

and the Libyans give sanctuary to terrorists, only then will we maybe do something. But then some say, Not when corporate profits get in the way. Or our allies may say, Oh, no, don't do this, knowing that these are renegade governments and countries who sponsor terrorist attacks, who are responsible for over 300 U.S. citizens being killed—and the Libyans were and they now give sanctuary to two men who have been indicted.

No. Sadly, we have to do something. I am very concerned that the administration will shirk its responsibility.

Sadly, I also rise today to describe another kind of terrorism, Mr. President. It is one that is too often seen but little done. It is one that permeates our Nation's school systems, particularly inner-city schools. It is a terrorism in which violent juveniles prey upon good kids. And it has to stop.

Just as we must be united and remain resolute in our fight against international terrorism, we must be united and remain resolute in the fight at home. Once again, each and every one of us has a responsibility to stand up and fight this terrorism to make a difference. Business as usual is no longer acceptable. There is no more fundamental right in our democracy than the right of our children to have a good education. That requires that they be safe. That requires that a school be an oasis for learning.

Many people have asked me why I have taken such a public and outspoken position as it relates to education reforms. New Yorkers may have been shocked when they read yesterday's newspapers of gang violence in the public schools.

I point to those headlines. "Probe Rips Principals for Turning Blind Eye to the Gangs." The story in the New York Post turns to the issue of the gangs which have taken over schools.

The Daily News: "Fear Stalks Hallways as Hoods Take Over." One student says that he feels at times safer—safer—in dangerous neighborhoods at night than he does walking in the hallways.

We are not talking about violence in streets and alleys. This violence is taking place inside our schools, which should be sanctuaries to our children. That means that the real victims are our children. Just as we must stand up to Total and other companies who give aid and comfort to international regimes, we must stand up to the terrorism that is occurring in our classrooms. We must get violent and disruptive juveniles out of the classrooms so good kids can learn. We need fundamental sweeping reforms throughout our educational system.

In addition to getting violent and disruptive juveniles out of the classrooms, Mr. President, we need to give merit pay to the outstanding teachers, those who are dedicated, those who want to make a difference and those who do make a difference. We have to

see that we have tenure reform in order to get those teachers who are not performing, who are bad teachers out of the classroom.

We need school choice so that parents can make educational decisions instead of Government bureaucrats.

Finally, Mr. President, we have to stand up to the teachers unions and tell them to put our children first. Unfortunately, the unions are more interested in their perks and privileges than they are in providing a good education for our children.

Above all, we must get violent and disruptive juveniles out of schools. I want to see more power given to our school principals to remove violent juveniles from the classrooms. We cannot tolerate the kind of situation that is taking place in more and more of our schools in more and more of our cities to more and more of our children.

Principals should have fast-track authority. You want to talk about fast-track authority for trade? Give our principals fast-track authority to expel gang members and other violent offenders. That is what we really need to be doing to help this country and to help the educational system.

Just like in the fight against international terrorism, more pressure has to be brought to bear on terrorism in our schools. The fight against terrorism in our schools must be a united fight. The teachers unions, who opposed every commonsense reform, surely can agree with the notion that violence in schools must be stopped. Instead of pushing for more pay and less work for teachers, the teachers unions should join me and others in a united effort to combat violence in our schools.

That is why I have been standing up to those who ask the question, "Why do you talk about this?" We have had debates about educational reform and getting more money directly to the District so they can spend it on students, not bureaucrats. We have had debates about giving parents choice so they can give their kids an opportunity to receive a quality education. But let me say something. In every one of those situations we have seen the teachers unions come down and oppose this. They are against merit pay. They are against getting bad teachers out. They want to ensure lifetime contracts. They are interested in perks and privileges.

By gosh, for one time, join with us and see to it that we have meaningful reforms so that we can fast track violent students out of the schools, so that good and decent kids have an opportunity to have a good education, so that children can learn in safety.

Mr. President, I do not think there is a more important fight against terrorism that we can and must and should win than that which confronts our children every day, unfortunately, in too many of the schools throughout this country.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

Mr. CHAFEE. Mr. President, yesterday the Senate began consideration of the Intermodal Surface Transportation Efficiency Act of 1997, or sometimes referred to as ISTEA II.

This legislation is the product of well over a year of hard work and careful negotiation.

We had three different proposals, Mr. President, all commendable, and the requirement before us was to integrate these different proposals into one unified plan that all of us could rally around. When I say us, I was, of course, talking about the committee at the time, the 18 members of the Environment and Public Works Committee, but hopefully the entire Senate. When I am talking about 18 members, I, of course, am referring to Democrats and Republicans.

I am pleased that the bill before the Senate truly represents a consensus effort with cosponsors from all regions of the country and from both sides of the aisle. The results of these efforts, so-called ISTEA II—ISTEA, again, referring to Intermodal Surface Transportation Efficiency Act of 1997—provides \$145 billion over the next 6 years for our Federal highway, highway safety, and other surface transportation systems.

Mr. President, this is a 20-percent increase for the Federal aid highway program over the level provided in the original ISTEA, which stretched from 1991 to 1997 a, 6-year bill. This bill preserves and builds upon the laudable goals of intermodalism, flexibility, and efficiency, all of which goals were found in the original ISTEA legislation.

It does so within the parameters of the balanced budget agreement that Congress passed just 2 months ago, Mr. President. In my view, the most important aspect of this bill is that it works within the context of a balanced budget. We were given x amount of dollars, we stayed within that x amount of dollars. I feel very strongly about that, Mr. President.

On the Nation's highways you get to where you are going by staying within the lines and playing by the rules. The budget is no different. I am very proud that the program that we brought out of the Environment and Public Works Committee, so-called ISTEA II, stays within the parameters of the balanced budget, a budget, as I say, we only adopted 2 months ago.

S. 1173 addresses the concerns of the State by making the program easier to understand and by providing greater flexibility to States and localities. It reduces the number of ISTEA program categories. Under the existing ISTEA legislation there are five categories that we drop to three. It includes more than 20 improvements to reduce the red-tape involved in carrying out transportation projects. Moreover, this bill significantly reforms the ISTEA funding formulas to balance the diverse needs of the various regions of the Nation. Forty-eight of the 50 States share in the growth of the overall program and the bill guarantees 90 cents back for every dollar of State moneys contributed into the highway trust fund. This is a very, very significant advancement and change from the ISTEA legislation currently on the books.

Now, this ISTEA II recognizes the diversity and uniqueness of the country and all its transportation needs. The aging infrastructure and congested areas of the Northeast, the growing population and capacity limitations in the South and Southwest, and the rural expanses in the West, all of these require different types of transportation investments. By making the surface transportation program more responsible to all regions of the country, S. 1173 will ensure that the integrity of the original ISTEA program is upheld.

Now, Mr. President, to bridge the gap between limited Federal funds and formidable infrastructure needs, this bill makes a strategic investment in the Nation's transportation system. During the 1950's and the 1960's it made more sense for the Nation to build—that is what we were concentrating on, building an interstate system. Today we need to be more creative. We must carefully plan and allocate our limited resources.

ISTEA II includes a number of innovative ways to finance transportation projects. It establishes a Federal credit assistance program for surface transportation. This new program leverages limited Federal funds by allowing up to \$10.6 billion Federal line of credit for transportation projects at a cost to the Federal budget of just over \$500 million—in other words, for half a billion we are able to leverage up to \$10.6 billion of a Federal line of credit for transportation projects.

To enable States to make the most of their transportation dollars, this bill expands and simplifies the State infrastructure bank program. One of the wisest transportation investments we can make is to do everything we can on behalf of the safety of drivers and passengers. ISTEA II substantially increases the Federal safety commitment. In the United States alone there are more than 40,000 fatalities and 3.5 million auto crashes every year. Those are staggering statistics—3.5 million automobile crashes every year, and 40,000 deaths on our U.S. highways per year. Between 1992 and 1995 the average national highway fatality rate in-

creased by more than 2,000 deaths a year while the annual national injury rate increased by over 38,000. We must work vigorously to reverse this trend. This bill will help us to do so.

The funds set aside for safety programs such as hazard elimination, railroads, highway crossings under this bill total \$690 million a year, 55 percent over the current level increase. According to the National Highway Safety Traffic Administration, the use of seatbelts is by far the most important step vehicle occupants can take to protect themselves in the event of a collision. Wearing a seatbelt increases a person's chance of surviving a crash by 45 percent, and of avoiding serious injury by 50 percent. Think of that—by simply wearing a seatbelt, one's chances of avoiding serious injury are increased by 50 percent, chances of surviving a crash are increased by 45 percent. To encourage the increased use of seatbelts, the bill before us establishes a new safety belt incentive program rewarding those States that increase their seatbelt usage or take other measures to increase seatbelt use.

To combat the serious problem of drunk driving, the ISTEA bill establishes a new program that encourages States to enact laws with maximum penalties for repeat drunk driving offenders.

As valuable as transportation is to our society, we have to remember, Mr. President, yes, transportation obviously is valuable to our society, but it has taken a tremendous toll on the Nation's air, land, and water. The costs of air pollution alone that can be attributed to cars and trucks has been estimated to range from \$30 to \$200 billion a year.

ISTEA II upholds the original ISTEA legislation, strong commitment to preserving and protecting our environment. ISTEA provides States and localities with tools to cope with the growing demands on our transportation system and the corresponding strain on our environment.

I am proud that the bill before the Senate increases funding for ISTEA's key programs to offset transportation's impact on the environment. Clearly, all these automobiles and trucks on our roads contribute to a strain on our environment.

ISTEA II provides an average of \$1.18 billion per year over the next 6 years for the so-called congestion mitigation and air quality improvement programs, also known as CMAQ. This is an 18-percent increase over the current funding levels for transit improvement, shared ride services, and other activities to help fight air pollution. Over the past 6 years, the transportation enhancement program has offered a remarkable opportunity for States and localities to use their Federal transportation dollars to preserve and create more livable communities. ISTEA II therefore, provides a 24-percent increase in funding for transportation enhancements such as bicycle and pedestrian facili-

ties, billboard removal, historic preservation, and rails-to-trails program.

In addition to CMAQ and enhancements, the ISTEA II bill establishes a new wetland restoration pilot program. Why are we doing this, spending highway money to restore wetlands? We are doing it to fund projects to offset the loss or degradation of wetlands resulting from Federal aid transportation projects. There is no question that all kinds of wetlands have been lost across our Nation over the last 25 to 30 years as a result of the construction and the resulting damage to our wetlands.

When it was enacted in 1997, ISTEA expanded the focus of the national policy, transforming what was once simply a program for building roads and bridges into a surface transportation program dedicated to the mobility of passengers and goods. Mr. President, I call your attention to the very name of this program. This is not a highway bill. This is a surface transportation efficiency bill. So we do more than just focus on highways. The purpose is to move people and goods in the most efficient manner possible. S. 1173 continues this spirit of intermodalism by extending the eligibility of the National Highway System and surface transportation programs to passenger rail such as Amtrak and magnetic levitation systems.

The statewide metropolitan planning provisions of ISTEA have yielded highway returns by bringing all interests to the table, and increasing the public's input into the decisionmaking process. ISTEA continues to strengthen the planning provisions of the original legislation. Admittedly, the transition from old policies and practices to those embodied in ISTEA has not always been easy. The bill before the Senate will carry forward ISTEA's strengths, but it will also correct ISTEA's weakness and provide a responsive transportation program to take us into the next century.

Now I would like to turn, if I might, to an issue of great concern. Over the past few days there has been some discussion of the distressing prospect of going around the balanced budget agreement to increase funds for the Federal aid highway program. Some Members of Congress are trying to ensure that the 4.3-cent gas tax, which is what the tax reconciliation redirects into the highway trust fund, actually is spent on highways. Although I support increased funding for transportation, I cannot support the proposition of spending the 4.3-cent gas tax.

Let me add that transportation nearly fares better than every other national program in the Federal budget resolution. From 1997 through the year 2002—the 5-year budget period which deals with highways—the budget resolution increases transportation spending by almost 7 percent. In contrast, other nondefense discretionary programs increase by roughly 2 percent. In other words, transportation will grow at a rate of three times that of other nondefense discretionary programs.

It is imperative that we look at transportation funding in the context of countless other important legislative priorities of Congress. During the consideration of the bill before the Senate, Senators WARNER, DOMENICI, and I plan to offer an amendment that will resolve the issue of potential budget surplus in an orderly manner through the budget process next spring. Determining what the Nation's priorities are during the budget process when all programs and policies can compete fairly is a responsible way to resolve this complex issue.

Before I conclude, I want to express my appreciation to Senators WARNER and BAUCUS and other members of the environment committee for their hard work and determination in developing this program.

As I mentioned, Mr. President, this came out of the committee by a vote of 18-0, Democrats and Republicans alike supporting it, those from the West, the Midwest, the South, the Southeast, the Northeast, all supported it. Transportation is not a partisan issue as much as it is a regional issue. Senators WARNER, BAUCUS, and I represent three distinct regions of the country with very different points of view. It has not been easy and we still have a way to go before reaching the finish line.

I look forward to working with other Members of the Senate as well as the House leadership to enact a bill this year that will take the Nation's transportation system into the 21st century.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I recognize others are seeking recognition but I would like first to thank my distinguished chairman because this bill represents the efforts brought about by his leadership, together with my distinguished colleague, our ranking member, Senator BAUCUS.

Mr. BAUCUS. Mr. President, I am pleased today to join Senators CHAFEE and WARNER in bringing the Intermodal Surface Transportation Efficiency Act of 1997 to the floor.

What will the bill do? It will help this Nation meet its growing transportation demands. It will help reduce congestion. Make highways safer. Make our economy more efficient. Ease travel for businesses, farmers, and families on vacation. Develop new transportation technologies for a new century. And protect our environment as we do it.

WHY SPEND THE MONEY?

The bill before us today, ISTEA II, is a very big commitment. It will provide over \$145 billion for highway and highway safety programs over the next 6 years. That is an increase of more than 20 percent from the funding of today.

And some may ask why we do it. Why should we invest billions of dollars each year in transportation?

Mr. President, the reason is simple. A good transportation system makes life better for everyone. For many years—really, since John Quincy Adams,

Henry Clay, and the internal improvement program of the 1820's, which involved postal roads and canals—we have recognized how important it is to put some money into a system that works for everyone.

Montana wheatgrowers bringing their produce to the mill; manufacturers shipping goods across the country; families driving off for a weekend in the mountains—all need a safe, efficient transportation network.

Today, we benefit enormously from the work President Eisenhower began with the Interstate Highway System in the 1950's. We have the largest transportation system in the world. And we need the money to keep it the best transportation system in the world.

We enjoy the premier system of highways—the 45,000 mile Interstate System—and almost 4 million miles of other roads. Our 265 million people drive over 2.4 trillion miles each year—about half the distance from Earth to the nearest star.

And transportation investment means jobs. We create over 42,000 jobs with each \$1 billion of Federal transportation spending. And let's not forget that these are good jobs. Jobs that support families throughout the Nation.

So that is why we need to make the investment in a national transportation program. And this bill represents policy choices that will serve the Nation well.

That much driving means the roads need a lot of fixing. The Department of Transportation estimates that we will need almost \$50 billion a year just to maintain current conditions on our highways. And we need almost \$9 billion each year just to maintain current bridge conditions.

Finally, transportation investment comes with its own benefits. As hearings before our Environment and Public Works Committee show, transportation is one of the largest sectors of our economy—accounting for nearly 11 percent of our gross domestic product. Only housing and food account for more.

ISTEA AND ISTEA II

ISTEA II builds upon the successes of its predecessor, the ISTEA legislation of 1991. Authored by my colleague from New York, Senator MOYNIHAN, that landmark law has helped create a truly seamless, intermodal transportation system. Air and seaports link easily with roads, railways and transit, meaning that travelers lose the least possible time making connections and businesses move their goods as cheaply and efficiently as possible.

Likewise, our transportation program is flexible. States and local governments choose transportation projects that meet their diverse needs. States can build highways, transit facilities, bikepaths, pedestrian walkways, and intermodal facilities—whatever fits the needs of Montanans or New Yorkers or Californians best.

Mr. President, the bill before us, ISTEA II, continues along that path.

And with the experience of 6 years behind us, I believe we have made a good product even better.

This bill will give us a transportation program that meets four basic criteria. First, it will meet our economic needs.

Second, it will use the most up-to-date technologies and helps develop new ones so highways are easier and travel is safer. Third, it will remember small communities as well as broad national needs. And fourth, it will be fair to all parts of the country.

Finally, it will be administratively simpler. Today we have 11 categories of funding. With the new bill we will have five: the Interstate/National Highway System, the Surface Transportation Program, the Congestion Mitigation and Air Quality Program, and two equity accounts. Let me explain each one of these in turn.

THE INTERSTATE/NATIONAL HIGHWAY SYSTEM

When Congress enacted the original ISTEA legislation in 1991, it was with the clear understanding that the Interstate System was complete and the interstate era was over. It was not time to recognize the importance of a larger network of roads and bridges in this country.

Since the inception of the Interstate System in the 1950's, things have changes around the country. No longer is the Interstate the only system of roads that connect businesses to markets and jobs to homes. It is now a larger system, the National Highway System or NHS.

In 1995, Congress formally approved this transition—a transition from the interstate era to the National Highway System era—when it approved the National Highway System Designation Act of 1995.

The National Highway System is a system of almost 170,000 miles of roads and bridges—including the 45,000 mile Interstate System—that carries the vast majority of our commercial and passenger traffic. NHS roads provide access to rural and urban areas. These roads connect our homes to our jobs, our farms to markets, and ultimately our export products to their overseas markets.

So it is only appropriate that under ISTEA II we devote the majority of resources to the maintenance and improvement of the National Highway System. Under the bill, we will spend almost \$12 billion a year on these roads, at least \$6 billion of that going directly to maintain the Interstate System roads and bridges.

And while we have eliminated the current bridge program, we have folded it into other categories. States will receive over \$4.2 billion under bridge apportionment factors and will have to spend at least what they are spending today on bridges. This will ensure we continue to make improvements in the condition and performance of our bridges.

SURFACE TRANSPORTATION PROGRAM

Second, the present Surface Transportation Program or STP will continue in the new highway program at

an annual funding level of \$7 billion. The STP is a flexible funding category that provides for all types of transportation projects, and is particularly valuable for small towns and communities with innovative ideas.

It allows new construction and, improvements to current highways; but also bikepaths, pedestrian walkways, transit capital projects, transportation enhancement projects, rail/highway crossing safety improvements, and hazard elimination projects.

CONGESTION MITIGATION AND AIR QUALITY

Third, we will continue to improve air quality and reduce congestion around the country through the Congestion Mitigation and Air Quality Program or CMAQ. One of the key features of the original ISTEA legislation was the link developed between the environment and transportation. The CMAQ Program is that link.

CMAQ provides funds to nonattainment areas so they may undertake projects to improve their air quality. The past 6 years have demonstrated the benefits of such investments. CMAQ projects have contributed to many areas reaching attainment and have improved traffic flows to reduce congestion.

TRANSPORTATION TECHNOLOGY

Fourth, as well as improving the physical infrastructure, the bill before us today funds new research and deployment of transportation technologies in rural and urban areas.

Technologies, such as the Intelligent Transportation System or ITS technologies, will increase the capacity of existing transportation systems without having to add new lanes. ITS also increases safety on our roads by providing information to the traveling public about roadside hazards, weather conditions, and alternate routing. These technologies will improve safety and the environment.

In the past 25 years, together with seatbelt and drunk driving laws, earlier versions of these projects have helped to reduce the rate of fatal automobile accidents by more than half, from 44.5 deaths per 100,000 registered vehicles in 1972 to 21.2 last year. The new program will build on this remarkable success to help keep our highways the safest in the world.

FAIR FUNDING FORMULAS

Finally, fairness. Policy is very important in its own right; but it is also important that every part of the country sees the benefits. And that is what we do.

Our bill recognizes the diverse transportation needs of the country. For large, sparsely populated States, the bill recognizes their dependence upon highways.

In Montana, for example, we do not have mass transit, we do not have large seaports. We rely upon our highways to get from place to place. So the bill uses formula factors that recognize the extent or size of a State's highway system. That only makes sense. After all,

this is a bill that provides funding for States to maintain and improve their highway systems.

States in the densely populated Northeast region have an aging infrastructure in need of repairs. The bill recognizes these needs by using formula factors such as vehicle miles traveled or vmt. Vmt measures the use or wear on your roads. The bill also continues to provide funding for deficient bridges—a very important component of the transportation system in the Northeast region.

And for fast-growing, so-called donor States, the bill uses formula factors that take into account this growth. The vmt factor that I mentioned above is an example, since it measures how much people are driving in your State. But the bill goes even further.

The bill uses contributions to the highway account of the highway trust fund as a formula factor. And of the amount apportioned to the States, every State will receive at least 90 percent of its share of contributions to the highway trust fund.

And let's not forget that his bill is not just about highways. In the coming days, the Banking Committee will add their title to this bill to reauthorize the mass transit program. Over \$24 billion has been authorized for those programs by that committee.

So as my colleagues decide whether or not to view the highway formulas as fair or not, I urge them to examine this bill in its entirety. Because many States receive large sums of funding for their mass transit programs, while others rely solely upon highway funding to meet their transportation needs.

CONCLUSION

In sum, we have a good product that will help the country. It will update and improve an already excellent highway program. And we should not wait.

Some suggest that we should do only a 6-month extension of ISTEA, hoping for more transportation funding in the future. Both Senator WARNER and I believe we need more funding. But waiting will not guarantee that we get it, and it will come with its own cost.

States and local governments must plan for the future, and to do so they need to know that we will not be changing the rules every 6 months. The lack of a long-term transportation program will mean chaos and uncertainty across the country for government, businesses, agriculture, and citizens.

So I believe we should get the job done. We have known for 6 years that ISTEA would expire in 1997. And I believe the bill we bring to the floor today will serve the Nation well. I hope it will get the Senate's support.

Thank you, Mr. President, and I yield the floor.

Mr. WARNER. Mr. President, I am pleased to bring before the Senate for consideration S. 1173, the Intermodal Surface Transportation Efficiency Act of 1997, or ISTEA II.

ISTEA II is a 6-year bill that reauthorizes our Nation's highway con-

struction, highway safety, and research programs. It provides \$145 billion over 6 years and meets the requirements of the Balanced Budget agreement.

Our funding level of \$145 billion is 20 percent greater than the \$120 billion funding level provided in ISTEA I.

Our funding level of \$145 billion exceeds the funding level of \$135 billion proposed in the administration's NEXTEA bill.

Mr. President, along with my strong working partner, Senator BAUCUS, I have worked throughout the year for higher funding levels for our Nation's surface transportation programs.

Unfortunately, our amendment to the budget resolution earlier this year failed by one vote. Later, during the conference on the budget resolution, Senator BAUCUS and I, along with 83 other Senators, urged the conferees to raise the allocation to the highway program so that a portion of the 4.3-cent Federal gas tax could be spent.

Regrettably, these efforts were not successful. As such, I accepted the decision of the Senate and our commitment to the American people to balance the Federal budget by the year 2002.

With the spending limitations set in the balanced budget agreement, Chairman CHAFEE, Senator BAUCUS and I drafted a six-year reauthorization bill that complies with the budget agreement.

Mr. President, it is also critical that the Congress move forward to enact a 6-year, comprehensive transportation bill. Not a 6-month bill as some in the other House are advocating.

Our State and local transportation partners deserve nothing less. Due to the significant length of time required to plan and design any transportation project—an average of 7 years—our states, our Government, and their respective highway authorities must be able to efficiently respond to transportation demands.

Mr. President, in bringing this bill before the Senate, I urge every member to examine the bill in its entirety and to evaluate its provisions on the merits of balance and fairness.

Those are the two principles that guided my efforts in the drafting of this bill.

I am well aware that every Senator may not be entirely pleased with this bill. Most of the concern rests, not with the substantive measures, but with the level of funding. I am convinced, however, that overall we bring to the Senate a bill—that addresses the mobility demands of the American people and the growing freight movements of American goods—that will continue to ensure America's competitiveness in a one-world market; and that, for the first time, provides a fair and equitable return to every State based on the amount of funds we spend. Every State will be guaranteed 90 percent of the funds we send to the States based on each State's contributions to the highway trust fund.

How much will each State get at a minimum under this bill? Let me describe this calculation as there are many different ways to explain the 90-percent guarantee.

Let's start first with what each State sends to Washington to the highway trust fund.

Under the formula, each's State's share of contributions to the highway trust fund each year is calculated.

Then, that percent is compared to the percent share each State receives under the formula.

If necessary, the 90-percent minimum guarantee is applied to any State whose percent share under the formula is below their 90-percent share of contributions to the highway trust fund.

For those States, the 90-percent guarantee, will ensure that each State's percentage return under the formula is adjusted upward to equal their 90-percent share of contributions to the highway trust fund.

I want to thank Senator CHAFEE and Senator BAUCUS, and all the members of the committee for their contributions, in developing a compromise bill that represents a balance among the 50 States.

This legislation is the product of months of spirited discussions.

It is a compromise that addresses the unique transportation needs in the different regions of the country—the congestion demands of the growing South and Southwest, the aging infrastructure needs of the Northeast, and the national transportation needs of the rural West.

In putting together this bipartisan and comprehensive measure, great care was taken to preserve fundamental principles of ISTEA I that worked well.

ISTEA II upholds and strengthens ISTEA's laudable goals of mobility, intermodalism, efficiency, and program flexibility.

We were committed to continuing those hallmarks of ISTEA which have proven to be successful and are strongly supported by our State and local transportation partners, including: ensuring that our transportation programs contribute to and are compatible with our national commitment to protect our environment; building upon the shared decision-making between the Federal, state, and local governments; and ensuring that the public continues to participate fully in the transportation planning process.

Mr. President, perhaps the most critical issue that the committee addressed in this legislation is the development of equitable funding formulas.

ISTEA I failed to distribute funding to our States based on current contemporary data that measures the extent, use, and condition of our transportation system. ISTEA I apportioned funds to the States based on each State's historical share of funds received in 1987.

As we prepare for the transportation challenges of the 21st century, reforms to the funding formulas are long over-

due. This legislation uses indicators that measure the current needs of our transportation system. Many of the factors used to distribute funds are consistent with the alternatives identified in GAO's 1995 report entitled, "Highway Funding, Alternatives for Distributing Federal Funds."

These indicators are standard measurements of lane miles which represent the extent of the system in a State, vehicle miles traveled which represent the extent of congestion, and structural and capacity deficiencies of our Nation's bridges.

Using current measurements of our transportation system were called for in every major reauthorization bill introduced this session—including the administration's NEXTEA bill, STEP-21, STARS 2000, and ISTEA Works.

For those of my colleagues who do not believe their States should see a change in their share of transportation funds from what they have previously received, I simply respond that we must move forward and update our formulas to ensure that our national transportation program responds to the many needs across our Nation.

In revising these funding formulas, I believe we have made significant progress to address one of the major shortfalls of ISTEA—namely, providing every state a fair return based on their contributions to the highway trust fund.

Our bill today ensures fairness. Every State will receive a minimum guarantee of 90 percent of the funds apportioned to the States equal to 90 percent of their contributions to the Highway Trust Fund.

This guarantee is very different from the so-called 90 percent minimum allocation in ISTEA I.

ISTEA II provides a real and true guarantee of 90 percent of the funds distributed to the States. The minimum guarantee is applied to 100 percent of apportioned funds.

Second, the minimum guarantee calculation is reformed so that the 90 percent guarantee is actually achieved. We all know that ISTEA I gave many States less than 90 percent because it did not include all the funds that were distributed to States.

While I started with a goal of 95-percent return for every State, a true 90-percent return calculated on a larger share of the program is a major achievement for donor States.

I am also pleased to report that ISTEA makes great progress in consolidating and streamlining the program.

Under ISTEA I there are five major program categories. Under ISTEA II, those program categories have been consolidated into three major programs—the Interstate and National Highway System Program, the Surface Transportation Program, and the Congestion Mitigation and Air Quality Program.

Under ISTEA I there are five apportionment adjustments—most of them

designed to address concerns of donor States—that have not worked. ISTEA II provides for two simple adjustments. First, for donor States and small States to provide them a minimum share of funding. The second, to provide a transition for States based on part of their ISTEA funding.

The committee bill also includes many revisions to Federal highway procedures to streamline the complex process of Federal reviews of State projects. It is my very strong hope that these provisions will enable our States to improve project delivery—the time it takes for a project to move from design to construction to completion.

Today, it takes on average 7 years to complete a project. We must provide our States with the tools to do better. I believe many provisions in this bill will free them from Federal redtape which has delayed many projects.

Mr. President, those are some of the important highlights of the committee bill.

I look forward to the Senate's consideration of this bill and will work with my colleagues to resolve as many amendments as possible.

Mr. BYRD. Mr. President, this request has been cleared with the distinguished Republican leader.

I ask unanimous consent that I, Senator GRAMM, Senator WARNER, Senator BAUCUS, not necessarily in that order, may have as much as a total, if needed, of one hour among us to discuss an amendment which we are going to offer at a later date.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. Just a question, if I might. In other words, you would start now and go until 5:15?

Mr. BYRD. Yes.

Mr. CHAFEE. Thank you.

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

Mr. BYRD. Mr. President, the Taxpayer Relief Act of 1997, which was enacted as part of the balanced budget agreement, included a provision which ended the use of the 4.3 cents per gallon gas tax for deficit reduction and instead placed this tax into the Highway Trust Fund beginning on October 1, 1997. That was a very important first step in restoring integrity to the Highway Trust Fund. It ended the practice of using any Federal gasoline taxes for deficit reduction. This Senator was not alone in seeking to end the practice of using Federal gasoline taxes for deficit reduction. On July 14 of this year, I joined 82 other Senators in signing a letter addressed to the Senate majority and minority leaders, as well as the chairman and ranking Member of the Senate Finance Committee, Senators ROTH and MOYNIHAN, and that letter is fairly brief.

I ask unanimous consent that the letter be printed in the RECORD at this point.

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

U.S. SENATE,

Washington, DC, July 14, 1997.

Hon. TRENT LOTT,
Majority Leader.

Hon. TOM DASCHLE,
Minority Leader.

Senator WILLIAM V. ROTH, Jr.,
Chairman, Committee on Finance.

Senator DANIEL P. MOYNIHAN,
Ranking Minority Member, Committee on Finance.

DEAR COLLEAGUES: We are writing to express our view that additional funding for transportation programs is urgently needed. As you know, Section 704 of the Senate's version of the Revenue Reconciliation Act transferred 3.8 cents of the federal fuel tax from the general fund to the Highway Trust Fund. While that transfer is an important first step, it does not, by itself, provide the needed additional funds. Therefore, we ask that you urge the conferees to ensure that at least a significant portion of the 3.8 cents be made available for expenditure on highway and transit programs, similar to the manner in which the Senate provided funding for intercity passenger rail service.

The reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA) will seek to meet the growing demands on our highway and transit systems. Yet the scale and diversity of these national needs combined with the requests for discretionary funds to address local and regional transportation issues requires funding levels greater than that currently available.

We are concerned that without additional funding, the reauthorization of ISTEA and the distribution of funds in a fair manner will prove to be impossible and will lead to divisive debate in the Senate.

Therefore, we respectfully urge you to provide the means to spend a portion of the 3.8 cents for our highway and transit programs.

Sincerely,

Max Baucus, Herb Kohl, Byron L. Dorgan, Jeff Bingaman, Dale Bumpers, Carol Moseley-Braun, John Warner, James M. Jeffords, Fritz Hollings, _____, Bob Kerrey, Jack Reed, Wendell Ford, Barbara Boxer.

Kay Bailey Hutchison, _____, Ted Stevens, Pat Roberts, Daniel K. Akaka, Larry E. Craig, Judd Gregg, Dick Kempthorne, Orrin Hatch, Mike DeWine, Jeff Sessions, Lauch Faircloth, Spencer Abraham, Daniel Coats. Chuck Robb, Robert Torricelli, Carl Levin, Mary Landrieu, _____, Kent Conrad, Robert Byrd, Tom Harkin, _____, Dianne Feinstein, Frank R. Lautenberg, Patty Murray, Jay Rockefeller.

Ben Nighthorse Campbell, Conrad R. Burns, Rod Grams, Michael B. Enzi, Chuck Hagel, _____, Kit Bond, Wayne Allard, Mitch McConnell, Olympia Snowe, Craig Thomas, Paul Wellstone, Bill Frist, Arlen Specter.

Barbara A. Mikulski, Harry Reid, Bob Smith, Ted Kennedy, Tim Johnson, Max Cleland, Joe Biden, Christopher J. Dodd, _____, John Breaux, Ron Wyden, Bob Bennett, Paul Sarbanes, Tim Hutchinson.

Dick Lugar, Chuck Grassley, John Glenn, Susan Collins, John Ashcroft, Paul Coverdell, Richard Shelby, Jesse Helms, Rick Santorum, Patrick Leahy, Russ Feingold, Thad Cochran, Frank H. Murkowski.

Mr. BYRD. Mr. President, the important first step, as I say, which we 83 Senators sought in our letter has now been achieved; namely, the transfer of the 4.3 cents per gallon gasoline tax from deficit reduction into the High-

way Trust Fund. I believe it was Senator GRAMM who offered the amendment to do that. He offered that amendment in the Finance Committee and the Finance Committee adopted that amendment. So that was accomplished in the Taxpayer Relief Act of 1997.

Unfortunately, the six-year ISTEA reauthorization bill reported by the Environment and Public Works Committee does not allow the use of one penny—not one copper penny—of this 4.3 cents gas tax for highway construction over the next six years. In effect, it allows these additional gas tax revenues to build up huge surpluses over the next six years. The time has come to put our money where our mouth is. We either mean it or we don't mean it when we write letters urging our leadership not only to place the 4.3 cents per gallon gas tax into the Highway Trust Fund, but also to take the next step and allow it to be used in the ISTEA bill before the Senate.

Did we place the 4.3 cents gas tax into the trust fund simply so that the unspent balance of the trust fund could skyrocket to historic levels, while our bridges crumble, while our constituents sit in ever-worsening traffic jams, and while congestion chokes off the economic potential of our Nation? Is that what we meant? That was not my intention in championing the transfer of this tax, and I don't believe it was the intention of my colleagues, those who supported placing the revenue into the Highway Trust Fund.

And so, today, three of my colleagues and I—Senators GRAMM, WARNER, and BAUCUS—are joining in saying to the Senate that we are preparing an amendment to the pending ISTEA bill to authorize the use of the full amount raised by the highway account share of the 4.3 cents gas tax for highway infrastructure and bridge programs over fiscal years 1990–2003. Over the life of this bill, this will mean that an additional \$31 billion in contract authority will be made available for the National Highway System.

Mr. President, we must do more to address the continuing and destructive trend of Federal disinvestment in our Nation's transportation infrastructure. According to the Federal highway administration, our investment in our Nation's highways is a full \$15 billion short each year, just to maintain the current inadequate conditions of our National Highway System. Put another way, we would have to increase our national highway investment by more than \$15 billion a year to make the least bit of improvement in the status of our national highway network each year.

Now, as I say, joining me in offering this amendment as principal cosponsors are Senators GRAMM, BAUCUS, and WARNER. Although our amendment is still in the process of being drafted, we nevertheless have reached agreement as to the distribution of formula funds among the various States.

I will now ask unanimous consent to have printed in the RECORD a table which sets forth the total amount of highway contract authority for each State in the bill, as reported by the committee, as well as the additional amount of contract authority that each State will receive under the Byrd-Gramm-Baucus-Warner amendment over a 5-year period.

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

FY 1999–2003 TOTAL—INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT II, BYRD/GRAMM AMENDMENT, PRELIMINARY DATA

[In thousands of dollars]

State	S. 1173 FY 1999–2003 total as reported by committee	Byrd/Gramm amendment ¹	Total
Alabama	2,211,500	556,579	2,768,080
Alaska	1,373,201	345,600	1,718,802
Arizona	1,719,893	432,854	2,152,748
Arkansas	1,472,869	370,684	1,843,553
California	10,134,190	2,550,537	12,684,727
Colorado	1,412,391	355,465	1,767,856
Connecticut	1,895,552	477,038	2,372,590
Delaware	520,488	130,994	651,481
Dist. of Col.	500,536	125,973	626,508
Florida	5,099,176	1,283,335	6,382,510
Georgia	3,882,378	977,098	4,859,476
Hawaii	561,113	166,800	727,913
Idaho	908,085	228,542	1,136,627
Illinois	3,683,946	927,157	4,611,103
Indiana	2,693,608	877,914	3,571,522
Iowa	1,461,433	367,807	1,829,240
Kansas	1,450,185	364,977	1,815,162
Kentucky	1,921,071	483,486	2,404,557
Louisiana	1,967,953	495,201	2,462,754
Maine	636,102	160,097	796,199
Maryland	1,668,720	419,973	2,088,693
Massachusetts	1,968,441	495,412	2,463,853
Michigan	3,493,538	879,236	4,372,775
Minnesota	1,655,828	416,732	2,072,560
Mississippi	1,396,953	351,500	1,748,533
Missouri	2,835,864	663,387	3,499,251
Montana	1,173,866	295,433	1,469,295
Nebraska	929,790	234,004	1,163,794
Nevada	808,417	203,458	1,011,875
New Hampshire	575,859	144,929	720,788
New Jersey	2,668,883	671,691	3,340,574
New Mexico	1,162,791	292,646	1,455,437
New York	5,640,544	1,419,503	7,060,046
North Carolina	3,129,880	787,713	3,917,593
North Dakota	808,417	203,458	1,011,875
Ohio	3,812,849	959,599	4,772,448
Oklahoma	1,745,495	439,300	2,184,796
Oregon	1,426,177	358,934	1,785,111
Pennsylvania	4,199,341	1,056,906	5,256,247
Rhode Island	642,304	161,652	803,956
South Carolina	1,759,595	442,846	2,202,441
South Dakota	863,788	217,394	1,081,182
Tennessee	2,506,281	630,768	3,137,049
Texas	7,623,695	1,918,693	9,542,388
Utah	955,428	240,460	1,195,888
Vermont	520,488	130,994	651,481
Virginia	2,834,290	713,320	3,547,610
Washington	2,035,955	512,401	2,548,356
West Virginia	1,131,708	284,833	1,416,541
Wisconsin	2,011,684	506,291	2,517,975
Wyoming	841,639	211,820	1,053,459
Puerto Rico	508,260	127,917	636,177
Total	110,741,037	27,871,000	138,612,037

¹ Source of additional contract authority.

Mr. BYRD. Mr. President, I encourage all Members to review carefully these tables. They will show that each and every State in the Nation will receive a sizable boost in funding under this amendment. Each and every State will receive increases under the same percentage distribution called for in the underlying bill.

We have not put together a new formula in this amendment. For the donor States, the amendment still ensures that they will receive a minimum of 90 percent return on their percentage contribution to the Highway Trust Fund. Moreover, our amendment, like the committee reported bill, utilizes 10 percent of the total available resources for

discretionary purposes. Increased discretionary amounts of contract authority will be available for the Multi-State Trade Corridors initiative, as well as the 13-State Appalachian Highway Development System.

Mr. President, we understand that a point of order will be raised against this amendment by its opponents. But I think it is important to remind Members that the bill before us is not an appropriations bill; it is an authorization bill. A point of order lies against this amendment because it causes the Environment and Public Works Committee to exceed the levels that they can authorize to be spent. Adoption of this amendment will not change the scoring of the deficit by one thin dime.

Opponents of this amendment claim that the increased highway spending authorized by the amendment will cause drastic cuts over the next 5 years in other discretionary spending. Included on the possible list for elimination or drastic cuts—I am talking about a list that I understand has been circulated by opponents—are such things as Navy ship building, law enforcement, Section 8 housing, EPA, National Forest Service, Title I education, Head Start, NIH, and on and on.

Mr. President, that argument is an obvious red herring. First of all, because highway construction requires a number of years to complete projects, the amount of outlays that would be necessary in the discretionary portion of the budget to pay for the pending amendment is not \$30 billion. We are told instead by the experts at the CBO that the figure is \$21.6 billion.

Secondly, the enactment into law of the Byrd-Gramm-Baucus-Warner amendment will not cause any cut in any Federal program. Let me say that again. The enactment into law of the Byrd-Gramm-Baucus-Warner amendment will not cause any cut in any Federal program.

In other words, each year's transportation appropriations bill from fiscal years 1999-2003 will contain an obligation limit for total highway spending. That limitation will be set each year in light of the circumstances being faced by the Appropriations Committees in any particular year. Let me put it another way. If we do not adopt this amendment, we will have precluded, for the next 5 years, any consideration of additional highway spending.

Third, regarding the question of outlay caps on discretionary spending, I fully support and will strongly urge the Budget Committee chairman and the Senate to include in the budget resolution for fiscal year 1999 the necessary provisions to increase discretionary caps for the following 5 years if the economy continues to perform, so that those savings will accrue. As Senators are aware, since the adoption of the balanced budget agreement earlier this year, the projections of revenues have dramatically increased and the projections for spending have been dramatically cut. The result is a far better

forecast than was thought to be the case even when we all voted for the balanced budget agreement this past spring. In fact, OMB's recent midsession review now projects revenues over the next 5 years to be \$129.8 billion greater—greater—than those projected in the balanced budget agreement. On the spending side of the budget—and this is important—the forecast is also much brighter than it was a few short months ago. Compared to the balanced budget agreement, OMB now projects in its midsession review that total spending over the period 1998-2002 will be \$71.6 billion less than was projected in that agreement.

Our amendment will provide that if the savings and spending for fiscal 1998-2002, which I have just identified, are still projected to exist in connection with the fiscal year 1999 budget resolution, and if that budget resolution calls for using any of those spending savings, then those spending savings must go toward fully funding the highway program.

In conclusion—and I say "in conclusion" because I only intended to take 15 minutes of the hour, I am not here to debate this amendment this afternoon. There will be plenty of time for that. Nobody is going to run for the doors when that time comes. There will be plenty of time to debate it when my colleagues and I have fully fleshed out the amendment. But we wanted to put Senators and the country on notice that we have an amendment, and we wanted to do that before this upcoming recess begins.

Let me point out again that our amendment would provide the authorization of an additional \$31 billion of contract authority within a 5-year period, 1999-2003. It doesn't add to the deficit. It will call for a consideration, in the fiscal year 1999 budget process, of using additional spending savings to cover the outlays that will occur from the contract authority provided in this amendment.

So I urge all colleagues to favorably consider this amendment during the next week, look at the tables, and understand that your State—I am talking to all 100 Senators, to each of them individually—your State will have its highway moneys increased under this amendment. Your State will benefit from this amendment. So I hope that you will examine the benefits that will accrue to your State in additional highway spending under this amendment.

Mr. President, let me, in yielding the floor, thank my three colleagues who are the main cosponsors of the amendment.

Let me also thank the two leaders for allowing us to impinge upon the time of the Senate at this point for a whole hour if it is needed.

Let me say to all Senators who want to debate our amendments that there come a time to debate it. This is an important amendment. This is a major amendment, and its importance to the country cannot be exaggerated.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, let me first say that I am very proud to join with Senator BYRD and our two other colleagues in this amendment. Our purpose today is not to introduce the amendment as a formal pending amendment before the Senate but to basically put the facts out on the table so that we can have a full and informed debate, and so that over the recess people will have an opportunity to know what this amendment does, why it is important to every State in the Union, and why it is important to the future of the country.

I want to try to make two points as briefly as I can make them.

The first point is that in 1993, for the first time in the history of America, the Congress adopted a permanent gasoline tax that did not go to the highway trust fund. Instead, that permanent gasoline tax went to general revenues and was spent for general purposes. We had a strong base of support in the Senate and in the House to take the action which was consummated in the Taxpayer Relief Act. The amendment that I offered in the Finance Committee was adopted as part of that bill. We were able to put the 4.3-cents-a-gallon tax on gasoline into the highway trust fund where it belonged. That became the law of the land. But our problem was that when the bill that will be before us when we debate ISTEA was reported from the committee, it did not include any of the money that was transferred into the trust fund when we took the 4.3-cents-a-gallon tax from gasoline and put it where it belonged, in the highway trust fund, to fund highways and to fund mass transit.

That produced a situation which is portrayed in this chart. I hope every Member of the Senate will become familiar with this chart because it really shows the sleight of hand that has been underway now for quite a while and will certainly be perpetuated and expanded in the future if our amendment is not adopted.

We currently collect the money from gasoline taxes and transportation fuels taxes that are dedicated in the trust fund to highways and mass transit. But, yet, as of today, we have \$23.7 billion in that account that have not been expended for the purpose that they were collected. Over the years they have, in fact, for all practical purposes, been spent for other purposes.

As a result of our decision to put the 4.3-cents-a-gallon tax on gasoline where it belongs, in the highway trust fund, under the ISTEA bill as reported from the committee, this surplus in the highway trust fund would grow from \$23.7 billion today to a whopping \$90 billion in the trust funds collected for the purpose of building highways and mass transit but never expended for that purpose. In the year 2003 we would have \$90 billion in the trust fund, and

we would have told the American people that they were paying gasoline taxes to fund highways and transportation, and, yet, that \$90 billion would have been spent for other purposes.

What the Byrd-Gramm amendment does—I am very proud that we have the two most knowledgeable people in the Senate on highway matters who have now joined us as cosponsors—but what our bill does is assure that the area you see in blue here, this 4.3-cents-a-gallon tax on gasoline, is spent for the purposes that it was collected.

This is a truth-in-government provision. This is a provision where you tell people you are going to do something in government and you do it.

Let me also make note of the fact that, even if our amendment is adopted, the balance in the highway trust fund will grow from the current \$23.7 billion to a whopping \$39 billion surplus by the year 2003. So under our amendment the unspent balance in the trust fund will grow every year even if we spend the 4.3-cents-a-gallon tax on gasoline where we told the American people that we would spend it.

Let me also make note that our amendment is very conservative and very responsible because we don't spend the money in the year that it is collected. We spend it the year after it is collected. So even though we will be collecting the 4.3-cents-a-gallon tax on gasoline and putting it into the trust fund for the first time in 1998, we don't spend any of that money in 1998. We only spend what was collected in 1998 in fiscal year 1999. And the same process continues throughout the period of this highway bill through the year 2003.

We are talking about highways today because we have the highway portion of the bill before us. But, as everyone knows, the mass transit title of this bill was reported from the Banking Committee, and they have delayed reporting their precise spending figures for technical reasons. When that portion of the bill is before the Senate, we intend our amendment to apply to it as well because mass transit receives 20 percent of the 4.3-cents-a-gallon tax on gasoline, and we want to be sure that this portion of the highway taxes can also be spent.

Under this provision, every State in the Union will get additional funds. The increase per State will be about 25 percent. I think it is important to note and for every Member of the Senate to understand that under this amendment the ratio of funds going to States, the proportion going to any one State, is totally unchanged.

But the result of truth in government, the result of spending money for the purpose that it was collected, is pretty remarkable. The result is, if we are going to spend \$27.8 billion, if this full program is carried out through the year 2003, on highways, the purpose for which the tax was collected to begin with, that will make a very substantial difference to every State in the Union.

Arkansas, we know from the very effective arguments that have been made

by our colleagues from Arkansas, has felt slighted by this bill. Under the existing bill, they would get \$1.47 billion over the five years covered by our amendment. But with the adoption of our amendment, that would grow to \$1.84 billion.

A similar proportional increase in each State would occur as a result of this amendment.

I want to make it clear that we are going to hear arguments throughout this debate that we are, through this amendment, taking money away from other programs. I want to address this head on. I want to address it in two ways.

First of all, those who are making that argument are in essence claiming that they have the right to spend this \$90 billion on other programs, that they have that right.

It reminds me of an argument that might be made by a rustler. There is this rustler who has been rustling cattle off the Byrd and the Gramm ranch. We call the sheriff, and the sheriff comes out. The sheriff hunts him down, and he brings him to us. We decided, well, we know this guy. We are not going to put him in jail. But the sheriff says to him, "You have to quit rustling these cattle." So the rustler says, "But I am used to eating all this beef. You know. It is easy for you to say, but where am I going to get my beef?" Well, I think the answer of Rancher Byrd, Rancher Gramm, Rancher Baucus, and Rancher Warner under this circumstance would be, "That ain't my problem."

The point is they never had the right to spend the \$90 billion for anything other than highways to begin with. And we are going to have an extensive debate about that.

Let me address in a little bit of detail the provisions that Senator BYRD talked about where we are dedicating, at least in terms of a commitment about the future, funds to fulfill our commitment to build these highways. We have, I believe, very artful language. Senator BYRD and Senator BYRD's staff are responsible for the language. I think it is language that every Member of the Senate can be supportive of. We are not trying to judge what kind of budgets we are going to write in the future. We are not trying to make a judgment about what the economy is going to be like in the future, or what kind of expenditure savings we are going to have in the future. We are not making any judgment as to how those savings might be used.

But what we are saying—I think if every Member of the Senate will look at this language, they will be in agreement—we are saying, if there are spending savings that occur in the future and if the Budget Committee decides that any of those spending savings are going to be used to spend money through the Federal Government—two ifs—that, if there are savings in other spending programs, and if any of those savings are spent, they

have to be used in total or part to fund our commitment to the highway trust fund before any of those savings can be used for any other purpose.

There is only one reason that anybody would be against that language. The only reason that anybody would be against that language would be if they intend to spend this money for some other purpose.

Our point is we are collecting this gasoline tax. It has been put into the trust funds by the decision of the House and the Senate. We made a commitment that it was going to go to build highways and for mass transit. What our amendment does is guarantee that if any funds are spent, they are going to be spent for this purpose and spent for this purpose first.

So I think this is a good amendment. I hope that we are going to get a strong vote. We have a point of order. Senator BYRD made the point, but I want to reiterate this. This point of order is not that we are busting the budget or raising the deficit. Both of those things are not the case. The point of order is really based on a technicality in the budget because we are allowing funds, if they are spent, to be spent on transportation needs and highways beginning in fiscal year 1999.

So, in the technical language of the budget, we are changing the 302(a) allocation of budget authority to the Environment and Public Works Committee. We are not raising the total level of outlays. We are not busting the budget. This is a simple technicality. There ought not to be a point of order against it. But there is. So, as a result, we are going to have to get 60 votes.

So, if you want truth in government, if you want to have a program whereby when people are going to the gas pump and they are looking at that big tax they are paying, and they are saying, "Well, you know, at least it is being spent on highways," we want that to be true. If you believe that the highway trust fund ought to be used to build the highways and to build mass transit, then we believe that you are going to vote for this amendment. We are very hopeful that we are going to be successful.

I yield the floor.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I first want to give by deepest respects and thanks to the chairman of the Environment and Public Works Committee, Senator CHAFEE. He has put together a bill that has passed our committee unanimously 18 to 0. Not many committees can come up with a unanimous vote on major bills.

But since that bill passed the committee, it has become quite apparent that some Members want us to improve upon it. So we are going to try to do that with this amendment. So, I am going to give five reasons why I think the amendment offered by Senator

GRAMM, Senator BYRD, Senator WARNER, and myself is such an improvement to this bill.

First, as has been pointed out, the dollars we are discussing are trust fund dollars. I would point out that the American motorist who pays these fuel taxes expect those dollars to go into transportation, including highways.

Second, despite what some are going to state on this floor later, this amendment does not break the budget. Let me repeat that. It does not break the budget.

Third, despite what some might say later, this amendment does not take one penny—as Senator BYRD mentioned, “not one thin dime”—from any other program.

Fourth, this amendment is needed to meet our infrastructure needs. We are not spending enough in America to maintain our transportation system and our highways. We certainly are not spending at the level of other countries.

And fifth, a point which I do not think is fully understood by Senators, the amounts provided for in the committee bill lock the Senate into those amounts for the next 6 years. So it is important that if we are going to increase spending that we do so now. Unlike some other spending programs, this program is funded from a trust fund.

So this is a much different animal, and therefore this amendment must be addressed and hopefully passed. So let me elaborate on my five points. Mr. President, I think it is clear, when people pay their fuel taxes, they expect those dollars to go to their highways and transportation so we have the best transportation system in the world. There is not little dispute about that. I filled up my gas tank this morning coming to work. I know how expensive it is. Today about 18.4 cents of a gallon goes to Federal taxes, and then there are D.C. taxes and State taxes. There are a lot of taxes that go into the cost of a gallon of gas. All we ask is that these taxes are used for transportation. That is what we want, and that is what we expect when we pay our fuel taxes at the pump.

I must remind Senators that the balance in the highway trust fund is increasing. Every year it is increasing. American motorists are not getting their money's worth.

Why is it not being spent? It is not being spent because it is being used to mask the true Federal deficit. That is why it is not being spent. A lot of appropriators and the budget folks around here like those big balances in the trust funds because it masks the true deficit. Again, I say. If this amendment does not pass, the balance in the trust fund is going to continue to grow dramatically over the period of this bill. So Americans should know that when they pay their fuel taxes today, they are not being spent. A lot of it is just accumulating. It is a charade. It is a phony game that is being

played with American taxpayers. Using fuel tax revenue to mask the true budget deficit is not right and it is not fair. And I have argued this many times.

To my second point. This amendment in no way breaks the budget. Now, there are going to be some on the floor later, perhaps today or later, saying, “Oh, this breaks the budget.” It does not break the budget. It does not break the budget at all.

Why? Because all this amendment does is raise the contract authority or authorizations. It would increase contract authority by \$31.6 billion over 5 years. This is the 3.45 cents of the 4.3 cents just transferred to the trust fund on October 1. The amendment would provide new contract authority beginning in 1999. But it does not tell the Budget Committee this year or next year that they have to raise transportation spending. It does not tell the Appropriations Committee to raise budget caps. It does not touch the budget resolution or obligation limitations for highways. Again, it is just contract authority. Therefore, it does not break the budget. It does not require any additional spending. The amendment just says that if the projected savings from OMB are realized, and if the Congress decides to spend these savings, then they should be available for transportation.

It does not require that spending increases. It just says that the Congress may spend more for transportation if there are new savings and if Congress agrees to spend them on transportation. We are just increasing contract authority. That is all. We increase contract authority by \$31.6 billion over 5 years. So, again, this does not break the budget. Yes, we will have at least one point of order. But is not a point of order that we have increased spending. It is a point of order that the Environment and Public Works Committee has exceeded its contract authority allocation. That is all. But that is a minor technicality. What really counts is, does it require any additional spending? The answer is no, not one cent of additional spending is required. It does not break the budget agreement in any way. I cannot make that point enough.

Point 3. Does this amendment take anything away from any other Federal program? Some are going to claim that it does. The answer is not one red cent. Nothing is taken away from other programs—nothing. Now, someone may claim that it will. They are going to say that. Not true. Not true at all.

Again, because this amendment only provides for raising contract authority. It does not increase spending. I say again, Congress must still decide to spend any new savings, if those savings are in fact even available. It is clear that if today OMB projects a savings, that savings may be greater or lower next year. But if that is the case, Congress may choose not to increase spending at all. That is fine. Again, the amendment will only provide new

spending if savings are available and if Congress decides to spend them.

Again, this amendment takes nothing from any program at all. To my fourth point, the infrastructure needs of this country. I will talk about this in greater detail when we debate the amendment. But I do want to state that the Department of Transportation says that there is about a \$15 billion annual deficit in combined infrastructure spending in America. We in America spend far less on highways and infrastructure than other countries do as a percent of their gross domestic product. Japan spends four times what we do. European countries spend at least twice as much.

I fear that if this amendment does not pass, 6 years from now we are going to find that our highways in America have deteriorated more. We will continue to fall behind. Our highways and transit systems are not all in good shape today. There are a lot of bridges in our country that need repair. There are a lot of roads in our country that need repair. I just cannot emphasize too much how important it is for America to have the best highways and transportation system if we are going to remain competitive. We need to pass this amendment to make progress on our transportation needs.

And to my fifth point. Let's not lock into the contract authority numbers that are in this bill unless we have to. Let's have this vote and see what happens. I think the case is there to increase transportation spending. We need to do it now and not wait.

So I will sum up, Mr. President. I want to again thank all who have worked so hard on this amendment, particularly the authors of the amendment. They have come up with a very sound way of solving the problem of needing more money. Again, it does not break the budget in any way. And it does not take any dollars from any other programs.

Mr. President, I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I know there are others who are anxious to speak, so therefore I will not go over the points that were very clearly enunciated by the distinguished senior Senator from West Virginia, my colleague from Texas, and my partner, Senator BAUCUS, who worked with me throughout the formulation of the underlying bill together with our leadership, the committee chairman, Senator CHAFEE. Senator BAUCUS has worked with me throughout this process.

As subcommittee chairman, I started with a group called Step 21 and then eventually we joined forces with a group headed by Senator BAUCUS—Stars 2000 is my recollection—and eventually our distinguished chairman joined us. We were able to craft a bill which became the subject of a markup and then gained full support of the committee.

It is, I must say, of some personal and professional concern that for the moment I am at odds with my distinguished lifetime friend and chairman, Senator CHAFEE, on this matter, but I hope that in due course I and others can persuade him to the wisdom of this amendment. He will speak for himself, I hope, momentarily.

As Senators BYRD and GRAMM and BAUCUS have said very clearly, when I met with them last night, I was given the assurance we did not break the budget, and I think the Senators have gone through that very clearly.

We assure that every State gets a fair return, and 90 percent of the funds sent to the States under the formula is

a fundamental principle of ISTE A II. And to give absolute credence to that statement I have just made, which was the basic criteria for my joining in this effort, I ask unanimous consent to print in the RECORD statistical tables prepared by the Federal Highway Administration at my request.

Mr. DOMENICI. Might I ask the Senator, what is that again?

Mr. WARNER. If I may, I will just pass it to the Senator. It is a statistical table showing that the formula of a 90 percent return that we established in the bill is followed in the amendment.

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

Mr. WARNER. Absolutely. Let me just finish—

Mr. DOMENICI. Where is the amendment you are following? I haven't found it.

Mr. WARNER. Mr. President, if I can just finish my remarks, then I will be glad to yield the floor.

Mr. DOMENICI. Excuse me.

Mr. WARNER. I suggest that the Senator consult with the distinguished senior Senator from West Virginia, who has put certain documentation into the RECORD earlier today.

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

COMPARISON OF SHARES UNDER ISTE A, FY 1996 HTF CONTRIBUTIONS, S. 1173 AND BYRD/GRAMM

(Dollars in thousands)

State	ISTEA avg. percent (incl. demos)	FY 1996 HTF Pymts (percent)	90% HTF Pymts	S. 1173 5yr Avg. (1999-2003)	Percent	Byrd/Gramm 5yr Avg. (1999-2003)	Percent
Alabama	1.815	2.219	1.997	\$442,300	1.997	\$553,616	1.997
Alaska	1.160	0.256	0.230	274,640	1.240	343,760	1.240
Arizona	1.399	1.726	1.553	343,979	1.553	430,550	1.553
Arkansas	1.437	1.445	1.300	294,574	1.330	368,711	1.330
California	9.133	10.096	9.086	2,026,838	9.151	2,536,945	9.151
Colorado	1.098	1.277	1.149	282,478	1.275	353,571	1.275
Connecticut	1.929	1.000	0.900	379,110	1.712	474,518	1.712
Delaware	0.398	0.288	0.259	104,098	0.470	130,296	0.470
Dist. of Col.	0.504	0.126	0.114	100,107	0.452	125,302	0.452
Florida	4.201	5.116	4.605	1,019,835	4.605	1,276,502	4.605
Georgia	2.975	3.895	3.506	776,476	3.506	971,895	3.506
Hawaii	0.692	0.259	0.233	132,223	0.597	165,498	0.597
Idaho	0.683	0.549	0.494	181,617	0.820	227,325	0.820
Illinois	3.735	3.696	3.327	736,789	3.327	922,221	3.327
Indiana	2.231	2.703	2.432	538,722	2.432	674,304	2.432
Iowa	1.206	1.165	1.049	292,287	1.320	365,848	1.320
Kansas	1.148	1.156	1.040	290,037	1.310	363,032	1.310
Kentucky	1.561	1.927	1.735	384,214	1.735	480,911	1.735
Louisiana	1.443	1.763	1.587	393,511	1.777	492,551	1.777
Maine	0.643	0.523	0.470	127,220	0.574	159,240	0.574
Maryland	1.678	1.674	1.507	333,744	1.507	417,739	1.507
Massachusetts	4.537	1.846	1.661	393,688	1.778	492,771	1.778
Michigan	2.812	3.505	3.155	698,708	3.155	874,555	3.155
Minnesota	1.534	1.430	1.287	331,165	1.495	414,512	1.495
Mississippi	1.106	1.325	1.193	279,391	1.261	349,707	1.261
Missouri	2.211	2.585	2.326	527,173	2.380	659,850	2.380
Montana	0.884	0.479	0.431	234,773	1.060	293,860	1.060
Nebraska	0.778	0.810	0.729	185,958	0.840	232,759	0.840
Nevada	0.641	0.640	0.576	161,683	0.730	202,375	0.730
New Hampshire	0.483	0.408	0.367	115,172	0.520	144,158	0.520
New Jersey	2.848	2.607	2.346	533,777	2.410	668,115	2.410
New Mexico	0.975	0.869	0.782	232,558	1.050	291,087	1.050
New York	5.475	4.358	3.922	1,128,109	5.093	1,412,009	5.093
North Carolina	2.618	3.140	2.826	625,976	2.826	783,519	2.826
North Dakota	0.636	0.360	0.324	161,683	0.730	202,375	0.730
Ohio	3.584	3.826	3.443	762,570	3.443	954,490	3.443
Oklahoma	1.420	1.686	1.517	349,099	1.576	436,959	1.576
Oregon	1.163	1.302	1.172	285,235	1.288	357,022	1.288
Pennsylvania	4.865	4.160	3.744	839,868	3.792	1,051,249	3.792
Rhode Island	0.580	0.275	0.247	128,461	0.580	160,791	0.580
South Carolina	1.279	1.765	1.589	351,919	1.589	440,488	1.589
South Dakota	0.653	0.359	0.324	172,758	0.780	216,236	0.780
Tennessee	1.998	2.515	2.263	501,256	2.263	627,410	2.263
Texas	6.423	7.649	6.884	1,524,739	6.884	1,908,478	6.884
Utah	0.711	0.855	0.770	191,086	0.683	239,178	0.683
Vermont	0.435	0.293	0.264	104,098	0.470	130,296	0.470
Virginia	2.267	2.844	2.559	566,858	2.559	709,522	2.559
Washington	1.865	1.962	1.765	407,191	1.838	509,671	1.838
West Virginia	1.147	0.806	0.725	226,342	1.022	283,308	1.022
Wisconsin	1.926	2.018	1.817	402,337	1.817	503,595	1.817
Wyoming	0.629	0.466	0.419	168,328	0.760	210,692	0.760
Puerto Rico	0.448	0.000	0.000	101,652	0.459	127,235	0.459
Total	00.000	100.000	90.000	22,148,407	100.000	27,722,607	100.000

Mr. WARNER. Mr. President, throughout this debate of many, many months on the highway bill, I have expressed the need to raise the amount of money that had to be put forward to replenish America's infrastructure. And together with Senator BAUCUS, we cosponsored an amendment which lost by one vote in this Chamber to augment the spending under this bill. I felt a certain loyalty to that coalition which had joined with me and had fought so hard to get additional funding.

Second, the formula that we devised in the underlying bill, ISTE A II, I now

recognize, while it was essential in my judgment we establish that 90 percent return—thereby eliminating the donor-donee distinction that existed, I think most unfairly, for these 6 years, and we achieved that result—but I find, in consulting with many of my colleagues, that the transition is very abrupt to their States, those donee States in particular. This amendment, as proposed by the four of us, will help ease that transition.

That point I want to make very clearly, it will help ease that transition, because Senators in clear conscience on both sides of the aisle have

come to the members of the transportation committee and said please, we must have some relief as we begin to transition into ISTE A II. This bill provides the added funds to give that needed relief, badly needed in many instances. I think now with this important amendment as part of the bill if so adopted—the Senate will adopt an ISTE A II bill.

I am reasonably confident it will be along the lines of the committee bill. But there have been reports from the other House, and they may be rumor but I think there is some documentation, all the way from, "We are not

even going to conference. There won't be a bill this year." Or it will be just a 6-month bill. And I have heard a 90-day bill.

At another time I will explain why, in my judgment, that is not good for the United States of America. Our transportation infrastructure and the need for upgrading is critical for this Nation to remain competitive in a one-world market. A 6-year bill has always been the format, beginning with ISTEA I, by which the Governors and the respective highway authorities in the several States have done the long-term planning necessary to improve their own State transportation systems. They need 6 years to develop the contracts which must be guaranteed to have a flow of funds over that period of time. They are not simple contracts, they are very complex contracts.

I can go on, on that point. But we will be strengthened, the U.S. Senate will strengthen its bill to the point where I think the House will see the wisdom of the course we have charted in this body for a highway bill which is anxiously being awaited by the 50 States. This amendment, I think, will ensure the ability of the Senate to go in with a strengthened position and persuade the House to the wisdom of having a 6-year bill, and hopefully along the funding profile as outlined in this amendment.

The House was deeply concerned, as was the Senate, that next year, with the forecast and projections of additional revenues, that they could be forthcoming for transportation. What this amendment does is literally solidifies—no longer "bet on the come"—that next year we will have additional funds for highways. But this amendment in a sense puts that certainty into this legislation, which will enable the several States to do their planning.

So, those are the three basic reasons and I shall add further, such that other Senators can have an opportunity to speak on this, and I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from West Virginia.

Mr. BYRD. Mr. President, in the remaining time let me also thank the distinguished Senator from Rhode Island and others on the committee who worked long and hard, in putting together the bill that was reported.

Now, I have discussed with the distinguished chairman of the committee, the need of the Appalachian corridor States for additional moneys, and that need hasn't been met by this bill. The distinguished chairman from Rhode Island, Mr. CHAFEE, came to my office and listened to my concerns. He listened courteously, and I thank him for the consideration that he gave me. But we have a bill here that does not meet those needs that have languished for 31 years. So I feel compelled to do what I can for the Appalachian States and the people therein who have been promised for 31 years that those Appalachian corridors would be funded. I feel the

need to do what I can to advance their cause.

And other Senators have come to me saying, "We need more money. We need more money." Six years ago, when we had the ISTEA bill before the Senate, I found, as chairman of the Appropriations Committee, I found \$8 billion, a little over \$8 billion which enabled the Senate to get off the dime, as it were, where it was stalled. That bill wouldn't move. So we divided the \$8 billion, half I think among the donor States and half to those States which had acted to increase the resources for transportation within their own borders, such as my own State, which had raised its gasoline tax. It had done more than many of the other States had done within the respective borders of those States to try to meet those needs.

So, I was able in that instance to find that \$8 billion, so Senators have again come to me and said listen, we need more money. We need more money. So I have done my best to find that money. There will be a time, as I have said, when we will debate this matter. But I did want to thank the distinguished chairman for his work and I hope he will understand the necessity that compelled me to try to get more contract authority for highway construction all over this country. I will be ready to do my best to defend the amendment when we are ready to introduce it.

Mr. President, at this time I would like to state the names of additional Senators who have indicated they want to cosponsor the amendment: Mr. AKAKA, Mr. BREAU, Mr. FORD, Mr. INOUE, Mr. KENNEDY, Mr. ROBERT KERREY, Mr. HARRY REID, Mr. SHELBY. That completes the list as of now.

I urge all Senators who, having heard this discussion today and who, feeling that they would like to be cosponsors—I urge them to be in touch with my office, Mr. GRAMM's office, Mr. WARNER's, or Mr. BAUCUS', and let us know that.

Mr. GRAMM. Mr. President, Senator SANTORUM, who presided over our presentations, asked to be added as a cosponsor. Mr. FAIRCLOTH would also like to be listed. We are not offering the amendment today, but in terms of putting people on notice, putting the tables out, I wanted to be sure that they were listed as well.

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

The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I appreciate the lovely bouquets that have been thrown my way. I think I would swap them for more support than I am currently receiving. But, nonetheless, I appreciate it. I thank the distinguished senior Senator from West Virginia and all around here, Senator BAUCUS, Senator WARNER, others. I would ask the sponsors of the amendment that we would like to see it. We are going away, now, for a week, and I think it would be helpful if we could see this amendment. When will it be available?

Mr. BYRD. Mr. President, the distinguished chairman has asked a perti-

nent question. I think I have already answered it. The amendment is still being drafted, but, in view of the fact that the Senate is about to go into recess—I understand there won't be a session here tomorrow—we, who are the chief cosponsors, felt that we ought to announce to Senators that there will be an amendment. We put tables in the RECORD, and at such time as the amendment is ready to be offered, all Senators will then have it made available to them. Senators are entitled to see it when it has been finished.

Mr. CHAFEE. Mr. President, I would ask if it is possible to see it before we leave? In other words tonight, tomorrow, something like that?

Mr. BYRD. As the distinguished chairman knows, the department has had some difficulty in calculating the numbers even for the bill that is before the Senate. Now we have an amendment that only last night the four chief cosponsors finally agreed upon, and it takes some time for the department to run the tables, run the figures and get them ready. Senators know that. The Senator from Rhode Island and other Senators know that. We could have waited until we came back to announce that we have an amendment, but we felt it was the better part of wisdom, because it is being talked around here. This amendment, without its having yet been produced, is already being criticized, and things are being said about the amendment that are not true. So we felt that before we go into recess we ought to make that clear, that there are mistaken conceptions of what the amendment does. We ought to set that record straight. But the amendment will be made available in due time.

And while I am on my feet, I would like to say we ought to have an ISTEA bill this year. We ought not settle for a 6-months extension. We ought not settle for a year's bill. Next year is an election year. If we can't reach an agreement this year, how easy is it going to be to reach an agreement next year, during an election? We ought to focus our energies and our attention and our talents on promoting action on the bill this year, a full 6-year bill.

Now, that's the best I can give the Senator in answer.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, as I understood there is a table being passed around that shows the allocations to the various States. That's really the tough part of the amendment. So, what is left?

Mr. BYRD. I will give—

Mr. CHAFEE. The language of the amendment must be available if—

Mr. BYRD. I am pleased to give the Senator the table. It will also be in the CONGRESSIONAL RECORD in the morning, for all to see.

Mr. WARNER. If the Senator will yield, I will give him the table that I have quickly prepared when I first learned of the amendment, which

shows the consistency between this amendment and the distribution of funds under our underlying bill, ISTEA II.

Mr. CHAFEE. Mr. President, I know the distinguished chairman of the Budget Committee has some comments. But let me just say briefly, I want to put one thing to bed around here, to rest, and that is that this gas tax has been collected with the people who are paying it believing it is all going into a highway trust fund.

Let me just review the bidding a little bit. Many of us—I certainly was here, the Senator from Montana was on the Finance Committee at the time, I don't know whether the Senator from Texas was. But in 1990, there was a 5-cent-per-gallon tax started; 5-cent-per-gallon tax; 2.5 cents of that was to go to the general fund, 2.5 cents to the highway trust fund. This was no secret. It wasn't something that was slipped over anybody. We all voted for it up or down, knowing 2.5 cents of that 5 cents was going into the general fund of the United States. There is none of this business of coming to the pump, looking at it and thinking that tax you are paying all goes into building highways.

Then in 1993, we added a 4.3-cent tax, all to go to the general fund, and that was no secret either.

So, Mr. President, I just want to say that this idea that we are somehow deceiving the public by piling up money in the general fund from the gasoline tax is just not accurate, and everybody who was in the Senate at the time—that is everybody here—certainly those on the Finance Committee clearly knew where the money was going to go.

Let me just say something else. I know the Senator from New Mexico is going to deal with this further, but I must say, this is a world record around here. We passed a budget in August. That is when it was signed, August. September, October we are going to deviate from it.

The proponents are riding two horses here. One they are saying, "Oh, it's not going to affect anything," and that is right, because under this amendment, it goes out to the States but can't be spent until one of two things happen: until the other domestic discretionary accounts are cut or the cap is, or the overall discretionary cap is raised. That is true.

So on one hand you can say what marvelous things are going to be done for the highways, every State is going to get more, how wonderful it is, and then you say, "Oh, no, none of it is going to be spent; therefore, it is not going to affect the budget at all."

When the time comes and the decision is made, you radically alter the budget that was just signed by the President a month and a half ago, probably it is 2 months ago now. That is a world record for this Chamber. Usually we don't deviate from a budget until we have gotten into it a little bit, but here we change it after a little less

than 2 months. I don't think that is a very good record we should be proud of in this Chamber. I know the distinguished chairman of the Budget Committee will be speaking, and I look forward to hearing his remarks.

Mr. WARNER. Will the Senator yield for a point? I want to make it clear for the Record I voted against that 4.3-cent tax.

Mr. CHAFEE. Maybe you did, but the idea that this was adopted by some masquerade, somehow the impression "when my wife goes to the gasoline station she is thinking that all that tax money is going into the highway trust fund and that if we send it anywhere else we are deceiving her," that is nonsense. It was nonsense right from the beginning, as I said, in delineating the history of what took place in 1990 and then in 1993.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. CHAFEE. Sure. Let me say one thing, if I might, Mr. President. I am now in my, I guess, 20th year here, and I have been on the side of the distinguished senior Senator from West Virginia. I remember lifting the Turkish arms embargo about the first year I came here. And then I have been on the other side, against him. As a general rule, I would far prefer to be on his side than against him. I find it is a much more comfortable position, perhaps a safer position in many ways. So I am very, very conscious that when I duel with the distinguished senior Senator from West Virginia, I have to be on the alert.

I will buckle on my breastplate of righteousness, I shall seize my cap of salvation, I shall grab my sword of the spirit and prepare for combat.

Mr. BYRD. Come one, come all. This rock will fly from its firm base as soon as I.

Mr. President, the distinguished Senator from Rhode Island has made some comments questioning the fact that people in this country—I think it is a fact—the people in this country go to the gas pump and buy gasoline under the impression that their tax money goes into the highway trust fund and that it comes back to meet their transportation needs.

Was the Senator here in 1956? I was here in 1956. I was here and I supported President Eisenhower's interstate system. I was here. My wife was buying gas at the pump then. In 1956, Congress created that highway trust fund. She was buying gas at the gas pump then, and the people were told that the gas tax was going into the trust fund tax, and that money was going to be used for highways.

And so for over 40 years the American people have believed that their money that they were spending at the gas tank, that portion that was the Federal tax, was going into the highway trust fund. That is no Alice in Wonderland story. That is no make-believe story. That has been a fact. I voted for it 41 years ago.

In 1990, it was diverted. That is when it was diverted, 1990. I was here. I voted for that. I went over to those long meetings that we had with Mr. Sununu and Mr. Darman and Mr. DOMENICI and I guess Mr. WARNER was there, Mr. Hatfield was there. Anyhow, Senators on both sides of the aisle were there. And we came up with a package. Yes, we diverted it. We voted to do that.

But recently the Senator from Texas offered an amendment, which said that the gasoline tax should again go into the highway trust fund.

So let's not break faith with the American people. They have been told it is for highways, and that is what this amendment says it will be used for if the savings are there. I just wanted to make that point.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I left a very important meeting because I thought I had the time at 5:15 or at least after they used an hour or so. I think I am being fair in saying they used an hour, and I was supposed to follow for a half-hour.

Mr. BAUCUS. I wonder if the Senator will yield for 1 minute on this last point.

Mr. DOMENICI. Will you set it for 1 minute?

Mr. BAUCUS. Very briefly.

Mr. DOMENICI. I will be pleased to yield.

Mr. BAUCUS. In 1990, we enacted 2.5 cents to deficit reduction. In 1993, the 4.3 was passed. In 1995, due to pressure from the public, we undid the 2.5 cents so that went to the highway trust fund. And right now, because of the public pressure, we are going to put the 4.3 cents in the trust fund.

In the past, Congress has diverted, but the public is now telling us—and we enacted in 1995 to put 2.5 cents back in the trust fund, and now we are putting 4.3 cents in because the public wants it back in the trust fund.

Mr. DOMENICI. Mr. President, since there is going to be a week or more intervening before we can debate the so-called amendment, I hope it is available for us to look at before then. I am always a little suspicious when a bill isn't ready, especially when everybody is clamoring to get on it because it seems to me they know something I don't know.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. And I bet they do. I bet they know this bill is going to promise them all a lot more money, so why don't they all get on? Right, I ask Senator GRAMM? Every Senator should get on it. You can count on it, it is going to give you more money, you can count on it, whether it is the Appalachia Regional Commission, Texas, New Mexico—all of you are going to get a lot more money.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. I will yield as much as you like.

Mr. BYRD. I have two things to say. I hear that the distinguished Senator from New Mexico has an amendment. I hear that he has one. I have seen papers to that extent, memos, or letters something like that. I didn't read them, but I have seen them around the desks. So he, too, has an amendment. I haven't seen it. We four sponsors think that even though our amendment is not ready, we should clear the air and clear the record as to what it will not do, because many things are being said in the Senate about our amendment that are absolutely incorrect. I have seen some of the papers on the desks around here saying what this amendment purportedly will do. We Senators wanted to clear the record today to say that it will not do this and it will not do that and it will not do other things stated in the propaganda that is being spread. That is all. I thank the Chair.

Mr. DOMENICI. I was delighted to yield. First, I would like to make a part of the Record and I would like Senators to know a little history about the trust fund and whether or not there really is a surplus. At least on the Republican side I would like them to read the Republican policy statement issued on October 6, just a few days ago, that analyzes the history of this. It will be good reading. If there ever was a myth, it is the myth about the great, great trust fund buildup that is there for highways that we ought to be using, everybody says; this budget process is just building that big reserve and that big slush fund. This will tell you that is kind of a paper tiger. I would call it one of the greatest myths around.

Having said that, let me clear up the second point. No Republican voted for the 4.3-cent-gasoline tax. So I say to Senator WARNER, you can get up and say you didn't. You are in good company. None of them did.

On the other hand, I can say to my friend from West Virginia, you did, because every Democrat voted for it. The important thing is, what was it for? I understand that in 1956 Senator BYRD's wife was buying gasoline at the pump. I was just a small guy then, but I was buying gasoline at the pump. I had a little Chevrolet, secondhand car that my dad gave me, and it was secondhand from his business.

Let me tell you, this 4.3 cents was adopted in a balanced budget proposal by this President, voted for by Democrats. I will tell you, some of us said that it wouldn't work, and maybe it worked better than we thought, but I say to my good friend from West Virginia, there was no diversion of highway trust fund moneys. It was voted up or down in the General Treasury to reduce the deficit. We can bring that down here and talk about it. It was not a gasoline tax for highway use. It was a gasoline tax to reduce the deficit.

I submit, since we think we have balanced the budget, Mr. President, maybe the time is to give the 4.3 cents back to the States. That might be a good idea. Its original purpose was to

help balance the budget. Let's say to the American people, "We're giving it back to you because we don't need it to balance the budget."

I say to Senator BYRD, I know you want me to yield, but you have been down here a long time. You used the word "propaganda" about what I sent around. I want to make sure this attack on propaganda is equal, so I can attack propaganda about how great this amendment is and what it isn't going to do.

Frankly, we are going to have a lot longer discussion about this, but it is wonderful to just visualize and think for a minute how far we have come.

June the 5th—anybody waiting around for me to say what year—this year, June the 5th, 1997, we overwhelmingly adopted a balanced budget resolution. And everybody was praising us. And JOHN WARNER, a wonderful Senator from Virginia, you are hugging DOMENICI saying, "You finally got it done"—June 5th.

Just a little while later, July 31st, this year—not 10 years ago—we adopted two bills, one by a vote of 85-15. Now, I imagine in this debate some can stand and say I did not vote for it. Maybe PHIL GRAMM can say that. I was not one of the 15. He did not vote for the budget resolution, anyway.

Anyway, 85 Senators voted for the bill to implement that balanced budget. And lo and behold, on the same day, 92 Senators voted on a new tax bill for the United States of America—all part of a big plan to balance the budget.

What actually has happened, Mr. President, and fellow Senators, is that along comes a highway bill, after all that is done, and by an accident of time it comes after the Budget Act and on to the floor comes Senators saying, "Let's spend \$31 billion more on highways than we expected just on June 5th, 1997."

Now, is Senator DOMENICI saying you are breaking the budget? Well, I don't know. I am just telling you that on June the 5th you voted in a budget resolution that sets obligation authority for highways, and now before the year ends you are saying, without another budget, without another debate, without any decision about where the money is going to come from—I will talk about that in a minute—we all decide we are going to add \$31 billion to the highway program.

Anybody that thinks Senator PETE DOMENICI is not for highways has Senator PETE DOMENICI wrong. In fact, about my own State, I have to say that we are not spending enough on highways. And it is going to be very detrimental to the future of our State. Most of it is because we do not want to spend any of our own money. And in our urban areas we put in about \$80 million every 2 or 3 years in a bond election. We ought to put \$250 million, in my opinion.

The point is, I am for spending more money on highways. And I will present an amendment that does justice to the

votes of these Senators on June 5th and July 31st. For my amendment will say: Early next year when we do a new budget resolution and we thoroughly debate—what?—prospects for a surplus—I am hearing people running around saying there is going to be a big surplus. We are going to debate that.

I hope there is a great national debate because, to tell you the truth, the deficits are going to be down in the year 1998, 1999, and the next year dramatically from what we predicted. And I believe, absent some catastrophe, in the short term we will balance the budget and have a lot of money left over in the year 2002.

But before we get too excited, during that debate we will have a presentation, if not by others, by me, telling you what is going to happen in about 12 years or 14 when the baby boomers hit this. Just like one of these giant pythons when they swallow some big monster animal, they can hardly digest; it gets about that big. That is the way the budget is going to go—huge.

Frankly, I want to tell you what I think this amendment does. I believe there is a disagreement in philosophy between the distinguished Senator from West Virginia, Senator BYRD, and his cosponsor, Senator GRAMM of Texas. Senator GRAMM has said—and he put it in a circular that has gone to everybody around to muster up support—and the fourth point he makes in his circular is that we will not spend any more money as a result of spending \$31 billion more on highways than we expected, we will not spend any more money.

That does not sound possible, does it? Of course, it does. Senator GRAMM says we will take it out of the rest of Government. So what we had planned to spend in Government, which incidentally for those who think we were going to spend a lot of money, get ready. The appropriated accounts on the domestic side are expected to increase five-tenths of 1 percent in each of the next 4 years, I say to my friend from West Virginia. That is the number built in the law.

Now, think with me. Senator GRAMM says, \$31 billion more spent on highways than contemplated, but we are not going to spend any more. Where is it going to come from? Now, the version of the Senator from Texas is to take it out of the rest of Government, except defense, I assume. Wait a minute—you shake your head—it is not right.

It is impossible that you can spend \$31 billion and not break the caps that are currently established or reduce the level of spending in the appropriated accounts other than transportation. It is arithmetically impossible. That is not philosophy; that is just plain old numbers.

Now, Senator BYRD is saying, if I hear him right, "Now wait a minute."

Mr. BYRD: Be careful now. Be careful.

Mr. DOMENICI. "I want to spend this 4.2-cent gasoline tax. I want to spend it

on highways. On the other hand, I'm willing, when the time comes, to increase the domestic caps so we don't have to cut appropriations."

Now, is this amendment a budget buster or is it not? I guess one could say we are not breaking the budget because somehow the money is going to come down from Heaven and come into this trust fund, or some will say we are just going to go to the NIH and we are not going to get rid of it like Senator DOMENICI suggested, we are just going to cut it 5 percent. And we are not going to get rid of all those items that somebody read off my letter, we are just going to cut them off 5, 6 percent. Well, everybody ought to know what we are going to cut to spend \$31 billion. And the problem with this process: They will not know until we have already put on the new map \$31.6 billion in highway funds.

That is the truth of it. Why do I think we should do it another way? And I urge you all to do it another way. I urge that we not spend the money, the 4.3 cents, the \$31.6 billion, that we not obligate it now but, rather, we say the following in an amendment—and if Senator BYRD wants to know what my amendment is, I am explaining it right now—that we adopt an amendment that says, when the budget process is finished, and the debate has concluded on what we should do with our money next year, including surpluses, and the following years, when we have decided, if Congress decides to spend more money on highways then, put it right in the budget resolution, an automatic supplemental appropriation. An amendment to the Highway Act will occur so that you have accomplished it and everybody has had their chance to debate where the \$31 billion comes from.

And I surmise that some of you might say, including my wonderful debating friend, Senator GRAMM, you might say, "DOMENICI, you know, they're going to put it in highways anyway." Well, that works both ways. If you know they are going to vote to put it in highways, why don't you wait and do it when everybody can vote on the difference between spending it here and not spending it in education or spending a surplus to build highways?

That is a fair proposal on our part. I will draw the language for you. I will let you help me. Then I will tell you, if you prevail in this debate that you want some surplus going in here, that you want to cut other programs to put more here, I will be on the floor supporting you to the best of my ability right on through.

Frankly, I do not think—you know, I used to be, in all honesty—I will not tell you when it stopped happening, I say to Senator BYRD—but I used to really fret when I thought I had to come down here and argue with you. Because I figured I did not know enough. And by the time you got through with the process down here, you taught me a lesson. You taught me

it early. The rules are made for you. If you do not use them, it is your fault. And if I use them, it is because I have a right to.

I did not feel up to it back yonder. But I welcome this debate. And if you all win, you know, I am not going to lose any sleep. But I think I will make the point that this is not the way to run the Government of the United States 4 months after you pass a balanced budget and you put caps on what you can spend for each of the next 5 years, literally dollar numbers written in the law for all the domestic accounts, including highways. They are all in that cap. You cannot raise the cap without 60 votes saying, "Raise the cap."

And along comes the appropriations process, which is the other vehicle you can use, and you cannot—you cannot—mysteriously find \$31 billion to spend. You put new commitments in with the same amount of money to spend for everything—not one penny less or one penny more. It does not change. There is no inflation built into those caps. They are not tied to the economy of the United States. They are flat literal numbers.

And why are they numbers? Because we found the only thing that worked to control spending on the appropriated side was to say if you exceed the caps, the Executive must put in an automatic sequester so it is the only thing that works. And it works because twice the White House—not this one—sent us a little signal. We were \$40 million-some over the cap once, and Dick Darman said, just so you will all know that it works, he sequestered every account in Government to the tune of a total of \$43 million, which I think was one-tenth of one-hundredth of one-thousandth of a percent, but to prove it works.

It was sort of a bit of the leftover of Gramm-Rudman-Hollings. Probably the one notion of real consequence was the notion of a sequester, which most people never heard the word before. In fact, I had not until you introduced the bill—or until we helped you rewrite the bill or whatever. I worked on it for a long time, I say to the Senator.

I am going to quit for now because if I am going to bore the Senate with my entire speech tonight they will not listen to me the next time. And I want to make sure that they all hear this and that they all hear my version of this. And then they can vote as they please because that is what we were elected for.

I want to close by saying to all that big lobby group, believe you me, when you say "lobby groups," don't think that the highway people are not lobbying. Man, oh, man, you would think that the only ones lobbying are the manufacturers of America. They are all out there now that you have spoken tonight. When these Senators go home on this recess, they will claw at them. They will already know how much more is going to be spent on their high-

way projects. It will not be the citizens. It will be the highway builders. Nothing wrong with that. There is not one Senator that said they should not, but, boy, they are going to tell you every penny is needed. And they aren't going to know one diddle about the process going on up here or what they are competing with. It is just: Build the roads.

Someday we are going to build more roads. Maybe I will be voting for building more roads. But I tell you for now, you have not come close to convincing me that this is the way to do it. I urge that you go back and find a way to draft a contingent bill, draft a bill contingent upon the Congress of the United States in the budget process increasing the obligational authority that you think we ought to have.

I am willing to help you draft that and say if Congress votes that in as it sets its new priorities—and, yes, I would even say decides whether it wants to spend more money—then I will be right there with you when the time comes seeing that you get it. But I just believe that, you know—I cannot yet tonight tell you, but I will be able to in a week, how this changes the system that was working.

I do not mean by that, spending the trust fund reserves. There can be a big argument about the unified budget and taking it off budget. I just mean, to come in at this date just because a highway bill is due and add \$31 billion this way without having to face up to any competing needs, and leaving that competition to another day, or as one would say, "Don't worry about the competition. We'll just increase the caps and spend more." I think that ought to be done not in the context of a highway bill that gives everybody some goodies that they are all prone to vote for, I think it should be done in a framework of the U.S. Senate at its best, determining what the overall expenditures of Government ought to be, and maybe I will even say tonight how much of the surplus we want to spend and how much you want to leave, how much you want to put in the Social Security trust fund, and all kinds of nice things.

I yield the floor.

Mr. BYRD. Mr. President, I will be very brief because we have other business that is going to come before the Senate.

Before the Senator from New Mexico leaves, the Senator talks in terms of waiting, waiting until we can consider other competing needs. We are saying, "Let's keep faith with the American people." If there are savings, let's spend the money in the trust fund for that which the American people think it is to be spent for, not other competing needs. That is just what we are saying it is being spent now for—for other competing needs. We are saying, stop it, keep faith with the American people. Spend it for highways if it is going to be spent.

Other competing needs—like what? Cutting taxes? Is that what it is? The

distinguished Senator mentioned how the budget is going to bulge when the baby boomers get on the scene. I voted against a tax cut, Senator. I said let's put it against the deficit, let's take what you would spend on a tax cut and apply it on the budget. Let's balance the budget with it. I said I'm against a tax cut that the Republicans proposed and I'm against the cuts that the President proposed.

Now, we are simply saying, let's spend it for highways if it is going to be spent and if the savings are there. Of course, the chairman of the Budget Committee and the members of the Budget Committee are going to make that decision. But the people need to know something now. Why do we do it now? Because, we have a highway bill before the Senate, that is why. Now is the time. Don't wait until the opportunity has passed and say, "Well, we should have done it when the highway bill was before the Senate." Let's do it now.

The distinguished Senator says he will welcome the debate.

I, too, welcome the debate, and we won't be running for the mountains crying for the rocks to fall on us. When the debate comes, we will be ready.

As I say, we just wanted to put to rest some misunderstandings that were being spread. I don't blame anybody for that. They were jumping to unmerited conclusions. We wanted to set that straight. When the time comes, the amendment will be offered, and I welcome any and all cosponsors, as do the other sponsors. I don't intend to convince my friend from New Mexico. I honor and respect him. He is one of the brightest minds I have ever seen come in this Senate, but let's keep faith with the American people.

Ananias dropped dead, and so did Sapphira, his wife. They lied, they lied to God. I'm not saying anybody has lied, but I am saying we are not keeping faith with the American people. The American people were told by us in 1956, Senator—I was here; I was over in that other body—they were told that the money was going into that trust fund and would be coming back home to meet the transportation needs of the people.

So, let's keep faith with the American people. And we will renew this debate on another day, I say with great respect to all my friends.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, let me say it is awfully tempting to get into a debate here, and I will try to avoid that as well. We will have an opportunity to do that the week after the recess when our amendment will be before us, the bill will be before us.

In the words of Ronald Reagan, let me ask Senator DOMENICI to take a little walk with me down memory lane. When his budget was on the floor, I offered an amendment to take a position in the Senate that said that the 4.3-

cents-a-gallon tax on gasoline should be put in the trust fund and should be spent for highways and for mass transit. By a vote of 83-16 Members of the U.S. Senate said yes. When the tax bill was before the Finance Committee I offered an amendment to put the 4.3-cents-a-gallon tax on gasoline into the trust fund. By a vote of 15-5 the Finance Committee said yes, and that amendment was never challenged on the floor of the U.S. Senate. So, whatever the Senator from New Mexico would like the world to be, 83 Members of the Senate said put the gasoline tax in the trust fund and spend it for the purpose that gasoline taxes have always been spent every time there has been a permanent gasoline tax in history before this gasoline tax, spend it for that purpose on highways and mass transit.

Now, in terms of this debate about the budget, what Senator DOMENICI is saying is, "Don't amend the highway bill; let me amend the budget. Don't do it today, decide it next year."

We have the highway bill before us. The last highway bill that we wrote lasted without a change in the amount of money being spent for 6 long years. The reason we debate a highway bill is to write a highway bill. The point here is as simple as it can be. Do you believe that the gasoline tax which is in the highway trust fund should be spent for highways? If you do, then you are going to end up supporting the amendment that Senator BYRD and I are offering. If you don't believe that, you are going to end up opposing it.

Finally, in terms of the whole debate about the budget, this amendment does not bust the budget. What this amendment does do is it raises the contract authority for highways so that we have an opportunity to compete for funds in appropriations to build highways. Our amendment is very clear on this point. I don't want to go much further because it is not fair to Senator DOMENICI, given that we don't have the amendment before us, but it simply says two things, and I think it is clear there are Members of the Senate who do not support these two things—but I do.

It says, No. 1, that if you have savings by lower spending—it doesn't say anything about higher revenues from economic growing, any of that stuff. It just says if we spend less than we have in the budget and if you decide to spend that money somewhere else—two ifs; it doesn't say you will have the savings and it doesn't say you will spend it anywhere else—but it says if you do have the savings and you decide to spend it, you have to fund the highway trust fund first. You have to fund it first.

Now, other people say, well, what is so important about it relative to all these other things we spend money on? What is important about it is we already have a surplus of \$23.7 billion where we told the American people their money was going to build high-

ways and we spent it on something else, as we are doing this very day. That surplus is going to grow to \$90 billion. Senator BYRD believes, I believe, Senator WARNER, and Senator BAUCUS believe that it is fundamentally dishonest for us to tell people the trust fund is for building roads and to be building up a surplus of \$90 billion where that money is being spent on other things.

So we are not making a decision here. We are not trying to write Senator DOMENICI's budget next year. We are trying to write the highway bill now. Senator DOMENICI says, "Well, let's debate next year's budget." We are not debating next year's budget. There is no guarantee that all of us will be on the same side of that debate. What we are doing is debating highways. We are saying, we have said by overwhelming votes, including on Senator DOMENICI's budget this year, that we want gasoline taxes to go to the trust fund. We want those taxes to be spent on highways. All we are saying is that we want to have a highway bill that reflects the position that we have taken not once but twice. Once in the budget this year, once in the tax cut this year.

This is not a new idea. This is something that we have approved over and over and over again. We think the time has come to make it clear in the highway bill—not in some future budget we may write, but in the highway bill—that when we tell people their gasoline tax is going to highways, we want it to go into highways.

In terms of our language on the budget, we are just simply saying if you have outlay savings and if you spend them—two big ifs; if you have outlay savings and you spend them—you have to fund the highway trust fund first.

I think the overwhelming majority of the American people are for it. I know there are other spending interests that would rather have the money. That is not the debate today. The debate today is about highways, and we are for them and we want to build them.

I yield the floor.

Mr. STEVENS. Mr. President, at a later date I will enjoy entering into the discussion that has just been commenced. I assure the Senate it is not finished. I have great fondness for all participants, but I have two worries. One worry is the worry that the head of the Federal Reserve just announced we are coming into a period of inflation, and the second worry is whether the impact of the amendment as supported by the Senator from Texas would require a reduction in discretionary spending for other accounts in the years covered by the amendment of the Senator from West Virginia. That still has to be examined, in my opinion.

(The remarks of Mr. STEVENS and Mr. BYRD pertaining to the introduction of S. 1292 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, first, I see the Democratic leader here. I will be very pleased to yield to my friend. We have a series of items and we have not yet introduced our bill, but we would be pleased to listen to the leader who has this time reserved.

Mr. DASCHLE. I thank the Senator from Alaska. I have a short tribute I would like to make.

Mr. STEVENS. I shall wait.

Mr. DASCHLE. I appreciate very much the indulgence of the senior Senator from Alaska. I appreciate very much the opportunity to have heard my distinguished colleague from West Virginia, our former leader, who is, in spirit, still our leader.

The PRESIDING OFFICER. The Democratic leader is recognized.

LENNY OURSLER

Mr. DASCHLE. Mr. President, Lenny Oursler is somebody who has been with us here in the Senate for a long time. Tomorrow he will be leaving the Senate to work in the Congressional Affairs Office of the Internal Revenue Service.

Lenny began work in the Senate stationery store in September 1981. He began work in the Democratic cloakroom in April of 1987. He has worked over 16 years of Government service, 10 in the cloakroom, and he has been running the cloakroom, now, for the last 5 years. His tasks have been varied, including keeping Senators and staff apprised of floor action, acting as soothsayer in predicting upcoming schedules with amazing accuracy, making sure that all Democrats reach the floor in time to cast their votes, extending his exuberant hotlines with his trademark "thank you."

I don't know of anybody who has worked in that capacity who is more respected, and that respect is well earned. He is always available. He frequently works long, long hours and autographs his work with excellence. There will be a large void in the cloakroom that will be clearly difficult to fill. He is well liked by Senators and staff alike. He always has a cheerful disposition, always has something nice to say, a very positive person with an incredible outlook on life. Occasionally he even has a funny story to share that I can repeat.

Indeed, the only fault I can think of is that he is a diehard Cubs fan and he may never be broken of that terrible habit. I have been told by some of his friends that on the golf course he has a painfully ugly slice and his most valuable club is a ball retriever.

I know that Lenny will miss his family here. I know, too, he is looking forward to the new challenges at IRS. He is looking forward to more predictable and regular hours so he can spend more time with his young sons, Nathan and Benjamin, and wife Sara. I know I speak for all my colleagues on both sides of the aisle in wishing him luck and telling Lenny we will truly miss him.

I yield the floor and again thank the senior Senator from Alaska.

DISAPPROVING THE CANCELLATIONS TRANSMITTED BY THE PRESIDENT ON OCTOBER 6, 1997

Mr. STEVENS. Mr. President, we have a bill at the desk.

The PRESIDING OFFICER. The bill will be introduced and referred to the appropriate committee.

Mr. STEVENS. I wish to have it read.

The PRESIDING OFFICER. The clerk will read the bill by title.

The bill clerk read as follows:

S. 1292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves of cancellations 97-4, 97-5, 97-6, 97-7, 97-8, 97-9, 97-10, 97-11, 97-12, 97-13, 97-14, 97-15, 97-16, 97-17, 97-18, 97-19, 97-20, 97-21, 97-22, 97-23, 97-24, 97-25, 97-26, 97-27, 97-28, 97-29, 97-30, 97-32, 97-33, 97-34, 97-35, 97-36, 97-37, 97-38, 97-39, and 97-40, as transmitted by the President in a special message on October 6, 1997, regarding Public Law 105-45.

Mr. STEVENS. That is cosponsored by the Senator from West Virginia and a series of other Senators, Mr. President. I do wish to have it referred.

I had it read because I think the Senate and those who are watching this proceeding should know how sanitized this process is. Those projects listed by the simple numbers in the President's message were denied the use of \$287 million for the men and women of the armed services. As was pointed out by Senator FAIRCLOTH of North Carolina, that is approximately the amount of money we are spending per month in Bosnia. Yet, each one of these projects was very much sought after by the Department of Defense, was reviewed by eight committees of the Congress, was reviewed on the floor of the House and here on the floor of the Senate and in conference, and once again brought back to each House.

I say again, the Senator from West Virginia makes a compelling case for his position, if this is to be the policy of this administration, if there is to be an indiscriminate use of the line-item veto without regard to waste, without regard to the necessity of the money that Congress says must be spent.

So, I look forward to this bill being referred to our committee. When we return from the coming recess we shall proceed expeditiously. Senator BYRD and I have agreed these matters will be kept in full committee so we will not have to go through the subcommittee process. And we will return this bill to the Senate as quickly as possible.

UNANIMOUS-CONSENT AGREEMENT—S. 830

Mr. STEVENS. I now would like to perform a series of missions for the leadership. Therefore, I ask unanimous consent when the Senate receives a message from the House accompanying S. 830, the Senate would disagree with

amendment or amendments of the House, and the Senate would insist upon its amendment, agree to the request for a conference with the House, and finally the Chair would be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 595, S. 916, S. 973

Mr. STEVENS. Mr. President, I ask unanimous consent the Governmental Affairs Committee be discharged from further consideration of the following bills and the Senate proceed to their immediate consideration on en bloc: S. 595, S. 916, S. 973. These bills are various post office naming bills.

I ask unanimous consent that the bills then be considered read for a third time and passed as amended, if amended; further, I ask consent that the motions to reconsider be laid upon the table and any statements related to any of these bills appear at this point in the RECORD with the preceding occurring en bloc to the bills.

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

JOHN GRIESEMER POST OFFICE BUILDING

A bill (S. 595) to designate the United States Post Office building located at Bennett Street and Kansas Expressway in Springfield, Missouri, as the "John Griesemer Post Office Building" was considered, ordered to a third reading, read the third time, and passed, as follows:

S. 595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF JOHN GRIESEMER POST OFFICE BUILDING.

The United States Post Office building located at Bennett Street and Kansas Expressway in Springfield, Missouri, shall be known and designated as the "John Griesemer Post Office Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in section 1 shall be deemed to be a reference to the "John Griesemer Post Office Building".

BLAINE H. EATON POST OFFICE BUILDING

The bill (S. 916) to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the "Blaine H. Eaton Post Office Building", was considered, ordered to a third reading, read the third time, and passed, as follows:

S. 916

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,