

Mr. CHAFEE. Mr. President, I support the Lautenberg amendment. And people say this is a States rights issue. I would remind everyone that Medicaid, a Federal program, pays for probably the great majority of the injuries that arise from excessive speed and terrible accidents.

So I hope that we will go forward with the speed limit as suggested by the Senator from New Jersey.

Mr. DEWINE. Mr. President, let me talk for a moment about the enforcement issue. Enforcement has always been local enforcement and State enforcement.

What this amendment is going to do is say, while we have a national standard, Congress is no longer—Washington is no longer—micromanaging the enforcement of it. This has always been local, and it will remain local. Predictions: I have only one prediction that I will make. While we cannot guess how many lives will be lost, the prediction is this: If this amendment does not pass, and if the bill goes into effect as written, the speed limits will go up and more people will die. That is what the facts are. That is what the evidence shows us. That is what history shows us. That is the bottom line of this bill.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—51

Akaka	Feingold	Lautenberg
Biden	Feinstein	Leahy
Bingaman	Ford	Levin
Bond	Glenn	Lieberman
Boxer	Gorton	Lugar
Bradley	Harkin	Mikulski
Breaux	Hatfield	Moseley-Braun
Bryan	Heflin	Moynihan
Bumpers	Hollings	Murray
Byrd	Inouye	Nunn
Chafee	Jeffords	Pell
Conrad	Johnston	Pryor
Daschle	Kassebaum	Reid
DeWine	Kennedy	Rockefeller
Dodd	Kerrey	Sarbanes
Dorgan	Kerry	Simon
Exon	Kohl	Wellstone

NAYS—49

Abraham	Graham	Packwood
Ashcroft	Gramm	Pressler
Baucus	Grams	Robb
Bennett	Grassley	Roth
Brown	Gregg	Santorum
Burns	Hatch	Shelby
Campbell	Helms	Simpson
Coats	Hutchison	Smith
Cochran	Inhofe	Snowe
Cohen	Kempthorne	Specter
Coverdell	Kyl	Stevens
Craig	Lott	Stevens
D'Amato	Mack	Thomas
Dole	McCain	Thompson
Domenici	McConnell	Thurmond
Faircloth	Murkowski	Warner
Frist	Nickles	

So the amendment (No. 1427) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, it is my understanding that the Senate will now proceed to a rollcall vote on the Lautenberg amendment. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have been ordered.

AMENDMENT NO. 1428, AS MODIFIED

Mr. LAUTENBERG. Mr. President, in the unanimous-consent agreement that we had before, it said that I would have an opportunity to send a technical modification of the amendment to the desk, and I do that, and then the vote will take place.

Mr. NICKLES. Mr. President, we have no objection to the modification, and I move to table the Lautenberg amendment, as modified.

The PRESIDING OFFICER. Pursuant to the previous order, the amendment will be so modified.

The amendment, as modified, is as follows:

On page 28, between lines 9 and 10, insert the following:

SEC. 1 . POSTING OF MAXIMUM SPEED LIMITS.

(a) IN GENERAL.—Section 154 of title 23, United States Code (as amended by section 115), is further amended—

(1) by striking the section heading and inserting the following:

“§ 154. National maximum speed limit”;

(2) in subsection (b)—

(A) by striking “(b) MOTOR VEHICLE.—In this section, the” and inserting the following:

“(b) DEFINITIONS.—In this section:

“(1) MOTOR VEHICLE.—The”;

“(B) by adding at the end the following:

“(2) PASSENGER VEHICLE.—The term ‘passenger vehicle’ means any vehicle driven or drawn by mechanical power manufactured primarily for use on public highways (except any vehicle operated exclusively on a rail or rails) that is not a motor vehicle.”;

(3) by adding at the end the following:

“(g) POSTING OF SPEED LIMITS FOR PASSENGER VEHICLES.—The Secretary shall not approve any project under section 106 in any State that has failed to post a speed limit for passenger vehicles in conformance with the speed limits required for approval of a project under subsection (a), except that a State may post a lower speed limit for the vehicles.”.

(b) CERTIFICATION.—The first sentence of section 141(a) of title 23, United States Code, is amended by inserting before the period at the end the following: “with respect to motor vehicles, and posting all speed limits on public highways in accordance with section 154(g) with respect to passenger vehicles”.

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 154 and inserting the following:

“154. National maximum speed limit.”.

Mr. NICKLES. I ask for the yeas and nays.

The PRESIDING OFFICER. The motion to table has been made. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 1428, as modified. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

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

The result was announced—yeas 65, nays 35, as follows:

[Rollcall Vote No. 270 Leg.]

YEAS—65

Abraham	Feingold	Mack
Akaka	Frist	McCain
Ashcroft	Gorton	McConnell
Baucus	Graham	Murkowski
Bennett	Gramm	Nickles
Bingaman	Grams	Nunn
Bond	Grassley	Packwood
Breaux	Gregg	Pressler
Brown	Hatch	Reid
Bryan	Helms	Robb
Burns	Hutchison	Roth
Campbell	Inhofe	Santorum
Coats	Inouye	Shelby
Cochran	Jeffords	Simpson
Cohen	Johnston	Smith
Conrad	Kassebaum	Snowe
Coverdell	Kempthorne	Specter
Craig	Kerry	Stevens
D'Amato	Kyl	Thomas
Dole	Leahy	Thompson
Domenici	Lott	Thurmond
Faircloth	Lugar	

NAYS—35

Biden	Ford	Mikulski
Boxer	Glenn	Moseley-Braun
Bradley	Harkin	Moynihan
Bumpers	Hatfield	Murray
Byrd	Heflin	Pell
Chafee	Hollings	Pryor
Daschle	Kennedy	Rockefeller
DeWine	Kerrey	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Warner
Exon	Levin	Wellstone
Feinstein	Lieberman	

So the motion to lay on the table the amendment (No. 1428), as modified, was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. ABRAHAM. Mr. President, I move to lay it on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15.

Thereupon, at 1:01 p.m., the Senate recessed until 2:13 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. KYL).

The PRESIDING OFFICER. The Senator from Massachusetts.

THE FOSTER NOMINATION

Mr. KENNEDY. Mr. President, yesterday, the majority leader met with Dr. Henry Foster, President Clinton's nominee for Surgeon General. After that meeting, he proposed a cloture vote on the nomination to take place at some point in the near future.

While I am pleased about this progress, the proposed cloture vote is