

example, the North Carolina judge, the Fourth Circuit is a judicial emergency. The chairman of the Judiciary Committee has set forward some standards. His first standard: If a vacancy is deemed to be a judicial emergency, it should be addressed quickly. That is the chairman of the Judiciary Committee. In the case of the Fourth Circuit, it has been declared a judicial emergency. It is one-third vacant. The nominee from North Carolina, to pick an example, is not controversial, has a unanimously well qualified from the ABA. The blue slips are back from both North Carolina Senators. My only point to my good friend, the majority leader, was it would seem not to be fair, when you have a nominee pending for a long time who is not controversial, upon which the blue slips have been returned, where there are two Republican Senators, for that nominee to be in effect moved to the back of the bus while you handle nominees nominated more recently from a State with two Democratic Senators or a State with one Democrat and one Republican Senator.

What I am pleading for is a sense of fairness. I believe in the case of both North Carolina and South Carolina, with the judicial emergency existing on the Fourth Circuit, you could make a strong case that they should be dealt with first under the standards of the chairman of the Judiciary Committee. But in particular I cite the nominee from North Carolina because he has been declared noncontroversial, had the unanimous ABA approval rating, and has been pending for hundreds of days. I don't know why we couldn't meet the goal the majority leader has set out of doing three circuit court nominees before Memorial Day. There is no reason not to. There are enough ready to be dealt with who don't require additional paperwork.

So I guess my question of the majority leader is, What is his view as to the likelihood that we would get three circuit judges confirmed before the Memorial Day recess?

Mr. REID. Mr. President, first of all, Chairman LEAHY understands. If there is an emergency in a circuit, he understands the importance of doing something about that. He has expressed that publicly and privately. Also, in this overall process, let's make sure we understand, there are vacancies out there in the circuit courts that we have no nominees for. We are waiting for them. I say to my friend, as I have said before, I am going to do everything to work with the Judiciary Committee. Senator LEAHY said he would do that too. I think we can say we would work very hard to make sure there are no holdovers. That is, if somebody is reported out, we will do our very best to make sure they don't waste that week on that. I am going to do what I can to fulfill what I have said. I will do everything within my power to get three judges approved to our circuits before the Memorial Day recess.

Who knows, we may even get lucky and get more than that. We have a number of people from whom to choose. Maybe the President can send us down a few more names on some of those vacancies that are there now. I don't know what more I can say than to say what I have said. I have to work with the committee, within the rules they have, and do the best I can.

Mr. MCCONNELL. Mr. President, I guess the only thing I would add, would the majority leader agree with me on the following principle: That a circuit judge from a State with two Republican Senators, who is completely qualified and upon which two blue slips have already been returned and have been pending for a long time, does the majority leader share my view that those type nominees from States with two Republican Senators should not be discriminated against in trying to meet our responsibility? We have only confirmed seven circuit judges throughout this Congress. We are a long way from coming anywhere close to what President Clinton got at 15.

Mr. REID. Mr. President, I hope the record will reflect the smile on my face because the fact is, we had, for years, two Democratic Senators from a State and those nominees of President Clinton weren't even given a hearing. More than 60 weren't even given a hearing. They were pocket vetoed, for lack of a better description. So, yes, I think if you have two Senators from the same party, they should not be discriminated against. I mentioned their names. Their names are Matthews and Conrad. I have spoken to Senator LEAHY. The first time I talked to him was today. Of course, we will take a look at those.

Mr. MCCONNELL. Well, I certainly understand what the intention of the majority leader is. We will need to discuss this further, I guess privately. I certainly understand his intention. I know he is a person who operates in good faith. I trust him. We have had a good relationship over the last period during which we have been in our respective positions. I guess the calculation I have to make, at some point, is what is the likelihood of this occurring, because there is a deep-seated unrest on our side related to this low number of circuit court judges. I think that is understandable. It is a paltry number in comparison to how President Reagan, President Bush, and President Clinton were handled in a similar situation. But I understand the representations my good friend, the majority leader, has made as far as he is prepared to go today. We will continue to discuss the matter.

Mr. REID. Mr. President, the only thing I would say, my good friend asked the odds. I am from Las Vegas. I don't bet. I hope they are good odds. I am going to do everything I can to live up to what I have said this last 5 or 10 minutes.

Mrs. BOXER. Will the Senator yield, my leader yield to me for a question?

Mr. REID. Surely.

Mrs. BOXER. I was pleased to see this dialog back and forth. Because, frankly, I have been wondering, as chairman of the Environment Committee, what was going on. We have a very straightforward bill on the floor. I didn't understand. We have a few amendments. We are very happy to deal with them. We have every group in the country, every construction group, management, labor, everyone, we have every State asking us to do this bill. I didn't understand, frankly, why we were waiting around. I wonder, I ask my leader—and I would be delighted to hear from the Republican leader as well, given this colloquy you had back and forth—and I know the Senator from Nevada as well as anyone here. When he gives his word like this and says: I am going to do everything I can, listen, I think that is as good as it gets around here. I am hopeful, and I would ask my leader to tell me and the Republican leader as well, Senator INHOFE is here, I am here, we are very anxious to move our bill forward, 500 transportation projects, not one penny of added spending; it will unleash a billion dollars' worth of jobs, I am wondering whether you could let us know tonight what are the chances that we are going to be able to move forward.

Mr. REID. I say to my friend, I wish we had moved to this bill Thursday night, legislated yesterday and today. We haven't done that.

#### HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007

Mr. REID. Mr. President, I now ask unanimous consent that all postcloture time be yielded back, the motion to proceed be agreed to, and the motion to reconsider be laid upon the table, and that the Senate now proceed to the consideration of H.R. 1195.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1195) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Highway Technical Corrections Act of 2007".*

#### SEC. 2. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Paragraphs (3)(A) and (5) of section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) are amended by striking "paragraph (1)" each place it appears and inserting "paragraph (2)".

(b) CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe,

Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1158) is amended by striking “among the States”.

(c) CORRECTION OF FEDERAL LANDS HIGHWAYS.—Section 1119 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1190) is amended by striking subsection (m) and inserting the following:

“(m) FOREST HIGHWAYS.—Of the amounts made available for public lands highways under section 1101—

“(1) not more than \$20,000,000 for each fiscal year may be used for the maintenance of forest highways;

“(2) not more than \$1,000,000 for each fiscal year may be used for signage identifying public hunting and fishing access; and

“(3) not more than \$10,000,000 for each fiscal year shall be used by the Secretary of Agriculture to pay the costs of facilitating the passage of aquatic species beneath forest roads (as defined in section 101(a) of title 23, United States Code), including the costs of constructing, maintaining, replacing, and removing culverts and bridges, as appropriate.”.

(d) CORRECTION OF DESCRIPTION OF NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—Item number 1 of the table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in the State column by inserting “LA,” after “TX.”.

(e) CORRECTION OF INFRASTRUCTURE FINANCE SECTION.—Section 1602(d)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1247) is amended by striking “through 189 as sections 601 through 609, respectively” and inserting “through 190 as sections 601 through 610, respectively”.

(f) CORRECTION OF PROJECT FEDERAL SHARE.—Section 1964(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1519) is amended—

(1) by striking “only for the States of Alaska, Montana, Nevada, North Dakota, Oregon, and South Dakota,”; and

(2) by striking “section 120(b)” and inserting “section 120”.

(g) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS DEFINED.—Section 101(a) of title 23, United States Code, is amended by adding at the end the following:

“(39) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

“(A) IN GENERAL.—The term ‘transportation systems management and operations’ means an integrated program to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

“(B) INCLUSIONS.—The term ‘transportation systems management and operations’ includes—

“(i) regional operations collaboration and coordination activities between transportation and public safety agencies; and

“(ii) improvements to the transportation system, such as traffic detection and surveillance, arterial management, freeway management, demand management, work zone management, emergency management, electronic toll collection, automated enforcement, traffic incident management, roadway weather management, traveler information services, commercial vehicle operations, traffic control, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations.”.

(h) CORRECTION OF REFERENCE IN APPORTIONMENT OF HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS.—Effective October 1, 2006, section 104(b)(5)(A)(iii) of title 23, United States Code, is amended by striking “the Federal-aid system”

each place it appears and inserting “Federal-aid highways”.

(i) CORRECTION OF AMENDMENT TO ADVANCE CONSTRUCTION.—Section 115 of title 23, United States Code, is amended by redesignating subsection (d) as subsection (c).

(j) CORRECTION OF HIGH PRIORITY PROJECTS.—Section 117 of title 23, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(2) by redesignating the second subsection (c) (relating to Federal share) as subsection (d);

(3) in subsection (a)(2)(A) by inserting “(112 Stat. 257)” after “21st Century”; and

(4) in subsection (a)(2)(B)—

(A) by striking “subsection (b)” and inserting “subsection (c)”;

(B) by striking “SAFETEA-LU” and inserting “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256)”.

(k) CORRECTION OF TRANSFER OF UNUSED PROTECTIVE-DEVICE FUNDS TO OTHER HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS.—Section 130(e)(2) of title 23, United States Code, is amended by striking “purposes under this subsection” and inserting “highway safety improvement program purposes”.

(l) METROPOLITAN TRANSPORTATION PLANNING.—Section 134 of title 23, United States Code, is amended—

(1) in subsection (f)(3)(C)(ii) by striking subclause (II) and inserting the following:

“(II) FUNDING.—In addition to funds made available to the metropolitan planning organization for the Lake Tahoe region under other provisions of this title and chapter 53 of title 49, prior to an allocation under section 202 of this title, the Secretary shall set aside ½ of 1 percent of funds authorized to be appropriated to carry out that section, which shall be provided to the Tahoe Metropolitan Planning Organization to carry out the transportation planning process, including the environmental review of transportation projects to complete environmental documentation for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96-551 (94 Stat. 3233) and this subparagraph.”;

(2) in subsection (j)(3)(D) by inserting “or the identified phase” after “the project” each place it appears; and

(3) in subsection (k)(2) by striking “a metropolitan planning area serving”.

(m) CORRECTION OF HIGHWAY BRIDGE PROGRAM.—

(1) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(A) in the section heading by striking “**replacement and rehabilitation**”;

(B) in subsections (b), (c)(1), and (e) by striking “Federal-aid system” each place it appears and inserting “Federal-aid highway”;

(C) in subsections (c)(2) and (o) by striking “the Federal-aid system” each place it appears and inserting “Federal-aid highways”;

(D) in the heading to paragraph (4) of subsection (d) by inserting “SYSTEMATIC” before “PREVENTIVE”;

(E) in subsection (e) by striking “off-system bridges” each place it appears and inserting “bridges not on Federal-aid highways”;

(F) by striking subsection (f);

(G) by redesignating subsections (g) through (s) as subsections (f) through (r), respectively;

(H) in subsection (f) (as redesignated by subparagraph (G))—

(i) in paragraph (1)(A)—

(I) in clause (vi), by inserting “, except that any unobligated or unexpended funds remaining upon completion of the project under this clause shall be transferred to and used to carry out the project described in clause (vii)” after “Vermont”; and

(II) in clause (viii), by inserting “and corridor” after “bridge”; and

(ii) in paragraph (2), by striking the paragraph heading and inserting “BRIDGES NOT ON FEDERAL-AID HIGHWAYS”;

(I) in subsection (m) (as redesignated by subparagraph (G)) by striking the subsection heading and inserting “PROGRAM FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS”; and

(J) in subsection (n)(4)(B) (as redesignated by subparagraph (G)) by striking “State highway agency” and inserting “State transportation department”.

(2) CONFORMING AMENDMENTS.—

(A) METROPOLITAN PLANNING.—Section 104(f)(1) of title 23, United States Code, is amended by striking “replacement and rehabilitation”.

(B) EQUITY BONUS PROGRAM.—Subsections (a)(2)(C) and (b)(2)(C) of section 105 of title 23, United States Code, are amended by striking “replacement and rehabilitation” each place it appears.

(C) ANALYSIS.—The analysis for chapter 1 of title 23, United States Code, is amended in the item relating to section 144 by striking “replacement and rehabilitation”.

(n) CORRECTION OF NATIONAL SCENIC BYWAYS PROGRAM COVERAGE.—Section 162 of title 23, United States Code, is amended—

(1) in subsection (a)(3)(B) by striking “a National Scenic Byway under subparagraph (A)” and inserting “a National Scenic Byway, an All-American Road, or one of America’s Byways under paragraph (1)”;

(2) in subsection (c)(3) by striking “or All-American Road” each place it appears and inserting “All-American Road, or one of America’s Byways”.

(o) CORRECTION OF REFERENCE IN TOLL PROVISION.—Section 166(b)(5)(C) of title 23, United States Code, is amended by striking “paragraph (3)” and inserting “paragraph (4)”.

(p) CORRECTION OF RECREATIONAL TRAILS PROGRAM APPORTIONMENT EXCEPTIONS.—Section 206(d)(3)(A) of title 23, United States Code, is amended by striking “(B), (C), and (D)” and inserting “(B) and (C)”.

(q) CORRECTION OF INFRASTRUCTURE FINANCE.—Section 601(a)(3) of title 23, United States Code, is amended by inserting “bbb minus, BBBB (low),” after “Baa3,”.

(r) CORRECTION OF MISCELLANEOUS TYPOGRAPHICAL ERRORS.—

(1) Section 1401 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1226) is amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) Section 1404(e) of such Act (119 Stat. 1229) is amended by inserting “tribal,” after “local,”.

(3) Section 10211(b)(2) of such Act (119 Stat. 1937) is amended by striking “plan administer” and inserting “plan and administer”.

(4) Section 10212(a) of such Act (119 Stat. 1937) is amended—

(A) by inserting “equity bonus,” after “minimum guarantee,”;

(B) by striking “freight intermodal connectors” and inserting “railway-highway crossings”;

(C) by striking “high risk rural road,”; and

(D) by inserting after “highway safety improvement programs” the following: “(and separately the set aside for the high risk rural road program)”.

### SEC. 3. MAGLEV.

(a) FUNDING.—Section 1101(a)(18) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1155) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$20,000,000 for fiscal year 2007; and

“(B) \$35,000,000 for each of fiscal years 2008 and 2009.”.

(b) CONTRACT AUTHORITY.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by adding at the end the following:

“(e) CONTRACT AUTHORITY.—Funds authorized under section 1101(a)(18) shall be available

for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the funds shall not be transferable and shall remain available until expended, and the Federal share of the cost of a project to be carried out with such funds shall be 80 percent.”.

#### SEC. 4. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.

The table contained in section 1301(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1203) is amended—

(1) in item number 19 by striking the project description and inserting “Regional rail expansion and transportation infrastructure in the vicinity of Santa Teresa, New Mexico”; and

(2) in item number 22 by striking the project description and inserting “Redesign and reconstruction of interchanges 298 and 299 of I-80 and accompanying improvements to any other public roads in the vicinity, Monroe County”.

#### SEC. 5. IDLING REDUCTION FACILITIES.

Section 111 of title 23, United States Code, is amended by striking subsection (d).

#### SEC. 6. PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended—

(1) in item number 3688 by striking “road” and inserting “trail”;

(2) in item number 3691 by striking the project description and inserting “Hoonah roads”;

(3) in item number 3695 by striking “in Soldotna” and inserting “in the Kenai River corridor”;

(4) in item number 3699 by striking “to improve fish habitat”;

(5) in item number 3700 by inserting “and ferry facilities” after “a ferry”;

(6) in item number 3703 by inserting “or other roads” after “Cape Blossom Road”;

(7) in item number 3704 by striking “Fairbanks” and inserting “Alaska Highway”;

(8) in item number 3705 by striking “in Cook Inlet for the Westside development/Williamsport-Pile Bay Road” and inserting “for development of the Williamsport-Pile Bay Road corridor”;

(9) in item number 3828 by striking “\$2,000,000” and inserting “\$11,000,000”;

(10) by striking item number 3829;

(11) by striking item number 3832;

(12) in item number 3861 by striking the project description and inserting “Creation of a greenway path along the Naugatuck River in Waterbury”;

(13) in item number 3883 by striking the project description and inserting “Wilmington Riverfront Access and Street Grid Redesign”;

(14) in item number 3892 by striking “\$5,000,000” and inserting “\$8,800,000”;

(15) in item number 3894 by striking “\$5,000,000” and inserting “\$1,200,000”;

(16) in item number 3909 by striking the project description and inserting “S.R. 281, the Avalon Boulevard Expansion Project from Interstate 10 to U.S. Highway 91”;

(17) in item number 3911 by striking the project description and inserting “Construct a new bridge at Indian Street, Martin County”;

(18) in item number 3916 by striking the project description and inserting “City of Hollywood for U.S. 1/Federal Highway, north of Young Circle”;

(19) in item number 3937 by striking the project description and inserting “Kingsland bypass from CR 61 to I-95, Camden County”;

(20) in item number 3945 by striking “CR 293 to CS 5231” and inserting “SR 371 to SR 400”;

(21) in item number 3965 by striking “transportation projects” and inserting “and air quality projects”;

(22) in item number 3986 by striking the project description and inserting “Extension of Sugarloaf Parkway, Guinnett County”;

(23) in item number 3999 by striking “Bridges” and inserting “Bridge and Corridor”;

(24) in item number 4003 by striking the project description and inserting “City of Council Bluffs and Pottawattamie County East Beltway Roadway and Connectors Project”;

(25) in item number 4043 by striking “MP 9.3, Segment I, II, and III” and inserting “Milepost 24.3”;

(26) in item number 4050 by striking the project description and inserting “Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia”;

(27) in item number 4058 by striking the project description and inserting “For improvements to the road between Brighton and Bunker Hill in Macoupin County”;

(28) in item numbers 4062 and 4084 by striking the project descriptions and inserting “Preconstruction, construction, and related research and studies of I-290 Cap the Ike project in the village of Oak Park”;

(29) in item number 4089 by inserting “and parking facility/entrance improvements serving the Museum of Science and Industry” after “Lakeshore Drive”;

(30) in item number 4103 by inserting “and adjacent to the” before “Shawnee”;

(31) in item number 4110 by striking the project description and inserting “For improvements to the road between Brighton and Bunker Hill in Macoupin County”;

(32) in item number 4120 by striking the project description and amount and inserting “Upgrade 146th Street to Improve I-69 Access” and “\$800,000”, respectively;

(33) in item number 4125 by striking “\$250,000” and inserting “\$1,650,000”;

(34) by striking item number 4170;

(35) by striking item number 4179;

(36) in item number 4185 by striking the project description and inserting “Replace the Clinton Street Bridge spanning St. Mary’s River in downtown Fort Wayne”;

(37) in item number 4299 by striking the project description and inserting “Improve U.S. 40, MD 715 interchange and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth”;

(38) in item number 4313 by striking “Maryland Avenue” and all that follows through “Rd. corridor” and inserting “intermodal access and pedestrian safety improvements”;

(39) in item number 4315 by striking “stormwater mitigation project” and inserting “environmental preservation project”;

(40) in item number 4318 by striking the project description and inserting “Planning, design, and construction of improvements to the highway systems connecting to Lewiston and Auburn downtowns”;

(41) in item number 4323 by striking the project description and inserting “MaineDOT Acadia intermodal passenger and maintenance facility”;

(42) in item number 4338 by striking the project description and inserting “Construct 1 or more grade-separated crossings of I-75, and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282”;

(43) in item number 4355 by striking the project description and inserting “Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch”;

(44) in item number 4357 by striking the project description and inserting “Design, construct, ROW, and expand TH 241 and CSAH 35 and associated streets in the City of St. Michael”;

(45) in item number 4360 by striking the project description and inserting “Planning, design, and construction for Twin Cities Bioscience Corridor in St. Paul”;

(46) in item number 4362 by striking the project description and inserting “I-494/U.S. 169

interchange reconstruction including U.S. 169/Valley View Road interchange, Twin Cities Metropolitan Area”;

(47) in item number 4365 by striking the project description and inserting “34th Street realignment and 34th Street and I-94 interchange, including retention and reconstruction of the SE Main Avenue/CSAH 52 interchange ramps at I-94, and other transportation improvements for the city of Moorhead, including the SE Main Avenue GSI and Moorhead Comprehensive Rail Safety Program”;

(48) in item number 4369 by striking the project description and inserting “Construction of 8th Street North, Stearns C.R. 120 to TH 15 in St. Cloud”;

(49) in item number 4371 by striking the project description and inserting “Construction and ROW of TH 241, CSAH 35 and associated streets in the City of St. Michael”;

(50) in item number 4411 by striking “Southaven” and inserting “DeSoto County”;

(51) in item number 4424 by striking the project description and inserting “U.S. 93 Evaro to Polson transportation improvement projects”;

(52) in item number 4428 by striking the project description and inserting “U.S. 76 improvements”;

(53) in item number 4457 by striking the project description and inserting “Construct an interchange at an existing grade separation at SR 1602 (Old Stantonsburg Rd.) and U.S. 264 Bypass in Wilson County”;

(54) in item number 4461 by striking the project description and inserting “Transportation and related improvements at Queens University of Charlotte, including the Queens Science Center and the Marion Diehl Center, Charlotte”;

(55) in item number 4507 by striking the project description and inserting “Design, right-of-way and construction of Highway 35 between Norfolk and South Sioux City, including an interchange at milepost 1 on U.S. I-129”;

(56) in item number 4555 by inserting “Canal Street and” after “Reconstruction of”;

(57) in item number 4565 by striking the project description and inserting “Railroad Construction and Acquisition, Ely and White Pine County”;

(58) in item number 4588 by inserting “Private Parking and” before “Transportation”;

(59) in item number 4596 by striking the project description and inserting “Transportation center, Corning”;

(60) in item number 4610, by striking the project description and inserting “Demolition, site restoration, and hazardous material abatement of Alert Facility at Plattsburgh International Airport”;

(61) in item number 4649 by striking the project description and inserting “Fairfield County, OH U.S. 33 and old U.S. 33 safety improvements and related construction, city of Lancaster and surrounding areas”;

(62) in item number 4651 by striking “for the transfer of rail to truck for the intermodal” and inserting “, and construction of an intermodal freight”;

(63) in item number 4691 by striking the project description and inserting “Transportation improvements to Idabel Industrial Park Rail Spur, Idabel”;

(64) in item number 4722 by striking the project description and inserting “Highway, traffic, pedestrian, and riverfront improvements, Pittsburgh”;

(65) in item number 4749 by striking “study” and inserting “improvements”;

(66) in item number 4821 by striking “highway grade crossing project, Clearfield and Clinton Counties” and inserting “Project for highway grade crossings and other purposes relating to the Project in Cambria, Centre, Clearfield, Clinton, Indiana, and Jefferson Counties”;

(67) in item number 4838 by striking “study” and inserting “improvements”;

(68) in item number 4839 by striking “fuel-celled” and inserting “fueled”;

(69) in item number 4866 by striking "\$11,000,000" and inserting "\$9,400,000";

(70) by inserting after item number 4866 the following:

"4866A	RI	Repair and restore railroad bridge in Westeryly	\$1,600,000";
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(71) in item number 4892 by striking the project description and inserting "Construct a 4-lane highway between maverick Junction and the Nebraska border";

(72) in item number 4915 by striking the project description and inserting "For projects of highest priority, as determined by the South Dakota DOT";

(73) in item number 4916 by striking "\$1,000,000" and inserting "\$328,000";

(74) in item number 4924 by striking "\$3,450,000" and inserting "\$4,122,000";

(75) in item number 4927 by striking the project description and inserting "Construction and Improvements to the College Street Corridor, Great Smoky Mountain Heritage Highway Cultural and Visitors Center in Maryville";

(76) in item number 4960 by inserting "of which \$50,000 shall be used for a street paving project, Calhoun" after "County";

(77) in item number 4974 by striking "Sevier County";

(78) in item number 5008 by inserting "Kane Creek Boulevard" after "500 West";

(79) in item numbers 5011 and 5033 by striking "200 South Interchange" each place it appears and inserting "400 South Interchange";

(80) in item number 5021, by striking "Pine View Dam,";

(81) in item number 5026 by striking the project description and inserting "Roadway improvements on Washington Fields Road/300 East, Washington";

(82) in item number 5027 by inserting "and roadway improvements" after "safety project";

(83) in item number 5028 by inserting "and roadway improvements" after "lighting";

(84) in item number 5029 by inserting "and roadway improvements" after "lights";

(85) in number 5032 by striking the project description and inserting "Expand Redhills Parkway, St. George";

(86) in item number 5132 by striking the project description and inserting "St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County"; and

(87) in item number 5161 by striking the project description and inserting "Raleigh Street Extension Project in Martinsburg".

(b) TRANSFER OF PROJECT FUNDS.—The Secretary of Transportation shall transfer to the Commandant of the Coast Guard amounts made available to carry out the project described in item number 4985 of the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1447) to carry out that project, in accordance with the Act of June 21, 1940 (commonly known as the "Truman-Hobbs Act") (33 U.S.C. 511 et seq.).

(c) UNUSED OBLIGATION AUTHORITY.—Notwithstanding any other provision of law, unused obligation authority made available for an item in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) that is repealed, or authorized funding for such an item that is reduced, by this section shall be made available—

(1) for an item in section 1702 of that Act that is added or increased by this section and that is in the same State as the item for which obligation authority or funding is repealed or reduced;

(2) in an amount proportional to the amount of obligation authority or funding that is so repealed or reduced; and

(3) individually for projects numbered 1 through 3676 pursuant to section 1102(c)(4)(A) of that Act (119 Stat. 1158).

(d) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Of the funds apportioned to each State under section 104(b)(3) of title 23, United States Code, a State may expend for each of fiscal years 2007 through 2009 not more than \$1,000,000 for the following activities:

(1) Participation in the Joint Operation Center for Fuel Compliance established under section 143(b)(4)(H) of title 23, United States Code, within the Department of the Treasury, including the funding of additional positions for motor fuel tax enforcement officers and other staff dedicated on a full-time basis to participation in the activities of the Center.

(2) Development, operation, and maintenance of electronic filing systems to coordinate data exchange with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(3) Development, operation, and maintenance of electronic single point of filing in conjunction with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(4) Development, operation, and maintenance of a certification system by a State of any fuel sold to a State or local government (as defined in section 4221(d)(4) of the Internal Revenue Code of 1986) for the exclusive use of the State or local government or sold to a qualified volunteer fire department (as defined in section 150(e)(2) of such Code) for its exclusive use.

(5) Development, operation, and maintenance of a certification system by a State of any fuel sold to a nonprofit educational organization (as defined in section 4221(d)(5) of such Code) that includes verification of the good standing of the organization in the State in which the organization is providing educational services.

**SEC. 7. CORRECTION OF INTERSTATE DESIGNATION.**

(a) TREATMENT.—Section 1908(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1469) is amended by striking paragraph (3).

(b) NATIONAL HIGHWAY SYSTEM.—Section 1908(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1470) is amended by striking "from the Arkansas State line" and inserting "from Interstate Route 540".

**SEC. 8. FUTURE OF SURFACE TRANSPORTATION SYSTEM.**

Section 1909(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1471) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (9) by striking "July 1, 2007" and inserting "December 31, 2007";

(2) in paragraph (11)(C) by striking "the Administrator of the Federal Highway Administration" and inserting "the Secretary";

(3) in paragraph (11)(D)(i) by striking "on a reimbursable basis,";

(4) in paragraph (15) by striking "\$1,400,000 for each of fiscal years 2006 and 2007" and inserting "\$1,400,000 for fiscal year 2006 and \$3,400,000 for fiscal year 2007";

(5) by redesignating paragraphs (14), (15), (16), and (17) as paragraphs (15), (16), (17), and (18), respectively; and

(6) by inserting after paragraph (13) the following:

"(14) LIMITATIONS.—

"(A) FUNDS.—Funds made available to carry out this section may be expended only to support the activities of the Commission.

"(B) DATA, ANALYSES, AND REPORTS.—No data, analysis, report, or other document prepared for the Commission to fulfill the duties of the Commission may be provided to, or shared with, any other commission or task force until the data, analysis, report, or document has been made available to the public."

**SEC. 9. BUDGET JUSTIFICATION.**

Section 1926 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 301 note; 119 Stat. 1483) is amended by striking "The Department" and inserting "Notwithstanding any other provision of law, the Department".

**SEC. 10. BUY AMERICA.**

Section 1928 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1484) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) the current application by the Federal Highway Administration of the Buy America test as applied only to components or parts of a bridge project and not the entire bridge project is inconsistent with this sense of Congress;"

**SEC. 11. TRANSPORTATION IMPROVEMENTS.**

The table contained in section 1934(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1486) is amended—

(1) in item number 12 by striking "Yukon River" and inserting "Kuskokwim River";

(2) in item number 18 by striking "Engineering and Construction in Merced County" and inserting "and safety improvements/realignment of SR 165 project study report and environmental studies in Merced and Stanislaus Counties";

(3) in item number 38 by striking the project description and inserting "Relocation of the Newark Train Station";

(4) in item number 57 by striking the project description and inserting "Kingsland bypass from CR 61 to I-95, Camden County";

(5) in item number 114—

(A) by striking "IA-32"; and

(B) by inserting "SW" after "Construct";

(6) in item number 122 by striking the project description and inserting "Design, right-of-way, and construction of the SW Arterial and connections to U.S. 20, Dubeque County";

(7) in item number 130 by striking the project description and inserting "Improvements and rehabilitation to rail and bridges on the Appanoose County Community Railroad";

(8) in item number 133 by striking "IA-32";

(9) in item number 138 by striking the project description and inserting "West Spencer Beltway Project";

(10) in item number 142 by striking "MP 9.3, Segment I, II, and III" and inserting "Milepost 24.3";

(11) in item number 161 by striking "Bridge replacement on Johnson Drive and Nall Ave." and inserting "Construction improvements";

(12) in item number 182 by striking the project description and inserting "Improve U.S. 40, M.D. 715 interchange, and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth";

(13) in item number 198 by striking the project description and inserting "Construct 1 or more grade separated crossings of I-75 and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282";

(14) in item number 201 by striking the project description and inserting "Alger County, paving a portion of H-58 from Buck Hill to a point located 4,000 feet east of the Hurricane River";

(15) in item number 238 by striking the project description and inserting "Develop and construct the St. Mary water project road and bridge infrastructure, including a new bridge and approaches across St. Mary River, stabilization and improvements to United States Route 89, and road/canal from Siphon Bridge to Spider Lake, on the condition that \$2,500,000 of the amount made available to carry out this item may be made available to the Bureau of Reclamation for use for the Swift Current Creek and Boulder Creek bank and bed stabilization project in the Lower St. Mary Lake drainage";

(16) in item number 329 by inserting “, Tulsa” after “technology”;

(17) in item number 358 by striking “fuel-celled” and inserting “fueled”;

(18) in item number 374 by striking the project description and inserting “Construct a 4-lane highway between Maverick Junction and the Nebraska border”; and

(19) in item number 402 by striking “from 2 to 5 lanes and improve alignment within rights-of-way in St. George” and inserting “, St. George”.

#### SEC. 12. HIGHWAY RESEARCH FUNDING.

(a) F-SHRP FUNDING.—Notwithstanding any other provision of law, for each of fiscal years 2007 through 2009, at any time at which an apportionment is made of the sums authorized to be appropriated for the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, or the highway safety improvement program, the Secretary of Transportation shall—

(1) deduct from each apportionment an amount not to exceed 0.205 percent of the apportionment; and

(2) transfer or otherwise make that amount available to carry out section 510 of title 23, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) FUNDING.—Section 5101 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779) is amended—

(A) in subsection (a)(1) by striking “509, and 510” and inserting “and 509”;

(B) in subsection (a)(4) by striking “\$69,700,000” and all that follows through “2009” and inserting “\$40,400,000 for fiscal year 2005, \$69,700,000 for fiscal year 2006, \$76,400,000 for each of fiscal years 2007 and 2008, and \$78,900,000 for fiscal year 2009”; and

(C) in subsection (b) by inserting “or, in the case of funds appropriated by subsection (a) to carry out section 5201, 5202, or 5203, 80 percent” after “50 percent”.

(2) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—Section 5210 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1804) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CONTRACT AUTHORITY.—Funds made available under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share shall be determined under section 510(f) of that title.

(d) APPLICABILITY OF OBLIGATION LIMITATION.—Funds made available under this section shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs under section 1102 the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 104 note; 119 Stat. 1157) or any other Act.

(e) EQUITY BONUS FORMULA.—Notwithstanding any other provision of law, in allocating funds for the equity bonus program under section 105 of title 23, United States Code, for each of fiscal years 2007 through 2009, the Secretary of Transportation shall make the required calculations under that section as if this section had not been enacted.

(f) FUNDING FOR RESEARCH ACTIVITIES.—Of the amount made available by section 5101(a)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779)—

(1) at least \$1,000,000 shall be made available for each of fiscal years 2007 through 2009 to carry out section 502(h) of title 23, United States Code; and

(2) at least \$4,900,000 shall be made available for each of fiscal years 2007 through 2009 to carry out section 502(i) of that title.

(g) TECHNICAL AMENDMENTS.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 502 of title 23, United States Code, is amended by striking the first subsection (h), relating to infrastructure investment needs reports beginning with the report for January 31, 1999.

(2) ADVANCED TRAVEL FORECASTING PROCEDURES PROGRAM.—Section 5512(a)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1829) is amended by striking “PROGRAM APPRECIATION.—” and inserting “PROGRAM APPLICATION.—”.

(3) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506 of title 49, United States Code, is amended—

(A) in subsection (i)—

(i) by striking “In order to” and inserting the following:

“(1) IN GENERAL.—In order to”; and

(ii) by adding at the end the following:

“(2) SPECIAL RULE.—Nothing in paragraph (1) requires a nonprofit institution of higher learning designated as a Tier II university transportation center to maintain total expenditures as described in paragraph (1) in excess of the amount of the grant awarded to the institution.”; and

(B) in subsection (k)(3) by striking “The Secretary” and all that follows through “to carry out this section” and inserting “For each of fiscal years 2007 through 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section”.

#### SEC. 13. RESCISSION.

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (as amended by section 1302 of the Pension Protection Act of 2006 (Public Law 109–280)) (119 Stat. 1937; 120 Stat. 780) is amended by striking “\$8,593,000,000” each place it appears and inserting “\$8,710,000,000”.

#### SEC. 14. TEA-21 TECHNICAL CORRECTIONS.

(a) IN GENERAL.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by striking “2003” and inserting “2009”.

(b) BEARTOOTH HIGHWAY, WYOMING AND MONTANA.—Item number 1646 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 317) is amended in the project description by striking “and construction” and inserting “reconstruction, maintenance (including routine and preventive maintenance), snow removal, and pavement preservation”.

#### SEC. 15. HIGH PRIORITY CORRIDOR AND INNOVATIVE PROJECT TECHNICAL CORRECTIONS.

(a) HIGH PRIORITY CORRIDORS.—Section 1105(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1212) is amended—

(1) in paragraph (63) by striking “and United States Routes 1, 3, 9, 17, and 46,” and inserting “United States Routes 1, 9, and 46, and State Routes 3 and 17,”; and

(2) in paragraph (64)—

(A) by striking “United States Route 42” and inserting “State Route 42”; and

(B) by striking “Interstate Route 676” and inserting “Interstate Routes 76 and 676”.

(b) INNOVATIVE PROJECTS.—The table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2048(b)) is amended in item number 89, in the matter under the column with the heading “INNOVATIVE PROJECTS”, by inserting “and contiguous counties” after “Michigan”.

#### SEC. 16. DEFINITION OF REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(5) of title 23, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) receive—

“(i) a driver’s license suspension for not less than 1 year; or

“(ii) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program if an ignition interlock device is installed on each of the motor vehicles owned or operated, or both, by the individual;

“(B) be subject to the impoundment or immobilization of, or the installation of an ignition interlock system on, each motor vehicle owned or operated (or both) by the individual.”.

#### SEC. 17. RESEARCH TECHNICAL CORRECTION.

Section 5506(e)(5)(C) of title 49, United States Code, is amended by striking “\$2,225,000” and inserting “\$2,250,000”.

#### SEC. 18. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act (including subsection (b)), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXCEPTION.—

(1) IN GENERAL.—The amendments made by this Act (other than the amendments made by sections 4, 6, and 11) to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) shall—

(A) take effect as of the date of enactment of that Act; and

(B) be treated as being included in that Act as of that date.

(2) EFFECT OF AMENDMENTS.—Each provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) (including the amendments made by that Act) (as in effect on the day before the date of enactment of this Act) that is amended by this Act (other than sections 4, 6, and 11) shall be treated as not being enacted.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I am very pleased we are on this bill. Senator INHOFE and I haven’t wasted the time. We have been talking with our colleagues. I think for the interest of all Members, at this point we don’t expect any votes tonight, but we certainly do hope in every way possible that we will start disposing of the amendments in the morning. We will be here about 10:30. We urge our colleagues to come down and offer their amendments. We will debate them, we will have our votes on them, and we will get something done for the American people.

I yield the floor at this time.

I see my ranking member and I am delighted he is here.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I thank the chairman of the committee. This is something we have spent a long time on. I think it is very important for all of us on both sides of the aisle to understand that what we are considering here is not the transportation reauthorization bill of 2005. That was done. That is history. That is behind us. A technical corrections bill is common with every bill, every major piece of legislation that comes along. Sometimes in the case—I will go ahead and say in my case of Oklahoma, we had a major project that was about a \$200,000 project in Durant, OK in which, according to our transportation commissioner and the Transportation Department of Oklahoma, that same amount

of money could be better spent doing the same project but at another location. Well, that takes a technical change. There is no difference.

I say to all of my good friends, there is no one who is more conservative than I am by all ratings in my last 22 years in both the House and the Senate. There are no new projects. There is no new spending. The amount of money that was authorized is the same amount of money that is authorized at the present time in the technical corrections bill. So it is not somehow getting some kind of an earmark or something else in it.

I have often said that of all of the systems we use in Washington to accomplish things, probably the transportation system is the best. I don't know of anyone who complains about paying into the highway trust fund when they get gasoline. They want to be sure it is going to go to building highways, repairing bridges. But what we do in the State of Oklahoma is we have eight transportation districts, eight transportation commissioners, all geographically located. They make recommendations. What I do with a transportation bill is I leave it up to them to make the determination as to where that goes. The States are making those decisions. The highway trust fund—there are some States where the money doesn't go straight into transportation. They have been robbing balances of the highway trust fund for as long as I know. We have corrected that problem in the State of Oklahoma. Instead of having it go to other causes, it goes to correcting the crisis we are in right now.

I wish to say that for those of us who are conservatives, this is something that works well. If there is any function of government that needs to be addressed and has to be addressed at the Federal level, it is our roads and highways. We have States such as Montana, big States that have very few people. You still have to get across them. You have the congested eastern States that have the opposite situation. That is why way back in the Eisenhower administration they decided to go in together and create this system we still have today. It is one that has worked fairly well. I don't want people out there to think this is something that has a bunch of projects and a bunch of earmarks in it. It doesn't. This is something we spent 2 or 3 years intensively working on prior to its passage in 2005. Now we want to make these corrections to make sure the rest of the projects get done.

Here is the dilemma we have right now. We have a lot of projects—*not* nearly enough but a lot of projects—that we authorized in 2005. If we don't have technical corrections, we are up against the wall now where we can't get anything more done, and we have given our word to people all throughout the country that we are going to improve bridges, we are going to try to save lives, and it has virtually stopped

because we have certain corrections that need to be made.

What we dealt with on that very large, what was it, \$286 billion over the period of 2005 through 2009, which is a lot of money, that doesn't do anything more—it doesn't even maintain what we already have. We don't even have a lot of new stuff in there. There is not a person in America who doesn't know we have a crisis. Some of these Members of this committee or this body, if you don't think it is a crisis, call your wife at home, or your husband, and they will tell you it is a crisis. It is worse every year. It is not something that we can make a decision today and all come to our good senses and get it done and it will be done tomorrow. It is a long lead time. It is a complicated process. But it is one of the things that has worked well.

I know there are a lot of people who want to satisfy some constituency that says you are spending too much money. You tell that constituency to go out and drive in the traffic for a while and see what kind of serious problems we have.

I have often said—and I have followed this myself—we all in this body have different priorities. That is what makes it a representative body. I have often said we need to, No. 1, take care of our Nation's security, have a military that can defend our country; No. 2, take care of the infrastructure we have and move forward with that; and No. 3, which is kind of a pet thing with me, and I think everyone who has previously been a mayor of a major city—unfunded mandates is another area that I feel this governing body should be paying attention to. But we have a bill. We have a bill that is working now. We are improving highways. We are adding lanes. But we have come to a stop. I think anyone who tries to keep this from becoming a reality doesn't want to address a serious problem we are faced with.

No one else is going to do it for us. The States can't do it. It has to be done by the Federal Government. We passed a bill. We are going to be coming up against another bill next year when this runs out in 2009. We are going to be reauthorizing for the next 5 years or 7 years or maybe even longer. But this has to be done and we need to get it done now.

We do have several amendments. I understand the concern of the Senator from South Carolina who has made his statements, and he has done so very eloquently. Frankly, I agree with almost everything he says. The only thing I disagree with is that this bill isn't creating new projects, isn't spending new money. We need, in his State as well as my State and in all 50 States, to get on with this. I hope people realize these are not new projects; it is not an increase in spending. It doesn't spend at all; it is an authorization bill.

Another amendment that is going to be pending is that of my good friend

Senator BOND from Missouri. He has a special concern, and I encourage him to come down to the floor to bring it up, debate it, and let's vote on it and get that done. Then my junior Senator has a concern over something that is a process that happened—it didn't even happen here, but it happened in the other body. Now, I agree with him, it is something that was egregious and needs to be investigated. I think it should be. I think there are a lot of different ways of doing it. I want to join hands with him and get this done.

So we, to my knowledge, only have those three things that are out there that are holding this up. I would invite those three authors to come down. I think while we are not going to be having votes tonight, we can start debating these tonight, and tomorrow morning we could actually vote on some of these. But I agree with the chairman of the committee, Senator BOXER, and the majority and the minority leaders in this body that we need to get it done. We are not going to get it done until we get the amendments down here, debate them, and decide what is the will of this body. That is what we are supposed to be doing for a living around here. That is what happens.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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.

#### MORNING BUSINESS

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

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

#### COLOMBIA FREE TRADE AGREEMENT

Mr. BROWN. Mr. President, earlier this month, President Bush sent up another trade agreement to the House of Representatives. This agreement is a bilateral trade agreement with Colombia. He calls it a "free trade agreement," a term we use around here—I am not sure why, except that it sounds good, because these trade agreements generally are—I don't have it in front of me, but it was too thick to bind in its original printing. It is about seven or eight hundred pages.

NAFTA, the North American Free Trade Agreement—which the Presiding Officer opposed 15 years ago, as I did—was even longer than that. The way they sell these agreements is they say we are eliminating the tariffs on the trade relationship between—in this case it is Colombia, and Colombia still