

the major responsibility at the moment. But we don't make things happen here domestically without investing what we have to. Making things better here at home with our infrastructure is a perfect example of that. I plead with the President openly: Mr. President, please sign this bill when it comes to you.

I am hopeful that we will work out something with the House that is not dissimilar to what we have here in the Senate bill. If it is better, we will take that. But we want to be at least as good as the Senate bill. We hope there is not going to be a campaign that puts this highway and interstate funding on a back burner.

I hope the President will have the wisdom to sign it, notwithstanding the fact that we will likely authorize more spending for high-speed transit and intercity rail than he wants.

As I said at the beginning of my remarks, the country desperately needs increased spending on our surface transportation infrastructure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, let me begin by expressing my appreciation for the Senate leaders for their strong support in reauthorizing the Nation's transportation program, and also my good friend from New Jersey who lends his participation and expertise in coming up with a good bill. He has worked very hard. I deeply appreciate what he has done. Senators FRIST and DASCHLE have spoken forcefully to the vital nature of S. 1072, its potential to create jobs and spur the economy.

The American people are counting on us to advance this important legislation. With the stellar bipartisanship of leaders Senators FRIST and DASCHLE, I am confident we will succeed. Having worked now for many months with my good friend from Oklahoma, I know we will succeed.

As we consider this massive surface transportation bill, there is a tendency to focus on the State-by-State funding matter, overlooking the important policy initiatives and broad implications that attend to the investment of hundreds of billions of dollars.

I do not question the importance of the funding formulas. We spent countless hours examining options and developing an approach that benefits all States and balances competing interests.

But today, and through the course of our debate on S. 1072, I want to discuss the many forward-looking refinements that my colleagues and I have put forward for consideration.

Transportation investment is a means to an end. Our Nation has grown and prospered through strategic development of ports, trails, roads, rails, airports, highways, subways, and byways. In almost every case, our great cities can trace their origins—their very existence—to the logistics of transportation as one of the many eras of our Nation's expansion.

The form and expanse of our cities and towns are an outgrowth of surface transportation technology and investment. In my State of Vermont, even today, the distance between village centers reflects historic travel times by horse and wagon.

Older suburbs in the eastern and mid-western United States are located along early twentieth century trolley lines—lines later abandoned and now being renewed.

Our great sprawling sunbelt and western cities are a product of many key technologies, not the least of which is the modern highway. And it is the greatest highway network in the world—the Eisenhower Interstate Defense Highway System—that has tied our Nation and its many regions so closely together as we move into the twenty-first century.

Transportation investment truly forms our Nation and its communities. That is why our decisions on transportation policy and program structure—both in Congress and at home in our States and communities—must be balanced, well-informed, and forward-looking. I am proud that S. 1072 reflects this understanding.

We are probably coming to a conclusion for the week. I thank all of those who have succeeded in making sure this bill is proceeding properly, especially my good friend from Oklahoma, with whom I have worked. I know he will assist us in making sure this bill becomes a reality in the not-too-distant future.

Thank you, Mr. President.

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

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

Mr. INHOFE. We will be shutting down here shortly, so I will repeat the announcement I made earlier. We are going to try to have this highway bill completed by the end of the week. To do that, there are several things that need to happen. One is that we get these amendments in. We have announced before, and we want to make sure the offices know, if Members have amendments they would like to have considered by the managers, our staff will be available this afternoon and Saturday—this afternoon, all afternoon and Saturday from noon to 5 o'clock—in Hart room 415. We would like to have amendments looked at. I strongly urge you to come down. We are going to stay on our timetable to try to have this completed.

I appreciate the comments by the Senator from Vermont and the Senator from New Jersey. It is very important we get this done.

We are beyond the point of turning back and changing things. We have

spent a year working out all the elements—the environmental portion of the bill, the safety portion of the bill, the formula portion—and we have probably the best bill we have had during my time, and I go back to ISTEA when I was in the other body and TEA-21 here.

We have considered more than the other formulas and we have now abandoned the idea of percentages that will get 60 votes and then walking. That is not the way we should be doing it. I think we are doing it a lot better.

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

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

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mrs. DOLE. Mr. President, I rise to salute a woman who has just completed a stellar tour serving our Nation as Ambassador to the Republic of Finland, Bonnie McElveen-Hutner. I am proud to call Bonnie, and her husband, Bynum, my friends. Today, the President of Finland, Tarja Halonen, will award Bonnie the Commander Grand Cross of the Order of the Lion, an honor recognizing her exceptional and outstanding services. Bonnie McElveen-Hunter is truly worthy of this distinction.

I first met Bonnie in 1999, and was immediately impressed with her intelligence, her drive, her confidence, her spirit, and without a doubt, her Southern charm. She is the eldest of three children born to John T. McElveen, a former Air Force U2 pilot and Madeline, a school teacher. In fact, even to this day, though retired, Madeline is the ever present teacher and is known to impart her "pearls of wisdom" upon her daughter.

Bonnie's credentials are impeccable. She is a serious, successful CEO who serves as head of Pace Communications in Greensboro, NC, one of the top women-owned businesses in the country. The company's impressive client list has included United Airlines, Delta Air Lines, Holiday Inn, Radisson Hotels, and Toyota. Under Bonnie's leadership, the company became the largest custom publishing company in America, based on revenue. Bonnie's successes led President Bush to call her a "trailblazer among female entrepreneurs." How true indeed.

Bonnie's service as ambassador has been as successful as her endeavors in the private sector. Following the terrorist attacks of 9/11, she forged close

relationships with Finland's leaders. During this trying time of international tension, Bonnie not only promoted unity between Finland and the United States in the face of terrorism, she helped to improve commercial ties between the two nations.

After the change of government in Finland, Bonnie worked to foster strong bonds with the new Finnish leadership. She developed a close relationship with Prime Minister Vanhanen, helping to ensure continued warm relations with the Finnish leadership. She met with every new minister in the Cabinet to emphasize the importance of our bilateral ties and to explore ways to enhance our partnership on key issues.

While serving as ambassador, Bonnie also worked on several "non-traditional" diplomatic items, including collaboration with Secretary of State Colin Powell to organize The Helsinki Women's Business Leaders Summit. This summit brought together American, Finnish, Russian, Estonian, Latvian, and Lithuanian entrepreneurs to share their business ideas across international borders. And she helped broker an arrangement that allowed women from Finland, the Baltics and Russia to shadow fifty of our country's top female business leaders.

Bonnie McElveen-Hunter has always had a keen interest and concern for her fellow man. As ambassador, she advanced the "child of Karelia" project, which helps Finnish and Russian charities assist children who are at risk for drugs, crime HIV/AIDs, and trafficking in the transborder region of Karelia. Bonnie is also one of the United Way's most effective fundraisers. And, when she and Bynum moved into a new home, they raised \$1 million for Habitat for Humanity as part of their housewarming.

I love a story Bonnie tells about her childhood. When she was 9 years old, her mother had her write the word "can't" on a piece of paper and bury it in a shoe box in the backyard of the home. She has not used the word since.

Bonnie McElveen-Hunter epitomizes the American spirit through her compassion and sense of entrepreneurship. She serves as an inspiration for us all. Congratulations, Madame Ambassador.

#### THE IMPORTANCE OF STATE AND FEDERAL FREEDOM OF INFORMATION LAWS

Mr. LEAHY. Mr. President, "We're just everyday people," said Linda Raymond of herself and her husband, Mike, of Woburn, MA. "But we stopped a landfill from expanding and raised environmental awareness. Any community can do what we did."

The Raymonds live in a blue-collar suburb of Boston where they both work in the public school system. Three years ago, while walking on a wooded trail in their neighborhood, they discovered that the city's landfill, which had been dormant for 15 years, was bus-

ting with truck traffic. They had cause for alarm. Woburn is the setting of the events that were described in the book, "A Civil Action." After rates of leukemia shot upward, local industries were sued in the 1980s for polluting the area water. The Raymonds, who had not previously been involved in environmental activism, sprang into action, determined to discover what was being planned for the landfill and how this would impact the community's public health.

The Raymonds' story was recounted in the January 25, 2004, issue of *Parade* magazine. "When Linda Raymond contacted town officials to find out what was going on, she hit a stone wall. 'I couldn't get a straight answer from anyone,' she says. 'It was very frustrating.'" The article describes what the Raymonds did next: "To get answers—and action—the Raymonds turned to a powerful set of tools: Federal and State Freedom of Information (FOI) laws."

With the information the Raymonds collected under Massachusetts State FOI laws, they educated the community and held public officials accountable. Their actions ultimately led to the city shelving plans to expand the size of the landfill by over a million tons of waste—plans that had been developed without public knowledge or debate, and which had not been evaluated for environmental or health impacts.

The Raymonds' triumph highlights the power of Government sunshine laws. It also demonstrates one of the most common uses of such laws by citizens and local community groups—that is, reliance on FOI laws to ensure that schools, neighborhoods and local industries are safe and secure. Our FOI laws are in danger, however, especially in the post-9/11 era. As noted by *Parade*, "Some journalists and civil liberties defenders believe that fences have gone up around FOI laws in the aftermath of 9/11. 'Freedom of Information is under threat,' says Woburn Daily Times Chronicle columnist Marie Coady. 'Across the country, it's becoming harder to access documents.'"

One of the most significant threats to American citizens' right to know about health and safety issues was enacted by Congress in 2002 in the form of a broad exemption to the Federal sunshine law, the Freedom of Information Act, FOIA. The Homeland Security Act of 2002, HSA, contained a subtitle purportedly designed to protect "critical infrastructure information." That broadly defined term applies to information regarding a variety of facilities—such as privately operated power plants, bridges, dams, ports, or chemical plants—that might be targeted for a terrorist attack. In exchange for the cooperation of private companies in sharing information with the government regarding vulnerabilities in the Nation's critical infrastructure, those companies would not have to share certain information with the public.

Encouraging cooperation between the private sector and the Government to keep our critical infrastructure systems safe from terrorist attacks is a goal we all support. Unfortunately, rather than increasing security by encouraging private sector disclosure to the Government, the law guts FOIA at the expense of our national security and public health.

The HSA created a new FOIA exemption for "critical infrastructure information." In HSA negotiations, House Republicans and the administration promoted legislative language that they described as necessary to encourage the owners of such facilities to identify vulnerabilities in their operations and share that information with the Department of Homeland Security, DHS. The stated goal was to ensure that steps could be taken to ensure the facilities' protection and proper functioning.

In fact, such descriptions of the legislation were disingenuous. These provisions, which were eventually enacted in the HSA, shield from FOIA almost any voluntarily submitted document stamped by the facility owner as "critical infrastructure." This is true no matter how tangential the content of that document may be to the actual security of a facility. The law effectively allows companies to hide information about public health and safety from American citizens simply by submitting it to DHS. The enacted provisions were called "deeply flawed" by Mark Tapscott of the Heritage Foundation. He argued that the "loophole" created by the law "could be manipulated by clever corporate and government operators to hide endless varieties of potentially embarrassing and/or criminal information from public view."

In addition, under the HSA, disclosure by private facilities to DHS neither obligates the private company to address the vulnerability, nor requires DHS to fix the problem. For example, in the case of a chemical spill, the law bars the Government from disclosing information without the written consent of the company that caused the pollution. As the *Washington Post* editorialized on February 10, 2003, "A company might preempt environmental regulators by 'voluntarily' divulging incriminating material, thereby making it unavailable to anyone else."

Last March, I introduced a bill to repeal this dangerously broad FOIA exemption and to replace it with a balanced measure that will protect our Nation's critical infrastructure without obliterating public oversight. The Restoration of Freedom of Information Act—Restore FOIA—would protect legitimate records pertaining to critical infrastructure safety, but would remove the free pass given by the HSA to industry for any information that a facility chooses to label "critical infrastructure."

Perhaps most important to people like the Raymonds, who relied on State