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## Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Monsignor Lloyd Torgerson, St. Monica Parish Community, Santa Monica, CA.

We are pleased to have you with us.

### PRAYER

The guest Chaplain, Monsignor Lloyd Torgerson, offered the following prayer:

Loving and gracious God, we are filled with gratitude for the many blessings that You lavishly bestow upon us and upon our beloved Nation. We thank You for giving the men and women of this Senate the privilege and responsibility of serving this great Nation.

Inspired by the words of Oscar Romero, we pray that they may have the wisdom to understand their role of leadership, knowing that they can accomplish in their lifetime only a tiny fraction of the magnificent enterprise that is the Lord's work. Help them believe that they are essentially about planting seeds that will one day grow and watering seeds already planted, knowing that they hold future promise.

As we enter this millennium may these men and women lay foundations that will endure and be the yeast that will produce effects far beyond their own capabilities. Show them what they can do to make the world a better place for all humankind. May the realization that they cannot do everything, give them a sense of liberation which will empower them to choose priorities and act with integrity.

Bless them as they work to build a Nation of justice, peace, and right relationship; grant them insight; grant them steadfastness to respond to the challenges of this new century. May they always trust in a God of faithfulness who walks before them, behind them, and with them. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The acting majority leader is recognized.

Mr. ALLARD. Mr. President, before I proceed, I yield a minute or two to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

### MONSIGNOR LLOYD TORGERSON

Mr. KENNEDY. Mr. President, this morning's session of the Senate was opened by Reverend Monsignor Lloyd Torgerson of Santa Monica, California. I welcome this opportunity to commend Monsignor Torgerson for his eloquent prayer and for the wisdom he has offered the Senate.

Monsignor Torgerson is a pastor at the Santa Monica Parish where he has served with great distinction for many years. He ministers to over 7,000 families, as well as an elementary school and a high school. He also serves at the Archdiocese level in Los Angeles, and is Dean of the 19 Westside parishes.

Over the years, Chaplain Ogilvie and Monsignor Torgerson have developed an excellent friendship through their work in the Los Angeles community. In fact, Monsignor Torgerson baptized all four of Chaplain Ogilvie's grandchildren.

The Senate is graced and honored by Monsignor Torgerson's presence this morning. I commend him for his inspirational prayer and for his service as our guest Chaplain. I ask unanimous consent that biographical information

on Monsignor Torgerson's distinguished career be printed in the RECORD.

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

REV. MSGR. LLOYD TORGERSON, PASTOR, ST. MONICA PARISH COMMUNITY

Rev. Msgr. Lloyd Torgerson was born in East Los Angeles in 1939 and attended St. Alphonsus Elementary School and Los Angeles Community College High School. Msgr. Torgerson completed his training for the priesthood at St. John's Seminary in Camarillo, California. He was ordained a Roman Catholic Priest in May, 1965 and his first assignment was at Holy Trinity Parish in San Pedro where he served for five years. Msgr. Torgerson was sent to complete his graduate degree in Religious Education at Fordham University in New York in 1970/71 and came back to serve the Los Angeles Archdiocese as Director of Youth Ministry. After eleven years, he was named the Director of Religious Education for the Archdiocese. Msgr. Torgerson has been in residence at St. Monica for twenty-one years and has served as pastor for the last thirteen years. St. Monica Parish has over 7,000 families, an elementary school, high school and a large outreach to the community of Santa Monica. His work as pastor and leader of St. Monica Parish includes parish administration, campaign and restoration of St. Monica Catholic Church and schools, adult education and formation, bringing new adults into the church, young adult ministry, working with the elderly, teaching in the schools, liturgy, hospital visitation, bereavement, and many other outreaches in this parish community.

In Santa Monica, Msgr. Torgerson participates in Rotary, is a member of the Board of Directors of the Boys' and Girls' Club of Santa Monica, and the N.C.C.J. On the Archdiocesan level, he is Dean of the nineteen Westside parishes, on the Finance Council, the Tidings Board and the Cathedral Complex Restoration Committee. In March, 1999 through the present he is Episcopal Vicar of Our Lady of the Angels Pastoral Region.

### SCHEDULE

Mr. ALLARD. Mr. President, today the Senate will resume debate on the Transportation appropriations legislation. Under the order, Senator

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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VOINOVICH will be recognized to offer his amendment regarding passenger rail flexibility. A vote on the Voinovich amendment is expected to occur this morning at a time to be determined. Further amendments will be offered and voted on with the hope of final passage early in the day. As usual, Senators will be notified as votes are scheduled.

Following the disposition of the Transportation legislation, the Senate may resume consideration of the Department of Defense authorization bill or any appropriations bills available for action.

I thank my colleagues for their attention.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now resume H.R. 4475, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the Senator from Ohio, Mr. VOINOVICH, is recognized to offer an amendment.

The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent to have 90 minutes, equally divided, and that there be no second-degree amendments in order in regard to this amendment I intend to send to the desk.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we hope we can work something out on the time. I have spoken to Senator VOINOVICH, and we want to cooperate as much as we can. We have a couple of Senators we need to check this with. We have not been able to do that, so at the present time I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. It would be my suggestion, Mr. President, that Senator VOINOVICH go ahead and offer his amendment. As soon as we get word on whether or not we can accept the unanimous consent request, we will interject ourselves and try to get that entered.

The PRESIDING OFFICER. The Senator from Ohio.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. VOINOVICH. Mr. President, noting the objection, in discussing this amendment, I am going to proceed to give my statement and I will send my amendment to the desk following my remarks and the remarks of my colleagues.

Mr. President, when I first introduced S. 1144, the Surface Transportation Act, more than a year ago, I did so thinking that our State and local governments should have the maximum flexibility possible in implementing Federal transportation programs.

I still firmly believe that our State and local governments know best which transportation programs should go forward and at what level of priority.

As the only person in this country who has served as President of the National League of Cities and Chairman of the National Governors' Association, and one who has worked with the State and local government coalition, which we refer to as the Big 7, I have great faith in State and local governments, and I believe they should have maximum flexibility in determining how best to serve all of our constituents.

I think one of the best examples of how state and local governments work to benefit our constituents is what we have been able to do with the welfare system in this country when we let the States and local governments take it over.

That is why I am offering this amendment today—to give our State and local governments the flexibility they need to make some key transportation decisions that will best suit their needs.

The amendment I am offering will give States the ability to use their Federal surface transportation funds for passenger rail service, including high-speed rail service.

This amendment is identical to section 3 of S. 1144. It allows each State to use funds from their allocation under the National Highway System, the Congestion Mitigation and Air Quality Program, and the Surface Transportation Program for the following: acquisition, construction, reconstruction, rehabilitation, and preventative maintenance for intercity passenger-rail facilities as well as for rolling stock.

As my colleagues know, under current law, States cannot use their Federal highway funding for rail, even when it is the best transportation solution for their State or region. Since States are assuming a greater role in developing and maintaining passenger and commuter rail corridors, I think it makes sense that States be given the most flexibility to invest Federal funds in those rail corridors.

Part of being flexible is making sure we consider all of our options. It is similar to the 4.3-cent-per-gallon gas tax repeal effort that we faced in the Senate this past April. High gasoline prices exposed that we have no national energy policy. With prices currently over \$2 per gallon in several areas in the Midwest, the fact that we still have no national energy policy is now really being felt by the American public.

With the need for a national energy policy plainly evident, we need to put all our options on the table. We need to look at expanded rail transportation, conservation, exploration, alternative fuels, and so on. We need to put all of the right ingredients together that will make for a successful transportation policy.

In addition to the high gas prices, I think the Senate should recognize the fact that there is an appeal pending in the Supreme Court of the United States of America on the issue of the Environmental Protection Agency's new proposed ambient air standards for ozone and particulate matter. If the Supreme Court overrules the lower court's decisions that those new standards are not justified, then we will find throughout the United States of America many communities, including communities in my State—where we have achieved the current national ambient air standards in every part of our State—that will be in nonattainment. If the new standards are implemented, we will need more tools to deal with the pollution.

With the need for a national energy policy plainly evident, we need to put all of our options on the table. We need to look at expanded rail transportation and conservation and all the rest.

As States are more able to turn towards passenger rail service as a safe, reliable, and efficient mode of transportation, we will relieve congestion on our Nation's highways. With fewer cars on the road, contributions to air quality improvements and lower gas consumption will be realized.

Again, the idea behind my amendment is simple. States understand their particular transportation challenges better than the Federal Government. I believe it is the States' right and obligation to use whatever tools are available to efficiently meet the transportation needs of their citizens. In this instance, the Federal Government should not stand in their way but work as a partner to give them the flexibility they need to develop a successful policy.

S. 1144 had 35 bipartisan Senate co-sponsors. This particular amendment we are offering today is endorsed by the National Governors' Association, the U.S. Conference of Mayors, the National League of Cities, the Council of State Governments, the National Conference of State Legislatures, the National Association of Rail Passengers, and the Friends of the Earth.

I have yet to convince some of my colleagues that this amendment will