

the Transportation Subcommittee to have Amtrak extend to Maine to get this little bridge fixed up to there, to get that little road fixed up there. Never was it said in these requests, "Now I know that we are asking for more than we should based on what we paid into the fund." The request was a legitimate one to the Federal Government.

Colorado—I know Colorado well. It is a State I love and have visited many times. I have recommended funding for Colorado highways, viaducts—the 23d Street viaduct in Denver, CO, because it was recommended. I recommended supporting the funding there. And it goes on place after place after place.

So this sudden shock that suggests that, "Well, you want the States to pay for their miscreants? You want States to pay for their deeds that they commit that cost the Government money?" Yes. Of course. Everybody pays their fair share. That is the way the game gets played. We are not talking about taking away food stamps or farm subsidies. We are talking about a very specific thing related to a very specific group which has a high incidence of injury and death relative to other types of transportation—very high incidence, often long-term illness, lifetime in many cases, for whom we pay extraordinarily high costs.

What the amendment of the Senator from Texas says is, if you do not take the appropriate precautions, that is a right that apparently is yours. But you have no right to assess the rest of the country bills for decisions that you make that cost us money. We have all kinds of laws regulating behavior.

I am surprised that we are debating this. We have laws against drinking and driving. We have laws against driving without a license. We have all kinds of laws that say this is the way society ought to conduct itself. We are, I remind my friends, a nation of laws. That means that there is a structure of conduct of behavior, to use the term of the Senator from Maine. There is a structure of behavior that you have to have in a society that has 250 million people, many with different interests, different backgrounds, different ideas about how we ought to conduct ourselves.

So we are a nation of laws. As a consequence of that we are going to be subject to some laws that we do not like. We are going to be subject to some restrictions that we may disagree with. But it is an essential factor in a complex society, in a complex world.

So we can disagree on a particular thing or another without suggesting that the sky is falling down, and that, if you do one thing, it is going to hurt everything else. Each one of these subjects is fair game. If someone wants to propose an amendment that would have penalties for not using sensible safety rules within a State, they have the right to do it. That is the nature of things. But let not the Senator from Texas be cowed by the threat that per-

haps there will be other amendments to follow.

We are here. We are here to do what we have to do in the interest of this highway bill. And if these amendments affect that, then I think we just have to proceed ahead.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

ORDER OF PROCEDURE

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate go into morning business not to exceed a minute and a half, and then return to the bill.

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

SENATOR WARNER'S VOTE ON CLOTURE

Mr. WARNER. Mr. President, at the present time my office is being overwhelmed with pressing calls with respect to the scheduled cloture vote tomorrow.

I wish to announce at this time that my vote tomorrow will be consistent with my vote today which is in opposition to cloture.

I thank the Chair.

NATIONAL HIGHWAY SYSTEM DESIGNATION ACT

The Senate continued with the consideration of the bill.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I would like to take a couple of minutes to finish and answer just a couple of things that were said.

First, in relation to what the Senator from New Jersey said, I do not think that we need to talk about what other areas might arise from some innovative approach to this amendment. This amendment is very simple and very straightforward. We are not talking about penalizing the States. We are talking about letting them do as they wish, do something that could add to the medical costs because we know this is a safety issue, and if they decide to exercise that right that they take the responsibility for it.

I think it is pretty simple. I think that Members are going to start seeing as we go down the road pursuing the unfunded mandates theory, and as we are turning things back to the States, the States are going to take responsibility for what they do. That is part of returning the power to the States, which I think is right thing to do.

So I support the underlying amendment. This is not a gutting amendment at all. It is an amendment that I think is the correct thing—that, if the States decide that they are going to opt out from the Federal helmet laws, they

take the responsibility for doing that. I think it is very simple and straightforward.

I urge the adoption of the amendment.

Thank you, Mr. President.

I yield the floor.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Thank you, Mr. President.

Just very briefly in response to what the Senator from New Jersey was talking about, that we have laws with respect to the drunk driving. The interesting part is how this amendment would not have an impact on somebody who is drunk while driving, or reckless driving, or somebody who overdoses on drugs, and all of these categories. They happen to be eligible for Medicaid, and Medicare. They still will get medical care. But a motorcycle rider who may not be wearing a helmet, abiding by State laws, gets in an accident, may not be any fault of their own, but would be denied medical care because they were not wearing a helmet even though they were abiding by that State's law, I do not think that is the approach that we should adopt.

I urge Members of the Senate to reject the amendment offered by Senator HUTCHISON.

Ms. SNOWE. Mr. President, I make the motion to table the amendment.

The PRESIDING OFFICER. The question is on the motion.

Ms. SNOWE. I 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.

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

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Arizona [Mr. MCCAIN] is necessarily absent.

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

The result was announced—yeas 60, nays 39, as follows:

[Rollcall Vote No. 275 Leg.]

YEAS—60

Abraham	D'Amato	Inhofe
Ashcroft	Daschle	Jeffords
Baucus	DeWine	Kassebaum
Bennett	Dole	Kempthorne
Bingaman	Domenici	Kohl
Boxer	Dorgan	Kyl
Bradley	Exon	Leahy
Brown	Feingold	Lott
Burns	Frist	Lugar
Campbell	Graham	McConnell
Coats	Grams	Moseley-Braun
Cochran	Grassley	Murkowski
Cohen	Gregg	Nickles
Conrad	Hatch	Nunn
Coverdell	Hatfield	Packwood
Craig	Helms	Pressler