

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. At this time, morning business is closed.

TRANSPORTATION EQUITY ACT; A LEGACY FOR USERS—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of a bill (H.R. 3) to authorize funds for Federal aid highways, highway safety programs, and transit programs, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes for debate equally divided between the two leaders or their designees.

The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I am glad this day is here and that we are proceeding. I certainly encourage my colleagues to vote for this motion to proceed. I have every expectation that it will pass overwhelmingly. It seems as though we are always in a lot of controversy when we talk about a highway reauthorization bill. It doesn't come along very often—about every 6 years. In my tenure here, I have been involved in four of them. This is the fourth, and it is very significant.

It is interesting that even though there is a lot of criticism, when it gets down to the vote, the vote is always overwhelming. I remind my colleagues that last year's bill was at \$318 billion—that was contract authority—and there was about \$303 billion in guaranteed spending. It passed by a margin of 76 to 21. It is something I know people are interested in, but there are always problems. First of all, let me just say how this is bipartisan. My good friend, the ranking member of the committee, Senator JEFFORDS—back when the Democrats were in the majority, he was chairman—and I always agreed on these highway issues. It is kind of interesting that those of us who are conservatives really believe this is something we are supposed to be doing here—building infrastructure, building roads. I am particularly concerned that our State Of Oklahoma has not had its fair share. We have been ranked as having the worst bridges in the Nation.

Anyway, we have the bill up. It is going to be essentially the same bill as we had last year. We passed it out of committee. There is always a problem. Let me mention this because it needs to come out in the beginning. There

are two different ways to have a highway program. One is to do it—and essentially the other body does it more this way—by taking projects and adding them, and you pass this, so you know what projects will be there for the next 6 years. If you do that, then the people who are on the inside track would have the best opportunity to have theirs, and there is always an accusation of there being pork and having special projects.

In the Senate, we do it the hard way. We have a formula. When you have a formula, it takes into consideration so many different aspects. There is not one State that could not stand and say, my State is not being treated fairly because of this factor or the other factor. If you look at the formula factors, you have so many factors, such as interstate lane miles, vehicle miles traveled on interstates, contributions to the highway trust fund, the lane miles, principal arteries, VMT on principal arteries, diesel fuel, donee status, donor status, and low-income States. Oklahoma is a low-income State. That should be a consideration. You have a low-population State, such as the one of Senator BAUCUS, who has been in the leadership working on this issue. They still have to be able to drive even though they don't have a large population from which to get the funds. You have the high-fatality-rate States. You have a factor for the guaranteed minimum growth and the guaranteed minimum rate of return for donor States.

Oklahoma has been a donor State for as long as I can remember. I remember when we had written into the law we would get back 75 percent of what we have paid in. Now it is up to 90.5 percent. If we passed the bill last year at that funding level, it would be 95 percent. It looks like with the figure that we passed out of the committee on the floor that we will be considering today is one that will allow us to get to 92 percent.

I know the formula is not perfect. There are a lot of donor States that think they are not getting enough. A lot of donee States think they are not getting enough. The unhappy donee States complain about the growth rate, but they are ignoring the high rate of return. The unhappy donor States are complaining about the rate of return, but they are ignoring the high growth rates. I have seen unhappy donors trying to rewrite formulas. You cannot do that in a vacuum. I am sympathetic with unhappy States; however, they cannot change the formula in a vacuum and not affect every other State. One of the States is trying to do that right now, and that would adversely affect the rest of the States. It is something that is difficult to deal with. When we get to conference, there are things we can do that we cannot do on the Senate floor. Perhaps some of these things will be done.

With that, I will yield to Senator JEFFORDS, the ranking member on our Environment and Public Works Committee, for his comments.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I rise today to add my voice to those calling for the approval of the motion to proceed that we will soon vote on.

For more than 3 years Congress has been trying to pass a highway bill. Today we are taking one more step in the long road toward passage of this important legislation.

Mr. President, our Nation needs this bill. We need this bill because it will make our roads and transit systems more efficient and safer.

This year it is estimated that 33 percent of America's major roads are in poor or mediocre condition; 27 percent of America's bridges are structurally deficient or functionally obsolete; 37 percent of America's major urban roads are congested; and 42,000 Americans will die in traffic accidents.

We need this bill because a fully funded bill is good for the economy.

The Department of Transportation says that for every \$1 billion of Federal spending on highway construction nationwide, 47,500 jobs are generated annually; and that every dollar invested in the Nation's highway system yields \$5.40 in economic benefits because of reduced delays, improved safety and reduced vehicle operating costs.

We need this bill to maintain our current highways and bridges than ever before, while demand for our roadways only increases.

The Federal Highway Administration says that 52 percent of highway funds spent by States went to preserving highway systems while just 19 percent went to building new roads and bridges.

At the same time, traffic congestion costs American motorists \$69.5 billion a year in wasted time and fuel costs and we spend an additional 3.5 billion hours a year stuck in traffic.

This bill isn't perfect. In fact, I think it needs additional funding. The White House has suggested an overall funding level for surface transportation of \$284 billion over 6 years.

This despite the President's own Transportation Department saying we need at least \$300 billion to simply maintain the status quo, and something well above that level to make progress on conditions and performance.

Thankfully, calls for increased funding have come from Republicans, Democrats and Independents; Members of the House and Senate, Governors and Mayors. But we will address the funding issue in due time.

Today we must get cloture on this bill and move forward.

Once again, I would like to thank the Senate leadership on both sides for their support of this bill.

I would also like to pay tribute to Chairman INHOFE and Senators BOND and BAUCUS for their support and cooperation in helping get us to where we are today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. INHOFE. Mr. President, I thank the Senator from Vermont for his comments. At this time, I would like to recognize that we have four of the real star freshmen, the new Members of this body, on our committee. One, of course, is the presiding officer from Louisiana who made very clear to us the problem of beach erosion in the State of Louisiana. I appreciate his calling that to our attention. Then, of course, we have the new Senator from South Dakota, Mr. THUNE. Senator THUNE is also on the committee, and we yield to him at this time.

Mr. THUNE. Mr. President, I also rise today to speak in support of moving forward with debate on reauthorization of the Transportation Equity Act for the 21st Century. As many of my colleagues know, enactment of a long-term, robust Transportation bill is long overdue. I credit the distinguished chairman of the Environment and Public Works Committee, Senator INHOFE from Oklahoma, and the ranking member, Senator JEFFORDS, for their good work in bringing this to the floor.

It is important work that we are about to undertake. We are in the sixth extension of the current bill. We have another construction season that is going to be lost in the Northern States if we do not get a long-term bill put into place.

I appreciate very much the chairman's work in taking a very fair and evenhanded approach in how he has tried to distribute a certain amount of finite funding for this bill. As he mentioned in his remarks, this is a balance that must be struck between the large States and the small States. Frankly, passage of this legislation is critical not only to my home State, but to the Nation as a whole.

Since my service in the House of Representatives, I have long been a supporter of a strong federal role when it comes to transportation infrastructure funding. In fact, I believe the transportation infrastructure is one of the primary responsibilities of the federal government. After all, an adequate transportation infrastructure that is safe and affordable helps facilitate the movement of the goods and services on which our economy relies. Additionally, investing in our transportation infrastructure is a proven way to ease congestion and improve the safety of our highway system.

If we look at the economic impact of what we are talking about today, it is profound. For every \$1 billion invested in federal highway and transit spending, 47,500 jobs and job opportunities are created or sustained. For every \$1 billion in highway and transit expenditures, gross domestic product, GDP, will increase by \$1.75 billion, a multiplier effect of 1.75.

So this is important to our economy in terms of the jobs it will create, the growth it will bring about in our Nation's economy, and it is critical that this legislation, which has been held up

since the last Congress, move forward. It is one of the most important measures the House and Senate must resolve this year. And it is incredibly time sensitive as we look at the sixth extension we are operating with today and the need to get a permanent bill in place so this construction season will not be lost on many of those transportation departments in the Northern States.

I have heard regularly from officials from the South Dakota Department of Transportation who are concerned about the tremendous uncertainty they face as a result of not having a long-term bill. The business community, local officials, tribal leaders, and constituents across South Dakota continue to ask me why critical transportation projects are delayed from getting off the ground. I recognize that a handful of my colleagues from donor States are concerned that the bill, as reported by the Environment and Public Works Committee, does not go far enough to boost their overall rate of return. But the bill the Environment and Public Works Committee reported out last month, S. 732, does more to address the donor issue than the administration's reauthorization proposal or the bill as passed by the House of Representatives last month.

The clearest way to address the underlying concern that donor States have raised is to add more funding to this bill. In fact, I plan to support the amendment I understand Finance Committee Chairman GRASSLEY and Ranking Member BAUCUS intend to offer because boosting this bill's overall funding level is the straightforward way to increase the minimum guarantee donor States seek without unfairly reducing the funding for donee States, such as South Dakota.

I look forward to working with my colleagues and with the chairmen and the ranking members from the various Senate committees responsible for this legislation.

As I said earlier, time is of the essence. It is important we work together to pass this bill so that conference negotiations between the House and the Senate can get underway, especially in light of the extension that is slated to expire on May 31.

I again commend the leadership of our committee, and the leadership on both sides in the Senate for their desire to bring this bill to the floor to ensure we are taking the steps necessary, when this current extension expires at the end of May, to have a new permanent bill in place that will address the critical infrastructure needs of our Nation as we move into the future. Many of the highways, interstates, and roads across this country are in poor or mediocre condition. Mr. President, 27 percent of our bridges are structurally deficient or functionally obsolete. It is important we get to work on this legislation in the Senate so we can get to conference with the House, resolve any differences that exist, and get a perma-

nent funding solution put in place for the States, the cities, the business community, and all the jobs and economic development that go with it.

Mr. President, I again urge my colleagues to support this motion to proceed to the legislation. I thank the chairman and the ranking member for their good work. I see Senator BOND, from Missouri, who has also been instrumental in crafting this legislation. I appreciate the leadership and work this committee has put in to get the bill to the floor. It is time we get it voted on and signed into law.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, if there is time during the course of this debate, even though we are operating under 1 hour equally divided, I want to go over, so everybody understands, why it is necessary to pass this bill instead of going with another extension because we do not get all the reforms we need without passing this bill.

I have to agree with the Senator from South Dakota that in order to get up to a higher figure in terms of the donor States—and there are a lot of donee States that are supporting us in this effort—it is necessary to have a more robust bill. I am sure we will have an opportunity to debate that and get to conference and see what we can work out.

The chairman of the Subcommittee on Transportation has been such a strong, hard worker. The Senator from Missouri has been there every step of the way and has been a part of this great bipartisan effort. So we yield to him at this time for whatever time he wishes to use.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, my sincere thanks to the chairman of the committee, Senator INHOFE; to the ranking member, Senator JEFFORDS; and my colleague, the ranking member on the subcommittee, Senator BAUCUS. This is a job well done under the constraints we face. We have worked long and hard to get to this point, and I urge my colleagues to vote in favor of proceeding.

The bill, S. 732, the Safe Accountable, Flexible, and Efficient Transportation Equity Act, is long overdue, 2 years past due. Our roads are deteriorating and safety is deteriorating unless and until we can get this bill up. My thanks to the leader for allowing us to call up the bill. It has a lot of moving parts. Every time you move one part, you make somebody slightly happy and several more very unhappy. But I believe it is a good step forward in attempting to meet our goal of completion prior to expiration of the current extension of the authorization on May 31. If we do not proceed to move to this debate, Senators should be aware we may not be able to pass a seventh extension, and our States may cease to let additional contracts, and thousands of jobs may be at stake.

We called up S. 1072 a little over a year ago, and final passage of that bill last year was 76 to 21. Today's bill, S. 732, is nearly identical to last year's bill, with one major problem: To comply with the President's budget request of \$284 billion, we have taken a proportional cut across the board of approximately 10.7 percent.

During conference last year, we were presented with \$299 billion in contract authority and \$284 billion in guaranteed spending. Today, our obligation limit and contract authority numbers are both the same, at \$284 billion. I do not think that will work.

Last year, \$284 billion was not sufficient to meet the transportation and safety needs in my State and, I think, many other States. I thought then, and continue to believe, more money is necessary. I understand the Finance Committee will be offering an amendment which we on the Environment and Public Works Committee will be supporting. During the budget resolution debate, my colleague from Missouri, Senator TALENT, along with the Senator from Michigan, Senator STABENOW, offered an amendment that any revenue that does not add to the deficit should be spent. It passed with more than 80 Senators supporting it. I think the Senate will have a similar position when we provide for additional revenues with defensible efforts.

The bill we are bringing to the floor has several major goals.

First, equity. While previous authorizations have talked about equity, our bill carefully balances the needs of the donor States, while also recognizing the needs of the donee States. There are many sections of the bill I am proud of supporting, such as the fact that all donor States will receive, at the minimum, a 92-percent rate of return by the end of the authorization.

My State of Missouri is a donor State which essentially means that for every dollar we spend on transportation, we receive less than a dollar in return. In 2004, it was 92 cents.

There are many States that fall under the \$1 rate of return—unfortunately, only about 20 of them, which means there were 30 votes for the donee States that got back more than a dollar, and that is where our problem was.

Last year, with the more robust funding, we were able to get all States up to 95 cents, but we were unable to achieve this rate of return as a result of going from \$318 billion down to \$284 billion.

Donor States that support additional revenue above \$284 billion can expect an increase in their rate of return to bring the bill more in line with last year's bill, but I do not think anybody is talking about \$318 billion anymore.

I worked diligently with Chairman INHOFE, Senator JEFFORDS, and Senator BAUCUS to ensure the bill remains as fair and equitable as possible among all States. I am aware some of the donor States, which we commonly refer to as superdonors—it is nice when you get to

select the epithet by which you are called. I wish I had thought of being called a superdonor or a deserving donor. Senator INHOFE and I come from deserving donor States. We will add Senator THUNE into the deserving donor States. But superdonors are concerned they hit the growth caps and do not achieve a 92-cent return right away. But the average rate of growth from the highway trust fund for all States is about 24.38 percent. The average rate of growth of Texas and Arizona is 31.79 percent. Senators from States that are growing below average are the ones who, it seems to me, should be complaining. We were unable to bring up donor States as early as we might have wished due to budget constraints, as well as balancing the needs of the donor States with the needs of the donee States.

For this reason, as most donor States grow, the donee States see a gradual decline to bring greater equity between the States. Nevertheless, all States will grow at not less than 10 percent over the previous bill, TEA-21. We are hopeful that with additional revenue, we will be able to raise that floor.

Safety is another key feature. We will go a long way toward saving lives by providing funds to States to address safety needs at hazardous locations, sections, and elements.

Safety in this authorization is, for the first time, being elevated to a core program. Our bill mirrors the administration's proposal, continuing our commitment to our motoring public's safety. This is accomplished by providing much needed funding to reduce highway injuries and fatalities, all without the use of mandates.

In my State of Missouri, we know inadequate roads not only lead to congestion, pollution, lack of economic growth, and they delay, deny, and derail economic opportunity, but they also kill people. We have averaged more than three deaths a day on Missouri highways and probably close to 40 percent, if not more, can be attributable to inadequate roads.

I have driven all the Federal highways and all the State highways and a lot of the county roads in Missouri, and I can tell you we have Federal highways which are two-lane highways which have traffic that everybody agrees should be on four lanes. What happens? We have rear-end collisions, passing on blind curves and hills, and we have fatalities.

My home State of Missouri, as many other donor States, has some of the worst roads in the Nation. We are among, unfortunately, that distinguished group that has the highest fatalities per million miles driven on the roads.

That is a distinction we do not like. Recent reports say we have the fifth worst roads in the Nation, with 65 percent of our major roads in fair to poor condition requiring immediate attention. We also rank fourth from the bottom in deficient bridges in the Nation.

Our committee has heard voluminous testimony from the administration that nearly 43,000 people were killed on our roads and highways last year alone. I am glad this bill reflects a continued commitment making not only investments in infrastructure but for the general safety and welfare of our constituents.

The bill addresses several environmental issues, such as easing the transition under new air quality standards. The conformity process is better aligned with air quality planning, as well as streamlining the project delivery process by providing the necessary tools to reduce or eliminate unnecessary delays during environmental reviews.

Another accomplishment of our package will ensure transportation projects are built more quickly because environmental stakeholders will be brought to the table sooner. Environmental issues will be raised earlier and the public will have better opportunities to shape projects.

Projects more sensitive to environmental concerns will move through a more structured environmental review process, more efficiently, with fewer delays. The bill also ensures that transportation projects will not make air worse in areas with poor air quality while giving local transportation planners more tools and elbow room to meet their Federal air quality responsibilities.

The bill will put transportation planning on a regular 4-year cycle, require air quality checks with projects large enough to be regionally significant, and reduce current barriers that local officials face in adopting projects that improve air quality.

The final goal is jobs. The Department of Transportation estimates that every \$1 billion in new Federal investment creates 47,500 jobs. To the Associated General Contractors, the same \$1 billion investment yields half of that in new orders from manufacturing and half of that spread through other sectors of the economy. Construction pay averages \$19 per hour, 23 percent higher than the private sector average.

This comprehensive package is a good step forward to creating jobs, but as a Governor of the State where we placed a high emphasis on economic development, it is not only the jobs that are created in construction, it is the jobs that are created by the existence of adequate, safe transportation that assures continued growth.

We have spent a lot of time in this body talking about how we get our economy to grow, how we create jobs. Passing this bill to create jobs now and facilitate the creation of jobs in the future is the best thing we can do. I am hopeful our colleagues in the Senate will agree to move this bill quickly in order to pass this legislation prior to the current May 31 expiration date.

I thank the Chair and I reserve the remainder of the time for the leader on this side.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first I thank the senior Senator from Missouri, Mr. BOND, for his hard work and for being so articulate. It is interesting that we have heard from Senator THUNE from South Dakota, a donee State, and Senator BOND from a donor State, and they are both equally enthusiastic about the fact that we have something that should work, and yet we know that any change in any part of a formula is going to have an effect on all the rest of the States. It does not happen in a vacuum.

I will yield the floor to Senator BOND to respond to a question. I ask the Senator, would he enlighten this body as to, according to HAWA, which two States in America have the worst bridges in terms of their state of disrepair?

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Missouri will be permitted to answer the question.

Mr. BOND. Mr. President, there have been some new factors that have come out. In the interest of full disclosure, Missouri has moved up to fifth worst in roads and fourth worst in bridges. As I understand, Oklahoma still occupies a place of dishonor with even worse roads and bridges.

I was hoping those new studies would not come out that we are still right at the bottom. As two States that are in the heart of the Nation with major interstates crossing our States and traffic going east, west, southwest, and northeast through our States we are essential arteries for transportation for the Nation.

Mr. INHOFE. If the Senator will yield for another question, he is a former Governor of the State of Missouri. He knows a little bit about how the construction season goes. What kind of problems would he see—as Senator THUNE mentioned, we are in our sixth extension right now—if we were merely to extend this rather than to pass this bill, from a State perspective?

Mr. BOND. Well, the States are absolutely frustrated beyond all means that we have not been able to reauthorize the bill. Merely extending the bill does not enable us to go forward with major planning. The extensions keep existing projects in line and allow the Department of Transportation to continue to operate, but if we have another extension it means the money that this bill would make available will now not be made available until the construction season. For most of the United States, the construction season is spring, summer, and fall. Not a lot of work can be done in the winter.

So with the necessary contract times, 90 days to let contracts, if we do not make the May 31 deadline with new authorization, we are going to lose a tremendous amount of road construction necessary for economic development and safety.

Mr. INHOFE. I thank the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, one of the comments was made by I believe it was Senator THUNE about the extensions. Let me make sure we all understand because this is very significant. We have been operating on extensions, and when we operate on extensions we cannot plan in advance. This bill has more provisions in it affecting safety, streamlining, and other factors than any bill of the four that I have been exposed to in reauthorization.

In the event we were to have to go ahead on another extension, there would be no chance of improvement on the donor State of return. In other words, donor State of return is going to stay at 90.5. It is not going to improve. If we were going on an extension as opposed to passing this new authorization bill, there would be no new safety core program to help the States respond to the thousands of deaths each year on our roadways.

I would say to the Senator from Vermont, this is a life-or-death type of a bill before us because more people are going to die if we do not pass the bill, if we just operate on extensions.

If we just do the extensions, there will be no real streamlining of environmental reviews, so critical projects will still be subject to avoidable delay. We see events that do not make any common sense in terms of how many miles can be paved per dollar. We have obstacles that are in the way. We have addressed those obstacles, and it has not been easy.

The Democrats and Republicans on this committee had to give and take. Frankly, there are some provisions in this bill I do not like too well, and I suggest to the Senator from Vermont there are a few he does not like, but one of the major things I think has to be done before we start any meaningful construction in America is to have these streamlining provisions. If we do not have a bill, if we go on with extensions, there will be no increased ability to use the innovative financing, thereby giving States more tools to advance. We are talking about public and private partnerships. We have been building roads the same way now for many years.

I have been notified that the time on our side has expired, and I ask unanimous consent that we be given an opportunity to share the minority time to whatever extent the Senator would like to give us.

The PRESIDING OFFICER. Is there objection?

Mr. JEFFORDS. I yield to the chairman such time as he desires from the time on this side.

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

Mr. INHOFE. I say to the Senator from Vermont, with that very generous offer, as soon as he has someone coming and they want time, I will cease on this side so they can be heard.

Mr. JEFFORDS. That is fair.

Mr. INHOFE. The bill offers an increased ability to use innovative financing methods. Out in California and in Texas, they have been able to do some things where they have convinced us they get many more miles and much more local participation by the public-private partnership, by the TIFIA rule, and it is something that we would not be able to do nationwide if we do not get this bill and we just operate on an extension.

There are a lot of people who are very concerned about a provision in our bill that is called the Safe Routes to School. I know the Senator from Vermont has been interested in that. This is something where we would be talking about saving young lives. Right now, the provision is not there. So if we have an extension, it is merely an extension of TEA-21, the one that we have been operating under for the last 7 years.

If we are not able to pass this bill, then the States will continue to have uncertainty in planning, thereby delaying projects and negatively impacting jobs.

The Senator from Missouri commented that for each \$1 billion spent, it provides 47,000 new jobs. So this would easily be the biggest jobs bill probably in the history of America. But if we operate on an extension, there can be no planning. There is not going to be the construction.

The Senator from Missouri is from a northern State and so is the Senator from Vermont. In Oklahoma, though, our construction time is longer than it is in Vermont, and it is actually longer than it is in the State of Missouri. It is something that has to be considered because if we have those delays and they cannot plan in advance, we are not going to have the construction. We are not going to be able to correct these problems.

That is why I asked the question of the Senator from Missouri, who is a former Governor of the State. We need to have certainty in planning. I hear every day from Gary Ridley in our Department of Transportation in Oklahoma that we have things we need to do and we need to be planning right now. We can get so much more for each dollar if we do that, and I suggest that other States have the same situation.

If we do not have a new bill and we just operate on an extension, there is no new border program for border States to deal with NAFTA and other traffic. We hear a lot from the border States—California, Arizona, Texas, and Florida—that they like the borders and corridors program. We have a borders and corridors provision in this bill that will give consideration to the fact that through no fault of their own many border States have a lot of traffic that comes up through Mexico and other places that is all in conjunction with NAFTA.

I can recall 10 years ago when NAFTA was voted on I happened to have been the only member of the

Oklahoma delegation that voted against NAFTA. I think I was right and they were wrong, but nonetheless when we look at what we are able to do with the borders and corridors program, it is something that is very critical for those States.

My State of Oklahoma is also affected by that because those corridors come through the State of Oklahoma. If we do not have the bill, we just have an extension, there is going to be a delay in the establishment of the national commission to explore how to fund transportation in the future. As motor vehicles become more fuel efficient, a tax collection system based solely on gas consumption becomes less practical. Right now the greatest problem we have is the cost of fuel. We have been very much concerned about that. If our taxes were based on a percentage as opposed to a number of cents or dollars, then we would not have that problem. But in Oklahoma if we are paying \$2.20 a gallon for gas instead of what it was a short while ago, about \$1.40, then people are not going to drive as far. When they do not drive as far, that means the tax revenues are going to come down.

There is no reason we have to continue to do business as we have done business for the last 50, 60, 70 years and not come up with new and innovative ways to pay for our system.

In this bill we have a provision for a national commission to look at different transportation funding in the future. One of my complaints when we talk about the highway trust fund is about how we should or should not pay for it. Every time this body has a new idea to encourage people to use fuel-efficient automobiles, either hybrid or electric cars, that ends up with less gallons of gas produced. Yet those cars still damage the highways with the wear and tear that another car does. I have complained if we are going to have a policy, it should not be paid for on the backs of the highway trust fund.

Anyway, those are issues they can look at. They can look at new ways of financing roads and new partnerships. This commission will come together and will perform for us.

If we do not have a new bill and we have an extension, there will be no increased opportunity to address chokepoints and intermodal connectors. This is not simply a highway bill but an intermodal bill, talking about how the highways, railroads, and airlines come together. It is a complicated transportation system.

There was a time in the beginning during the Eisenhower administration when we wanted to have a national highway system. I will share with my friend from Vermont, when President Eisenhower, during the war, was a major, Major Eisenhower, he was the one who realized our traffic system, our road system, our network, was not a transportation issue as much as a national security issue. He was trying to move his troops around from one place

to another. So when he became President, one of the first things he wanted to do was set up the national transportation system. We have had it since that time. At that time we were looking at miles of paved roads in America. Now we are looking at the intermodal system that covers all transportation and brings all transportation together. But we won't be able to do that if we extend what we have today because those portions of the bill will not become law.

There are many other provisions we would lose if we do not pass a bill, if we only have an extension. The firewall protection of the highway trust fund would not be continued, thereby making the trust fund vulnerable to raids in order to pay for other programs.

One of the things we run into in Government I can relate to in the State of Oklahoma. In the State of Oklahoma we have had people, when you are looking the other way, come in and raid a trust fund. The impact aid is a good example. Impact aid was started way back in the 1950s. The idea was if Government comes along and takes the land off the tax rolls, you still have to educate those kids living there, so they are supposed to replenish that particular subdivision to the amount of money they lost in revenue. That was a good program. We all supported it.

In the 1960s, people realized there was a fund and no one was looking, so they took the money out of it. This has happened to other trust funds. This has happened to the highway trust fund. I see that as a moral issue.

In fact, when we had our bill out last year, we looked at it as if this is something we can afford to do because it was paid for almost entirely out of user taxes. Now, if you go to the pump and you pay a Federal tax on the gasoline you buy, you assume that will go to building roads and maintaining roads and people do not complain about it. I have never complained about it. I complain about every other tax, but I don't complain about the highway taxes because I know that is how we will pay for it. They have been diverting money out of the trust fund and putting it into other projects.

What we did in last year's bill, and it is in this year's bill also, is restore that so money will have to go to repairing roads that go into the highway system. If we do not pass this bill, it is not going to happen.

To reiterate, regarding the pending bill, 76 Senators voted for it last year. Very few changes have been made. We produced a solid project last year to go to conference with the House. I suggest that given a few changes we would have made, we would have been able to move it out and we would not be here today. This should have happened a year ago. This should not be happening now.

The bill managers are ready and willing to discuss Members' amendments. We want to work with you on your concerns. We hope you will come down and

offer amendments. We will have this vote in 9 minutes. How quickly time flies when you are having fun. When we have this vote, I anticipate it will be a successful vote and we will be able to get on the bill and start with amendments. When that happens, I certainly hope all those individuals who have said negative things about this bill—they didn't like part of the formula, they didn't think they were treated fairly, they thought they were bumping up to the caps for States—come down and offer amendments.

I don't think any of us in terms of Senator JEFFORDS, myself, Senator BAUCUS, and Senator BOND, are going to complain. We may not like the amendments, but we want to have the amendments offered, if for no other reason than it is important so people realize you cannot make one change in a bill without affecting everyone else. I know formulas are different.

It would be easier if we had done the easy thing. That is, Senator JEFFORDS and I could go to 60 Members of this 100-Member body and make them sweetheart deals, give them what they wanted to get their vote, buy their votes, get 60 votes, and tell the rest of them, it is your problem. And we would have a bill today. That is not how we want to do business. We feel we can do it being fair to our colleagues and do it on the basis of a formula.

We had Members who were going to be heard on the motion to proceed and they have not arrived. 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. Without objection, it is so ordered.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the chairman and the ranking member for their work on this issue. I urge my colleagues to support invoking cloture on this important legislation.

I had a meeting yesterday morning with highway contractors in my State. They once again impressed upon me the urgency of passing new highway legislation.

In my part of the country—I represent North Dakota—our construction season is a short one. We urgently need action. There are contracts that are being held up, actions that need to be taken to improve the road network in my State that are being held because there is no new highway legislation passed.

We keep passing extenders. But that does not make adjustments for the increased needs across the country. We know much of our bridge system is deficient and in serious need of repair. We know many of the roads in our country need repair. New highways need to be constructed. Much of that activity will not occur unless new highway legislation passes the Congress.

I thank the chairman and the ranking member for the extraordinary efforts they have made to advance this legislation. We are being held up here because some are unhappy, some are not getting all they would like to get. That is pretty much the norm around here. None of us get quite what we would like. I would like much more for my State. But I know the reality we confront. I know the urgency of the need to act.

I ask my colleagues, please, let's invoke cloture. Let's proceed. We will still have opportunities to amend this bill. Members can come before the Senate and offer amendments to change this legislation. They can either prevail or lose, but they will have had their chance. I hope my colleagues will support the move to invoke cloture on this legislation so we can proceed, so the American people can know the important business of highway construction, highway repair, bridge construction, and bridge repair can move forward.

Mr. JEFFORDS. Mr. President, I thank the Senator for his good words. I hope the Senators viewing this will join so we can expedite passage of this bill.

Mr. CONRAD. Mr. President, again I thank the ranking member, Senator JEFFORDS, who has put so much time and effort into this legislation so that all at the table are fairly represented. I thank the chairman, as well. The chairman has strived valiantly over an extended period of time. I remember last year as we moved, we hoped, toward conclusion, our House colleagues had a different point of view than the Senate. I thank the chairman and ranking member for their exceptional efforts.

Now we have a chance to do it, to move forward. We need this cloture vote to proceed.

I yield the floor.

Mr. INHOFE. I thank the Senator from North Dakota. It is not as great a problem in Oklahoma as the problem in North Dakota because your construction season is shorter than ours. Right now one of our major concerns is that we can get in there and get the contracts in a timely fashion so we can get under construction and do the work we are supposed to be doing.

Also, before the Senator from North Dakota came in, we commented this is somewhat of a life-and-death situation. Last year, nearly 43,000 people died on our Nation's highways. This represents the single greatest cause of accidental death in Americans ages 2 to 33.

The core safety programs will be corrected. According to the Department of Transportation, time in congestion increased from 31.7 percent in 1992 to 33 percent in 2000. We had several discussions yesterday about the cost of fuel and the fact that if you have all this congestion—certainly we know what this is in Washington, DC—the cars are out there idling, burning fuel, not getting anywhere. We need to get this country moving.

I appreciate the comments of the Senator from North Dakota.

We are at the time designated to have the vote. This could be one of the maybe two or three most significant votes we have this year. It will allow us to do all that we have been talking about for the last hour. It is rather refreshing during this time we did not have anyone coming down and opposing this motion to proceed.

The Senator from North Dakota is exactly right. We want to encourage people who have a problem to come down. Maybe we can make them better. We want to consider amendments. We want to get this done.

The PRESIDING OFFICER. Without objection, all time is yielded back.

CLOTURE MOTION

Under the previous order, the Senate will proceed to a vote on the motion to invoke cloture on the motion to proceed to H.R. 3, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 69, H.R. 3, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Bill Frist, John Warner, Lindsey Graham, Craig Thomas, Mike DeWine, Richard Burr, Susan Collins, Johnny Isakson, James Inhofe, Gordon Smith, Pete Domenici, Thad Cochran, John Thune, Orrin Hatch, Chuck Grassley, David Vitter, Mitch McConnell.

The PRESIDING OFFICER. Under unanimous consent, the mandatory quorum has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3, the Transportation Equity Act: A Legacy For Users, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 94, nays 6, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—94

Akaka	Craig	Kohl
Alexander	Crapo	Landrieu
Allard	Dayton	Lautenberg
Allen	DeMint	Leahy
Baucus	DeWine	Levin
Bayh	Dodd	Lieberman
Bennett	Dole	Lincoln
Biden	Domenici	Lott
Bingaman	Dorgan	Lugar
Bond	Durbin	Martinez
Boxer	Ensign	McConnell
Brownback	Enzi	Mikulski
Bunning	Feingold	Murkowski
Burns	Feinstein	Murray
Burr	Frist	Nelson (FL)
Byrd	Graham	Nelson (NE)
Cantwell	Grassley	Obama
Carper	Hagel	Pryor
Chafee	Harkin	Reed
Chambliss	Hatch	Reid
Clinton	Inhofe	Roberts
Coburn	Inouye	Rockefeller
Cochran	Isakson	Salazar
Coleman	Jeffords	Santorum
Collins	Johnson	Sarbanes
Conrad	Kennedy	Schumer
Corzine	Kerry	Sessions

Shelby	Stevens	Voivovich
Smith	Talent	Warner
Snowe	Thomas	Wyden
Specter	Thune	
Stabenow	Vitter	

NAYS—6

Cornyn	Hutchison	McCain
Gregg	Kyl	Sununu

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 6. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Ms. MIKULSKI. Mr. President, I ask unanimous consent to speak for 7 minutes on the topic of the 15th anniversary of the Hubble telescope.

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

FIFTEENTH ANNIVERSARY OF THE HUBBLE SPACE TELESCOPE

Ms. MIKULSKI. Mr. President, this week marks the 15th anniversary of the launch of the Hubble space telescope. As we watched Hubble lift off 15 years ago, we had great hopes for the Hubble and great hopes for science. Guess what. We were not disappointed.

Hubble ushered in a new era of astronomy and science. Hubble has exceeded all expectations. It is the greatest tool for studying the universe since Galileo himself invented the telescope. Because of the Hubble, we are now living in what astronomers call the "golden age" of astronomy and physics. How incredible, how spectacular. It has been America's gift to the world. It has been one of the greatest acts of public diplomacy in history. Hubble has become a symbol of America's generosity of spirit. Whatever the Hubble sees in the world, it downloads for the rest of the world to have access. Hubble even has its own Web site. It gets e-mails from people all over the world. Some of them from the children are the most touching. There are e-mails that say: Dear Mr. Hubble, did you see God today? Have you met an angel? Is there another universe? What does it look like? They actually talk to Hubble, and it has inspired their curiosity and their desire to engage in science.

It is not surprising; just look at what it has accomplished.

The Hubble telescope has accounted for 35 percent of all of NASA's discoveries for the past 30 years. It has seen farther and sharper than any telescope in history. It has observed more than 14,000 objects in space. It has been the No. 1 producer of science for NASA over the past 10 years. Over 2,600 scientific papers have been written on the Hubble results. It has dramatically improved our understanding of the atmosphere of planets; the size of galaxies; the birth, life, and death of stars; the existence of black holes; the age of the universe and how the universe expands.

I have a photograph in my office of a swirling galaxy. They call it the "eye of God" because you literally see those spectacular pictures, and you feel in this one picture that God himself is staring down at us from the universe.