

in the global market place, and in which our country, sadly, is lagging behind other industrialized nations. This facility will also provide working partnerships with the many federal facilities located in the Eastern Panhandle, helping area residents to develop careers in high-tech fields, and, in turn, helping West Virginia and the nation to achieve a more prosperous future.

At noon yesterday, Shepherdstown echoed with the sounds of bells, pealing in honor of the school's 125-year commitment to education, a fitting tribute to its founders.

Along with my fellow West Virginians, I wish Shepherd College a happy 125th birthday.

#### HIGHWAY TRUST FUND AND THE GAS TAX

Mr. BYRD. Mr. President, back on June 5, 1996, I sent a letter to all Senators signaling my intention to offer an amendment to the next available tax bill to place into the Highway Trust Fund the 4.3 cent gas tax that is currently used for deficit reduction.

Senators will recall that, back in May and June of last year, there was much debate on this 4.3 cent gas tax, which was first imposed by the Omnibus Budget Reconciliation Act of 1993. During this past summer, I deferred offering this amendment on two occasions at the request of both the Majority and Minority Leaders. Unfortunately, another opportunity to offer the amendment did not arise.

My purpose in proposing that the 4.3 cent gas tax be placed into the Highway Trust Fund is to better enable the Congress to reverse the very destructive trend of federal disinvestment in our nation's transportation infrastructure. By increasing the revenue stream to the Highway Trust Fund, it would be my hope and expectation to leverage additional resources for our Federal-Aid Highway program in order to stem the deterioration of our nation's highways.

Our federal investment in infrastructure as a percentage of the total federal budget has declined significantly since 1980. Few economists would disagree that adequate long term investment in infrastructure is critical to a nation's economic well-being. Only through investment here at home, investment to maintain and renew our own physical plant, can our economy grow and generate healthy wages for its citizens.

Even so, our nation's investment in infrastructure as a percentage of our Gross Domestic Product has almost been cut in half since 1980. As a nation, we continue to invest an absolutely paltry percentage of our Gross Domestic Product in infrastructure—a percentage considerably less than our chief economic competitors in Europe and Asia.

Nowhere do we pay a greater price for inadequate infrastructure investment than in our nation's highways.

Our national highway system carries nearly 80 percent of U.S. interstate commerce and nearly 80 percent of intercity passenger and tourist traffic. The construction of our national interstate system represents perhaps the greatest public works achievement of the modern era. However, we have allowed segments of our National Highway System to fall into serious disrepair.

The Department of Transportation has released its most recent report on the condition of the nation's highways. Its findings are even more disturbing than earlier reports. DOT currently classifies less than half of the mileage on our interstate system as being in good condition and only 39 percent of our entire national highway system is rated in good condition. Fully 61 percent of our nation's highways are rated in either fair or poor condition. Almost one in four of our nation's highways' bridges are now categorized as either structurally deficient or functionally obsolete. This is not the highway infrastructure that will help our country and its citizens continue to prosper into the twenty first century. If we allow this decay to continue, it will constrict the lifelines of our nation.

According to the DOT, our investment in our nation's highways is a full \$15 billion short each year just to maintain these current inadequate conditions. 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.

It is critical to point out that, while our highway infrastructure continues to deteriorate, highway use is on the rise. Indeed, it is growing at a very rapid pace. The number of vehicle miles traveled has grown by roughly 40 percent in just the last decade. As a result, we are witnessing new highs in the amount of congestion, causing delays in the movement of goods and people that are very costly to our national economy.

Mr. President, it is clear that the requirements we place on our national highway system are growing while our investment continues to decline. We are simply digging ourselves into a deeper and deeper hole. Six years ago, in 1991, it was estimated that an investment of \$47.5 billion dollars would be necessary on an annual basis to ensure that highway conditions would not deteriorate any further than they existed in that year. By 1993, that figure grew to \$51.6 billion. And two years ago, that figure grew to \$54.8 billion. The longer we delay making federal highway spending a priority, the more expensive it gets to reverse this destructive trend.

In the coming months, the Senate will take up legislation to reauthorize the Intermodal Surface Transportation Efficiency Act, or ISTEA. Many members, including myself, have come to the Floor to introduce legislation to address specific transportation needs in

their states and regions. Also, many members have spoken to the need for formula changes to bring about what they perceive to be a more equitable distribution of funds from the highway program. Just yesterday, our new Transportation Secretary, Rodney Slater, testified before the Environment and Public Works Committee on the broad outlines of the Administration's proposed ISTEA reauthorization bill. There are many fine initiatives in the Administration's bill just as there have been many fine initiatives introduced by Members from all regions of the country.

However, we must face the fact that, absent a determined effort by the Congress and the Administration to substantially increase the current level of spending on our highway program, we are not going to stem the deterioration of our highway infrastructure. Similarly, it is unlikely that, as we reauthorize ISTEA, we will be able to accommodate new initiatives and address substantial formula changes.

Just last month, I was pleased to join with 55 of my colleagues in writing to the distinguished Chairman of the Budget Committee, Senator DOMENICI, asking that the upcoming Budget Resolution allocate sufficient budget authority to the Environment and Public Works Committee to allow for a robust ISTEA reauthorization bill. But it must be recognized that the ISTEA reauthorization bill is just that—an authorization bill. And while ISTEA does allocate some direct funding from the Highway Trust Fund outside of the appropriations process, the vast majority of funds distributed under the Federal-Aid Highway Program are controlled by annual obligation limitations set by the Appropriations Committee.

The Administration's budget proposal assumes that there will be increased contract authority provided for several meritorious programs under the Federal-Aid Highway Program over the next six years. But the unfortunate fact is that the Administration's budget simultaneously assumes that the annual obligation limitation set by the Appropriations Committee will be frozen at the current year's level for the entire life of the next authorization bill. Put another way, under the Administration's proposal, states will not be allowed to obligate one additional penny in any of the next six years above the current year's level.

Mr. President, I appreciate that we can have a reasonable debate as to whether the solution to this problem is depositing an additional 4.3 cents into the Highway Trust Fund. The Highway Trust Fund currently has some sizable unobligated balances. Moreover, income to the Highway Trust Fund has been steadily rising as a result of increased gas consumption and the fact that an additional 2.5 cents has been deposited in the Highway Trust Fund since the beginning of Fiscal Year 1996. However, one thing that cannot be denied is the fact that substantially increased funds are necessary to stem the

deterioration of our federal highway system. A mechanism must be developed to ensure that, even while we strive to eliminate our annual budget deficit, we begin to stem the tide of federal disinvestment in our transportation infrastructure.

Toward that end, I look forward to working with Chairman DOMENICI of the Budget Committee and its Ranking Member, Senator LAUTENBERG, along with the Chairmen and Ranking Members of the Environment and Public Works Committee and the Transportation Appropriations Subcommittee to seek a way to ensure substantially increased authorizations and obligational authority for our federal highway responsibilities. We cannot be responsible stewards of federal tax dollars and, at the same time, pass a steadily deteriorating transportation infrastructure on to our children and grandchildren.

Now Mr. President, I did not seek to hold up consideration of H.R. 668 yesterday evening by proposing amendments to address our highway infrastructure needs. I recognized the urgency of renewing the aviation ticket tax. The Airport and Airways Trust Fund is on the verge of bankruptcy and, absent the renewal of the ticket tax, our nation's airport construction enterprise, as well as the procurement of critically needed air traffic control equipment, will be at risk. Indeed, airports are also a critical element of our transportation infrastructure. And, as in the case of highways, our airport infrastructure needs continue to grow while federal investment continues to fall precipitously. The current funding level for the Airport Improvement Program has fallen more than 30 percent in just the last five years. And the president's budget for the coming fiscal year asks us to cut the program an additional 32 percent. The last thing I wanted to do yesterday evening was endanger necessary investments in our aviation infrastructure in the hopes of addressing the needs of our highway infrastructure.

However, I rise today to state my intention and commitment to work with the Senate leadership as well as the leadership of all the relevant committees to ensure that we put policies in place this year to adequately address the need for increased highway investment. I invite all members to join me in this cause.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, February 27, the federal debt stood at \$5,349,402,692,025.14.

One year ago, February 27, 1996, the federal debt stood at \$5,016,697,000,000.

Five years ago, February 27, 1992, the federal debt stood at \$3,823,779,000,000 which reflects a debt increase of more than \$1 trillion (\$1,525,623,692,025.14) during the past 5 years.

#### MEASURE PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

S. 378. A bill to provide additional funding for the Committee on Governmental Affairs of the Senate.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1232. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to a change in disease status, received on February 26, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1233. A communication from the Chairman of the Surface Transportation Board, transmitting, pursuant to law, a rule entitled "Exemption of Freight Forwarders" received on February 26, 1997; to the Committee on Commerce, Science, and Transportation.

EC-1234. A communication from the Chairman of the U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the nondisclosure of safeguards information for the period October 1 through December 31, 1996; to the Committee on Environment and Public Works.

EC-1235. A communication from the Chairman of the Advisory Committee On Reactor Safeguards, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the NRC's Safety Research Program; to the Committee on Environment and Public Works.

EC-1236. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, the annual report for calendar year 1996; to the Committee on the Judiciary.

EC-1237. A communication from the Acting General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, a rule entitled "Indemnification of Department of Housing and Urban Development Employees (FR 4143) received on February 24, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-1238. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on monetary policy; to the Committee on Banking, Housing, and Urban Affairs.

EC-1239. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the annual report on the system of internal accounting and financial controls in effect during fiscal year 1996; to the Committee on Governmental Affairs.

EC-1240. A communication from the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-527 adopted by the Council on January 7, 1997; to the Committee on Governmental Affairs.

EC-1241. A communication from the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-528 adopted by the Council on January 7, 1997; to the Committee on Governmental Affairs.

EC-1242. A communication from the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-529

adopted by the Council on January 7, 1997; to the Committee on Governmental Affairs.

EC-1243. A communication from the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-530 adopted by the Council on January 7, 1997; to the Committee on Governmental Affairs.

EC-1244. A communication from the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-531 adopted by the Council on January 7, 1997; to the Committee on Governmental Affairs.

EC-1245. A communication from the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-532 adopted by the Council on January 7, 1997; to the Committee on Governmental Affairs.

EC-1246. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report relative to the International Atomic Energy Agency; to the Committee on Foreign Relations.

EC-1247. A communication from the Senior Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, a report relative to Egypt; to the Committee on Foreign Relations.

EC-1248. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself and Mr. INOUE):

S. 382. A bill to amend chapter 3 of title 28, United States Code, to provide for the appointment in each Federal judicial circuit Court of Appeals, of at least one resident of each State in such circuit, and for other purposes; to the Committee on the Judiciary.

By Mr. D'AMATO:

S. 383. A bill to require the Director of the Federal Emergency Management Agency to provide funds for compensation for expenses incurred by the State of New York, Nassau County and Suffolk County, New York, and New York City, New York, as a result of the crash of flight 800 of Trans World Airlines; to the Committee on Environment and Public Works.

By Mr. CONRAD:

S. 384. A bill to amend the Solid Waste Disposal Act to allow States to regulate the disposal of municipal solid waste generated outside the State; to the Committee on Environment and Public Works.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself and Mr. INOUE):

S. 382. A bill to amend chapter 3 of title 28, United States Code, to provide for the appointment in each Federal judicial circuit court of appeals, of at least one resident of each State in such circuit, and for other purposes; to the Committee on the Judiciary.

THE JUDICIARY APPOINTMENTS ACT OF 1997

Mr. AKAKA. Mr. President, I am pleased to reintroduce the Fairness in