

(b) *REVISION OF POLICIES AND PROCEDURES; DEADLINES.*—

(1) *IN GENERAL.*—Not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Administrator, shall revise the policies and procedures established under section 47107(l) of title 49, United States Code, to take into account the amendments made to that section by this title.

(2) *STATUTE OF LIMITATIONS.*—Section 47107(l) is amended by adding at the end the following new paragraph:

“(5) *STATUTE OF LIMITATIONS.*—In addition to the statute of limitations specified in subsection (n)(7), with respect to project grants made under this chapter—

“(A) any request by a sponsor to any airport for additional payments for services conducted off of the airport or for reimbursement for capital contributions or operating expenses shall be filed not later than 6 years after the date on which the expense is incurred; and

“(B) any amount of airport funds that are used to make a payment or reimbursement as described in subparagraph (A) after the date specified in that subparagraph shall be considered to be an illegal diversion of airport revenues that is subject to subsection (n).”

SEC. 906. CONFORMING AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.

Section 9502 of the Internal Revenue Code of 1986 is amended—

(1) by striking “and” at the end of subsection (b)(3);

(2) by striking the period at the end of subsection (b)(4) and inserting “, and”; and

(3) by adding at the end of subsection (b) the following:

“(5) amounts determined by the Secretary of the Treasury to be equivalent to the amounts of civil penalties collected under section 47107(n) of title 49, United States Code.”; and

(4) in subsection (d), by adding at the end of subsection (d) the following:

“(4) *TRANSFERS FROM THE AIRPORT AND AIRWAY TRUST FUND ON ACCOUNT OF CERTAIN AIRPORTS.*—The Secretary of the Treasury may transfer from the Airport and Airway Trust Fund to the Secretary of Transportation or the Administrator of the Federal Aviation Administration an amount to make a payment to an airport affected by a diversion that is the subject of an administrative action under paragraph (3) or a civil action under paragraph (4) of section 47107(n) of title 49, United States Code.”

TITLE X—EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY

SEC. 1001. EXPENDITURES FROM AIRPORT AND AIRWAY TRUST FUND.

Section 9502(d)(1) of the Internal Revenue Code of 1986 (relating to expenditures from Airport and Airway Trust Fund) is amended by—

(1) striking “1996” and inserting “1997”; and

(2) inserting “or the Federal Aviation Reauthorization Act of 1996” after “Administration Authorization Act of 1994”.

Mr. LOTT. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Was that motion to reconsider laid on the table?

The PRESIDING OFFICER. It was.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The distinguished Senate majority leader.

Mr. LOTT. Thank you, Madam President. I ask unanimous consent that the Senate insist on its amendments to H.R. 3539, that the Senate request a conference with the House on the disagreeing votes, and the Chair be authorized to appoint conferees.

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

Mr. LOTT. Madam President, for the information of all of our colleagues, we are awaiting receipt of the Transportation appropriations conference report. We expect to have it here momentarily, hopefully in 10 minutes or so. We would then ask consent to take up that Transportation conference report and proceed to its conclusion.

Following that, then we would go to the Magnuson fisheries bill. I know that the Senators from Massachusetts and Alaska and the two from Washington are interested in that. It is our intent to go to Magnuson as soon as we complete action on the Transportation appropriations conference report. In view of that, while we await the receipt momentarily of the Transportation conference report, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. Madam President, I ask that I be allowed to speak as in morning business.

Mr. LOTT. I do reserve objection just to make this point. How long?

Mr. BINGAMAN. Eight minutes I was planning to speak.

MORNING BUSINESS

Mr. LOTT. Madam President, at this point I ask unanimous consent that there be a period of morning business for 15 minutes. Would that be all right?

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

Mr. BINGAMAN addressed the Chair. The PRESIDING OFFICER. The Senator is recognized.

Mr. BINGAMAN. I thank the Chair, Madam President.

EDUCATION IN AMERICA

Mr. BINGAMAN. Madam President, I want to speak for a few minutes on the issue of education funding, which is of vital importance to most Americans and certainly is to the people in my State.

First of all, I think we need to put the issue into context. When I go around my State of New Mexico, I talk to people at townhall meetings and I ask, what percentage of the Federal budget do you believe is committed to improving education? Usually I start by saying, “How many of you think 15 percent of the Federal budget is committed to education?” Quite a few hands go up in the audience. Then I say, “How about 10 percent?” and even more hands go up. I say, “Five percent?” and not that many hands. So the consensus in my State is that perhaps we are spending about 10 percent of our Federal budget on education.

Madam President, the truth is, we are spending 1.4 percent, less than 2 percent, of our Federal budget on education. It is in this context that we need to consider the proposals which have come forward in this Congress to actually cut back on Federal support for education.

At the same time, as baby boomers’ children enter the schools, as enrollment grows in my State, as it is growing in many States around this country, we are seeing Federal support for education dropping in absolute terms.

I had a chance to visit Las Cruces, NM, with a group of experts on education who were looking at the problem of Hispanic students who are dropping out of our schools in very large numbers in my State and throughout the country. We were having lunch in a restaurant, an excellent restaurant named Roberto’s in Las Cruces. I recommend it to anybody. But we were having lunch there, and a woman recognized me and came over to introduce herself.

She said that she was a seventh grade teacher. She taught math in the seventh grade. So I suggested she sit down with this group of experts and talk to them about what needs she saw in education.

The first thing she raised was, “We would certainly appreciate anything that you can do to get us more money for supplies.” And I said, “What do you mean, ‘supplies?’” She said, “We get an allocation. I, as a seventh grade teacher, get an allocation of \$50 a year for supplies for my entire class, and that includes the cost of copying materials that I want to pass out to my students. So we wind up either with me not providing the materials or with me paying for it out of my pocket or having bake sales or depending upon charity of some kind to cover this cost.”

Madam President, it is in that context that we are talking about cutting funds for education here at the national level. It is also in the context of a defense bill which is pending or will be pending soon here in the Senate that goes \$9.4 billion over what the Pentagon requested this year.

So we are cutting back on education funds and adding over \$9 billion to what the Defense Department requested, and I think the American people believe that our priorities are out of whack. The priorities of this Congress are not the priorities of the American people. The American people would like us to spend more than 1.4 percent of the Federal budget on education.

I also want to say that this issue about whether the Federal Government should help or whether it is none of the Federal Government’s business is really an inside-the-beltway kind of an issue, as far as I can tell. When I go home and talk to teachers and parents, they are not particularly concerned about which level of government is providing the support. What they want is to see the local school district and the

State and the Federal Government working together to solve the real problems of providing quality education.

This is a real issue here. Today, as I understand it, some Members on the House side announced yet another proposal to repeal Goals 2000. They did so by making a statement about how this is a first step toward eliminating Federal involvement in education. Madam President, this is not the burning issue, this issue of eliminating Federal involvement. It is not the burning issue in my State. The issue is how do we get the resources and the support to educate our children in the way we believe they should be educated.

In a State like mine, which is growing, student enrollment is also growing. It is estimated by the year 2002 we will have 20,000 additional students in my State. These are students who we are not presently planning funding to support.

We need technology in our schools. I think everybody here, the Presiding Officer, has been a leader in trying to assist schools in obtaining technology to improve education.

We need to put our money where our mouth is on this issue of technology for education, and begin here at the Federal level to support local school districts and States in their efforts to obtain technology and upgrade the quality of education through the use of technology.

We simply have to do more than the House has proposed to do. In my view, I am encouraged that there have been negotiations. I am encouraged there seems to be a bipartisan consensus to restore funds to a previous level in most areas. Frankly, Madam President, I believe we need to do better than this bipartisan discussion seems to be taking us.

As I understand it, the majority leader has an amendment he will offer in this area. It should be praised in several respects. It is strong in such areas as special education grants to the States and title I funding and several smaller student aid programs. However, as I understand the amendment, it would be at a level of \$2.3 billion, which is still substantially less than the \$3.1 billion that Senator HARKIN would propose in his alternative amendment. By cutting away at some of those funds that Senator HARKIN would provide, it keeps us from addressing some key areas.

In particular, as I understand it, the Lott amendment provides no additional funds for key programs such as the Goals 2000 Program, for bilingual education, for school-to-work, for teacher training, for the TRIO Program, nor does the Lott amendment provide \$68 million in additional funds the Department needs to continue its very successful direct lending program. This amendment also fails to increase education technology programs to the same extent that the Harkin amendment would. In addition, the Lott

amendment would appear to not include any additional funding for Head Start or job training programs.

As I understand the Harkin amendment, in contrast, it increases spending levels for key programs well beyond the previous year's level in the committee bill or in the Lott amendment. There is \$136 million more for Goals 2000, \$77 million for bilingual and immigrant education, \$227 million more for education technology programs. Clearly, those are very important to us as we approach the new century.

Cutting, freezing, or even reluctantly supporting minor increases in education funding is simply the wrong way to go, in my opinion. We need some restructuring in our schools. All of the problems in our schools cannot be solved by additional resources. That is clear. We need smaller schools. We need better trained teachers. We need to have classrooms that are better equipped. Clearly, funding is part of the solution. Just as funding is part of the solution to improving and modernizing our defense capability, adequate resources are part of the solution to improving and upgrading the quality of education for our students.

I hope very much, Madam President, before the Congress adjourns, we can get a chance here on the floor of the Senate to vote for a level of funding which is equal to what the President requested in education. I do not think his request was in any way excessive. It still keeps us at about 1.5 percent of the official budget. It is a very modest increase by any measure. I believe that is consistent with what the American people would like to see in the area of education.

I hope, very much, that we will have a chance to vote on that level which is represented by the Harkin amendment. I urge my colleagues to support that. I know it is consistent with the people I speak to in my home State. I believe it is consistent with the majority view throughout this country.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997—CONFERENCE REPORT

Mr. LOTT. Madam President, I submit a report of the committee of conference on H.R. 3675 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H.R. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

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

(The conference report is printed in the House proceedings of the RECORD of September 16, 1996.)

Mr. LOTT. Madam President, I understand the managers of the legislation are on their way here. The Senator from New Jersey will be here momentarily. We will proceed at that time.

For now, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MEASURE RETURNED TO THE CALENDAR—S. 1994

Mr. HATFIELD. Mr. President, I ask unanimous consent that S. 1994 be returned to the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

Mr. HATFIELD. Mr. President, I understand the conference report on the Transportation Subcommittee of the Appropriations Committee is now before us.

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. I move that the Senate adopt the conference report.

Mr. President, I withhold making that motion at this time.

Mr. President, we are here to present the conference report, myself and Senator FRANK LAUTENBERG, representing the State of New Jersey and the ranking member of the Transportation Subcommittee of the Appropriations Committee. We have enjoyed a marvelous working relationship, and I take another opportunity to thank Senator LAUTENBERG for his fine support. His contribution has been great. We have had not only a wonderful working relationship, but we enjoy a deep personal friendship as well, by which I am blessed.