

They believe it is a violation of our agreement and that reasonable change and a reasonable agreement should be worked out soon.

I very rarely agree with what I read in the editorial pages of the Washington Post. But to my absolute amazement, on Saturday I got up and read the Washington Post, and there it was—an editorial saying “NAFTA in trouble”—the Washington Post editorializing against the restrictions on the Mexican trucks coming into the United States. The concluding sentences are shocking sentences. It says:

President Bush says he will veto legislation unless such discrimination is removed from it.

That is the right course.

That is what this is all about.

I don't affix blame at any one place, or the administration, or on us. Somehow or another we have gotten to where we are. Now we can't seem to find a way to let go. Now we have a situation where Senators were willing to pass this on a voice vote at 2 o'clock. Now it is 10 minutes until 3. We are not going to have a vote on it, I guess, until tomorrow. That delays other legislation we are working on with interested parties on both sides. Senators DASCHLE, REID, and NICKLES have been involved along with Senators GRAMM and MCCAIN.

A lot of this is just totally unnecessary. Here we are talking, once again, about an issue we have been talking about for a week or more. Who is to blame? Yes. Sure. I am sure Senators will say we would have been glad to have voted on this last week. I have been through this explanation of how we got here.

But I wanted to make the point that we were ready to finish with this issue an hour ago, and we couldn't get it done. I hope maybe we can use this as a case study.

When you go to law school, you learn the law by studying trials, lawsuits, and cases that have gone before. This should be a case study for the administration, for the House, for the Senate, for our trading partners, and for us as to how not to deal with an issue. I hope we will learn from it.

I hope we can put it behind us and move on in a positive way to other appropriations and other bills. But it has been a difficult one.

I have supported Senators MCCAIN and GRAMM in their efforts. I have had some Members on the other side ask: Why would you do that? You haven't always agreed with those guys on other subjects. Right. But the difference this time is I thought they were right. It is real simple. I wasn't mad at anyone. I just couldn't defend where the United States is at this time with regard to Mexican trucks.

I had not spoken on the floor on this issue. I wanted to give a little bit of the history and urge my colleagues to

find a way to complete this and move on to other legislation that is also very important for our country. Rather than recriminations, let's just learn from the experience.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, presently negotiations are going on to try to get a unanimous consent agreement to resolve this issue, and to move on to other issues. Among those negotiations is the subject of nominations. I hope that is part of any agreement that may be made.

(The further remarks of Mr. MCCAIN are printed in today's RECORD under “Morning Business.”)

Mr. MCCAIN. 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.

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

The PRESIDING OFFICER (Mr. CORZINE). Without objection, it is so ordered.

AMENDMENT NO. 1213

Mrs. MURRAY. Mr. President, I send a management package to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself and Mr. SHELBY, proposes an amendment No. 1213.

Mrs. MURRAY. I ask unanimous consent the reading of the amendment be dispensed with.

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

The text of the amendment is printed in today's RECORD under “Amendments Submitted.”

Mrs. MURRAY. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 1213.

The amendment (No. 1213) was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mrs. MURRAY. Mr. President, earlier today, my colleague from Texas, Senator GRAMM, asked that his substitute be printed again in the RECORD. Much

has been said about this substitute amendment. The claim is made that this substitute will protect safety while complying with NAFTA. That is just plain wrong. This claim is indicative of the problem we have had in these negotiations—the fact that our opponents define compliance with NAFTA as gutting the safety provisions in our bill.

Lets look at the specifics of the McCain-Gramm substitute.

The McCain-Gramm amendment is a legislative sleight of hand intended to take the teeth out of the safety provisions that were approved unanimously by the Appropriations Committee.

They create loopholes large enough to drive a Mexican truck through.

Their amendment looks and sounds very much like the committee-adopted provisions when, in fact, the amendment weakens the committee-adopted provisions in several critical and dangerous ways.

First, the McCain-Gramm amendment completely does away with the requirement that all Mexican trucking companies undergo a thorough compliance review before they are given authority to operate in the United States. Instead of that requirement, the McCain-Gramm amendment substitutes a cursory “safety review”.

A safety review is a much comprehensive review of a trucking company's operations. It is a quick and dirty paper check. It is not a thorough examination to ensure that a trucking company complies with all U.S. safety standards. It does not approach a compliance review in terms of ensuring that a trucking firm's operations are safe.

My colleagues should not be fooled. A safety review and a compliance review are not the same thing. They are two very different things. A safety review should provide the American public with a whole lot less comfort than a compliance review when it comes to the operations of Mexican trucking firms.

Second, the McCain-Gramm amendment completely does away with the requirement that compliance reviews be performed on site at each trucking firm's facility. Every time a U.S. Motor Carrier Safety Inspector performs a compliance review on a U.S. trucking firm, it is done at the trucking firm's facility. Every time a U.S. Motor Carrier Safety Inspector performs a compliance review on a Canadian trucking firm, it is done at the Canadian trucking firm's facility. Now when it comes to Mexico, the McCain-Gramm amendment wants to allow compliance reviews to be conducted at the border. This is a farce.

A compliance review, by definition, requires the inspector to carefully review the trucking firm's vehicles, record books, log books, wage and hour records, and much, much more. You

can't perform a compliance review at a remote site. It is not even a poor substitute.

There is a long list of abuses that can result if inspectors never visit a trucking company's facility. For the life of me, I can not imagine why the sponsors of the McCain-Gramm amendment want to allow those potential abuses on the part of Mexican trucking firms while insisting that every compliance review here in the United States and in Canada is performed on site.

Third, the McCain-Gramm amendment waives the requirement that the DOT publish critical safety rules before allowing trucks across the border. The McCain-Gramm amendment would allow the requirement to be waived by the Secretary by simply signing a letter stating that he will not publish these rules and sending it to Congress.

The provision unanimously adopted by the Appropriations Committee requires that critically important safety rules must be completed by the DOT before the border can be opened. These rules were not randomly selected. The rules that we require to be published before the border can be opened are targeted at the specific safety concerns surrounding Mexican trucks.

The McCain-Gramm amendment pretends to mandate that these rules go forward but simultaneously includes a provision that guts the same requirement. My colleagues—don't be fooled, the requirement in the McCain-Gramm amendment is a phony one that severely weakens the measures included in the committee-adopted provision.

Fourth, the McCain-Gramm amendment does away with the requirement that the inspector general certify that critical safety measures are in place before the border is opened.

Instead of requiring that the inspector general certify that it is safe at the border, the McCain-Gramm amendment simply requires that the Secretary of Transportation periodically submit reports to the committee on the state of problems at the border.

This is a monstrous loophole. It creates more and more paperwork in Washington while the Mexican trucks come streaming across our border. It completely guts a number of the critical requirements in the underlying committee provision.

The Committee on Appropriations receives a great many mandated reports by the Department of Transportation. Unfortunately, the record of the Department of Transportation in submitting reports to the committee is a poor one.

As of this date, the Department of Transportation is overdue in submitting more than 22 reports to our committee from five different agencies within the Department of Transportation. Some of the deadlines of these reports date as far back as December 1995.

This provision, frankly, is an insult. What our highway safety agenda needs is not more reports, it needs real improvements in the safety of the vehicles and drivers moving 18-wheelers across our country.

That observation is not only applicable to Mexican drivers, it is applicable to United States drivers and Canadian drivers as well. All the reports in the world are not going to improve the condition of highway safety in the United States.

What we need are firm mandates like those adopted by the Appropriations Committee to ensure that critical safety measures are in place before we face an influx of Mexican trucks that we are not ready for.

The provisions in the committee bill must not be watered down. The committee provisions won't stop trade across our border. But they will stop unsafe drivers and unsafe trucks from threatening the American public. These provisions must not be weakened.

Under our bill, when you are driving on the highway and there's an 18-wheeler with a Mexican license plate in front of you, you can feel safe.

You will know that the truck was inspected.

You will know that the company has a good track record.

You will know that an American inspector visited their facility—on site—and examined their records—just like we do with Canadian trucking firms.

You will know that the driver is licensed and insured.

You will know that the truck was weighed and is safe for our roads and bridges.

You will know that we're keeping track of which companies and which drivers are following our laws and which ones are not.

You will know that, if a driver is breaking our laws, his license will be revoked.

You will know that the truck didn't just cross our border unchecked, but crossed where there were inspectors on duty—ensuring our safety.

That is a real safety program. That program must not be watered down, weakened, or gutted, as is proposed by the McCain-Gramm amendment.

Mr. President, the committee bill is a solid compromise. It will allow robust trade—while ensuring the safety of our highways. I urge all Members to reject this effort to weaken the committee bill and endanger lives on our highways.

WOODROW WILSON MEMORIAL BRIDGE

Mr. ALLEN. Mr. President, I rise today to engage in a short colloquy with Virginia's Senior Senator, Senator WARNER; Senators MIKULSKI and SARBANES from Maryland; Transportation Appropriations Subcommittee chair, Senator MURRAY and ranking member, Senator SHELBY regarding the Woodrow Wilson Memorial Bridge.

Ms. MIKULSKI. Mr. President, the Woodrow Wilson Memorial Bridge was completed in 1961 and carries more than 200,000 vehicles per day—far exceeding the 75,000 vehicle per day design. It is the Nation's only federally owned bridge. Newspaper accounts from 1994 cited the fact that the deteriorating condition of the bridge and its inadequate number of lanes has contributed to accident rates twice those of other segments of the Capital Beltway.

Mr. WARNER. Mr. President, last year after years of negotiating, Congress was able to reach a compromise to finally replace this dilapidated bridge. We were able to work with our colleagues on both sides of the aisle, from Maryland, and from the House to make certain this much needed replacement project was fully funded. This decision by Congress demonstrates the strong commitment by the United States Senate to provide all our citizens a flexible, safe, and efficient interstate highway system.

This year, the administration and the House of Representatives have demonstrated their support of this project as the President requested \$28.2 million and the House allocated \$29.5 million for Fiscal Year 2002. However, the Senate FY2002 Transportation appropriations bill does not address funding for the Wilson Bridge, placing this project in jeopardy.

Mr. President, the unique nature of this roadway as a federally owned bridge, its importance to the Capital region, and the surrounding mid-Atlantic region, demands that we restore these funds.

Mr. SARBANES. Mr. President, in working with the Senators from Washington and Alabama, it is our understanding that they intend to work with the conferees to retain funding at the House level. Because of the Federal Government's ownership, the Woodrow Wilson Bridge continues to be a priority legislative issue for me and for my Senate colleagues. Accordingly, this appropriation will help keep the replacement project on pace and maintain the safety of the current bridge in the interim.

Ms. MURRAY. Mr. President, I understand the importance of the Wilson Bridge for the eastern coastal region. I can assure the Senators from Virginia and Maryland that Senator SHELBY and I will keep their views in mind when the bill goes to conference.

Mr. SHELBY. I agree, Mr. President, on the importance of the Federal Government's role in maintaining a safe interstate highway system and will work with the chairwoman and other interested Senators to fulfill the federal commitment and maintain the interstate.

Mr. ALLEN. Mr. President, I thank the Transportation Appropriations chair and ranking member for their

willingness to work with us on this issue and for their leadership in crafting a bill that increases transportation funding across the entire country. I also thank my colleagues from Maryland and Senator WARNER for their continued representation and leadership for the people of the region and America. We look forward to completing the much-needed Woodrow Wilson Memorial Bridge replacement and closing the debate on the bill permanently.

FLORIDA PROJECTS

Mr. NELSON of Florida. Mr. President, the report language that accompanies the fiscal year 2002 Transportation Appropriations bill identifies many worthy projects that the committee recommends be funded by the Department of Transportation. I thank the chairwoman for her and the committee's support of projects in Florida that were requested by Senator GRAHAM and myself. However, many other worthwhile projects were not included on this list. It is my understanding that the report language is intended to guide conferees in setting the final spending measure, but does not preclude other projects from also being considered for inclusion. Is this correct?

Mrs. MURRAY. The Senator from Florida is correct. The committee endorses the projects included in the bill's report, and will press for the adoption of that list in conference on this bill. However, the limited nature of that list does not prevent other projects from being supported during conference, should available resources be found.

Mr. NELSON of Florida. I thank the Senator for that clarification. The bill before us makes the best of a difficult situation by spreading limited funds over as many worthwhile transportation programs and projects as possible. I believe the committee has worked diligently to support a great number of projects in spite of limited resources. I further understand that if additional resources cannot be found, it might be possible to redistribute funds over a more diverse list of worthwhile recipients than is currently outlined in the Committee's report. Specifically, there are two counties in Florida, Brevard County and Polk County, that are deserving of federal funds for bus acquisition, which were unfortunately not included in either the House or Senate reports. I understand that the Senator from Washington may be able to work with conferees to see that these counties receive some federal funds for bus and bus facilities, either by finding additional resources or by reallocating funds within this account. Is this correct?

Mrs. MURRAY. I will be happy to work with you to address these concerns as the Transportation bill moves through the process.

Mr. NELSON. I thank the distinguished Senator. I appreciate your support and that of your staff on this issue, and look forward to working with you.

ASR-9 AIRPORT RADAR SERVICE LIFE EXTENSION PROGRAM

Ms. MIKULSKI. Mr. President, it is my understanding that the Appropriations Committee has recommended an increase of \$10M above the FAA's \$12.8M budget request to expedite the ASR-9 service life extension program. Unfortunately, the House Transportation bill failed to provide an increase in funding for this critical program.

I have been advised that major portions of the ASR-9 radar processor will be unsupported within 2 years. The supply of various critical spare parts—which are no longer manufactured by various commercial suppliers—is nearing a critical stage. When the supply of these parts run out, we run the risk of dangerous radar outages at 125 of our countries busiest airports.

I am particularly concerned that if this \$10 million of additional funding is not preserved in conference, delays in program startup will prevent the insertion of new technology in time to avoid potential radar outages.

Mrs. MURRAY. Let me say to the Senator from Maryland that we will keep her concerns in mind as the Transportation bill moves through conference.

Ms. MIKULSKI. I thank the chairwoman for her leadership on this issue and look forward to working with you on this important issue.

TRANSPORTATION RESEARCH

Mr. BINGAMAN. Mr. President, I would like to spend just a few minutes today discussing two existing transportation research programs with the chairman of the Transportation Appropriations Subcommittee, my friend Senator MURRAY. Is the distinguished chairman aware of the existing New Mexico Road Lifecycle Innovative Financing and Evaluation (RoadLIFE) program at the Federal Highway Administration and the National Transportation Network Analysis Capability (NTNAC) program funded through the Department's Transportation Planning, Research and Development Program?

Mrs. MURRAY. Yes, I am aware of these two valuable programs in the Department of Transportation and appreciate the opportunity to discuss them with you.

Mr. BINGAMAN. The ongoing RoadLIFE program is a partnership between FHWA, the State of New Mexico, and several universities to demonstrate the possible benefits of innovative financing methods, such as Grant Anticipation Revenue Vehicle (GARVEE), and performance warranties on highway safety, road quality and on the long-term costs to maintain a highway. Last year, the Department announced

a 20-year research agreement between the Department, the Volpe Center and the State of New Mexico to validate the cost savings to the government of these innovative funding approaches. Does the chairman agree that this study could provide valuable information that could change the future of road building in America?

Mrs. MURRAY. The Senator from New Mexico, is correct. The RoadLIFE program could be a valuable effort not only to New Mexico, but to all states that are interested in using innovative highway financing methods.

Mr. BINGAMAN. The State of New Mexico will continue to shoulder most of the costs associated with the RoadLIFE research initiative and the FHWA has been an essential and valued partner in the development and implementation of the innovative approaches to financing and warranties being tested in New Mexico. Does the chairman join me in encouraging the FHWA and Volpe Center to give priority consideration to continuing to provide staff and financial support to the RoadLIFE program to ensure that the results will be useful to the Nation?

Mrs. MURRAY. Yes, I agree, the Department should give priority consideration to continuing of this important project.

Mr. BINGAMAN. The National Transportation Network Analysis Capability (NTNAC) is being developed to simulate the operation of the national transportation system, including individual modes—trucks, trains, planes, waterborne vessels—and the transportation infrastructure used by these carriers. Based on the technology underlying the successful TRANSIMS model, NTNAC is a simulation that will view the national transportation infrastructure as a single, integrated system. Los Alamos National Laboratory is the lead technical agency for this effort. Does the chairman agree that NTNAC could provide the DOT with new capabilities to assess and formulate critical policy and investment options that take into account transportation economics, modes, public safety, and environmental concerns, as well as infrastructure requirements and vulnerabilities?

Mrs. MURRAY. Yes, I agree that this ongoing effort could provide DOT an important tool to assess the consequences of transportation policies before they are implemented.

Mr. BINGAMAN. Prior efforts on NTNAC have demonstrated the capability to model nation-wide freight transportation and provided valuable analytical insights into the nation's freight and transportation system. For example, NTNAC is currently capable of simulating the movement of millions of trucks across the nation's highway network from point-of-origin to final destination. Does the chairman

agree that the Department of Transportation should give priority consideration to providing additional funding in fiscal year 2002 to extend and consolidate these achievements and to move towards a full-scale development.

Mrs. MURRAY. I agree, the Department should give priority consideration to continuing the NTNAC project under the Transportation Planning, Research and Development Program.

Mr. BINGAMAN. I thank the distinguished chairman for her fine work on this bill and for this opportunity to discuss these two important research programs in New Mexico.

AIRLINE INDUSTRY

Mr. WYDEN. I would like to take a moment to talk about a transportation issue that is very much on the mind of many Americans as we head into the busy summer travel season. That issue is potentially unfair and deceptive practices in the airline industry. My good friend and Pacific Northwest colleague, Senator MURRAY, has heard me talk about this before, in the context of pushing for passenger rights legislation. But today, I would like to talk briefly about a small step the government could take without enacting any new legislation. It wouldn't solve all the problems, but I think it would be a step in the right direction.

Mrs. MURRAY. Senator WYDEN has certainly been a leading and forceful voice for consumer protections in the airline industry. So I would be happy to hear his idea on this subject.

Mr. WYDEN. I thank the Senator, both for this opportunity and for all her hard work and leadership in crafting an excellent Transportation appropriations bill. The bill will do a great deal for all types of transportation in this country, including aviation. She has served the public well, as she has done throughout her service here in Congress.

But as the Senator knows, airline travelers are frustrated. In the last five years, delays, cancellations, and consumer complaints have all risen dramatically. Earlier this year, the DOT inspector general reported that "the aviation system is not working well."

Part of the problem is insufficient capacity. That is why I support efforts to increase capacity by building more runways and improving air traffic control. It is also why Senator MURRAY's efforts on the aviation portions of this year's are so appreciated.

At the same time, part of the problem is that there isn't enough competition. Airlines too often treat consumers in ways that would not be tolerated for long in other industries—and the airlines get away with it because passengers have limited choices for air travel.

The Department of Transportation is charged with protecting consumers against airlines that engage in "unfair and deceptive" practices. But the truth

is, the Department of Transportation is not primarily a consumer protection agency. It has limited resources for this task, and limited experience with "unfair and deceptive" practice enforcement.

The agency with the most expertise in this area is the Federal Trade Commission. Protecting consumers against unfair and deceptive practices is the FTC's bread and butter. Under existing law, the FTC cannot take enforcement actions against airlines. And I am not proposing to change that.

However, while the FTC has no enforcement authority over airlines, nothing prevents it from studying and reporting on unfair practices in the airline industry. I believe the FTC could do a real service to the flying public by providing some much needed expert analysis of arguably unfair practices in the airline industry.

For example, I think it would be very illuminating for the FTC to take a look at whether airlines tend to cancel flights simply because they are not sufficiently full. A movie theater doesn't cancel the 3:00 matinee just because only a handful of people show up. But does this happen in the airline industry? The FTC, with its strong economic and investigatory staff, would be in an excellent position to get to the bottom of this issue.

Let me be clear. I am not in a position to tell the FTC what to do. And I am not proposing to impose new requirements on them through legislation. I am simply saying that if the FTC chose to look into this, I think its conclusions would carry a lot of weight. In my opinion, the FTC's involvement here, on a purely investigatory basis, could make an important contribution to our understanding of what goes on in the airline industry.

I think there is that potential. To do any really serious analysis, the FTC would need cooperation from the Department of Transportation for important data and statistics. Clearly, the sharing of data would be more efficient and cost effective than having the FTC try to duplicate all the extensive data gathering that the Department of Transportation has already done.

My fear is that everything could get bogged down in institutional jealousies and jurisdictional squabbles. If the Department of Transportation chose not to cooperate, the FTC's effort would be slowed tremendously or even stalled entirely.

The good news is, I don't see any legitimate reason why the Department of Transportation shouldn't cooperate. As chair of the Transportation Appropriations Subcommittee, is the Senator aware of anything in this year's funding bill or in any other law governing the Department that would prevent it from cooperating, in the event that FTC chose to pursue one or more airline-related investigations?

Mrs. MURRAY. No, I agree with the Senator that the Department of Transportation would be free to cooperate.

Mr. WYDEN. I appreciate that response, and I heartily agree. If I could just briefly sum up my point here, it is that if the FTC decides to investigate airline practices—which it can already do under current law—I believe it could do an important service. And I wouldn't want lack of cooperation from the Department of Transportation to stand in the way.

I thank my friend from Washington for her attention.

APPROACH LIGHTING SYSTEM IMPROVEMENT

Mr. GRAHAM. Mr. President, I am pleased to see that the Senate Transportation appropriations bill has included a provision which makes \$33,331,000 available for the Approach Lighting System Improvement Program (ALSIP). I thank my colleague from Washington, the chair of the Subcommittee, Mrs. MURRAY for her help in securing this funding.

Mrs. MURRAY. The Senator is correct, \$33,331,000 is available for ALSIP.

Mr. GRAHAM. The language on page 51 of the Senate Report (107-38) does not specify that the funding that is made available is provided both for the installation of the previously purchased medium approach lighting systems with runway alignment indicator lights (MALSR) and for future procurement, so as to keep the production line operational. I would like to ask for clarification: is money in this account to be used both for installation and procurement?

Mrs. MURRAY. Yes, that is correct.

Mr. GRAHAM. I hope that language to this effect can be included in the conference report.

Mrs. MURRAY. I will look to clarify this in the final language.

SECTION 315 (GP) AND AIR TRAFFIC CONGESTION IN THE CHICAGO REGION

Mr. BAYH. Mr. President, I believe the chairwoman and ranking member are aware of the air traffic congestion and capacity issues facing the Chicago area. Not only are these important issues for the national aviation system, but for the greater Chicagoland area as well. I thank the chairwoman and the ranking member for the attention given to this regional and national dilemma.

As you know, the Chicago area desperately needs additional airport capacity. I believe the Gary/Chicago Airport is capable of immediately providing the capacity needed to relieve Chicago's O'Hare and Midway Airports. I continue my longstanding support for the Gary/Chicago Airport as an integral part of the solution to meet the air traffic needs of the region.

I am working closely with my colleagues Senator LUGAR, Congressman VISLOSKY in the House of Representatives, Indiana Governor Frank O'Bannon, and with local officials in

Indiana to ensure that the Gary/Chicago Airport is included in any discussions at the federal level about how to relieve air traffic congestion in the Chicago region.

Section 315 (General Provisions) requires the Secretary of Transportation to work with the Federal Aviation Administrator (FAA) to encourage a locally developed and executed plan between the State of Illinois, the City of Chicago, and affected communities for the purpose of modernizing O'Hare International Airport. It is my hope that any discussions in Congress, at the FAA, or elsewhere, include Indiana and the Gary/Chicago Airport as a part of the solution to this crisis.

Mr. LUGAR. Mr. President, I appreciate the attention the Appropriations Committee has given to this important issue. I join with my colleague from Indiana Senator BAYH in sharing with the committee our thoughts about section 315 of the bill. I hope the committee will be mindful of our strong interest in this issue, and that we believe Indiana should be specifically listed and included in any matters or discussions relating to federal proposals or legislation intended to relieve air traffic in the Chicago region.

The Chicago region needs additional airport capacity and some of this capacity can be accommodated at the Gary/Chicago Airport. Throughout my service in the Senate, I have been a strong supporter of the Gary/Chicago Airport as a viable part of the solution that will help meet the current pressing air traffic needs of the region.

Earlier this year, the Gary Airport submitted to the FAA a draft of its phase II 20-year master plan/airport layout plan. This effort proposes an expansion of existing airport facilities, including navigational improvements, runway extensions and construction of parallel runway. I strongly support the airport's plan for future growth and believe this master plan is an essential part of the solution to helping relieve air traffic congestion now and in the long term. It is especially important to keep in mind that the Gary/Chicago Airport today is an active, fully operational aviation facility with a 7,000 foot main runway and a crosswind runway that can help provide immediate relief to the problem of aviation congestion in the Chicago region.

On June 12, I hosted a meeting in Washington with Transportation Secretary Mineta and was joined by my colleagues Senator BAYH and Representative VISCLOSKEY, along with Indiana Governor O'Bannon and Gary Mayor King. During this productive and positive meeting, we emphasized to Transportation Secretary Mineta our strong and unified support for the master plan/ALP submitted by the Gary/Chicago Airport that is currently being evaluated by the FAA. We specifically requested Secretary Mineta's assist-

ance in ensuring that Gary's master plan/ALP receive full and fair consideration, and that the FAA work to expedite their consideration of Gary's plan. We hope Gary's master plan/ALP will be approved by the FAA this year.

The problem of air congestion in the Chicago region and the urgent need for relief should be national priorities. I believe that existing, operating, regional airport facilities such as the Gary/Chicago Airport should be included as part of both short-term and long-term solutions to this aviation safety and public transportation challenge. I wish to thank the chairwoman and ranking member for their attention to our concerns about this important matter.

Mrs. MURRAY. Mr. President, the committee is aware of the Senator's strong interest in making sure that Indiana is a part of these important discussions, and the committee agrees that the Gary/Chicago Airport should be specifically included as part of federal deliberations concerning air traffic congestion in the Chicago region.

SAN BERNARDINO METROLINK

Mrs. FEINSTEIN. Mr. President, I rise with the chairman and ranking member of the Transportation Appropriations Subcommittee to discuss a transportation infrastructure project that is of great importance to the southern California region.

I want to first, however, thank Chairman MURRAY and Senator SHELBY for their outstanding work on this bill. The fiscal year 2002 Transportation Appropriations bill provides appropriations for important transportation and transit projects in the State of California and the rest of the nation. The transportation needs in California alone are tremendous. I understand the difficulty you faced in trying to meet as many of these needs as possible under tight budget constraints.

I am concerned, however, that this is an important California project that was not funded—the Metrolink's double track project on the San Bernardino line.

Mr. SHELBY. The committee is aware of this project. It is my understanding that as one of the fastest growing commuter rail systems in the country, Metrolink is integral to the commuting requirements of the citizens of the Los Angeles basin. It provides service to Orange, Riverside, San Bernardino, Los Angeles, Ventura, and San Diego Counties.

Mrs. MURRAY. Metrolink has received appropriations in each of the past 2 fiscal years. A local match of 70 percent is already in place, representing a substantial local and state commitment to the project. I understand the Senator from California's concern over this project and I will continue to work with her to try to determine whether funding can be made available for this project.

Mrs. FEINSTEIN. I thank the chairman and ranking member for their understanding and willingness to work with me on this project. The Metrolink system is quickly reaching capacity. With continued federal support, it will be able to meet the growing demands for its service, while reducing congestion and improving the air quality of southern California.

FUNDING TO IMPROVE THE HIGHWAY SYSTEM OF AROOSTOOK COUNTY IN NORTHERN MAINE

Ms. COLLINS. I thank the chairman and ranking member of the Subcommittee on Transportation Appropriations for providing needed funding for projects of great importance to Maine. My senior colleague from our great State and I would like to engage you in a brief colloquy about one such project—the improvement of the highway system in northern Maine. The Senate report accompanying the fiscal year 2002 Transportation appropriations bill sets aside \$6 million to help us move forward extending Maine's highway system beyond the termination point of Interstate 95 in Houlton. Having been born and raised in northern Maine I can tell you first hand about the critical importance to that region's economy of improving the highway system of Aroostook County.

Ms. SNOWE. As Senator COLLINS expressed, your efforts on behalf of our State are deeply appreciated. We are committed to improving the highway system in Aroostook County and therefore welcome your support for this project. Interstate 95's current termination point is more than one hundred miles away from Maine's northernmost communities, which inhibits their ability to interact and to transact with the rest of the State and beyond.

Mrs. MURRAY. We are well aware of the importance of this project to the State of Maine and are pleased to provide support.

Ms. COLLINS. We would respectfully ask that you make every effort to retain the \$6 million earmark in the conference on your bill with the House of Representatives, so that these funds can be used next year to cover engineering, construction, and planning costs associated with enhancing the highway system in northern Maine.

Mrs. MURRAY. I can assure you that I will keep your concerns in mind as we go to conference with the House.

Mr. SHELBY. And I provide you similar assurances of support for your project, as you have described it, during the conference on the Transportation appropriations bill.

Ms. SNOWE. We very much appreciate your willingness to advocate on our behalf, and on behalf of our State. The \$6 million will be a critical downpayment on this ambitious project.

NORTHSTAR CORRIDOR COMMUTER RAIL PROJECT

Mr. WELLSTONE. Mr. President, I rise to engage in a colloquy with my

distinguished colleague from Washington, the chairwoman of the Appropriations Subcommittee on Transportation. The purpose is to discuss an important initiative in the State of Minnesota, the Northstar Corridor. I would also like to thank the chairwoman and the subcommittee for providing funding to support several projects in my state including the Hiawatha Corridor, the Minnesota Valley Regional Rail Authority, the Phalen Boulevard, Trunk Highway 610/10, as well as bus procurement for the Metro Transit and Greater Minnesota Transit Authorities.

As my colleague knows, many regions of our country are experiencing significant growth. This is true for the Twin Cities Metropolitan area in Minnesota. In order to help commuters and reduce congestion in the North metro area, the Northstar Corridor project has been undertaken by local authorities to provide commuter rail service between Minneapolis and St. Cloud. This project is one of the corridors included in the comprehensive Twin Cities Transitways Project to provide much needed light rail and commuter rail services in the region.

Specifically, the Northstar Corridor, which was authorized in TEA-21, will provide a direct connection between two major regional centers for business, education and health care. The 80-mile commuter rail line will operate on existing BNSF track. The Northstar Corridor has been identified by both the Minnesota Department of Transportation and the Twin Cities Metropolitan Council as the highest priority corridor for implementation of commuter rail in the state. While the bill before us contains significant funding for new start construction projects under the jurisdiction of the Federal Transit Authority, including the Hiawatha light rail corridor in Minneapolis, funding was not included for the Northstar Corridor. However, H.R. 2299 does include \$10 million for the Northstar Corridor. This funding will support right of way acquisition, final design and engineering of stations, vehicles, capacity improvements to existing track and maintenance facility. I would seek my colleague's assurance that during consideration of the conference report on the FY 2002 Department of Transportation appropriations bill, that she would be supportive of the Northstar Corridor commuter rail project.

Mrs. MURRAY. I am aware of the Twin cities Transitways Project and I am pleased that this bill includes \$50 million to support the Hiawatha Corridor. While the subcommittee was unable to provide funding for the Northstar Corridor initiative, we will give that project consideration when we go to the conference committee with the House on the FY 2002 Department of Transportation Appropriations bill.

Mr. WELLSTONE. I thank my colleague for her work as chairwoman and for her support for the Northstar Corridor.

MICHIGAN ITCS PROJECT

Ms. STABENOW. Mr. President, I rise to engage in a colloquy with the distinguished chairwoman of the Transportation Appropriations Subcommittee. As the chairwoman knows, since Fiscal Year 1996, the Congress has appropriated a total of \$13 million for the Michigan Incremental Train Control System (ITCS) Project, a public-private partnership to develop, test, prove and demonstrate an advanced positive train control system on a portion of the Detroit-Chicago rail corridor between Kalamazoo and Porter, Michigan to provide high speed rail operations. The Michigan ITCS project focuses on upgrading the existing wayside signal system to facilitate passenger train speeds in excess of 80 miles per hour, while still controlling freight trains that move at slower speeds.

The administration's Fiscal Year 2002 DOT Budget proposal provides that \$3 million of funding provided for "high speed train control systems" under the Next Generation High Speed Rail Program be allocated to the Michigan ITCS Project, which is entering its final phase. In the bill before us, a total of \$11 million is provided for "high speed train control systems" with \$5 million of those funds allocated to a PTC project in Wisconsin. Mr. President, I ask distinguished chairwoman to give this important project consideration in conference, and provide \$3 million for the final phase of Michigan ITCS project, consistent with the administration's budget request. Any consideration that the distinguished chairwoman can provide is much appreciated.

Mr. LEVIN. Mr. President, I join my colleague from Michigan in urging you to give this worthy project consideration in conference. The Detroit-Chicago Corridor has been designated as one of only ten high-speed rail corridors in the nation. In order to make that designation a reality we must develop the necessary technology to allow high-speed rail to operate safely on existing infrastructure. That means completing the development of an effective train control system. This project, as a public-private partnership, has had the ongoing participation and support from the State of Michigan, the Federal Railroad Administration, Amtrak and Harmon Industries, the company developing the technology. It also has the support of Michigan's two Senators and I hope we can find a way to continue Federal support for this project.

Mrs. MURRAY. Mr. President, I thank the distinguished Senators from Michigan, and I will be happy to work with her in conference on this important Michigan ITCS project.

Ms. STABENOW. I thank the distinguished chairwoman of the subcommittee.

FEDERAL HIGHWAY ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to engage the esteemed Chair of the Senate Transportation Subcommittee in a brief colloquy regarding a recent Federal Highway Administration (FHWA) interpretative memorandum.

FHWA, in response to a legitimate concern about maintaining the uniformity of the signs on our nation's highways, has issued a memorandum proscribing restrictions for the text of signs used in state Adopt-A-Highway programs.

FHWA's intention, I believe, is a good one—to prevent the commercialization of our nation's relatively uniform interstate highway signs. It might amuse my colleague to know that uniformity is the result of very serious tome entitled the Manual on Uniform Traffic Control Devices, or "MUCTDA" as some call it.

Despite its funny name, MUCTDA represents sound public policy. Since the inception of Adopt-A-Highway programs, several participating states have referred to MUCTDA's section 2D-47, when trying to determine how to appropriately recognize the roadway sponsor on Adopt-A-Highway signs.

This section states that "messages, symbols, and trademarks that resemble any official traffic control device shall not be used on Adopt-A-Highway signs." This implies that other logos which do not resemble official traffic control devices are acceptable.

The recent interpretive memorandum, however, says that all logos constitute advertising and, as such, Adopt-A-Highway signs with any logos must come down.

This is extremely problematic for New York, which has awarded over \$26 million in Adopt-A-Highway contracts since 1996. Without the ability to post any logos, both corporate and non-corporate sponsors will end their involvement. This could undermine a great deal of progress we have made in keeping New York's roadways clean and safe.

In short, this interpretive memorandum could completely hobble the Adopt-A-Highway program in my state and in others, which I am sure is not FHWA's intent.

I am not trying to block FHWA from proscribing regulations pertaining to Adopt-A-Highway signage, but I do believe that the affected states should be consulted first because so much revenue for maintaining highways is at stake.

As the Senator prepares for conference committee deliberations I hope she will agree that FHWA has an obligation to work with the affected states to find some resolution to this Adopt-A-Highway signage issue because this interpretative memorandum appears to change FHWA's policy at mid-course.

Mrs. MURRAY. I agree with the Senator from New York that FHWA should engage the state transportation departments to find some resolution that provides for a uniform national policy without, if possible, unnecessarily jeopardizing existing Adopt-A-Highway contracts.

NEW STARTS TRANSIT PROGRAM

Mr. SARBANES. Mr. President, I rise today to highlight the fact that the bill pending before us provides an additional \$100 million for the New Starts transit program above the amount guaranteed in the Transportation Equity Act for the 21st Century (TEA-21). This is a critically important investment in our nation's transportation infrastructure which will ultimately provide more transportation options for all Americans.

All across the country, congestion and gridlock are taking their toll in terms of economic loss, environmental impacts, and personal frustration. According to the Texas Transportation Institute, in 1999, Americans in 68 urban areas spent 4.5 billion hours stuck in traffic, with an estimated cost to the nation of \$78 billion in lost time and wasted fuel. And the problem is growing.

In response, Americans are searching for alternatives. According to the American Public Transportation Association, Americans took over 9.4 billion trips on transit in 2000—the highest level in 40 years. In fact, over the past five years, transit ridership has increased by 21 percent, growing more than four times faster than the U.S. population. Over 200 communities around the country, in urban, suburban, and rural areas, are considering light rail or other fixed guideway transit investments to meet their growing transportation needs.

When Congress passed TEA-21 in 1998, we made a significant commitment to supporting communities' public transportation investments. TEA-21 authorized almost \$8.2 billion over six years to fund new rail projects; \$6 billion of that amount was guaranteed.

In the years since TEA-21's passage, it has become clear that communities' need for New Starts funding has grown even faster than anticipated in 1998. Yet the program has consistently been funded only at the guaranteed level, leaving the remaining authorization unutilized. Now, for the first time, the Appropriations Committee has provided funding for New Starts above the amount guaranteed by TEA-21, appropriating \$100 million of the \$430 million non-guaranteed authorization. I commend the Committee for taking this step toward addressing the growing need for transit funds within TEA-21's statutory framework.

Increased investment in transit will ultimately benefit all Americans. For example, as cities and towns across America are discovering, public transit

can stimulate the economic life of any community. Studies have shown that a nearby transit station increases the value of local businesses and real estate. Increased property values mean more tax revenues to states and local jurisdictions; new business development around a transit station means more jobs. Moreover, I believe the potential of mass transit to help address our nation's current energy crunch has been consistently overlooked. With gas prices soaring and congestion increasing, public transit offers one of the best solutions to America's growing pains.

I am gratified to see that the Appropriations Committee has recognized the strong demand for transit in communities across the country by funding the New Starts program above the guaranteed level. This is an important first step toward addressing America's long-term transportation needs.

PORTS TO PLAINS HIGH PRIORITY CORRIDOR

Mr. ALLARD. Mr. President, I would like to briefly engage the Chairman and Ranking Member of the Senate Transportation Appropriations Subcommittee on a transportation issue important to the State of Colorado.

The Ports to Plains High Priority Corridor is a most pressing issue for my state, however, I have concerns about language currently in the Transportation Appropriations bill. As it stands, the bill contains a \$1 million feasibility study for a section of the corridor on US 64/87 in New Mexico.

Mrs. MURRAY. I would say to the Senator from Colorado that I am certainly aware of the issues surrounding the Ports to Plains corridor and I understand his concerns.

Mr. ALLARD. I appreciate that. As the Senator knows the states of Texas, New Mexico, Oklahoma and Colorado have been engaged for several years now in determining the best route for this TEA-21 authorized trade corridor. Just last week, the Colorado Transportation Commission voted unanimously for designation of the Eastern Colorado route from the Oklahoma panhandle to Denver via US 287. A feasibility study for a New Mexico section of this route would clearly send a signal that Congress intends to legislate that the corridor be routed up Interstate 25 into Denver.

Mr. INHOFE. I would like to add a similar resolution passed by the Oklahoma Transportation Commission also supports US 287 as the preferred route to Denver, CO. I think it should also be noted that the Texas Department of Transportation has indicated that it would defer to Colorado to negotiate the alignment of the northern section of the corridor. I share the concerns of the Senator from Colorado about a New Mexico feasibility study.

Mr. ALLARD. I thank the Senator from Oklahoma for his support. We understand the wishes of our friends in New Mexico. However, we feel that the

overwhelming support for the US 287 route coupled with the massive opposition in Colorado to encouraging any further traffic on Interstate 25 simply needs to be heard. Further, the existence of the Camino Real High Priority Corridor on Interstate 25 should be taken into account—allowing another High Priority Corridor on already-congested Interstate 25 just doesn't make sense. It should be noted that many of the high population centers along Interstate 25 south of Denver have made their opposition to the corridor well known. Those along US 287 in Eastern Colorado have made their support equally as well known.

In fact, just this week, the four states got together one more time and have been able to iron out a compromise that accommodates all parties. Allowing this feasibility study to stay in the bill would further complicate and delay a process that is clearly working.

Mr. SHELBY. I would say to the Senators from Colorado and Oklahoma that I am certainly aware of the actions of the states on this and I would agree that their views are of utmost importance in any final designation. I would share with the Senators that I am hesitant for the Congress to designate routes when the process among the States to determine the corridor's working toward conclusion.

Mrs. MURRAY. I would agree with the distinguished Ranking Member and I agree that we will need to address this in the joint Senate-House Conference Committee.

Mr. SHELBY. I would concur with the Chairman and would say that it is my intent as well to minimize or eliminate Congressional involvement in this issue at this time.

Mr. ALLARD. I thank the Senators for their interest in working with us on this issue. I look forward to the conference committee's outcome.

AIR TRAFFIC INSTRUCTIONAL SERVICES

Mr. SHELBY. Mr. President, the Federal Aviation Administration operates a critical program of proficiency and developmental training for air traffic controllers. It has been demonstrated that this training reduces operational errors and makes the skies safer for the flying public. Over the past several years the Senate Transportation Appropriations Subcommittee has required that the Federal Aviation Administration spend its appropriated funds on the Air Traffic Instructional Services, or ATIS, program and not reprogram these funds to other accounts without approval of the subcommittee. This has worked well in the past and has insured proper expenditure of these funds.

I hope this support for the ATIS program will continue in fiscal year 2002. Is it your understanding that the operational account of the FAA fully funds the budget request for the ATIS program? Do you agree that these funds

are to be spent only on this account unless expressly approved by the Subcommittee?

Mrs. MURRAY. I appreciate the opportunity to address this matter. It is my intention to continue to press for full funding of the ATIS program in conference committee deliberations with the House. It should also be known that the subcommittee believes that full funding for ATIS is critical to the safety of our airways and that any reprogramming by the FAA should be done only after consultation with the subcommittee.

TENNESSEE PUBLIC TRANSPORTATION

Mr. FRIST. Mr. President, I would like to take this opportunity to thank the Chairwoman and Ranking Member of the Subcommittee on Transportation Appropriations for their efforts in securing the 5309 appropriations for public transportation in our state of Tennessee. Our state's public transit programs historically have not received the necessary federal funding critical to supply invaluable services to the people of Tennessee. Our state is one of only five in the nation that provides public transportation to citizens in each county, with eleven rural and twelve urban transit systems servicing all 95 counties. To fund this effort and compensate for lower federal funding in recent years, it is my hope that the Conference Committee will recognize that the \$12 million funding level recommended by the House is fully justify for public transportation initiatives in Tennessee. I have shared my concerns with Senators MURRAY and SHELBY about the importance of effective transit programs in a growing state like ours and I hope that my friends will do all that they can to ensure that Tennessee's public transportation system will be provided \$12 million in federal funding when the Conference Committee convenes. Again let me reiterate my appreciation to the Chairwoman and Ranking Member. I look forward to working with both of you on this issue.

Mr. THOMPSON. Mr. President, I strongly support the words of my good friend and colleague from Tennessee. I, too, would like to thank Chairwoman MURRAY and Ranking Member SHELBY for their leadership on the Transportation Subcommittee. I give my full support to developing effective public transportation programs that serve the needs of all Tennesseans. Our public transit systems have not historically seen the level of federal support they need to develop properly. As our cities grow and our transportation needs change 279 active urban transit buses now exceed their 12-year useful service life. Additionally, there are 218 rural transit vans with mileage in excess of the 100,000-mile service life. The \$12 million funding level provided in the House will improve public safety and reduce maintenance costs while ensur-

ing that an adequate infrastructure is in place to better serve all the counties of our growing state. It is my sincere hope that the Conference Committee will restore the full funding level recommended by the House.

Mr. FRIST. I would like to echo the sentiment of my friend and colleague and reiterate the need to develop and expand public transportation services in our state. The federal contribution to these services has been low for some time. I look forward to working with the Conference Committee to act in the interests of those who depend upon efficient public transportation by providing the full \$12 million, as provided by the House.

Mr. THOMPSON. I thank my colleague from Tennessee for his work on this issue of great importance to thousands of our constituents. I eagerly await with him for action by the Conference Committee.

Mrs. MURRAY. I have duly noted the concerns of my friends from Tennessee and look forward to working with them on this issue.

Mr. SHELBY. I thank the Senator from Tennessee for raising their concerns and I also will work with my friends from Tennessee to address their concerns during conference.

Mr. FRIST. I thank my friends and colleagues. Mr. President, I yield the balance of my time.

ESSENTIAL AIR SERVICE PROGRAM

Ms. SNOWE. I thank the chairman and ranking member of the Appropriations Subcommittee on Transportation for working closely with me and Senator COLLINS on projects of importance to our state, as well as critical national priorities. Your efforts are very much appreciated. As you know, one issue of great importance to my home state of Maine, as a rural state with many small, remote communities, is the U.S. Department of Transportation Essential Air Service—EAS—program. Air service in rural areas is not simply a luxury, it is an imperative. Any municipality or small business owner will tell that without quality, affordable air service, economic development is virtually impossible. The EAS program is designed to ensure that small communities that were served by commercial air carriers prior to deregulation maintain scheduled air service. Today, the EAS program serves over 80 rural communities nationwide. The reality of deregulated air service is that four of Maine's six commercial airports—including the State Capital's airport in Augusta—rely on EAS to have any service to all. Unfortunately, the Administration has proposed a change in the eligibility criteria for the program which would result in the elimination of air service to a number of rural communities nationwide, including Augusta.

Ms. COLLINS. I would like to express my appreciation to the Chairman and

Ranking Member of the Subcommittee as well, and would like to add to what my colleague from Maine has said regarding the EAS program, which is so critical in Maine. The EAS program sustains important economic, social, and quality of life benefits for the rural communities it serves. In Maine's case, Augusta, Maine, the State of Capital, would lose air service. Commercial air service in our Capital is absolutely crucial. Loss of service would undermine the region's economy and hinder the operation of the State government.

Mrs. MURRAY. I am aware of your concern and I can assure you that during the Senate-House conference on this bill, we will keep your views in mind.

Mr. SHELBY. Likewise, I am well aware of your support for the program, and I know how important it is to rural areas including the community of Muscle Shoals, Alabama. I will work with the Chair during the conference to address the concerns you have raised.

Ms. COLLINS. Thank you very much. We appreciate your willingness to address this important matter. We look forward to working with you as the appropriations process continues.

Mrs. SNOWE. Once again, I would like to thank the Subcommittee for its strong support and its willingness to make an effort to address issues of concern to rural states like Maine. Thank you both very much.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the yeas and nays on the bill be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2299), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DASCHLE. Mr. President, I ask unanimous consent that we proceed to