

# INTERMODAL TRANSPORTATION ACT OF 1997

• Mr. ABRAHAM. Mr. President, I rise to comment on the Senate Environment and Public Works Committee's report on S. 1173, the Intermodal Transportation Act of 1997. The sponsors of this legislation argue that it will provide an adequate level of federal highway funds, distributed equitably among the states, so as to meet our surface transportation needs over the next six years. I wish I could be as optimistic, but I have concerns that this bill will simply perpetuate the intolerable situation under which donor states, like Michigan, have been forced to suffer.

There are two basic fundamental flaws with our current surface transportation funding process that must be addressed in order to provide every state the ability to meet its highway needs. First, the vast disconnect between how much an individual state contributes to the Highway Trust Fund and how much it receives in Federal highway aid must be bridged. Second, the vast disconnect between how much the Federal government takes into the Highway Trust Fund from gas taxes, and the total amount it distributes to the states in Federal highway aid must also be bridged. Until these two problems are properly addressed, donor states such as Michigan shall be forced to suffer under a inequitable system that is neither justified nor effective.

The bill to be reported out of the Environment and Public Works Committee, S. 1173, the Intermodal Transportation Act attempts to rectify the problem of this unequal distribution among the states by allegedly guaranteeing each state a 90-percent return on the gas taxes it contributes to the Highway Trust Fund. Unfortunately, this will not be the case. In FY 98, Michigan is expected to contribute over \$795 million in gas taxes to the Highway Account of the Highway Trust Fund. Nonetheless, according to data provided by the sponsors of S. 1173, this new distribution formula will provide only \$686 million in federal highway aid to Michigan, an 86-percent rate of return. And it only gets worse, for by FY 2003, when Michigan is projected to contribute \$1.07 billion in gas taxes, it will receive only \$726 million in federal highway aid, down to a 68-percent rate of return. Even these funding levels are just \$5.7 billion per year more than the average ISTEA levels for Michigan. This formula, Mr. President, is far away from what I would call a fair means of distributing this country's limited highway dollars. I will stand firmly against any measure that perpetuates this inequality.

As for the issue of overall funding levels, S. 1173 does not address the Federal government's unfair practice of collecting gas taxes from American motorists, while refusing to expend them. We know this process to be a sleight of hand scheme by which the Federal government shirks the full

burden of responsibility for the true size of the budget deficit. Years ago, American motorists were told that a gas tax would be collected as a "user fee" to provide a "pay-as-you-go" funding source for the Interstate Freeway System. They should expect the taxes they pay at the pump to be necessary to maintain the roads upon which they drive, and to be spent on those roads. In my opinion, when those taxes are not used for transportation purposes, the American motorist can rightfully conclude either those taxes are not necessary, or more likely, are being unjustly withheld from their proper use.

The Taxpayer Relief Act of 1997 took an important step towards correcting this unjustified withholding by transferring gas tax revenues which previously were being directed to the general revenue back to the Highway Trust Fund. These 4.3 cents of gas tax represent almost \$5 billion in additional revenue for the Trust Fund, an account that will grow to over \$30 billion in annual revenue by 2003. Yet the Intermodal Transportation Act only authorizes funding levels of approximately \$24 billion per year, continuing to withhold nearly \$6 billion per year in highway gas taxes to mask the deficit's true size, while allowing the continuation of wasteful government programs. Even under the unfair distribution formulas found in ISTEA, these \$6 billion additional dollars would represent over \$150 million in extra federal aid per year for Michigan, an increase of about 25 percent.

Mr. President, it is clear what we must now do. Any successor legislation to ISTEA must guarantee each and every state at least 95 cents in federal highway aid for every dollar it sends to Washington in gas taxes. The entire justification for this historically unfair distribution, a distribution scheme that forces states like Michigan to suffer as donor states, is rendered moot with the completion of the Interstate System, a declaration made six years ago in the very opening paragraph of ISTEA, to recognize America entering an era in which new construction transportation projects are started to fulfill regional, not national, demands.

Furthermore, Mr. President, we must stop withholding highway funds from the states. The successor legislation to ISTEA must guarantee that all the states are provided the opportunity to use all the revenues raised by gas taxes. Therefore, we must ensure that legislation is in place that will force the Federal government to spend on our highways an amount at least equal to that amount raised in gas taxes. Absent that, we must provide an opportunity for the States to raise their own gas tax revenues by repealing that portion of the gas tax not needed to fund the federal aid highway program, thereby allowing the states to raise, and keep for their roads, the gas tax revenues that would otherwise be siphoned off to unscrupulously mask the true size of the federal deficit and

unjustifiably continue unnecessary federal spending.

Many of my colleagues are raising very similar concerns, Mr. President, and the next few weeks will likely see an intense debate on this issue. For my constituents in Michigan, no issue is more important than the federal road funding process, and I commit to them all my resources and efforts to rectify this inequitable situation. I will be joining many of my colleagues in proposing alternative methods of distributing our federal road funds so as to not only make it fairer for individual states, but also to ensure that the entire National Highway System, and our States' road system, are adequately maintained. And when Members of this Senate are able to score quick increases in their State's share of the federal dollar by threatening a filibuster, it makes the rest of us wonder what might be the most effective way for us to improve our States' situation. I plan to offer a series of amendments to address the fundamental issues I have discussed today, as well as proposals that will streamline. Only time will tell, Mr. President, but I trust we will be able to work together and derive an equitable and mutually beneficial funding solution. •

## THE NOMINATION OF PETER SCHER TO BE SPECIAL TRADE AMBASSADOR FOR AGRICULTURE

• Mr. FEINGOLD. Mr. President, I want to make a few brief comments regarding the nomination of Mr. Peter Scher to be the Special Trade Ambassador for Agriculture which this Senate is considering today. I am pleased to report that the Senate Foreign Relations Committee, on which I serve, considered the nomination of Mr. Scher and favorably reported his nomination yesterday.

I met with Mr. Scher following his confirmation hearing before the Senate Foreign Relations Committee to discuss with him the problems Wisconsin's agricultural sector has had with our existing trade agreements such as the Uruguay Round of GATT and the North American Free Trade Agreement. I urged Mr. Scher, in his new position, to work diligently to ensure that our trading partners are complying with their agricultural trade obligations established by these agreements.

Specifically, I asked Mr. Scher and the USTR to accept a section 301 petition filed by the dairy industry asking USTR to challenge the Canadian export pricing scheme before the World Trade Organization. Canada's dairy export subsidies violate the export subsidy reduction commitments under the Uruguay Round. These subsidies disadvantage the United States dairy industry in its efforts to compete in world markets. I also pointed out that Canada also has effectively prohibited our dairy industry from exporting

products to lucrative Canadian markets. Not only must USTR aggressively pursue WTO dispute settlement proceedings against Canadian export subsidies, but it must also seek greater access for United States dairy products to Canadian markets, among others, in any upcoming trade negotiations.

I also raised with Mr. Scher the problems the United States potato industry has had with respect to access to both Canadian and Mexican markets. I urged him to pursue negotiations with the Canadians to allow greater access of United States potatoes to their domestic markets and to aggressively seek accelerated reduction in Mexican tariffs for United States potatoes, a commitment made to potato growers when NAFTA was approved. Mr. Scher assured me that potatoes would be among the commodities to be considered in upcoming negotiations with Mexico.

I believe Mr. Scher has a fundamental understanding of both the importance of trade to agriculture generally and of the complex trade problems the U.S. dairy industry faces regarding compliance with existing trade agreements. For that reason, I support the approval of his nomination. But I expect USTR, with Mr. Scher acting as Ambassador, to aggressively pursue the resolution of the critical issues facing our domestic dairy and potato sectors. I will continue to work with USTR to resolve these issues and will hold Mr. Scher to his commitment that USTR will use all existing tools to ensure compliance with existing trade agreements and to pursue greater access for agriculture to international markets.

I continue to have serious reservations about United States efforts to begin new trade negotiations until the problems with our current bilateral and multilateral agreements are successfully resolved. Wisconsin is home to 24,000 dairy farmers, 140 cheese processing plants and many other businesses associated with milk production and processing. Dairy contributes some \$4 billion in income to Wisconsin's economy and provides 130,000 jobs. Wisconsin is also the fifth largest potato producing State with a large chip and french fry processing sector. Overall, Wisconsin ranks 10th in the Nation in farm numbers and 9th nationally with respect to market value of agricultural products sold.

Wisconsin's farmers and food processing industry could greatly benefit by gaining a greater share of international markets. However, for that to happen, our trade agreements must not only be fair, they must be enforceable. To date, our trade agreements have not only failed to provide significant benefits for many agricultural sectors, including dairy, they have placed some sectors at a distinct disadvantage. I will look at all future trade agreement proposals with an eye to these issues and make decisions on those proposals based, in part, on how they treat Wisconsin farmers.●

#### MEASURE PLACED ON CALENDAR—S. 25

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 25, and the bill be placed on the calendar.

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

#### EXPRESSING THE SENSE OF THE SENATE THAT INDIVIDUALS AF- FECTED BY BREAST CANCER SHOULD NOT BE ALONE IN THEIR FIGHT AGAINST THE DIS- EASE

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the Labor Committee be discharged from further consideration of Senate resolution 85 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 85) expressing the sense of the Senate that individuals affected by breast cancer should not be alone in their fight against the disease.

The Senate proceeded to consider the resolution.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed at the appropriate place in the RECORD.

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

The resolution (S. Res. 85) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

#### S. RES. 85

Whereas individuals with breast cancer need a support system in their time of need;

Whereas breast cancer is a disease of epidemic proportions, with 43,900 individuals in the United States expected to die from breast cancer in 1997, and 1 out of every 8 women in the United States expected to develop breast cancer in her lifetime;

Whereas the millions of family members, including spouses, children, parents, siblings, and other loved ones of persons with breast cancer can offer strong emotional support to each other in addition to the support they offer to patients and survivors dealing with their challenges;

Whereas it is important that the United States as a whole support the family members and other loved ones of individuals with breast cancer in addition to supporting the individual with breast cancer; and

Whereas 1997 brings the 25th anniversary of the National Cancer Program providing research, training, health information dissemination, and other programs with respect to the cause, diagnosis, prevention and treatment of cancer, rehabilitation from cancer, and the continuing care of cancer patients and their families: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that an environment be encouraged where—

(1) the family members and loved ones of individuals with breast cancer can support each other in addition to the individual with breast cancer; and

(2) everything possible should be done to support both the individuals with breast cancer as well as the family and loved ones of individuals with breast cancer through public awareness and education.

#### THE 25TH ANNIVERSARY OF THE ESTABLISHMENT OF THE FIRST NUTRITION PROGRAM FOR THE ELDERLY UNDER THE OLDER AMERICANS ACT OF 1965

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the Labor Committee be discharged from further consideration of Senate Concurrent Resolution 11, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 11) recognizing the 25th anniversary of the establishment of the first nutrition program for the elderly under the Older Americans Act of 1965.

The Senate proceeded to consider the concurrent resolution.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and further ask unanimous consent that the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed at the appropriate place in the RECORD.

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

The concurrent resolution (S. Con. Res. 11) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

#### S. CON. RES. 11

Whereas older individuals who receive proper nutrition tend to live longer, healthier lives;

Whereas older individuals who receive meals through the nutrition programs carried out under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) have better nutrition than older individuals who do not participate in the programs;

Whereas through the programs 123,000,000 meals were served to approximately 2,500,000 older individuals in congregate settings, and 119,000,000 meals were served to approximately 989,000 homebound older individuals, in 1995;

Whereas older individuals who participate in congregate nutrition programs carried out under the Act benefit not only from meals, but also from social interaction with their peers, which has a positive influence on their mental health;

Whereas every dollar provided for nutrition services under the Older Americans Act of 1965 is supplemented by \$1.70 from State, local, tribal, and other Federal funds;

Whereas home-delivered meals provided under the Act are an important part of every community's home and community based long-term care program to assist older individuals to remain independent in their homes;