

military honors and heroism, which, due to his humility, he rarely, if ever, refers to today. But that is so true of many of the men and women who have received those honors.

Jim Webb has a way of standing back, as he is today, in his various professions, and looking at a situation and carefully and in a balanced way, analyzing it. I urge all those who desire to acquaint themselves with this dispute—particularly those in the Department of the Air Force—to read this article with great care, because he reasons well as to why the Marine Corps Memorial in Arlington, which depicts the raising of the flag on Iwo Jima, which is visited each year by hundreds of thousands of persons from all over the world, has a very unique spot in history and a unique location.

It is, in my judgment, and the judgment of others, not in the best interest of this country, or our armed services, to dislodge in any way the mystique that surrounds that piece of hallowed ground, as it is referred to by all marines, past, present and, I'm sure, those in the future.

So, therefore, I urge that all who are interested in this and wish to apply their own sound judgment examine the article of the former Secretary of the Navy, James Webb.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

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

The PRESIDING OFFICER. Indeed, we are.

#### THE SENATE CAREER OF SENATOR TED KENNEDY

Mr. KERRY. Mr. President, I come to the floor to mark a very significant moment in the career of our good friend and colleague, the senior Senator from Massachusetts, Senator KENNEDY, who is now in these days entering his 35th year of service in this body.

The length of that tenure is really a measure, in my judgment, and I think in the judgment of the people of Massachusetts, of the extraordinary work that he does for our State as well as for the country. He is the most senior Senator from Massachusetts now in history, serving longer than Henry Cabot Lodge, longer than Charles Sumner, longer even than Daniel Webster, all of whom were extraordinary leaders in their own right.

There is no question that the reason for this longevity is because of the remarkable persistence of his work for the State on a local basis. It was, after all, our own "Tip" O'Neill who said that "all politics" was "local." Indeed, no one has fought harder for the people of Massachusetts when it comes to highway or bridge projects, or when it comes to mass transit, to research and development, to assistance for education, to helping our research hos-

pitals, dealing with biotechnology, or defense conversion. The range of Senator KENNEDY's accomplishments is really unmatched for our State. However, as everybody knows, he is also more than just the Senator from Massachusetts. He has been a Senator from Massachusetts who has had a national impact of great proportions and who has absorbed and articulated values and aspirations of our people and for the Nation.

In the 35 years that he served our State, an awful lot has changed in this country. And it is fair to say that TED KENNEDY has been at the forefront of a great deal of that change. If you go back 30 years to the conditions that prevailed here in the country, there is no doubt that from the moment when he entered the Senate, he has been part of that change. When he came here there was no Civil Rights Act, there was no Voting Rights Act, and the great battle against segregation and for equal justice was only then just heating up. It was TED KENNEDY who fought those battles and who has remained a champion for bringing America closer to the ideals that we espouse. And we are at the center of those fights. When TED KENNEDY entered the Senate, there was no Medicare for senior citizens, there was no Medicaid for the poor and disabled, there were no incentives for private employers to provide health benefits, and large areas of the Nation were medically underserved. It was TED KENNEDY who fought those battles and who even today remains a leader in helping to bring health care to all Americans.

When he entered the Senate, the Vietnam war was burgeoning, nuclear weapons were armed and aimed across the globe, South Africa brutally defended its apartheid system, and Eastern Europe remained in thrall to the Soviet Union.

TED KENNEDY's great voice for reason and restraint on arms control, against apartheid, and for freedom resonated around the world. It is a memory that many people in many parts of the world carry with them today.

Mr. President, we mark anniversaries not simply to recall the amount of time performed in service but to applaud and to take note of the amount of service performed in that time. There are few Senators in history, in my judgment, who match the productivity with longevity as well as TED KENNEDY.

I think it can fairly be said that he is one of the very few in this body who has helped to set the agenda of this institution year after year, decade after decade. In just the last 2 years, he has achieved signal success on milestone legislation on behalf of working Americans.

Largely due to his leadership, we raised the minimum wage. We now have a better health care system as he continues to fight for still more improvements as we have recognized some of the problems that have arisen

even in the changes that have been made.

His standing in this institution is based, in my judgment, on two simple attributes.

First, he has understood from the beginning the distant goal lines this Nation needed to cross in order to make our dreams for the country a reality.

Second, he has consistently moved the ball down the field with a sense of practicality about the limits of what the times and the opposition would allow.

Many, many Americans outside this Chamber know Senator KENNEDY for the power of his passion, the persuasiveness of his advocacy, and the tenaciousness of his fights.

But there is, as we all know in this Chamber, a personal side to his presence here, which only those of us in the Chamber or those who have been touched in some way in their personal lives outside of this Chamber understand. There is probably not a Senator here who would not recount a story of how TED KENNEDY has picked up the phone at a time of stress or distress and has been responsive and caring. There are those of us who have gone through difficult times, who have found that he is one of the first people to offer help. I can personally remember once when I had a phone call at a time when I had pneumonia. The next thing I knew TED KENNEDY was making his house available for my recuperation and urging me to go and take advantage of it. That is the kind of person he is and just one small story of the many that other colleagues here have experienced.

So, Mr. President, we are all better off for having this colleague of ours serve and continue to serve, and we are all better off for having him as a friend.

I congratulate him on the occasion of his remarkable career. I earnestly hope that my State and this Nation will continue to rely on his capacity and his foresight and his presence in this body for many years to come.

I thank my colleagues for their courtesy in allowing me to make these comments prior to another engagement.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to commend the junior Senator from Massachusetts for the very eloquent statement from the heart about our colleague. While I philosophically differ from the senior Senator from Massachusetts, I will say he is one of the hardest working Senators that I have ever observed in every respect for those issues for which he fights. That fight comes from the heart. I just wanted to commend the junior Senator for speaking so eloquently about our mutual friend.

Mr. KERRY. I thank my colleague.

Mr. CHAFEE. Mr. President, I would like to also say that the junior Senator

from Massachusetts was quite right in saying that the senior Senator from Massachusetts during his long years here has certainly had a significant impact on legislation, and we all should recognize that and pay tribute to him for what he has done.

Mr. President, I would also like to note that the Presiding Officer is a former marine. So he is celebrating today likewise the 222d birthday of the U.S. Marine Corps. So we are all celebrating together.

#### SURFACE TRANSPORTATION EXTENSION ACT OF 1997

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. 1519, introduced earlier today by Senator BOND.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 1519) to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

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

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

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

The bill (S. 1519) was deemed read a third time and passed, as follows:

S. 1519

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Surface Transportation Extension Act of 1997".

#### SEC. 2. ADVANCES.

(a) IN GENERAL.—The Secretary of Transportation (referred to in this Act as the "Secretary") shall apportion funds made available under section 1003(d) of the Intermodal Surface Transportation Efficiency Act of 1991 to each State in the ratio that—

(1) the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; bears to

(2) all States' total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) PROGRAMS.—Of the funds to be apportioned to each State under subsection (a), the Secretary shall ensure that the State is apportioned an amount of the funds, determined under paragraph (2), for the Interstate maintenance program, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, minimum allocation under section 157 of title 23, United States Code, Interstate reimbursement under section 160 of that title, the donor State bonus under section 1013(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1940), hold

harmless under section 1015(a) of that Act (105 Stat. 1943), 90 percent of payments adjustments under section 1015(b) of that Act (105 Stat. 1944), section 1015(c) of that Act (105 Stat. 1944), an amount equal to the funds provided under sections 1103 through 1108 of that Act (105 Stat. 2027), and funding restoration under section 202 of the National Highway System Designation Act of 1995 (109 Stat. 571).

(2) IN GENERAL.—The amount that each State shall be apportioned under this subsection for each item referred to in paragraph (1) shall be determined by multiplying—

(A) the amount apportioned to the State under subsection (a); by

(B) the ratio that—

(i) the amount of funds apportioned for the item, or allocated under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027), to the State for fiscal year 1997; bears to

(ii) the total of the amount of funds apportioned for the items, and allocated under those sections, to the State for fiscal year 1997.

(3) USE OF FUNDS.—Amounts apportioned to a State under subsection (a) attributable to sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 shall be available to the State for projects eligible for assistance under chapter 1 of title 23, United States Code.

(4) ADMINISTRATION.—Funds authorized by the amendment made by subsection (d) shall be administered as if they had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code; except that the deduction under section 104(a) of title 23, United States Code, the set-asides under section 104(b)(1) of that title for the territories and under section 104(f)(1) of that title for metropolitan planning, and the expenditure required under section 104(d)(1) of that title shall not apply to those funds.

(c) REPAYMENT FROM FUTURE APPORTIONMENTS.—

(1) IN GENERAL.—The Secretary shall reduce the amount that would, but for this section, be apportioned to a State for programs under chapter 1 of title 23, United States Code, for fiscal year 1998 under a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act by the amount that is apportioned to each State under subsection (a) and section 5(f) for each such program.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds apportioned under subsection (a) for a program category for which funds are not authorized under a law described in paragraph (1) may be restored to the Federal-aid highway program.

(d) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) is amended by adding at the end the following:

"(d) ADVANCE AUTHORIZATIONS.—

"(1) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 1997 \$5,500,000,000 for the period of November 16, 1997, through January 31, 1998.

"(2) SPECIAL RULE.—Funds apportioned under subsection (a) shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

"(e) AUTHORIZATION OF CONTRACT AUTHORITY.—

"(1) AUTHORIZATION.—Notwithstanding section 157(e) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 157 of title 23, United States Code, not to exceed \$15,460,000 for the period of January 26, 1998, through January 31, 1998.

"(2) ALLOCATION.—The Secretary shall allocate the amounts authorized under paragraph (1) to each State in the ratio that—

"(A) the amount allocated to the State for fiscal year 1997 under section 157 of that title; bears to

"(B) the amounts allocated to all States for fiscal year 1997 under section 157 of that title.

"(f) CONTRACT AUTHORITY.—Funds authorized under subsections (d) and (e) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code."

(e) LIMITATION ON OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), after the date of enactment of this Act, the Secretary shall allocate to each State an amount of obligation authority made available under the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105-66) that is—

(A) equal to the greater of—

(i) the State's unobligated balance, as of October 1, 1997, of Federal-aid highway apportionments subject to any limitation on obligations; or

(ii) 50 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; but

(B) not greater than 75 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(2) LIMITATION ON AMOUNT.—The total of all allocations under paragraph (1) shall not exceed \$9,786,275,000.

(3) TIME PERIOD FOR OBLIGATIONS OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998, until the earlier of the date of enactment of a multiyear law reauthorizing the Federal-aid highway program or July 1, 1998.

(B) REOBLIGATION.—Subparagraph (A) shall not preclude the reobligation of previously obligated funds.

(C) DISTRIBUTION OF REMAINING OBLIGATION AUTHORITY.—On the earlier of the date of enactment of a law described in subparagraph (A) or July 1, 1998, the Secretary shall distribute to each State any remaining amounts of obligation authority for Federal-aid highways and highway safety construction programs by allocation in accordance with section 310(a) of the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105-66).

(D) CONTRACT AUTHORITY.—No contract authority made available to the States prior to July 1, 1998, shall be obligated after that date until such time as a multiyear law reauthorizing the Federal-aid highway program has been enacted.

(4) TREATMENT OF OBLIGATIONS.—Any obligation of an allocation of obligation authority made under this subsection shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 1998 for the purposes of the matter under the heading "(LIMITATION ON OBLIGATIONS)" under the heading "FEDERAL-AID HIGHWAYS" in title I of the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105-66).