

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.

Also, at this time I would like to comment that Anne Miano of my staff took on this role as being the chief clerk of the Transportation Subcommittee really kind of in the winding down days of the Senate, showing her great capacity to move into the No. 1 slot upon the retirement of Pat McCann, who had held that position for many years. I thank her especially for her efficiency and her quick comprehension of all the details which she now has performed so well as the chief clerk for the majority on this subcommittee.

Peter Rogoff is also a very fundamental part of our operation. As I have said frequently and I say again, Mr. President, the relationship that exists between the minority and the majority—and I have been in both—is that we hardly know a distinction, at the staff level especially, and he has filled in, provided me with information as well as Senator LAUTENBERG. We have no distinctions of partisanship, no labels that separate us. It is a marvelous kind of collaborative effort that Peter Rogoff and Anne Miano now—and before Pat McCann—enjoy.

We have now concluded our conference for the fiscal year 1997 Department of Transportation and related agencies appropriations bill, H.R. 3675. In total, this conference report contains \$12 billion in new budget authority for transportation programs and projects and \$35 billion in outlays.

The conference report includes funds to continue the vital air traffic control operations for the Federal Aviation Administration, the search and rescue activities of the U.S. Coast Guard, as well as many other critical functions of the department. In addition, it will provide billions of dollars for needed infrastructure projects across the Nation.

I am particularly pleased to point out that this report includes \$150 million for State infrastructure banks programs. This program will permit interested States to use innovative financing to stretch their transportation dollars and maximize the Federal investment in transportation. Ten States are already in the program and this appropriation will allow even more States to participate. I believe that the SIB's Program will become increasingly important in the years ahead as States work to find modern financing tools to help improve their State's transportation networks.

The Essential Air Service has been funded at \$25.9 million, the Senate-passed level for this Program. I have heard from many Senators in support of the EAS Program. They have told me that without the EAS program, people in communities dependent on EAS service would find themselves isolated and be forced to drive long distances to reach their destinations. I am pleased that we were able to increase the funds for this program, which had received only \$10 million in the House-passed bill. In other words, we are now more than 2½ times that House figure.

The conference report includes an increase for FAA operations of \$254.3 million above the fiscal year 1996 level. This 5-percent increase will support the hiring of 500 new air traffic controllers, 367 new aviation safety inspectors, and other regulatory oversight personnel. It also provides a 9-percent increase in funding for field maintenance of air traffic equipment.

In light of the recent TWA flight 800 tragedy, the conferees have fully funded the administration's request of \$36.055 million for aviation security technology. This amount includes \$27.4 million for research and development into new devices to detect explosives and weapons, and \$1.3 million to harden aircraft against the effects of explosives. We have fully funded the administration's request for operational security by providing \$71.9 million to fund about 780 security personnel.

The conferees included \$13 million for FAA research, engineering, and development in order to improve aviation safety in hazardous weather. This amount is about \$6.6 million above the administration's request for weather research and will enable FAA to place a higher priority on aviation weather safety research.

The conference report contains \$1.46 billion for grants for the Airport Improvement Program [AIP]. This is an increase of \$10 million above the fiscal year 1996 level and \$110 million above the administration's request. I believe that these grants are very important for airports around the Nation and will do much to improve the quality of aviation service for the public.

I would also like to underscore that we have provided an obligation limitation of \$18 billion for grants to States from the highway trust fund. This amount is \$450 million above the fiscal year 1996 level for the Federal-aid highway program. We have rejected the administration's request to make some previously exempt highway programs part of the overall obligation ceiling and rescind \$300 million of previously authorized ISTEA projects. The conferees were not able to include an amendment that was adopted on the Senate floor to address the impact of the reporting of excise tax data on the allocation of Federal-aid highway funds. This issue and other related issues will be taken up during next year's debate on reauthorizing the ISTEA Program.

A total of \$760.45 million is provided for all Amtrak accounts—including the Northeast corridor—an increase of \$10.45 million above the fiscal year 1996 level. This appropriation includes \$115 million for the Northeast corridor, a freeze at the current level. It also includes \$80 million in high-speed rail funds for Amtrak, as well as \$342 million for operations, the amount requested by the administration. Amtrak capital is funded at \$223.45 million, which is close to the fiscal year 1996 level of \$230 million.

The conferees were mindful of Amtrak's need for more funds and added

\$38 million to the Transportation Subcommittee's conference allocation in order to increase Amtrak's capital account. Amtrak's long-term problems require legislative solutions that cannot be addressed by the Appropriations Committee on this bill. The conference report includes language assuring States where Amtrak has announced service cuts that they may use their CMAQ—Congestion Mitigation and Air Quality Improvement Program—funds to preserve rail service.

In addition, this conference report contains \$1.9 billion for discretionary transit capital grants. This includes \$380 million for bus-related projects, \$760 million for new starts, and \$760 million for fixed guideway modernization. The conferees also added \$97 million to transit formula capital grants, and agreed to the Senate-passed level of \$2.149 billion—this program includes \$400 million in operating aid.

Transit helps to provide affordable, efficient, and reliable transportation to get people to work, school, and to reach needed services. Moreover, transit funds help to improve air quality, mitigate highway congestion, and provide expanded mobility for elderly and disabled persons.

I believe that the funds contained in this conference report will assist States in making their transportation systems more efficient. They also will enhance transportation safety throughout the Nation.

Mr. President, I could go on at considerable length in identifying many of these accounts. I think these that I have identified very clearly indicate what the committee's priorities have been, both from our creating the Senate bill, as well as our defense of that Senate action in the conference with the House of Representatives. I want to say, we have had excellent support from the House of Representatives in our conference. It was a very efficient conference. It did not drag on forever. I believe we had over 170 amendments that we had to deal with in conference. As I recall, at the staff level the staff had resolved over 153 of them. Then, as the principals got together prior to the formal conference, we resolved further. This was, I would say, a harmonious, effective, cooperative conference experience.

So, I really do not think we have any unresolved, vital, important issues. We have not been able to get the level of funding we would like for many of these important issues, but nevertheless I think we have covered the basic priorities of the administration, of the Senate, and of the House of Representatives.

In closing, I want to say I do not believe we can overemphasize the important and vital need of addressing our national infrastructure, whether it be by water, by highway, by rail, by air, by all the modes we have employed in transportation. Urban centers are in deep need of further assistance in the infrastructure to maintain the viability of urban centers. And rural areas,

which figure so much into our overall economy, have to have, certainly, consideration as well in their special needs.

I always like to repeat a factor, here, that I think sometimes we forget. A lot of people think the infrastructure is sort of a local matter, a local interest, a local priority. Let us not forget, when the great President, and the great general, Dwight Eisenhower, out in Topeka, KS, in his administration, launched the Interstate Highway System, he launched it as an Interstate Defense Highway System. He said such a tying together by a complex infrastructure of transportation was as vital to our national security as were the armaments in our arsenal.

He also said that about his Education Defense Act, relating to moneys for education, for health, for housing, for a productive economy.

So, I hope we will see this, not as individual States, individual communities, as important as that is, but also as a national interest of high priority for the security of the Nation.

Again, it was not only President Eisenhower who gave us that lesson, but we have been reminded frequently by the Senator from West Virginia [Mr. BYRD] of the importance of maintaining our commitment to the infrastructure, as I have sat on everything from a summit with the White House settling certain budget problems, as well as having heard his admonitions on the floor of the Senate. I yield the floor at this time.

Mr. BYRD. Will the Senator yield? I do not believe Senator LAUTENBERG has spoken yet, but I want to respond to something the distinguished Senator from Oregon said.

Daniel Webster, in his reply to Hayne, in 1830, January 26, was critical of Hayne for asking a question as to why he, the Senator from South Carolina, should support a canal of importance to the State of Ohio.

And Webster said that we who represent the people of New England do not limit our patriotic feeling to geographical limits such as "rivers and mountains, and lines of latitude, beyond which public improvements do not benefit us."

But, he said, "I look upon a road over the Alleghenies"—and that struck me as being pretty significant. Daniel Webster, speaking of a road across the Alleghenies, or "a canal round the falls of the Ohio, or a . . . railway from the Atlantic to the western waters" saw these as being "an object large and extensive enough to be . . . for the common benefit." If he were to question such things, said Webster, since they are of sufficient import to be "for the common benefit," he would not be willing to face his constituents in New England.

So, long before our time, Webster and Clay—Clay was an advocate of the great American system which dealt with the banks, with tariffs, and with public investments in highways and ca-

nals and railroads, so these were early advocates of infrastructure. They looked at the importance and benefits that would accrue to the Nation, not just to a locality or community or a State. I wish that some of those critics who criticize what they call pork, which is really infrastructure, will go back and read the speeches of those great Senators—Clay and Webster.

Perhaps those of today will get a new understanding and light upon these very important subjects, and 10, 15, 20 years from today, people are going to look at the crumbling infrastructure and wonder where we have been.

When God went to the Garden of Eden looking for Adam in the cool of the evening, Adam hid from God. God said, "Adam, where art thou? Adam, where art thou?" And one day our constituents will say, "Where were you? Where were you when you failed to build infrastructure for the future?"

I have a statement commending the chairman and ranking member, but I will withhold my statement until Members have had an opportunity to respond. I just could not resist recalling the words of Webster when he spoke of the significance of building for the future, building highways, canals and railroads. I shall remember MARK HATFIELD as one who thought and believed the same way as Daniel Webster. I thank the Senator.

Mr. HATFIELD. Mr. President, I thank the Senator from West Virginia. His eloquence is always very commending. But I couldn't help but reflect when he goes back to Daniel Webster, that this bill has been crafted across this aisle, between Democrats and Republicans. But if we lived in that period of time, I am convinced all three of us would have been Whigs, because we have to attribute to the Whig Party, even though we sort of fluff it off as an insignificant part of our great history, that it was the Whig Party that held fast in the words of Daniel Webster and Henry Clay and others that building a national infrastructure was of the utmost priority. It was the Democrats who took issue with them on that subject, and is an interesting way of how our political labels and our political philosophies tend to evolve and flow. But I have no doubt that on this issue, the three of us would have been of one party.

Mr. BYRD. We're Whigs at heart. We're Whigs at heart.

Mr. HATFIELD. I yield to my colleague at this time for his opening remarks.

Mr. LAUTENBERG. Thank you very much, Mr. President.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, obviously, as the ranking member of the Subcommittee on Transportation of Appropriations, I strongly support H.R. 3675, the Transportation appropriations bill for this coming fiscal year. The conference report was filed by the Transportation appropriations

conference on September 16, just a couple of days ago. But this bill is marked by more than just dollar amounts or designated programs. This bill exhibits the extraordinary leadership of the distinguished chairman of the Appropriations Committee, the chairman of the subcommittee, as well as the very distinguished former chairman of the Appropriations Committee—two gentlemen who have left, to use the expression, a mark on this body that will endure far beyond the lives of anybody within earshot of our voices.

It has been a real privilege for me to work with these gentlemen. I came here at a rather mature status in life. I spent 30 years in the corporate world before coming to the U.S. Senate. But one of the great delights of serving here is to have the occasional respite from the tensions and the differences that are so prominent in this body of ours when we hear from people like Senator MARK HATFIELD or Senator ROBERT BYRD, who bring not only experience but wisdom to our deliberations.

Frankly, Mr. President, I have to tell you that I worry about the U.S. Senate. I worry about our governance and our congressional responsibilities when we lose contact with someone like MARK HATFIELD, who has chosen to retire, and many other fine colleagues who have also chosen to make this their last year in the U.S. Senate.

I find it to be a very depressing prospect, because so much experience and so much knowledge will leave the floor of this U.S. Senate, and I hope those of us who are left to carry on for however long that is, can learn from the examples set by Senator MARK HATFIELD and by Senator ROBERT BYRD.

Senator BYRD is going to stay with us and he is going to keep working, thank the Lord for that. But this bill is uniquely marked by the fact that it is the last transportation bill that Senator MARK HATFIELD is going to manage. His is a very special legacy. He will be remembered for his spirit, his integrity, for his character, for his intelligence, and for his friendship. I will sorely miss him. I don't want this to turn into a eulogy, Mr. President, but I couldn't let this bill be considered without noting the unique contribution made to our country in these transportation programs by Senator HATFIELD.

Given the funding limitations we face in this year's appropriations process, I think this conference agreement does a very good job. It addresses numerous and sometimes competing transportation needs throughout the country.

There is no question that the conference agreement before us represents a much more balanced approach than did the House-passed bill. The conference agreement goes a long way toward addressing the priorities of Members. Moreover, the conference agreement also addresses many of the priorities of the administration.

As such, the President has indicated that he will sign this bill when he receives it. I almost want to say "hal-le-lujah," because it gives us added reason to get it over there.

As is the case with all appropriations conferences, I cannot say that the Senate position ruled the day on all contentious matters addressed by the conferees. Indeed, I am disappointed with several individual issues contained in the conference report. However, by no means is it the fault of our distinguished chairman. After hours of tough negotiation, matters were necessarily resolved in a fashion that would ensure the passage of the separate and independent transportation bill, again, that will gain the President's signature and avoid getting caught up in the quagmire of a continuing resolution.

One result that I find to be exceedingly disappointing is the action by the conferees in rejecting an amendment that I offered to ensure that no State endures a cut in its annual highway funding from the huge Federal-Aid Highway Program.

The conference agreement before us calls for the overall obligation ceiling for the major highway formula program for the Nation to increase to a record-high level of \$18 billion. This level is a full \$450 million higher than the current year's level, \$450 million higher than the House-passed level, and \$350 million higher than the original Senate-passed bill.

I have always—and again I join with the other Whigs here—I have always supported increased infrastructure spending, especially in the highway area. I was shocked, however, to find that under formulas contained in the authorizing law, ISTEA, 28 States—28—will actually receive less money from the highway program in 1997 than they did in 1996. I want to restate that. At the same time as we are going to be providing an unprecedented increase in the highway formula program, a larger increase than was granted in either the House or Senate bill, a majority of the States will actually endure a cut in their highway obligation ceiling below the current year's level.

This situation stems from the formulas contained in ISTEA, Mr. President. It is a formula already established. However, I do feel that, when we provide historic funding increases to the program, States should at least be held harmless—they should be guaranteed at least what they received for the preceding year.

Mr. President, I ask unanimous consent that a table be printed in the RECORD which displays each State's highway obligation ceiling at the current funding level opposite the level they can expect to receive in fiscal year 1997.

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

COMPARISON OF ESTIMATED FY 1997 OBLIGATION  
LIMITATION  
[Dollars in thousands]

State	Fiscal year 1996 actual	Conference	Percent	Dollar loss/ gain
Alabama	270,610	329,746	122	59,136
Alaska	203,994	182,075	89	(21,919)
Arizona	196,433	244,013	124	47,580
Arkansas	175,359	205,117	117	29,758
California	1,406,489	1,528,545	109	122,056
Colorado	199,342	198,171	99	(1,171)
Connecticut	353,689	316,202	89	(37,487)
Delaware	77,484	69,282	89	(8,202)
Dist. of Col.	78,920	73,582	93	(5,338)
Florida	598,880	711,991	119	113,111
Georgia	403,493	526,148	130	122,655
Hawaii	121,729	108,983	90	(12,746)
Idaho	105,691	98,510	93	(7,181)
Illinois	660,503	589,620	89	(70,883)
Indiana	341,554	390,495	114	48,941
Iowa	197,960	177,316	90	(20,644)
Kansas	205,052	183,204	89	(21,848)
Kentucky	225,745	286,319	127	60,574
Louisiana	235,699	265,287	113	29,588
Maine	91,559	84,182	82	(7,377)
Maryland	265,587	262,322	99	(3,265)
Massachusetts	690,634	617,631	89	(73,103)
Michigan	467,061	491,589	105	24,528
Minnesota	252,289	219,855	87	(32,434)
Mississippi	183,481	203,112	111	19,631
Missouri	356,657	402,267	113	45,610
Montana	154,849	133,659	86	(21,190)
Nebraska	139,084	124,262	89	(14,822)
Nevada	104,575	105,029	100	454
New Hampshire	85,554	76,434	89	(9,120)
New Jersey	478,929	434,884	91	(44,045)
New Mexico	169,082	149,360	88	(19,722)
New York	1,044,890	933,790	89	(111,100)
North Carolina	399,218	446,693	112	47,475
North Dakota	102,064	91,086	89	(10,978)
Ohio	594,508	555,591	97	(38,917)
Oklahoma	227,795	258,883	114	31,088
Oregon	202,782	204,437	101	1,655
Pennsylvania	660,889	671,171	102	10,282
Rhode Island	85,850	71,582	83	(14,268)
South Carolina	211,129	263,985	125	52,856
South Dakota	111,380	99,417	89	(11,963)
Tennessee	325,654	371,667	114	46,013
Texas	984,970	1,167,763	119	182,793
Utah	125,684	121,489	97	(4,195)
Vermont	78,511	70,155	89	(8,356)
Virginia	341,432	393,580	115	52,148
Washington	324,150	291,059	90	(33,091)
West Virginia	158,810	141,509	89	(17,301)
Wisconsin	291,760	296,896	102	5,136
Wyoming	111,281	99,388	89	(11,893)
Puerto Rico	76,122	73,648	97	(2,474)
Subtotal	15,956,846	16,432,881		
Administration	529,843	521,119		
Federal lands	416,000	426,000		
Reserve	647,311	620,000		
Total	17,550,000	18,000,000		

Mr. LAUTENBERG. As I earlier stated, I offered an amendment in the conference on this bill to implement a hold-harmless provision to ensure that, as we added a half billion dollars to the National Highway Program, no State would be cut below the current year's level. Unfortunately, my amendment was not accepted, and we are where we are.

Mr. President, this is a scenario that will serve as the backdrop as we attempt to reauthorize ISTEA in the next congressional session. More than half the States will actually see their highway funding cut as we appropriate—a historic funding increase to the National Highway Program. As we approach ISTEA reauthorization, I hope and expect that all Members will focus on these formula issues and work to restore fairness to the highway program so all States will benefit when we add substantial sums to the program.

Mr. President, Amtrak funding is a favorite subject of mine; it is a favorite subject, I know, of the chairman of the Finance Committee and of our other colleagues who recognize the value of having Amtrak, the national passenger rail service, improved, maintained and available. When it comes to Amtrak

funding, the conference agreement is a vast improvement over the House-passed bill.

I am grateful to my many Senate colleagues who joined us to try to get an adjustment. I am disappointed, however, that the funding for Amtrak's Northeast Corridor Improvement Program—that is the corridor that runs from Washington up through Boston—will be funded at \$115 million, which is well below the President's request.

Mr. President, the key to Amtrak's future is the expeditious completion of the major infrastructure improvements that have begun in the Northeast corridor. If these things are forced to drag out, costs go up, changes come in, and as we all know, sometimes even political influences begin to change the course of events.

Amtrak's own studies indicate that all—and I emphasize all—of the increased revenue that Amtrak can hope to capture in the near-term will come from the Northeast corridor. That is where the traffic is, the largest share of the population that is served by the railroad.

In recent months we have heard the usual arguments from Members of Congress that Amtrak must become self-sufficient. Now many of the Members who have advocated substantial cuts in the railroad's operating subsidy are bemoaning the fact that they are going to lose Amtrak service. The conference agreement before us, they should be aware, cuts Amtrak's operating account some \$50 million below Amtrak's request.

Some of these Members are now trying to find a way to restore service to their constituents. I know that Amtrak service is valuable wherever it exists, but funding cuts cannot be inflicted without pain. The solution is improving Amtrak's revenue wherever possible.

I have long believed, Mr. President, that we should have a financially healthy and adequately capitalized national railroad that serves as many areas of the country as possible. I want to support Members' efforts to maintain service throughout the country, but I also believe that my colleagues need to recognize that the key to Amtrak's self-sufficiency, the key to Amtrak having enough revenue to operate these lines throughout the Midwest and the Far West, is adequate funding for Amtrak's Northeast corridor. That is where the revenue opportunities lie. That is where the investment has to be made in order to generate the revenue to feed these less productive, less revenue-producing parts of the system.

Amtrak's president, Tom Downs, recently testified at the Senate Commerce Committee. He explained that, were it not for the recent positive financial performance of the Northeast corridor, the trains now slated for termination in the next few months would have been terminated several months ago.

The corridor carries half of all Amtrak riders, and generates well over

half of Amtrak's passenger-related revenues. As I stated during the conference on the transportation bill, I expect to seek increased funding for the Northeast corridor on any legislative vehicle seeks to provide funding to Amtrak to maintain service on the lines currently slated for termination.

Finally, I want to point out where this bill sits in regard to the funding stream for the airport and airways trust fund. As many Members know, the tax-writing committees extended the ticket tax, which finances the aviation trust fund, only through December of this year. Once again, come the beginning of the year, the ticket tax will expire, leaving the trust fund without an adequate revenue stream.

The conference agreement before us assumes obligations from the aviation trust fund totaling \$5.1 billion in fiscal year 1997. I am told by the FAA that, with the termination of the ticket tax this coming December, the trust fund will be between \$400 and \$500 million short in financing the FAA's 1997 appropriation.

I want everybody to think about that, that while there are substantial funds in there right now, they are drawn down at a rate of half a billion dollars a month. With the expiration of the ticket tax, the FAA will literally run out of money absent any further action of the tax-writing committees. The agency will either be required to cease making airport grants, terminate certain procurements, terminate some research projects, or slow down expenditures in critical operating areas, such as controller training and safety inspections.

Mr. President, these shenanigans with the aviation trust fund must come to a stop. It is not fair to the employees of the FAA, not fair to the airports, not fair to the traveling public. So I want to add my voice to those of Senator MCCAIN, Senator FORD, Senator DORGAN, and others who are insisting that some action be taken before the end of this session to make sure that the ticket tax is extended beyond the end of the year. I feel that it is critical to point out that no Senator has been more diligent in advocating appropriate action by the authorizing and tax-writing committees than our distinguished chairman of the full committee and subcommittee, Senator HATFIELD.

The conference agreement on the transportation bill was truly a bipartisan effort. Throughout the process, Chairman HATFIELD exhibited his customary openness, fair-mindedness, and delicate hand. He was, once again, the conductor of the orchestra, trying to make rhythm and good sound out of the cacophony that prevails at times during these conferences.

In those 2 years as chairman of the Transportation Subcommittee, once again, Senator HATFIELD has left his mark. He is an informed, wise, just policymaker in the transportation arena. He believes deeply in the infrastructure

investment that our country has to make. I agree with him. I admire his leadership and will always treasure his friendship.

The Senator from Oregon mentioned President Eisenhower and his creation of the highway system in 1952. My graduation certificate from my Columbia diploma carries President Eisenhower's signature because he was then president of Columbia. I served under his leadership in World War II. I do not think he knew I existed. I knew he existed because he came through my area one time and we scraped and cleaned and made sure everything looked right. I did join him here, but I came a long time later. It was a pleasure to have him lead our country.

Once again, Mr. President, I voice my support for the conference agreement, and thank Senator HATFIELD for his courtesy throughout his tenure as chairman of the Appropriations Committee and the Transportation Subcommittee. I also want to note the excellent job done by staff, by Peter Rogoff on my side, Anne Miano on the other side, Mike Brennan, and those staff people who worked throughout the process. We had a retirement take place in the middle of this bill, and Anne jumped into the fray, as did Peter. We are grateful to them for superb and loyal service.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I rise to express my thanks to the chairman of the Appropriations Committee for his dedicated work throughout the year in this body, his work on the Appropriations Committee, where he has always stood as a solid rock in the interest of the economy, in the interest of improving our country's infrastructure, and where he has been a dedicated servant of his State.

This will be the last appropriations bill he will manage on the floor of the Senate. I say to him I shall not forget him in the coming years. I shall remember him as one who demonstrated supreme courage, high integrity and steadfast patriotism always. I also should think of him as one who could very well have sat during the deliberations of the Constitutional Convention, which operated behind closed doors during those days, from May into September, and which, 209 years ago yesterday, completed its work.

Benjamin Franklin, according to a story, which may or may not have been apocryphal, said in response to a lady's question after the Convention had finished its work—the lady's question was, "Dr. Franklin, what have you given us?" And his answer, according to the story, was, "A republic, madam, if you can keep it." He did not say, "A democracy." He said, "A republic, madam, if you can keep it."

I think of that, and Senator HATFIELD as someone who could very well have graced the membership of that Convention, along with Benjamin

Franklin, Elbridge Gerry, James Madison, Alexander Hamilton, and George Washington, who presided over the Convention.

So it was on yesterday, 209 years ago, that that conference completed its work. It was a gamble. Those who wrote the Constitution did not know, of course, what the future would be, how their work would be accepted, or how long they would be in the minds of their countrymen.

MARK HATFIELD is one who has stood steadfast in the defense of that Constitution. I remember him for many things. I will thank him again and again for the inspiration he has provided to me and to others in this body.

While I did sign the conference report to accompany this bill, the RECORD will note that I excepted myself as to the disposition of amendment No. 150, to which the distinguished Senator from New Jersey, Mr. LAUTENBERG, has referred. This amendment pertained to the Baucus amendment and the overall issues surrounding the distribution of Federal aid highway funds for the coming fiscal year. I was disappointed that the Senate receded to the House regarding the Baucus amendment, since it sought to correct an error made by the Treasury Department in calculating highway gas tax revenues.

The result of the insistence in the House conferees in not correcting the error is that my State of West Virginia will see \$6 million less in Federal aid highway funding than it would have received had this genuine mistake been corrected.

Moreover, I am especially disappointed that the conferees did not accept Senator LAUTENBERG's amendment which would have ensured that no State would see a cut in Federal aid highway funding below the 1996 level. Members should take note of the fact that the conferees on the transportation bill increased the Federal aid highway formula obligation ceiling to a historically high level of \$18 billion.

Now, I have been an advocate for increased infrastructure spending in our Nation especially in the area of highways. Normally, I would be here to praise the conferees' work in finding more money for highways than was contained in either the House or Senate bill. But a thorough review of the impact of the existing highway formulas on this program shows, as Senator LAUTENBERG has just stated, that only 22 States will enjoy any increase at all in highway formula funding next year. Those States will see very sizable increases of up to 25 percent, while a majority of States—28 in number—will see their funding cut below the current year's level, by anywhere from 1 percent to 17 percent. All of this takes place as the overall obligation ceiling for highways is increased 2.6 percent. I cannot support a policy of this kind, which directs all the increased funds for the highway program to 22 States and indeed reallocates funds from those other States to give more money to the

22 States. The problem that gives rise to this situation is embedded in the formulas pertaining to the highway program as contained in ISTEA.

I, perhaps, ought to do as Demosthenes did, speak with pebbles in my mouth, so that I can better be heard above the sound of the "waves of the sea."

I fully expect these issues to be revisited thoroughly during the upcoming reauthorization of that bill. Careful review of the distribution of highway obligation authority for next year indicates that the two States that will lose a larger percentage than any others are Rhode Island and Montana—precisely the two States represented by our chairman and ranking member of the Environment and Public Works Committee. As such, I am confident that Senators CHAFEE and BAUCUS will take a hard look at these formula issues and rectify this problem as we reauthorize ISTEA next year—and I hope that my voice is better by then. I apologize to the Senators for such a weak voice today. I am imposing on other Senators who are straining to hear me, I am sure. But I intend to work with the Senators to rectify this and other problems in connection with next year's ISTEA reauthorization.

Let me make clear that my upset concerning the disposition of this item should not be viewed as a reflection on the efforts made by the chairman of the Transportation Subcommittee and the chairman of the full committee, Senator HATFIELD, nor on the very capable ranking member, Senator LAUTENBERG. Senator HATFIELD has been very attentive to my transportation concerns throughout this year's process. He has been a most able and conscientious steward of the transportation budget of the Nation. I appreciate his efforts, as well as those of Senator LAUTENBERG, who has been an excellent chairman in the past and an equally excellent ranking member. I appreciate not only their efforts, but that of all the conferees on this very important transportation measure.

Mr. President, I yield the floor.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, first of all, I want to join my distinguished colleague from New Jersey in the very kind and gracious remarks he made about the chairman, the distinguished senior Senator from Oregon. Like him, it has been my pleasure to join with him from time to time. I have often sought his counsel. He is a leader, he is a doer, he has brought great wisdom to the Senate, and we will be poorer as an institution without him.

I say to the distinguished Senator from New Jersey, as I was listening to his remarks and I looked at these two Senators—one from West Virginia and one from Oregon—it seemed to me one of the best reasons to be against a two-term limitation, because of the expertise, knowledge, and good judgment

they bring to this institution. We are indeed all richer for it.

I must rise to express my disappointment in the funding levels for Amtrak in the fiscal year 1997 Department of Transportation conference report. While the House-Senate conference committee did not reduce Amtrak funding as drastically as the House originally proposed, I am, as I already stated, very disappointed that Amtrak will not receive the full funding contained in the Senate-passed bill.

Frankly, we would not have done as well if it hadn't been for the Senate conferees. I do want to express my great appreciation to Senator HATFIELD and Senator LAUTENBERG for their leadership, for their efforts on behalf of Amtrak, and I say that the fight is not over.

Mr. President, I believe the appropriation numbers for Amtrak are, frankly, shortsighted and do not help the Nation's transportation needs. Our goal is for Amtrak to be self-sufficient, and we cannot achieve that goal without adequate funding for capital improvements. How can Amtrak be expected to provide better service and attract more riders without the needed funding to modernize?

Now, as you know, twice this year, the Senate has voted in support of providing Amtrak the capital funds needed to preserve innercity passenger rail as a critical component of our country's transportation network. On May 23, the Senate overwhelmingly approved a sense-of-the-Senate resolution supporting the creation of a capital trust fund for Amtrak. On July 30, the Senate resoundingly defeated—82-17—an attempt to cut fiscal year 1997 appropriations for Amtrak expenses to a level which would have crippled passenger rail services. But those votes of confidence from the Senate cannot balance Amtrak's books. Financial investment in the system by Congress is critical. Recently, Amtrak announced that fiscal year 1997 included cost-cutting and revenue-enhancing initiatives, designed to keep Amtrak on a course of reducing its dependence on Federal operating grants.

Amtrak is committed to the goal of totally eliminating its dependence on Federal operating grants by the year 2002. But it cannot do this without a strong source of capital funding. As my colleagues are well aware, I have been working to provide a dedicated source of capital funding for Amtrak to avoid just this sort of annual appropriation crisis, in which Amtrak's viability hangs by a thread.

My staff and Senator ROBERT BYRD's staff have been meeting in an effort to craft a proposal that would take 4.3 cents per gallon fuel tax to the highway trust fund, with one-half cent of that tax going to Amtrak for 5 years. The legislation would provide a total of \$2.8 billion for Amtrak over the next 5 years. Under this proposal, for the first time ever, Amtrak would have a dedicated source of funding. New revenue

for capital improvements would allow Amtrak to purchase new locomotives, to operate more efficiently, and to attract new passengers.

As my good friend, the Senator from New Jersey, pointed out, there must be Northeast corridor improvement if we are going to increase the number of passengers that utilize the system and thereby increase the revenue available to help make the railroad system self-supporting.

As a Nation I believe that we must take steps now to make sure that passenger rail service remains a viable means of transportation into the next century. The current funding levels for Amtrak will not allow this to happen.

I might add that the conference report does include my earlier proposal to allow States to use remaining dollars for Amtrak, and I believe this is a wise move.

In closing, I want to again restate my disappointment in this conference report but urge my colleagues to support Senator LAUTENBERG's and other efforts to boost Amtrak's funding for next year through an omnibus appropriations bill.

In addition, I also ask that my colleagues continue to support my efforts to give Amtrak a secure funding source for capital improvements to avoid just this sort of appropriations crisis.

In closing, I once more thank my distinguished chairman and ranking member for their efforts in this regard, and for that I am indeed grateful.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the Senator from Delaware for his kind personal remarks. I also thank him for focusing again on this vital part of our national transportation system, Amtrak.

I have to say to the Senator that I can't disagree with a word he said vis-a-vis the importance of Amtrak not only to the East and Northeast corridor specifically but throughout the whole Nation. I have to say that we lost a leg of that Amtrak due to cutbacks and reductions from Portland to Boise, the Pioneer. It was a hard pill to swallow. That affected my constituency very directly. We lost a number of other legs to the Amtrak.

But, Mr. President, I have to come back to some fundamentals here in which we operate, and to say not only have we at the Senate level—we came into the conference with \$872 million for Amtrak. That is all the funding relating to Amtrak; and had to deal with the House of Representatives with \$542 million. We came out with \$760 million which is still \$10 million more than the level of 1996.

When I say we have to look at the context in which we in the Appropriations Committee operate, we have to go back to the budget resolution. We have to go back to the proposition that there are those who think we can balance the budget by only an 18 percent

baseline; namely, the nondefense discretionary programs.

Mr. President, I want to say—now from my perspective—that we will never balance the budget on that kind of a baseline. But we exempt all entitlements, we exempt all mandated spending programs, we exempt the military, or the defense programs, and then we come down to 18 percent which is the nondefense discretionary part of the budget. We say we are going to balance the budget on that. With the expansion of these others, particularly the entitlement programs, by the year 2011 or 2015—wherever you want to light on with these economic projections—we will not have a penny of money left for nondefense programs and challenging even defense programs because they will all be swallowed up by the entitlements. But, oh, we get so nervous any time we talk about touching those entitlements. When I say “entitlements,” I mean including Social Security. You can say, “Well, HATFIELD, it is easy for you to say that. You are on your way out. You do not have to face the consequences.” I want you to know that I voted in 1986 for an across-the-board freeze on all entitlements. I had a reelection campaign facing me in 1990.

Nevertheless, that is not the important part of it. I am making the point simply that we cut \$22 billion off of Federal spending levels, and it was all in nondefense discretionary.

A lot of people talk about reducing the size of Government. It is easy to talk that. But let me tell you. It has been the appropriators that have been really at the business of reducing the size of Government, but with, of course, the assistance of the Budget Committee, and many other committees as well. But I am saying we are the executioners. And we have been put into a situation, as I have said before, of performing surgery without the benefit of anesthetics. We have to face up to these. And we shoulder the burden.

So I say that we are going to have to begin to really put this into context when we are dealing with the lesser amount for Amtrak—or the lesser amount for some other favorite program, or worthy program such as Amtrak—that what the appropriators ended up doing was the command of the reductions made by the body. And that command took place in many different forms—not just the Budget Committee or the budget resolution. I am happy to say that we have raised the level for Amtrak. Maybe it is a very small amount. But many other accounts went down 10 percent, or 15 percent, or 20 percent. Amtrak went up a fraction. But, nevertheless, we had what you might call a freeze level of Amtrak.

I want to say, too, at this point that I am very, very impressed with Tom Downs. I am a staunch supporter of Tom Downs. He has been given a tremendous task of administering Amtrak, and he has not been given the

tools really to do the job or to fulfill the mission which has been set for Amtrak. The Senator from Delaware, Mr. ROTH, made that very clear—about Amtrak ultimately becoming self-supporting.

So, Mr. President, I join with the critics of this appropriations bill. But all I can say is we have done our very best under limited conditions of not only dollars but policies that surround us.

Senator BYRD brought up the Baucus amendment. I have to say again that my State was not affected that much one way or the other. But when you get into rewriting formulas, it is very, very difficult to do that without the support or the acquiescence of the authorizing committees. I have to say that we dropped that. We receded to the House because the information we had was the House authorizing committee would not consent to those formula changes proposed by the Baucus amendment. The House operates under perhaps more structure than the Senate. Being a much larger body it is incumbent that they do operate that way. I am not being critical. But the chairman of the Subcommittee on Transportation of the Appropriations Committee brings in a statement of the chairman of the House authorizing committee that he will in no way acquiesce for the appropriators to take this kind of action, that sort of freezes in the appropriators on the House side more so than it does with us because we are a smaller body and we operate a little more informally, and we communicate quickly maybe even on the floor while we are debating an authorization action that is being offered on an appropriations bill as a rider. Not so the House.

So I think there we were really in a situation where we needed a bill. We wanted a bill. We have a bill now that I am convinced the administration will sign, and we can have one less bill in the continuing resolution that we are going to face this next week. My friends, it is going to be a very, very difficult continuing resolution even with fewer bills but it certainly would be more complex with more bills.

So I am only here to say that we have done our very best under the circumstances. So it is not just a decision rendered by Senator LAUTENBERG and myself as leaders of this appropriations subcommittee. Much of the problem we are facing here responding to critics has been imposed by the body, by the Congress, through the budget resolution process, and by their orders to exclude military spending—exclude the programs of entitlements from this commitment we have to balance the budget by the year 2002 and the reductions have to take place in Government spending. I just want to put it in that context.

One last thing I want to do here today before I yield the floor. I was negligent a moment ago because I did mention Anne Miano and Peter Rogoff

on their contributions as staff people. I did forget Joyce Rose because, like many people in this institution who quietly operate at staff level, in the background, we sometimes forget them, and I apologize for that. I cannot really say I have forgotten her because it was merely an oversight. She has been an integral part of our operation by which we have been able to bring this bill to the floor, and I am very grateful.

Mr. NICKLES. Mr. President, I thank the chairman of the committee, Senator HATFIELD, for his support of Oklahoma City's proposal to construct a rail trolley system in the downtown area, which includes the acquisition of additional buses and bus routes connecting various parts of the city to the downtown circulator. The transportation system is an integral component of the city's \$285 million locally funded Metropolitan Area Projects [MAPS] Program. MAPS, funded through a 5-year, 1-cent city sales tax, is an aggressive project which includes the construction of an indoor sports arena, a professional baseball park, renovations of convention and civic centers, and construction of a canal system in downtown Oklahoma City. Federal funding for the transportation system is the only Federal assistance included in the MAPS program.

The conference report for fiscal year 1997 transportation appropriations includes \$2 million for the Oklahoma City project. It is my understanding the committee supports the city's proposal to acquire equipment with these funds, such as buses and bus stops, which will be an integral component of the downtown transportation system. The Federal funds provided in this bill for this purpose will be matched with local funds.

Mr. HATFIELD. I applaud the city's effort and support its proposal to proceed in the manner outlined by the Senator from Oklahoma.

Mr. DOMENICI. Mr. President, I wish to speak on the conference report to the Department of Transportation and related agencies appropriations bill for fiscal year 1997.

I commend both the distinguished chairman of the Appropriations Committee, Chairman HATFIELD, and the chairman of the House Appropriations Subcommittee on Transportation, Congressman WOLF, for bringing us a balanced bill considering current budget constraints.

The conference report provides \$12.6 billion in budget authority and \$12.3 billion in new outlays to fund the programs of the Department of Transportation, including Federal-aid highway, mass transit, aviation, and maritime activities.

When outlays from prior-year budget authority are taken into account, the bill totals \$36.1 billion in outlays.

The subcommittee is essentially at 602(b) allocation in both budget authority and outlays.

While I am pleased with many aspects of the bill, I must object to the



manner in which the conference dealt with the Baucus amendment. The Senate had unanimously agreed to this important amendment during floor consideration of H.R. 3675.

The rejection of the Baucus amendment will directly lead to 31 States losing 1997 highway funding. New Mexico will lose \$20 million when compared to 1996—a reduction of 12 percent.

This reduction is totally unacceptable and I will be working with my colleagues over the next few weeks to address this critical issue before the end of this congressional session.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee scoring of the final bill be printed in the RECORD.

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

TRANSPORTATION SUBCOMMITTEE SPENDING TOTALS—  
CONFERENCE REPORT

[Fiscal year 1997, in millions of dollars]

	Budget authority	Outlays
Defense discretionary:		
Outlays from prior-year BA and other actions completed .....		37
H.R. 3675, conference report .....		
Scorekeeping adjustment .....		
Subtotal defense discretionary .....		37
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed .....		23,748
H.R. 3675, conference report .....	11,991	11,668
Scorekeeping adjustment .....		
Subtotal nondefense discretionary .....	11,991	35,416
Mandatory:		
Outlays from prior-year BA and other actions completed .....		
H.R. 3675, conference report .....		
Adjustment to conform mandatory programs with Budget Resolution assumptions .....	605	602
Subtotal mandatory .....	605	602
Adjusted bill total .....	12,596	36,055
Senate Subcommittee 602(b) allocation:		
Defense discretionary .....		37
Nondefense discretionary .....	12,050	35,416
Violent crime reduction trust fund .....		
Mandatory .....	605	602
Total allocation .....	12,655	36,055
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary .....		
Nondefense discretionary .....	-59	
Violent crime reduction trust fund .....		
Mandatory .....		
Total allocation .....	-59	

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

HOOD RIVER, OREGON BUSES

Mr. HATFIELD. The bus and bus facilities distribution table included in the statement of managers accompanying the conference report—House Report 104-785—directs funds to Hood River, OR, for buses. However, it has lately been brought to my attention that these funds can best be used for intermodal purposes. I ask my colleague if he will agree that the notation “buses” should be interpreted by the Federal Transit Administration to include an intermodal project at Hood River?

Mr. LAUTENBERG. Yes. It is my understanding that this interpretation is acceptable to the conferees.

Mr. HATFIELD. I thank the Senator. This interpretation will enable Hood River to make the best use of these funds according to local priorities.

AMTRAK PRIVATIZATION STUDY

Mr. GORTON. Mr. President, I am pleased that the conference report on H.R. 3675, the Department of Transportation and related agencies appropriations bill for FY 1997, incorporated the Amtrak Privatization Study that was included in the Senate report.

As my colleagues know, within 1 year, the Federal Railroad Administration is to conduct a study of reforms and specific privatization options that I believe hold the potential to revitalizing intercity passenger rail service in the United States. As the sponsor of the Senate report language, I want to emphasize that this is a very important undertaking. Congress has failed to enact much-needed reforms in liability and other areas during this Congress, and Amtrak is facing numerous financial difficulties. Accordingly, Amtrak announced its intention last month to cut back routes as a means of reducing its current operating deficit. In my view, Congress must not sit by and watch Amtrak wither away.

The language included in the “Statement of Managers” refers to the Senate initiative, which permits the Federal Railroad Administration’s study to include the recommendations of the Discovery Institute Inquiry on Passenger Rail Privatization of October 1995. As many may know, representatives from the Discovery Institute in Seattle, WA, have already done substantial work on passenger rail privatization. In fact, I recently met with Bruce Chapman, president of Discovery Institute, who indicated that the Discovery Institute intends to give this matter high priority. Already, Discovery has scripted plans to form a high-level Public-Private Council, which would assist in the study process, analyze various options, and make recommendations to the Federal Railroad Administrator for the final report, which is to be transmitted to Congress by August 1, 1997. Because of its continued enthusiasm regarding this issue, I would hope that the Discovery Institute is allowed to play a significant role in the Federal Railroad Administration study following its commencement later this year.

Mr. HATFIELD. Let me thank the Senator from Washington for his thoughts on this matter. I was pleased to work with Senator GORTON on this issue because I recognize the importance of passenger rail in the Pacific Northwest, and I agree with his comments.

Mr. KERRY. Mr. President, I wish to commend the leadership of my colleagues from Oregon and New Jersey, Senators HATFIELD and LAUTENBERG, for their key role in bringing this Transportation appropriations bill to this point, which should take it to a White House signature.

No bill is ever all that we might like it to be, of course, and this bill is not

an exception. Among its disappointments is the fact it does not reverse the troubling course of this Congress towards disinvestment in critical areas of our infrastructure such as passenger rail. Amtrak continues to be underfunded; this bill contains \$565 million for Amtrak in fiscal year 1997. This number is simply not sufficient for Amtrak to function effectively and to meet the intercity passenger rail needs of our Nation’s rail passengers. We continue, for ideological and other reasons, to insist on inadequately funding Amtrak. The results are already apparent. The difficult cuts in Amtrak service with which we now struggle in central and western Massachusetts and other areas of the country are a direct result of this course. Ironically, as Amtrak is beginning to cut service and eliminate routes, Senators who often oppose Amtrak funding suddenly emerged at a hearing last week as strong proponents of intercity passenger rail service. I hope these Senators will join me next year as I continue to fight for increased funding for Amtrak and to ensure that we have a sufficiently capitalized intercity passenger rail system.

In addition, the conference report appropriates only \$115 million for the Northeast Corridor Improvement Project. This is another example of the Congress failing to respond to important needs of its citizens. The Northeast corridor is where the greatest proportion of Amtrak’s passengers are, and NECIP, therefore, represents the key to Amtrak’s future. We cannot continue to attract riders if we do not furnish them with a first class mode of transportation. Those Members who seek to see Amtrak “whither on the vine,” in the words of the Speaker of the House, are attempting to achieve this goal by short-funding NECIP. I will continue to fight in the future for sufficient funding of this important project.

Before I depart this topic, I want to express my sincere gratitude to Senator LAUTENBERG of New Jersey, who continues to be one of the best friends that Amtrak has in the Congress. I know that the Senator from New Jersey did all he could to maximize funding for Amtrak in the coming year, and I look forward to working with my friend next year as we continue to fight for Amtrak and our Nation’s rail passengers.

Senator LAUTENBERG also sought through this bill to ameliorate the effects of a formula alteration affecting highway funding under the Intermodal Surface Transportation Efficiency Act—or ISTEA. His efforts would have been helpful to Massachusetts and 27 other States who are losers under that alteration. I regret his proposal for a temporary hold harmless was rejected. The result is that this important funding distribution issue will have to be confronted next year when ISTEA reauthorization legislation is considered.



As much as I wish the conference report could have provided more adequately for Amtrak and provided the hold harmless for highway funding, I still deeply appreciate the work of Chairman HATFIELD and Senator LAUTENBERG with respect to many other provisions in this bill. This bill makes extremely important commitments to Massachusetts on several projects which form the backbone of intracity and commuter rail traffic in my State, and in these very tight fiscal times, such commitments are all the more important.

This bill continues the Federal Government's commitment to the rebuilding of Worcester's historic Union Station, the hub of transportation in that city and, indeed, for all of central Massachusetts. It continues the Federal Government's commitment to the further development of the Gallagher Terminal in Lowell, which has become one of the Nation's most successful intermodal facilities, and a pivot point for commuter traffic among and between the Merrimack Valley, southern New Hampshire, and greater Boston.

This bill makes a critical initial commitment to the creation of a true intermodal facility at Springfield's Union Station, which, like Worcester's, will become the focal point for expanded transit in its area—which is the Pioneer Valley. And this bill makes a similar commitment to Cape Cod, which will create a new intermodal center in Hyannis to help the Cape address its need to provide alternative transportation in a region often choked with cars.

Finally, this bill continues the government's commitment to the South Boston Piers Transitway Project, on which the city of Boston has rested so much hope and expectation for a renaissance along its waterfront.

On another matter, with regard to the Coast Guard budget, I would like to bring attention to the fact that this is the 7th year in a row where the Congress has failed to appropriate for the Coast Guard the amount sought in the President's budget. I am pleased that we came closer than we have the past 6 years, but we still failed to meet the mark. I find this action very troubling when the Coast Guard has been one of the star performers in the administration's efforts to reduce the size of Government and eliminate all excess waste from the budget. Just this past year, the Coast Guard executed, very successfully I might add, a very aggressive internal streamlining effort without commensurate reductions in any of the services that it provides to the American public. The Coast Guard continues to do more with less.

With the renewed focus on the war on drugs, the Coast Guard will be one of the lead agencies in our effort to stop drugs from entering our country and ultimately ending up in the hands of people—even children—in our neighborhoods and schools, yet no additional resources are being provided for this

purpose, so the Coast Guard will have to absorb the cost of executing this renewed effort. If we want the Coast Guard to continue to provide the services that many Americans have come to take for granted, we must not continue to shoulder it with greater responsibilities and more missions without adequate resources to do the job.

We must be vigilant in our obligation to the men and women of our Nation's oldest continuous seagoing service, and the world's premier maritime experts and guardians of the sea. We must ensure that they have what they need to do the job, and to remain "Semper Paratus" (always ready).

This bill bears the mark of Chairman HATFIELD's thoughtful leadership, which we will so sorely miss in the next Senate, and of the distinguished ranking member of the subcommittee, Senator LAUTENBERG, on whose knowledge and leadership on transportation issues I and many of my colleagues have come to depend.

We in Massachusetts owe Senator LAUTENBERG a continuing debt of gratitude, not only for the work he has done in this Congress under very difficult conditions, but for the work he has done for so many years past. Senator LAUTENBERG understands the needs and priorities of our State and all the Northeastern States, and he understands them almost instinctively. He has been our champion for a fair and equitable approach to Federal transportation policy that supports the economies and the public convenience of every area of this country, including the kind of enormously complex urban areas that we both represent. I want to thank him, once again, for his help with these important matters. It also is fitting that I say thanks to his staff, Peter Rogoff, who consistently has been helpful and accessible to me and my staff. In fact, it is a pleasure to deal with all the staff for this subcommittee, who epitomize the professionalism that enables this institution to get its work done for the American people.

Mr. BINGAMAN. Mr. President, when we passed the fiscal year 1997 Transportation appropriations bill in this Chamber, it passed with an important amendment offered by my distinguished colleague, Senator BAUCUS. The Baucus amendment would have corrected an accounting error made by the Treasury Department with regard to the State distribution formula for highway trust fund obligation authority.

When the Transportation appropriations bill went to conference, the conferees refused to accept the Baucus amendment, which would have empowered the Federal Highway Administration to remedy this error and would have given Congress the time needed to adjust this formulaic distribution issue next year when we consider ISTEA's reauthorization.

The bottom line result in this conference report is that 28 States are los-

ing money for general road repair, construction, maintenance, and service in a year in which the overall obligation ceiling for these expenditures is rising to its highest level in history. This conference report increases overall highway spending authority to \$18 billion, a full \$450 million higher than the current year's level. Thus, in a year in which we are pumping half a billion dollars into this program, 28 States are getting hit with reductions, some of which are very serious.

In contrast, there are some big winners because of this accounting error. Texas is receiving a \$183 million increase, which is about 19 percent greater than last year. Arizona, which also borders New Mexico, is receiving a 24 percent increase; and California is receiving a 9 percent increase. Clearly, in a year in which we are raising the level of expenditures for highways, some States will naturally see an increase in spending authority. But I do not feel that there is any justification for the serious cuts that many States are now facing because of this conference report.

My own State of New Mexico received approximately \$169 million from the Federal Highway Administration during the last fiscal year. New Mexico would have received roughly the same level of spending authority if the conference report had followed the Senate bill recommendation. But as we can now see, New Mexico is getting a real decrease of about 12 percent, amounting to a \$20 million reduction from last year's levels. New Mexico's total obligation limitation from Federal Highway Administration funds is \$149 million. I can't accept this.

I had intended to support this year's Transportation Appropriations Conference Report. I was pleased that the Albuquerque, NM-based Urban/Rural Intelligent Corridor Application [URICA] project had been funded at a level of \$2 million. The Alliance for Transportation Research, a consortium of Sandia National Laboratory, the city of Albuquerque, Los Alamos National Laboratory, and the University of New Mexico, has been at the forefront of many important innovative transportation initiatives. New Mexico has been well-positioned in advanced efforts in transportation system problem solving.

The goal of this URICA project is to implement a system that helps integrate the transportation needs of physically challenged citizens with fixed transportation systems in both rural and urban regions.

This conference report also encourages cities and regions in the United States to consult with Los Alamos National Laboratory on the problem of transportation and air emissions. Los Alamos has also worked within the New Mexico-based Alliance for Transportation Research to tie together technologies from this important national laboratory with air quality monitoring programs and remediation efforts.

This report also provided ongoing essential air service funding, which is critically important to three regions in my State which are Clovis, Alamogordo, and Silver City.

And I also endorse the \$1 million appropriation included in this bill that would be provided to Texas, New Mexico, Arizona, and California for increased Mexican border law enforcement activities.

I did want to support this conference report, but unfortunately, without much warning and little fanfare, 28 States will be seeing less highway funding authority next year while 22 States will be reaping increases, some of which are very large increases.

Mr. President, I regret that I must vote against this Transportation Appropriations Conference Report, and if asked by the President about my opposition, I will recommend that he veto this legislation from the Congress. We were not sent here to protect and defend the results of accounting errors. I urge my colleagues to reject this conference result as well.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, let me begin by saying that the criticisms I am about to make are in no way directed at the chairman of the full committee and the ranking member of the subcommittee. I think they share my views on these issues. I am under no illusions; the chairman said earlier that the Senate had straitjacketed the committee in many ways and the House had stifled the committee in other ways, that what we were able to do here on the Senate side in conference was not made extremely difficult. I understand that.

I rise today to point out what I believe to be some serious flaws in this legislation. This Transportation appropriations bill, I am sorry to say, is unacceptable.

I do not want to mislead my colleagues. I am not sure there was a request for a time agreement, but I indicated to floor staff if there was I would object, and to be completely blunt with my two colleagues, I have never engaged in a filibuster in my 23 years, almost 24 years in the Senate, and I am, quite frankly, weighing as I speak and my staff talks whether or not there would be any utility in my doing that.

The chairman makes a very important point relative to the continuing resolution. My fear and concern is that even were I successful in keeping this bill from passing, the continuing resolution would, in effect, include the numbers that, in fact, are the ones that disturb me the most about the bill.

So to the extent that I do not want to mess up their schedules and be straightforward with them, which is what I am going to do, I would just suggest they stay tuned for another few minutes. I will, quite frankly, make that judgment and determine

whether to do what I have never done before, to engage in what we say is extended debate.

Let me direct my comments this afternoon to what I think are the most serious flaws in this legislation.

First, I think this appropriations bill badly fumbles the task of putting our Nation's passenger rail service, Amtrak, on its feet, earning operating income and ending its operating subsidies. I want to remind you that is the goal we all signed on to—we, the Congress. We said that our goal is, in the Senate and the House, that Amtrak will be able to operate without subsidies by the year 2002, or, put another way, we are not going to help them after that.

Implicit in setting that goal—and I remember how reluctant some of us were to agree to that goal because there is no other major passenger rail service in the world that does not have some government subsidy, none that I am aware of. It always surprises me; my friends in my home State, my friends in the Senate will be somewhere on business or pleasure that takes them to another country, and they will come back and they will talk about, gosh, I was on that bullet train in Japan, or, gosh, I was on the train in Germany, or, gosh, I was on that train in Sweden. It is remarkable. They are clean and they are fast and they are on time. Why can't we have that here?

The reason we do not have it is we do not support the passenger rail service like they do in other countries. Now, there are a lot of reasons we do not do that, not the least of which is our industries, like the cement industry, like the blacktop industry, the trucking industry, see rail as a threat. They do not see it as an adjunct to the economic growth and vitality of the Nation. They see it as a threat.

So we have had incredible difficulty doing what other countries have done, and that is to look at transportation as a whole, not look at transportation as airplanes and highways but looking at the entire component of what constitutes transportation—passenger transportation and freight transportation in this country.

I know Senator LAUTENBERG has labored mightily, and I mean that literally, to try to convince people—along with Senator MOYNIHAN, before he went over to the Finance Committee—that we have to look at transportation in a different way than we have up to now, thinking only in terms of highways.

There is a lot of money in it, and for the life of me I cannot understand why the highway interests in this country, which we support by hundreds of millions of dollars—it is not as if we are against highways if you are for mass transit or you are for mass transit passenger service. They have fought tooth and nail anything that spends any of our highway trust fund moneys or any moneys for anything other than laying concrete and blacktop.

Now, it does not take a rocket scientist to figure out that in certain

parts of our country we cannot lay much more concrete and blacktop. In the Northeast corridor, from Richmond up to Boston, there is not a whole lot more land available to accommodate the increased traffic patterns.

What do we do, make I-95 20 lanes wide? By the way, you think I am joking. In some places, I-95 is already 10 lanes wide. Where are we going to accommodate this extra movement of people when Amtrak is no longer available in our corridor? And also, what happens when, as we repeatedly see happening, there is a constant cutback in Amtrak into rural areas and into States in the Midwest and the Northwest that profited very much from the access to Amtrak?

It is a funny thing, it seems, that old expression of "the more things change, the more they remain the same." I used to be a county councilman in 1970 in our State's largest county before I was elected to the Senate. I was a big booster in the late 1960's and 1970 when I was a council person, for mass transportation, because it was obvious at that time the county I lived in, was the fastest growing county in America. As a matter of fact, "Candid Camera," Allen Funt's "Candid Camera," did a whole program on taking the four-lane highway that connected Pennsylvania and Delaware at the Pennsylvania-Delaware border at the northern part of the county and on the Pennsylvania side as they crossed into Delaware put up a giant sign with the permission of the highway department: "Sorry, Delaware Closed Today," and people were actually stopping. People actually stopped. It was a "Candid Camera" stunt.

So, in the midst of all of that, some of us, myself in particular, started to turn toward trying to deal with mass transit, a minor thing. We are talking about 450,000 people in the county. It is not like we are talking about—there are 10 counties in New Jersey bigger than that and there are probably 20 cities bigger than that. And so we are not talking about a vast number of people in relative terms in relation to other places.

I found something interesting. This is the part about "the more things change, the more they remain the same." I would be told that the bus service—we had no rail service—the bus service we have, that is, servicing the community, is losing money. And so when it starts to lose money, what we do is we go out and cut out a route. Let us assume for the sake of discussion there were 50 bus routes, and the system is losing money. They say, well, we have to cut some expenditures here, and so we are going to cut out two routes.

Now, assume it had 50 routes and 100,000 people getting on the bus. If you cut out two routes, you would think that you would have, then, a commensurate reduction in the amount of ridership. But that is not how it works. When you cut out two routes, twice as

many people who rode those routes stopped taking the bus because the choices are diminished, not just the people who rode that one route. What happens is, it has a geometric impact. As you cut a piece in terms of your operation, what you do is you cut a much larger piece in terms of ridership. That is how it works.

So, here we are. In the name of saving Amtrak, we put Amtrak's leadership in a position of having to make significant operational cuts in service. So, when they cut the train that goes through Montana to the State of Washington, what do they do? They cut alternatives, so that means fewer people ride the train in Illinois as well. It means fewer people ride the train in Indiana. It increases in geometrical proportion to the cut that is made.

It also has a very serious political impact. Then the Senators from Montana or the Senators from other States that got cut say, "What interest do I have in funding this Amtrak thing, it does not service my State anymore?" And it becomes a self-fulfilling prophecy.

There was one place, one section in the National Passenger Rail Service System that, if we improved it, could make money, money enough to, in turn, through Amtrak, subsidize other Amtrak routes so that you would be able to, without coming back to the Government or the taxpayers, say, OK, we can keep that train going through Montana because Amtrak management says we make a surplus in the trains that run from Boston to Washington. That was part of the whole deal we made here. We said, OK, we will run the risk of having this whole passenger rail service go belly up by the year 2000 by committing not to have any more subsidies. But we need to do some things in the interim to put the system in a position to be able to make it.

So what did we do? In this legislation we went out and we slashed, by a significant amount, the amount of money that would be available to further modernize the corridor, as they call it, between New York and Boston.

What has happened is that Amtrak is an electrified system. What has happened, once you get above New York City—actually in New Haven, CT—you have to switch the trains you use. The tracks are old and some of the bridges need to be repaired and some of the curves have to be straightened out, et cetera, because it is not electrified. So we made a deal. We said, OK, we are going to electrify the whole system so it is unified all the way along that megalopolis, and we said we are going to bring in modern high-speed trains that allow us to compete, in fact, with air transportation and road transportation between Boston and Washington. We even picked out the trains we were going to purchase. And because the projections were that ridership would be up because we had improved the number and type of trains that were being used, so that we would gen-

erate enough capital, and we would generate enough money to operate as well as maintain the system. And we would have money left over to go out and continue the train in Texas which is being cut, continue the train in Louisiana which is being cut, in Montana, et cetera, so we could build the system.

By the way, obviously, I am sure some are sitting there, willing and ready, and I do not blame them, to make the ad hominem argument, which is: Obviously, JOE BIDEN wants this because it affects the Northeast corridor where he lives. It affects his State employment, affects his State's economy, it affects the whole region.

That is true. But look beyond that. Notwithstanding the fact that it positively affects my State and the Northeast corridor, it is the only salvation for the rest of the system. We can duplicate that process over time on the west coast. So we can have the capability of similarly moving people rapidly, with high speed, on the west coast. We do not need quite as much improvement because you do not have to electrify the system, and so on and so forth.

What have we done? We have done what we used to do in the county council days. In order to save money, allegedly, we will, by this legislation, force Amtrak to make further cuts, further reducing Amtrak's capability to meet the goal which we all set and insist that they be able to meet by the year 2002. We are guaranteeing, unless we get a supplemental or defeat this or change the number that is in this, we are guaranteeing that Amtrak cannot meet the goal.

It is a little bit like saying to someone you are coaching on the track team who has great potential:

Look, I will tell you what we are going to do. You do not have much money. You have to pay me my salary, and I know you don't have enough money to have me train you, and you have 9-second capability in the hundred meter, which is world class. But I will tell you, in order to save money, you have to wear old Keds sneakers. You cannot wear shoes that, in fact, are the kind that are light, lightweight, modern and functional. By the way, we cannot afford starting blocks. So I am going to continue to coach you if you can break the record. But, in order for you to get me as a coach, what you have to do is we have to cut out these frills—the frills meaning your shoes and the starting blocks—guaranteeing you will never get out of the blocks in order to keep me as your coach, because you never get to the number, you can never get to the speed, you can never get to the time I am going to be satisfied with in order to be able to continue to coach you.

So why start the process in the first place? That is kind of where we are now. I mean, the idea that the rail connection between Boston, Washington, and New York, will basically have to be put on hold—by the way, we need to up

the authorization in this bill for the Northeast corridor to be able to keep Amtrak on track, which is about \$17 million in outlays, I believe that is the number, to be spent next year to continue to complete the project.

I know my colleagues understand all this Senate jargon, congressional jargon, but the bottom line is, unless the number is higher, we do not have \$17 million to do what needs to be done to keep the Northeast corridor project on time and be able to get us in a position where we can buy those train sets and where we can in fact begin to generate the revenue you need in order to meet the objective of being free of subsidies by the year 2002.

Let me point out one other thing that has been pointed out repeatedly by Senator LAUTENBERG. If you deal with this fairly and you measure "the Government subsidies," both in direct expenditures and in tax expenditures that go for highways, that go for the airlines and go for mass transit, Amtrak gets subsidized less.

For example, all you may not realize, when you pay for your plane ticket, the Government subsidizes an air traffic controller that makes sure you can land or not land, it subsidizes the building of that airport and runway, it subsidizes that control tower. The airline does not pay for that. They pay part of it, but they do not pay anywhere near the cost of it. It is a significant subsidy.

So all the airlines are out there touting that this is a subsidy to—I should not say that—touting this is a subsidy to Amtrak, "Why should we pay to subsidize a person's ticket, a woman who wants to get on a train in Gainesville, FL, and go to Raleigh, NC? Why should we do that?"

I ask the reciprocal question: Why should we do that for someone getting on an airplane? The subsidy is greater for the airline industry than it is for the passenger rail service, and the same way with highways. We have a highway trust fund that pays for the laying of the concrete and the putting up of the barriers, et cetera, but it does not pay for all those cops that are out there, it does not pay for all those maintenance crews, it does not pay for the accidents when they occur, it does not pay for a lot of things. So we subsidize beyond—beyond—what we, in fact, collect in the gasoline tax for the highway system.

Why is it we apply a different standard when we are talking about the "subsidies for passenger rail service?" I will tell you why. Because there are a lot of people who make a lot of money and have a lot of influence down here who, in fact—and they are good people—who, in fact, make the concrete that gets poured on the highways. If you are going to spend money on a railroad, you are not pouring concrete on a highway. That is how they view it.

A lot of people out there make an awful lot of money in the trucking industry. I suggest to you all that you

walk down the corridor connecting the House and the Senate Chambers, and there are political cartoons that are on display, historical cartoons on display—I believe it is on the first floor—that show cartoons from the days of the turn of the century. Some of them you will remember from your grade school and high school civic books where they have the pictures of the bloated Senators, like blimps, representing the big mega interests, the oil cartels and the railroad interests and the rest.

This is an ongoing fight. This is money; this is power. This is a big deal to a lot of different people. They do not think of the national interest. What they are thinking of—and it is human nature—is their own particular selfish interests.

Look, how many railroads at the turn of the century were happy to see automobiles come into existence, and then trucks? They did everything in the world to keep trucks and highways from being built, because they knew if you were able to put this stuff on the back of a truck and cart it down the highway, then they did not have the cargo going on top of a rail car where they were charging a fee to send it to folks. The folks who owned the railroads did not want that, and here we have come full circle. The folks who pour the concrete, the folks who make the blacktop, the folks who put up the reflectors on the highways do not want rail passenger service. They don't want it, because they view it as somehow that will affect how many more highways they build.

In a sense, it will. If we, in fact, have Amtrak go belly up in the Northeast corridor, we are going to have to build other lanes of I-95—not figuratively, literally—we are going to have to build more lanes, unless you want to get on 95 and go bumper to bumper from Washington to New York, or maybe you do not want to go to New York anymore, but that is what it is going to take. You will have to do that.

You will have a few people make a whole lot of money, but you sure won't help the environment. You are going to pollute the environment more. You sure won't help in terms of safety, and you sure won't help in terms of public policy, and I do not know why we cannot get that through to people, why that doesn't resonate.

I realize we have a love affair with the automobile. I have a love affair with my automobile. I have a 1967 Corvette I had restored. Next to my kids—maybe my dog comes next—I love it. So I have a love affair with my car, too, but that does not mean I also cannot be rational in how I am going to approach what are the environmental and transportation needs for this country.

So what happens here? What happens here is that we are in a circumstance where—and I have not even mentioned yet the cuts to the 28 States that are small States in highway trust fund

moneys. You have tens of millions of people going through my little old State of Delaware on I-95, and you just got our transportation money, highway money, too. You give us a nice double whammy here. I mean “you” in an editorial sense. The appropriations bill makes sure that we diminish the prospects of Amtrak, which is critically important to my region, and I think to the Nation. By the way, you are going to force us to have to build more highways, and then you turn around and say, “By the way, we're not going to give you as much in highways.” We are going to get less money this year with a \$400 million increase in expenditures than we did last year with a highway bill that was \$400 million less. Talk about sharing in the wealth. There is a lot of wealth to be shared, but the small States, 28 States, are not sharing this.

Without belaboring the point about the highways, it is not long ago the Senate passed its version of the Transportation appropriations bill. Under the leadership of Senators LAUTENBERG and HATFIELD, that bill provided funding for Amtrak's capital function and important Northeast corridor improvement projects at appropriated levels. Some of my colleagues may recall, and I know that I do, that my good friend, Senator MCCAIN from Arizona, offered an amendment to return to the completely inadequate funding levels that Amtrak had in the House version of the bill, which is what we are closer to now in this version. Specifically, his amendment would have cut the Northeast corridor funding to zero from \$200 million in the Senate bill and would have cut overall capital spending in half from \$250 million in the Senate bill down to \$120 million.

Mr. President, we had what I would like to think was a pretty good exchange of views on the role of passenger rail in our Nation's transportation system and how our Federal system of Government allocates the many benefits and burdens shared by the citizens of all 50 States.

Senator MCCAIN's proposal in the end was defeated by 82 to 17—82 to 17—and that was an overwhelming endorsement of the funding levels provided for Amtrak by the Senate in its version of the bill. But despite the best efforts of Senator LAUTENBERG, this conference report was a giant step backward toward the wholly inadequate numbers of the House bill, which is what Senator MCCAIN was pushing.

The bill before us today is not just a step backward, it is a step on a very slippery slope toward the demise of our country's passenger rail system. Under the mistaken assumption that a penny cut from Amtrak's investment functions somehow is a penny saved, this bill actually offers us the formula for failure, as I referenced earlier, by cutting important investment functions.

Mr. President, the legislation actually reduces the efficiency of the remaining dollars spent on Amtrak. Good

business practice that Congress has demanded of Amtrak requires investment in equipment and services that will increase ridership, increase revenues and increase Amtrak's ability to become self-sufficient when it comes to its operating expenditures.

Amtrak has undertaken just such an investment program, and the Northeast corridor improvement project is a major portion of it. By straightening out the right-of-ways, by strengthening bridges and overpasses, by extending electrification along the route between Boston and Washington, this project is going to make possible the inauguration of the most modern, high-speed rail connections along one of the country's most populous transportation corridors—and be able to be transferred, I might add, as well to the west coast.

All over the globe other advanced economies and some not so advanced are also providing such services to their citizens. This country is finally approaching the standard set elsewhere for clean air, fuel efficiency, and convenient passenger rail service that can take some of the load off the rest of our overburdened transportation system.

Mr. President, I wonder if anyone really thinks that the answers to our transportation problems lie in more asphalt, lie in more concrete, increasing our dependency on an already overloaded highway system in significant sectors of the country? If the improvements to Amtrak's Northeast corridor were fully funded and completed, it would remove 325,000 drivers from the crowded I-95 corridor—325,000. That does not even raise the issue of, if it goes under, how many people will it add to that corridor.

Herein lies the problem. Highway guys do not like that, to pull a third of a million people off I-95. Your maintenance is down, you do not have to pour as much concrete, you do not have to expand as much, though the air would be cleaner, there will be fewer accidents, there will be less overall cost to the economy, and there will be greater comfort and efficiency. That is what it is about.

Are we prepared to undertake the construction of more expensive airports? My friend from New Jersey and I are bordering States. One of the things they are trying to figure out in South Jersey and Northern Delaware is, as the Philadelphia airport continues to get overcrowded, what relief airports are we going to build? Where are we going to build other airports? How congested can the air get in a Delaware valley that is 10 million people? Think of what it is for my colleague from New Jersey in the northern part of his State where there is probably closer to 15 million. I do not know what the number is, but it is bigger than the Delaware valley.

Where do you go? How many airplanes can you circle? Come with me on a Friday night, sit out in my yard,

which is just 22 miles from the Philadelphia airport. It looks like fireflies lined up as far as the eye can see, wasting fuel, wasting time, increasing dangers, because there is not enough space to be able to land all those planes at one time.

So what are we going to do? Are we going to build more airports? Let me tell you, that will cost you more than building more Amtrak capability. What it also does—concrete guys are happy. There is an awful lot of concrete in those airports, an awful lot of concrete.

So I just do not understand where people think this is going to go. I do not know where they think our traffic and control systems—how many more flights can they take, especially now? If you live in the middle of Montana or the middle of Nebraska or the middle of other parts of other big States, yeah, there is all kinds of room for this; there are not many people, but all kinds of room for more airports. But they do not need the airports there. They need the airports where we are.

So what you are saying to us on the west coast and the east coast and the congested areas is, you are saying, "OK. Pick your poison, BIDEN." We either are going to congest the airways or we are going to congest the highways. We are going to increase the safety risk. Which do you want? I say, you are giving me a Hobson's choice. It is a false choice.

Have those systems in place, improve them—they will probably have to be expanded anyway—but give us also another alternative, a clean alternative, an economical alternative, in relative terms. Allow us to have rail transportation which will benefit the whole country.

As the distinguished ranking member of the Transportation Appropriations Subcommittee understands, and as Senator LAUTENBERG likes to remind us, annual ridership on Amtrak's Northeast corridor alone is equivalent to 7,500 fully loaded 757 jets. I did not know that number until he raised it. But think of that. Just the passengers in the Northeast corridor. Understand, the passengers in the Northeast corridor are going, in the Northeast, to either Washington, Baltimore, Wilmington, Philadelphia, Trenton, Camden, et cetera.

Mr. LAUTENBERG. If the Senator would yield.

Mr. BIDEN. I will be glad to.

Mr. LAUTENBERG. I was going to remind him as we discuss this and ask if he was aware of the fact we would be loading the skies with some 1,500 more flights a week—that is typically in a 5-day week—where the delays now are unbearable, even when the sun shines bright.

Mr. BIDEN. That is right.

Mr. LAUTENBERG. Plus the fact that I want to know whether the Senator was aware that if we had to relocate or substantially expand the Logan Airport, which would be required in the

Boston area absent substantial Amtrak improvements, the cost to the taxpayer would be several billion dollars.

Mr. BIDEN. With a "B," billion.

Mr. LAUTENBERG. Hardly compares with a few hundred million dollars spent to get Amtrak's Northeast corridor up to shape where we could produce a surplus revenue cash flow that would not have us here with the beggar cup waiting every year to try to get a few dollars.

I want to say to the Senator that the case you make is so clear. I hope that some of our colleagues who come from distant places are able to see the connection. It is just like the Army Corps of Engineers. If they are not financed to take care of the problems out West, then they are not available nor would they be available in the East. This is a national thing, even though its presence is principally in the heaviest populated area of our country.

When it comes to services that are headquartered here, like the FAA—one does not say, "Well, wait a second. Don't put more money in the FAA safety research office in Washington, because we are out in Colorado or New Mexico or someplace"? They say, "No. Keep on investing because we all benefit from such investments." Would the Senator agree?

Mr. BIDEN. I would agree fully. The Senator from New Jersey, since he has been here—I am not being solicitous here—has been a leader on a number of issues, but two in particular, on environmental issues, and on this issue of transportation.

That image, of which is literally true, of 7,500 fully loaded 757's is something I hope everybody kind of keeps in their minds. But put it another way. I ask my colleagues from other States that do not have the same congestion problems, OK, Amtrak goes belly up. Who do you think is going to come after your highway money? Who do you think is coming after your highway money then? Do you think we are going to sit around and say, OK, we are just going to go to gridlock in the East? We are just not going to do anything? We are going to have a new battle. So the money you think you are benefiting from by not spending on Amtrak and putting more money in the highways in States that do not have Amtrak because we are not competing for as many of those dollars with you, we will have to if it changes.

What formula will you be able to draft that in fact will not justify our getting the significantly larger amount of the highway trust fund moneys? We are talking about a third of the Nation's population. This is a big deal. We are not asking for anything that we are not entitled to, that does not make good public policy, that is not in the national interest, and that is not anything any other mode of transportation is not already getting.

But, again, keep that image in mind. I just see it now, folks, those 7,500 fully loaded 757's bouncing around annually

beyond what we have now. Try to get home from National Airport when you are going home for the weekend to whatever State you are from.

Mr. LAUTENBERG. Will the Senator yield?

Mr. BIDEN. I am delighted to yield.

Mr. LAUTENBERG. What do you think would happen if there was a bad weather day along the way? The economy of the country would grind to a halt because we are inextricably linked with our other sections of the country in our business, the stock market, you name it. What might happen when those 7,500 airplane trips try to deal with a snowstorm in the East, or tornadoes or hurricanes, whatever else is the latest in the mode of weather disasters?

Mr. BIDEN. The Senator makes a good point. He and I ride Amtrak a lot. When I leave my house in the morning, I commute every day. I have clean hands here; I have a naked self-interest. I ride Amtrak every day, OK, and have been doing it for 24 years. As my mother says, "When you are hung by your thumbs long enough, you get used to it." I have been riding a long time.

Literally one of my rituals, I say to my friend from New Jersey, as I shave, I turn on the weather channel, because if airports are socked in, I will not get a seat on Amtrak. I better get to the station early. The converse of that is true. What happens if there is no place to go? Right now Amtrak ridership increases exponentially when there is bad weather because the airports are not flying, the airlines are not flying, or they are so delayed the business people and others cannot count on them.

The funding levels in this bill that delay the upgrade are adding to the cost of air pollution, wasted time in traffic, airport delays, highway and airport maintenance costs, and safety problems. Even more foolishly, Mr. President, by indefinitely delaying the completion of the Northeast corridor improvements, this bill will indefinitely delay the day when new high-speed transit—already ordered, already funded in the same legislation—will be able to go into full operation. Not only is this a pointless waste of the new equipment, but a false economy.

By postponing the day when full high-speed rail service becomes available between Boston and Washington, this bill means Amtrak will lose indefinitely the ability to generate profits, precisely the goals we have been told and we have told Amtrak they must, in fact, meet.

Once lost, these profits will never be made up. Every year without profits is another year Amtrak routes suffer and go further in the red ink, another year in which Amtrak will need operating subsidies from the Congress. Instead of committing to the investment now that will start generating this income, that could support other less profitable routes, this legislation guarantees that Amtrak will remain hobbled. So the consequence and impact will be that

train that our friends from Texas—and I compliment them on their effort—are trying to maintain going into Texas will be lost, that train that the Governor of Montana wants to get back in Montana will not be able to be routed because it cannot sustain itself.

It is like the business of setting up electric and telephone service. It is not as profitable to run a line 8 miles down a road to a farm to light a farmhouse and a barn as it is to run a line a mile and a half into a neighborhood that has 450 homes. So what happens? The people who live in the 450-home neighborhood end up subsidizing the person who lives out there on the farm. That is what we are about as a Nation. That is why, for example, we subsidize water in the West. My mother pays her taxes and I pay my taxes in the East so that somebody else's mother can have a glass of water in Arizona or in southern California or in many of the Rocky Mountain area States that are fed by the Colorado River, and the billions of dollars we have spent on dams.

I do not complain about that. That is not a complaint. It is an observation. That is what we are supposed to do. We are one Nation. We are one Nation and different areas of the Nation have different needs. If the taxpayer of the United States stops subsidizing, or never subsidized in the first place, what was done to the Colorado River, there would not be 32 million people in California.

Mr. BENNETT. Will the Senator yield?

Mr. BIDEN. I am happy to yield to the Senator.

Mr. BENNETT. I am about to do something I have been warned is unwise, and that is to enter into debate and ask questions without knowing in advance what my position will be. I do this in the hope I might learn something, but I realize I might get caught. It is with some trepidation I do this.

I say to the Senator from Delaware, first, in the spirit of full disclosure, I am sure he does not know this. I would plead guilty. I am the lobbyist in the Nixon administration who was responsible for convincing the Congress to create Amtrak in the first place. I worked as a head lobbyist for John Volpe of the Department of Transportation. My final assignment in the Nixon administration was to convince the Congress to create Amtrak. In the process of convincing the Congress, I remember saying to the appropriate chairmen of the appropriate committees that Congress only has to subsidize Amtrak for a few years, that within 3 and certainly no more than 4, Amtrak would become a profitmaking corporation, stand alone, based on the projections that were then being made for the use of train service.

Then political reality set in after the bill was passed. The blessed Harley Staggers, late chairman of the House Commerce Committee, made it very clear that nothing would proceed unless a train servicing all of the junior

colleges in West Virginia was kept on. Indeed, the senior Senator from Montana, who was then the majority leader, made it clear that nothing would pass the Senate unless a train to Yellowstone in Montana was kept on.

Now, my question is this, Mr. President. I recognize fully that passenger transportation in the Eastern corridor—we abbreviate and say Boston to Washington—is a very intelligent use of the rails. I question, however, from personal experience, all of the rest of Amtrak's route structure. I ask the Senator from Delaware if he has any sense of whether or not trains are being kept on for those parts of the country where they have nostalgic value but not the kind of practical value that he has described in his own commute, daily, from Delaware.

Mr. BIDEN. Mr. President, I am happy to answer my colleague's question. Let me first say to him that one of the reasons why he is so well-respected in this institution, and he is on both sides of the aisle, is because he has such intellectual integrity and he is so straightforward. I assure you, my answers to this or other questions will not attempt to nor could they in any way cause you trepidation.

I must admit I did not know that the Senator was with Secretary Volpe at the time. It is just one more reason I admire you.

You did the right thing. Maybe the projections were not what they should have been. The Senator is correct. What happened was a number of Senators on both sides of the aisle—and Members of the House—who had some significant power said, we want you to run a train into a section of the country or a section of my State where we could not justify the cost that it would entail to run the train relative to the number of people it serviced. That actually happened.

What also happened was, we came along over the years and we finally told Amtrak that they, in fact, had to make some significant cuts, particularly the last 3 years. So they went out and they went after all those non-profitable routes. I will not say with certainty because I cannot say. I do not know, to the best of my knowledge, but all of the most egregiously costly routes that were maintained are gone now—gone, in the last 3 years. I cannot say to him I know that every route that continues to exist is fully justified if you use a cost-benefit ratio in terms of the number of people riding it versus the cost of maintaining the service.

Let me add one other point. I think the problem is not merely that one person gets on the train when you need 15 people to meet the cost of running the train. What we should do, and what we did in part with the landmark highway bill that we passed several years ago, the so-called ISTEA, we did what should have been done but did not quite take it far enough. We should have said to the State of West Virginia, or the State of Delaware, Montana or

Utah, we should have said what ISTEA started. That is, we should say we have the transportation moneys, most of which are generated by the highway trust fund. Now, you in your State should be able to, after you meet the minimum-plus of your highway needs, you should be able to take some of your highway trust fund moneys if you choose, Governor, and State legislator, and you should be able to take that and say to Amtrak in West Virginia, "Look, it may be nostalgic, but it is important to us, and we are willing to put up our money to you, Amtrak, so that you, Amtrak, nationally, don't have to swallow the loss of maintaining a train that goes to every junior college," or whatever the example you gave was.

That should be a decision that the State should be able to make. Now, that State may say, "Look, we want to be able to connect those junior colleges. It is cheaper for us to add a lane of blacktop connecting those," or, "We want to put on a bus that is maintained by the West Virginia Department of Transportation," or whatever. And so the one piece that I don't think my colleague from Utah could have envisioned back in 1970, or thereabouts, was that you had to look at the whole transportation component. I think you did the right thing back then. But what we did not do about this and a lot of other things, like we just did on welfare—we have to give States more flexibility to be able to use their funds. What we do now is straitjacket them.

Senator ROTH and I have been pushing three things. In your State, Senator, you have, in addition to your State highway—I know you know this much better than I do, and I am not being solicitous. But for the purpose of people understanding our dialog here—your State, your Governor, your legislature gets, figuratively and literally speaking, a check for highways. Now, you get it in two or three different ways, sometimes, under the new highway bill. You get one that comes for interstate, you get one that comes—and then you get one for rural transportation. There is a section of the highway trust fund, the highway bill, the so-called ISTEA bill, that says if you don't want to build a highway to connect Provo to some small little town, then you can take some—only a small portion—of your highway trust fund money going to your State and you can buy buses—and this goes from the ridiculous to the sublime—or you can build bicycle paths or walking paths, but you can take some of those highway moneys.

But you are not allowed to take any of that money for inner-city rail transportation. It may be that you want to connect to Las Vegas, NV, to Salt Lake City because a lot of people go that route. That is a long way, by eastern standards, but not so long by western standards. You may say, instead of us building a highway to have the economic benefit that we anticipate—although I suspect that many in Salt

Lake would not want to be connected to Las Vegas, but I don't know.

Assuming that was the decision. Then it seems to me that you should be able to say, and the Governor of the State of Nevada should be able to say, "We want to take these highway trust funds and build a rail, and we want to have a train run this way. It is better for us, less damage to our environment," or whatever. You may say, "No, we want to build a highway."

So what the missing link here is, and what we are fighting so hard for is to get basically three things that will put Amtrak in the circumstance where they can be as you asserted in 1970 they would be in 3 years. Let me tick them off and I will stop and I will be happy to hear what my friend has to say.

One is to say, look, there are certain basic capital improvements that are needed in areas where we know there is a need, where we know there is a ridership, where we know there is the market to get this thing up to the point where it is running a surplus. No. 1. That relates to the Northeast corridor expansion—that is, electrifying and straightening out the old routes, et cetera, and buying these train sets. By the way, these train sets are also available for the west coast because there is a growing need, and the Governors in the States of Washington, Oregon, and California say they see how it would be profitable for them to have it available. So that is one thing we do.

The second thing we have to do, it seems to me, is say that in order to deal with this transportation component in the areas where we know the need exists, we should take one-half cent of a highway trust fund, which is now about 18 or 19 cents for a gasoline tax—take one-half cent and dedicate it to a trust fund for intercity rail service. That would generate \$600 million a year, one-half cent. Then we would be out of the business of us having to depend on direct appropriations. And by every estimate, that would maintain the entirety of Amtrak's national capital needs per year.

The third thing we should do, in my humble opinion, is we should not keep unprofitable routes on, making Amtrak have to swallow the cost of that. We know why it works that way—in order to get votes. You have to get 51 votes here for anything to happen. So we should say to the States, if you want Amtrak, where it is not profitable for them to send a train, pay them, just like you pay to build a highway, like you pay to build an airport, or for anything else. Here is how you can do that. We are going to allow you—you, the State—to have the flexibility of the funds that are available, one small portion of the funds you get, instead of building another highway. I am oversimplifying it—it costs \$200,000 a year to run this train through Montana to the ski resorts, which you say generates—I think \$30 million, the Governor said, a year. Now, Amtrak can make on its own \$100,000 of the

\$200,000. You have to come up with the rest.

Make a choice, Montana legislature, make a choice. Do you want to build an extra route or highway into Sun Valley, or do you want a train to continue to run? If you don't want to do it, fine, you don't have to do it. Amtrak shuts down that train. But it's flexibility, and it seems to me it is consistent with a rational national transportation policy. We are then not telling the people of Utah that they have to spend money to build rail systems out there that they don't want, where, environmentally, practically, politically, substantively, it makes more sense to build a highway. Conversely, we are saying to Amtrak, you no longer have to carry the burden of training the system to maintain systems that don't meet the economic imperative of breaking even. And so that is what this whole game plan was supposed to be.

My complaint about this bill is, I say to my friend from Utah, before I yield to him, is that they have taken one of the legs out of that three-legged stool—the only way Amtrak is going to make it. It is a catch-22 situation. I think the Senator may have gone with some of us over to the Library of Congress the other night where Joseph Heller, the author of "Catch-22," was one of the readers. And TRENT LOTT, the majority leader, read a passage from a great book series that they are doing. It was quite an interesting event. I hadn't read "Catch-22" since college. Hearing Heller get up there and read a passage of "Catch-22," and watching him laugh at his own passages, was kind of infectious. But this is kind of a catch-22 for Amtrak. We need your vote. We need the vote from the Senators from Texas and the Senators from Montana and the Senators from Arkansas. But if you don't have a train going into your State, then you say—and I am not being critical—you say, well, why should I vote for this? Why should I vote for this? So what Amtrak has done up until now is they have been caught in that catch-22. They know if they don't keep the train going—I will pick somebody deceased, Harley Staggers—if we don't keep the train going for Harley Staggers into his district in West Virginia, they ain't going to get the money. They are not going to get enough votes to get it passed.

So we blame Amtrak for continuing to run on unprofitable routes. But Amtrak management sits there and says, "I know if I don't run that train, we don't get to run them anywhere." And so the bottom line, for me, is that this particular bill takes out one of the three pieces of the equation that are needed to make the assertion of the Senator from Utah in 1970, in fact, true. I think the three things that need to be done—and I will not repeat them—are things that meet the test of equity, fairness, national interest, and parochial needs, without the Federal Government demanding any State do anything they do not want to do.

I would be happy—I see my friend—to yield to him.

(Mr. THOMAS assumed the chair.)

Mr. BENNETT. I thank my friend from Delaware.

Mr. President, I would like to comment with the understanding that my friend retains the floor.

First, let me share a bit of history that I am sure my friend from Delaware will find instructive in this. What the Senator from Delaware has described was, in fact, in the original legislation where we had the opportunity to say to the Governor, "If you want this to continue in your State, you have to pay x amount." And that is how we got rid of a lot of the trackage.

I remember one New England Governor, whose State will remain nameless, who complained bitterly that certain trains had to stay. We realized that quickly it was a matter of State pride. And we ran the numbers. We sat down with him, and said, "Governor, for the amount of money you have to pay you could afford to pick up every one of the passengers that get on this train at his or her home in a limousine and drive them to any location in the United States cheaper than you could keep this train." When he looked at it, he said, "You mean the average boarding of that train is 3 per day?" We said, "Yes. You are trying to hang onto this train as a matter of State pride. That is what it is."

That is how we got rid of a very large chunk of the original passenger network. And that is what led us to believe in 1970 that we could, in fact, rationalize this network to the point where it would perhaps become profitable. But a number of things happened in the meantime. I have had people say to me that the airplane has destroyed passenger services in the United States—rail passenger service—as people prefer to take the airplane. That is not true. It was the Interstate Highway System that destroyed the rail passenger service in this country. Something like 98 percent of intercity trips in this country are still done on the Interstate Highway System. When we built the Interstate Highway System we sounded the death knell for rail passenger service except in congested corridors like Washington to Boston where it is just as fast to take the train as it would be to fly.

I had an office in New York as well as an office in Washington when I was in private business. I found that I could get to downtown New York just as fast on a metroliner as I could by taking the plane to LaGuardia and then fighting the traffic with a taxicab.

So I assure the Senator from Delaware that I am in favor of doing what I can to see to it that intelligent rail passenger service continues in the heavily congested corridors, primarily the Northeast corridor.

So all I would say to my friend is that I was unaware of the details of this bill until I heard him speaking. I will now examine it. I assure him that



my vote will not be based on whether or not there is a train running through Utah but on what makes good national policy sense. That does not mean that I will vote with the Senator. That just means that I will look at the issue in the way I would not have had I not heard him speak on it.

I will make one comment on the discussion he has had with respect to the National Highway Trust Fund. Again, during my years in the Department of Transportation, I was getting intimately acquainted with the National Highway Trust Fund. And one of the other programs that I was responsible for convincing the Congress to pass in that same period was the airport and airways trust fund. We naively believed when we got that bill through both Houses of Congress and down to President Nixon's desk that we had solved the funding crisis for the FAA for perpetuity. Now there is a trust fund set up to be funded by ticket revenues and takeoff and landing charges at the various airports that would see to it that the FAA never need compete with any other agency for Federal funds. It had its own trust fund and its own source of funding.

Well, Mr. President, then came along the unified budget. I do not know which President it was that did it. I am afraid if I checked it that I would discover that it was probably a Republican. But the fact is that the highway trust fund always runs a surplus. The funds are subjected to appropriations, and the money to build our highway infrastructure is always constrained by political decisions made on this floor and at the other end of the Capitol. And the people who run the Federal Highway Administration can no longer, as it was envisioned that they would when President Eisenhower worked to create it, depend on a steady source of income for their fund. Neither can the people who run the FAA depend on a steady source of funds because their fund is always overfunded and Presidents always dip into that fund. Now they say they do not dip into the fund. They use the mechanisms of the unified budget to underappropriate from the fund so the money in paper is still there but in fact it is never spent.

I say to the Senator that, if he created a trust fund for rail, he would discover that subsequent Presidents would do the same thing to that trust fund that they have done to the highway trust fund and the airport and airways trust fund, and every other fund. They would render it, frankly, a dead letter.

If we were to spend the amount of money—to conclude this on the airport and airways trust fund—on the airport and airways trust fund actually on airports and airways right up to the full amount that comes into the trust fund every year, we wouldn't have the current problems that we have.

Not to delay the debate, but my friend enjoys a good anecdote. So I will leave him with this as I leave the floor.

In a discussion about computer systems and their vulnerability to hackers getting into computer systems and having access to information that they do not have, the expert who was running that discussion said, "All parts of the Government are vulnerable. The hackers can get into anything—the Pentagon, the Social Security files, anything—with one exception; and, that is the FAA computer system running our air traffic control system. The reason it is not vulnerable to a hacker is that it is so obsolete and so ancient that no amount of modern computer activity can get into that."

So I share that with my friend and indicate to him that a trust fund might not be the answer to his problem. I assure the Senator that I will now look at this bill in a new light.

Mr. BIDEN. Mr. President, I realize I still have the floor. A number of people want to speak. Before my colleague leaves the floor, let me say that one of the things that I know he has knowledge about is how so much has changed in the last 30 years. And that is that we had plenty of room to expand with airports in certain areas. We do not have that same flexibility now. We had the ability to expand the highways in certain areas. We do not have that now. He may be right that this trust fund might in fact meet the same fate that he suggested the others had. But the bottom line is that I am a lot better off with this than I am with any other alternative that I can think of. I think that is fair. I thank him. I know he sincerely means it when he says he will listen. And I thank him very much for that. I thank my friend from Oregon. He indicated that he might have a question. I yield for a question.

Mr. WYDEN. Mr. President, I thank the Senator from Delaware for yielding.

I want to discuss briefly the Amtrak issue with him, and in effect pose the question that I am having to wrestle with at home, and your sense of how you handle it. I have been both as a Member of the House and in the Senate a member of the Commerce Committee a very strong supporter of Amtrak. I think that it is important to have a national rail program. It is important policy for our country. I have been in support of the Senator from Delaware. In fact, I remember, as the Senator from Delaware does, your Governor, our former colleague. He called me a bit ago in terms of the funding formula that we all wanted. And I was in strong support of it at that time because I think it is important that the east coast of the United States have good rail service. But I tell my friend that because of what I have seen with Amtrak in the last few months in terms of their handling of the Pioneer, which is a run that serves rural Oregon—it also serves Idaho and Wyoming, and the rural west—that it leaves me very troubled.

I want to just take a quick minute and tell the Senator my concern.

My concern is that the new philosophy in terms of Amtrak is essentially to tell people I represent in rural eastern Oregon you are supposed to put up your hard-earned tax dollars today to support the development of all these runs on the east coast of the United States, in densely populated areas, and then maybe if those runs are exceptionally profitable we will come back and one day have rural Oregon get served with Amtrak service. My constituents are very exasperated by this.

I had a community forum in Hermiston, OR, on this, and Amtrak officials came. Now, this is not the Senator from Oregon. These are Amtrak officials. And they told the community: We have given you lousy service. In fact, people don't even know when the train is going to show up. That is kind of the joke. There has been absolutely no promotion, and there has been absolutely no investment in infrastructure.

Now, what our communities have said—and I think this is a reasonable proposition—is that what they would like to have is 1 year to get the State governments out in the West and local governments and the Federal Government together to try to come up with a new cost-effective strategy to keep that Pioneer serving rural Oregon open. They did not say the Federal Government is supposed to write out a check today for everything. They said give us a year in order to try to have a new partnership that acknowledges what the Senator from Delaware has correctly said, which is that times really have changed. We understand that. And so, give our communities and our staffs 1 year to try to come up with a new plan, and the Amtrak officials, who very much like this Senator to vote for their budget covering east coast lines, will not give our part of the country, rural Oregon, a 1-year deferral to try to work it out.

I would just close this by asking my friend from Delaware, if the Senator were in front of a community meeting in rural Oregon where those folks are being asked to support the lines in the East and they are being told after Amtrak admits that there has not been any service, there has not been any promotion, there has not been any investment, that they still cannot have a year for self-help to come back. What would the Senator tell those folks in that community? I say this out of friendship to the Senator and as one who voted for the Senator's request.

Mr. BIDEN. I understand. Mr. President, let me respond by saying that that is an incredibly difficult position for the Senator from Oregon to be placed in.

What I would try to do is explain to my constituency in eastern Oregon what the facts are. I would point out to them that the Amtrak officials who went back from that meeting and met with the Amtrak board said, you know, we should keep this going for another year to give them a chance to work

this out, and were met with a response that said, if we do not cut 10 more routes and cut out another \$1.5 million or \$2.6 million, whatever the number may be, Mr. WOLF, the chairman of the committee over on the House side, is going to cut everything out, because he is going to turn to us and say that Amtrak is doing what the Senator from Utah has said. Amtrak is continuing to put money into a line that costs money. And we have run out of runway. We, the Amtrak management, have run out of runway.

Then I would say to them that Amtrak's inability to give you another year is not related to what they really want to do. The truth of the matter is, Amtrak knows that their ultimate future lies in a national rail system—not a Northeast rail system, but a national rail system—and the reason it does is that we are going to, over the next 30 years, have increases in population and shifts in population around this country that cannot be accommodated merely by building more airports and highways. So for every day that we grow older as a country, the necessity for extending rail as a mode of transportation increases exponentially.

Then I would say to them that we had a problem back in 1934 and 1935 and 1936 when all those Eastern Senators and their constituency said, why in God's name are we paying to build those dams out there in the West? Why are we doing that? I do not understand that. I am taking my hard-earned tax dollars to build a dam on the Columbia River, or on the whatever river, and I do not know eastern Oregon well enough to cite a specific dam, if it does affect eastern Oregon. And I would say what happened then was somebody stood up and said, look, this is in the national interest.

Now, if we spend the billions of dollars to build those dams out West, if we spend the billions of dollars to do those things, what we will eventually do is our economy will grow in the East as well. We will benefit, but you are not going to see it for a day, a week, a year, 10 years, a decade. It may take several decades for that to be seen. And that is the hardest thing to convince any constituency that understandably is aggrieved and understandably has need for a service and has money being taken out of their pockets for something they do not see develop quickly.

The last thing I would say to them is that those who are pushing the hardest to continue to fund Amtrak are the people who support you the most, who are the people who are saying, we should give you a year and we should give you more than that, we should give you flexibility to be able to work out compacts with the other States in the region in order to be able to use other moneys that are available to you to keep the Pioneer running.

However, I do not in any way suggest that it is an easy sell. We are a nation, whether we are in the East, West, South or North, that is very much ac-

customed to and seeks an instant answer to a larger problem. My experience has not been in eastern Oregon, although I have been there once at a major political event, but my experience has been that when one explains in honest terms to your constituency the overall benefit that will accrue to them, in fact, sometimes they are willing to forbear them not having movement immediately.

But I certainly appreciate the Senator's problem. Let me tell you something that happened to me recently. I will not mention the Senator. I got a call from the president of Amtrak saying, "I don't know what to do. One of the States that we need help from is telling us that they want to keep their particular train going in their State. These two Senators have said basically, if you don't continue to keep this train moving, we are not going to be willing to vote for the things that need to be done," whether it was the half-cent gas tax, whether it was the use of rural funds, or whether it was the direct funding. And he says, "Then I got a call from a major political figure who holds significant office beyond Senator here in this body, saying, if you continue to fund that train which is not making money, I will not be willing to support Amtrak's long-term needs."

It is really a catch-22 circumstance. That is why I wish we could all basically say time out, time out for a couple of years.

Let us explain two things. Unless you get the Northeast corridor up and running with the new train sets, you have no section of the system that is going to be generating a profit. Unless you provide more flexibility to the States to be able to kick in and work in compacts—you helped me in the compact amendment we had last year.

Mr. WYDEN. Right.

Mr. BIDEN. With no compacts, we are not going to be able to run certain lines. And unless we provide an alternative source of revenue for capital investment, we are not going to be able to maintain the system.

So why don't we look at transportation needs as a whole? That is why this is so debilitating. I will yield the floor—

Mr. WYDEN. Will the Senator yield just one second more? I will be very brief.

Mr. BIDEN. Surely.

Mr. WYDEN. The Senator's case would be logical, in many respects, to my constituents, if my constituents were not acknowledging there does need to be change. The Senator mentioned the dams in Bonneville. We are now reinventing Bonneville. We have all our Governors out, trying to set about to adopt practices that relate to the next century.

The same is true in the Amtrak area. But what would not make sense to my constituents is to say, "Look, we are going to slam the door on you. We are not going to give you the chance to try

to change, to have local communities do more, to have States do more, to be cost effective. We are just going to shut the door on you and, instead, adopt what sounds almost like supply-side transportation policy, which is have the east coast of the United States make lots of money on their runs and presumably some day some of it may trickle down."

I know the Senator does not intend that, but I want him to understand I intend to work closely with him. I am a supporter of Amtrak and supporter of a national rail system. But it is getting harder and harder to explain to folks in rural Oregon how they are supposed to wait, they are supposed to be cut off, when they are committed to change. The citizens of my region are saying, "You bet, it is different now than it was 30 years ago, and we are not being given the chance to change."

Mr. BIDEN. I say to my friend from Oregon, I truly do understand that. At the beginning of my comments, which started some time ago, I started off by saying that the more things change the more they remain the same. I cited my experience as a county councilman dealing with bus service in our most populous county. Some of my friends said it had to be totally self-sufficient. So the bus service was put in the position of having to cut routes that were not, in fact, profitable. As they cut routes that were not profitable, exponentially ridership dropped off. The more they cut one route, twice as many riders dropped off because fewer options were available because of transit changes.

Once you start down that road, you are headed for the demise of the system. What I am saying to the Senator is that this is only one of the three pieces of effort we have to have underway. I am suggesting that I, personally, and I suspect everyone who supports Amtrak, understands and appreciates that it is in everybody's best interests if eastern Oregon has access, if eastern Oregon has the Pioneer. The more you invest, the more ridership you generate. But I think we put an artificial timeframe on Amtrak and a standard, a bar, so high they cannot possibly meet it.

I see my colleagues are standing on the floor here. Before I yield to the chairman of the subcommittee and the ranking member, I would like to acknowledge, because he asked for a couple of minutes and I will let the ranking member conclude when that should occur, but the man who, in fact, wrote the book about the megalopolis, I mean literally, not figuratively, literally, literally the guy who wrote the book is the senior Senator from Rhode Island. I say to my friend from New Jersey—he asked whether or not at some point, shortly, we would be willing to yield him 2 minutes. But I will yield the floor and let the chairman make the decision.

Mr. LAUTENBERG. Mr. President, I ask recognition from the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I will be happy, in a moment, to yield to whomever the Chair recognizes. But we are getting lots of inquiries because I know that there is a request to have a rollcall vote. That has not yet been propounded. In fairness to our colleagues who have work to do, as everyone here on the floor has, we started this debate shortly after 2 o'clock this afternoon, and I think in fairness it would be a good idea if I could ask the Senator from Delaware how long the Senator from Delaware thinks the debate might go? I wonder if the Senator from Delaware would answer that question?

If the Senator from Delaware could answer the question as to how much longer he needs? Obviously, he has as much time as he requires. There is a request for a rollcall vote I know.

Mr. BIDEN. Mr. President, in response to my friend's question, and in response to his counsel, I will seek no more time. I, frankly, was going to attempt a filibuster on this bill but I think—I am not being facetious when I say this—the wisdom of the chairman is correct. I probably would end up no better off, even if I succeed, in terms of what would come out of a continuing resolution.

But I will tell the chairman, although I am not going to pursue any strategy other than voting "no" on this legislation and on a continuing resolution, I am hoping to convince some of our colleagues, notwithstanding the fact we will have passed this legislation today, and I expect it will pass, that we get a supplemental to, in fact, give us an opportunity to work out things we are working out with the Senator from Oregon. But I do not seek recognition beyond voting "yes" or "no" when the time comes.

Mr. LAUTENBERG. I thank the Senator very much. Mr. President, I wonder if I might yield to the distinguished Senator from Rhode Island, and I ask unanimous consent I be able to yield up to 3 minutes or 4 minutes, as the Senator needs, and still retain the floor.

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

The Senator from Rhode Island.

Mr. PELL. Mr. President, my purpose for rising was to congratulate and thank the Senator from Delaware for underlining this point. Those of us living on the east coast in the corridor have it as part of our lives. It has been in my own life. I know what it means to many millions of people.

The book to which he referred, which was written about 30 years ago on this subject, is still pretty well current, because in this 30 years so little progress has truly been made. I look forward to the day, while I may not be here, but I look forward to the day in the not too distant future where we will have high-speed railroads, really high speeds, as our friends in Europe have, speeding around the country to the different cities of our great land.

In this regard, I am struck by the number of States that are traversed by the high-speed railroad. And, from a political viewpoint for both parties, about a fifth of the electoral votes in the United States are traversed by the high-speed railroad. I hope that will help spur on support.

I have some regrets about retiring myself. I look forward to visiting Washington in the years to come on a high-speed railroad.

I thank the Chair.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, by agreement with our colleagues on the Republican side, I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate? If there is no further debate, the question is on agreeing to the conference report accompanying H.R. 3675, the Transportation appropriations bill for fiscal year 1997. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Hampshire [Mr. GREGG] is necessarily absent.

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

The result was announced—yeas 85, nays 14, as follows:

[Rollcall Vote No. 294 Leg.]

#### YEAS—85

Abraham	Glenn	McCain
Akaka	Gorton	McConnell
Ashcroft	Graham	Mikulski
Baucus	Gramm	Moseley-Braun
Bennett	Grams	Moynihan
Bond	Grassley	Murkowski
Boxer	Harkin	Murray
Bradley	Hatch	Nickles
Breaux	Hatfield	Nunn
Bumpers	Heflin	Pell
Burns	Helms	Pressler
Campbell	Hollings	Pryor
Chafee	Hutchison	Robb
Coats	Inhofe	Rockefeller
Cochran	Inouye	Santorum
Cohen	Jeffords	Sarbanes
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Snowe
Daschle	Kerrey	Stevens
DeWine	Kerry	Thomas
Donnen	Kohl	Thompson
Faircloth	Lautenberg	Thurmond
Feingold	Leahy	Warner
Feinstein	Levin	Wellstone
Ford	Lott	Wyden
Frahm	Lugar	
Frist	Mack	

#### NAYS—14

Biden	Dodd	Reid
Bingaman	Dorgan	Roth
Brown	Exon	Smith
Bryan	Kyl	Specter
Byrd	Lieberman	

#### NOT VOTING—1

Gregg

The conference report was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### ORDER OF PROCEDURE

Mr. LOTT. Mr. President, for the information of all Senators, there will be no further votes during today's session.

The Senate will now begin consideration, though, of S. 39, the Magnuson Fisheries Act, under a previous unanimous-consent agreement reached in August. Any votes ordered with respect to that bill will be stacked to occur at 11 a.m. on Thursday.

Also, during the session of the Senate on Thursday, I expect the Senate to consider the Merchant Marine Act, H.R. 1350, possibly the pipeline safety bill, and any other calendar items that may be cleared for action. The Senate may also consider available appropriations bills conference reports, if agreements can be reached with respect to amendments in order on those.

I know a lot of work has been put into this Magnuson fisheries bill. I think it is a very good piece of legislation, and it is very important for fisheries and conservation all over our country—the Northeast, Northwest, the Gulf of Mexico. I see the Senator from Massachusetts here. He has worked on it, and, obviously, the Senators from Washington, and Senator STEVENS, of course, has been very instrumental in this legislation. I commend one and all that have been involved in it.

It would have been a real travesty if we would have left this very important piece of fisheries legislation on the table. I hope you can get it done tonight. I assume there could be as many as three votes tomorrow. I assume most of the amendments have been worked out, and I know you will continue to work on that.

I yield the floor.

#### SUSTAINABLE FISHERIES ACT

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 39) to amend the Magnuson Fisheries Conservation and Management Act to authorize appropriations, to provide for sustainable fisheries, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Sustainable Fisheries Act".

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

*Sec. 1. Short title; table of contents.*