provides addi-
tional financing options.

In the 1970s, Congress required that seat-
belts be standard equipment in all automobiles. We then followed in the
1980s with airbags and other safety fea-
tures. Now a new generation of tech-
ology has opened the door to even
more improvements. Chairman
STEVENS and Senator LOTT, we un-
dertook a bipartisan mission in the
Commerce Committee to use these new
technologies to reduce injuries and
save lives of automobile drivers and
passengers.

The development of electronic sta-
bility control by America's brilliant
engineers is the most promising vehi-
cle safety technology of our genera-
tion. Rollovers represent one-third of
all traffic fatalities, for so our safety
bill requires that electronic sta-
bility control become standard equip-
ment on all passenger cars and trucks
in 5 years. It is also cost effective since
it uses existing anti-lock brakes to cor-
mpute the critical change in the direc-
tion of a vehicle before a po-
tential rollover.

During a rollover, we need to keep
occupants inside the car where they
are better protected. Therefore, the bill
also requires stronger doors and door
frames. One of the third options is to
mandate stronger roofs that are less
likely to crush occupants during a roll-
over.

This highway safety bill goes even
further: side-impact crash standards
that will likely result in side-curtain
airbags in every automobile; new rules
to make 15-passenger vans subject to
the same safety tests as automobiles;
a prohibition on sales of new 15-pas-
senger vans to schools for use in car-
rying children; and new power-window
switches that will reduce strangua-
dents deaths and injuries to children.

Cumulatively, these improved vehi-
cle safety standards will save thou-
sands of lives.

We also dramatically increase fund-
ing for programs to reduce drunk driving
and increase seatbelt use. I am es-
specially proud that our bill gives
States large incentives to crack down
on hard-core drunk drivers, those who
are so dangerous to themselves and
children; and new power-window turns
that will reduce strangua-
dents deaths and injuries to children.

There is a final issue that is very im-
portant to me: highway safety on In-
dian lands. While the rate of highway
deaths and injuries has declined across
the Nation, the death and injury rate
on Indian lands has actually increased.
Since 1982, 65 percent of fatal crashes that occurred on Indian lands were alcohol related. That compares to the national alcohol-related death rate of 47 percent of all fatal crashes.

The percentage of fatal crashes on Indian lands that involved a single-vehicle is 26 percent higher than in the rest of the Nation. These single-vehicle accidents are the most preventable, and where we can save the most lives per dollar spent on traffic safety outreach and enforcement.

Therefore, from the funding pool for the basic safety grant in this bill, we more than doubled the proportion of basic safety grant money sent to the Bureau of Indian Affairs. BIA distributes this money to Indian tribes that apply for funds to reduce drunk driving, increase seatbelt use, and enact other safety strategies. This was a provision in the original Senate bill, and we convinced our colleagues on the conference committee to include it in the final Senate agreement. I believe it will make a tremendous difference in the lives of our Native Americans, whose families suffer the tragedy of highway deaths more severely than any other part of our country.

To improve the safety of trucks and buses operating on our Nation’s roads, we have reauthorized the Federal Motor Carrier Safety Administration’s safety programs FMCSA and strengthened their efforts to improve truck safety through strong enforcement and cooperation with the trucking industry. The conference report also reauthorizes the Motor Carrier Safety Assistance Program, MCSAP, for the years 2006 through 2009 at an average annual funding level near $200 million, more than double the TEA 21 level, and consistent with the administration’s proposal.

The conference report also provides $128 million over the life of the reauthorization to improve States’ Commercial Driver’s License programs and modernize the Commercial Driver’s License Information System, CDLIS. The conference report updates the medical program for commercial drivers by establishing a Medical Review Board to recommend standards for the physical examinations of commercial drivers and a registry for qualified medical examiners to ensure medical examiners have received proper training.

The conference report also improves the maintenance and safety of intermodal truck chassis are the current Single State Registration System for truck registration, SSRS, with a new system that requires truckers to only register in one State, while preserving States’ due process to appeal their registration.

To improve the safety and security of the transportation of hazardous materials, the conference report reauthorizes hazardous materials transportation safety programs at an average of $30 million annually, now administered by the Pipeline and Hazardous Materials Safety Administration, PHMSA, for the first time in over 10 years.

The conference report provides $21,800,000 annually for community HAZMAT planning and training grants and allows States to use some of their planning and training funds for programs as needed. Additionally, the bill provides $4 million annually for HAZMAT “train the trainer” grants, and allows these funds to be used to train HAZMAT employees directly.

The conference report also increases civil penalties up to $100,000 for HAZMAT violations that result in severe injury or death and raises the minimum penalties for violations related to training. The conference report requires Mexican and Canadian commercial motor vehicle operators transporting HAZMAT in the U.S. to undergo a background check similar to those for U.S. HAZMAT drivers.

Additionally, the conference report streamlines Federal responsibilities for ensuring the safety of food transportation by transferring primary responsibility of food transportation safety from the Department of Transportation to the Department of Health and Human Services, HHS, which would set practices to be followed by States, carriers, and others engaged in food transportation.

To provide greater protection to consumers entrusting their belongings to a moving company, the conference report allows a state authority that enforces consumer protection laws and State attorney general to enforce Federal laws and regulations governing the transportation of household goods in interstate commerce. Additionally, the conference report imposes new penalties for fraudulent activities perpetrated by movers and imposes new registration requirements on household goods carriers to protect consumers.

This conference report also reauthorizes activities funded by two of the Nation’s most popular, “user-benefit” programs—the sport fish restoration fund, administered by the Fish and Wildlife Service, and the recreational boating safety fund, administered by the U.S. Coast Guard. These programs constitute the “Wallop-Breaux” program, which is funded through the aquatic resources trust fund.

The reauthorization will allow continued funding of programs that benefit our fish, shellfish, and wetland restoration, as well as Clean Vessel Act grants that help to keep our waterways clean. I am pleased to report that this provision is supported by a large coalition of recreational and boating groups who are members of the American League of Anglers and Boaters.

The changes made include: (1) renaming the trust fund the sport fish restoration and boating trust fund, and eliminating the separate boating safety trust account; (2) reauthorize the marine sanitary devices pump-out program, the Boating Infrastructure Grant Program, and outreach programs; and (3) funding most of the programs on a percentage basis, which provides both simplicity and fairness. Conforming changes to the Internal Revenue Code are also included.

The growing popularity of recreational boating and fishing has created safety, environmental, and access needs that have been successfully addressed by the Recreational Boating Safety and Sport Fish Restoration Program. The trust fund provisions, reauthorizations and funding adjustments contained in the conference report are important for the safety of boaters, the continued enjoyment of fishermen, and improvement of our coastal areas and waterways.

Finally, the conference report streamlines the Federal Railroad Administration’s Railroad Rehabilitation and Improvement Financing Loan Program and increases the amount of loan funds available for improvements. The conference report creates a new program to fund the relocation of rail lines and other projects that help alleviate congestion, noise, and other impacts from railroads on communities and provides additional funds for highspeed rail planning and development efforts.

As the title of this bill implies, increasing the safety of our highways and surface transportation system is one of our Nation’s top priorities, and I am proud to say that this conference report will bring us closer to the goal of having the safest transportation system in the world.

Mr. DOMENICI. Mr. President, I rise today in support of the highway bill conference report. I want to first applaud the chairman, my good friend Senator INHOFE, for all of his hard work on this important legislation. I also want to thank the ranking member of the EPW committee, Senator JEFFORDS, for his work on the bill.

The highway bill is one of the most important pieces of legislation that the Senate undertakes. It makes it possible to construct and repair vital transportation arteries that crisscross this great Nation. As our country grows we must be conscious of our transportation needs. Accordingly, this bill increases funding for road construction that will substantially reduce traffic delays that plague the country. Additionally, this bill substantially increases transit funding further reducing congestion and pollution caused by overpopulated highways.

This bill will provide roughly $1.76 billion in funding for New Mexico over the next 5 years. The New Mexico projects that made it into this bill will help New Mexico to grow, the money for the extension of University Boulevard will allow this growing portion of Albuquerque direct access to other parts of the city.
This bill also contains vital funding for the southern portion of New Mexico. This bill contains $5 million for reconstruction of NM-176. This road will be a key component in making the LES plant in Eunice a success. Finally, this bill provides $75 million for reconstruction of the I-191-25 interchange and $2 million for road work on I-10 itself.

This bill also increases funding for the Indian Roads Program. I have advocated for increased Indian roads funding for a number of years and while we only have been partially able to address the need, it will help immensely in addressing the economic development problems facing Indian Country.

Once again, I would like to thank the Chairman and Ranking member of the EPW Committee and their staff for doing a great job in getting this bill completed.

Mr. BAUCUS. Mr. President, after nearly 3 years and countless temporary extensions, the Senate is about to pass a transportation bill. I want to thank the Senate Finance and Senator JEFFORDS, from the Environment and Public Works Committee, as well as Senator BOND, the chairman of the Subcommittee on Transportation and Infrastructure. They provided excellent leadership.

I sincerely thank their staffs many of whom spent sleepless nights getting this done. In particular, I thank Ken Connolly, J.C. Sandberg, Malia Somerville, Alison Taylor, Jo-Ellen Darcy, Catharine Ransom, Chris Miller, Malcolm Woolf, Carolyn Dupree, Thomas Shahmoradi, Ellen Stein, John Stoody, Giancarlo, Greg Murrill, Heideh Golder, Rob Grayson, Jacob Kuipers, Heather O’Loughlin, Andrea Porter, Ashley Sparano, Julie Straus, Danny Shervin and Paul Turner.

This legislation really was a team effort. I yield the floor.

Mr. HATCH. Mr. President, as a member of the Senate-House team that negotiated the Transportation and Infrastructure funding package, I want to commend Majority Leader BILL FRIST for avoiding yet another stalemate and steering this legislation toward final passage. The comprehensive highway measure allocates $296.5 billion over 5 years to state and local governments for the nation’s highways and transit systems. Miles traveled on Utah’s roads has grown twice as fast as its population, but Federal funding has remained flat. Now, Utah can plan for long-term projects, which will not be interrupted by numerous temporary extensions.

With the passage of the Transportation bill, Utah will receive approximately $1.8 billion to fund its multiyear highway and transit projects. This highway bill will allocate close to $282 million each year to invest in Utah’s highways over the next 5 years. This is the most Federal funding ever committed to Utah in a transportation bill and it is long overdue.

Utah is the crossroads of the West; every year millions of people visit the Beehive State to enjoy its natural beauty and to invest in its growing economy. The highway bill provides a tremendous amount of Federal assistance for road improvements and transit projects across the State, including: new I-15 interchanges in Ogden, Layton and Provo; light-rail lines to the airport and South Jordan; highway projects on US-6 in Carbon County and State Road 92 in Utah County; a railroad overpass in Kaysville; a pedestrian and bicycle access in Moab; a connector from I-15 to the Provo Municipal Airport; improvements for the Bear River Migratory Bird Refuge Access Road; the $200 South Project in Nibley/Cache County; and building the Northern and Southern Corridors in St. George. There are, of course, many, many more projects throughout the State that will receive funding that I do not have time to name here but that are equally as important.

The Utah Transit Authority, UTA, plans to bring commuter rail to Utah to ease congestion and help Utah commuters. I am pleased with the $200 million set-aside to begin construction on this important project, which plans to provide service from Ogden to Provo. This project will do so much to relieve congestion and give Utahns a fast, comfortable, and efficient choice for transportation. Utah will also receive $30 million for its statewide bus and bus facilities for the purchase of buses, upgrading existing buses, and for improving maintenance facilities and storage yards.

At my urging as a Senate conferee to the Transportation bill, Utah State University was designated as a University Transportation Center. USU will receive approximately $2 million over the next 5 years and will greatly improve the statewide knowledge base and transportation research being done in Utah.

Mr. President, a few months ago, executives of Wavetronix, a traffic-data collecting company based in Lindon, UT, asked for my help in amending the Intelligent Transportation Infrastructure Program. ITIP Program. The company should not have a monopoly on the funds provided for traffic data collection. We should benefit from innovative solutions coming from small businesses in Utah and other States, not funnel millions of dollars each year to a company that does not have to compete for—the money.

In May, I included in the Senate highway bill language that gives qualified small companies, like Wavetronix, the ability to compete for ITIP funding. I am pleased that the conference report maintained the language which provides a fair and level playing field for State DOTs and qualified private-sector companies wishing to access ITIP funds, without requiring them to work with Traffic.com. This is a significant victory for Wavetronix and other similarly situated small companies across the Nation.

I want to know that the delegation worked very hard to include language in this bill to resolve the Legacy Parkway issue and perhaps save Utah hundreds of millions of dollars—and it came right down to the wire. We took this action after we received reports that the negotiations involving the Utah State Legislature, UDOT, and the Sierra Club, although promising, could not be implemented in a timely fashion. So the delegation agreed to use this bill to bring this longstanding battle to a close in a way that respected the environmental concerns that have been expressed. We
worked day and night to design lan-
guage that would allow this 14-mile
highway addition and at the same
time alleviate the horrendous traffic jams
we have witnessed in northern Utah. In
the end, the language was blocked. The
people of Utah lost the bill. And Utah
what some estimate to be over $300 million made it impossible, with
the help of a very few allies in Cong-
gress, to get it through. In my esti-
mation, this fight is not over. My goal
is to save our State millions of addi-
tional dollars and get this highway
done so the quality of life of those who
work south and live north of the
project will be improved.

Despite my disappointment that this
provision was not included in the final
bill, I still believe this bill is one of the
most important pieces of legislation
Congress will consider this year. This
bill will help ensure the safety, effi-
ciency, and mobility that every Amer-
ican expects from their transportation
system.

I yield the floor.

Mr. FEINGOLD. Mr. President,
today, Congress is finally completing
work on a bill to reauthorize the
Transportation Equity Act for the 21st
century. This bill has been a long time
coming and while it is 668 days over-
due, for Wisconsin it may have been
worth the wait. I am pleased that Wis-
con as will now have a chance to ad-
dress our State’s vital transportation
needs for the next year and plan its pri-
orities for the next 5 years. I am even
more pleased that this conference re-
port builds on the precedent set under
TEA-21, where Wisconsin, after decades
of not getting our fair share, finally
started to receive at least as much in
highway funding as we pay to the Fed-
eral Government. During this summer
travel season, the people of Wisconsin
should be happy to know that their tax
dollars will be used to improve Wiscon-
sin’s roads, bridges, trails, rails and
transit system.

While the bill is not perfect, it goes a
long way toward ending Wisconsin’s
decades-long legacy as a donor State.
Historically, Wisconsin’s taxpayers
have received about 78 cents for every
dollar we have paid into the highway
trust fund. As a result, we have lost
more than $625 million between 1956
and when TEA-21 was passed in 1998.
Under TEA-21, the previous 6-year
highway authorization, Wisconsin re-
ceived approximately 102 cents for
every dollar it paid contributed to the
highway trust fund through gasoline
taxes. I was pleased to work with the
Wisconsin delegation to finally turn
around decades of our State getting the
short end of the stick, and am happy
that we are now able to build upon that
success. The conference report guaran-
tees Wisconsin an absolute dollar in-
crease of over 30 percent, or about $165
million per year, over the last bill and
improves our recovery to get 78 cents
der dollar paid in over the 5 years of
the bill. This will help us make up for
the decades where Wisconsin was in-
stead on the losing end of the highway
funding equation.

I applaud the efforts of Wisconsin’s
deligation in achieving an even greater
measure of fairness for Wisconsin’s tax-
PAYERS. Throughout this over 2-year
bipartisan process, I worked alongside
Senator KOHL and the entire House del-
egation to get the best possible treat-
ment for Wisconsin. The conference
bill represents a great victory for Wis-
ccon, largely due to this bipartisan
bicultural coalition. I would like to give
special thanks to those members of
both bodies who have worked in the
trenches as conferees to craft this bill,
especially Congressman TOM PETRI, the
chairman of the House Subcommittee
on Highways, Transit and Pipelines. As
one of the key conferees, he worked
tirelessly over the past 2 years or more
to come to this agreement and to en-
sure that Wisconsin was treated fairly.

While there are probably some projects
in this large bill that may not be
priorities for their States or local
communities, but instead were pro-
posed by special interests, I don’t feel
that this is the case for Wisconsin. I
worked closely with the Wisconsin De-
partment of Transportation when I
made requests for funding of specific
projects to ensure that they addressed
Wisconsin’s transportation priorities. I
think this was probably true for the
entire Wisconsin delegation as well,
because we worked with the Depart-
ment of Transportation for this valu-
able advice and support. The projects I
requested were chosen to meet a range
of State and local needs and span the
entire State from our urban areas, with
the Marquette Interchange in Mil-
waukee or East Washington Avenue in
Madison, to suburban and rural areas
like the Stillwater Bridge linking St.
Croix County to Minnesota, or the Stur-
gen Bridge and State High-
way 57 in Door County. These projects
will create jobs in Wisconsin, allow for
motion and transportation safety programs.

Taken together, these elements form
one of the most essential factors that
determine the well-being of our coun-
try and our country’s national econ-
omy: ensuring the safe and efficient
passage of people and goods.

The conference report that passed
the Senate funds our Nation’s trans-
portation infrastructure at $235.4 bil-
lion between fiscal year 2005 and fiscal
year 2009. This includes all of our Inter-
state and Interstate Highway System,
secondary roadways, intercity passenger rail, local transit systems
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System, $21.6 billion for the replacement of defunct or obsolete bridges, $32.5 billion for discretionary projects under the Surface Transportation Program and $3 billion for highway safety programs. Out of these funds the conference report provided my home State of Connecticut with nearly $2 billion between fiscal year 2006 and fiscal year 2009—a 19 percent increase over the original authorization bill's amount. Included in these resources were on average $100 million a year for interstate highway maintenance, $48 million a year for roads included in the National Highway System, $91 million a year for bridge replacement, $61 million a year for large $100 million-scale federal-aid transportation projects under the Surface Transportation Program and $7 million a year for highway safety programs. Beyond these resources the bill provided over $100 million for several dozen highway maintenance projects in Connecticut. All of these initiatives, from the reconstruction of I-95, municipal streets and bridges to multi-use recreational trails, stand to improve the quality of life in Connecticut communities and regions where they are taking place.

The conference report also provided $52.6 billion for our Nation's transit systems. Out of these funds the report provided Connecticut—a State heavily dependent on mass transit services—with nearly $485 million between fiscal year 2006 and fiscal year 2009—a 33 percent increase over the original authorization bill's amount. In addition to these resources the report included nearly $100 million for large federal-aid agencies across Connecticut to improve their infrastructure and services, thereby working to alleviate congestion that continues to plague my State's roadways.

Overall, I believe that the resources provided in this conference report will help improve our Nation's transportation infrastructure over the next 4 years. They will allow for critical maintenance and rehabilitation projects to go forward on our roadways; they will allow for dangerous overpasses to be replaced; they will allow for transit systems to meet more efficiently the needs of their riders; and they will allow for a greater degree of safety on our roads and rails. Nevertheless, I would be remiss if I did not take a moment to discuss some of the shortcomings I see in this conference report—shortcomings that, in my view, threaten to undermine the very goals this legislation tried to accomplish.

First, I do not believe that the level of investment provided in this conference report is fully adequate to meet the growing needs of our transportation infrastructure. When the Senate originally debated this legislation, I was pleased to support a bipartisan measure that provided $295 billion between fiscal year 2004 and fiscal year 2009. This funding level was considerably higher than the House level of $283 billion and the Bush administration's original recommendation of $256 billion.

Therefore, when the conference report was completed earlier this week, I was disappointed to learn that the conference committee provided $286.4 billion—a figure only marginally higher than the House figure and significantly lower than the Senate version. I have been told by the Connecticut Department of Transportation that this level of investment is barely adequate to keep pace with expected inflation over the next 5 years and wholly inadequate to meet the growing crisis facing our transportation systems both in Connecticut and across the country.

Second, I remain concerned over how the levels of guaranteed funding for highways and transit were determined in this conference report. Earlier this year, I strongly opposed a unilateral move by the Senate Environment and Public Works Committee to reduce transit's share in the Senate bill from the previously-negotiated ratio of 18.82 percent to 18.18 percent; unfortunately, this new ratio prevailed in the Senate version of the bill. In conference it was raised to 18.57 percent. While this conference agreement is higher than the Senate version's ratio and higher than the ratio in the original authorization bill, it still underfunds transit activities by $700 million compared to the original agreed-upon ratio in the Senate.

Highway and transit interests should not be pitted against each other. They should be working together. The best transportation systems in the world are those that feature a sound, safe, and efficient balance between various modes of transportation. Disrupting that balance by favoring one mode over another ultimately causes road congestion, unreliable transit service, and higher transportation costs—three problems that many parts of this country, including Connecticut, are experiencing today. If we are to overcome these and support a balanced, safe, and efficient transportation network in this country, then we must adequately and equally invest in all modes, whether they are highways, transit, airports, or seaways. We must recognize that each mode is an important and integral part of a larger transportation network.

From reviewing the funding allocations provided for both transit and highways in this bill, it concerns me that inadequate funding is being allocated to areas of the country, such as Connecticut, where the transportation needs are the greatest. I find this rationale inconsistent with the way our national government usually addresses matters of national significance that affect particular regions of our country. When a drought plagues a certain part of this country, we always stand ready to provide drought relief to the affected States. When a hurricane slams into the coastline, we always stand ready to provide emergency disaster relief to the affected States. When farmers are experiencing financial difficulty, we always stand ready to provide them with vital subsidies. And when forest fires burn mercilessly over hundreds of square miles, we always stand ready to provide emergency assistance to the affected States. Why then, when key components of our national transportation system are plagued by aging and obsolete infrastructure, do we not seem to stand ready to provide adequate assistance to the most affected States?

Transportation in crisis is more than a transportation problem; it's an economic problem. Without a balanced, safe, and efficient transportation system, goods cannot be delivered to their destinations in a timely manner. Services cannot be rendered efficiently, and people cannot get to their jobs conveniently. Over time, the environment worsens, the quality of life declines, and the region suffers as a whole.

Cars carry, the transportation system serving Connecticut and the surrounding region is in need of assistance. In Connecticut alone, a rapidly aging infrastructure routinely causes transportation systems to collapse—disruptions that have had a negative impact on the region and country as a whole.

The busiest commuter rail line in the country is located in Connecticut. It runs over 70 miles between New Haven and New York City—carrying over 33 million riders annually along our southwest coast. Last year, a combination of cold weather and rapidly aging rail cars—many of which are a decade or more beyond their useful life times—caused one-third of the line's fleet to be taken out of service for emergency maintenance. In fact, about 37 percent of the fleet was taken out of service for most of last February—390 cars out of the 800-car fleet. Needless to say, this occurrence put an enormous strain on thousands of commuters who rely on the service daily to get to and from work, travel to and from school, and to see their families.

The nation's seventh busiest highway is also located in Connecticut. Our segment of Interstate 95 is a major artery for commercial vehicles and other interstate traffic. In March of 2004, an accident caused an overpass in Bridgeport to collapse. While there were thankfully no fatalities, the accident did force the closure of Interstate 95 for 4 days until a temporary overpass could be built. Needless to say, this occurred at a time when many of our already beleaguered highway and transit systems in Connecticut, New York, and New England. It also created an adverse economic effect that was felt far beyond our region as people and goods could not be moved from their important destinations on time.

These are the types of incidents that speak to an acute transportation need in Connecticut and in our region of the country. These are the types of incidents that should be considered closely when vital transportation resources are being allocated in a reauthorization bill. It is my hope that Congress in
future years will take these considerations more into account when drafting transportation authorization measures. The problems facing our State and others will not go away on their own.

In closing I thank again the authors, managers and conferees of this legislation. I look forward to working with them and all of my colleagues on future initiatives that seek to ensure the long-term well-being of our Nation’s transportation system.

Mr. DURBIN. Mr. President, I rise in support of the U.S. Department of Transportation’s disadvantaged business enterprise, DBE, program contained within the surface transportation reauthorization bill. The DBE program is critical to providing equal opportunities to small businesses that are owned and controlled by minorities, women, and others in our Nation who have been socially and economically disadvantaged. I am pleased that Congress is committed to its reauthorization.

This important DBE program has been in existence since 1983. It was created to remedy the demonstrated history of discrimination that has existed in our Nation’s minority-owned small businesses. The program was amended in 1987 to include women-owned small businesses. In 1998, Congress reauthorized the DBE program for both minorities and women, in light of an extensive record of hearings and evidence showing the effects of discrimination on the ability of disadvantaged businesses to compete on an equal basis.

Although we have made progress as a Nation in the treatment of minorities and women, the evidence shows that discrimination endures. The U.S. Department of Transportation has conducted 15 detailed disparity studies since 1998 showing ongoing discrimination against minority-owned and women-owned businesses in government contracting, and their utilization.

Courts have consistently held that such evidence is strong evidence of unlawful discrimination and of the need for the continuation of the DBE program.

There is also ample anecdotal evidence showing that discrimination in contracting still exists. Loretta Molter started her own business in Frankfort, IL, in 1987, and her business was recently named subcontractor of the year by the Illinois Department of Transportation. But in a letter that Ms. Molter wrote last year to the Women First National Legislative Committee, she stated: “Prime contractors tend to take advantage of small minority or women businesses. . . . If the goals were eliminated, general contractors would target minority or women business owners. . . . There is a good ol’ boy’s network, be it on the golf course, on trips, or dinner/lunch meetings.”

And consider the words of Takyoung Lee, an Asian-American owner of a small trucking company in Wauconda, IL. Lee submitted a statement to the city of Chicago last year that discussed the disparate treatment faced by Asian Americans in the trucking business: “When we do get jobs, we are targeted and harassed. Our drivers are stopped and checked for identification when others are not. We have to show proof of health, welfare and pension payments when other companies get away with it. It seems that some people think an Asian American does not belong in the construction business. I have worked hard to prove them wrong, but face discrimination and unfairness every day. I wonder how much success I could have if I did not have to fight so hard against people who are prejudiced?”

It is unfortunate that Asian Americans, women, and other participants in the DBE program must ask themselves that question. I look for a day when we have a color-blind society and equality of opportunity, but that day is not yet here. The surface transportation reauthorization bill recognizes this reality and gives new life to a program that is trying to level the playing field so that people can continue to be socially and economically disadvantaged in the 21st century.

Mr. GRASSLEY. Mr. President, today is our final step to positively redirect our efforts and the most dedicated highway program, the safety and soundness of its infrastructure, and the security of the Nation’s transportation network.

But in the process of pursuing and completing those goals, conferees had to make many decisions. As chairman of the Finance Committee, at the outset, I committed to several fundamental principles during this conference.

First, that the bill be paid for. Whatever we added to the trust fund should not increase the deficit. If you look at the revenue table, prepared by Joint Tax, you will see that the new trust fund money raised by fuel tax enforcement is raised in a deficit-neutral manner. The tax-writing committees were fiscally responsible in our efforts to grow the trust fund.

Second, highway taxes pay for highways. These taxes that will be collected are not we have a highway bill. They can’t be used for anything else. The tax provisions of the highway bill aggressively focus on collecting all of the taxes due and owed to the highway trust fund.

So we increase the size of the trust fund. Primarily, we do it by being tough on fraud. Some of this fraud is just plain old criminal activity—but we have reason to believe that billions of our highway tax dollars are being stolen for a more sinister purpose, that being terrorism. So we have the opportunity with this legislation to not only shut down these thieves but to rightfully collect all of our highway taxes to fully fund this bill. Under the Senate bill, several billion dollars will be added to the highway trust fund merely by moving jet fuel to the rack. Unfortunately, we can’t keep all of the untaxed jet fuel out of the diesel market unless all of us move all of our collection to the rack. But we can collect billions that are currently stolen from both airport and highway trust funds.

The third principle was to provide the highway trust fund with sufficient revenue to meet the Nation’s transportation needs. The additional resources the Finance Committee produced for the authors, I believe, enabled this deal to happen. Add up last year’s FSC-ETI conference report changes and the trust fund gained $24 billion extra. This year we have added another roughly $3 billion in additional receipts for the trust fund. Without these additional resources, we would have faced another case of legislative gridlock. Legislative gridlock wouldn’t help those folks who represent whom we face gridlock on their roads.

I would also like to mention two policy initiatives that do not relate to the highway trust fund. The Senate carried an amendment in part to the tax reform and transportation authorization measures, a transportation bond proposal.

The legislation before us also includes a number of excise tax reforms. These are small items, but important to the affected taxpayers. For the most part, these provisions simplify various Federal excise taxes.

I will note that these excise tax reforms do lose some revenue. It is roughly $1 billion over the 10-year period. When the highway bill came out of the Senate, these measures were offset with revenue raisers to make them deficit neutral. The House did not accept the group of revenue raisers we had allocated to these provisions. It should be noted that the budget resolution provides $36 billion over 5 years for tax relief outside of reconciliation. So this relatively minor deficit impact is accounted for in the budget.

Finally, I am pleased we were able to reach agreement on the Talent-Wyden transportation infrastructure private activity bond proposal. Senators TAL-ENT and WYDEN are to be commended for pursuing this innovative concept. There will now be $15 billion in bond capacity for transportation projects.

We did hear some concerns of the heavy-lifting the Finance Committee did to make this bill happen. We were told our offsets weren’t real and that phony accounting occurred in the highway trust fund. We rebutted these charges during our floor debate. I said our principles would be honored in conference and they were. We got the job done.

In the end, that is what counts: doing the people’s business. The conferees achieved an agreement on policy objectives. The highway trust fund more accurately reflects the resources it receives from the taxpayers who use our
As in all legislative endeavors there has been much give and take. There are provisions in this bill for which I would have preferred another outcome, but on the whole, I believe we have produced a product that will continue the good work that was done in ISTEA and improved upon in TEA-21.

The conference report provides $244 billion in guaranteed spending over the 2005-2009 period for our Nation's highways and mass transit systems. If you look at the numbers, it is $296.5 billion in guaranteed spending—an almost $90 billion increase over TEA-21. Finally, the highway program is guaranteed $193 billion over the 2005-2009 period.

We worked very hard with our House colleagues to balance the needs of donor and donee States. I will be the first to acknowledge that this balance—as with any compromise—is not perfect. My colleagues representing donee and donor States that receive lower rates of return or growth rates than they feel fair have made this fact very clear to me.

I am very sympathetic to the concerns of both donors and donees in this situation. Both have significant transportation needs that cannot be ignored. Addressing their concerns was even more difficult because we had very limited dollars to solve either group's issues. SAFETEA-LU tries to split the difference. Donee States have an average rate of growth of 19 percent above their TEA-21 levels, and donor States will reach a 92 percent rate of return by 2008. Also, if there is a positive revenue rate of return.

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program and builds on the important achievements we made in the Intermodal Surface Transportation Efficiency Act, ISTEA, of 1991, and TEGA, enacted in 1998. I want to express my appreciation to Chairman SHELBY of the subcommittee for his efforts on the balanced budget amendment of the transit title and to Senators ALLARD and REED, the chairman and ranking member of the Housing and Transportation Subcommittee, for their hard work as well.

This legislation increases overall transit funding by 45 percent over the levels provided in the past 6 years to meet the growing needs for public transit infrastructure in all regions of the country. It provides the resources and planning tools to help ensure the continued development of an advanced, integrated transit system—a system that will cut air pollution, conserve fuel and reduce congestion on our roadways. This measure will go a long way to meet the demand for better transit in urban centers, rural areas, and suburban jurisdictions across the country.

I am particularly pleased that the legislation includes two key provisions which I sponsored, the Transit in Parks Act, or TRIP, and an expansion of the commuter benefits program to encourage greater mass transit use by Federal employees in the National Capital Area. The new Federal transportation grant initiative known as TRIP will support the development of alternative transportation services—everything from rail or clean fuel bus projects to pedestrian and bike paths, or park waterway access—within or adjacent to national parks and other public lands. It will give our Federal land management agencies important new tools to improve both preservation and access. Just as we have found in metropolitan areas, transit is essential to moving larger numbers of people in our national parks—quickly, efficiently, at low cost, and without adverse impact.

The expansion of the commuter benefits program will allow thousands more federal employees to take advantage of a guaranteed tax-free financial incentive of up to $105 per month, paid by their employer, towards the costs of transit commuting. It will give employees more choice in their commuting options and provide an additional incentive of off-peak use of suggested roadways and onto public transit. In addition, Federal agencies will be permitted to offer shuttle services for their employees to a public transit facility. This is particularly important to employees of the Food and Drug Administration who will be relocating to the new FDA headquarters at White Oak, MD.

Maryland’s formula share of transit funding will grow by nearly $275 million over the 6 years—from $571 million to $846 million. These funds are absolutely critical to Maryland’s efforts to maintain and upgrade the Baltimore and Washington Metro systems, the MARC commuter rail system serving Baltimore, Washington, D.C., Frederick and Brunswick, the Baltimore Light Rail system, and bus systems and paratransit systems for elderly and disabled people throughout Maryland.

This bill advances important existing and planned new transit projects in the Baltimore and Washington Metropolitan areas as well as in growing regions of our State. Senator ALLARD of Colorado, who is current chairman of the Senate Appropriations Committee, purposefully included in the appropriations for Transportation $21 million to enable Montgomery County to complete the Silver Spring Transit Center—a major new transportation hub connecting MARC commuter trains, the WMATA Red Line and Du-Par and Metro buses and taxi services that is designed for integrated, mixed use private transit-oriented development. The Silver Spring Transit Center will not only enhance regional mobility, but also begin to accommodate the smart growth and continue to strengthen the remarkable revitalization in Silver Spring’s downtown business district. The measure also authorizes two new transit projects to help relieve traffic congestion and improve mobility in the region—the Bi-County Transitway, otherwise known as the Purple Line, connecting Bethesda to Silver Spring and extending to New Carrollton, and the Corridor Cities Transitway connecting the high-tech employment centers and mix-use developments in the 1–270 corridor to the Washington Metro and MARC Commuter rail.

In the Baltimore area, the measure authorizes $100 million for planning, environmental study, right of way, and initial construction of the Red and Green Line Transit projects as proposed in the Baltimore Region Transit System Plan. The Red Line—an East-West Transit Line that will extend for approximately 11 miles from the Social Security Administration Headquarters in Woodlawn to Fells Point—will provide service to areas in Baltimore corridor to the highest quality transit system. The Green Line—another East-West Transit Line that will extend from the existing Metro system at the Johns Hopkins Hospital for approximately 5 miles northeast to Morgan State University. This authorization will guarantee that these projects continue to move forward at a pace over the next 5 years. The measure also authorized the final $12.5 million in Federal funds needed to complete the double-tracking of the Baltimore Light Rail Project and provides $5.2 million to enhance the Baltimore water taxi system.

And statewide, the bill authorizes continued funding for the MARC Capacity Expansion Program to enable the Maryland Department of Transportation to make needed capacity improvements, purchase new rolling stock, and enhance the MARC system. The bill also provides $25 million in new Federal and State grants that benefit towns and cities throughout the State. The measure also includes a provision reauthorizing the National Transportation Center, NTC, at Morgan State University over the next 4 years. The NTC conducts important research, education and technology transfer activities that support workforce development of minorities and women, and addresses urban transportation problems. Morgan State will receive $1 million each year to continue those activities.

For our Nation’s roadways and bridges, this legislation authorizes nearly $184 million in funding to enable States and localities to make desired needed repairs and improvements. The measure preserves the dedicated funding for the Congestion Mitigation and Air Quality, CMAQ, Program which helps States and local governments improve air quality in non-attainment areas under the Clean Air Act; the Transportation enhancement set-aside provisions which support bicycle and pedestrian facilities and other community based projects, as well as the other core programs—Interstate maintenance, Highway System, Bridge and the Surface Transportation Program. Likewise, ISTEA’s and TEGA’s basic principles of flexibility, intermodalism, strategic infrastructure investment, commitment to safety and inclusive decision-making processes are retained.

Maryland’s share of highway funding will grow from an average of $433 million a year to $583 million a year or an average of $140 million more each year than was provided for a total of more than $2.9 billion over 5 years. The measure provides funding for a number of important transportation improvement projects through all regions of our State. Senator MIKULSKI and I placed a high priority in this measure of ensuring that Maryland is “BRAC” ready as it prepares to handle an influx of new people in areas surrounding many of Maryland’s military installations. In this regard, the measure provides $12.5 million to make desperately needed repairs to MD 175 in the vicinity of Fort Meade, nearly $10 million for upgrading the US 40, MD 715 interchange at Aberdeen Proving Ground and the Edgewood Train Station, $15 million for construction of MD Route 4 at Suitland Parkway—an important access way to Andrews Air Force Base—and $6 million to design improvements to MD 210—a major regional commuting corridor that provides access to the Indian Head Naval Base in Charles County. The measure also allocates funds for planning and construction of the Southern Maryland Commuter Initiative, a program of improvements in
Southern Maryland to relieve congestion by enhancing peak-period transit services for commuters, including individuals commuting to military bases in Southern Maryland. And it provides over $1.5 million for intermodal improvements at the Edgewood and Odenton MARC stations.

We also placed a premium on addressing those areas of Maryland that have experienced particularly severe congestion, bottlenecks or safety problems and provided more than $31 million to upgrade MD Route 404 and US 115 on the Eastern Shore, nearly $30 million to continue improvements to I-70 in Frederick and to initiate upgrades of US 220 South of Cumberland in Western Maryland, $27 million for upgrades to MD 5 in Southern Maryland, and more than $22 million for roadway, interchange and bridge improvements in the Baltimore metropolitan area.

We provided funds for several communities around Maryland designed to expand travel choices and enhance the transportation experience of our citizens by improving the cultural, historic, aesthetic and environmental aspects of our transportation infrastructure, including funding to complete the Allegheny Highlands Trail in Western Maryland, the Fort McHenry and Assateague Visitors Centers, the Baltimore water-taxi system, and the roads and trails at Patuxent and Blackwater refuges.

Before I close, I want to take a moment to note the hard work of the staff involved with this bill. This legislation has been years in the making and while it represents the efforts of many individuals there are several whom I would like to especially recognize. First, let me thank the staff of Banking Committee Chairman Shelby, particularly Sherry Little and John East, as well as Tawana Wilkinson of Senator ALLARD’s staff, for their hard work and dedication to this important program. As noted earlier, Senator REED has worked closely with me throughout this process and I want to thank Neil Campbell of his staff for his significant contributions to this bill. On my own staff, I want to recognize Sarah Kline, Aaron Klein, and Charlie Stek for their tireless work and for their commitment to helping the people of Maryland. Kate Mattice, on detail from the Federal Transit Administration to my office last year, also made an important contribution to this legislation.

Finally, I would like to extend particular thanks to Richard Steinmann for the exceptional assistance he has provided to the Banking Committee over the past 2 years while he has been on detail from the Federal Transit Administration.

Like any other complex and comprehensive piece of legislation, this bill has its share of imperfections. I think it was unfortunate that the administration was unwilling to support a higher level of investment in these programs, and as a result the measure that emerged from the conference is billions of dollars less than what the Senate passed a few months ago. And I am particularly disappointed that the measure does not contain the stormwater runoff mitigation provision that was approved by the Senate and is so important to helping states and localities meet water quality standards stemming from the stormwater impacts of Federal aid highways. But if we are to ensure not only the safe and efficient movement of people, goods and services, but also the future competitiveness and productivity of our economy, we must make these investments, and move forward with this legislation. I urge my colleagues to join me in approving this measure.

Mr. JEFFORDS. Madam President, as we prepare to give the final approval to the highway bill conference report I would like to thank Chairman INHOFE and Senators BOND and BAUCUS and all of the Senators and staff who have helped to move this bill forward.

The bill is about to vote on is good for the Nation.

This bill will save lives by making our roads safer.

This bill will reduce traffic congestion by making our roads and bridges more efficient.

This bill will boost local economies by creating hundreds of thousands of jobs across the Nation.

It may have taken us 3 long years to get here, but the impact of this bill will be felt for decades to come.

This bill will affect every American in some way.

This bill provides the biggest investment in our roads, highways, bridges and transit systems in our nation’s history.

Once again I thank Chairman INHOFE and all the members of the EPW Committee for their work.

Madam President, I would like to take one brief moment to thank the staff who have worked so hard to help craft this highway bill.

On my staff I would like to thank my staff, directly: J.C. Sandberg, Alison Taylor, Malia Somerville, Cara Cookson, Catherine Cyr Ransom, Chris Miller, Mary-Francis Repko, Geoff Brown and Jeff Munger.

From Senator BAUCUS’s staff, Kathy Russo-Farnsworth.

From Senator INHOFE’s staff, Ruth Van Mark, Andy Wheeler and James O’Keefe.

And from Senator BOND’s staff, Ellen Stein.

These Congressional staffers have made extraordinary personal sacrifices to move this massive legislation along for over 3 years, and I would like to express my personal gratitude for their efforts.

I yield the floor.

Madam President, I yield back the remainder of my time on this side. I yield the floor.

Mr. INHOFE. I thank Senator JEFFORDS for the great working relationship.

Mr. INHOFE. Madam President, it is my understanding we have 6 minutes. I would like to yield 2 minutes each to three Senators, three of the hard workers on this bill. I did forget to mention Senator GRASSLEY, who was so helpful. I would like to recognize Senators BOND, LOFT, and SHEFFY for 2 minutes each.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, it has been a long road to get here on SAFETEA, and I am pleased to be here. First, Chairman INHOFE, Senators JEFFORDS and BAUCUS, with a special thank you to my staff: Ellen Stein, John Stoody, and Heideh Shahmoradi; Senator INHOFE’s staff, Senator JEFFORDS’ staff, Senator BAUCUS’s staff, the help of Senate legal counsel, employees of PHWA, who ran 1661 runs, Ross Crichton, Susan Binder, and Carolyn Edwards, and the staffs of the Banking, Finance, Commerce, and Budget Committees.

I might inform my colleagues from Arizona, this includes highways and bridges, mass transit, safety, and other items. I think particularly my colleague from Arizona for mentioning a bridge across the Mississippi River. We have the largest truck traffic in the Nation coming east and west on Highway 70, the eastern edge of Missouri. If they do not have a bridge, they do not get to Illinois. That is one point people from drier States perhaps do not understand.

This bill is one characterized by equity, by safety. Environmental issues are addressed by getting environmental input early on and giving them an opportunity to resolve the problems before money is wasted. It brings the stakeholders to the table earlier. Under the CMAQ provisions, we allow in six States the use of clean-burning diesel fuel.

My colleagues and staff have worked tremendously hard in moving this bill over the last 2½ years. I want to highlight some of the key elements of this bill that I am proud of.

H.R. 3 achieves several major goals:

First, equity—this bill carefully balances the needs of the donor States while recognizing the needs of the donee States.

There are many sections in this bill that I am proud of supporting, such as the fact that all donor States will receive an equitable increase to, at the very least, a 92 percent rate of return by fiscal year 2008.

The average rate of growth among States is 30.32 percent and all States will grow at not less than 117 percent over what they received in TBA-21 starting in 2005 ramping up to 121 percent by 2009.

I, along with Chairman INHOFE, both Senators BAUCUS and JEFFORDS, and our partners on the House side have worked diligently in trying to ensure that the bill remain fair and equitable among all States.

There are many States that continue to fall under the $1.00 rate of return, I am one of them. Due to the budgetary

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Another key component of this bill is safety. This bill goes a long way to saving lives by providing funding to States to address safety needs at hazardous locations, sections, and elements.

Safety in this authorization is for the first time given a prominent position, being elevated to a core program. Inadequate roads not only lead to congestion, they also kill people. We average more than three deaths a day in Missouri and I think that a large number of these deaths can be attributable to inadequate infrastructure.

Nearly 23,000 people were killed on our roads and highways last year alone. I am glad that the bill reflects the continued commitment to making not only investments in our infrastructure, but also to the general safety and welfare of our constituents.

I am confident that the level of funding provided toward the safety program and other core programs is a sufficient amount to address the growing needs of all states.

The passage of this bill comes at a very critical time, especially for my home State of Missouri. We have some of the worst roads in the Nation, with over 50 percent of its major roads in poor or mediocre condition, requiring immediate repair or reconstruction.

Environmental issues are also addressed, such as to ease the transition under the new air quality standards, the conformity process is better aligned with air quality planning, as well as streamlining the project delivery process by providing the necessary tools to reduce or eliminate unnecessary delays during the environmental review stage.

Another accomplishment of our package ensures transportation projects are roads more quickly by bringing environmental stakeholders to the table sooner. Environmental issues will be raised earlier and the public will have better opportunities to shape projects. Projects more sensitive to environmental concerns will move through a more structured environmental review process more efficiently and with fewer delays.

This bill also ensures that transportation projects will not make air worse in areas already non-compliant. We are giving local transportation planners more tools and elbow room to meet their Federal air quality responsibilities.

Transportation planning will be on a regular 4-year cycle, require air quality checks for projects large enough to be regionally significant and reduce current barriers local officials face in adopting projects that improve air quality.

Another accomplishment in the bill is allowing local areas to spend congestion mitigation funds for projects large enough to be regionally significant, perhaps even regionally significant and quality checks for projects large on a regular 4-year cycle, require air quality.

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Mr. ALEXANDER. Would it be possible to get 3 or 4 minutes following the Senator’s remarks before the discussion begins?

Mr. DOMENICI. I think it is a matter of whether the Senate confers.

Mr. President, I ask unanimous consent that I be permitted to speak for 5 minutes.

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

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. ALEXANDER. Will the Senator yield for a question?

Mr. DOMENICI. Yes.

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

The Senator is recognized for 5 minutes.

The conference report was agreed to.

A few moments ago, we passed a comprehensive Transportation bill for all of our States and our people, and regardless of what is said about it, in meticulous detail it is a terrific jobs package and infrastructure building bill for America.

In addition, I submit that we have also accomplished some things we never were able to do: we enacted a bankruptcy reform act. I know people wonder why that is important, but we will not talk about why. Let’s just say credit is the lifeblood of our Nation. If something is wrong with the credit system, you have to fix it. We have been waiting around to fix the bankruptcy system, which is an integral part of the credit system, for at least 5 years. We passed the bill about three times in the Senate and, yes, in this particular 6 months, we did that. We sent it to the House and it is a law.

The budget resolution, I did them for years—let’s be honest, for 31 years. This new Senator produced, under our leader’s leadership, the fifth fastest budget resolution, and he got it in on time.

The emergency supplemental was as big as many appropriations bills, gigantic—for Iraq, the tsunami, and we provided real help for the borders of our country. Five-hundred new Border Patrol people were in that bill, along with other things.

We included, since then, in an Interior appropriations bill, which also passed, veterans funding of $1.5 billion.

Let me go on with the list. After the emergency supplemental, we did six judges who had been filibustered for months upon months.

We did CAPTA. That is the last of a long list of American free-trade agreements. This one, for a change, went our way. It was taking off tariffs that were imposed mostly on us, instead of the other way around.

Now, 5 of the 12 appropriations bills have passed. All of the appropriations bills have been reported out of committee, except one. I didn’t check the history, but I think that is close to a record.

We confirmed the Secretaries of State, Justice and Homeland Security. We confirmed the Director of National Intelligence. That is the equivalent of another Cabinet seat.

We also passed the Legislative Branch appropriations bill. We did, a while ago, a very important piece of legislation, gun liability reform. People wonder what that has to do with—as we say out in the country—the price of eggs. I will tell you, it is important legislation, too. It confirmed liability, as far as the liability of those who manufacture, which is growing out of proportion to our regular negligence laws, and put that under some kind of reasonable control as far as the liability of manufacturers, those who could build firearms. If the gun manufacturers went out of business, we would have had to get guns produced overseas, and that would not have been good.

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

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

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

The bill (H.R. 3512) was read the third time and passed.

Mr. DOMENICI. Mr. President, are we in morning business?

The PRESIDING OFFICER (Mr. ALLARD). No, we are not.

Mr. DOMENICI. I ask unanimous consent that I be permitted to speak for 5 minutes.

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

The Senator is recognized for 5 minutes.

Mr. ALEXANDER. Will the Senator yield for a question?

Mr. DOMENICI. Yes.

Mr. ALEXANDER. Would it be possible to get 3 or 4 minutes following the Senator’s remarks before the discussion begins?

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