

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRAMS. Mr. President, I also ask unanimous consent I be able to speak as in morning business.

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

THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

Mr. GRAMS. Mr. President, I am here this morning on the floor to talk about the very important ISTEA legislation that is being held up in the Senate here for many, many different reasons. But the introduction of the Senate's Intermodal Surface Transportation Efficiency Act of 1997 represents the results of intense negotiations between Chairman CHAFEE, Senator WARNER, and Senator BAUCUS, each of whom have represented three different legislative approaches to the reauthorization of ISTEA.

I thank each of these Senators for the work they have done to bring this bill to the floor because the citizens of my home State of Minnesota strongly support a 6-year reauthorization bill, funded at the highest levels. This should be one of our top priorities before we adjourn this session. Unfortunately, however, this very important piece of legislation is being held up by other Senators seeking to impose a political agenda on a very vital transportation spending issue. Again, it is being held up by Senators who want to impose a political agenda on vital transportation spending.

Their effort to halt this crucial transportation spending bill are far more egregious than other attempts in the past to influence legislation by holding it hostage. It is inconceivable to me that we would not consider this bill on its own merits. The question of why not is being asked by every State concerned about the availability of transportation funds for continuing projects. It is ironic that Senators claiming to support labor issues would now thumb their noses at the same hard-working Americans who feed and clothe their families through the salaries they earn working on transportation projects, not to mention how important those projects are for improved safety and for meeting our growing transportation needs.

ISTEA must be considered before we adjourn for the year. There has been a real effort to reach a compromise that achieves balance among the 50 States. This balance is required to address unique transportation needs in the different regions of our country: The congestion needs of the growing South, the aging infrastructure needs of the Northeast, as well as the national transportation needs of the rural West and the Midwest. Almost every State shares in the growth in dollars con-

tained in the bill compared with the funding levels that they received under ISTEA back in 1991.

I was proud to join Senator WARNER as a cosponsor of STEP 21 earlier this year, as Minnesota was a member of the STEP 21 coalition, and I am pleased that much of the bill has been incorporated now into this piece of legislation.

Mr. President, this bill attempts to preserve the principles of ISTEA that have proven to be successful. We need to ensure that our transportation growth contributes to the preservation of our environment.

We need to continue to build upon the shared decisionmaking among the Federal, State, and local governments in the transportation planning process. We also need a transportation bill that is based on a formula that is fair. This bill will either succeed on the doctrine of fairness or it will fall victim to politics as it has in the past.

I am pleased the ISTEA reauthorization attempts to ensure a fair allocation of funds. The new formula was determined with objective factors, such as the number of miles of the National Highway System and each State's contributions to the highway trust fund.

Under this legislation, every State will receive a minimum return of 90 percent of their contributions to the highway trust fund. That is a very different guarantee from the so-called 90-percent minimum allocation in ISTEA. This is a real guarantee.

Finally, we must have a transportation bill that makes an improvement in streamlining as well as flexibility. This bill streamlines ISTEA's five major programs down into three, and they are the National Highway System, the Surface Transportation Program, and the Congestion Mitigation and Air Quality Program.

The Federal focus on our most important network of roads, the National Highway System, which includes our interstate system, is maintained. The streamlining and the flexibility provided by the ISTEA reauthorization will give Minnesota the ability to make its own transportation decisions, and that is a great step forward. Other States also would have the same freedom.

This bill attempts to get a reasonable rate of return for Minnesota. In this bill, my State will receive 1.50 percent of Federal apportionment dollars, which represents an increase from the 1.43 percent of actual dollars under the 1991 ISTEA.

The bill would also increase my State's share by over \$82 million per average year above the 1991 authorization level.

I am also pleased to be a cosponsor of the Byrd-Gramm amendment which allows the Federal gas tax of 4.3 cents now dedicated to the highway trust fund to actually be spent on highways. This will provide Minnesota the necessary additional revenue that is so critical to meeting our infrastructure needs.

Mr. President, the political games must end. The reauthorization of ISTEA has expired. We need to go forward and we need to approve a new highway reauthorization bill.

It has been proven again and again that transportation spending is one of the most important, it is one of the most cost-effective investments in our Nation's future. For every \$1 billion spent on transportation, we create 60,000 jobs, jobs that are now at risk again while some Senators attempt to hold this legislation prisoner in exchange for the advancement of their particular political agendas. I ask my colleagues this morning to help liberate this political hostage to allow the ISTEA legislation to proceed.

Thank you very much, Mr. President. I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. Thank you, Mr. President.

REVENUE SHARING OF OUTER CONTINENTAL SHELF FEDERAL RECEIPTS FROM OIL AND GAS PRODUCTION

Ms. LANDRIEU. Mr. President, I rise today to bring to the attention of the Senate and, hopefully, to the Nation, a concern that is very important to my constituents in the State of Louisiana and to other coastal States. I rise to address this issue in order to begin what I hope will be an educational process for all of us.

As you know, the Federal Government, through the Minerals Management Service and the Bureau of Land Management at the Department of the Interior shares with the States 50 percent of the mineral revenues from Federal lands inside the boundary of States, to offset the impacts of onshore mineral development. Unlike the States that support onshore development of Federal mineral resources, Louisiana, particularly, and Texas, Alaska, California, Mississippi, Alabama, and Florida receive comparatively little of the revenues received by the Federal Government for offshore oil and gas development on the Outer Continental Shelf.

I intend very shortly to introduce legislation to realign the OCS revenues to reflect a more fair and more just allocation. This legislation will also address historical and anticipated impacts on infrastructure and environmental needs that have been identified over the course of time. I raise this issue as the Senate today, Mr. President, will be voting on the Interior and related agencies appropriations conference report this afternoon. That bill

contains funding for land and water conservation and the National Historic Preservation Fund. All of those monies, almost up to \$1 billion authorized, comes from OCS revenues. So the Federal Treasury has been a great beneficiary, and many States, of course, have shared in these revenues.

This year also marks the 50th anniversary of oil and gas exploration and production in the United States off the gulf coast. We have come a long way from the early days when a few intrepid souls dared to combine their resources to take a risk on a black pitch-like substance that was seeping out of the hills of Pennsylvania. They discovered that this substance would burn. From that substance kerosene was derived and then came gasoline and numerous other petroleum products that support the American economy and the American lifestyle today.

Oil and gas development has long been the lifeblood of my State—through good times and bad, through the early years of this century and the bust years of the 1980's. In Louisiana, as in other oil-patch States, there was an abundance of oil and gas. Many people dug wells, plugged them, and made and lost fortunes.

In the 1970's, there was an oil boom that no one thought would end, but it did. During that time, businesses sprang up in Oklahoma and Texas and throughout the oil patch with businesses building headquarters in cities like Tulsa, Houston, and Dallas. In the Gulf of Mexico, oil and gas platforms appeared. People discovered a wealth of reserves in coastal waters and, later, in Federal waters, particularly off the coast of Louisiana.

Mr. President, I want to share with you today, and many Members of the Senate, that all of the production in the gulf identified is by these squares that are blocked off. You can see that almost 90 percent, from approximately this line to all the way over is off Louisiana's coast. About 90 percent of the production is supported off Louisiana's coast, and that is the point I want to make today. It is not all the coastal States supporting it equally. Louisiana is contributing a huge amount to this development, which is contributing a huge amount of money to the Federal Treasury.

The history of OCS development and State versus Federal ownership was defined in the time of President Truman. There was a great deal of discussion on this issue between interested parties, with no real solution as to how these proceeds should be fairly divided. The controversy continued briefly through the forties and fifties. Finally, legislation came in 1953. This act established a 3-mile State water boundary for Louisiana, Mississippi, and Alabama and, for historical reasons, a 10-mile border for Texas and the gulf coast of Florida.

The understanding was that States would own the resources up to 3 miles out from their coastal boundaries, and the Federal Government would own the

resources beyond the 3-mile mark, and that lasted for years. In addition, in 1985, a new zone was created through an amendment to the Outer Continental Shelf Lands Act, the 8g zone. So between 3 and 6 miles, the States on the coast can now benefit in some additional ways, but rather minor, from the oil and gas derived from that 3- to 6-mile zone.

The most recent Federal law to apply to the Outer Continental Shelf was passed in the last Congress, through the leadership of my predecessor, former Senator Bennett Johnston. This measure, the Outer Continental Shelf Deepwater Royalty Relief Act, provided a royalty incentive for companies that wished to explore in deep waters off the continental shelf but were constrained by the cost of deepwater drilling.

Today, as a result of this act, you can see from the previous chart that there have been record sales and bids off the gulf coast, particularly in Louisiana. In March of this year, lease sale No. 166 was held in the central gulf, and 103 companies bid on over 5,000 blocks comprising 27 million acres offshore Alabama, Louisiana, and Mississippi. The companies made record bids. Fifty-one percent of these blocks were in 800 meters of water. The deepest block was in 9,000 feet of water.

The mind-boggling total value of these bids was in excess of \$800 million. Mr. President, five additional sales are planned beginning in March. All of this is due to the Deep Water Royalty Relief Act which has created thousands of good paying jobs in the energy industry, both onshore and offshore. The Federal Treasury has benefited substantially. The Federal Treasury received an amount of \$2.8 billion from these leases in 1995. Louisiana contributed \$2.1 billion. These figures do not include corporate taxes and taxes that were also collected for the Federal Treasury.

I need to clarify the funding situation for those who are listening today. When there is onshore oil and gas production, States are entitled to 50 percent of the royalties. Alaska gets 90 percent onshore. For coastal States with offshore production in 8g, States receive only 27 percent, and beyond the 6-mile mark for Louisiana, Mississippi, and Alabama, States are not entitled to any percentage. That is the point of this discussion.

In conclusion, let me say that we need to make this distribution more fair and more equitable. With the amounts of money that are being distributed based on 50 percent for onshore, based on 90 percent for Alaska, but now under the current law, outside of this 6 miles, the coastal States receive almost nothing. The amount of money being generated is greater and greater every year. Just last year, as I mentioned, it was up to \$2.8 billion received by the Federal Treasury. And of that amount, Louisiana received less than \$16 million from contributing over

90 percent of the production totaling almost \$3 billion. We received only \$15.9 million.

For 50 years, Louisiana has borne the brunt of the impacts associated with oil and gas production in the Gulf of Mexico. While we acknowledge that hosting offshore production has provided some economic rewards in the State, Louisiana cannot tax the production on the OCS, nor do we receive a share of the governmental payments on the OCS. There has been damage to onshore staging areas, damage from activities by the Corps of Engineers, and deterioration of infrastructure such as roads and highways that are used to get equipment and workers to the offshore fields. The State of Louisiana has not received appropriate compensation for the use of its land and the environmental impacts of this production.

Moreover, Mr. President, we have a very fragile environment in south Louisiana. I have visited Port Fouchon, in La Fourche Parish many times. La Fourche Parish is a rural, relatively isolated parish at the bottom of the "L" in Louisiana, if you picture the State in the form of the letter "L." The people there are of modest means, and do their best to make a good living. Port Fouchon is Louisiana's only port on the Gulf of Mexico. Its proximity to the deepwater oil and gas discoveries makes it the port of choice for an increasing number of businesses. Over 6,000 people depend on the port as an avenue to and from offshore facilities. In just 3 years, Port Fouchon has tripled the amount of cargo it handles—from 10 million to over 30 million tons in 1996.

Near Port Fouchon is the Louisiana Offshore Oil Port [LOOP]. LOOP is a state of the art offshore facility located 20 miles south of Port Fouchon. LOOP is connected through five pipelines to over 30 percent of the Nation's refining capacity. Recently, the deepwater platform Mars, by Shell Oil, was connected by pipeline to LOOP. Consequently, LOOP will be handling a significant portion of the Gulf of Mexico's domestic deepwater oil production. Couple this with the recently announced goal that the MMS would like to increase oil production in the gulf from 1.7 to 2 million barrels of oil a day. This is an extremely ambitious schedule. Such an increase would amount to an additional \$600 million in royalties by the year 2000. Yet, there has been little attention to infrastructure in La Fourche Parish, and little attention to the environment. According to Bob Thompson, president of LOOP, "Nearly all of LOOP's logistical support for offshore operations comes directly through Port Fouchon, and hence across substandard roadways. We must improve our highway infrastructure to accommodate this new business." Currently, over 80 deepwater prospects are identified off coastal Louisiana. An astounding 75 percent of these are in the Port Fouchon service area. Terrebonne and St. Mary Parishes, St. Bernard, and Jefferson which

are adjacent to La Fourche, will also support industry activity. Many of the parishes need additional help as well as other coastal States. These new demands will put a great deal of stress on an already besieged environment. Mr. President, these areas and their fragile environments in Louisiana were sacrificed long ago for the benefit of industry investment and development. I intend to ensure that these areas will be ignored no longer.

Since the early 1990's, the Minerals Management Service at the Department of the Interior and various heads of environment and natural resource departments from a number of States have been holding talks and negotiations over revenue sharing from the funds collected from activity in the gulf. This month, in fact, tomorrow, the OCS Policy Committee will be meeting in Galveston, TX, to vote on a revenue sharing initiative. I commend this method of consensus building that the Department, industry, and the States have undertaken to address revenue sharing and its implementation. But I want to go further than just recognizing their actions, Mr. President.

In the next few weeks, I will be filing the bill to bring this issue to the attention of the U.S. Senate to ask for a greater distribution and a more fair distribution to those States impacted so that we can continue to support this industry, but in return this industry can and the Federal Treasury can invest back into Louisiana and other coastal States so we can continue this drilling in an environmentally sensitive way.

Through advances in technology and favorable laws, we have come upon a great resource for this Nation, to reduce our dependence on foreign oil. At the same time, we must take advantage of this economic boon to reinvest in our environment, to repair damage to our wetlands, and to take stock of our natural resources and their value as we benefit in the coming years from activity in the gulf.

Thank you, Mr. President. I thank you for the time.

WALTER GREY HEMPHILL, JR., WORLD WAR II HERO

Mr. COCHRAN. Mr. President, funeral services will be held today in my State for Walter Grey Hemphill, Jr., a World War II hero, who was also a very close personal friend.

He was best known in our community as a former star athlete at Byram High School, who was recruited to play football at the University of Mississippi in 1941, as a successful coach and teacher at his alma mater, a respected vice president and general manager of Deviney Construction Co., an active member and chairman of the deacons at the First Baptist Church of Byram, and as a past worthy patron of the Order of the Eastern Star.

While most of his friends knew that Walter Grey Hemphill, Jr., had been a

veteran of World War II, few were aware of the details of his combat experiences. The fact that he was one of the true heroes of the Battle of the Bulge was not something he talked about very easily.

The citation he received awarding him the Silver Star for valor in battle described his bravery under fire and his willingness to risk his life to save the lives of his fellow paratroopers of the 101st Airborne Division in the fighting near Bastogne, Belgium, in December 1944. He destroyed a German gun emplacement with an explosive charge at close range while under heavy enemy fire. His courageous action saved the lives of the members of his unit, but he was seriously wounded in the process. He received two Purple Hearts and spent over a year in hospitals recovering from his injuries.

After the war, he returned to the University of Mississippi and, although unable to play football, he earned his bachelor and master's degrees and became my high school world history teacher, as well as my football, basketball, and baseball coach. He was also our close neighbor whose friendship I enjoyed and appreciated. I'm confident that the lessons I learned from him on the athletic fields, in the classrooms, and in our neighborhood provided me with a firm foundation of values, attitudes, and work habits that made future academic and professional success possible.

I will always remember and be grateful for his generous acts of kindness, his fair but firm discipline, and his thoughtful leadership.

He is survived by a dear and loving wife, Elsie, and a devoted daughter, Patricia Windham, to whom I extend my sincerest condolences.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the modified committee amendment to S. 1173, the Intermodal Surface Transportation Efficiency Act:

Trent Lott, John H. Chafee, John Ashcroft, Larry Craig, Don Nickles, Mike DeWine, Frank Murkowski, Richard Shelby, Gordon Smith, Robert Bennett, Craig Thomas, Pat Roberts, Mitch McConnell, Conrad Burns, Spence Abraham, and Jesse Helms.

CALL OF THE ROLL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the

clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names.

[Quorum No. 6]

Abraham	Gorton	McConnell
Ashcroft	Grams	Moynihan
Bennett	Grassley	Murkowski
Biden	Gregg	Murray
Bingaman	Hagel	Nickles
Breaux	Hatch	Roberts
Bumpers	Hollings	Santorum
Cleland	Hutchinson	Sarbanes
Coats	Hutchison	Sessions
Collins	Jeffords	Smith (NH)
Coverdell	Kennedy	Smith (OR)
Craig	Landrieu	Specter
Daschle	Leahy	Thomas
DeWine	Lieberman	Thompson
Domenici	Lott	Thurmond
Enzi	Lugar	Wellstone
Feingold	Mack	
Ford	McCa	

The PRESIDING OFFICER. A quorum is present.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the modified committee amendment to S. 1173, the Intermodal Surface Transportation Act, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—52

Abraham	Faircloth	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Jeffords	Thompson
D'Amato	Kempthorne	Thurmond
DeWine	Kyl	Warner
Domenici	Lott	
Enzi	Lugar	

NAYS—48

Akaka	Feinstein	Lieberman
Baucus	Ford	McCa
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Breaux	Hollings	Murray
Bryan	Inouye	Reed
Bumpers	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Snowe
Dodd	Landrieu	Specter
Dorgan	Lautenberg	Torricelli
Durbin	Leahy	Wellstone
Feingold	Levin	Wyden

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 48.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.