again. I will object at this point, but if he will withhold, because I understand there may be more objections, I will check that out.

Mr. MCCAIN. Mr. President, I withdraw my unanimous consent request. I also assure the majority leader that if it appears as if there is going to be an avalanche of relevant amendments to which we cannot get time agreements, then I am not interested in tying up the entire Senate on that legislation. But I do believe that it is important that we take it up, obviously. I am grateful the other side doesn't object to the unanimous consent agreement.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

Mr. FRIST. Mr. President, when the conference report arrives, I will terminate my comments.

THE SAFETY AND HEALTH OF AMERICA'S CHILDREN

Mr. FRIST. Amidst all of the proposals and discussions and objections and debate that has gone on here on the floor, I rise to talk about a bill that has been very positive, which demonstrates the best of what this body is all about—a pulling together and working together across the aisle in a bipartisan way, all with the goal of making others' lives more fulfilling, both in the current generation and in future generations. This week, the U.S. Congress has sent to the President of the United States for his signing a comprehensive bill that very much forms the backbone of efforts to improve the safety and health of America's children.

This bill that has been sent to the President focuses on our children's health, the Children's Health Act of 2000. It was more than a year ago that Senator Jim JEFFORDS and I reached out across the Capitol to Chairman BLILEY and Representative BILIRAKIS to work together in a coordinated way on a whole variety of issues and bills that are critical to children's health and safety. These included such issues as maternal and infant health, day-care safety, pediatric research, pediatric health promotion, and efforts to fight drug abuse and provide mental health services for young people today. I am delighted that both the House and the Senate have passed this bill, that it has been sent to the President, and that we were successful in achieving our goal.

The bill addresses a range of issues. Just to give some flavor of this bill and what it can achieve, what it will achieve, what it does achieve in its language, let me comment on a few.

Day-care safety. Currently, there are more than 13 million children 6 years of age and less who are enrolled in day-care centers. Almost a quarter of a million are in Tennessee. One provision in this bill, the Day-Care Safety Act, recognizes the need to make these settings safer, improving the health and public welfare of children in day care. Parents should simply not be afraid to leave their children in the morning when they drop them off in these day-care settings, fearing that a licensed day-care facility is not safe over the course of that day. This bill helps ensure that our childcare centers will be safer.

Secondly, children's health. Provisions included in this bill, the Children's Public Health Act of 2000, some of which were introduced July 13 of this past year—that I introduced with Senators JEFFORDS and KENNEDY—address a number of children's health issues, including maternal and pediatric health promotion and research.

Thirdly, traumatic brain injury. Traumatic injuries are the leading cause of death for every age group between 1 and 19 years of age. This bill strengthens the traumatic brain injury programs at the CDC, the National Institutes of Health, and the Health Resources and Services Administration.

Fourth, birth defects: Birth defects are the leading cause of infant mortality and are responsible for about 30 percent of all pediatric admissions.

This bill focuses on maternal and infant health. The legislation establishes a national center for birth defects and developmental disabilities at the CDC, the purpose of which is to collect and analyze and distribute data on birth defects.

Fifth, asthma. The bill combats some of the most common challenges, problems, and public health issues in children today. In terms of asthma, it provides comprehensive asthma services and coordinates a wide range of asthma prevention programs in the Federal Government to address this most common chronic childhood disease.

Mr. President, I am delighted that this bill has passed both of these bodies with this body working together in a bipartisan way.

I understand that we are about ready to begin on the conference report. Therefore, I will terminate my comments at this point, and later in the day, during morning business, will extend my comments on this very important bill.

I yield the floor.

The PRESIDING OFFICER (Mr. FRIST). The majority leader is recognized.

Mr. LOTT. Mr. President, I will continue to work on this with Senator MCCAIN. I understand other Senators are coming to the floor to discuss the issues with him.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. LOTT. Mr. President, I submit a report of the committee of conference on the bill H.R. 4475 making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 4475, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by all of the conferees on the part of both Houses.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The report was printed in the House proceedings of the RECORD of October 5, 2000.)

Mr. SHELBY. Mr. President, what is the pending business? Is there a quorum call?

The PRESIDING OFFICER. The conference report on Transportation is the pending business.

Mr. SHELBY. I urge adoption of the conference report and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

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

Mr. HARKIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. 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. REID. Mr. President, I further ask unanimous consent that following the completion of the vote, Senator HARKIN be recognized for up to 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I am pleased that the Senate will have the opportunity to consider the conference agreement for the fiscal year 2001 Transportation appropriations bill.

I believe that this bill strikes a funding balance between the modes of transportation, funds critical safety initiatives, reflects the priorities of the overwhelming majorities of both the House and the Senate, and provides adequate flexibility and direction for the Department as it transitions into the next administration.

Mr. President, allow me to take just a few minutes to summarize and highlight a few of the provisions of the conference report that is now before the Senate.

Of the three issues that the administration indicated were critical to it in the safety arena, I'm pleased to report that we're three for three. And, so is the administration. These issues have been negotiated in a fashion and with a spirit of accommodating the interests of the House, the Senate, and the administration. Through some creativity and with an awareness of the specific concerns of all the parties, we have been able to meet everyone more than halfway.

The compromise language on the hours of service regulations in this conference report allows the Department to move forward with the analysis of the docket, issue a supplemental NPRM, and do everything short of issuing the final rule. I think that is a reasonable compromise and one that should provide the incentive for the administration to fully listen and solicit views on all sides of this issue.

As many of you know, I have a concern that NHTSA has ignored calls from consumer groups and critics of the proposes static stability factor rating system in its rush to publish a rollover rating as part of the NCAP program. Notwithstanding that concern, I have been convinced by the distinguished House Chairman, Mr. WOLF, that he believes that NHTSA, in light of our attention to the issue, will now act responsibly in this area.

Accordingly, the conference agreement maintains the Senate requirement to conduct a 9-month study at the National Academy of Sciences. The Academy is directed to investigate the usefulness of the information that NHTSA proposes to provide, the scientific underpinnings of the NHTSA approach, and consideration of whether dynamic testing is preferable to the static stability factor calculation—while simultaneously allowing NHTSA to move forward with its proposal.

This issue deserves all our attention as it evolved because rollovers are among the most deadly of accident types and providing bad information to consumers could well mean more highway fatalities. People have a right to expect that the information that the Federal Government provides is accurate, unbiased, and based on sound testing methodologies. I am pleased that in the conference agreement NHTSA will have to meet that standard, if not in the short term, at least in the long term.

The funding levels keep faith with the recently enacted AIR–21 capital and airport authorizations, and come very close to the President's budget request for FAA operations.

The Highway and Transit accounts are funded at the TEA–21 authorized levels; the Coast Guard, adjusted for some of the capital projects funded in the supplemental, is above the President's requested level for fiscal year 2001; NHTSA is above the President's request once it is adjusted downward for the RABA shift that was a nonstarter with both the House and the Senate.

Amtrak is funded at the President's request and the remaining accounts: Pipeline Safety, the Inspector General, the National Transportation Safety Board are all at or above the President's request.

There is no tenable argument that can be made that there isn't enough money in this bill. The conference agreement includes approximately 14 percent more budget resources than the fiscal year 2000 enacted levels.

In addition, we have tried to reflect and accommodate the priorities of our subcommittee members, full committee members, and the membership of both the House and Senate. We have listened to what our members have requested us to do and accordingly, the negotiated compromise reflects the priority that members have put on highway and transit spending.

There are other issues that have been the subject of some attention—the most notable of which is the .08 blood alcohol content. The Senate bill included a provision which would hold back a portion of highway funds from states which fail to adopt a .08 blood alcohol content standard.

The conference agreement modifies that provision by providing a more graduated, phased-in approach of the highway holdback and more time for states to adopt the .08 standard. I also want to point out that no state incurs the loss of highway funds if they adopt the .08 blood alcohol content standard by 2007. Whatever funds withheld from them starting in 2004 would be returned without penalty under the hold-harmless clause as long as a .08 standard is adopted by 2007. I think this is a reasonable and fair transition to a standard that we know will save lives.

Mr. President, there are a few people I would particularly like to thank before we vote. My ranking members, Senator LAUTENBERG, has been a valued partner in this process during his final year as the ranking member of the Senate Transportation Appropriations Subcommittee. While we have had our disagreements and differences, I have been privileged to work with him and believe this nation's transportation policy have benefitted by the substantial contributions he has made during his tenure in the Senate and on the subcommittee.

Senators STEVENS and BYRD have provided guidance throughout the year, and made a successful bill possible by ensuring an adequate allocation for transportation programs.

My House counterpart, Congressman FRANK WOLF and his staff: John Blazey, Rich Efford, Stephanie Gupta, and Linda Muir, have been particularly accommodating and collegial.

Finally, Mr. President, I want to thank Steve Cortese and Jay Kimmitt of the full committee staff for their invaluable assistance and advice throughout the process.

Mr. President, I urge adoption of the conference report.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I rise in strong support of the Conference Agreement on the Transportation Appropriations Act for Fiscal Year 2001. I have served on the Appropriations Committee for all but 2 years of my 18-year career in the Senate.

For 14 of those years, I have served either as chairman or ranking member of the Transportation Subcommittee. I can say without reservation—and I compliment the chairman of the subcommittee, Senator SHELBY, and the chairman of the Appropriations Committee, Senator STEVENS, for the work they did—that this is the best transportation bill in those 14 years.

The bill makes historic investments in our transportation infrastructure and, simultaneously, takes dramatic steps forward in our efforts to improve safety.

Under this Conference Agreement, funding for highways will total almost $33.4 billion, a 16 percent increase over the Fiscal Year 2000 level. Funding for our nation's mass transit systems will grow by 8.4 percent.

Investment in our nation's airports will grow by an astronomical 69 percent, and funding for the FAA's facilities and equipment account, which makes critical investments in the modernization of our nation's air traffic control infrastructure will grow by 22 percent. The bill also includes substantial growth in the critical accounts that ensure safety in all modes of transportation.

Funding for the Coast Guard's operating budget will grow by 15 percent and funding for the FAA's operating budget will grow by almost 10 percent. The new Federal Motor Carrier Safety Administration will receive a funding boost of almost 70 percent—an investment that is long overdue in addressing the problem of truck safety.

Most importantly, Mr. President, this Conference Agreement includes a provision establishing a new national intoxication standard at .08 blood alcohol content. This provision has passed the Senate twice before. First, during Senate consideration of the last highway bill and, most recently, as part of this Transportation Appropriations bill.

Indeed, this bill passed the Senate by a vote of 99–0, the first time in my memory that we had not even one dissenting vote on the Transportation bill.

The .08 provision contained in this conference report represents a historic step forward in the federal government's effort to combat drunk driving.

Not since we passed the Minimum Drinking Age Act, a law I championed back in 1984, have we made such significant progress in saving lives on our highways.

The .08 provision in this conference agreement largely follows the outline of the Minimum Drinking Age Act.

It imposes sanctions on states' highway construction funds at an increasing level until they adopt the national .08 standard. States that have their funds sanctioned will have the opportunity to have that highway funding restored so long as they adopt the national standard within the first six years after enactment of this bill.

But states should not wait for the sanctions to even begin—I urge states to act as soon as possible and save lives now.

The reason for a national .08 standard is simple—the medical and scientific communities confirm that you are too drunk to drive at .08 blood alcohol content.

Critical driving skills, such as steering and braking decrease by as much as 60 percent at .08 BAC.

NHTSA estimates that this provision will save more than 500 lives per year. And the Senate should be very proud of its efforts today to spare 500 families from that horrifying phone call in the dark of night telling them that one of their loved ones has died at the hands of a drunk driver.

There are a great many people to thank for our success in this bipartisan effort. Most importantly, I would like to thank the Subcommittee Chairman, Senator SHELBY, who has stuck by me on this provision since the very beginning. As I've mentioned, this was truly a bipartisan effort. And it was not easy. We faced stiff opposition from powerful interests.

My Chairman showed great courage and stood up for the safety of America's families.

I also want to thank Chairman WOLF, the Chairman of the House Transportation Appropriations Subcommittee. Through his six years as Chairman of the Transportation Subcommittee, Representative WOLF has been a true champion for safety.

He is the leading congressional expert in the area of truck safety and he spent months convincing his colleagues of the merits of a national intoxication standard.

I also want to thank President Clinton and Vice President GORE who both personally lobbied the Conferees on this issue, along with members of their staff, including John Podesta and Jack Lew of OMB.

I would also like to thank Millie Webb, a victim of a .08 driver and the President of Mothers Against Drunk Driving.

She lost a daughter and a nephew—both about 4 years of age—to a drunk driver. She then gave birth to a child prematurely who became blind early in her life. This has been Millie's interest for some years because the driver who committed this horrible crime had a blood alcohol content of .08. She is here today to witness this law becoming effective because she didn't want any other families to suffer the pain and grief she went through.

I also want to thank Brandy Anderson, MADD's Congressional representative and the rest of the MADD leadership. In addition, I want to thank Jackie Gillan and Stephanie Mennen of Advocates for Highway Safety.

The help of these public interest groups was critical to getting this law passed. They deserve a great deal of credit.

In recent months, my office has resembled a ''war room'' on the .08 issue, doing everything we can in concert with MADD and Chairman WOLF to see to it that the .08 provision could become law this year.

I want to thank the members of Mr. WOLF's staff, especially John Blazey and Stephanie Gupta, as well as members of my own staff, Peter Rogoff, Sander Lurie, Dan Katz, Denise Matthews, Gabrielle Batkin, and Laurie Saroff who have worked tirelessly on behalf of this provision.

I also want to thank one individual who is no longer on my staff. During consideration of TEA–21, Elizabeth O'Donohue was a tireless advocate for the .08 provision. We were able to get the .08 provision adopted in the Senate on the TEA–21 bill, but we ran into an ambush in the House of Representatives, thanks to the negative work of the liquor lobby.

While Liz is no longer with my staff, I want to recognize the extraordinary groundwork that she laid in past years. There is no question that her efforts contributed greatly to our success here today.

In addition, I want to thank Tom Howarth, a former member of my staff who helped us get the 21 year old minimum drinking age passed, and has worked for years to make the .08 standard the law of the land.

I also want to thank Senator SHELBY's excellent staff, including Wally Burnett, Joyce Rose, Paul Doerrer, Tom Young and Kathy Casey.

Finally, as I make my parting comments as a leader on the Transportation Subcommittee, I want to make one last request of my colleagues. When the Senate considers a new highway bill in 2002 or later, I will no longer be a member of the Environment and Public Works Committee or the Senate and I certainly am not going to be in a position to work as hard as I did in the past on this issue. There is no question, when the Senate considers a new highway bill, there could be an attempt to repeal the national .08 standard. I am sure my colleagues are sensible people and I implore them not to bend to the pressure of those that would bring more bloodshed to our highways. I urge my colleagues not to flinch from their commitment to safety. Please do not condemn 500 American families a year to the tragedy of losing a loved one to drunk driving.

I urge my colleagues to maintain a national drunk driving policy based on safety, sanity and science. You must not bend to those who would seek to undo the progress we have made.

I yield the floor for this my last transportation bill as a Member of the Senate. I have enjoyed my service on this subcommittee. I think it has been important to the country, but particularly to my State, to see the improvements we have been able to make on highway safety and mass transit.

Finally, I think we are on our way to getting high-speed rail service and inner-city rail service in place. That is the only way to relieve the congestion in the skies and on the highways. There is no more room in the skies for additional airlines, no matter what we put on the ground.

I hope we will give high-speed rail the resources it needs to say to those people who are unable to make their business appointments or their contacts because of delayed flights, here is one way to make a difference in the way we travel in this country.

I yield the floor.

Mr. REID. Mr. President, I want the Senator from New Jersey to understand, before he leaves the floor, how appreciative I personally am, and the whole Senate is, for the work the Senator has done—not only in the Transportation appropriations—for many years. The Senator has set the pattern for transportation in the most rapidly growing State, Nevada. The Senator has been instrumental in the things we have been able to do with Senator SHELBY, to come up with programs for the State of Nevada that have been remarkably efficient and good.

In addition to that, before the Senator leaves, this may be the last opportunity we have to speak publicly on the Senator's behalf as to the things

the Senator has done in relation to tobacco. I remember my children had respiratory problems and they hated to fly in an airplane. There was smoking and nonsmoking. That was a fallacy; it was all smoking. It is because of the Senator and his perseverance that we have people flying smoke free on airplanes all over the country. It is a crime to smoke a cigarette, as it should be, on an airplane.

This is just one of many things, including gun control, that the Senator has done on the Environment and Public Works Committee. We have served together my entire 14 years in the Senate. The Senator has been a leader in the area dealing with the environment. I speak not only for me but the entire Senate in gratitude for the great work the Senator has done.

FHWA ITS ACCOUNT

Mr. BURNS. Mr. President, I thank my colleague from Alabama for his work on the fiscal year 2001 Department of Transportation appropriations bill. The conference report we are considering today is a balanced report. The bill meets fully the congressional commitment to highway, transit and aviation spending in TEA–21 and AIR–21.

The bill makes transportation in our nation safer and more efficient. Our healthy economy is dependent on this bill. I would like to request one small item of clarification. The report includes a remark in the FHwA's Intelligent Transportation Systems account directing $750,000 to allow the State of Montana to complete the STARS program. This a great new program that I expect will receive national attention in the near future once long haul truck operators are made aware of the efficiencies it will provide them.

However, I have been made aware by my staff that the intention of these funds were to allow the State of Montana to use these funds to complete deployment of the STARS programs and also establish a GIS/GPS framework on the State's public roadways which will benefit the safety of the traveling public in Montana.

Mr. SHELBY. I thank the Senator for his support of this report. I agree with my colleague from Montana that the intention of these funds within the framework established by the ITS account are available to the State of Montana for use in both completing the STARS program, as well as, working on the GIS/GPS project.

Mr. SMITH of New Hampshire. Mr. President, it is with great regret that I rise today to oppose the conference report to the Transportation appropriations bill.

I want to begin by praising my colleagues on the Committee on Appropriations who have worked so hard on this bill and conference report. I know they have faced many difficult issues, competing demands for limited resources, and the pressure of time as this Congress winds down. And there are many good provisions in this bill, including several that will benefit my home State of New Hampshire.

These include: $2 million of the extension of the Commuter Rail line from Boston to Lowell, Massachusetts into Nashua, New Hampshire; A provision that designates the I–93 project as a national model for implementation of environmental streamlining; $1.5 million for improvements to U.S. Route 2 in New Hampshire; $500,000 for the Concord 20/20 Vision project; $250,000 for the Bedford, New Hampshire Route 101 Corridor Study and Improvements; $200,000 for a Feasibility Study of a High Speed Rail Corridor from Boston, MA to Burlington, VT, through New Hampshire; $10 million nationally for the Historic Covered Bridge Program, under which N.H. communities can apply for funds to repair covered bridges; $12 million for construction of the Broad Street Parkway in Nashua, NH; Over $137 million to the New Hampshire Department of Transportation under the states' federal highway allocation authorized by the 1998 Transportation Equity Act for the 21st Century (TEA–21).

But this bill contains several objectionable departures from TEA–21, which are under the clear jurisdiction of the Environment and Public Works Committee, the authorizing committee which I chair.

First, I am concerned about the so-called .08 blood alcohol content (BAC) provision to mandate a nationwide standard for state drunk driving laws by threatening sanctions on highway funding. In TEA–21 we specifically rejected this approach in favor of incentives to encourage stronger drunk driving laws. Congress worked hard to reach this compromise during TEA–21 so that states could address highway safety and drunk driving in a variety of ways, without the federal government forcing them to focus on whether their laws contain .08 as the magic number. This heavy handed approach that was pushed through on an appropriations bill threatens to take away highway funds from 32 states. I will carry my strong opposition to funding sanctions into the next transportation reauthorization bill, and I hope we have seen the last of this kind of federal intervention.

On this issue of funding, in TEA–21 we guaranteed collections into the Highway Trust Fund would be redistributed to the states and to DOT discretionary programs. When these collections are above TEA–21 estimates, the additional funds, called RABA funds, are distributed according to TEA–21.

This bill makes several major and minor adjustments to the RABA funds—including failing to provide for some programs, and diverting these funds to special projects.

On top of this, the bill also takes an extra $1.4 billion in funds from the Highway Trust fund to go to special projects.

This money is not authorized to be spent in TEA–21. This money comes out of Highway Trust Fund balances. This is like the balance in your checkbook that is there to pay outstanding bills and checks that are waiting to clear.

In TEA–21 we crafted careful compromises over how Highway Trust Fund dollars are spent and distributed. This bill ignores our work and includes page after page of earmarks for unauthorized projects.

We have not been consulted on the viability of these projects, we have no assurance that these projects are important, whether they have met environmental clearances, or whether the funds provided are based on engineering estimates for these projects.

The Highway Trust Fund money is to be distributed to states where they have local control over which projects are funded and when. This bill attempts to circumvent this process with funding earmarks.

I object to this intrusion into the Highway Trust Fund. It is unwise to pick and choose highway projects to insert in the appropriations bill.

As I stated at the beginning, there are many good provisions in this Transportation conference report. I applaud the work that my colleagues have done and appreciate the support they have given to important New Hampshire projects. Therefore, it is with great reluctance that I oppose the conference report.

Mr. FEINGOLD. Mr. President, I regret that I must oppose the Conference Report on H.R. 4475, the Transportation Appropriations Act, because it contains a number of provisions that I support. Others have noted the amount of special interest spending that was included in this bill. While I understand and share the desire of others to respond to particular local concerns, the level of such spending in this bill has become so great that it undercuts the efforts we made in the last Congress to bring more equity to the way transportation dollars are distributed.

Mr. President, beyond that I am greatly disappointed that this measure also includes a provision that is effectively a mandate on States with respect to blood alcohol levels. This issue is classically a matter of State discretion, and the Federal government has no business engaging in what amounts to little more than extortion to impose a policy on States in an area that is so clearly a State matter.

Mr. President, I have come to the floor before to talk about the disturbing trend toward the federalization of matters that should be left to state and local governments to decide. We have seen this in a number of policy

areas, including our criminal justice system, but perhaps no area has been the subject of more inappropriate Federal intervention than transportation. From speed limits to seat belts, from helmets to blood alcohol levels, Congress effectively has usurped State authority to set public policy in this area.

Mr. President, I was privileged to serve in the Wisconsin State Senate for ten years, and I can tell you that state legislators like to have something to do. State legislators and governors are fully capable of understanding the arguments made in favor of adopting the .08 standard, and the Congress should not interfere with a policy matter that is so clearly a State prerogative.

Again, Mr. President, I regret I cannot support this measure. Adequate funding for the full spectrum of our transportation infrastructure is one of my highest budget priorities. But the inclusion of the blood alcohol standard puts that very needed funding at risk for states like Wisconsin that have a different policy. As with the special interest provisions that are included in this measure, it undermines the great strides that were made as part of TEA 21 to get Wisconsin a fairer portion of the revenue Wisconsin taxpayers contribute to the transportation fund.

Mr. McCAIN. Mr. President, the United States' transportation infrastructure is vital to its success as a nation. The ability to regulate and move goods and people safely and efficiently by land, air and sea has defined industrialized countries, nationally and internationally, for centuries. With our economy prospering, there have been significant increases in travel and movement of goods across our country. As a result, it is essential that critical transportation safety and policy programs get proper funding. This Transportation Appropriations conference report takes some appropriate steps in that direction.

However, while I agree with the need for increased funding, I do not agree with the need for increased pork. Unfortunately, once again, the appropriations committee has adopted the mantra that increased funding for necessary programs equals increased pork-barrel spending for parochial projects.

Mr. President, while I was speaking on the floor Monday, I read aloud from an article in that day's Wall Street Journal about the Congressional scramble to wrap up budget negotiations while at the same time, a frantic chase was underway by members seeking to ensure they could take home plenty of earmarked port barrel projects for their districts and states. Well, that article was like reading a crystal ball. And this enormously bloated transportation bill takes the cake. It illustrates one of the most gluttonous, pork-driven, self-serving spending agendas we've seen yet.

Therefore, once again I must rise to object to the immense amount of special projects that have been earmarked in a conference report. Through the appropriations conference, legislators have tacked on millions of dollars in special interest ''projects''. These projects are pure pork tacked on for the benefit of a particular area or community. While some of these projects may not be objectionable on their merits, the process by which they are added is unconscionable.

During closed-door conferences, decisions were made to tack on millions of dollars in special projects. Other members were not allowed to participate in, or vote on, the outcome. While democracy is the foundation of our government, the democratic process is shut out of these closed-door proceedings. Members were not even allowed to view the contents of this report until early this morning, even though it has been reported the conference was completed Tuesday morning. No member should be asked to consider a 146 page bill and 236 page report they were given no time to review. I do not think the managers of this legislation, nor, more importantly, the leadership of this chamber, should be at all proud of how this process has been handled. Indeed, this is not the kind of leadership we can expect the American voters to embrace.

This earmarking process takes away the discretion of the very Federal agencies created and empowered to disburse federal funding. At the current levels of earmarking, we should just save the American taxpayers billions of dollars and abolish all Federal agencies and let the appropriators dole out money directly without any oversight.

This transportation appropriations conference report adds more than $3 billion over the Administration's FY 2001 funding request.

According to published reports, and I must rely on them, since neither I nor my staff have been allowed to view the report until moments ago, more than $2 billion of these funds are earmarked for highway and bridge projects.

I note $600 million is earmarked for the project to replace the Woodrow Wilson Bridge over the Potomac River between Virginia and Maryland. The project already was given an earmark of $900 million through the Transportation Equity Act of the 21st Century, TEA–21—that is, $900 million in addition to the billions of dollars each state receives in their annual highway funding allocation. To add insult to injury, the additional money is being taken from the budget surplus.

Mr. President, mark my word, that project is the next ''Big Dig'' in the making. The estimated costs of the project have already soared from $1.9 billion to $2.5 billion—and you can bet those costs will keep going up and up and up.

Besides earmarking more than $2 billion in extra funds for highway and bridge projects, of which the Wilson Bridge receives 25 percent of, the conference managers earmarked nearly every other dollar available in the bill.

These earmarks reportedly include $102 million for the U.S. 82 bridge over the Mississippi River at Greenville, Mississippi, $100 million for I–49 in Arkansas and almost $20 million for I–69 in Tennessee. Mr. President, there are a lot of roads and bridges that need rehabilitation; I don't understand why Congress is substituting its judgment for the judgment of Federal agencies.

In addition, there have been a reported $700 million in transit earmarks for the Chicago Metro and Transit Authority in the home state of the Speaker of the House, for a rapid transit bus project at Dulles International Airport in the home state of the Chairman of the House Transportation Appropriations Subcommittee and for the Minneapolis Hiawatha project in the home district of the ranking member of the House Appropriations Subcommittee.

According to his own press releases, and again, I had to rely on them since I had no real opportunity to view the bill, the Chairman of the Senate Appropriations Subcommittee on Transportation has managed to earmark almost $300 million in transportation funds for his home state. Again that is $300 million in personal projects for his state!

Included in this amount is $100 million for the construction of ''Corridor X'', a 97 mile highway through northwest Alabama; $34 million for construction of the Birmingham Northern Beltline; $10 million to construct a Transportation Technology Center at Auburn University; $3 million to the State of Alabama to develop a training program for jobs in the automobile manufacturing field.

The conference report also provides $9 million to replace the Whitesburg Bridge in Alabama; $5 million for the Mobile Alabama Maritime Center; $2.5 million to initiate on-campus shuttle bus service at the University of South Alabama; $2 million for the University of Alabama-Birmingham to acquire fuel cell buses; and $2 million to the University of North Alabama to improve transit and pedestrian access.

Mr. President, this is taxpayer money used to fund the personal pork projects of the appropriators. And I have never seen the levels of pork that we are reaching.

This year, for the first time ever, the appropriators have earmarked $300 million for specific discretionary projects in the FAA airport improvement program. This past year, we fought long and hard with the appropriators and budgeteers to ensure that there was increased funding for airport infrastructure. This was necessary to attempt to keep up with the significant increase in air travel over the past 10 years and the expected increase over the next 10. I congratulate Congress for meeting

the agreed upon levels of authorizations.

However, now that we have increased funding, the appropriators feel as if they have the necessary knowledge and expertise to determine where $300 million of these monies should go. Mr. President, I realize that as members of Congress, we travel a great deal. However, I don't believe that experience supplies members with the necessary wisdom to replace FAA's judgment on which projects deserve merit and which projects do not.

The FAA is tasked with the safety of our aviation system. But Congress won't let it do the job. Now we are saying to—indeed, the bill directs—the FAA to spend this increased funding where Congress wants it to, not where it is needed. Mr. President, this is obscene and untenable.

Mr. President, I could go on and on about pork-barrel spending and its effect on the taxpayer, but I will conclude with this thought. We have acted responsibly to increase funding, we are not acting responsibly by denoting where this money should go. I ask unanimous consent that examples of this port barrel spending from the transportation appropriations conference report be entered in the RECORD.

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

OBJECTIONABLE PROVISIONS IN H.R. 4475, FY 2001 TRANSPORTATION APPROPRIATIONS CONFERENCE COMMITTEE REPORT

—Bill earmarks $5,000,000 for Alabama State Docks;

—Bill earmarks $7,500,000 for Auburn University Transportation Center;

—Bill earmarks $18,467,857 for Woodrow Wilson Memorial Bridge;

—Bill earmarks $1,735,039 Alaska Highway;

—Bill earmarks $8,000,000 for US177 in Stillwater, Oklahoma;

—Bill earmarks $4,300,000 for US177 in Cimarron River, Oklahoma;

—Bill earmarks $1,500,000 for US 70 near Broken Bone, Oklahoma;

—Bill earmarks $100,000 for US 70 in Marshall and Byran Counties, OK;

—Bill earmarks $24,600,000 for I–55 in Mississippi;

—Bill earmarks $4,000,000 for Albany to North Creek intermodel transportation corridor.

—Bill earmarks $1,000,000 for Battiest-Pickens Road, Oklahoma;

—Bill earmarks $8,000,000 for the Patton Island bridge in Lauderdale County, AL;

—Bill earmarks $46,000,000 for traffic mitigation on SR 710 in California;

Report earmarks: $1.4 million for the 2001 Special Winter Olympics; $1 million to ensure consumer information and choice in the airline industry; $2 million for planning for the Salt Lake City Winter Olympic Games; $3 million for automotive workforce training; $300,000 for DOT to study telework efforts in the New York metropolitan area; and $3 million of minority business outreach.

FEDERAL HIGHWAY ADMINISTRATION

Report earmarks: $4 million for commercial remote sensing products and spatial information technologies; $10 million for the national historic covered bridge preservation program; $5 million for construction and improvement of the Alabama State Docks; $10 million for the Auburn University for the Center for Transportation Technology; $7.5 million for Child Passenger Protection Education Grants; $25 million for the transportation and community and system preservation program; $1.6 million for international trade data systems; and $1 million to conduct a study of corporate average fuel economy standards.

Report directs the Secretary of the Army to remove lead-based paint from the St. Georges Bridge in Delaware, to repaint the bridge and to conduct an assessment for rehabilitation of the bridge using funds from the Energy and Water Development Appropriations Acts.

Report redistributes TEA–21 RABA funding after deducting $156,486,491 for ''high priority projects'' including $25 million for Indian reservation roads program, $18.4 million for the Woodrow Wilson Bridge, $10 million for the CDL program, and $1.7 million for the Alaska Highway.

Report stipulates how funds apportioned for Oklahoma, Mississippi, New York, Nebraska, Alabama, and California are to be allocated within those states.

Report directs DOT Secretary to designate the New Hampshire I–93 corridor as an environmental streamlining pilot project.

Report encourages FHWA to expend up to $500,000 to explore traffic striping technology improvements which enhance reflectivity in heavy rain; $2 million to determine the effectiveness of Freezefree anti-icing systems; for cooperative research at the Western Washington University Vehicle Research Institute for safety and related initiatives; up to $500,000 for rural bridge safety research in cooperation with the Vermont Agency of Transportation and up to $1.8 million to the Transportation Research Institute at the George Washington University for multimodal crash analysis.

Report earmarks $15 million for pavements research, including $750,000 for cement concrete pavement research at Iowa State University; $2 million for alkali silica reactivity research, up to $2 million for research into the GSB–88 emulsified sealer/binder treatment; up to $2 million for a cooperative polymer additive demonstration involving South Carolina State University and Clemson University, and up to $1 million for geosynthetic material pavement research at the Western Transportation Institute.

Report provides $15 million for structures research, encouraging FHWA to provide up to $2 million for research at the Center for Advanced Bridge Engineering at Wayne State University; up to $2 million for earthquake hazards mitigation research at the University of Missouri-Rolla; up to $2 million for related engineering research at West Virginia University; up to $2 million for research for wood structures at the University of Maine; up to $2 million for rustproofing and paint technology transfer project using the I–110 bridge from I10 to U.S.—90, and up to $1.5 million for research at Washington State University.

Report provides $6.2 million for environmental research, and encourages FHWA to provide up to $1 million for the Sustainable Transportation Systems Lab and the National Center for Transportation Technology for mitigation research for heavily-trafficked national parks; up to $1.5 million for a dust and persistent particulate abatement demonstration study in Kotzebue, Alaska, and up to $1 million for the National Environmental Respiratory Center.

For Highway operations and assent management, the report encourages FHWA to provide up to $800,000 for innovative infrastructure financing best practices at the University of Southern California; up to $1 million for the road life research program in New Mexico; up to $2 million for the New York and Auburn University for continued work on a transportation management plan.

FERRY BOATS AND FERRY TERMINAL FACILITIES

The report earmarks the entire amount available for ferry boats and ferry terminals for projects in 15 states.

MAGLEV

The report directs that $21.5 million be used for the deployment of high-speed maglev projects as follows:

$5 million for the Pittsburgh International Airport link;

$1 million for the Maryland Department of Transportation for the Baltimore Washington International Airport link;

$1 million for the California-Nevada Super Speed Train Commission;

$1 million for the Georgia/Atlanta Regional Commission,

$1 million for the Southern California Association of Governments for a link between Los Angeles International Airport to March Air Force Base;

$1 million for the Florida Department of Transportation; and

$1 million for the Greater New Orleans Expressway Commission.

The report further earmarks the following Low-speed maglev program:

$2,000,000 for the Segmented Rail Phased Induction Electric Magnetic Motor (SERAPHIM) project;

$2 million for the Colorado Intermountain Fixed Guideway Authority Airport link project; and

$2 million for the Pittsburgh Pennsylvania airborne shuttle system.

Report includes $50 million for the transportation and community and system preservation program and earmarks the funds as follows:

Project	*Conference*
Anniston Evacuation corridor, Calhoun County, Alabama	$3,000,000
Avalon Boulevard/405 Freeway interchange, Carson, California	875,000
Boca Raton traffic calming, Florida	500,000
City of North Ridgeville, Lorain County, Ohio grade crossing improvements	600,000
Coalfields expressway, Virginia	4,000,000
Coalfields expressway, West Virginia	10,000,000
Downtown Fitchburg Route 12, extension, Massachusetts	2,000,000
Hatcher Pass (phase I), Alaska	2,000,000
I–25 corridor from Alameda to Logan, Colorado	4,000,000
I–29 Port of Entry, Union County, South Dakota	2,000,000
I–35 corridor expansion, Waco, Texas	1,325,000
I–5 South Medford interchange and Delta Park, Oregon	1,000,000
I–65 upgrade, Clark County, Indiana	1,350,000
I–66, Somerset to London, Kentucky	5,000,000

	Conference
I–69 corridor, Louisiana	2,300,000
I–69 corridor, Texas	3,000,000
I–74 bridge, Moline, Illinois	5,600,000
Madison County, KY 21 and I–75, Kentucky	1,000,000
New Boston Road improvements, Mercer County, Illinois	3,000,000
Radio Road overpass, City of Sulphur Springs, Texas	1,350,000
Route 104, Virginia	1,000,000
South Shore industrial safety overpass, Indiana	4,750,000
Stevenson expressway, Illinois	3,800,000
US 19, Florida	10,000,000
US 25 improvements, Kentucky	2,000,000
US 321 and US 74, Gasden and Mecklenburg County, North Carolina	500,000
US 395 North Spokane corridor, Washington	1,000,000
US 43, Alabama	4,000,000
US 51 widening, Decatur, Illinois	1,350,000
US 95 (Milepost 522 to Canadian border), Idaho	1,900,000
US Route 2, New Hampshire	1,500,000
US–61 (Avenue of the Saints), Missouri	4,000,000
WI 29 (Chippewa Falls bypass, Wisconsin)	3,000,000
The report earmarks FHWA's public lands discretionary program as follows:	
20/20 vision project in Concord, New Hampshire	500,000
Arkansas River, Wichita, Kansas, pedestrian transportation facility	1,000,000
Bangor, Maine, intermodal hub facility planning, railroad crossing signalization, bike and pedestrian trails	600,000
Bedford, New Hampshire, corridor planning	250,000
Billings, Montana, open/green space improvement project	775,000
Bowling Green, Kentucky, Riverfront Development transportation enhancements	1,000,000
Buckeye Greenbelt parkway beautification, Toledo, Ohio	250,000
Burlington, Vermont, North Street and Church Street improvements	1,100,000
Chantry Flats Road, Sierra Madre, California	600,000
Charleston, West Virginia, Kanawha Boulevard Walkway project	2,000,000
City of Angola and Steuben City, Indiana, bike path	325,000
City of Bedminster, New Jersey, bike path	500,000
City of Coronado, California, mobility improvements	600,000
City of Ferndale, Michigan, traffic signals	50,000
Claiborne County, Mississippi, access road from US 61 to new port facility	400,000
Clay/Leslie County, Kentucky	2,000,000
Clovis, New Mexico, street revitalization	750,000
Community and environmental transportation acceptability process, California	1,000,000
Delong Mountain, Alaska, airport access and related planning	300,000
Downtown Omaha, Nebraska, access and redevelopment project	300,000
East Redoubt Avenue improvements, Soldotna, Alaska	725,000
El Segundo, California, intermodal facility improvements	1,000,000
Elwood bicycle/pedestrian bridge, County of Santa Barbara, California	250,000
Fairbanks, Alaska, downtown transit and cultural integration planning	450,000
Fairfax cross county trail/Potomac national heritage Scenic Trail, Virginia	500,000
Flint, Michigan, transportation planning and origin & destination shipping study	150,000
Fort Worth, Texas, trolley study	750,000
Heritage Corridor Project study, Illinois	200,000
High capacity transportation system study, Albuquerque, New Mexico	500,000
Houston, Texas, Main Street Connectivity Project	750,000
Hudson River Waterfront Walkway, New Jersey	2,000,000
Huffman Prairie Flying Field Pedestrian and Multimodal Gateway Entrance, Dayton, Ohio	700,000
Humboldt Greenway project, Hennepin County, Minnesota	1,000,000
Jackson traffic congestion mitigation planning, Mississippi	600,000
Johnstown, Pennsylvania, pedestrian and streetscape improvements	400,000
Kansas City, Missouri, Illus Davis Mall enhancements	350,000
Las Cruces, New Mexico railroad and transportation museum	200,000
Lincoln Parish transportation plan, Louisiana	1,500,000
Lodge freeway pedestrian overpass, Detroit, Michigan	900,000
Manchester, Vermont, pedestrian initiative	375,000
Marked Tree, Arkansas, to I–55 along U.S. Highway 63 improvements and controlled access lanes	600,000
Minnesota Trunk Highway 610/10 interchange construction of I–94	1,650,000
Mitchell Marina development, Greenport, New York	250,000
Mobile, Alabama, GM&O intermodal center/Amtrak station	650,000
Montana DOT/Western Montana College statewide geological sign project	200,000
Montana statewide rail grade separation study and environmental review	400,000
New Bedford, Massachusetts, North Terminal	200,000
New Orleans, Louisiana, intermodal transportation research	950,000
NW 7th Avenue corridor improvement project, Miami, Florida	100,000
Ohio and Erie Canal corridor trail development, Ohio	1,000,000

Conference agreement includes a total of $218,000,000 for Intelligent Transportation System (ITS) of which $118,000,000 is available for ITS deployment activities and $1000,000,000 for R&D earmarked as follows:

Alameda-Contra Costa, CA—$500,000;
Aquidneck Island, RI—$500,000;
Arapahoe County, CO—$1,000,000;
Austin, TX—$250,000;
Automated crash notification system, UAB—$1,000,000;
Baton Rouge, LA—$1,000,000;
Bay County, FL—$1,500,000;
Beaumont, TX—$150,000;
Bellington, WA—$350,000;
Bloomingdale Township, IL—$400,000;
Calhoun County, MI—$750,000;
Carbondale, PA—$2,000,000;
Cargo Mate, NJ—$750,000;
Charlotte, NC—$625,000;
College Station, TX—$1,800,000;
Commonwealth of Virginia—$5,500,000;
Corpus Christi, TX—vehicle dispatching—$1,000,000;
Delaware River Port Authority—$1,250,000;
DuPage County, IL—$500,000;
Fargo, ND—$1,000,000;
Fort Collins, CO—$1,250,000;
Hattiesburg, MS—$500,000;
Huntington Beach, CA—$1,250,000;
Huntsville, AL—$3,000,000;
I–70 West project, CO—$750,000;
Inglewood, CA—$600,000;
Jackson, MS—$1,000,000;
Jefferson County, CO—$4,250,000;
Johnsonburg, PA—$1,500,000;
Kansas City, MO—$1,250,000;
Lake County, IL—$450,000;
Lewis & Clark trail, MT—$625,000;
Montgomery County, PA—$2,000,000;
Moscow, ID—$875,000;
Muscle Shoals, AL—$1,000,000;
Nashville, TN—$500,000;
New Jersey regional integration/TRANSCOM—$3,000,000;
North Las Vegas, NV—$1,800,000;
North Central Pennsylvania—$1,500,000;
Norwalk and Santa Fe Springs, CA—$500,000;
Oakland and Wayne Counties, MI—$500,000;
Pennsylvania Turnpike Commission—$1,500,000;
Philadelphia, PA—$500,000;
Puget Sound Regional Fare Coordination—$2,500,000;
Rensselaer County, NY—$500,000;
Rochester, NY—$1,500,000;
Sacramento to Reno, I–80 corridor—$100,000;
Sacramento, CA—$500,000;
Salt Lake City—Olympic Games—$1,000,000;
San Antonio, TX—$100,000;
Santa Teresa, NM—$500,000;
Schuylkill County, Pennsylvania—$400,000;
Seabrook, Texas—$1,200,000;
Shreveport, LA—$2,000,000;
South Carolina statewide—$1,000,000;
South Dakota commercial vehicle ITS—$1,250,000;

Southeast Michigan—$500,000;
Southhaven, MS—$150,000;
Spokane County, WA—$1,000,000;
Springfield—Branson, MO—$750,000;
St. Louis, MO—$500,000;
State of Arizona—$1,000,000;
State of Connecticut—$3,000,000;
State of Delaware—$1,000,000;
State of Illinois—$1,000,000;
State of Indiana (SAFE–T)—$1,000,000;
State of Iowa (traffic enforcement and transit)—$2,750,000;
State of Kentucky—$1,500,000;
State of Maryland—$3,000,000;
State of Minnesota—$6,500,000;
State of Missouri—Rural—$750,000;
State of Montana—$750,000;
State of Nebraska—$2,600,000;
State of New Mexico—$750,000;
State of North Carolina—$1,500,000;
State of North Dakota—$500,000;
State of Ohio—$2,000,000;
State of Oklahoma—$1,000,000
State of Oregon—$750,000;
State of South Carolina statewide—$4,000,000;
State of Tennessee—$1,850,000;
State of Utah—$1,500,000;
State of Vermont—$500,000;
State of Wisconsin—$1,000,000;
Texas Border Phase I Houston, TX—$500,000;
Tuscaloosa, AL—$2,000,000;
Tucson, AZ—$2,500,000
Vermont rural ITS—$1,500,000;
Washington, DC area—$1,250,000;
Washoe County, NV—$200,000;
Wayne County, MI—$5,000,000; and
Williamson County/Round Rock, TX—$250,000.

FEDERAL TRANSIT ADMINISTRATION

—Bill earmarks $60,000,000 for planning, delivery, and temporary use of transit vehicles and construction of temporary transportation facilities for the Olympics in Salt Lake City, Utah to the Utah Department of Transportation and removes the requirement for any state or local matching funds.

—Bill earmarks $4,983,828 for the Pittsburgh airport busway project;

—Bill earmarks $1,488,750 Burlington to Gloucester, NJ line;

The bill further earmarks:

$10,400,000 for Alaska and Hawaii ferry projects;

$500,000 for the Albuquerque/Greater Albuquerque mass transit project;

$25,000,000 for the Atlanta, Georgia, North line extension project;

$1,000,000 for the Austin, Texas, capital metro light rail project; together with $50,000,000 transferred from ''Federal Transit Administration, Formula grants'';

$3,000,000 for the Baltimore central LRT double track project;

$5,000,000 for the Birmingham, Alabama, transit corridor;

$25,000,000 for the Boston South Boston Piers transitway project;

$1,000,000 for the Boston Urban Ring project;

$2,000,000 for the Burlington-Bennington (ABE), Vermont, commuter rail project;

$1,000,000 for the Calais, Maine, branch line regional transit program;

$2,000,000 for the Canton-Akron-Cleveland commuter rail project;

$3,000,000 for the Central Florida commuter rail project;

$15,000,000 for the Chicago Ravenswood and Douglas branch reconstruction projects;

$1,500,000 for the Clark County, Nevada, RTC fixed guideway project;

$4,000,000 for the improvement project;

$5,000,000 for the Charlotte, North Carolina, north corridor and south corridor;

$1,000,000 for the Colorado Roaring Fork Valley project;

$70,000,000 for the Dallas north central light rail extension project;

$5,000,000 for the Denver Southeast corridor project;

$20,200,000 for the Denver Southwest corridor project;

$500,000 for the Detroit, Michigan, metropolitan airport light rail project;

$50,000,000 for the Dulles corridor project;

$15,000,000 for the Fort Lauderdale, Florida, Tri-County commuter rail project;

$1,000,000 for the Galveston, Texas, rail trolley extension project;

$15,000,000 for the Girdwood to Wasillia, Alaska, commuter rail project; and

$1,000,000 for the Hollister/Gilroy branchline.

FEDERAL RAILROAD ADMINISTRATION

—Bill earmarks $17,000,000 for the construction of a third track on the Northeast Corridor between Davisville and Central Falls, RI;

—Bill earmarks $25,100,000 for High Speed Rail program;

—Bill earmarks $20,000,000 for Alaska Railroad; and

—Bill earmarks $15,000,000 for West Virginia rail development.

The report provides $350,000 to establish an ''intermodal emergency response training center for the southeast region of the country, to be located in Meridian, Mississippi.

The report provides $100,000 for a grant to Alabama State docks, a state owned facility, for a study of the cost and economic benefits of restoring rail service on Blakeley Island in Mobile Bay.

The report provides a total of $700,000 for North Carolina's ''sealed corridor initiative.''

Under the heading of ''corridor planning'', $200,000 is provided for a Boston to Burlington high-speed corridor feasibility study; $200,000 for the Southeast corridor extension from Charlotte, NC to Macon, GA; and $300,000 for the Gulf Coast high speed rail corridor from Mobile, AL to New Orleans, LA.

The conference report provides $20,000,000 for the Alaska Railroad.

The report provides $15,000,000 for Rail Development in West Virginia.

The report provides funding for Rail-highway crossing hazard elimination. Of these funds, $750,000 for the High Speed Rail corridor from Washington to Richmond; $1.5 million for the High Speed rail corridor from Mobile to New Orleans; $1.5 million for Salem, OR; $125,000 for both Atlanta to Macon, GA and the Eastern San Fernando Valley, CA; $500,000 for both the Harrisburg to Philadelphia corridor and the Milwaukee to Madison, WI corridor; and $250,000 is provided for the Minneapolis/St. Paul to Chicago high speed rail corridor.

The conference agreement, in Sec. 321, allows funds made available ''for Alaska or Hawaii ferry boats or terminal facilities to be used to construct new vessels and facilities; or to improve existing vessels and facilities.

U.S. COAST GUARD

Operating expenses

Conference Report earmarks $1,000,000 for Tulane University and the University of Alabama in Birmingham to investigate the unique occupational and health hazards affecting Coast Guard personnel due to their work in the marine environment. (Not Requested, p. 13) (Senate provision originally provided $1.75 million).

Conference Report directs the Coast Guard to evaluate the ''boatracs'' text communication system. (p. 14) (Authorizing provision not included in either bill).

Conference Report directs the Coast Guard to conduct an assessment of progress to replace single hull tankers with double hull ships (p. 14) (Authorizing provision not included in either bill).

Acquisition, construction, and improvements

Bill language earmarks $5,800,000 to be transferred from the Coast Guard to the City of Homer, AK, for the construction of a municipal pier and other harbor improvements. (Not requested).

Conference Report earmarks $1,000,000 for Helipad modernization in Craig, AK (not requested).

Alteration of bridges

The FY 2001 Budget Request proposed that funding for this account be provided out of the FHWA's discretionary bridge program instead of the Coast Guard's budget. This account was authorized by the last Coast Guard Authorization bill (FY 98). Conference report provides $15.5 million to repair 6 bridges under the Truman-Hobbs Act. The report earmarks $3,000,000 for the Sidney Lanier highway bridge in Brunswick, GA; $3,000,000 for the EJ&E railroad bridge in Morris, IL; $2,000,000 for the John F. Limehouse bridge in Charleston, SC; $3,000,000 for the Fourteen Mile Bridge in Mobile, AL; $3,925,000 for the Florida Avenue bridge in New Orleans, LA; and $575,000 for the Fox River Bridge in Oshkosh, WI. (Not requested).

General provisions

Sec. 382 prohibits funds to be used to adjust the boundary of the Point Retreat Light Station currently under lease to the Alaska lighthouse Association. (This provision conveys to the lighthouse association approximately an additional 1500 acres of land currently held by the U.S. Forest Service).

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Operations and research

Prohibits funds from being used to plan, finalize, or implement any rulemaking for any requirement pertaining to a grading standard that is different from the three standards (treadwear, traction, and temperature resistance) already in effect. (Included since FY 1996); and

Requires an NAS study on the static stability factor test versus a test with rollover metrics based on dynamic driving conditions that may induce rollovers (but allows NHTSA to continue to move forward with the rollover rating proposal during the NAS study).

Conference report earmarks $750,000 for the Brain Trauma Foundation to continue phase three of the guidelines for pre-hospital management of traumatic brain injury.

Conference report earmarks $750,000 for an aggressive driving program in Maryland, Virginia, and D.C. as specified in the House report.

Conference report earmarks $250,000 to the University of Vermont's College of Medicine and Fletcher Allen Health Care for advance mobile video telecommunications links in rural areas.

Conference report earmarks $500,000 to continue a project at the University of South Alabama on rural vehicular trauma victims, as proposed by the Senate.

Conference report earmarks $250,000, within contract funds, to Mercer University Research Center for a school bus safety initiative, as proposed by the Senate.

Conference report earmarks $1,000,000 to the Injury Control Research Center at the University of Alabama for research on cervical spine and paralyzing neck injuries from motor vehicle accidents.

Conference report prohibits the use of funds to prepare, prescribe, or promulgate different CAFE standards.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. BOND), the Senator from Colorado (Mr. CAMPBELL), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. KYL), and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

Mr. REID. I announce that the Senator from California (Mr. BOXER), the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Washington (Mrs. MURRAY) would each vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 78, nays 10, as follow:

[Rollcall Vote No. 267 Leg.]

YEAS—78

Abraham	Frist	Mack
Akaka	Gorton	McConnell
Ashcroft	Grams	Mikulski
Bayh	Grassley	Miller
Bennett	Gregg	Moynihan
Biden	Hagel	Reed
Bingaman	Harkin	Reid
Breaux	Hatch	Robb
Brownback	Helms	Roberts
Bryan	Hollings	Rockefeller
Bunning	Hutchinson	Roth
Burns	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Chafee, L.	Inouye	Schumer
Cleland	Jeffords	Sessions
Cochran	Johnson	Shelby
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Craig	Kohl	Specter
Crapo	Landrieu	Stevens
Daschle	Lautenberg	Thompson
DeWine	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lincoln	Warner
Edwards	Lott	Wellstone
Fitzgerald	Lugar	Wyden

NAYS—10

Allard	Gramm	Thomas
Baucus	McCain	Voinovich
Feingold	Nickles	
Graham	Smith (NH)	

NOT VOTING—12

Bond	Durbin	Kyl
Boxer	Enzi	Lieberman
Campbell	Feinstein	Murkowski
Dorgan	Kennedy	Murray

The conference report was agreed to.

Mr. SHELBY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa is recognized for 15 minutes.

Several Senators addressed the Chair.

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

THE NOMINATION OF BONNIE CAMPBELL

Mr. HARKIN. Mr. President, it has now been 218 days—218 days that the Judiciary Committee of the Senate has had Bonnie J. Campbell's name there and not reported her out. She has had her hearings. Her paperwork is done. Yet she sits bottled up in the Senate Judiciary Committee.

I understand that later today—or maybe early next week—there will be a unanimous consent request to bring up for consideration and pass the Violence Against Women Act. It is a very good bill, a good law, that has done a lot to help reduce domestic violence in our country.

But we have an interesting dichotomy here. There will be a line of Senators out here talking about how they are all for the Violence Against Women Act. It will go through here like greased lightning. But when it comes to the person who has been in charge of implementing the provisions of the Violence Against Women Act, the person who has been in charge of the Office of Violence Against Women since its beginning in 1995—because it was created by the Violence Against Women Act—when it comes to that person who is widely recognized all over America as the one person who has done more to implement that law than anybody else—when it comes to that person, they say, no, we are not going to let her be reported out of the Judiciary Committee. That is Bonnie Campbell.

It is all right to have the Violence Against Women Act but, no, it is not all right to have her sit on the court of appeals—the one person who knows this law intimately, the one person who has led the fight in this country against domestic violence and violence against women in general.

Bonnie Campbell has not been treated fairly by this Senate, by the Republican leadership, and by the Senate Judiciary Committee.

I have heard all the arguments—including the one that she she wasn't nominated until this year. Mr. President, she was nominated in early March. She had her hearing in May. Yet the other day we reported four judges out, all of whom were nominated later than Bonnie Campbell. Three were nominated in July, had their hearing, and were reported out all in the same week. Yet Bonnie Campbell sits there, 218 days today.

It is not as if the appeals courts are full. We have 22 vacancies on the appeals courts. And we need more women serving on the appeals court. Out of 148 circuit judges, 33 are women—22 percent. Yet the Republican leadership in this Senate and on the Senate Judiciary Committee will not let Bonnie Campbell's name come out for a vote.

If somebody on the other side wants to vote against her, for whatever reason, that is their right. It is their senatorial privilege and even their responsibility, if they feel deeply about it, to do so. But I don't believe it is anyone's responsibility, nor even a right, to hold that name bottled up in committee when she is fully qualified. I have not heard one Senator say Bonnie Campbell is not qualified for this position—not one. I have heard no objections raised at all. She is supported by both the Senators from Iowa—a Republican Senator, Mr. GRASSLEY, and by me, a Democrat. So there has been strong, bipartisan support.

Again, she is a former attorney general of the State of Iowa and now head of the Violence Against Women office. Yet they won't report her name out.

Yes, they will let the Violence Against Women Act come through, and we will hear wonderful speeches about it, I am sure, from the Republican side. The House of Representatives, last week, voted for the Violence Against Women Act, 415–3. Does anybody believe they would have voted that overwhelmingly if the only person who has run that office had done a bad job and had not enforced the law fairly and equitably and brought honor to the law and the position? Absolutely not. By that 415–3 vote, they were saying Bonnie Campbell has done an outstanding job.

Mr. WELLSTONE. Will the Senator yield?

Mr. HARKIN. Yes.

Mr. WELLSTONE. I say this to the Senator from Iowa—and I wonder whether he would agree with me—I think if we had an up-or-down vote on Bonnie Campbell, it would be 100–0 or 99–1. Under the Violence Against Women Act, in terms of dramatically affecting the lives of women and their children, we would not have been able to have made a real difference without Bonnie Campbell. She is the one who made this a reality——

Mr. HARKIN. Exactly.

Mr. WELLSTONE. When it came to directly affecting their lives. If we had a vote, I think it would be 100–0 or 99–1.