Senate do not support? And even if this issue is subject to some controversy in the Senate, do the Senators blocking this nomination know or care that Jim Hormel has, in writing, committed to limiting his charitable contributions to noncontroversial areas such as the performing arts, museums, educational institutions, humanitarian assistance and health care? He will not use his office to advocate or promote any personal view on any issue and will not engage or associate himself with any outside activities that conflict with his official duties and responsibilities. We have that in writing. This is the only time I know of any ambassadorial nominee who has actually put that in writing. I find it, in a way, very difficult to recognize that he has to do it. Nonetheless he has done it.

So the issue is a very simple one. We have a qualified nominee who was resoundingly approved by the Foreign Relations Committee. He is entitled to a vote, and I, as a U.S. Senator, am entitled to cast my vote for him.

Mr. President, I yield the floor.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1931

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the D'Amato amendment No. 1931.

Mr. SPECTER. Mr. President, I ask unanimous consent the pending amendment be set aside for consideration of an amendment I am about to submit.

The PRESIDING OFFICER. Is there objection?

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, may I suggest to the Senator, if he could offer it, it would be appropriate to offer the amendment that I believe the Senator intends to offer as it relates to providing for transportation needs of those who are seeking jobs outside of the inner cities. I think it is a well-crafted amendment and one that the Senator has worked on and has spoken to, and one that Senator SANTORUM has worked on and spoken to, and one that Senator CAROL MOSELEY-BRAUN has worked on and spoken to. We are willing to entertain that and support it. It would be added as an amendment to the existing amendment.

AMENDMENT NO. 1941 TO AMENDMENT NO. 1931

(Purpose: To make reverse commute project grants eligible for assistance under the job access grants program)

Mr. SPECTER. In that event, I send this amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. SANTORUM, and Ms. MOSELEY-BRAUN, proposes an amendment numbered 1941 to amendment No. 1931.

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

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

The amendment is as follows:

On page 55, strike line 12, and insert the following:

"SEC. 14. JOB ACCESS AND REVERSE COMMUTE GRANTS."

On page 56, line 13, strike "and".

On page 56, line 18, strike the period and insert "; and".

On page 56, between lines 18 and 19, insert the following:

"(9) many residents of cities and rural areas would like to take advantage of mass transit to gain access to suburban employment opportunities."

Beginning on page 57, strike line 9 and all that follows through page 58, line 4, and insert the following:

"(2) ELIGIBLE PROJECT AND RELATED TERMS.—

"(A) IN GENERAL.—The term 'eligible project' means and access to jobs project or a reverse commute project.

"(B) ACCESS TO JOBS PROJECT.—The term 'access to jobs project' means a project relating to the development of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment, including—

"(i) capital projects and to finance operating costs of equipment, facilities, and associated capital maintenance items related to providing access to jobs under this section;

"(ii) promoting the use of transit by workers with nontraditional work schedules;

"(iii) promoting the use by appropriate agencies of transit vouchers for welfare recipients and eligible low-income individuals under specific terms and conditions developed by the Secretary; and

"(iv) promoting the use of employer-provided transportation including the transit pass benefit program under subsections (a) and (f) of section 132 of title 26.

"(C) REVERSE COMMUTE PROJECT.—The term 'reverse commute project' means a project related to the development of transportation services designed to transport residents of urban areas, urbanized areas, and areas other than urbanized areas to suburban employment opportunities, including any project to—

"(i) subsidize the costs associated with adding reverse commute bus, train, or van routes, or service from urban areas, urbanized areas, and areas other than urbanized areas, to suburban workplaces;

"(ii) subsidize the purchase or lease by a private employer, nonprofit organization, or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace;

"(iii) otherwise facilitate the provision of mass transportation services to suburban employment opportunities to residents of urban areas, urbanized areas, and areas other than urbanized areas."

On page 59, line 20, insert "access to jobs grants and reverse commute" before "grants".

On page 60, line 15, insert "in the case of an applicant seeking assistance to finance an access to jobs project," after "(2)".

On page 61, line 7, insert "in the case of an applicant seeking assistance to finance an access to jobs project," before "presents".

On page 61, line 13, strike "and".

On page 61, line 16, strike the period and insert "; and".

On page 61, between lines 16 and 17, insert the following:

"(8) in the case of an applicant seeking assistance to finance a reverse commute project, the need for additional services identified in a regional transportation plan to transport individuals to suburban employment opportunities, and the extent to which the proposed services will address those needs."

On page 62, strike lines 13 through 18, and insert the following:

"(2) COORDINATION.—Each application for a grant under this section shall reflect coordination with and the approval of affected transit grant recipients. The eligible access to jobs projects financed must be part of a coordinated public transit-human services transportation planning process."

On page 64, strike lines 1 through 4 and insert the following:

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, to remain available until expended, $250,000,000 for each of fiscal years 1998 through 2003, of which—

"(A) $150,000,000 in each fiscal year shall be used for grants for access to jobs projects; and

"(B) $100,000,000 in each fiscal year shall be used for grants for reverse commute projects."

On page 8, line 16, strike "$100,000,000" and insert "$250,000,000".

On page 11, line 16, strike ", except" and all that follows through line 20 and insert a period.

Mr. SPECTER. Mr. President, this amendment works on reverse commute projects, which are designed to enable people to come from the inner city where there are no jobs available and to go to the suburbs where jobs are available. This is, in part, the reverse commute pilot project introduced by my distinguished colleague, Senator SANTORUM, and myself along with Senator LAUTENBERG in the "Mass Transit Amendments Act," S. 764. We think it is appropriate to include it on the ISTEA legislation at this time.

This program essentially responds to the growing need to provide access to suburban employment opportunities for residents of cities and rural areas who wish to continue living in their city or rural town and need mass transit to get to the jobs. This amendment will also increase from $100 million to $150 million the access-to-jobs, welfare-to-work provision already in ISTEA under the Banking Committee bill as introduced by the distinguished Senator from Illinois, Senator MOSELEY-BRAUN. My amendment establishes a new $100 million annual authorization for reverse commute grants, bringing the total access-to-jobs/reverse commute program to $250 million annually.

A week ago yesterday I visited a reverse commute project, the Schuylkill Valley Metro project, envisioned by SEPTA and BARTA. This rail line would run from the inner city of Philadelphia to Reading, through Montgomery County, through Philadelphia County, and into Berks County. It is an excellent illustration of what is necessary in order to take people from the

inner city where people need jobs out to the suburbs where the jobs are available.

This is a very abbreviated statement of a complex bill, but one which I think is designed to meet a very, very pressing need, especially in an era where we are moving away from welfare, to take people who have been on the welfare rolls in the inner cities and provide them with job opportunities in the suburbs.

If I might yield to the distinguished chairman, there is an addendum to the bill which I have added at the chairman's request which he said he would comment on briefly.

Mr. D'AMATO addressed the chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, we have maintained in this, as it relates to the construction of a ferry, the same worker protection language that heretofore has existed in mass transportation. I would like to call that to the attention of the Chair.

I thank the Senator for his initiative in this most important opportunity to get people off of the welfare rolls and see to it that they do have access to the jobs that are increasingly growing in number in the suburbs.

I ask I be added as a cosponsor.

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

Ms. MOSELEY-BRAUN. Mr. President, I rise in support of the amendment. I commend Senator SANTORUM and Senator SPECTER for their work on this and, of course, the chairman of the Banking Committee, Senator D'AMATO, and the ranking member, Senator SARBANES, for their work on this issue in that committee.

This amendment will improve the job access grants that are contained in the bill, in the underlying legislation.

Last September, when the Banking Committee—of which I am a member—considered the mass transit component of ISTEA reauthorization, I was successful in adding to the bill a $600 million grant program to help welfare recipients and low-income individuals to get to work. I thank again the Chairman, Senator D'AMATO, as well as Senator SARBANES and the others who helped make that possible.

The amendment that my colleagues from Pennsylvania and I are offering today expands and improves the job access provisions in the Banking Committee's bill. The amendment more than doubles the amount of funding available for the program—from $100 million per year to $250 million per year.

The amendment increases from $100 million to $150 million the amount available every year for access to jobs grants—monies designed to address the fact that, in too many cases, in both urban and rural areas, welfare recipients and low-income individuals are isolated from the jobs they want and need.

The amendment adds an additional $100 million per year for a new reverse commute program, designed to provide seed money to local communities to shuttle employees who live in central cities, or in outlying rural areas, into jobs located in the suburbs.

Two-thirds of all new jobs are being created in the suburbs. Many suburban communities report severe labor shortages because they cannot find enough workers looking for entry-level jobs. Public transportation systems, however, are often not designed to move people from either inner cities or rural areas to job opportunities in the suburbs. This amendment will help communities implement new transit systems designed to transport people of all income levels from their homes in cities and rural areas to jobs in rapidly-growing suburban communities.

Mr. President, I would like to talk for a moment about the access to jobs portion of this amendment. I am very pleased that I have been able to work with my colleagues from Pennsylvania, as well as with the leadership of the committee, to increase the amount of funding available for that program.

Last year, Congress enacted legislation to move people from welfare to work, the welfare-to-work legislation that was so much a point of discussion a year ago. The bill imposed time limits and other restrictions that will result in the termination of benefits for an estimated two million people by the year 2002. One of the greatest obstacles many of these current welfare recipients face in getting jobs is literally getting to the jobs. Welfare recipients and low-income individuals often live, almost by definition, in impoverished communities devoid of job opportunities. I pointed out that in a single census tract near the public housing developments in Chicago, there is less than 1 percent, according to the census, less than 1 percent employment in that entire census tract. Clearly, people have to get to where the jobs are. Mr. President, 94 percent of welfare recipients do not have cars. Low-wage earners often do not have cars. They are dependent on public transportation to get to areas with jobs. If the public transit is inadequate, the jobs become inaccessible. People cannot move from welfare to work if the people on welfare can't get to the work.

In many communities with high concentrations of welfare recipients and low-wage earners, new jobs are practically non-existent. Three-quarters of welfare recipients live in central cities or rural areas, and as I already noted, two-thirds of all new jobs are created in suburbs. So clearly we have to resolve this disconnect to allow people to get from welfare to work, and this program goes a long way in that direction.

In Cleveland, a study found that inner city residents can only reach between eight and 15 percent of job openings in a reasonable time using public transportation. Even if central city residents were willing to commute for two hours and 40 minutes every day, they would still have access to less than half of the entry-level jobs in the Cleveland area. A separate study of 43 large metropolitan areas revealed that communities with the longest job commute times had the highest rates of unemployment. So the ability to have access to employment is directly correlated with the ability of people to hold employment.

In Boston, there are public transit stations within one-half mile of 99 percent of the city's welfare recipients. Only 43 percent of employers, however, are within one-half mile of transit lines.

Studies of Baltimore and Atlanta have demonstrated the same trend. While the jobs are in the suburbs, the people looking for the jobs are not.

In rural areas, the same problems exist. The Community Transportation Association of America has found that 40 percent of all rural counties have no public transportation whatsoever. When transit is present, it often does not operate at night or on weekends—times when many low-wage or entry-level jobs are performed.

By filling the gaps in transit services, we can give people the chance to get to the jobs they seek. In Chicago, an innovative Suburban Job Links program is doing just that. Buses carry workers from the Pilsen neighborhood on the near southwest side of the City to their jobs at Avon Products in north-suburban Morton Grove. Hundreds of city residents are carried on buses and vans to places like a UPS facility in southwest-suburban Hodgkins.

The amendment we are offering today will help to broaden this program and help other communities replicate its success and test new approaches to solving this problem. The amendment also preserves the important funding ratio between urban, small urban, and rural areas. Sixty percent of funds will be awarded to projects in large cities, 20 percent to projects in small cities, and 20 percent to projects in rural areas.

Again, I thank my colleagues from Pennsylvania and the leadership of the Banking Committee for their work on this important initiative.

Mr. President, I would like at this point to take advantage of the time to speak to the minimum allocation amendment. I do not know whether or not there is action to be taken on this amendment?

Mr. D'AMATO. If I might suggest to the Senator, I believe that we are very close to resolving the minimum allocation amendment as initially proposed and that we are very close to coming to a settlement in which additional resources will be provided to the rural States and rural communities without a disfigurement, so to speak, of the basis of mass transit funding, the formulas which provide for most, or the highest number of people being moved on the basis of need. So I recommend at this time, knowing the Senator is a

great, great supporter of mass transit but has sought balance, that we proceed to dispose of this legislation. And I think within a matter of minutes we will be able to go forward with a compromise.

Mr. SPECTER. Mr. President, if the Senator will yield, if we might have final action on the amendment? Senator SANTORUM and I have commitments on a major shipbuilding project on the House side. So if we could conclude the debate on the amendment without the distinguished Senator from Illinois losing her right to the floor, it would be appreciated.

Ms. MOSELEY-BRAUN. I thank my colleague. I am happy to defer going further with any comments on the minimum allocation until we can take action on this amendment.

I commend the Senator from New York for his work on the minimum allocation issue because, of course, maintaining the balance of which he speaks is a very, very important thing to this entire bill. So I will defer, without losing my right to the floor, until the Senate has acted on this amendment. I defer and yield for that purpose.

Mr. SPECTER. Mr. President, I urge adoption of the pending amendment.

The PRESIDING OFFICER. If there is no further debate, the question occurs on agreeing to amendment No. 1941.

The amendment (No. 1941) was agreed to.

Mr. D'AMATO. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1931

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. Thank you very much, Mr. President.

I would like at the outset to congratulate the Senator from New York for his work on this minimum allocation issue because it really goes to the heart of this legislation and it is a very, very important issue.

But I will take the time at this point to speak to the proposal that we have seen in the hopes that the Senator from New York is as successful as he has been on these issues overall and can get this matter resolved through the legislative compromise.

Mr. D'AMATO. Let me, if I might, say I think we are very close to arriving at a compromise. I want to pay particular tribute to a new colleague of ours, although he is not new to the legislative process. I think he has demonstrated the kind of leadership that makes it a great pleasure for me to chair the Banking Committee. I am talking about Senator JOHNSON, who initially came forward and said our rural States are not getting sufficient funding to meet our needs. And, indeed, the compromise we are forging is one in which there can and still will be room for them, in the future, to come forward and ask for more.

We are addressing an imbalance that has existed over a number of years. He has been joined in that effort by Senator THOMAS of Wyoming. And, again, the two have carried this in a manner that makes doing the business of the people something that we can be proud of. We did not, nor did it ever reach the business of trying to see who had more votes, who had more muscle; but, rather, how, with limited resources, could we do the business of the people to the best of our ability.

We need more money for this bill to be able to meet all the transit needs of this country. We do not have it. So I applaud both of my colleagues for bringing us to a point where I believe we can enact legislation that begins to address their concerns. It does not fully address them, but it begins to move the process in the right direction, and yet recognizes the tremendous needs that those in the urban States still have.

Mr. JOHNSON. Will the Senator yield?

Ms. MOSELEY-BRAUN. Yes.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. JOHNSON. Mr. President, I simply want to concur with Chairman D'AMATO and to express my gratitude to him for his willingness to work with Senator THOMAS and with me and with others who are very concerned about transit needs in rural areas, to recognize that there are very great and very real needs there. Yet there is a finite amount of money, and there are great needs as well in our urban areas. I thank him for having been willing to work with us to recognize that Chicago and New York are major urban areas that will indeed benefit by a significant new infusion of transit money but that, by massaging the budget carefully and coming up with a compromise that does not change the underlying formula system, it still provides a significant infusion of resources for our rural areas.

I am very encouraged that we can arrive at a win-win situation. So I commend Chairman D'AMATO. I also thank my colleague from my neighboring State of Wyoming, Senator THOMAS, for his leadership and his very hard work on trying to devise an approach to this that will work.

So I say to my colleague and my very good friend from Illinois that I think we are at a point now where we will be able to move on with a transit amendment that will be of enormous benefit to the State of Illinois, that will not change the formula, but will be able to do some more positive things for those of us in rural areas, including the rural areas in Illinois. I know that my colleague has great concern for those areas, as well, in her own State. So we will all, I think, benefit by this compromise.

Ms. MOSELEY-BRAUN. I thank my colleague for his gracious remarks. He is exactly right.

We have an expression at home that says, ''Just outside of Chicago there's a place called 'Illinois.' '' Much of my State is rural. And, of course, I share the concern that we provide for transit and transportation in rural areas as well as the urban ones.

I am delighted that an agreement has been reached in this regard that will maintain the balance for transit and highway funding in this legislation. That balance, I think, represents the best national interests, the interests in getting people moved from place to place, getting people to where the jobs are and making certain that we do not unduly jeopardize commerce, jeopardize the environment, jeopardize our ability to provide for the movement of large numbers of people by our disrupting of the formula between mass transit and highway funding in this ISTEA legislation.

So, again, I commend my colleague and commend the members of the committee who have worked on this issue. I am very, very pleased that we have worked this out, because in its previous incarnation, the minimum allocation proposal would have been disastrous for mass transportation and I think would have mitigated against the national interest in moving people from place to place and protecting the environment and in aiding commercial activity in the country. If it has been resolved in ways as has been suggested here this afternoon, then I think that is the best of all possible worlds.

Mr. President, Rudolf Julius Emmanuel Clausius was a 19th century German physicist famous for saying, ''The entropy of the universe tends to a maximum.'' What he meant was, that if left to its own designs, the universe will continue to expand and progress away from its origin of a singular, focused point, toward a state of increasing disorder.

If Mr. Clausius were alive and here today, he might well say, ''The entropy of the Senate tends to a maximum.'' We sometimes have an uncanny ability to take a perfectly good Federal program that targets a national need and dilute it to the point where it is barely recognizable as a program designed to address a specific purpose. The amendment before us today—the amendment to establish a so-called ''minimum allocation'' for mass transit funds—would do exactly that. It would increase the entropy of the transit program to the point where the program would no longer serve its intended purpose.

This amendment represents a digression from the path we were on last week. Last week was a good week for those of us who support investing in our Nation's infrastructure. First, an agreement was reached providing an additional $25.8 billion for highway improvements and construction. Second, an agreement was reached to distribute those funds in a more equitable manner than the rest of the highway funds being allocated under the ISTEA reauthorization bill. Third, an agreement was reached providing an additional $5

billion in mass transit funding, increasing from $36 billion to $41 billion the amount of funding transit will receive over the next 6 years.

I am a builder by inclination. I believe one of the most economically productive activities in which the Federal Government can and should engage is infrastructure investment. Those of us who share that view welcomed last week's developments.

This week, the Senate appears to have digressed. The amendment we are considering today would take the heart out of the Federal transit program—a program upon which millions of commuters rely every single day to get to work, a program that relieves congestion in cities and suburbs, a program that provides mobility for millions of elderly Americans who can no longer safely drive, a program that allows millions of disabled Americans, to get to work, to access medical care, grocery stores, and other essential services, a program that improves the quality of the air we breathe, a program that boosts economic activity in our urban centers, a program that is vital to our cities, critical to our suburban and rural communities, and that ought to be a priority as we formulate our national, intermodal surface transportation policy.

We are now considering an amendment which forgets all that, which forgets about the importance of transit to commuters, to the elderly and disabled, to our environment, and to our economy. It is an amendment that forgoes national policy in favor of parochial pork. It is an amendment that turns a program targeted toward specific needs into a diluted formula allocation of funds to states without regard to needs of communities. It is a cynical ploy by States without mass transit to grab money from States that do. The so-called ''minimum allocation'' for transit amendment will indeed marginalize our national interest in providing efficient transportation for millions of Americans.

Mr. President, mass transit is a critical part of our national intermodal transportation system. People depend on transit to get to work. More than half of all transit trips are for work purposes. Transit helps the environment. Without public transit there would be 5 million more cars on the roads and 27,000 more lane miles of roads. The degradation of the air from such a massive infusion of pollution is incalculable. Transit is a great economic investment. The net economic return on public expenditures for public transportation is four or five to one. When mass transit improvements are made, land values go up, commercial development increases, and jobs are created. Without transit, congestion alone would cost the private sector economy $15 billion annually.

Mass transit is particularly important to States like Illinois. Chicago is the fifth-most congested area in the country. Congestion and bottlenecks sap the region's economic productivity by $2.8 billion every year. Without transit, congestion in Chicago would likely be unbearable, and without continued investments in the area's aging transit systems, the cost to the local and regional economy will grow.

Three-fourths of the Chicago Transit Authority's elevated structures—used by 400,000 passengers every single day—are more than 80 years old. METRA, which carries 270,000 riders a day into and out of the city, uses 300 bridges that are at least 80 years old, and 52 of those are listed in ''critical'' condition. The Regional Transportation Authority of Northeastern Illinois—which carries 1.8 million riders every single workday—estimates it needs $3 billion over the next 5 years just to bring Chicago-area transit systems up to ''a state of good repair'' and to control operating costs.

The Chicago Transit Authority, which operates the Nation's second largest public transportation system, needs $336 million in Federal funds to rehabilitate the Douglas branch of the Blue Line, which serves Chicago's near west side. The line was originally opened for service more than 100 years ago. Every weekday, more than 13,000 riders use the line, which feeds right into the heart of downtown Chicago and into west-side manufacturing districts. Shutting down this line because funds are not available to repair it would be a disaster for the area.

The CTA also seeks funds to expand the capacity of the Ravenswood line. In order to run longer trains on the tracks, the station platforms will have to be lengthened and improvements made to various parts of the track system. This project will cost several hundred million dollars.

METRA—which is the country's second largest commuter rail system and which serves an area as large as the State of Connecticut, with a population base of over 7.5 million people—seeks more than $300 million to expand capacity. Recent studies indicate that the Chicago area will experience a 25 percent population growth by 2020, and employment will grow by 37 percent over the same period. Expanded and improved transit service will be essential if the region's transportation system is to absorb that level of growth.

In southern Illinois, outside of St. Louis, Federal funds are needed to continue extending the new MetroLink system all the way to the new Mid-America Airport.

The current program structure is designed to help meet these needs. It targets resources based on need. Through the transit formula programs, Federal funding ensures the continued maintenance, operation, and improvement of our Nation's existing transit systems. Through the discretionary capital programs, Federal funding assists in the development and expansion of new transit systems, whether bus or rail, whether urban or rural.

The current program is a strong Federal-local partnership. Funds are allocated directly to local authorities, or to state authorities based on local needs, using factors such as population, transit ridership, and the size of existing transit systems.

The so-called ''minimum allocation'' amendment would destroy that program structure. It would result in resources not being targeted toward needs, decrease the cost-efficiency of building and operating mass transit systems, and cripple the ability of Federal funds to leverage State and local resources.

The amendment distorts the intent and direction of the Federal transit program by basing transit funding on gasoline consumption. By so doing, the amendment creates an illogical and perverse dynamic: a state that invested in transit and used Federal transit funds to improve service would, in future years, see its share of transit funds decline, because transit riders do not consume gasoline. There is no precedent for such an impossible incentive system—a system that withholds Federal funds from States that spend them most effectively.

I want to make sure that every member of the Senate understands the irrational nature of this amendment. Consider what would happen in the State of North Carolina. I know that the Raleigh-Durham area seeks funding to build a new commuter rail system. The minimum allocation amendment would make their task harder for two reasons. First, it would reduce the amount of Federal funding available to build new transit systems, making it less likely that the Raleigh-Durham area would receive enough federal assistance to build the system on a cost-effective schedule. Second, if the system were to be built, the amount of Federal funding the Raleigh-Durham transit agency would receive to support the system would slowly decline over time. That is because the commuter rail system would take cars off the road. If it worked, as most transit systems do, it would reduce gasoline consumption in the area. Since transit funding would be based on gasoline consumption, North Carolina would receive less and less transit funding, even as the Raleigh-Durham system grew older and required more capital investments to keep it running. Eventually, the system would deteriorate, people would stop riding the trains, and the considerable capital investments made by the taxpayers to set up the system would go to waste.

That is the incentive system this amendment establishes. It makes absolutely no sense. The fact is, States like Illinois receive a proportionally large share of mass transit funding today because we have a proportionally large share of mass transit riders. People take almost 540 million trips every year on Chicago-area transit systems alone.

Mr. President, supporters of the minimum allocation amendment seem to

have lost sight of the national objective and purpose of the transit program. It is not a program designed to spread money around to every State in equal proportion. It is designed to address real needs that affect our entire nation.

I do not doubt claims that rural areas have tremendous transit needs. In fact, it is a disturbing fact that 40 percent of all rural counties in America have absolutely no public transit whatsoever. Where transit does exist in rural areas, it often does not operate on weekends or late into the night—times when many low-income individuals count on transit to get to jobs. Rural areas do have transit needs, and I support increases in the transit program in order to help expand access to public transportation in rural areas. Destroying the transit program in order to funnel more money to rural areas, however, is not the way to achieve those objectives.

Supporters of the minimum allocation amendment complain that drivers in their States pay taxes on the gasoline they consume, that those revenues are deposited into the Mass Transit Account of the Highway Trust Fund, and that their State does not receive its fair share of those revenues.

The reason we have a national government, Mr. President, is ''to form a more perfect Union.'' To that end, we have established a variety of programs designed to address national needs. The transit program is one of those programs. Our Nation's metropolitan areas rely on transit systems. They could not exist without them.

Our cities are among the Nation's most important assets. Visitors to and residents of our urban centers enjoy access to unlimited entertainment, myriad cultural activities, and unrivaled educational and economic opportunities. And 26 million leisure travelers visit Chicago each year in order to sample the city's 7,000 restaurants, 100 theaters, and 250 museums and art galleries; to stroll in its 552 parks; and to view some of the world's most unusual and interesting architecture. Cities like Chicago play a crucial role in the life of the Nation, adding immensely to its wealth and its quality of life.

Our major cities would not be as enjoyable, livable, and attractive as they are in the absence of their mass transit systems. Without transit, congestion in Chicago, Philadelphia, Boston, San Francisco, Baltimore, and Cleveland would bring those cities to a halt. The air quality in Manhattan would deteriorate rapidly. Our cities need viable transit systems, and this is precisely why we have a national transit program. It fulfills a critical need and repays the investment many times over.

There are a lot of Federal programs that are designed to meet national needs and which do not benefit my state of Illinois at all, if you only look at them through the limited prism of only where the dollars are actually spent. Illinois receives almost no funding under the Federal lands highway program, for example, even though Illinois residents pay their fair share of gas taxes into the Highway Trust Fund, from which monies are drawn to pay for the Federal lands highway program. That is because Illinois has almost no Federal lands. Illinois receives almost no funding from the Bureau of Land Management, because Illinois has no lands under its control. Illinois receives almost no funding from the Bureau of Indian Affairs or the Bureau of Reclamation, either—because the needs those programs are designed to address are not found in Illinois.

Mr. President, those are the consequences of having a national government. That is the price we pay for having ''a more perfect Union.'' We all contribute to national goals and objectives, even if those priorities are not found in our own backyards. If the objective of a national government were to return Federal tax revenues to their States of origin, Illinois would probably not do too badly. But that is not the purpose of our national government.

Mr. President, I hope my colleagues will vote against this destructive amendment. The transit program is not a highway program. Highway programs have long been battlegrounds for convoluted formulas that allocate funds to political power-centers. Witness this year's shift of Federal highway funds from the northeast to the south—a reflection of the shift in power in the Senate.

The transit program is different. It is not a Federal-State program. It is a Federal-local partnership. It has never been a mere political battleground for more funds. The program has been carefully designed to target needs, and it works. Nothing would destroy the transit program more quickly than the enactment of this amendment.

I urge every one of my colleagues to consider the national policy implications of their vote, prove the German physicist Mr. Clausius wrong, and vote against this bad idea.

I thank the Chair and yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Thank you, Mr. President.

I rise to thank the chairman for his cooperation in moving towards a solution to a problem that I think has real meaning. I have been involved in this highway transportation bill for some time, being a member of the subcommittee. So we are down now, I think, to coming to closure. I am so pleased with that.

So I thank the chairman for his cooperation and his willingness to work on it. Certainly, I thank my friend from South Dakota for working on this as well. I think it points out the diversity of this country. We do have different needs in different places, and it is very difficult sometimes to find the formula, the Federal formula, that treats fairly all of the States that are involved.

AMENDMENT NO. 1942 TO AMENDMENT NO. 1931

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

The PRESIDING OFFICER. The Clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. THOMAS], for himself and Mr. JOHNSON, proposes an amendment numbered 1942 to amendment No. 1931.

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

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

The amendment is as follows:

On page 10, line 24, and page 11, lines 1 through 7, strike ''$500,000,000'' each time it appears and insert in lieu thereof ''$470,000,000.''

On page 12, lines 3 though 7 strike ''$100,000,000'' each time it appears and insert in lieu thereof ''$80,000,000.''

On page 13, lines 19 though 23 strike ''$50,000,000'' each time it appears and insert in lieu thereof ''$100,000,000.''

Mr. THOMAS. Mr. President, I urge adopting the amendment and ask for the yeas and nays.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. We are prepared to accept this amendment. It strikes a balance. It provides $250 million more for those rural communities that are at populations of under 50,000. It can be accomplished within the framework of the budget. We believe, as a result of the reconfiguration of the distribution of the $5 billion, that it will be done in such a way as to maximize the dollars that have been provided by the Budget Committee, the budget authority and the outlays, and that it will not do violence to the agreement.

It reduces the new starts by $150 million from $2.5 billion to $2.35 billion. It reduces those dollars that would go to the discretionary bus program from $500 million to $400 million and then adds $250 million to the rural formula program, so that my colleagues who represent rural America will be producing, under this bill, $500 million—a half a billion dollars—over and above what the committee had initially reported out.

Mr. President, I believe it is a good compromise, and I can be totally supportive of it. I urge my colleagues to support it.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 1942) was agreed to.

Mr. D'AMATO. I move to reconsider the vote.

Ms. MOSELEY-BRAUN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. D'AMATO. Mr. President, I congratulate again both Senators who

worked and built a broad-based coalition and yet recognized that this really is an equity that we seek throughout this country. It is not always easy and not always easy to obtain. But I thank them for their cooperation.

Mr. President, I know of no other Senator who seeks the floor, but let me say this before I suggest the absence a quorum. We have now, as far as I can see, disposed of all of the outstanding amendments that I have been made aware of up until this point.

If Senators do have amendments that they wish to offer, I hope they will do so. I believe the leader is going to seek a unanimous consent to put out over the hotline to get a time certain to vote. We have made great progress. Again, I urge my colleagues to have their staffs meet with our staffs or come to the floor to take up any question they might have so that we can resolve these issues and continue the progress that we have made on this bill.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

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

Mr. DORGAN. It is not my intent in any way to interrupt the consideration of this bill. I say to the managers if someone comes to the floor with an amendment, if they will give me a signal, I will promptly relinquish the floor.

AGENDA FOR CONGRESS

Mr. DORGAN. Mr. President, I wanted to take just a minute to discuss an item that has shown up in a number of newspapers and columns in the last week or two. I will read a couple of headlines. ''Congress and the Clock.'' ''They Seem at Times to be Running on an Empty Tank.'' ''A Do-Nothing Congress Could Turn Into a Do-Little Congress.'' ''AWOL Congress.''

The point that is made by some editorial writers and some others is that there is not much of an agenda. Well, we have the highway bill on the floor of the Senate now. This is very important. I want very much to get this done and get it done promptly. This is last year's business being done this year. Let's get it done and provide some certainty with respect to our plans and our desires to invest in our country's infrastructure, highways and roads.

When we complete this piece of legislation, it is not the case that there is not an agenda here for the Congress to consider. Many of us have developed an agenda that is very aggressive. We have an agenda to save Social Security first. We would like very much for the Senate to vote on that proposition, a sense-of-the-Senate resolution that says it is our intention to save Social Security first. The question here is, if there is, in fact, a brighter picture ahead with respect to Federal deficits, what is to be done. Some want to spend it, some want to provide tax breaks. The President says let us save Social Security first. I hope very much we can have a vote here in the Senate that says we agree, let us save Social Security first. That is the first and the best priority for this Congress.

Second, we want to consider legislation to protect health care consumers. There are 160 million people now enrolled in managed health care plans in this country. Yes, some managed care plans can and do save money. They can, in fact, improve care. But medical decisions ought to be made by health care practitioners, not insurance company accountants. Many in this country are very concerned about their treatment by their managed care plan.

The President has proposed a patient's bill of rights to provide some basic protections for patients. You have the right to know all of your medical options, not just the cheapest. You have the right to choose the doctor you want for the care you need. And you have the right to emergency room care you need whenever and wherever you need it. You also have the right to keep your medical records confidential.

We believe very strongly that one of the first items of business in this session of Congress should be to address the question of managed care.

Here is an essay written by Dr. Ronald Glasser titled, ''The Doctor Is Not In,'' and subtitled ''On the managed failure of managed health care.''

Let me read a couple of paragraphs of this article by Dr. Glasser, a Minneapolis pediatrician and the author of several books. He writes in this essay:

> We are born, we live, and then we die, but these days we do so with less and less help from a medical profession paid to discount our suffering and ignore our pain. Proofs of the bitter joke implicit in the phrase ''managed care'' show up in every morning's newspaper, in casual conversations with relatives or friends recently returned from a hospital or from what was once thought of as a doctor's office instead of an insurance company's waiting room, and in a country generously supplied with competent and compassionate doctors, 160.3 million of us now find ourselves held captive to corporate health-care systems that earn $952 billion a year but can't afford the luxury of a conscience or a heart.

Dr. Glasser, in his essay, talks about the denial of certain health care. He says,

> Such forced denial of care occurs at a time when new medical and surgical technologies allow physicians to treat and often cure any number of conditions that only a few years ago could barely be diagnosed; organs now can be digitally reconstructed in three dimensions to locate previously inoperable tumors; heart attacks can be stopped with injections of a compound known as tPA; blind people may wake up and see with implanted plastic lenses, one-and-a-half-pound premature babies, once given up for lost, routinely are nursed to health; a new generation of medical research brings us genetically engineered tests and one nearly miraculous drug after the next. At the same moment, presumably well-insured women diagnosed with disseminated breast cancer must hire lawyers to have their health plans pay for life-saving bone-marrow transplants and managed-care companies can deny powered wheelchairs to handicapped children who pass a ''utilization review'' showing them able to stagger twenty-five feet with the help of a walker.

This is a long and fascinating essay about managed care. My colleagues have heard the stories that have persuaded many of us that this Congress at least ought to address the question of what patients' rights are in managed care.

A 27-year-old man from central California received a heart transplant and was discharged from the hospital after 4 days because his HMO would not pay for additional hospitalization. Nor would the HMO pay for the bandages needed to cover the man's infected surgical wounds. The patient died.

An otherwise healthy 2-year-old boy who had suffered a fall was taken to a local hospital with a stick lodged between his upper lip and his gums. Once there, health care providers repeatedly misdiagnosed the boy's condition and refused to authorize an $800 CT scan that would have confirmed the boy was developing a brain abscess. The result? The boy was left blind and brain damaged.

A 54-year-old man who just had prostate surgery was told by his HMO he must leave the hospital within 24 hours of his surgery because the HMO wouldn't pay. He had to go home where there was no one to care for him even though he was still bleeding, had to wear a catheter to drain his bladder, and couldn't walk.

The stories go on and on. Most of us have heard the stories in our hometowns, our States. One managed care organization recently stated it would not pay for more than 5 hours of epidural pain relief for labor pains. Doctors objected, saying that some labor pains go on for more than 20 hours. One wonders whether the insurance company employee who said we will limit the coverage for epidural relief to 5 hours has ever been in a hospital experiencing the pain of childbirth. My guess is no.

We now have a circumstance where, all too often, the operation of the emergency room is a matter of profit or loss. There was an article about a woman in the New York Times recently. She was in an ambulance with her brain swelling from an injury just received, and she told the ambulance driver, ''Do not take me to the closest hospital.'' And she named the hospital farther away where she wanted to be taken that did not have a reputation for making cost its bottom line. She said later that she didn't want to be