The PRESIDING OFFICER. The amendment will be so modifed.

The amendment (No. 1679), as modified, is as follows:

On page 65, line 22, before the period at the end of the line, insert the following '': *Provided*, That it is the sense of the Senate funds made available under this heading shall be used for the submission to the appropriate committees of Congress by the Inspector General, a report on the extent to which air carriers and foreign carriers deny travel to airline consumers with non-refundable tickets from one carrier to another.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 1679), as modified, was agreed to.

Mr. SHELBY. I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2561

Mr. SHELBY. Mr. President, I ask unanimous consent that when the Senate considers the conference report to accompany the DOD authorization bill, the conference report be considered as having been read. I further ask that there be 2 hours for debate, to be equally divided between Senators WARNER and LEVIN or their designees, and following the conclusion or yielding back of time, the Senate proceed to vote on adoption of the conference report, without any intervening action or debate.

I further ask consent that the Senate consideration of the conference report not be in order prior to 5:30 p.m. on Tuesday, September 21, 1999.

Mr. CHAFEE. Mr. President, if I understand this correctly, what will happen now is there will be a period of 2 hours on DOD?

Mr. SHELBY. That starts Tuesday, September 21.

Mr. CHAFEE. How about on this Transportation legislation?

Mr. SHELBY. We are close to completing that. We are hoping to wind that up in the next few minutes.

Mr. CHAFEE. So we go to third reading.

Mr. SHELBY. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2587

Mr. SHELBY. Mr. President, I further ask unanimous consent that at 9:30 a.m. on Friday, September 17, the Senate proceed to the consideration of the conference report to accompany H.R. 2587, the D.C. appropriations bill, and it be considered as follows: The report be considered as read, and there be 30 minutes of debate equally divided in the usual form.

I further ask consent that following that debate the Senate proceed to a vote on the adoption of the conference report with no intervening action or debate.

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

Mr. SHELBY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

Mr. KERRY. I ask unanimous consent that I be permitted to proceed as in morning business for a few minutes, not very long.

Mr. THOMAS. Mr. President, I hope it could be limited to 5 minutes.

Mr. KERRY. Mr. President, it would be just about 5 minutes. If I could have a little leeway, I would appreciate it.

Mr. THOMAS. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The time limit is 5 minutes.

The Senator from Massachusetts.

Mr. KERRY. I thank the Chair.

(The remarks of Mr. KERRY and Mr. SARBANES pertaining to the introduction of S. 1594 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KERRY. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. SHELBY. Mr. President, we are trying to get to the end of the Transportation appropriations bill. I think we are close. Maybe we can wind it up in just a few minutes and get a vote. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 1673, 1667, AND 1666, AS MODIFIED

Mr. SHELBY. Mr. President, I ask the Chair to lay before the Senate amendments numbered 1673, 1667, and 1666, as modified.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments en bloc.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY], for Mr. REID, proposes an amendment numbered 1673.

The Senator from Alabama [Mr. SHELBY], for Mr. THOMAS, for himself and Mr. ENZI, proposes an amendment numbered 1667.

The Senator from Alabama [Mr. SHELBY], for Mr. DURBIN, proposes an amendment numbered 1666, as modified.

The amendments (Nos. 1673, 1667, and 1666, as modified) are as follows:

AMENDMENT NO. 1673

At an appropriate place in the Federal-aid Highways (Limitations on Obligations) (Highway Trust Fund) section insert the following: ''*Provided further*, That, notwithstanding any other provision of law, the Secretary shall, at the request of the State of Nevada, transfer up to $10,000,000 of Minimum Guarantee apportionments, and an equal amount of obligation authority, to the State of California for use on High Priority Project No. 829 'Widen I–15 in San Bernardino County,' Section 1602 of Public Law 105–178.''

AMENDMENT NO. 1667

At the appropriate place in the bill, insert the following new section:

SEC. . For purposes of Section 5117(b)(5) of the Transportation Equity Act for the 21st Century, the cost sharing provisions of Section 5001(b) of that Act shall not apply.

AMENDMENT NO. 1666, AS MODIFIED

(Purpose: To express the sense of the Senate regarding the need for reimbursement to the Village of Bourbonnais and Kankakee County, Illinois, for crash rescue and cleanup incurred in relation to the March 15, 1999, Amtrak train accident)

At the appropriate place, insert the following:

SEC. . (a) FINDINGS.—The Senate finds that the Village of Bourbonnais, Illinois and Kankakee County, Illinois, have incurred significant costs for the rescue and cleanup related to the Amtrak train accident of March 15, 1999. These costs have created financial burdens for the Village, the County, and other adjacent municipalities.

(b) The National Transportation Safety Board (NTSB) conducted a thorough investigation of the accident and opened the public docket on the matter on September 7, 1999. To date, NTSB has made no conclusions or determinations of probable cause.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that the Village of Bourbonnais, Illinois, Kankakee County, Illinois, and any other related municipalities should consistent with applicable laws against any party, including the National Railroad Passenger Corporation (Amtrak), found to be responsible for the accident, be able to recover all necessary costs of rescue and cleanup efforts related to the March 15, 1999, accident.

Mr. SHELBY. Mr. President, these amendments have been cleared by both sides; therefore, I urge their immediate adoption.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the amendments, en bloc.

The amendments (Nos. 1666, 1667, and 1673, as modified), en bloc, were agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1680

Mr. SHELBY. Mr. President, I send an amendment to the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY], for himself and Mr. LAUTENBERG, proposes an amendment numbered 1680.

Mr. SHELBY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 7, line 22, before the period, insert the following: '': *Provided further*, That the Secretary of Transportation shall use any surplus funds that are made available to the Secretary, to the maximum extent practicable, to provide for the operation and maintenance of the Coast Guard''.

On page 18, lines 4 and 5, strike ''notwithstanding Public Law 105–178 or any other provision of law,''.

On page 18, line 24, insert after ''Code:'' insert the following: ''*Provided further*, That $6,000,000 of the funds made available under 104(a) of title 23, United States Code, shall be made available to carry out section 5113 of Public Law 105–178:''.

On page 19, lines 12 and 13, strike ''notwithstanding any other provision of law,''.

On page 20, lines 7 and 8, strike ''notwithstanding any other provision of law,''.

On page 20, line 12, strike all after ''That'' through ''of law,'' on line 21.

On page 20, line 22, strike ''not less than'' and insert the following: ''$5,000,000 shall be made available to carry out the National Differential Global Positioning System program, and''.

On page 22, line 15, strike ''Notwithstanding any other provision of law, for'' and insert the following: ''For''.

On page 24, lines 4 through 8, strike: '': *Provided further*, That none of the funds made available under this Act may be obligated or expended to implement section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (42 U.S.C. 405 note)''.

On page 40, between lines 14 and 15, insert the following: ''Gees Bend Ferry facilities, Wilcox County, Alabama''.

On page 40, between lines 16 and 17, insert the following: ''Georgia Regional Transportation Authority, Southern Crescent Transit bus service between Clayton County and MARTA rail stations, Georgia''.

On page 42, between lines 17 and 18, insert the following: ''Jasper buses, Alabama''.

On page 43, line 16, insert after ''Lane County, Bus Rapid Transit'' the following: ''buses and facilities''.

On page 44, between lines 12 and 13, insert the following: ''Los Angeles/City of El Segundo Douglas Street Green Line connection''.

On page 47, between lines 4 and 5, insert the following: ''Newark intermodal center, New Jersey''.

On page 48, between lines 14 and 15, insert the following: ''Parkersburg intermodal transportation facility, West Virginia''.

On page 56, strike line 18, and insert the following: ''Dane County/Madison East-West Corridor''.

On page 57, between lines 19 and 20, insert the following: ''Northern Indiana South Shore commuter rail project;''.

On page 59, line 10, strike ''and the''.

On page 59, line 11, after ''projects'' insert the following: ''; and the Washington Metro Blue Line extension—Addison Road''.

On page 61, strike lines 1 and 2, 11 and 12.

On page 62, strike lines 1 and 2.

On page 62, line 4, strike ''and the'' and insert: ''Wilmington, DE downtown transit connector; and the''.

On page 80, line 24, strike ''; and'' and insert ''.''.

On page 81, strike lines 1 through 8.

On page 90, strike lines 4 through 22, and insert the following:

''SEC. . (a) None of the funds in this act shall be available to execute a project agreement for any highway project in a state that sells drivers' license personal information as defined in 18 U.S.C. 2725(3) (excluding individual photograph), or motor vehicle record, as defined in 18 U.S.C. 2725(1), unless that state has established and implemented an opt-in process for the use of personal information or motor vehicle record in surveys, marketing (excluding insurance rate setting), or solicitations.

''(b) None of the funds in this act shall be available to execute a project agreement for any highway project in a state that sells individual's drivers' license photographs, unless that state has established and implemented an opt-in process for such photographs.''

On page 91, between lines 9 and 10, insert the following:

''SEC. . Of funds made available in this Act, the Secretary shall make available not less than $2,000,000, to remain available until expended, for planning, engineering, and construction of the runway extension at Eastern West Virginia Regional Airport, Martinsburg, West Virginia: *Provided further*, That the Secretary shall make available not less than $400,000 for the Concord, New Hampshire transportation planning project: *Provided further*, That the Secretary shall make available not less than $2,000,000 for an explosive detection system demonstration at a cargo facility at Huntsville International Airport.

''SEC. . Section 656(b) of Division C of the Omnibus Consolidated Appropriations Act of 1997 is repealed.

''SEC. . Notwithstanding any other provision of law, the amount made available pursuant to Public Law 105–277 for the Pittsburgh North Shore central business district transit options MIS project may be used to fund any aspect of preliminary engineering, costs associated with an environmental impact statement, or a major investment study for that project.

''SEC. . For necessary expenses for engineering, design and construction activities to enable the James A. Farley Post Office in New York City to be used as a train station and commercial center, to become available on October 1 of the fiscal year specified and remain available until expended: fiscal year 2001, $20,000,000.''

Mr. SHELBY. Mr. President, this managers' amendment has been cleared on both sides of the aisle.

Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1680) was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STEVENSON EXPRESSWAY/WACKER DRIVE REHABILITATION

Mr. DURBIN. Mr. President, my colleague Senator FITZGERALD, and I would like to engage the distinguished chairman of the Transportation Appropriations Subcommittee, Senator SHELBY, in a brief colloquy regarding the Stevenson Expressway and the Wacker Drive rehabilitation projects.

Mr. FITZGERALD. Senator SHELBY knows both of these projects are vitally important to the Chicago metropolitan region's transportation system. The Stevenson carries 135,000 vehicles per day, including 24,000 heavy trucks, and is 15 years beyond its design life. Wacker Drive, in downtown Chicago, built in 1926, is also well beyond its design life. It carries 60,000 vehicles per day. Both projects are high priorities of the Illinois Congressional Delegation.

Mr. DURBIN. During congressional consideration of TEA–21 last year, these projects were partially funded and further identified as excellent candidates to receive funding from U.S. Department of Transportation discretionary funds. These projects have subsequently received some discretionary funding and are eligible to receive additional funds this year. Does the Senator agree that both of these projects are good candidates for discretionary funding in FY 2000?

Mr. SHELBY. I thank the Senators from Illinois for drawing attention to these projects. I agree that both the Stevenson Expressway and Wacker Drive rehabilitation projects are eligible for federal discretionary funds from the U.S. Department of Transportation under the approach adopted in the Senate bill.

Mr. FITZGERALD. We thank the chairman for his remarks.

UPPER CUMBERLAND AIRPORT

Mr. FRIST. I would like to thank the distinguished chairman of the Transportation Appropriations Committee, Senator SHELBY, for his willingness to discuss an important aviation issue for Tennessee. Specifically, the Upper Cumberland Regional Airport's critical need for taxiway and safety improvements.

Mr. SHELBY. I am aware of this project, and would like to strongly recommend that the FAA give priority consideration to this request for discretionary funding. The Grants-In-Aid for Airports program is designed to provide federal assistance to airports like the Upper Cumberland Regional Airport for vital safety enhancements and other improvements as my friend from Tennessee mentioned.

Mr. FRIST. The Senator's willingness to offer support for this project in Cookeville, Tennessee is greatly appreciated. I'm certain the FAA will take note of the Chairman's support and give this project every consideration.

MUSKEGON COAST GUARD SEASONAL AIR FACILITY

Mr. ABRAHAM. Mr. President, I rise today with my colleague from Michigan to engage the Chairman of the Transportation Appropriations Subcommittee in a colloquy regarding the Coast Guard's proposal to close the seasonal air facility in Muskegon, MI. On July 13th, we wrote the distinguished Chairman to seek his assistance on this issue and attempted to explain the necessity to keep this facility open.

Mr. President, in that letter, we described how on February 3rd of this year, we wrote the Commandant of the Coast Guard and the Secretary of Transportation asking for a detailed explanation of this proposal in light of what appeared to be a dramatic reversal on the Administration's part given its previous statements as to both the desirability of Muskegon and the overall need for a southern Lake Michigan seasonal facility.

THE PRESIDING OFFICER. Without objection, so ordered.

Mr. ABRAHAM. These letters, Mr. President, closely follow the letters the entire Michigan delegation sent the Chairs of both the House and Senate Appropriations bills. Although we have been briefed by the Coast Guard regarding this proposal, we have not received a formal response from the Commandant or the Secretary.

Mr. LEVIN. There are concerns within the Michigan delegation, Mr. President, that the proposal to close Muskegon may have been due to the Coast Guard's constrained funding and was not necessarily based on an analysis of the safety needs of boaters on Southern Lake Michigan.

Mr. President, it would appear premature to close the facility at Muskegon given the investment made by both the Coast Guard and the local community to establish this seasonal facility. In choosing to locate the facility in Muskegon in the first place, the Coast Guard projected large cost savings that would not be fully realized if the station were closed.

Mr. SHELBY. Mr. President, I am aware of this issue due to the diligence of the Michigan Senators, and I understand the concerns they have regarding Coast Guard's proposal. I have seen the amendment filed by colleagues from Michigan to ensure the continued search and rescue coverage from the Muskegon Air Station during the high-traffic summer season. While I would be concerned if the closure of this facility would cause a degradation of search and rescue capability, it is not possible at this point to incorporate such legislative directives to the Coast Guard given the large number of other legislative initiatives regarding Coast Guard facilities that have been presented to the Subcommittee.

Mr. ABRAHAM. Mr. President, I understand the difficulty the distinguished Chairman has in opening up such a panoply of Coast Guard issues to resolve this one problem. However, I would like to bring his attention to page 21 of House Report 106–180 to accompany JR 2084, the House Transportation Appropriations Act for FY 2000 where it directs that the Muskegon seasonal air facility operations continue through FY 2000.

Mr. SHELBY. Mr. President, I am aware of House action on this matter as well as the Senators' role in bringing about that action and of their steadfast commitment to improving boating safety. I can assure the Senators from Michigan that I will support directing the Coast Guard in the final Transportation Appropriations Act for FY 2000 to keep the Muskegon seasonal Air Facility open.

Mr. LEVIN. Mr. President, that assurance is important and welcome, and I believe I speak for the entire Michigan delegation in thanking the distinguished Chairman for his support and in committing our efforts to assist him in any way he may need to see this provision incorporated into the final Transportation Appropriations Act for FY 2000.

MIDDLE FORK SNOQUALMIE ROAD

Mr. GORTON. The Middle Fork Snoqualmie valley is 110,000 acres of forests, mountains, and rivers located just 45 minutes east of Seattle. Ninety-eight percent of the land is public ownership. In recent years, the valley has been plagued by dumping, indiscriminate shooting and general lawlessness. Strong efforts are being made, however, by federal agencies and conservation groups to turn the valley back into a place safe for recreationists. No other place in the Northwest presents such an opportunity to create a first-class recreation area so close to millions of people.

A key part of turning this valley back into an attractive place is providing better and safer access. The present road into the valley is unpaved, potholed and dusty. An improved, paved road would provide safer, more pleasant access and allow for better law enforcement.

The Federal Highways Administration, Western Federal Lands Division, currently has $5 million budgeted for a new Middle Fork highway. Local conservation groups in my state, however, feel that the kind of highway which the F.H.W.A. builds would amount to massive overkill. The F.H.W.A. is restricted by its design standards to build only one kind of road—a highway in every sense of the word, with huge cuts and fills, broad sweeping curves and a wide swath cleared of trees on both sides. Conservationists feel that such a highway would destroy the very qualities which make the Middle Fork valley an attractive place.

Mr. SHELBY. I understand the concerns of the Senator of Washington and his desire to provide adequate access to an important area in his state without disrupting its unique attributes. I would be happy to work with Senator GORTON, the Federal Highway Administration, and other interested parties to resolve this issue.

Mr. GORTON. I appreciate the Senator's interest and would like to explore a proposal submitted by my constituents interested in preserving and enhancing the Middle Fork Snoqualmie Valley. I believe an appropriate solution would be to transfer the monies appropriated to the Federal Highway Administration for this road project to the U.S. Forest Service, giving the U.S. Forest control over design of the road. The Forest Service is not so rigidly bound in its design standards as the Federal Highway Administration, and could construct a paved road which closely follows the alignment of the existing road and goes through the woods. Such a road would provide much improved access without compromising the valley's integrity. I look forward to working with my colleague from Alabama.

INTELLIGENT TRANSPORTATION SYSTEM

Mr. ABRAHAM. Mr. President, I rise today to engage the Chairman of the Transportation Appropriations Subcommittee in a colloquy regarding the Intelligent Transportation System program. Mr. President, I was very pleased that the report accompanying S. 1143, the Senate Transportation Appropriations bill for FY 2000, contained direction that Southeast Michigan receive no less than $4 million for ITS deployment projects. I was particularly pleased with that designation as I had requested the Transportation Appropriations Subcommittee provide $3.5 million for the Southeast Michigan Snow Information Management System, and wish to thank the distinguished Chairman of the Subcommittee for that designation. Does the Chairman believe such a further designation for this particular project would be in order?

Mr. SHELBY. Mr. President, I was pleased to support that designation in the drafting of S. 1143, and was particularly impressed that it is projected to reduce the cost of winter storm maintenance by 10% in Southeast Michigan, reduce weather-related accidents by 10%, as well as reduce by 5% the amount of salt used on those roads, while also creating a model for other states to improve their snow removal operations. Because of that, I believe that the Federal Highway Administration should consider the SEMSIM project as the top priority project within that $4 million distribution to Southeast Michigan.

Mr. ABRAHAM. I appreciate the Senator's support and clarification Mr. President, and join him in calling upon the FHWA to quickly provide this additional funding for the SEMSIM project as soon as the Appropriations Act is signed into law.

Mr. President, I would also like to take this opportunity to discuss what should be done with the remaining $500,000 within that $4 million distribution to Southeast Michigan. Mr. President, I would like the Chairman of the

Subcommittee to know that after he had marked up S. 1143, I received a request from Wayne County in Michigan to support a Roads Infrastructure Management System project that will use Global Positioning Satellite system technology and data to geocode the existing infrastructure inventory over the county's 1,400 miles of roads, such as signage, lighting, bridges, and existing utility runs, so as to better identify where road improvements will be most efficiently executed, and provide the greatest improvements. The ultimate goal is to implement a travel routing system that can be accessed over the Internet by commuters and freight carriers. Having this geocoded inventory will permit the county to quantitatively assess and schedule road improvement projects and improve traffic flow.

The total cost of a comprehensive Geographic Information System is about $60 million, but Wayne County has already committed $14 million to building this base map, and to date, has completed all of it's digital ortho photography at the 6″ pixel resolution. The Roads Information Management System is one of the most costly applications within this project, and will cost the County $7.4 million. The County was originally seeking $5 million in federal funding, but I believe any portion thereof would further this worthy effort.

Mr. President, I would like to ask the distinguished Chairman of the Transportation Appropriations Subcommittee if he could support this project within the existing $4 million designation?

Mr. SHELBY. Mr. President, I agree that the RIMS project described by Senator ABRAHAM indeed appears to be worthy of federal funding, and I would recommend that the Federal Highway Administration provide funding for this project to the extent possible after fully funding the SEMSIM project discussed before. Furthermore, if the final appropriations bill will provide more ITS money for Michigan, I will press to have both of these projects funded as fully as possible, in accordance with the prioritization I have previously discussed.

Mr. ABRAHAM. I thank the Chairman for his considerable assistance on this matter, and look forward to working with him on this issue as it moves through to final passage.

THE INCREMENTAL TRAIN CONTROL SYSTEM (ITCS)

Mr. ABRAHAM. Mr. President, I rise to engage in a colloquy with the Manager of this Appropriations Bill regarding funding of specific projects under the Next Generation High Speed Rail Program.

Mr. President, I see that the FY 2000 Transportation Appropriations Bill provides a total of $7.3 million for various positive train control projects, and of that amount, $5 million is designated for the Alaska Railroad and $1 million for the Transportation Safety Research Alliance.

Now Mr. President, as the Chairman of the Transportation Appropriations Subcommittee is well aware, the Administration requested $3 million for the Incremental Train Control System (ITCS) along the Detroit to Chicago passenger rail corridor in its FY 2000 Budget Request. This project has previously received $6 million in federal funds, and I am very thankful for the designation the Chairman was able to convince the Conference Committee to provide this project last year even though my request came very late in the legislative process.

The reason I believe this project is worthy of specific funding is that it is a key component in the efforts by Amtrak as well as the Midwest High Speed Rail Coalition to allow for passenger rail service of up to 125 miles per hour, not only along the Detroit to Chicago corridor, but elsewhere as the $3 million requested by the Administration would complete the research of this project, and allow the technology to be applied to other rail corridors across the country.

Mr. President, I recognize the strict funding constraints the Subcommittee faced in drafting this appropriations bill, and the significant hurdles that had to be overcome in order to find this level of funding, but I wonder if the Chairman may be able to comment on the possibility that some level of funding could be found for the ITCS project.

Mr. SHELBY. Mr. President, I thank the Senator from Michigan for his comments, and he is correct, we did face significant constraints throughout this bill which impacted upon the Next Generation High Speed Rail program. Furthermore, the Administration's funding request for this specific program was funded in part with a recommendation to transfer Revenue Aligned Budget Authority from the State highway formula to this and other programs, a proposal which was rejected by the Congress. I believe the Senator from Michigan opposed the RABA transfer from the States in the Budget Committee.

However, I believe the unallocated portion of the train control demonstration program under the Next Generation High Speed Rail Program should be allocated to the Michigan ITCS project, and as we enter the Conference with the House, I will work to ensure adequate funding for this project.

Mr. ABRAHAM. Mr. President, I thank the Chairman for his support of this project, and for his efforts to provide the necessary funds for our transportation infrastructure as we enter the 21st Century. I look forward to working with him on this program as the bill moves to Conference.

PIPELINE SAFETY

Mrs. MURRAY. I rise to request a colloquy with my colleague from Washington State, Senator GORTON.

On June 10, 1999, 277,000 gallons of gasoline leaded from an underground pipeline in Bellingham, Washington. It ignited and exploded. Three people were killed: an 18-year-old young man and two 10-year-old boys. This is a tragedy.

The Office of Pipeline Safety, the National Transportation Safety Board, the FBI, the EPA and State agencies have spent the last four months trying to determine why this happened. We still don't know the direct cause and may not know for some time.

I wish I could say this was an isolated instance, but I can't. Recent pipeline accidents have occurred in other places. In Edison, New Jersey, one person died when a natural gas pipeline exploded. In Texas, two people lost their lives when a butane release ignited. In fact, last November the owner of the pipeline that exploded in Bellingham had an accident in another part of my State that took six lives.

These pipelines are potential threats. There are some 160,000 miles of pipelines in the U.S. carrying hazardous materials. Many of these pipes run under some of our most densely populated areas; under our schools, our homes, and our businesses.

I am disappointed that this year the Transportation Appropriations Subcommittee did not adequately fund the Office of Pipeline Safety, the authority governing interstate pipelines. I tried to get the appropriations in this year's bill to the level requested by the President. Unfortunately, we were unable to do so. It is my hope we can increase funding in next year's appropriations.

I am also committed to strengthening OSP's oversight of pipelines and commitment to community safety in next year's reauthorization of OPS.

I will be working with Senator GORTON, who is on the committee, to ensure greater OPS effectiveness and oversight of the industry.

I also want to point out U.S. Transportation Secretary Rodney Slater's prompt attention to this issue. Immediately following the accident, he met with me and granted my request to have a full-time OPS inspector stationed in Washington State. He has also been very helpful and informative as we've progressed through the investigation phase. I thank him. I know he will continue to work with us in the future on OPS's appropriations and next year's authorization.

Mr. GORTON. I would like to thank my colleague from Washington State. She has been out front on this issue, and I commend her for her persistence.

I look forward to working with Senator MURRAY during the reauthorization of the Federal Office of Pipeline Safety, a piece of legislation in which I will fully engage when it comes before the Senate Commerce Committee next year. While the interstate transportation of hazardous materials in above and underground pipelines has proven to be the safest and most cost-effective means to transport these materials, the Bellingham tragedy has once again alerted us to its tragic potential. During the OPS reauthorization process I intend to ensure that the Federal law

and the Federal agency are performing their jobs of ensuring that tragedies like the one in Bellingham are not repeated. I will work closely with Chairman MCCAIN, the Majority Leader and my Democratic colleagues to make this a top priority next year.

Mrs. MURRAY. I thank my colleague. I will also continue to push for reform. We must take a long hard look at the effectiveness of OSP's oversight activities; review ways to develop new technologies for detecting pipeline defects; consider the effect of aging pipelines on safety; review industry's influence on the regulation of pipelines; and focus on our training and testing procedures for inspectors and maintenance workers. I also intend to look at ways to treat environmentally sensitive and highly populated areas, recognizing the multitude of safety and ecological problems operating pipelines in these places can create.

Finally, I will work to strengthen communities' ''right to know,'' so people are aware when there are problems with the pipelines that threaten their neighborhoods.

Mr. GORTON. I share the Senator's concerns and I am certain we will deal with those questions and ideas in the context of reauthorization legislation.

Mrs. MURRAY. Thank you.

LEWIS AND CLARK BICENTENNIAL CELEBRATION

Mr. BURNS. Mr. Chairman, I would like to address a matter important to my State's participation in the upcoming Lewis and Clark Bicentennial celebration. As you and other history buffs may know, the Corps of Discovery led by Meriwether Lewis and William Clark spent much of their travels in what is now my State of Montana. This celebration will have an enormous impact on the State's economy and infrastructure. We have a number of sites on the Missouri River that have retained historic ferry transportation. Currently, in the Fiscal Year 2000 Transportation Appropriations bill, the committee has included $2 million for the upgrade of the McClelland Ferry. A more fiscally responsible use of these funds would be to spread this funding level out over three ferry sites on the historic Missouri River. Those sites are the McClelland, Virgelle, and Carter Ferry sites. I would like to also indicate that is important to recognize that these upgrades should maintain all of the historic features of the traditional ferry site. It is not my intention to replace these historic ferries with bridge work or new ferries.

Mr. SHELBY. I appreciate my colleague bringing this issue to my attention and am interested in ensuring that scarce Federal transportation resources are used as efficiently as possible. I understand your concerns and look forward to working with you on this issue.

INCREASED FUNDING FOR U.S. ROUTE 2 IN NEW HAMPSHIRE

Mr. GREGG. U.S. Route 2 is an important travel and commerce thoroughfare in the New Hampshire North Country that runs through New Hampshire, Maine and Vermont. On January 11, 1999, the New Hampshire, Maine and Vermont Senate delegation sent a joint letter to Secretary of Transportation Rodney Slater. In this letter the delegation asked Secretary Slater to give consideration to a $13 million joint state grant application funded through TEA–21's National Corridor Planning and Development Program (NCPD) and Coordinated Border Infrastructure (CBI) for U.S. Route 2. The joint New Hampshire, Maine and Vermont application received a total of only $1.5 million in funding for U.S. Route 2. I am sure that the Senator from Alabama would agree that this funding level for U.S. Route 2 is completely inadequate. I ask the Senator from Alabama to join me in urging the Secretary of Transportation to allocate more funding through the NCPD and CBI for U.S. Route

Mr. SHELBY. I agree with the remarks of the Senator from New Hampshire, and I look forward to working with him on this issue in the future.

AOVCC

Mr. INHOFE. Mr. President, I would like to enter into a brief colloquy with the Chairman regarding some weather observation equipment for the FAA.

As the Chairman will remember, last year he was very helpful in getting money in the Department of Transportation Appropriation bill for FY 99 to begin testing of the Automated Observation for Visibility Cloud Height, and Cloud Coverage (AOVCC) system. Using high resolution digital imaging, laser ranging and high performance computing technology, the AOVCC system augments the current ASOS by adding the capability to detect fast-moving weather systems in a timely and representative manner. Is it my understanding that FAA is currently testing this equipment and it appears that AOVCC is performing up to expectations.

Would the Chairman agree that if testing of AOVCC is successful, FAA would make every effort to purchase the AOVCC system to enhance existing weather observation?

Mr. SHELBY. If the Senator will yield, this equipment appears to be a promising technology which has the potential to greatly enhance safety. I would concur with the Senator from Oklahoma that if FAA determines that the test of the AOVCC is successful, every effort should be made to purchase this equipment.

Mr. INHOFE. I thank the Chairman for his ongoing support of this important safety equipment.

BIG MOUNTAIN ROAD AND GREAT FALLS AIRPORT

Mr. BURNS. I would like to engage my colleague from Alabama on a number of issues relating to the Fiscal Year 2000 Department of Transportation Appropriations bill. Montana's roads and airports are inadequately funded. I would like to focus on a couple of projects that must be addressed in the state immediately or we will be facing serious economic loss as a result. The first is the Big Mountain Road. This is a forest service access road, private property access road and also provides access to Big Mountain Ski area. During the winter when conditions are worst, this steep road is traversed frequently and while the road is covered with snow and ice. Montana winter conditions are not friendly to our paved roads. I would like to express my support of funding for this road. In 1996, the state estimated reconstruction costs to be around $6.5 million. The road is presently one of the busiest roads in the state awaiting reconstruction. Mr. Chairman, this is no small matter—every year Montanans are either killed or injured in accidents on this dangerous road. The freeze thaw conditions we face make this road an important project in our state.

Mr. SHELBY. I understand your concerns and agree with you about the weather-related burdens on Montana's roads. Such conditions can be very harmful to a paved surface.

Mr. BURNS. I would also like to address another important matter in our state. The Great Falls Airport is the home to a Federal Express regional hub. Fed Ex employs numerous employees in the Great Falls area. Our problem originated when the FAA mandated the airport find another option for Fed Ex's operations. That mandate has required the airport to begin immediate construction of an apron to accommodate Fed Ex's Great Falls operations. I met with Jane Garvey on this issue and was appreciative of the interest she has taken. Although she and her staff have indicated their support of this project, the FAA is unable to provide funding considering the Airport Improvement Program has lapsed. Mr. Chairman, dirt has been turned on this project and we cannot afford to turn back at this time. Further delays will mean loss of revenue, possible job loss and increased funding requirements. Construction season in Montana is short and we must take action on this project immediately. I would like to request your assistance obtaining the $4.5 million required to solve this problem. We will need to address this problem immediately during this year and soon after the beginning of the 2000 Fiscal Year. Thank you Mr. Chairman.

Mr. SHELBY. We have many airports in need of increased funding. I understand the nature of your problem in Great Falls requires immediate concern. Thank you for bringing these issues to my attention.

BULLFROG CREEK BRIDGE

Mr. BENNETT. I want to bring to the Chairman's attention an issue that we would hope to address this year. In Garfield County, Utah, we have what is called the Boulder to Bullfrog Highway which goes from the tiny town of Boulder to the Bullfrog Basin Marina at Lake Powell. This road crosses some of the most rugged, scenic and roadless country in the southwest. Headed eastbound, a traveler will cross the Grand

Staircase Excalante National Monument, Capitol Reef National Park, additional BLM lands and on into the Glen Canyon National Recreation Area. It is county-maintained road with a right-of-way crossing federal lands.

Sections of the road are classified as both improved and unimproved meaning that sections are paved in some places and are gravel or dirt in others. Despite this, it is heavily traveled by tourist and locals because it is the only east-west road for 60 miles north or south. During the spring and summer, flash floods often will wash out the road forcing its closure. This occurs most often near the Bullfrog Creek drainage, where it is not unusual to have a 100 yard section of the road washed out. When this happens, a detour of over 150 miles is required just to get to the other side of Capitol Reef National Park which would otherwise be roughly a 30 mile drive.

Clearly, there is an public interest in keeping the road open, yet every summer the County and the National Park Service expend considerable capital and manpower to keep the road open after every rain. This situation could be alleviated by placing a series of culverts or other type of structures over the Bullfrog Creek drainage to keep the road from washing out.

With this in mind, I ask the Chairman if he believes it would it be appropriate to provide Garfield County, Utah approximately $500,000 from the Federal Lands Highway account to install a structure to keep the road open throughout the year?

Mr. SHELBY. The Senator raises a very good point. Given the economic and public safety impacts on the County when the road is closed as well as the potential liabilities for the Federal Government, I will work with the Senator, the House and the Administration during conference on this bill to identify funds for the County to improve this small section of the road.

PUBLIC LANDS HIGHWAY PROGRAM

Mr. REID. I would like to engage my colleague, Senator SHELBY, the Chairman of the Transportation Subcommittee, in a brief discussion about an important program for my home state of Nevada.

As my colleagues know, Nevada is a state with a very large amount of federal lands. Nearly eighty-seven percent of the state is federal land. In fact, Nevada trails only Alaska in total acreage under federal control.

As such, Nevada qualifies for preference under the Public Lands Highway Discretionary Program portion of the Federal Lands Highway program, since, in the words of the law, its borders include ''at least 3 percent of the total public lands in the nation''. (The other states are Alaska, Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon, Utah and Wyoming.) This factor, together with consideration of a state's need, are the only statutory instructions on the awarding of discretionary funds under Public Lands Highway Discretionary Program.

Is the Chairman aware that this body has historically not earmarked projects under Federal Lands Highway program. However, the other body has undertaken to heavily earmark the program this year even though this undercuts the basic intent of Congress in creating the discretionary program for states heavily impacted by federal land holdings.

In addition, this earmarking has the effect of reducing the federal agencies ability to utilize the program for very urgent needs on federal lands and for which there is simply no other source of federal funds. I have a copy of Nevada's submission to the FHWA for Public Lands Highways funding in FY 2000. Eight of the nine projects are submitted by federal agencies.

I hope that my good friend and colleague, Senator SHELBY, can address this problem in Conference, by reemphasizing the intent of the Congress with respect to this program.

Mr. SHELBY. My colleague is exactly right. The Public Lands Highway Program was indeed created to fulfill the long-neglected infrastructure needs of our nations vast holdings of federal lands. I share the Senator's commitment to ensuring that public lands states, such as Nevada, continue to receive the lion's share of funding under this program. I will also seek to address the Senator's concerns about earmarking of this program both in Conference this year and when drafting next year's Transportation Appropriation's bill.

Mr. REID. I thank my colleague.

MAINE'S ADVANCED WOOD COMPOSITES CENTER

Ms. COLLINS. Mr. President, I rise to engage the distinguished subcommittee chairman, Senator SHELBY, and the distinguished ranking member, Senator LAUTENBERG, in a brief colloquy in order to make clear the intent behind some language contained in the Senate Appropriations Committee's report accompanying S. 1143, the FY 2000 Transportation appropriations bill.

I want to first thank the distinguished managers of this bill for their assistance last year in securing approximately $1.2 million in FY 99 funding for advanced engineered wood composites for bridge construction to be conducted by the University of Maine's Advanced Wood Composite Center. As both Senator SHELBY and Senator LAUTENBERG may recall, the University of Maine is the institution that pioneered this technology and is currently working with the Federal Highway Administration (FHWA) in this area of research and development.

On page 95 of this year's Senate Appropriations Committee Report accompanying S. 1143, it states in part ''The Committee is interested in research to develop advanced engineering and wood composites for bridge construction and has provided $1.2 million for that purpose within this program.''

I want to inquire of the distinguished managers of this bill if it is their intent that the University of Maine's Advanced Wood Composites Center is to receive the funding referenced by this part of the Committee's report, in order that the University can continue to support FHWA's research in this vital area.

Mr. SHELBY. The distinguished Senator from Maine is correct. This report language is intended to convey that it is the Senate's intention for the FHWA to continue its advanced engineered wood composites research and development program begun last year at the University of Maine's Advanced Wood Composites Center. I thank the distinguished Senator from Maine for giving us the opportunity to clarify our intent on this matter.

Ms. COLLINS. I thank my colleague for making their intent in this respect clear, and I thank them for working with me on this important project both last year and this year. Mr. President, I yield the floor.

AIRLINE PASSENGER SAFETY

Mr. REID. I would like to engage my colleague, Senator SHELBY, the Chairman of the Transportation Subcommittee, in a brief discussion about several important programs that impact my home state of Nevada. While these projects and programs are not currently fully funded in this bill, I am pleased that my colleague, senator SHELBY, has indicated that he will seek to find resources in the final conference report.

The first two programs I would like to discuss today are cutting edge research and technology programs, ones where relatively small allocations of resources can pay huge long-term dividends to consumers.

The first research effort I would like to discuss is the Strategic Alliance for Passenger Airline Security. A consortium of local, state, and private entities, including the University of Nevada-Las Vegas, the University of California-Los Angeles, Alaska Airlines, and Certified Airlines Passenger Services, a Nevada-based company is working with the FAA to develop a decentralized baggage and check-in system that will allow passengers to check-in at various remote locations in the city of origin, such as hotels, shopping malls, or other aviation check-in points.

In a state as dependent upon tourist traffic as Nevada, the ability to more efficiently handle arrivals and departures is critical. As airports struggle in the coming years to cope with more and more passengers in facilities that are unable to expand, alternative, safe, technologies for keeping passenger and baggage traffic moving will become critical. I am grateful that my colleague, Senator SHELBY has recognized the merits of increased research and development in this area. I am looking forward to working with my Chairman on this issue in conference and during the upcoming fiscal year. Only by encouraging innovation can the FAA

hope to keep our Nation's aviation system out of gridlock.

The second technology that I want to discuss to day is a Remote Certification and Maintenance system, a technology developed by Arcata, a Nevada-based company.

In the Committee-passed version of this bill Senators SHELBY and LAUTENBERG included language favorable to the remote certification and maintenance technology manufactured by Arcata. It is my understanding that the FAA has informed the Committee of their ability to deploy up to $5 million worth of this technology at remote radar centers throughout the nation. As this technology gives older generation radars advanced RMM capability, the cost savings alone make this a worthwhile investment of our nation's resources.

Finally, as all of my colleagues are aware, Nevada has been one of the fastest growing states in the nation for most of the last two decades. Southern Nevada attracts nearly 5,000 new residents per month. Given this colossal growth, it is no surprise that the demand for aviation infrastructure has sky-rocketed in recent years.

These increases in aviation traffic in the skies over Southern Nevada have make Contract Air Traffic Control Tower Service at Henderson Executive Airport absolutely critical.

A relatively small investment of resources at the third largest airport in Southern Nevada will solve what is becoming a sticky air traffic control issue for the Las Vegas Valley, especially in light of the county's decision to move the majority of Grand Canyon overflight tour operators from McCarran to the airports in Henderson and North Las Vegas.

Let me be clear, I am not asking for special treatment here. The Clark County Department of Aviation has recently received independent confirmation of a cost-benefit ratio of over 1.0 (specifically 1.16) and expects the FAA to verify that figure in the near future. Any rating over 1.0 makes a facility eligible for this funding. The cost-benefit ratio, coupled with Henderson's status as the third rung in a much more complex air traffic system, make funding for this service an easy choice for Congress to make. I am delighted to have your support for the Contract Tower Program and for the specific inclusion of Henderson Executive Airport in the program, Mr. Chairman.

I appreciate your consideration and look forward to working with you on these and other important issues in conference.

Mr. SHELBY. I thank my colleague for raising these important issues with me. Even in a tight budget year, such as this one, I agree that these programs and projects have merit and I will work diligently to secure funding for them in the House-Senate Conference or in whatever end-of-year mechanism we use to fund transportation in FY 00.

GEORGIA NOISE BARRIERS

Mr. COVERDELL. Will the distinguished Chairman of the Senate Appropriations Subcommittee on Transportation yield for a question?

Mr. SHELBY. I will be happy to yield to the senior Senator from Georgia for a question.

Mr. COVERDELL. As you know, there are several areas in my state of Georgia where the interstate expanded significantly around existing neighborhoods. The Georgia Department of Transportation wanted to put up noise barriers to address this situation. TEA–21 provided $750,000 for Type II noise barriers on I–75 in Clayton County and I–185 in Columbus, Georgia. It also provided $1.5 million for noise barriers along GA–400, and allowed federal highway funds to be used for noise barriers along I–285. Unfortunately, because of an error in drafting the provisions included in TEA–21, the Georgia Department of Transportation is not able to complete these noise barrier projects. I have proposed an amendment which would correct this problem and allow my state to use their apportioned federal highway funds to complete these noise barrier projects. Would you be willing to work with me to address this problem?

Mr. SHELBY. I will be happy to work with you on this matter during conference negotiations with the House. I understand that the Senator had secured a commitment that this matter will be affirmatively addressed by the Environment and Public Works Committee in the next authorizing legislation vehicle. I commend the Senator for his initiative, diligence, and hard work on this matter. I will continue to watch and work with the Senator on this important issue for his state.

Mr. COVERDELL. I thank the Chairman for his help. I yield the floor.

DREXEL UNIVERSITY INTELLIGENT INFRASTRUCTURE INSTITUTE

Mr. SPECTER. Mr. President, I have sought recognition to thank the Chairman of the Transportation Appropriations Subcommittee for having included language in the Senate report urging the Federal Highway Administrator to work with Drexel University to focus on the link between intelligent transportation systems and transportation infrastructure. As the Chairman knows, for the next several years the United States will be making massive investments in its transportation infrastructure, and, in view of the limited resources available for these investments, there has never been a greater need to be certain that these expenditures are wisely prioritized and based on sound assessments of the structural integrity of the existing infrastructure. In recent years, we have all been gratified to witness the revival of many of our major cities, but, while desperately needed, investments in the urban transportation infrastructure are especially costly.

Thankfully, we are finding that technology is coming to our aid as we seek to address the issue of transportation infrastructure investments in an urban environment. One especially gratifying example of the application of information technology—''smart'' technology—to the management and maintenance of transportation infrastructure can be found in Drexel University's Intelligent Transportation Institute. In the passage of TEA–21 last year Congress specifically recognized the outstanding work of the Institute and included a special section of that bill—Section 5118—which authorized $10 million to ''conduct research, training, technology transfer, construction, maintenance, and other activities to advance infrastructure research.''

I would ask whether the Senator agrees with me that work such as that conducted at the Drexel Institute is essential for determining the actual structural integrity of urban transportation infrastructure—such as multi-million dollar bridges—monitoring their ''health'' in real-time, and determining cost-effective and innovative maintenance and operational strategies.

Mr. SHELBY. I agree with the Senator from Pennsylvania's assessment of the importance of smart technology and commend the work being done at Drexel University's Intelligent Infrastructure Institute. It is important that we continue to support the work of the Institute, and I look forward to working with the Senator during the conference with the House to see that this work is accomplished this year and in succeeding years.

UNALASKA PIER EXTENSION

Mr. STEVENS. The Senate Report on the FY2000 Department of Transportation bill allocates $8 million to the Coast Guard to pay for the costs of extending the Unalaska municipal pier to provide a dedicated berth for the agency's High Endurance cutters. The Coast Guard is currently forced to shift the High Endurance cutters when in port because the large vessels inadvertantly serve as obstacles to the commercial ship traffic, and the vessels' antennae have at times impeded commercial aviation service into Unalaska.

I have since been informed that the Coast Guard may not have sufficient capability to manage a dock extension project in this remote region of the Aleutian Islands. Since the City of Unalaska owns the main pier, I have asked the City to take on the responsibility of managing the pier extension through its municipal competitive procurement process and to assume the responsibility of maintaining the dock extension in exchange for being able to use the space when the High Endurance Cutters are not present. Such an arrangement would dramatically reduce any outyear operating expenses for the Coast Guard associated with the pier space. This arrangement would require a transfer of funds from the Coast Guard to the City at some point next year. While I am not offering an amendment today, we may find that

such a Local-Federal cooperative endeavor may need specific legislative language in the final FY 2000 appropriation bill. Am I correct in my understanding that this issue will be evaluated and technical language may, if necessary, be considered in conference?

Mr. SHELBY. The Chairman is correct. I strongly concur that the Coast Guard should ask the City of Unalaska to use its own local knowledge and competitive procurement process to manage the pier extension. I also agree that the Congress should encourage an arrangement between the City and the agency to reduce the Coast Guard's operating costs associated with the long-term maintenance of any dedicated pier space. We will seek to address this in conference at the appropriate time.

SAVANNAH WATER TAXI

Mr. COVERDELL. Will the distinguished Chairman of the Senate Appropriations Subcommittee on Transportation yield for a question?

Mr. SHELBY. I will be happy to yield to the senior Senator from Georgia for question.

Mr. COVERDELL. As you know, last year your Committee provided $500,000 in federal funding for a water taxi service to and from Hutchinson Island, near Savannah, Georgia. This water taxi is vital to the overall success of the Georgia International Maritime and Trade Center located on the island. While I am disappointed that the Senate failed to include any additional funding for Savannah's water taxi service in the FY 2000 Transportation Appropriations Bill, it is my understanding that the House included $1 million to help complete this important project. Would the Chairman be inclined to recede to the House approved amount in the conference report?

Mr. SHELBY. I will be happy to work with the senior Senator from Georgia on this issue during conference negotiations with the House. I realize how important the establishment of a water taxi service in Savannah, Georgia is to you and the local community. I appreciate all your hard work and diligence on this project.

Mr. COVERDELL. I thank the Chairman for his help. I yield the floor.

NIOSH AVIATION SAFETY STUDY FUNDING

Mr. STEVENS. Mr. President, I wonder if the Subcommittee Chairman would be willing to discuss with me an Alaskan Aviation Safety Study the National Institute for Occupational Safety and Health, called—NIOSH, has proposed.

Mr. SHELBY. Yes, I would join the Appropriations Chairman.

Mr. STEVENS. Mr. President, I thank my friend from Alabama. As a licensed private pilot in Alaska, I am well aware of the challenges every pilot in my state faces every day. On some per capita basis, there are more pilots in Alaska than in any other state in the union. For many of the residents in my state, air travel is the only mode of intrastate transportation.

Alaska is one-fifth the size of the lower 48 with a population roughly the size of Montgomery County, Maryland. For many Alaskans, air travel is the only way to get there from here. We have some of the roughest terrain and weather on this continent. Very little flying in Alaska is done above 10,000 feet. Most flying is done in small, single and twin engine aircraft that have historically higher accident rates than high-flying multi-engine turbojets.

On average, in the last decade, there has been one aviation accident every other day in Alaska. One hundred pilots, and 266 others have died in aircraft crashes in Alaska since 1991. Every nine days, on average, we lose another Alaskan to an aircraft accident. And these statistics do not take into account four helicopter accidents since June of this year. This and other data compiled by the National Transportation Safety Board and NIOSH show that for the first time in our history, aviation accidents have become the leading cause of occupation-related fatalities in Alaska.

This is why I am asking the good Senator from Alabama to consider partial funding for a promising safety study that has been proposed by the Alaska Field Station of the National Institute for Occupational Safety and Health when his bill goes to conference. This study will bring together all the leaders in Alaska aviation. Industry, state and federal agencies and pilots themselves will all contribute to an intense examination of how to improve aviation safety in Alaska. The Federal Aviation Administration, the National Weather Service, and the National Transportation Safety Board are all enthusiastic supporters of the study. It is my hope that this study will foster common sense, industry-led safety initiatives—not promulgate increasingly burdensome federal restrictions and penalties.

Mr. SHELBY. I am aware of the Senator from Alaska's ongoing efforts to improve aviation safety in his home state. And I know he is particularly impressed with NIOSH's past record of initiating safety improvements without recommending more regulations—it is an impressive record. I have flown within the state of Alaska on many occasions and have witnessed firsthand the unique challenges Alaskan aviators face. The NIOSH study is a worthy project for my subcommittee's consideration when this bill goes to conference. I will work to find the funds to support this study.

Mr. STEVENS. I thank my friend from Alabama and remind him that I plan to ask the Subcommittee Chairmen of Commerce, Justice, State, the Judiciary, and Labor, HHS to also contribute funds to this study. For your committee's review and oversight, I have asked NIOSH to provide annual progress reports.

IMPROVEMENTS TO PROVIDE ACCESS TO THE BOYER CHUTE NATIONAL WILDLIFE REFUGE

Mr. KERREY. I realize that this year, you and Ranking Member LAUTENBERG, are facing a challenging appropriations season with tight budgetary constraints. However, I wanted to bring to your attention a very important project of mine regarding road improvements in Washington County, NE.

Mr. SHELBY. Can the Senator from Nebraska please describe your request in greater detail?

Mr. KERREY. Yes, it would be my pleasure. The State of Nebraska requires $2,432,000 for road improvements to provide access to the Boyer Chute National Wildlife Refuge near Fort Calhoun, Nebraska. Currently, the road that leads to Boyer Chute through Washington County is unpaved. This road is an important thoroughfare and is the most direct route to Boyer Chute. Boyer Chute has become an increasingly popular recreation area and tourist destination. Traffic on the current road has increased and will continue to increase as the National Wildlife continues its expansion next year. Paving the road will greatly improve access to this national treasure—and will be of great benefit to Nebraskans.

Mr. SHELBY. I have noted the importance of this project and I hope to work with you further on this project during conference.

Mr. KERREY. I thank the chairman for his assistance. I appreciate his consideration of this very important project.

CLARIFYING PROJECT FLEXIBILITY

Mr. CRAIG. I rise to seek clarification from the Chairman concerning a provision relating to spending flexibility for high priority transportation projects.

As you know, action taken during the 105th Congress established that the states of Idaho, Alaska, and West Virginia can each ''pool'' the state's obligation authority for high priority projects—a flexibility provided to Minnesota under Section 1212(m) of TEA21(m) of TEA21 (later redesignated in technical corrections legislation as Section 1212[g]). This enables federal funds to be directed to the high priority project or projects in the state which are ready to go, rather than ration out obligation authority proportionately to all high priority projects in the state, whether or not ready to go.

Section 336 of S. 1143 would provide to New Jersey the same flexibility. However, on page 170 of the Senate Committee report on the bill (S. Rpt. No. 106–55), at the point where the report shows changes from existing law, only the states of Minnesota and New Jersey are mentioned as having this flexibility in obligating high priority project funds.

Is it the Chairman's understanding that the flexibility granted to Idaho, Alaska, and West Virginia under Section 1212(g) of TEA–21 is still in force and effect, does not require yearly reenactment, and is unchanged by the amendment contained in the Senate bill?

Mr. SHELBY. The Senator from Idaho is correct. Idaho, Alaska, and West Virginia have already each been granted flexibility under Section 1212(g) of TEA–21, to ''pool'' the state's obligation authority for high priority projects, as long as the total amount of funds authorized for any project for which the funds are allocated are not reduced. This flexibility does not have to be re-established legislatively on an annual basis, and nothing in the FY2000 Transportation Appropriations bill or report changes this flexibility.

SUPPORTING PUBLIC LANDS DISCRETIONARY PROJECT

Mr. CRAIG. I rise to engage the Chairman in a colloquy concerning the use of the Public Lands Program funds.

In its report, the Committee has raised serious concerns—supported by findings of the General Accounting Office—about how funds have been awarded under the Public Lands Program. To correct this problem, the report gives several specific directions to the Federal Highway Administration and a list of projects that should be funded by the Secretary.

I would like to draw the Chairman's attention to a request made by the state of Idaho for $6.0 million from this program to make needed improvements to U.S. 89 from West Forest Boundary to Bishoff Canyon.

This project would improve safety and capacity of the highway, which provides the only significant access into the Caribou National Forest in the region for hunting, fishing, mountain biking, hiking, camping, and snowmobiling. Of the total project distance of 8.3 miles, about 6.6 miles (80 percent) is located within the forest boundary. The highway and also provides connections to Jackson Hole, Yellowstone Park, and Bear Lake. Timber sales in the area require logging trucks to negotiate a very narrow and slow speed route, inconsistent with safety and the route's designation as a National Highway. The Idaho Highway Needs Report shows multiple deficiencies for this segment of roadway, including pavement width, foundation, drainage, shoulder condition, accident rate, and overall combined rating.

The requested $6.0 million will complete the work presented under the 1991 ISTEA Demonstration project, supplementing $18.0 million in demonstration funds. The limits and scope of the ISTEA demonstration project are not being expanded. Additional funds are requested to cover the cost of moving almost 2 million cubic yards of unanticipated earth and rock. In fact, without supplemental funds, the original demonstration project would need to be shortened and limited.

Mr. SHELBY. It is clear that the US 89 project, from West Forest Boundary to Bishoff Canyon in Idaho, is a critical priority for Idaho and the nation, and deserves to be funded. I assure the Senator from Idaho that we will work to include this project in any list of earmarks determined by the conference committee.

THE INDIAN ROADS PROGRAM

Mr. DOMENICI. Mr. President, I would like to engage the distinguished Senator from Alabama, the Chairman of the Subcommittee, in a colloquy.

I want to begin by commending you, Senator SHELBY for the hard work you have done in crafting this Transportation appropriations bill. You have done a fine job under difficult circumstances in funding the priorities identified by the Committee in this bill, and providing increased flexibility to the states.

As you know, one of the more important highway programs in this bill for my home state of New Mexico is the Indian Reservation Roads program. The program is directed to about 22,000 miles of Bureau of Indian Affairs roads serving tribal lands. Of these roads, only 11 percent of the paved roads are rated as being in good condition. Close to 90 percent of the unpaved roads are know to be in poor condition. Indian Reservation Roads funds are critical to improving transportation for Native Americans in New Mexico.

I understand that in putting together this bill, the Chairman adjusted the revenue aligned budget authority (RABA) allocation formula, and that programs under the Federal Lands Highways program will receive a total of $37.3 million less in funding under the Senate bill than they otherwise would under TEA–21. This will affect the Indian Reservation Roads program, which is part of the Federal Lands Highways program. Because of these changes to the RABA formula, Indian Roads will not receive an additional $14.5 million in funds it is authorized to under TEA–21. Thus, the Indian Roads program will receive $275 million, instead of the full $289.5 million that would be allocated under TEA–21. I am concerned about this and hope that the Chairman will work to improve the situation for Indian Roads in conference.

As this bill moves to conference, will the Chairman pledge to make every effort to sustain full funding as envisioned by TEA–21 for the Indian Reservation Roads program?

Mr. SHELBY. I am aware of the importance of the Indian Reservation Roads program to the Senator from New Mexico, and pledge to work for full funding of the Indian Reservation Roads program as provided in TEA–21.

Mr. DOMENICI. I thank the distinguished Chairman, and I yield the floor.

THE NATIONAL ENVIRONMENTAL RESPIRATORY CENTER

Mr. DOMENICI. Mr. Chairman, I would like to discuss with you an important transportation research initiative addressed in the report accompanying the FY 2000 Transportation Appropriations bill. I refer to the National Environmental Respiratory Center headquartered in Albuquerque, New Mexico, at the Lovelace Respiratory Research Institute.

Mr. SHELBY. I would be pleased to discuss the potential of this Center's research initiative as part of the FY 2000 Department of Transportation spending plan. The Committee has recognized funding for this initiative within our Committee report, both under the Department's multi-disciplinary research account and in the Federal Highway Administration.

Mr. DOMENICI. I appreciate the Subcommittee's support for the NERC Center, and I would like to highlight the potential of this Center's work as it would relate to the Department of Transportation's mission. The National Environmental Respiratory Center—NERC as it is called—is the only research program in the United States focused specifically on the increasingly troublesome issue of understanding the health risks of mixtures of air pollutants.

A major difficulty in moving forward in managing these residual health risks associated with air quality is the fact that no citizen ever breathes one pollutant at a time. Scientists are realizing that it is unlikely that any remaining effect of air pollution on health is actually caused by a single air pollutant acting alone. Clearly, the transportation sector is at least one significant factor in the relationship between air quality and public health. Therefore, it is essential that the Department of Transportation participate in the interagency, multi-disciplinary public-private NERC initiative. I thank the Committee for acknowledging this effort in the report accompanying the pending bill.

The National Environmental Respiratory Center was conceived as a joint government-industry effort to determine how to identify the contributions of individual pollutants and their sources to the health effects of complex mixtures of air contaminants. The work is well underway and broad recognition of its importance is manifested by the continually increasing support from industry. Continued support through this appropriations bill is essential to carrying out the Center's multi-year research strategy. Accordingly, Mr. Chairman, I am hopeful the U.S. Department of Transportation will take heed of our recommendation, and I look forward to working with you on this matter.

Mr. SHELBY. It does appear that the Center stands apart from other research programs by tackling the pollution mixtures problem directly. In my view, this effort is worthy of support by the Department. I will work with you as the FY 2000 spending plan for the Department is implemented to encourage the Agency to respond to our recommendation.

Mr. DOMENICI. I thank you, Mr. Chairman.

AMENDMENT NO. 1658

Mr. AKAKA. Mr. President yesterday, this body unanimously adopted the Helms amendment to H.R. 2084, the Department of Transportation and Related Agencies Appropriations Act. The Helms amendment expresses the sense

of the Senate that the United States Census bureau should include marital status on the short form census questionnaire to be distributed to the majority of American households for the 2000 decennial census. The marital status question currently appears only on the long form which will be distributed to one out of every six households, rather than to all households as the short form is distributed.

I agree with the importance of collecting information about marital status, and I know that by using modern statistical methods and the information obtained from the question on the long form, we will know how many Americans are married. Although I supported the amendment, I offer some explanation about the amendment, on behalf of the Census Bureau, about why the marital status question was moved to the long form rather than left on the short form. I would also like to respond to my colleague from North Carolina, who said that the U.S. Census Bureau ''obviously no longer regards marriage as having any importance.'' This attitude should not be ascribed to the actions of the Census Bureau. This was hardly a frivolous decision. Rather, an explanation can be found in the agency's efforts to comply with Congressional mandates on the decennial census questionnaires.

In one of its many mandates imposed on the Census Bureau about conducting the 2000 census, Congress directed the agency to reduce the number of questions asked on decennial questionnaires. In response, the Census Bureau performed a review of each question on both the long form and the short form. From this review, the agency eliminated questions for which it found no statutory or legal requirement, including the marital status question. A major reason for excluding certain questions from the short form is that the short form must be processed immediately to provide timely information to States for redistricting purposes. In accordance, the questions not needed for redistricting purposes were eliminated from the short form and some were shifted to the long form. Some questions were eliminated altogether, for the sake of brevity. Marital status was determined as not necessary for State redistricting purposes, not because the Census Bureau regarded marriage as unimportant, and therefore was shifted to the long form.

Following the question review and elimination, the Census Bureau complied once again with long-standing Congressional mandate and provided the proposed questionnaire two years in advance of the decennial census. This submission was made on March 31, 1998, to the Governmental Affairs Committee and Majority Leader in the Senate, and the Subcommittee on the Census and Speaker in the other body. After this submission, the agency accepted and considered various concerns about the content of the form. The Census Bureau reports that no comments regarding content of the marital category were received. The Census Bureau then finalized the questionnaire content.

At present, 246 million of the 462 million forms for the 2000 decennial census have been printed. Redesigning and reprinting this quantity of questionnaires would be extremely costly and lead to deleterious delays. We are already within seven months of the questionnaire mail-out date. In addition, the FY 2000 Commerce-Justice-State Appropriations Bill that funds the Census Bureau has not yet passed, and the version of the bill produced by this body does not provide the full $4.6 billion request—our figure is $1.7 billion short. Therefore, even if the forms were reprinted, the Census Bureau would not have adequate funds to mail the forms.

Mr. President, the Census Bureau needs much more support than we are giving it if we expect a fair and accurate 2000 census. I feel that amendment #1658 provides us with a perfect opportunity to call on conferees on the Commerce-Justice-State Appropriations Bill to provide full funding for the 2000 census. I appreciate the opportunity to speak on this matter.

BUDGET COMMITTEE SCORING

Mr. DOMENICI. Mr. President, I rise in support of the Department of Transportation and Related Agencies Appropriations bill for fiscal year 2000.

I commend the distinguished chairman of the Appropriations Committee and the chairman of the Transportation Appropriations Subcommittee for bringing us a balanced bill within necessary budget constraints.

The Senate-reported bill provides $13.9 billion in a new budget authority (BA) and $17.5 billion in new outlays to fund the programs of the Department of Transportation, including federal-aid highway, mass transit, and aviation activities. When outlays from prior-year budget authority and other adjustments are taken into account, the bill totals $12.8 billion in BA and $43.6 billion in outlays.

The Senate-reported bill is exactly at the Subcommittee's 302(b) allocation for budget authority, and the bill is $4 million in outlays under the Subcommittee's 302(b) allocation.

Mr. President, I support the bill and urge its adoption.

I ask unanimous consent that a table displaying the Budget Committee scoring of this bill be printed in the Record.

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

S. 1143, TRANSPORTATION APPROPRIATIONS, 2000: SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2000, $ millions]

	General purpose	Crime	Highways	Mass transit	Mandatory	Total
Senate-reported bill:						
Budget authority	12,034				721	12,755
Outlays	14,226		24,574	4,113	717	43,630
Senate 302(b) allocation:						
Budget authority	12,034				721	12,755
Outlays	14,226		24,574	4,117	717	43,634
1999 level:						
Budget authority	11,913				698	12,611
Outlays	13,797		20,379	4,402	665	39,243
President's request						
Budget authority	12,843		(376)		721	13,188
Outlays	14,842		23,774	3,560	717	42,893
House-passed bill:						
Budget authority	6,474				721	7,195
Outlays	9,479		24,599	4,113	717	38,908
SENATE-REPORTED BILL COMPARED TO:						
Senate 302(b) allocation:						
Budget authority						
Outlays				(4)		(4)
1999 level:						
Budget authority	121				23	144
Outlays	429		4,195	(289)	52	4,387
President's request						
Budget authority	(809)		376			(433)
Outlays	(616)		800	553		737
House-passed bill:						
Budget authority	5,560					5,560
Outlays	4,747		(25)			4,722

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions. Prepared by SBC Majority Staff, July 16, 1999 01:16:52 p.m.

Mr. SHELBY. Mr. President, I understand there are no further amendments to the bill. Therefore, we are prepared for third reading.

I ask that the Senate now proceed to a vote on passage of the Transportation Appropriations bill.

I ask for the yeas and nays on passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAUX), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Minnesota (Mr. WELLSTONE) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mr. WELLSTONE) would vote ''aye.''

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—95

Abraham	Enzi	Lugar
Akaka	Feingold	Mack
Allard	Feinstein	McConnell
Ashcroft	Fitzgerald	Mikulski
Baucus	Frist	Moynihan
Bayh	Gorton	Murkowski
Bennett	Graham	Murray
Biden	Gramm	Nickles
Bingaman	Grams	Reed
Bond	Grassley	Reid
Boxer	Gregg	Robb
Brownback	Hagel	Roberts
Bryan	Harkin	Rockefeller
Bunning	Hatch	Roth
Burns	Helms	Santorum
Byrd	Hollings	Sarbanes
Campbell	Hutchinson	Schumer
Chafee	Hutchison	Sessions
Cleland	Inhofe	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Craig	Kohl	Stevens
Crapo	Kyl	Thomas
Daschle	Landrieu	Thompson
DeWine	Lautenberg	Thurmond
Dodd	Leahy	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lieberman	Warner
Durbin	Lincoln	Wyden
Edwards	Lott	

NOT VOTING—5

Breaux	Kennedy	Wellstone
Inouye	McCain	

The bill (H.R. 2084), as amended, was passed.

[The bill will be printed in a future edition of the RECORD.]

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SHELBY. Mr. President, I now move the Senate insist on its amendments, request a conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. ALLARD) appointed Mr. SHELBY, Mr. DOMENICI, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. BENNETT, Mr. CAMPBELL, Mr. STEVENS, Mr. LAUTENBERG, Mr. BYRD, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, and Mr. INOUYE conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I rise not to delay the process at all but just to acknowledge the fact that we have passed a bill that took some time and an awful lot of work, I must say. I commend my colleague and my good friend from Alabama, Senator SHELBY, chairman of the subcommittee. We had some disagreements. This was not just sweetness and light; it was a good, solid debate. We called on the body to make decisions for us at times. That is the way it should be. So I thank Senator SHELBY for being so cooperative on issues and for understanding what we had to do. We went ahead and did it.

I also thank Senator CHAFEE and other members of the Environment and Public Works Committee for their cooperation. We had some questions that had to be answered, and it took time to thoroughly review them.

Also I want to say, without our respective staffs doing the work they did, this job would be a lot more complicated and would take even more time. I speak specifically about Wally Barnett, the chief of staff on the Republican side, and Peter Rogoff on our side, and the other members of the team: Joyce Rose, Paul Doerrer, Mitch Warren, Laurie Saroff, Denise Matthews, and Carol Geagley on our side, because they made it, if not easy, certainly in many cases they simplified the issues to get them down to digestible form. It did make it considerably easier. I thank them.

I thank my good friend from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I commend my friend and colleague, the former chairman of the committee, the ranking Democrat, Senator LAUTENBERG, and his staff. I believe, as he said, we worked a lot of hours, but our staff has put in, together, many more hours. I want to recognize and thank Wally Burnett, who is the staff director on the subcommittee, also Peter Rogoff whom Senator LAUTENBERG has just mentioned, Elizabeth Letchworth, Jay Kimmitt, Joyce Rose, Paul Doerrer, Steve Cortese, and all the others who contributed to this.

We think we have a pretty good bill. We have to go to conference and work it out. Let's hope we can do it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FITZGERALD). Without objection, it is so ordered.

BANKRUPTCY REFORM ACT OF 1999

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of Calendar No. 109, S. 625, the bankruptcy bill, and only relevant amendments be in order.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Reserving the right to object, and on behalf of the Democratic leader, I must object to proceeding to the bill under those limitations which have not yet been cleared on this side of the aisle. I would be happy to work with the majority on that, but it has not been cleared, so I must object based on the limitations included in the request.

Mr. LOTT. Mr. President, I regret the objection from my Democratic friends on this bankruptcy reform package. We had hoped to get it considered earlier, but because appropriations considerations and some other bills have taken longer than we thought they would, it has been delayed. I find now that there is a growing number of nongermane issues that are being planned to be offered to this very important and vital piece of legislation which has broad support and bipartisan support.

Hopefully, we can get something worked out as to how we could proceed that would allow us to complete the bill in a reasonable period of time. Maybe this action will help cause that to happen.

Mr. LOTT. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of S. 625.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Reserving the right to object, I did not hear what the distinguished majority leader said.

Mr. LOTT. Our plan now is to proceed to the bankruptcy bill, and then I will file cloture on the bankruptcy bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative assistant read as follows:

A bill (S. 625) to amend title 11, United States Code, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments; as follows: