

rules relative to the mining industry, received on May 6, 1997; to the Committee on Finance.

EC-1902. A communication from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting, pursuant to law, a rule relative to Treasury Bills, received on May 12, 1997; to the Committee on Finance.

EC-1903. A communication from the Chairman of the Social Insurance Committee of the American Academy of Actuaries, transmitting, pursuant to law, the annual reports of the Board of Trustees of the Federal Hospital Insurance Trust Fund and the Federal Supplemental Medical Insurance Trust Fund calendar year 1997; to the Committee on Finance.

EC-1904. A communication from the Chairman of the Social Insurance Committee of the American Academy of Actuaries, transmitting, pursuant to law, the report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds for calendar year 1997; to the Committee on Finance.

EC-1905. A communication from the Administrator of the Department of Health and Human Services, transmitting, pursuant to law, the annual report of the Rural Health Care Transition Grant Program for 1997; to the Committee on Finance.

EC-1907. A communication from the Chief of Staff, Officer of the Commissioner, Social Security Administration, transmitting, pursuant to law, the report of rule relative to the Earning Test, (RIN0960-AE60) received on April 22, 1997; to the Committee on Finance.

EC-1908. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed issuance of an export license; to the Committee on Foreign Relations.

EC-1909. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed approval of a manufacturing license agreement; to the Committee on Foreign Relations.

EC-1910. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed issuance of an export license; to the Committee on Foreign Relations.

EC-1911. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed approval of a manufacturing license agreement; to the Committee on Foreign Relations.

EC-1912. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed issuance of an export license; to the Committee on Foreign Relations.

EC-1913. A communication from the Secretary of Defense, transmitting, pursuant to law, the report relative to the semi-annual report on program activities for facilitation of weapons destruction and non-proliferation in the Former Soviet Union; to the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations.

EC-1914. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated March 1, 1997; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition, and Forestry, to the Committee on Armed

Services, to the Committee on Banking, Housing, and Urban Affairs, to the Committee on Energy and Natural Resources, to the Committee on Finance, to the Committee on Foreign Relations, to the Committee on Governmental Affairs, and to the Committee on the Judiciary.

EC-1915. 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 accredited veterinarians, received on May 7, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1916. 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 pork products from Mexico, received on May 7, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1917. 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 pork products from Mexico, received on May 7, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1918. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to pork products, received on May 14, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1919. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to cotton, received on May 12, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1920. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to tobacco, received on May 7, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1921. A communication from the General Sales Manager of the Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to commercial export programs, received on May 12, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1931. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 93-11; to the Committee on Appropriations.

EC-1932. A communication from the Secretary of Defense, transmitting, notices relative to retirements; to the Committee on Armed Services.

#### 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. HELMS (for himself, Mr. FAIRCLOTH, Mr. ASHCROFT, Mr. GRASSLEY, and Mr. SESSIONS):

S. 763. A bill to amend the Gun-Free Schools Act of 1994 to require a local educational agency that receives funds under the Elementary and Secondary Education Act of 1965 to expel a student determined to be in possession of an illegal drug, or illegal

drug paraphernalia, on school property, in addition to expelling a student determined to be in possession of a gun; to the Committee on Labor and Human Resources.

By Mr. SPECTER (for himself, Mr. SANTORUM, and Mr. LAUTENBERG):

S. 764. A bill to reauthorize the mass transit programs of the Federal Government; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOMENICI:

S. Con. Res. 27. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 1998, 1999, 2000, 2001, and 2002; from the Committee on the Budget; placed on the calendar.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS (for himself, Mr. FAIRCLOTH, Mr. ASHCROFT, Mr. GRASSLEY, and Mr. SESSIONS):

S. 763. A bill to amend the Gun-Free Schools Act of 1994 to require a local educational agency that receives funds under the Elementary and Secondary Education Act of 1965 to expel a student determined to be in possession of an illegal drug, or illegal drug paraphernalia, on school property, in addition to expelling a student determined to be in possession of a gun; to the Committee on Labor and Human Resources.

#### EDUCATION LEGISLATION

Mr. HELMS. Mr. President, I have just presented a bill to the clerk, S. 763, the goal of which is to strike a decisive blow in the war against drugs by protecting America's schoolchildren from the scourge of drugs in their classrooms.

Before anyone says, "Here we go again," I counsel all to consider the differences between this bill and anything which was enacted before.

Incidentally, I am honored to be joined in the sponsorship of this measure by several distinguished Senators—Mr. FAIRCLOTH, Mr. ASHCROFT, Mr. GRASSLEY, and Mr. SESSIONS.

Specifically, this legislation will require each school accepting Federal education funds under the Elementary and Secondary Education Act of 1965 to adopt a zero tolerance policy regarding illegal drugs and illegal drug paraphernalia in schools. Zero tolerance means what it sounds like. It requires the expulsion, for not less than 1 year, of any student who possesses this contraband at school. This will send a clear message to students, parents, and teachers: Drugs and schools do not mix.

Illegal drug use is, in my judgment, the most insidious and destructive influence in our country today. Its cost to society, in terms of crime and wasted lives, is enormous. Just think of the innocent babies born already addicted

to drugs; think of the families destroyed because fathers, mothers, or children care more about where they will get their next fix than they do their loved ones; think of the neighborhoods that have been devastated by swaggering drug dealers peddling poison. These terrible things are going on right in the shadow of this Capitol in which the U.S. Senate operates.

Mr. President, Americans have heard these tragic stories so often that some citizens have questioned the wisdom of waging war against drugs. Last fall, California and Arizona voters took the unprecedented step of legalizing the so-called medicinal use of drugs, such as marijuana, heroin, and LSD, and in an outrageous decision reported recently, a Federal judge in San Francisco, Judge Fern Smith, ruled that the Federal Government cannot impose sanctions on doctors who recommend marijuana to their patients, despite the fact that such use remains illegal under Federal law.

Is it not time to say enough is enough? Is it not time to go all out in the drug war? Mr. President, the answers to these questions are obvious: It is time and we must do it. It is time to take every possible step to reverse this retreat from responsibility, and eliminating drugs from America's classrooms is the imperative, inescapable first step.

Anybody wondering if this bill is needed should take a look at the results of the latest "Monitoring the Future" [MTF] study of drug use among America's 8th-, 10th-, and 12th-graders and "The National Household Survey on Drug Abuse" study which measures drug use among the general population. Both studies dramatically confirm what many of us have known: We have lost ground in the war against drugs over the past 4 years. Most disturbing is the shocking increase in illicit drug use by our school-age children.

The findings in the "Monitoring the Future" study are eye-opening: 50 percent of 12th-graders have used illicit drugs during their lifetime; about 25 percent have used drugs during the past 30 days; almost one-third of 8th-graders have used illegal drugs during their lifetime; with about 15 percent of 8th-graders using it in the last 30 days. Marijuana use among 8th- and 10th-graders almost tripled from 1992 to 1996, while 5 percent of 12th-grade marijuana users are daily users.

But perhaps the most distressing finding is that the youngest students surveyed, our 8th-graders, report the highest rate of heroin use. Moreover, the percentage of actual drug use may be even greater than reported, because the MTF does not survey school dropouts. Instead, it relies solely on student self-reporting.

Similarly, "The National Household Survey on Drug Abuse" found startling increases in drug use among teenagers over the last 4 years. For example, the survey found that teen cocaine use increased 166 percent in 1 year, 1994-95;

teen use of LSD and other hallucinogens skyrocketed 183 percent from 1992 to 1995; and the use of marijuana among teenagers soared 141 percent over the same period.

So, Mr. President, it is no coincidence that drug use among our children has skyrocketed. Drug dealers deliberately target our young people to be both consumers and distributors of illicit drugs because our children are our most precious and vulnerable resource. As a result, students report that drugs are now the No. 1 problem they face, far outdistancing any other concern. That, by the way, was the finding of a recent survey conducted by the Center on Addiction and Substance Abuse at Columbia University. And what an alarming conclusion it was, that it is our students who are on the front lines of the war against drugs.

Today, students of all ages have immediate access to a wide variety of drugs that are cheaper and more powerful than those of the past. According to the Center on Addiction and Substance Abuse, 69 percent of 17-year-olds report going to schools where students keep, use, and sell drugs. Here in the Nation's Capital authorities have closed unsafe schools for fire code violations, yet thousands of children still attend drug-infested schools. Billions of dollars spent on schools will accomplish little, Mr. President, if we do not first ensure that our children are safe there.

The relationship between violence and drug use is clear. The most recent national Parents' Resource Institute for Drug Education [PRIDE] survey found that students who carried guns to school were 20 times more likely to use cocaine than those who did not bring a gun to school. Gang members were 12 times more likely to use cocaine, and students who threaten others were 6 times more likely to be coke users.

The findings of a recent Department of Education report prepared by the Research Triangle Institute, in my home State of North Carolina, confirmed the findings of the PRIDE study. The Research Triangle Institute, found—and I quote—"the use of drugs was related to violent behavior in schools. A much larger percentage of current users of alcohol and/or other drugs (32 percent of them) reported being involved in school fights as the aggressors than did current nonusers (14 percent of those students) or students who had never tried drugs (6 percent)."

Mr. President, that report went on to say that 37 percent of the students reported that they are afraid of attacks at school while 29 percent said they feared attacks when traveling to and from school. And, sadly, we must acknowledge that those fears are too often justifiable.

According to the North Carolina Center for the Prevention of School Violence, over 8,100 incidents of school violence were reported in North Carolina

during the last full school year. Possession of a controlled substance, possession of a weapon other than a firearm, and assault on a school employee together accounted for 85 percent of those incidents. That study concluded: "[t]he high number of reported weapon possessions may be reflective of student concern for their own safety, even in schools, since the most often cited reason for carrying weapons \* \* \* is 'protection'."

Parents and Government have a duty to do everything we can to protect children from the ravages of illegal drugs and the crimes spawned by the drug trade. Up until now—I think we ought to be frank with each other and acknowledge that we have failed miserably. It is not enough to prohibit students from taking guns to school if we do not address the reasons why they do so.

Mr. President, Congress addressed the issue of school violence in 1994 with the passage of the Gun-Free Schools Act, which required States to adopt a law mandating the expulsion of any student who brings a gun to school.

During debate on that bill, it was argued that we should state, as a matter of policy, that children should not bring guns to school. In my opinion, the Senate should also state, as a matter of policy, that drugs have no place in school. That is why I am offering today S. 763, a bill which I believe to be a logical and commonsense extension of the 1994 law.

Like that act, the bill sponsored by myself and several other Senators conditions the receipt of Federal education dollars, that is to say, Federal funds, on a State's adoption of a policy requiring the expulsion, for not less than one year, of any student who brings illegal drugs to school. Now, like the Gun-Free Schools Act, this bill does not create a new criminal offense, but it does require schools to refer violators to proper law enforcement authorities.

Both the 1994 act and the bill I am introducing today are flexible. Each bill allows the chief administrative officer of a school district to grant an exemption on a case-by-case basis, and permits, but does not require, school districts to establish alternative education facilities for violators.

So I think the policy is firm, yet fair. The drug trade and the violence associated with it have no place in America's classrooms. Schools should provide an environment that is conducive to learning and supportive of the vast majority of students who are in school to learn. Children and teachers alike deserve a school free of the fear and violence caused by drugs.

Mr. President, on the issue of drugs, many speeches have been made citing respected authorities and a lot of impressive statistics as I have done today. However, nothing any Senator has said on this floor speaks quite as eloquently of our responsibilities as the statement of one of the students

involved in the Research Triangle Institute study who said—and get this, I say to the Chair and other Senators—this student said, “I don’t like how dangerous it is at this school. I just wish the teachers and the rest of the school staff would have better control over their students and keep kids like me safe.”

Isn’t it time for us to give the teachers and school administrators the support they need to remove violence and drug offenders from our schools? I think the answer to that is obvious.

Therefore, Mr. President, the removal of drugs and violence from our schools surely are goals that everybody agrees with. The President, during his State of the Union Address, said that “we must continue to promote order and discipline” in America’s schools by, as he put it, “remov[ing] disruptive students from the classroom, and hav[ing] zero tolerance for guns and drugs in school.”

Obviously, I think the President was right on that one. I do not always agree with him, but you can’t get any clearer than that. I commend him for that statement, and I hope he will support this effort by several of us who are concerned about the safety of our youngsters. I believe that working together, we can eliminate illegal drugs and illegal drug paraphernalia from America’s classrooms.

I ask unanimous consent, Mr. President, that the complete text of the aforementioned bill be printed in the RECORD.

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

S. 763

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

#### SECTION 1. SAFE SCHOOLS.

(a) AMENDMENTS.—Part F of title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8921 et seq.) is amended to read as follows:

##### “PART F—ILLEGAL DRUG AND GUN POSSESSION

#### “SEC. 14601. DRUG-FREE AND GUN-FREE REQUIREMENTS.

“(a) SHORT TITLE.—This section may be cited as the ‘Safe Schools Act of 1997’.

“(b) REQUIREMENTS.—

“(1) IN GENERAL.—Each State receiving Federal funds under this Act shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined—

“(A) to be in possession of an illegal drug, or illegal drug paraphernalia, on school property under the jurisdiction of, or on a vehicle operated by an employee or agent of, a local educational agency in that State; or

“(B) to have brought a weapon to a school under the jurisdiction of a local educational agency in that State, except that such State law shall allow the chief administering officer of such local educational agency to modify such expulsion requirement for a student on a case-by-case basis.

“(2) CONSTRUCTION.—Nothing in this title shall be construed to prevent a State from allowing a local educational agency that has

expelled a student from such a student’s regular school setting from providing educational services to such student in an alternative setting.

“(3) DEFINITION.—For the purpose of this section, the term ‘weapon’ means a firearm as such term is defined in section 921(a) of title 18, United States Code.

“(c) SPECIAL RULE.—The provisions of this section shall be construed in a manner consistent with the Individuals With Disabilities Education Act (20 U.S.C. 1400 et seq.).

“(d) REPORT TO STATE.—Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act shall provide to the State, in the application requesting such assistance—

“(1) an assurance that such local educational agency is in compliance with the State law required by subsection (b); and

“(2) a description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b), including—

“(A) the name of the school concerned;

“(B) the number of students expelled from such school; and

“(C) the type of illegal drugs, illegal drug paraphernalia, or weapons concerned.

“(e) REPORTING.—Each State shall report the information described in subsection (d) to the Secretary on an annual basis.

“(f) REPORT TO CONGRESS.—Two years after the date of enactment of the Safe Schools Act of 1997, the Secretary shall report to Congress with respect to any State that is not in compliance with the requirements of this part.

#### “SEC. 14602. POLICY REGARDING CRIMINAL JUSTICE SYSTEM REFERRAL.

“(a) IN GENERAL.—No funds shall be made available under this Act to any local educational agency unless such agency has a policy requiring referral to the criminal justice or juvenile delinquency system of any student who is in possession of an illegal drug, or illegal drug paraphernalia, on school property under the jurisdiction of, or on a vehicle operated by an employee or agent of, such agency, or who brings a firearm or weapon to a school served by such agency.

“(b) DEFINITIONS.—For the purpose of this section, the terms ‘firearm’ and ‘school’ have the same meaning given to such terms by section 921(a) of title 18, United States Code.

#### “SEC. 14603. DATA AND POLICY DISSEMINATION UNDER IDEA.

“The Secretary shall—

“(1) widely disseminate the policy of the Department in effect on the date of enactment of the Safe Schools Act of 1997 with respect to disciplining children with disabilities;

“(2) collect data on the incidence of children with disabilities (as such term is defined in section 602(a)(1) of the Individuals With Disabilities Education Act (20 U.S.C. 1401(a)(1))) possessing illegal drugs, or illegal drug paraphernalia, on school property under the jurisdiction of, or on a vehicle operated by an employee or agent of, a local educational agency, engaging in life threatening behavior at school, or bringing weapons to schools; and

“(3) submit a report to Congress not later than 1 year after the date of enactment of the Safe Schools Act of 1997 analyzing the strengths and problems with the current approaches regarding disciplining children with disabilities.

#### “SEC. 14604. DEFINITIONS.

“In this part:

“(1) ILLEGAL DRUG.—

“(A) IN GENERAL.—The term ‘illegal drug’ means a controlled substance, as defined in

section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), the possession of which is unlawful under such Act (21 U.S.C. 801 et seq.) or the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.).

“(B) EXCLUSION.—The term ‘illegal drug’ does not mean a controlled substance used pursuant to a valid prescription or as authorized by law.

“(2) ILLEGAL DRUG PARAPHERNALIA.—The term ‘illegal drug paraphernalia’ means drug paraphernalia, as defined in section 422 of the Controlled Substances Act (21 U.S.C. 863), except that the first sentence of section 422(d) of such Act shall be applied by inserting ‘or under the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.)’ before the period.”

(b) EFFECTIVE DATE.—This Act and the amendments made by this Act take effect 6 months after the date of enactment of this Act.

Mr. FAIRCLOTH. Mr. President, I urge my fellow Members of the Senate to support the legislation being introduced today by my distinguished colleague from North Carolina, Senator HELMS—the Safe Schools Act of 1997.

Urgent calls for more and more Federal money for schools to pay for everything from school construction to Internet access are misplaced. I would argue they are misplaced in any case, because decisions about how a school district should allocate its resources are better left at the local and State level. But they are certainly misplaced without a primary commitment to reducing school violence.

Students cannot learn effectively unless they feel safe. It was hard enough to learn in the days when I was in school with the normal distractions—the occasional spitball or gum-smacking student. Now some students worry about whether they will even survive to graduate from high school.

My colleagues have noted the results of several studies which confirm the very strong correlation between school violence and illegal drug use. And we already know the cost illegal drugs have exacted in terms of ruined lives and the breakdown of families. Yet in the past year we have seen two States, California and Arizona, pass laws to legalize the so-called medicinal use of drugs like marijuana, heroin, and LSD. That is why I introduced the Drug Use Prevention Act to impose strict penalties on doctors who prescribe marijuana. As my colleague has noted, a San Francisco Federal judge has recently overruled such penalties. But that particular debate is far from over yet.

Many Americans have concluded that the ground lost in recent years in the war on drugs is not recoverable, that the war is lost. I disagree. Too much is at stake to simply surrender the fight, especially when it comes to providing a safe environment for students in public schools. At the very least, schools should not receive Federal funds unless they refuse to tolerate the presence of drugs as well as firearms on school property.

By Mr. SPECTER (for himself, Mr. SANTORUM and Mr. LAUTENBERG):

S. 764. A bill to reauthorize the mass transit programs of the Federal Government; to the Committee on Finance.

THE MASS TRANSIT AMENDMENTS ACT OF 1997

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation that would reauthorize and expand upon existing Federal mass transit programs. My legislation, the Mass Transit Amendments Act of 1997, is intended to lay the groundwork for the Senate's consideration of mass transit legislation in the context of reauthorizing the 1991 Intermodal Surface Transportation Efficiency Act [ISTEA]. Substantial increases in Federal spending on mass transit are warranted, notwithstanding current budget constraints, because a greater commitment to public transportation is in the national interest. I would note, however, that this legislation is an authorization bill which does not increase the deficit; funds authorized to be spent out of the mass transit account of the highway trust fund would still be subject to the annual appropriations process, which is subject to the discretionary spending caps set in the budget resolution and the 602(b) allocation process.

Transit should not be viewed as a partisan issue or a regional issue. This bill recognizes the valuable role transit plays in reducing our energy dependence, protecting our environment, reducing gridlock, and providing access to jobs, schools, and health care facilities for millions of Americans in urban and rural areas throughout the Nation. In particular, I urge my colleagues to review my proposed reverse commute pilot program, which would authorize \$250 million annually in new grants targeted at improving access to employment for residents in economically distressed urban areas and rural communities.

This bill is intended to encourage the Banking Committee, led by Chairman ALFONSE D'AMATO and Senator PAUL SARBANES, to report to the Senate legislation which will preserve much of the ISTEA transit program but at increased funding levels which reflect the importance of mass transit to our economy, quality of life, and environment. I look forward to working with Senator D'AMATO, Senator SARBANES, and others on the Banking Committee and Appropriations Committee who want to improve the Nation's transit systems through the ISTEA reauthorization process.

This legislation takes into account the transit industry consensus proposal put forth by the American Public Transit Association (APTA), which represents transit systems, large and small, in all 50 States. I am pleased to note that APTA's new president is Bill Millar, whom I had the pleasure of working with for a number of years when he was the executive director of the Port Authority of Allegheny County.

In preparation for the ISTEA reauthorization process and the annual ap-

propriations process, I have met with many individuals in an effort to learn more about the needs of transit systems, the towns and cities in which they operate, and the riders they are trying to serve. In recent months, I have discussed strategies to increase transit funding with Gov. Tom Ridge, Senator RICK SANTORUM, and Chairman BUD SHUSTER. In addition, I have visited with Jack Leary, the general manager of the Southeastern Pennsylvania Transportation Authority (SEPTA), Mayor Tom McGroarty of Wilkes-Barre, and representatives of the Pennsylvania Public Transportation Association. I have also met with transit system officials during my regular visits to Pennsylvania's 67 counties.

I am particularly pleased to be introducing this bill with my distinguished colleague from Pennsylvania, RICK SANTORUM, who has joined with me regularly to increase support for public transportation, such as when we unsuccessfully offered an amendment to the fiscal year 1996 Transportation appropriations bill to restore \$40 million in Federal operating assistance. Both Senator SANTORUM and Gov. Tom Ridge recognize the vital role mass transit plays in Pennsylvania and have worked with me to maximize the Federal resources available to urban and rural transit systems in our State.

I am also pleased that Senator FRANK LAUTENBERG has joined in this bipartisan effort. For two years, Senator LAUTENBERG has joined me in co-chairing an informal Senate transit coalition, which has served as an information clearinghouse for Senate transit supporters and their staffs and which will play an even greater role, I hope, during the reauthorization process.

For some time, I have addressed an ongoing threat to our Nation's security and prosperity, a threat with dual roots—in the precarious Middle East and right here at home. As I stated in a speech on the Senate floor on January 30, 1997, I am very concerned by our nation's increased reliance on potentially unstable foreign sources of oil and believe it is critical that during the 105th Congress, we focus on increasing energy conservation.

I have been troubled that United States imports of foreign oil continue to increase from the current 50-percent level, with 20 percent of our purchases coming from the Arab countries of the Organization of Petroleum Exporting Countries [OPEC]. According to the American Petroleum Institute, we import more than 9 million barrels per day, with a 6-percent increase in 1996 alone. This is a huge jump from the 6 million barrels imported per day in 1973. Further, if these trends continue, analysts say in ten years we will look overseas for two-thirds of our energy needs.

In part because of the ready availability of less expensive sources of foreign oil, it has not been cost-effective for U.S. energy companies to increase

domestic production. Further, the effectiveness of the strategic petroleum reserve has dwindled because it only holds an amount comparable to 75 days of foreign imports, a situation that was not helped by the Clinton administration's decision last year to sell off approximately 25 million barrels of petroleum from the reserve to generate revenues.

The timing for selling our reserves was less than prudent, particularly considering the state of affairs in the Middle East today. Saudi Arabia, in particular, poses unique cause for concern. If a hostile nation seized Saudi oil wells, the largest reserve in the world, the American economy and world markets could tumble. The deplorable June 25, 1996, terrorist attack at the Khobar Towers facility in Dharhan, which resulted in the murders of 19 airmen and the wounding of more than 400 United States personnel, also gives cause for concern because there is a strong possibility of links to internal domestic struggles in Saudi Arabia. Pressure is mounting from politically activist and conservative Islamic movements to undermine the ruling monarchy, who are viewed by some to be too liberal and western. If American access to Persian Gulf oil cannot be guaranteed, then the United States must reduce its dependence on foreign oil.

While reducing our dependence on foreign oil is a difficult task, we can achieve meaningful reductions in energy consumption by promoting the use of public transportation. On the significant link between energy consumption and our transportation infrastructure, a Department of Transportation study of the 50 largest urban areas in the United States suggests that nearly 4 billion gallons of gasoline a year are wasted due to traffic congestion—approximately 94 million barrels of oil. There is much at stake, for the annual economic loss to businesses in the United States caused by traffic congestion is estimated at \$40 billion by the Federal Transit Administration.

Mass transit has developed to include traditional bus and subway lines, commuter rail, cable cars, monorails, water taxis, and several other modes of shared transportation. Public transportation is a lifeline for millions of Americans and deserves substantial funding for that reason alone. However, it deserves even greater funding when one considers that public transportation saves 1.5 billion gallons of fuel consumption annually in the United States and that each commuter who switches from driving alone to using public transportation saves 200 gallons of gasoline per year, according to government and private studies.

Transit also does much to protect our environment. For example, on May 12, I visited the site of the proposed Frankford Intermodal Center in Philadelphia, which will be built on the site of the existing Bridge-Pratt terminal. At present, the terminal serves 40,000 El passengers daily, translating into

17,600 fewer cars on the road each day and mitigating the release of 16,500 pounds of pollutants into the city's air. The new facility is expected to attract new ridership, taking more cars off the streets and reducing pollution even further. But, without increases in transit capital assistance programs, projects such as the Frankford Center will be difficult to get off the drawing boards.

There are ample other reasons to increase our commitment to transit funding. In our States, citizens and communities depend on good public transportation for mobility, access to jobs, environmental control, and economic stability. Public transportation lets the elderly visit their health care providers, shops, or friends. In rural areas, buses are essential to reduce isolation and ensure economic development. Also, children use public transportation to go to school. Without affordable mass transit, people in America's inner cities can't get to work. Under the welfare reform law enacted last year, there are expectations that most individuals receiving welfare benefits will find gainful employment. If they can't afford to get to work, or bus routes are cut, we are just making it that much harder for them to get off welfare. It should also be noted that millions of Americans have jobs in the transit industry, operating and maintaining buses and subways, manufacturing vehicles, and constructing new facilities.

I am troubled that some have proposed freezing Federal transit spending around \$4.4 billion. Transit systems depend to a great degree on Federal assistance in order to remain viable. A survey by my staff of 18 Pennsylvania transit operators shows that they receive an average of 26.7 percent of their total operating and capital funding from the Federal Transit Administration. In addition, SEPTA receives 15 percent of its overall funding from the Federal Government—55 percent of its capital funds—and the Port Authority of Allegheny County receives 32.9 percent from FTA. Reductions in Federal operating and capital support cannot necessarily be made up by local sources. Further, if the systems must cut routes, increase fares, and let their facilities fall into disrepair, they will lose the critical mass of riders needed to sustain operation. The Department of Transportation has calculated that \$13 billion in annual transit capital spending is needed just to preserve current conditions—\$7 billion more than current capital expenditures—demonstrating the great need to increase, rather than freeze, Federal support.

Responding to this need, my legislation includes several provisions to strengthen our transit systems and enable them to respond to our society's growing need for efficient and affordable public transportation.

First, the bill reauthorizes transit programs for 5 years at a total of \$34.4 billion through fiscal year 2002. For fiscal year 1997, total transit appropria-

tions are \$4.3 billion. Under my bill, the fiscal year 1998 authorization would be \$6.5 billion and this figure would be adjusted up for inflation through fiscal year 2002. The authorization is based on calculations of available gasoline tax receipts in the mass transit account of the highway trust fund, considering past surpluses and the additional revenue stream that would be created by diverting a portion of the 4.3 cent per gallon gas tax increase from 1993 into this account. While the \$6.5 billion figure may seem substantial to some, I would note that Congress enacted in ISTEA in 1991 a \$7.45 billion authorization for fiscal year 1997 in recognition of the importance of investing in public transportation. We have been remiss in not meeting the ISTEA authorization levels. We must do better under its successor legislation.

Under my proposal, discretionary capital grants for new starts, rail modernization, bus acquisitions, and bus facility construction would rise from the current \$1.9 billion to \$2.5 billion in fiscal year 1998. Formula capital grants would rise from current \$2.2 billion to \$3.5 billion in fiscal year 1998, meaning more funds for urbanized areas, rural areas, and elderly and disabled program needs. My legislation also preserves operating assistance within the formula program for all areas, unlike pending proposals to eliminate it in fiscal year 1998.

The bill's truth in taxation provision redistributes the 4.3 cent per gallon gasoline tax which is currently going to deficit reduction in the following manner: 0.76 cents to the mass transit account of highway trust fund, 0.5 cents to a new intercity passenger rail trust fund that would serve as a dedicated source of revenue for Amtrak and is identical to the legislation introduced by Senator ROTH (S. 436), and the remaining 3.04 cents to the highway trust fund. I have long argued that gas tax receipts should be used for the transportation infrastructure purposes for which the tax was enacted and that to do otherwise is comparable to the crime of fraudulent conversion, which I used to prosecute as District Attorney in Philadelphia. When people pay Federal taxes at the gas station, they are under the impression that their funds will be used to improve highways and roads and other forms of transportation infrastructure. Accordingly, it is time to redirect the 1993 gas tax increase to its traditional purposes.

As I noted earlier, a new proposal for a reverse commute pilot program is also included in my bill. In order to stimulate economic development and help individuals in both urban and rural areas obtain meaningful employment and job training, the bill authorizes a new \$250 million per year discretionary grant program for the Secretary of Transportation to provide funds to States, local governments, and transit systems for pilot projects providing access to suburban jobs and job

training to residents of distressed urban areas with a population of over 50,000 and for pilot projects involving access to employment in rural areas as well. Funding uses could include, but are not limited to, grants to employers to purchase/lease a van or bus dedicated to shuttling employees from inner cities to suburban workplaces. Grants could also fund additional reverse commute bus routes or commuter rail operations. Such grants are intended to serve as seed money that will generate self-sustaining commute options for years to come. 954 distressed urban areas currently meet the definition contained in the bill.

This program would not come at the expense of transit core formula and discretionary programs. The reverse commute pilot program would be a separate program and as a member of the Transportation Appropriations Subcommittee, given the importance of helping increase mobility for Americans seeking good jobs, I would urge my colleagues to fund it above and beyond the traditional formula and discretionary grant programs, for which there is already a great need for funds.

My legislation also includes several technical program changes that will benefit transit systems of all sizes. My bill would allow the use of capital grants for maintenance of capital assets, such as buses, subways, which is currently not allowed. It would allow the smallest urban and rural transit systems complete flexibility between use of capital and operating assistance for various needs. It would also allow transit systems that sell capital assets—bought in part with Federal funds—to keep the proceeds and reinvest in new capital assets, rather than returning some small share of the proceeds to the Federal Transit Administration. This is intended to stimulate acquisitions of new equipment and vehicles by such systems.

In conclusion, I urge my colleagues to consider supporting this authorizing legislation, which would spend out funds accumulating in the mass transit account of the highway trust fund, subject to the appropriations process and not in a manner that increases the deficit. I hope that this bill will stimulate debate in the Senate on the need to increase our commitment to mass transit and I look forward to the opportunity to work with the Banking Committee and the Appropriations Committee in the coming months.

I ask unanimous consent to include in the RECORD a brief summary of the bill and four letters in support of the Mass Transit Amendments Act of 1997 from Mr. William W. Millar, president of the American Public Transit Association, Mr. Armando V. Greco of the Lehigh and Northampton Transportation Authority, Mr. Paul Skoutelas, executive director of the Port Authority of Allegheny County, and Mr. Sonny Hall, international president of the Transport Workers Union of America.

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

SUMMARY OF MASS TRANSIT AMENDMENTS  
ACT OF 1997

1. Reauthorizes transit programs for five years at a total of \$34.4 billion through FY 2002

FY97 total transit spending: \$4.3 billion appropriated (FY97 authorization \$7.45 billion) Proposed FY98 authorization: \$6.5 billion (adjusted up for inflation through FY2002)

Discretionary capital grants up from current \$1.9 billion to \$2.5 billion in FY98

Formula capital grants up from current \$2.2 billion to \$3.5 billion in FY98, meaning more funds for urbanized areas, rural areas, and elderly and disabled program needs

Preserves operating assistance within formula program for all areas

Continues funding for transit planning and research

2. "Truth in Taxation" provision redistributes the 4.3 cent/gallon gasoline tax which is currently going to deficit reduction in the following manner:

0.76 cents to Mass Transit Account of Highway Trust Fund

0.5 cents to a new Intercity Passenger Rail trust fund (identical to Roth Amtrak bill S. 436)

3.04 cents to Highway Trust Fund

3. "Reverse Commute Pilot Program"—In order to stimulate economic development and help individuals in both urban and rural areas obtain meaningful employment and job training, the bill authorizes a new \$250 million/year discretionary grant program for the Secretary of Transportation to provide funds to States, local governments, transit systems, and private non-profit organizations for pilot projects providing access to suburban jobs and job training to residents of distressed urban areas with a population of over 50,000 and for pilot projects involving access to employment in rural areas as well. Funding uses could include, but are not limited to, grants to employers to purchase/lease a van or bus dedicated to shuttling employees from inner cities to suburban workplaces. Grants could also fund additional reverse commute bus routes or commuter rail operations. 954 "distressed urban areas" currently meet the definition contained in the bill. Grants will be made where they are coordinated with local transportation and human resource services.

4. Technical program changes that will benefit transit systems of all sizes—

Allows use of capital grants for maintenance of capital assets (such as buses, subways) which is currently not allowed.

Allows smallest urban and rural transit systems complete flexibility between use of capital and operating assistance for various needs.

Allows transit systems that sell capital assets (bought in part with federal funds) to keep the proceeds and reinvest in new capital assets.

Amends list of factors to be considered by Metropolitan Planning Organizations to include the transportation requirements of a strategy to revitalize the Nation's inner cities by creating new employment, job training, housing, mobility, and other economic development given the importance of helping increase mobility for Americans seeking good jobs.

AMERICAN PUBLIC  
TRANSIT ASSOCIATION,  
Washington, DC, May 13, 1997.

Hon. ARLEN SPECTER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SPECTER: On behalf of the American Public Transit Association

(APTA), I want to thank you for introducing the Mass Transit Amendments Act of 1997, a bill to reauthorize the federal transit program. APTA strongly supports the Mass Transit Amendments Act of 1997. The bill would build on the success of the Intermodal Surface Transportation Efficiency Act (ISTEA) and increase investment in the nation's transit infrastructure.

Adequate investment in the nation's transit infrastructure is essential to a healthy economy; the movement of people, services, and goods; access to health care, education, and jobs. The Mass Transit Amendments Act would increase investment in the federal transit program providing \$34.4 billion for transit program over five years.

Your proposal also recommends a number of substantial and innovative changes to current law which we strongly support. It permits a wide range of maintenance activities to be funded with capital funds and grants small urbanized areas the authority to use formula funding for capital or operating expenses. The bill recommends the use of the 4.3 cents fuels tax that now goes to deficit reduction for transportation purposes, including intercity passenger rail and proposes a number of changes aimed at making program delivery more efficient. We are pleased to note that many of the provisions of your bill are consistent with APTA's ISTEA reauthorization proposal, which has been endorsed by our membership.

The Mass Transit Amendments Act will help us address the nation's transit needs, and you can count on APTA's membership to support this important legislation.

Sincerely yours,

WILLIAM W. MILLAR,  
President.

PORT AUTHORITY  
OF ALLEGHENY COUNTY,  
Pittsburgh, PA, May 19, 1997.

Hon. ARLEN SPECTER,  
U.S. Senator,  
Washington, DC.

DEAR SENATOR SPECTER: I am writing to express my strong appreciation for your leadership in developing legislation to reauthorize federal programs supporting public transportation. The \$6.5 billion annual funding level for transit proposed in your legislation recognizes the need for additional reinvestment and expansion in our public transportation infrastructure. Your legislation also recognizes the importance of continuing the strong federal-state-local partnership that has been so successful in funding public transportation.

Public transportation is a vital component of economic development strategies in Allegheny County. The capital investment programs outlined in your bill recognize this important relationship. Providing access to jobs is another area of fundamental importance to our economic systems. Your legislation addresses this in your innovative welfare to work program and in other policy initiatives. Still another priority is the need for transit providers to have the flexibility of using funds in accordance with the needs they know best. Again, your legislation establishes this important new direction in the federal program.

On a typical weekday over 250,000 riders use Port Authority to travel to and from their jobs, to shop, to worship, to go to school, or to pursue other social and professional needs. Public transportation provides daily mobility to the millions who use it for its convenience, cost savings, and to those who have no alternative means of transportation.

We are grateful to you, your cosponsors Senator Santorum and Senator Lautenberg, and your Senate colleagues who have stepped

forward as advocates for national transportation policies fostering mobility and balanced transportation alternatives. I look forward to working with you as this legislation is considered in the coming months.

Sincerely yours,

PAUL P. SKOUTELAS,  
Executive Director.

TRANSPORT WORKERS UNION OF  
AMERICA,  
New York, NY, April 21, 1997.

Hon. ARLEN SPECTER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SPECTER: I am writing to congratulate you on the introduction of the Mass Transit Amendments Act of 1997. The Transport Workers Union strongly supports this legislation because it increases the money available for mass transit and preserves crucial 13(c) protections for our members. We also commend you for the provisions in the bill which allow use of capital grants for maintenance of capital assets—an idea the TWU has supported for many years.

The TWU is grateful that you have again stepped forward to support mass transit and mass transit workers. We hope that the progressive concepts in your legislation will be enacted and we will do all we can to assist you in achieving that result.

Sincerely,

SONNY HALL,  
International President.

LEHIGH AND NORTHAMPTON,  
TRANSPORTATION AUTHORITY,  
Allentown, PA.

Hon. ARLEN SPECTER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SPECTER: For the Lehigh and Northampton Transportation Authority, I extend a thank you for the time you afforded us during our recent visit to Washington. Your continued support for Pennsylvania public transportation is very much appreciated.

As part of the visit you shared with us the draft of the Mass Transit Amendments Act of 1997 and requested comments. Several items are listed below for your consideration, but I must begin by noting our general concurrence and support for the program changes and funding levels proposed. LANTA and the PA transit industry is prepared to support your legislative effort.

The items for change are as follows:

1. The reverse commute program should permit rural pilot projects as well as urban.  
2. The population threshold for distressed urban areas should be set at 50,000.

Both of these changes are based on experiences LANTA has encountered in the communities adjacent to the Lehigh Valley. Access to employment is a problem found in all communities without regard to size.

Again, thank you. We look forward to working with you as ISTEA moves through the reauthorization process.

Sincerely,

ARMANDO V. GRECO,  
Executive Director.

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. ROTH, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 2, a bill to amend the Internal Revenue Code of 1986 to provide tax relief for American families, and for other purposes.