

So I want to add, on behalf of all the Republican conference, our congratulations to Senator BARRASSO on an outstanding opening address.

He pointed out that one of his specialties, which is greatly needed around here, is the fact he is a physician. That is extremely important. So your skill set, in addition to your leadership abilities, is certainly welcomed here in the Senate.

Mr. President, I congratulate our colleague from Wyoming on a great maiden speech and welcome him once again to the Senate.

The PRESIDING OFFICER. The senior Senator from Wyoming.

Mr. ENZI. Mr. President, I, too, congratulate my colleague on his official first speech, so I will officially give my first welcome. He and I and the people of Wyoming know this is not his first speech, and definitely not his first effort. He has been helping people in Wyoming. He gave up a great orthopedic practice that he founded, which is a disappointment to a lot of people in Wyoming who were actually still hoping they would have an operation from him. But because of the quickness of the appointment, he was back here, ready to work, and at work. He has done a phenomenal job since he has been here.

I am glad to have the help explaining Wyoming, as he did so aptly in this speech. There is a lot of work to be done here, teaching the East about the West so they understand better that one size fits all does not work.

I have been across Wyoming and talking with my colleagues here explaining what a hard worker and a fast learner the new Senator is. He has certainly proven that on his own. He did mention the 30 town meetings he held prior to September 1. That leaves out a lot. Besides 30 town meetings, he had meetings with officials, he had meetings with special groups, he went to a lot of events. He was even in a bocce ball tournament in Cheyenne, where he narrowly lost to the reporter who wrote a wonderful three-page article after that.

When we talk about 30 town meetings in Wyoming, we are talking about one of the bigger States in the United States. We are a small population, but we are a big State. To get to those people you have to travel a lot of miles and talk to a lot of small groups. He does that willingly. He shows up at everything. I am pretty sure, by my count, he was in Jackson six times during August. Jackson is on the far side of the State where the Grand Tetons are. We hope everybody in America visits there and visits there frequently. It is just on the south of the Yellowstone, which is even a little better known, but it is on the far side of the State. It is very difficult to get to from anywhere in Wyoming. It is pretty easy to get to from Houston or Atlanta or Minneapolis, but it is very difficult to get to from Wyoming. He was there six times. That means traveling probably

250 miles a trip, each way, to get there, and then to get back on schedule, meeting with the constituents with whom he promised to meet. That is the kind of dedication he has. He did a marvelous job of answering questions, gathering information. He is a good listener, but he is also a good doer.

He served in the State senate. That has been a training ground for people who have served here for years. That legislative experience makes a difference in how fast you can adjust to the way things operate here compared to the way things operate in the State legislature—compared to not knowing about either one of them. He had some marvelous achievements while he was in the State. He has mentioned some things he wants to get done here. Watch out for him. He will get those done. Help him out. They are worth doing.

He is a tremendous asset to the Senate, and I am very proud to welcome him as my colleague and part of the delegation.

I yield the floor.

DEPARTMENTS OF TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3074, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Mrs. MURRAY. 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.

Mrs. MURRAY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that the substitute amendment be considered and agreed to, the bill as amended be considered as original text for the purpose of further amendments, and that no points of order be waived for purposes of this agreement.

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

The substitute amendment (No. 2790) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. MURRAY. Mr. President, I am very pleased that the Senate is now debating the Senate amendment to H.R. 3074. This is the Transportation, Housing and Urban Development Appropriations bill for this coming fiscal year. This bill has been supported by the broadest possible bipartisan majorities.

The Transportation, Housing and Urban Development Appropriations subcommittee has 21 members, more than one-fifth of the Senate. It is one of the largest subcommittees in the Senate. Despite the diversity of views on our very large subcommittee, back on July 10 we voted unanimously to report the bill to the full Appropriations Committee, and 2 days later, each and every one of the 29 members of that committee voted to report this bill to the Senate.

This bill has broad, bipartisan support because it addresses pragmatically the very real housing and transportation needs of American families across all regions of the Nation. Rather than endorse the many arbitrary and destructive cuts called for in the administration's budget, we worked in this bill to target our limited resources on getting citizens out of traffic jams and home to their families; keeping our low-income tenants in their homes and out of shelters; providing housing for the elderly and the disabled; investing in crumbling infrastructure, and improving safety on our runways, highways, and railways.

Much has been said recently about a looming battle between the White House and Congress over spending priorities and the funding levels in these appropriations bills. There is no question that the bill before us spends more than the level sought by the Bush administration, both for transportation and for housing. Yet this bill still has broad bipartisan support, and I believe the Senate would benefit greatly from a detailed explanation as to why that is the case.

More than any other reason, this bill spends more than the administration's budget because it rejects many of the most punitive and misguided cuts that were proposed by the White House. The President's budget that he sent us for fiscal year 2008 proposed cuts across the board. Those included cuts that would put low-income tenants and their children on the streets. It proposed cuts that would undermine transportation safety, especially when it comes to aviation and railway safety; cuts that would worsen congestion on our Nation's roadways and runways; and cuts that undermine the community development efforts of mayors and county executives and Governors across this country.

So this bill spends more than the President's budget, not because it includes vast new spending initiatives but because it simply refuses to acquiesce to the President's reckless cuts. These are the very same cuts that have been proposed in recent years by the Bush administration and rightly rejected by the then-Republican-led Congress. That is why every member of the Appropriations Committee voted to support this bill.

In addition to restoring funding to the cuts that were proposed in the President's budget, there are a limited number of selected funding increases in

this bill. Those increases are targeted on efforts to maintain the current service levels for the HUD section 8 program, so tenants do not lose their homes. It continues to make investments in highway infrastructure so we can address our crumbling bridges and highways. It addresses the critical housing needs of homeless veterans, including veterans who are struggling after returning from Iraq and Afghanistan. And it addresses the current crisis in the mortgage market by boosting funding to counsel subprime borrowers who are today facing default and foreclosure.

As appropriators, we have an obligation to ensure that with our limited resources we are addressing the most critical and current needs we face in transportation and in housing. I believe we can all agree the needs of our returning veterans, especially those in need of housing while they struggle with physical or mental illness, have to be paramount. I believe we can all agree that with billions of dollars of mortgages about to reset to higher interest rates in the next few quarters, we have to do everything we can to help our borrowers keep their homes.

I have been greatly fortunate to be joined by my ranking member, Senator BOND, in crafting this package. Senator BOND's long service on the Appropriations Committee, as well as his work on the Public Works and Banking Committees, has made him one of our leading experts in the areas of both transportation and housing. Senator BOND's leadership and his commitment to the mission of HUD takes a back seat to no one. I could not have a better or more experienced partner in this effort.

The bill that Senator BOND and I put together contains congressionally directed earmark spending. Consistent with the instructions of Senator BYRD and Ranking Member COCHRAN, those earmarks have been substantially reduced from prior years.

For the first time in a great many years, the committee has reported a bill that will leave dollars available to initiate national competitions among all eligible applicants for discretionary transportation programs. For the first time in several years, this bill requires every earmarked project to be fully eligible under the basic authorizing statute for the pertinent program in which it is earmarked.

Those projects must also conform to other strict criteria newly imposed by our subcommittee this year.

Now, as I said earlier, this bill spends more money than the President's request, principally because it rejects a great many of the cuts that were proposed in the President's budget cut, that by the way have been rejected year by year by Republican Congresses.

I want to take a few minutes of the Senate's time today to discuss those cuts in greater detail. The President proposed to cut community development efforts in all our States and communities across the Nation by slashing

the CDBG Program by \$735 million or 20 percent.

Now, at a time when our changing economy is imposing unprecedented challenges to our mayors and our governors in preserving their struggling cities and towns, the President wanted to slash this effort by almost three-quarters of a billion dollars.

I have yet, personally, to meet a mayor or governor of any political party who endorses that approach. So our bill restores every penny of that cut. The President's budget also proposed to cut housing funding for the disabled by \$112 million, almost 50 percent. At a time when our social service networks are trying to give our disabled citizens the chance to live independently, the Bush administration wants to slash that program in half.

Now, if that is not bad enough, at a time when the number of senior citizens is growing, the President's budget for HUD seeks to cut housing for low-income seniors by \$160 million or 22 percent. So the bill before you restores every penny of those cuts.

The bill also rejects the President's proposal to completely eliminate funding for the very successful HOPE VI Program. Senators BOND and MIKULSKI deserve a great deal of credit for the success of that program. We have again restored funding for it so we can demolish some of the most decrepit and crime-ridden housing projects with new mixed-income developments that are cleaner, safer, and promote stable community living.

The bill before us rejects several punitive cuts proposed for the Department of Transportation. The President's budget proposed to slash funding for Amtrak by almost \$500 million or 40 percent in a single year. This subcommittee heard testimony back in late February that a cut of that size would cripple the railroad and push it into certain bankruptcy. That was not just the view of Amtrak supporters, that was the view of the DOT inspector general who audits Amtrak's books every quarter.

The bill before us also rejects the President's proposal to cut subsidies for the Essential Air Service Program, which would eliminate all flights to dozens of rural and midsized communities in about every State.

At a time when our commercial airlines are terminating air service to small- and medium-sized cities, the President's budget worsens the situation by slashing subsidies to keep some of those cities on the national aviation map.

As anyone who has taken a flight recently can attest, the number of air travelers has now well exceeded the levels we experienced prior to September 11. Flights are packed and are too often delayed. Planes are landing to find there are no gates to accommodate them. Consumer complaints are growing. Our air traffic control infrastructure is increasingly showing its age, with equipment outages and near

misses occurring with frightening frequency.

Yet, as in past years, the President's budget for the FAA proposes to slash over \$800 million from our programs that invest in airport capacity, safety projects, and modernizing the air traffic control system.

Maybe if the President flew commercial instead of on Air Force One we would see a much different budget here. But thankfully, as was the case in past years, our bill that is before us today rejects those proposed cuts.

Finally, as I mentioned before, the bill before us includes some select but critically needed funding increases. The President's budget proposed an absolute freeze on the amount of money available for tenant housing vouchers for the coming years, completely ignoring inflationary costs and rising rents. This bill provides a \$500 million increase for tenant-based rental assistance. That is the amount we estimate will be needed to ensure that all currently federally assisted tenants can stay in their homes.

Senator BOND and I joined forces to add \$78 million for the HUD-VASH Program. That program was designed to target both housing assistance and support services to our homeless veterans, including our veterans who are returning today from Iraq and Afghanistan.

We have coordinated this increase in voucher funding with a comparable increase in supportive services funding in the appropriations bill for the VA and military construction. This is a program that has not received funding for several years. I am very proud to say that our new initiatives will provide critically needed funding to support at least 7,500 homeless veterans.

This bill has also included small and selected increases to address critical and worsening problems with transportation safety. Small increases above the President's budget are provided to hire more air safety inspectors. At present, these inspectors cannot inspect all the maintenance facilities they are responsible for, and we are especially concerned about these facilities that are overseas.

We have also provided small increases for rail safety, highway safety, and pipeline safety. Our subcommittee, in fact, had a special hearing on the rising level of highway fatalities. We have worked to respond to some of the needs that were cited during that hearing.

We have also provided increased funding to enable the Department of Transportation to investigate the growing backlog of customer service complaints by airline passengers.

In summary, this bill rejects reckless and misguided cuts that Republican-led Congresses have also rejected before, cuts that would harm our infrastructure, our communities, and our citizens. It also contains modest targeted increases on programs that are tackling emerging and growing problems, programs that will help our veterans,

our safety and our efforts to keep our families in their homes.

In doing all this critical work, this bill does spend more than the President's request. But in that sense, it is no different from the transportation and housing appropriations bills that were passed by the House and Senate when my Republican colleagues across the aisle chaired our committees.

This bill has broad bipartisan support because it takes a practical approach in addressing real needs we found in the transportation and housing sector. I urge all our Senators to support this bill and move us rapidly to final passage.

AMENDMENT NO. 2791

Mrs. MURRAY. Mr. President, before I turn to my colleague for his opening remarks, I would offer an amendment to the bill to clarify the authority of the Secretary of Transportation to collect damages.

The PRESIDING OFFICER (Mr. CARDIN.) The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes an amendment numbered 2791.

The amendment is as follows:

(Purpose: To strike a provision of the bill and insert authority for the Secretary of Transportation)

On page 129, strike section 218 and insert the following:

“SEC. 218. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars as a result of third party liability for such damages.”

Mrs. MURRAY. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2792 TO AMENDMENT NO. 2791

Mrs. MURRAY. Mr. President, I offer a second-degree amendment to my amendment on behalf of Senator LANDRIEU and myself.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself and Ms. LANDRIEU, proposes an amendment numbered 2792 to amendment No. 2791.

The amendment is as follows:

(Purpose: To expand the extension of authority of the Secretary of Transportation and provide additional obligation authority for the highway bridge program)

In lieu of the matter proposed to be inserted, insert the following:

“SEC. 218(a). The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a re-

sult of third party liability for such damages, and any amounts collected under this subsection shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

ADDITIONAL OBLIGATION LIMITATION

HIGHWAY TRUST FUND

(b) For an additional amount of obligation limitation to be distributed for the purpose of section 144(e) of title 23, United States Code, \$1,000,000,000; *Provided*, That such obligation limitation shall be used only for a purpose eligible for obligation with funds apportioned under such section and shall be distributed in accordance with the formula in such section; *Provided further*, That in distributing obligation authority under this paragraph, the Secretary shall ensure that such obligation limitation shall supplement and not supplant each State's planned obligations for such purposes.”

Mrs. MURRAY. Mr. President, the second-degree amendment that I sent to the desk further expands the Secretary's collection authority and provides additional funding for the bridge rehabilitation program. I am going to be discussing this amendment in detail later this afternoon after Senator BOND has completed his opening statement.

I would like to thank my colleague, Senator BOND, for his work and his staff's work on this very complex and very important bill. Again, I urge all our colleagues to bring their amendments to the floor. As everyone knows, we are in a very short timeframe this week because of the Jewish holidays. We are going to be working late in getting our amendments done. We encourage everyone to get to the floor. I thank my colleague for his work on the bill.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, my sincere thanks to Senator MURRAY for being such a good partner on this bill. It is a very challenging bill, particularly under the constraints in which we are supposed to work. It is always a difficult bill and many complex and controversial issues.

I begin by echoing her comments; we know there will be amendments. We urge our colleagues to come down as soon as possible and offer those amendments so we can deal with them. We have a hard deadline of Wednesday noon. I hope we can get the issues resolved before then. But that is a deadline which the Senate schedule imposes on us. We do want to get it completed.

Senator MURRAY deserves a great deal of credit for balancing the tough issues that are included in this bill; she referred to them. These are important programs that help build our communities and without which a lot of persons would be placed at the risk of homelessness.

This would have been particularly harsh on seniors and persons with disabilities. I also especially am grateful for the programs Senator MURRAY de-

scribed that we were able to include \$75 million in Section 8 funds for the VA Supportive Housing Program.

I think it is a critical program that calls attention to some of the many needs that face our returning service people. There are far too many returning service men and women who come back and are without housing. This is a start on dealing with this serious problem that I know the VA and HUD are familiar with.

We want to give them the authorization and the direction to move forward on it. I think the worth of this program will become even more evident as young disabled service men and women try to make the difficult adjustments to civilian life.

Now, the next item that is going to be discussed is the Minnesota bridge collapse. This was surely a catastrophic event. Our hearts go out to all of those families who lost loved ones in that horrific tragedy. In response to the bridge collapse, Congress immediately authorized \$250 million in emergency relief spending to rebuild this vital infrastructure in Minnesota.

I think a welcomed awareness has arisen from this event, brought a higher degree of understanding and appreciation that new methods for inspecting and rating our bridges are necessary. People are even talking about infrastructure and the need for infrastructure.

Well, that is what we have been talking about in this committee and on this floor for many years. We are delighted to have our long-time supporters and some new friends agreeing with us on it.

Now, as far as this bridge collapse, we are anxiously awaiting further information from the National Transportation Safety Board on what the root cause of this tragic accident was and how we can further improve our Federal oversight of critical infrastructure. There are a number of items which have been raised which may point out specific causes for this collapse and which will be a warning to other States and other localities as well of steps they must take and things they must do to avoid bridge collapses.

But I understand why my colleague, Senator MURRAY, has offered the amendment that would add \$1 billion in obligation limits for bridges in reaction to this tragic event. I share that concern. But I do have a feeling we should not overreact to the Minnesota bridge collapse by spending more money out of the highway trust fund than is available until we have time to work on a comprehensive reauthorization of the underlying legislation, SAFETEA.

Part of this process must be a comprehensive review of our Nation's infrastructure problems, including how best to prioritize and fund those needs. Obviously, we are going to be looking at bridge safety as well as the other aspects of transportation safety.

I know in my home State of Missouri, and I assume in every State

transportation department across the country, this event brought renewed attention to bridge inspection. In my State, the department of transportation is embarking on a major program to rehabilitate 800 bridges that are of varying levels of deficiency. But while we need to avoid and prevent a future repeat of the Minnesota tragedy, we also must minimize the risk of death or injury posed by the broad spectrum of our aging infrastructure.

This measure would cause serious problems with the declining balance in the highway trust fund and leave us with an additional \$1 billion greater shortfall for highway trust fund funding in the 2009 appropriations cycle. Everybody in this building, all my colleagues know or should know that we have significant problems in the highway trust fund because we have seen the impact of higher gas prices on fuel consumption. People are driving less. Economics does work. But when they drive less and use less gasoline, use more efficient conservation measures, which is all to the good, it results in less money coming into the highway trust fund than had been anticipated and lessens the amount of revenue we have available to use on bringing our highway and bridge infrastructure up to the needs of the 21st century. We are not there yet.

Chairman MURRAY and I held a hearing in April on the question of rising highway fatalities. We agree—and everybody would agree—we cannot ignore the fact that 43,443 Americans were killed on the highways last year and some 2.7 million more were injured. From my State, our highway transportation department estimates that one out of three of these people is killed by reason of inadequate infrastructure. In our State, the major problem is too many two-lane roads carrying traffic which should properly be on four-lane roads. I suspect other States are fighting that problem.

The vast majority of highway fatalities are not on the Nation's bridges but, rather, on the highways. The best estimate we have from the U.S. Department of Transportation is that approximately 2,200 out of the 43,000 deaths occurred on bridges. This leads me to suggest that we cannot overreact to such a horrible and tragic event such as that in Minnesota by micro-managing our Federal aid dollars solely to bridges, unless that is where a State, through its unique local vantage point and knowledge of its situation, wants to focus its efforts in Federal apportionment.

So this is something we will be discussing further. We are both concerned about safety on highways and bridges. We look forward to working with our colleagues to see how this can be resolved.

With respect to the Federal Aviation Administration, I again thank Senator MURRAY and her staff for their close cooperation in working through these issues. The chronic delays experienced

by numerous travelers this year and specifically this summer have not gone unnoticed by the committee. As ranking member, having spent a wonderful 2½ hours sitting on an airport runway after we landed, I have a personal interest in dealing with this. The bill continues to support the beginning stage of the NextGen Air Transportation System, which we believe is a much needed step toward providing additional capacity and relieving many of the delays at our Nation's airports. The bill also contains funds above the administration's request for flight inspection and certification personnel. Almost all of us use airplanes frequently, and we understand the need the flying public has for greater assurance of safety. We think these funds will ensure continued safety for the National Airspace System.

I also note additional funds for the Airport Improvement Program. That remains an important bipartisan priority for this subcommittee. I can't tell my colleagues how many small airport operators and community leaders in those cities and towns around my State have expressed their strong support for the program.

There are some issues we will have to address as the bill moves forward. For example, we include revenue aligned budget authority, that which we call RABA. When Members hear the term "RABA," it is not the name of a dog or somebody's pet name; it is "revenue aligned budget authority." This was not included in the President's budget.

The bill also contains a \$2.89 billion rescission of highway contract authority apportionments to the States used as a budgetary offset to meet the other pressing needs my colleague already described. The bill includes an additional \$43.359 million in administrative contract authority and another \$172 million in the unused transportation innovative financing infrastructure account—the TIFIA—contract authority, for a total offset of spending of \$3.495 billion. In the HUD section, we include a rescission of \$1.1 billion.

Finally, I raise one issue we have not been able to address; namely, HUD and OMB's failure to provide adequate funding for HUD's section 8 project-based housing program for fiscal year 2008. To my colleagues and to OMB and to HUD, I say: Let's get serious. This is a critical and important program which serves many of our most vulnerable citizens—low-income families, extremely low-income families, seniors, and persons with disabilities. If we don't fund it, they are out on the street. None of us wants to see that result. HUD has been unable to fund in a full and timely fashion many of these contracts during fiscal year 2007, and this problem is only going to get worse in 2008 to the extent that HUD could have a shortfall in its budget of as much as \$2 billion or more which is needed to meet its obligations to these contracts in the next fiscal year. If we don't act in this bill, we are going to

see a \$2 billion shortfall. Think of the number of people who would be put out on the street if we don't solve that problem. It is unacceptable.

I know this program enjoys wide support, and I expect and hope that OMB will provide the necessary funds for the program through a budget amendment or as part of a continuing resolution or through emergency supplemental legislation. To my good friends at OMB, I say: You cannot walk away from this problem. This problem is real. It must be addressed or we are going to see a tremendous tragedy for the Nation's lowest income and most needy housing residents.

While I am pleased with much of the bill, especially spending in critical programs, I have to say that we are on a collision course with the White House on the spending levels contained in this bill. Both sides are going to have to make adjustments. Some of the adjustments we have outlined are absolutely essential, and we cannot lose the benefit of the positive investments we have made in this bill. This is a very important bill. It is a very difficult bill because we have some extremely serious challenges to face. We understand the need to be sensitive to the budget needs, but there are real pressing human problems we must meet in this bill.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I associate myself with the remarks my colleague made regarding the HUD tenant-based housing. I will have more to say on that later. I appreciate his comments.

We do have now before the Senate a pending amendment about which I would like to make a few remarks. I am hoping we can set a timetable for a vote on that fairly shortly. I do want my colleagues to know about the amendment now pending.

Less than 6 weeks ago, our entire Nation—really, the entire world—watched in horror as the I-35W bridge in Minneapolis, MN, collapsed into the Mississippi River. Given the scope of that disaster, it is miraculous that the fatalities were not greater. Thirteen people lost their lives and over 100 were injured on that horrible day. We are all going to remember the horrendous vision of that yellow schoolbus full of children that came within a few feet of tragedy.

The National Transportation Safety Board is still, of course, conducting its investigation into the exact cause of the bridge collapse, but the horror of that incident has appropriately focused the Nation on whether we are investing adequately in a national highway system that is fragile and aging. The troubling conditions of our Nation's highways and bridges should not have been a surprise to the media or to policymakers. This has not been a story kept under wraps for years. This is not a case where the true conditions were

suddenly revealed in a groundbreaking study.

The U.S. Department of Transportation has by law been required to publish regular reports on the conditions and performance of America's highway infrastructure. That report is submitted to Congress and posted on the Web. The DOT's report was used extensively in the debate we had with the Bush administration 4 years ago over the appropriate amount of funding that should be authorized in the highway bill. This report from the DOT is amplified by regular annual report cards published by the American Society of Civil Engineers, along with regular studies by other groups. The difference today is that the nightmare became a reality for the people of Minnesota and Americans across the country as we watched it live on television.

We have built a national highway system that is the envy of the world. But it is now no secret that our Government has failed to adequately fund the maintenance needs of that system. Increasing traffic has put added stress on a system that simply was not designed for it. As a result, our bridges are deteriorating far faster than we can finance their replacement. This is why more than one in every four bridges on U.S. highways is rated as deficient. Put another way, fully 27 percent of our 600,000 bridges have aged so much that their physical condition or their ability to withstand current traffic levels is simply inadequate. Roughly half of these deficient bridges or about 78,000 across the Nation are structurally deficient. That means the Department of Transportation considers the physical condition of these bridges to be poor or worse.

These bridges require immediate attention, and many of them will need to have weight limits to keep them in service. For a portion of these bridges, their physical condition is so bad that they are unsafe and do need to be replaced. The other half of deficient bridges or another 80,000 across the Nation are functionally obsolete. They don't meet today's design standards. They don't conform to today's safety requirements, and they are handling traffic far beyond their original design.

These deficient bridges are not just found off the beaten path, by the way. In fact, over 6,000 bridges considered deficient are located on the National Highway System, the roadway system that is designated as most important to our Nation's economy, defense, and mobility. There are deficient bridges found in every State in the Nation. My home State of Washington has more than 2,300 deficient bridges. But certain of our States are struggling a lot more than others. Iowa has more than 6,600 deficient bridges. Oklahoma has more than 7,400 deficient bridges. Pennsylvania has almost 9,600 deficient bridges. Texas has more than 10,000 deficient bridges. California has more than 7,000 deficient bridges, with more than 2,000 on the National Highway System.

The Department of Transportation evaluated the complete picture across the Nation last year when it published its Conditions and Performance Report for 2006. That report concluded that there is a \$65.3 billion backlog of repairs needed on U.S. bridges by all levels of government. Unfortunately, the challenge of addressing this issue comprehensively is going to have to wait for the next highway reauthorization bill. But today I have offered an amendment to this bill that will add \$1 billion to the resources available to all 50 States to help address their most critical bridge replacement and repair needs.

This amendment will not bust the budget. It can be accommodated within the budget ceiling that governs our subcommittee bill. It does not bust through that ceiling or through the discretionary spending cap that has been imposed by our budget resolution.

Working with Chairman BYRD and Ranking Member COCHRAN, our subcommittee was allocated additional outlays that were not used by other subcommittees specifically to accommodate the cost of this amendment I have offered.

My amendment would distribute the \$1 billion strictly according to the formula that already exists in the code for the bridge replacement and rehabilitation program. That formula by law takes into account the physical conditions of the bridges in each State, the cost to rehabilitate or replace the deficient bridges, current safety standards and traffic demands, and the role of the bridges in the overall transportation system.

Mr. President, I ask unanimous consent that a table displaying the distribution of this funding to all 50 States be printed in the RECORD.

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

#### DISTRIBUTION OF OBLIGATION AUTHORITY UNDER THE MURRAY AMENDMENT

	Bridge Oblig. (Murray Amendment)
Alabama	15,555,494
Alaska	3,039,702
Arizona	3,928,042
Arkansas	12,472,923
California	100,000,000
Colorado	7,465,758
Connecticut	33,545,876
Delaware	3,028,428
District of Columbia	7,058,550
Florida	22,508,320
Georgia	13,900,183
Hawaii	5,398,718
Idaho	4,125,863
Illinois	28,349,052
Indiana	12,756,193
Iowa	14,572,001
Kansas	10,848,673
Kentucky	13,366,925
Louisiana	40,207,373
Maine	7,512,716
Maryland	23,292,258
Massachusetts	42,442,187
Michigan	23,539,287
Minnesota	6,849,173
Mississippi	13,486,737
Missouri	26,396,149
Montana	2,822,240
Nebraska	5,692,805
Nevada	2,500,000
New Hampshire	5,569,814
New Jersey	37,919,229
New Mexico	2,978,426
New York	100,000,000

#### DISTRIBUTION OF OBLIGATION AUTHORITY UNDER THE MURRAY AMENDMENT—Continued

	Bridge Oblig. (Murray Amendment)
North Carolina	25,321,588
North Dakota	2,500,000
Ohio	32,918,739
Oklahoma	15,962,296
Oregon	18,096,746
Pennsylvania	93,887,593
Rhode Island	15,224,139
South Carolina	11,626,086
South Dakota	2,880,383
Tennessee	12,035,612
Texas	32,362,327
Utah	2,568,480
Vermont	7,013,688
Virginia	20,440,584
Washington	34,839,647
West Virginia	11,554,093
Wisconsin	5,138,903
Wyoming	2,500,000
<b>Total</b>	<b>1,000,000,000</b>

Mrs. MURRAY. Mr. President, consistent with the rules that are already in law for the bridge program, these additional funds we are covering under this amendment will be available to the States for bridge replacement, bridge rehabilitation, preventive maintenance, seismic retrofitting, bridge inspections, and the installation of countermeasures designed to protect bridges and extend their lifespans.

Importantly, my amendment does include one restriction that is not included in current law. My amendment will require the Secretary of Transportation to ensure these additional funds be used to enhance planned expenditures by the States for bridge construction and repair.

Under current highway law, States have the flexibility to use obligation authority for many different uses. States may transfer funding between program activities so they can target Federal funds on their most urgent needs. My amendment would not disturb that flexibility for the over \$40 billion we are allocating to the States in regular Federal aid funding. However, my amendment would require the States to use the additional \$1 billion we allocate with this amendment solely for their most critical bridge activities.

This amendment is a very measured response to a very big problem. I know our States need even greater resources to address their bridge repair needs, but my amendment will allow for an historic increase in Federal bridge funding—a boost of 25 percent. And it will do so while working within the constraints of our budget resolution.

I urge our Senators to support this amendment. The American people deserve to feel safe on our roads and our bridges. We should be taking every step necessary to ensure they are.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio is recognized.

#### PRODUCT SAFETY

Mr. BROWN. Mr. President, last week, Mattel, the maker of Barbie and Elmo and Barney toys, issued its third recall of tainted products from China just in the last month. Toothpaste, tires, toys—when “made in China” becomes a warning label, something is very wrong. Our trade policy should prevent these problems, not invite them. Clearly, our trade policy has failed. Yet anyone who disagrees with America’s trade experts is labeled a protectionist, as if that is a bad word. It is not only our moral obligation to protect our communities, protect our families, protect our children from contaminated, possibly deadly products, as Members of Congress it is our duty to protect them.

Last year, the United States imported from China \$288 billion worth of goods, much of it food and toys and vitamins and dog food. Not only is China weak in unenforced health and safety regulations, as the Washington Post revealed again today, it aggressively foists on vulnerable nations contaminated food and products.

China sends formaldehyde-laced children’s candy, mercury-laced makeup, and fungus-infested dried fruits to unsuspecting consumers in Indonesia, Malaysia, and Hong Kong—a part of China—nations largely reliant upon Communist China for trade and for aid. Our country has worked hard to build safe working places, to build a reliable, healthy food supply, and to ensure that our drinking water is pure and safe. For 100 years, workers, community leaders, elected officials, advocates, labor union activists, people of faith in their synagogues and in their churches, took on some of the world’s most powerful corporations to make sure our food and our products were safe. Unrestricted, unregulated free trade with China threatens these gains and jeopardizes our public health. Why would we expect otherwise? China doesn’t enforce food safety, doesn’t enforce consumer product safety, doesn’t enforce worker safety in its own country for its own people. Why would we expect—with this wide-open trade arrangement with the People’s Republic of China, why would we expect that Communist government, which cares little about its own citizens—why would we expect them to ship us uncontaminated vitamins? Why would we expect them to ship us products that are safe? Why would we be surprised when toys are coated with lead-based paint or vitamins are contaminated?

As of now, there is little interest among the Chinese in changing the way we and they do business. Our trade deficit with China exceeded \$250 billion last year.

So what is to be done? Since the Chinese Communist party forbids third party inspectors on Chinese soil, we either buy less—much less—from China, or we hold importers responsible for the safety of the products they bring into our country. First of all, we must increase the number of food and consumer product safety inspectors. Less than 1 percent of all imported vegetables and fruits and seafoods and grains are inspected at the border—less than 1 percent.

Mattel is to be commended for taking the proactive step of an internal investigation into the recall of products. But such action should be the rarity, not the norm, which is why we cannot in our Nation’s best interests focus solely on consumer threats from China.

The real threat is our failed trade policy that allows—and in fact encourages in some ways—recall after recall. The real threat is our failure to change course and craft a new trade policy. The real threat is this administration’s insistence not just on continuing these trade relationships, but on building more of the same: More trade pacts that send U.S. jobs overseas, more trade pacts that allow companies and countries to ignore the rules of fair trade, and more trade pacts that will lead to more recalls.

The administration and its free trade supporters in Congress are gearing up for another trade fight. They want to force on our Nation—a nation that in November demanded change in every State in the Union—they want to force on our Nation more trade agreements with Peru and Panama, Colombia and South Korea, all based on the same failed trade model.

FDA inspectors have rejected seafood imports from Peru and Panama. Yet the President is suggesting trade agreements with Peru and Panama. Yet the current trade agreements—as written—limit food safety standards and continue to ignore real border inspections. Adding insult to injury, the agreements would force the United States to rely on foreign inspectors who aren’t doing their jobs to ensure our safety. We have seen how well that worked in China.

More of the same in our trade policy will mean exactly what we have seen now with China: more contaminated imports; more unsafe, dangerous toys; more recalls. It is time for a new direction in our Nation’s trade policy.

As my friend from North Dakota says, we want plenty of trade. We want trade—plenty of it—but we want it under different rules. It is time for a trade policy that ensures the safety of food on our kitchen tables and toys in our children’s bedrooms.

Everyone agrees on one thing: We want more trade with countries around the world, but our first responsibility in the Senate is to protect the safety and the health of our families first.

Mr. DORGAN. Mr. President, would the Senator from Ohio yield for a question?

Mr. BROWN. I would love to.

Mr. DORGAN. Mr. President, the Senator from Ohio has spoken often about trade issues, and I have as well. We have talked a lot about the issue of workers, the impact of free-trade agreements on workers in this country, and the downward pressure on their income and the outsourcing of American jobs. We have talked a lot about its impact on the environment; being able to produce, for example, in China and pump effluents into the air and chemicals into the water and encouraging corporations to move to produce where they can hire people for 20 cents an hour, 30 cents an hour, and pump their pollutants into the air and the water unimpeded.

We have not talked previously much about this issue of protecting consumers. I would just say to my colleague that I spoke last week about a young boy, a 4-year-old boy, who swallowed a little heart-shaped charm—a little heart-shaped charm—and died. Why? Because that heart-shaped charm was made of 99 percent lead coming from China. Well, we know the impact of lead on human health. Ben Franklin described that. It is not something that is new. Yet we have these products now coming into this country with lead because it is cheap. It is bright. So we have all of this lead coming in.

My colleague describes the circumstance now as a “race to the bottom” with respect to consumer standards. We have always known that is what is going on with these free-trade agreements with respect to labor standards and environmental standards. But is it also the case—I would ask the Senator from Ohio is it also the case that this is a race to the bottom with respect to consumer standards, by passing these free-trade agreements and doing nothing to insist that the conditions abroad are the conditions that we require at home with respect to what is used in the production is safe for consumers, and so on?

Mr. BROWN. Mr. President, Senator DORGAN is exactly right. The tragedy of the young boy who swallowed the little toy made of lead is that it is less expensive to use lead. It is easier to paint. The paint dries quicker. All of that when you use lead. So when we have this race to the bottom, when our companies go to China and are looking for the cheapest way to make products, and then to import those products, export them from China, import them back into the United States, you are going to see that race to the bottom.

We have seen it with contaminated toothpaste, we have seen it with vitamins, we have seen it with inulin in apple juice, and we see it in toy after toy after toy made by Fisher Price, made by Mattel, some of the most respected companies in our country.

Until we change the trade policy when we are dealing with a country that doesn’t protect its own consumers, doesn’t do much for its own clean water, its clean air and safe