her dire situation, this woman was able to think of people less fortunate than herself. That spirit of kindness and generosity helped us to survive the ''Ice Storm of the Century.''

Unfortunately, while kindness and good will and generosity and a sense of community helped us to get through the worst of the storm, they alone cannot complete the recovery.

Mainers experienced serious financial and property losses as a result of the storm. Early estimates put the damages to homes, businesses, utilities and public property at well over $100 million, and it is still growing. The estimated cost of repairs to Maine's power grid alone is a staggering $70 million, and that is money the ratepayers of Maine will have to bear unless there is assistance forthcoming from the Federal Government.

However, simply attaching a dollar amount to the damage fails to provide a true picture of the devastation experienced by virtually the entire State of Maine. To give you a more vivid idea of the destruction of the ice storm of 1998, I want to share some statistics with my colleagues.

During this ice storm, 7 out of 10 Mainers lost power, some for as long as 14 days; schools across the southern and central portion of the State closed for many days, some for over 2 weeks; all of Maine's 16 counties were declared Federal disaster areas; at just one hospital in central Maine, more than 80 people were treated for carbon monoxide poisoning, 4 people, unfortunately, died of carbon monoxide poisoning; thousands of families were forced into more than 100 emergency shelters across the State, hundreds of thousands of others spent the night with their families, with family members, neighbors or friends; more than 11 million acres of Maine's forest lands—that is more than half of the State's total—were damaged by the storm. Of this total more than 3 million acres are classified as severely damaged; 1,200 utility crews from as far away as Nova Scotia to North Carolina were sent to Maine to help restore power lines. We are very grateful for that assistance; our telephone company, Bell Atlantic, dispatched 625 fieldworkers, several of whom were on loan from other States; in a remarkable development, the Department of Defense actually airlifted bucket trucks and power crews to help us with the repairs; manufacturers of electric parts from as far away as Alabama worked overtime for 10 days to help meet our power company's needs; 3 million feet of electrical cable were irreparably damaged and nearly 3,000 utility poles had to be replaced. Think of how sturdy a utility pole is. We lost 3,000 of them during this storm.

Even after the debris has been removed and our electric infrastructure has been repaired, much of Maine's natural resources based economy will take years to recover. Dairy farmers, maple syrup producers, apple growers, and our forestry industry were particularly hard hit. In addition, because of the countless downed trees and limbs, some of the 11 million acres of damaged forest lands will remain vulnerable to fire and to insect attacks for years to come. Neighbors, Government agencies and nonprofit organizations rallied to the support of the hundreds of thousands of Mainers displaced by the ice storm, but it will take a strong commitment from the Federal Government for Mainers to truly complete the process of putting their homes, their bases and their communities back together.

Vice President GORE's tour of the hardest-hit areas and the prompt assistance of FEMA, HUD and SBA demonstrate the Federal Government's concern for Mainers and their commitment to recovery efforts. But additional help is needed. So as we enjoy the comfortable spring-like temperatures in Washington, DC, I urge my colleagues not to forget the Mainers buried in ice and snow. I hope that my colleagues will remember these statistics and the photographs that the senior Senator from Maine and I have shown you today in the coming weeks as we join with other members of the Maine delegation in asking for my colleagues' assistance through a supplemental appropriation for disaster relief.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized.

Mr. CLELAND. I thank the Chair.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT REAUTHORIZATION

Mr. CLELAND. Mr. President, I would like to speak today in support of the reauthorization of the Intermodal Surface Transportation and Efficiency Act, better known as ISTEA. More importantly, I am here today to add my voice to that of the distinguished senior Senator from West Virginia, who has made an eloquent and persuasive case for bringing this legislation to the floor for consideration at the earliest possible opportunity.

That I believe was the commitment the Senate made to the American people prior to our early adjournment last year. In the last several days, I paid close attention to that said by my colleagues, many of whom in the Senate have commented on this matter. I would like to make just a few observations.

One of the most striking aspects of the debate which is apparently delaying the Senate's consideration of ISTEA is that it is taking place at all. It is not all that uncommon, I suppose, based on my limited time here, that we argue how to utilize supposedly dedicated trust fund moneys. I am here today to say that these trust fund dollars, whether for Social Security or transportation, are not ours to allocate as we see fit. They are collected from the American people based on specific usage, and we have been entrusted with the responsibility of ensuring that in the case of transportation the taxpayers' gas tax dollars are used for our great country's critical infrastructure needs.

Unlike the Senator from West Virginia, I am not an expert on the Roman Republic and the Roman Empire, but I am a student of history, and I believe that ancient Rome was one the world's earliest and most successful civilizations. Some scholars would say it was good government that allowed the empire to survive as long as it did.

Others believe that it was the strength of the Roman army. In my opinion, one of the most enduring legacies of the Empire, carried on in our American civilization today, is the practice of building roads to facilitate commerce and defense. America's transportation system is the envy of the world and so is the commerce it facilitates. I'll add that the Roman Empire was once the envy of the world too. Where is it now? With apologies to Gibbon, maybe their government failed to pass its transportation funding in a timely fashion.

By delaying the reauthorization of this multibillion-dollar ISTEA funding we put at jeopardy not only commerce and defense but the very lives and livelihoods of those who send us here. Recently I was contacted by a Georgia hospital on a different matter, but it did concern a road project in Georgia. They made the case for the need for a particular transportation corridor and stressed the difficulty their emergency service vehicles were having in this area. When we put off, day after day, action on this legislation, we impede, and sometimes, stop action on projects which may be critical to an area's economy, or vital for highway safety.

Many Senators, Democrat and Republican, North and South, East and West, have all made the case that we need to take up ISTEA legislation, and I respectfully join those colleagues in urging prompt action. We must take up this legislation now. That was the promise that was made to the American people.

When we make commitments, Mr. President, we must stick to them. We simply cannot be a body of continuing resolutions. That is not good government and it does not serve the people well. I know the leadership has heard about this a great deal the last 2 weeks, but I must respectfully request that we take up this legislation now; let's bring this matter to the floor now.

Mr. President, ISTEA legislation is important to our largest cities and our smallest communities alike. It's about jobs, safety, commerce, defense, and it's about the future. It's too important to put off until an uncertain future date. We have a responsibility to act now. Let us do the work required of us.

Mr. President, I yield the floor and I yield any remaining time to the distinguished Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for up to 20 minutes.

Mr. BYRD. Mr. President, I thank my distinguished colleague, Senator MAX CLELAND, for his fine statement urging action on the ISTEA bill now.

Mr. President, bad roads are killers. In 1996, nearly 42,000 people lost their lives in traffic accidents on America's highways; in 1996, 355 of those fatalities occurred in West Virginia. The Federal Highway Administration (FHWA) maintains that poor road designs and conditions are a contributing factor in at least 30 percent of those fatal crashes. That works out to more than 12,000 Americans—over 100 West Virginians—whose lives could be saved each year by an investment in better, safer roads. These fatalities are not just numbers. They are lives, precious lives lost because we are not spending the money that is needed to make our highways safe.

And roadway fatalities are on the rise, having risen in each of the past 5 years. Highway crashes are now the fifth highest cause of all deaths and the leading cause of death for young people between the ages of 6 and 27.

This national problem can be blamed, at least in part, on the deplorable and deteriorating condition of our Nation's highways and bridges. Of the 950,215 road-miles eligible for Federal funds, the Federal Highway Administration, in its biennial Performance and Conditions Report, found that 28 percent of the pavement mileage is poor or mediocre in condition, meaning it needs immediate repair to remain passable. The FHWA also reports that the country has 181,748 bridges, in other words, 31 percent of all bridges over 20 feet in length, that are structurally deficient or functionally obsolete. The report estimates that nationwide investments must average $54.8 billion annually just to maintain current road and bridge conditions over the next 20 years, $74 billion annually to improve the highway network. Currently, all levels of government, Federal, State, and local combined, are investing only $34.8 billion annually. That means we are not even coming close to making the investments necessary to maintain our vital highway infrastructure.

Fortunately, this trend can be reversed. Well designed and maintained roads will increase our safety by reducing vehicle deaths and injuries. They also save Americans the anguish of losing a loved one.

The Federal Highway Administration has conducted extensive research on the lifesaving improvements that can be made to our highways and bridges. According to Federal Highway Administration research: Widening a road lane by 1 foot can lower crash rates by 12 percent. Widening a road lane by 2 feet can lower accident rates by 23 percent.

The construction of medians for traffic separation can reduce fatal crash rates by 73 percent. This is information from the Federal Highway Administration. The term ''fatal crash rate'' means the number of fatal crashes per 100 million vehicle miles traveled. Shoulder widening can lower fatal crash rates by 22 percent, and one of the lives that is saved may be yours, yours—and roadway alignment improvements can lower fatal crash rates by 66 percent. These are huge figures.

Widening or modifying a bridge reduces fatal crash rates by 49 percent, and constructing a new bridge when the current one is deficient can reduce fatal crash rates by 86 percent.

I well remember, and shall never forget, the fatal collapse of the Silver Bridge at Point Pleasant, WV, in 1967, in which collapse 46 people plunged to their deaths in the cold waters of the Ohio, the Ohio River; 46 people plunged to their deaths in 1967, 31 years ago, when the Silver Bridge at Point Pleasant collapsed.

So, constructing new bridges when the current bridges are deficient can reduce fatal crash rates by 86 percent. Upgrading bridge ratings can cut fatal crash rates by 75 percent.

In addition, the number of lanes on a road has an impact on safety. National statistics show that four-lane divided highways are substantially safer than other roads. Four-lane divided highways are substantially safer than other roads.

May I say to my distinguished colleague from West Virginia, Senator ROCKEFELLER, that when I was in the legislature in West Virginia in 1947, 51 years ago, West Virginia had a total of 4 miles—West Virginia had a total of 4 miles of divided four-lane highway; 51 years ago. Four miles. That was it for the entire State. And today there are almost 900 miles of divided, four-lane highways.

National statistics show that four-lane divided highways are substantially safer than other roads. In 1995, 77 percent of all fatal crashes—get that, 3 out of 4—77 percent of all fatal crashes occurred on two-lane roads, while only 5 percent of those crashes took place on four-lane divided highways.

Of course, making the types of improvements I just outlined will cost money. But making that investment will reap human dividends. According to the Department of Transportation's 1996 Annual Report on Highway Safety Improvement Programs, every $100 million invested in roadway safety improvements will result in 144—12 dozen—144 fewer traffic fatalities.

And now, Mr. President, we arrive at the crux of the matter. The U.S. Senate is sitting idle. Not exactly sitting idle. There are other matters that are being considered and they are not unimportant. But insofar as doing something about the highway conditions of the country is concerned, the United States is sitting idle—the U.S. Senate and House are sitting idle when Congress should be working to finish the ISTEA bill, a bill which was brought up last October and debated, or at least it was before the Senate for about 21 days and then it was taken down and a short-term, stop-gap highway authorization measure was enacted, which will expire at midnight—midnight, when the clock strikes 12, midnight, on May 1, just 43—43—days away. Mr. President, there is a time bomb ticking here. Congress has 43 session days. Let's talk about the Senate. The Senate has 43 session days remaining, and that includes today; 43 session days remaining until midnight May 1. So 43 days includes today and includes May 1. The clock is ticking, and the time bomb is ticking.

Roadway safety depends on the uninterrupted flow of Federal highway funds, and yet the Senate is literally inviting a shutdown of our State and Federal highway programs by delaying action on ISTEA II. Forty-three days, 43 session days when the Senate will be in session, not including Saturdays and Sundays and holidays.

Senators don't have to just take my word for that. Let's see what the law says. The short-term highway bill that the Senate passed and the House passed and was signed into law by President Clinton on December 1 of last year, let's see what that law says. That is the short-term highway authorization bill by which the time was extended 6 months, the authorization for highway programs, spending on highway programs.

Let's see what Public Law 105–130, the Surface Transportation Extension Act of 1997 says, in part. Hear it:

> A State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998.

There it is. That's the law, and further obligating by State road systems or transit systems after midnight on May 1 will be illegal. Further obligating funds for highway programs after midnight on May 1 will be against the law. Let's read it again. This is the law:

> A State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998.

Now, I hope that the Governors and the mayors and the highway agencies out there across the country will consider that language that I just read. You must know that after midnight May 1 of this year, you, the highway agencies of this country, will not be permitted to obligate further funding for Federal aid highway programs. And that is just 43 days away, including today. ''Time Bomb Ticking.'' That's it.

So if we postpone debate on ISTEA II until after finishing the fiscal year 1999 budget resolution—that is what some of the budgeteers in the Senate are importuning the Senate majority leader to do—delay, delay, don't take up the 6-year full-term extension of the highway authorization legislation, don't do that until the budget resolution is taken up.

Well, if we postpone debate on ISTEA II until after finishing the fiscal year

1999 budget resolution, the earliest then that the Senate will take up the highway bill will be late April, after the spring recess, and that assumes that we meet the April 15 statutory deadline for the budget, which we are not accustomed to doing.

But let us assume that miraculously—I still believe in miracles, but not here on this floor—let us assume that miraculously we meet the deadline and turn to ISTEA II first thing on April 20, that would leave less than 2 weeks before the May 1 funding deadline, after which States will be prohibited by law from obligating any Federal highway funds. If we wait until after the budget to consider ISTEA II, we are virtually guaranteeing—guaranteeing—that Federal highway funds will be cut off—will be cut off.

That is why the highway bill cannot wait. That is why it should not wait. Given the needs that exist on our Nation's highways and the safety risk which current conditions pose, we cannot afford to delay lifesaving highway projects. The Senate must turn to the ISTEA bill now. The time bomb is ticking—tick, tick, tick, tick. Time for action is now.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from West Virginia has 1 minute 3 seconds remaining.

Mr. BYRD. I yield that to my distinguished colleague, and that will give him more than 11 minutes, I believe.

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. I thank the Chair. I yield the floor.

Mr. ROCKEFELLER. Mr. President, I thank my esteemed senior colleague from West Virginia. The junior Senator doesn't believe he will need 11 minutes, but I am grateful to have that opportunity. As needs to be said, Senator BYRD has been remarkable in his fight for roads and infrastructure, and not just for roads for West Virginia, but also as a fighter for roads for Arkansas and every other state in this country.

My senior colleague and I—I having been Governor for 8 years, my senior colleague having worked on this problem for many, many years—we are intimately acquainted with the nature of what four-lane highways and federally qualified roads, like route 33 and route 250, can mean. So this is not a minor issue to us.

I am here on the floor to ask therefore why it is that the Senate still isn't acting on the highway bill. Why is it? I pick up the RECORD of yesterday. It is not enormously thick. There is not a lot on our calendar. My senior colleague talked about the Senate sitting idly by. We have cast a handful of votes since reconvening. We had one vote today. It may be our last one for the day. We had a couple votes yesterday. They were not votes, Mr. President, that required enormous amounts of debate. We had time laid out for debate, but they were on individual judges about whom people already felt one way or another.

One has a sense that we are filling time. I don't say that in a partisan way, I say that in just a sort of generally frustrated way. In my 13 years in the U.S. Senate, this feels like the slowest start to a year in which we have so many things that we need to accomplish.

So the excuse of not moving on the reauthorization of the Intermodal Surface Transportation Efficiency Act—an incredible name, I agree, but incredibly important legislation it is—simply escapes me. Why wouldn't we be doing it?

I can remember when I was Governor working with my senior colleague, Senator BYRD, and Senator Randolph on an amendment in this area to help West Virginia and other states obtain the matching money they needed to apply for.

The people of my State, the people of all the States where roads are needed and construction needs to be finished, where bridges need to be completed, are facing a cut-off of funds that carries no logic to it, as far as I can understand. If there is a formula problem, and there always is because that is the way we classically operate in the Senate, we should set a deadline to resolve the problem. We need to face up to a real deadline—my senior colleague is making this point, Mr. President—because waiting longer doesn't just put off the day when we even start to try to deal with these and the other outstanding issues.

But we can resolve those issues. The Senate has resolved far more contentious issues than these. So I don't have any doubt about that. I do have a very strong sense of the damage that failure to act on the highway bill will do to the State that my senior colleague and I represent. It happens to be a State which has almost no flat land. I think about 4 percent of our land is flat.

I am very familiar with the Presiding Officer's State, because my uncle was Governor of Arkansas and my first cousin now is Lieutenant Governor, as the Presiding Officer and I have discussed. I know the Ozarks are a part of Arkansas. It is very difficult there. There are also lots of mountains. West Virginia is mostly mountains. It is the oldest mountain system in the world. The Appalachian Mountains are the oldest mountains in the world. They have been worn down over the centuries, but they are very formidable and still blanket the greatest part of our State.

So I would say to my senior colleague, I can remember the last year I was Governor, it cost, for about a mile of interstate or a mile of Appalachian corridor highway, about $17 million to build a mile. That was back in 1984. I have to assume that we are talking now $25 million to $30 million per mile—per mile.

Completing and upgrading our roads is a terribly urgent situation for West Virginia. We have Corridor H which we have to finish. Some people complain that my senior colleague puts so much emphasis on Corridor H. I would say that we in West Virginia are very grateful that Senator BYRD is doing just that because it is the only way we are going to get this critical road finished.

If I can just explain the importance of roads like Corridor H and reflect on the urgent need for this ISTEA reauthorization, is to remind people listening that you still really can't get from the east coast into the central part of West Virginia or any part of West Virginia easily.

You know, trucks are not willing to drive on two-lane highways. We wish that they could, but they do not. And we have a very difficult aviation situation which some of us are also working on very hard. We have an ample amount of rivers and barges, but even there, Senator BYRD and some of my colleagues in the House have to work very, very hard to modernize the lock system, many of which were built, 50, 60, 70 years ago.

So transportation for us is not what it is, let us say, for some other States which are relatively flat or have very warm climates so that roads last far longer. We not only constantly have to repair our existing roads, but we also have not even completed our basic road system. And that is terribly disadvantageous.

You can track the economy of West Virginia, how well certain places are doing, and others are not doing, based upon how close they are to a four-lane highway. That is not unique to West Virginia, but it is West Virginia at this moment for which I speak and this Senator speaks. And, therefore, I feel very strongly about this situation.

Roads supply jobs. Why can't we look at it that way? I can remember when we were building what we call the turnpike in West Virginia, which was meant originally to be a four-lane highway and ended up to be a two-lane highway. How that happened is a mystery which has been shrouded in the history of West Virginia for many years of speculation. But the point is, building that highway involved going through some of the worst, steepest part of the beautiful, gorgeously beautiful southern mountains. And that was an enormous project. I mean, it is not like building roads in many other parts of the country—you have to build huge abutments of towering concrete walls as you cut into the side of mountains. The work involves phenomenal engineering feats. It is like building the Panama Canal to put an Appalachia corridor or interstate in most parts of West Virginia.

The construction jobs that stem from roads are tremendously important to us. The Nation's unemployment is low. But in West Virginia, our rate is approximately twice the Nation's unemployment. Every job is important to us. There is not a single job in West Virginia that anybody takes for granted. There is not a single job in West

Virginia, the potential for a job, that people do not clamor for, try for.

Toyota recently moved some of their production to West Virginia. And they are going to make half of all of their engines in North America and Canada in West Virginia. They had a need for 300 workers, and they got applications from 25,000 people. What does that tell you? Obviously some were from Ohio, some from Kentucky, some perhaps from Virginia, but we want the work.

We want the work, we want the roads, and we want the roads so then we can further create the jobs. In fact, to make the point, Toyota would not be in West Virginia if it were not for Interstate 64. They openly declare themselves to locate their plants close to where Interstate 64 is whether it be Kentucky, West Virginia or wherever.

So the economic need for turning our attention to the ISTEA reauthorization bill is obvious and clear-cut to my constituency. Our States wait to know whether they can go ahead with their infrastructure plans. They watch us approve a couple of judges and work on a couple things. We had a vote on a cloning bill this morning. It wasn't cloning, it was what leads up to cloning. Maybe we will get around to another vote this afternoon; maybe we will not.

But, good grief, this highway bill has to be done, Mr. President. It has to be done. This is the people's will. We made them a promise with the 6-month extension. And we are not keeping that promise. And there is no reason not to. It is a bill which does good. And again, there may be argument about the formula, but however it comes out, it is going to do every single State an enormous benefit.

And I have to say one last time that our State will benefit enormously from this legislation and needs this legislation to pass. We have not finished our road system. We do not have the prosperity that we deserve in West Virginia for which our people have struggled for a hundred years or more. Coal is diminishing. Only 6 percent of our work force is involved in coal.

We need to have manufacturing and we need to expand our intellectual and technological activity. We need to have all kinds of things. We cannot rely on coal and steel as much as we used to.

So I make the point that Corridor H has to be finished. It is absolutely a requirement for the State. Corridor D needs to be finished. As my senior colleague knows better than anybody, that has been nearly finished except for a few miles, but those miles are enormously expensive miles, and they have been languishing now for 2 decades or more. And that is what connects the western part of our State with Ohio and the rest of the Nation.

West Virginia is enclosed by enormous States: Pennsylvania, Ohio, Kentucky, Virginia, and Maryland. People cannot get out or cannot get in unless they can drive out or in or fly out or in. And they cannot fly out or in easily, so they have to drive. You cannot canoe down the Ohio River and up the Little Kanawha. You have to be able to drive.

So I simply say, in lending my very, very strong support to Senator BYRD's efforts, and as somebody who was a Governor for 8 years and understands the economic significance of our infrastructure, that there is no reason to go on with this uncertainty. There is simply no excuse. I join my senior colleague, and praise him for all he has done in carrying the fight over the years and carrying it almost single-handedly. I urge my colleagues to join with Senator BYRD and join with Senator DORGAN, who was speaking earlier, and others, so that we can get immediate consideration of ISTEA. It is the right thing for the Nation. It will benefit our State and the Presiding Officer's State. And we have no reason at all not to be doing the people's business in this critical area.

I thank my senior colleague, and I thank the Presiding Officer.

Mr. BYRD. Mr. President, is any time remaining?

The PRESIDING OFFICER. Time has just expired.

Mr. BYRD. Mr. President, I ask unanimous consent to proceed for 3 minutes, after which I ask unanimous consent that the distinguished Senator from Texas, Mr. GRAMM, may proceed for not to exceed 15 minutes. I do not see any other Senator seeking recognition.

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

Mr. BYRD. Mr. President, I thank my distinguished colleague, Senator ROCKEFELLER, former Governor from West Virginia, who served 2 terms as Governor. I thank him for joining in urging that the ISTEA bill be called up at this time. And he made the point that partisanship isn't involved here. There is no partisanship in this.

Both sides of the aisle—there are Senators on both sides of the aisle who want ISTEA, the ISTEA bill to be called up. And there are Senators on both sides of the aisle who are supporting the amendment, the Byrd-Gramm-Baucus-Warner amendment, which would provide for the moneys that are in the trust fund, the moneys that the American people have paid at the gas pump, the 4.3-cent gas tax, for example. That is doing nothing now except building up surpluses in the trust fund.

There are Senators on both sides of the aisle, Republicans and Democrats, who want to see those moneys that are spent by the American people out there in the form of gas taxes, who want to see those spent for highways to improve highways and mass transit programs. As of now, they are just building surpluses; they are not being spent for anything.

There are those in this Senate who are importuning the distinguished majority leader not to call up this highway bill right now because they want to wait until after the budget resolution is adopted so that these moneys in the trust fund can be spent for social programs, and so on, that the administration and some Senators, of course, want to spend those moneys on. But the American people believe, because they have been told, that the moneys in the trust fund should be spent for highway improvements and transit improvements.

I have not said much on the West Virginia angle of this, but I intend to. But that is what the amendment which Senator GRAMM and Senator BAUCUS and Senator WARNER and I and 50 other Senators, making a total of 54 Senators, are urging, that that ISTEA bill be brought up, urging that the money in the highway trust fund be spent for highways to improve the highways and to improve transit programs.

So that money is there. And, as I say, there are some on the Budget Committee, not all, some on the Budget Committee who are importuning the leader, the majority leader, not to bring up ISTEA now—keep it, wait, wait until after the budget resolution is brought up. And those particular Senators, in my judgment, do not want to see those gas tax moneys spent on highways. They want to spend them on other programs.

So, Mr. President, I again urge that the leadership keep its commitment to the Senate and call up this highway bill. I can understand the pressures on the majority leader. I have been majority leader. And I can understand the pressures that are on the majority leader from other Senators. And, as I say, I have a feeling that the majority leader, if he did not have those pressures, would have the ISTEA bill brought up now. I have a feeling—I certainly have a hope—that he would support the amendment that 53 of my colleagues are supporting.

Mr. President, I again thank my distinguished colleague from West Virginia, especially for his reference to Corridor H and Corridor D and other corridors in West Virginia.

I ask unanimous consent for 1 additional minute.

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

Mr. BYRD. Mr. President, there is a small vocal group in West Virginia that opposes Corridor H. But there was a poll taken in West Virginia within the last 2 weeks, I believe, that showed that 80 percent—79 percent of West Virginians support the completion of Corridor H inside West Virginia. Only about 6 percent—6 percent—of the people are very opposed, and that is the highly vocal group over there that has been opposing Corridor H. Of course, they have some people over in some of the adjoining States who add their voices to the small 6 percent in West Virginia who are opposed to completing Corridor H. About 8 or 9 percent, as I understand it, from the poll do not take any position one way or another. But 79 percent take a strong position

for the completion of Corridor H inside West Virginia.

So my colleague mentioned Corridor H. And I hope that eventually in my lifetime we can see Corridor H completed inside West Virginia. It has been promised to the people of West Virginia for 33 years. And the Appalachian highway system has been promised to the 13 States in Appalachia for 33 years. It is 78 percent complete in the region, 74 percent in West Virginia.

The time bomb is ticking. I hope that we can get that bill up and let the Senate work its will on these amendments, my amendment included.

Mr. President, I again thank the distinguished Senator from West Virginia, Mr. ROCKEFELLER. I thank the Chair and thank my colleague from Texas for his patience.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I thank our dear colleague from West Virginia. It has been a great honor for me to work with him on this. I believe we are going to win on this amendment. We have 54 cosponsors. We probably have 25 other Members of the Senate who are ready to vote for the bill. We gain strength every day.

There is only one thing that is stopping us from passing a new highway bill that can begin providing money to build highways all across America on May the 2nd. And that one thing is that we have been unable to bring the highway bill up so that we can offer the amendment, our amendment, by forcing the Government to live up to the commitment it has made to the American people when it puts on a gasoline pump that about a third of the cost of a gallon of gasoline is taxes. But the good news is, those taxes go to build roads. What we are trying to do is to force the Government to do what it tells people it is doing, and that is, spend the money on roads.

We now know that between 25 and 30 cents out of every dollar collected in gasoline taxes has been going to fund everything except highways. And so what our amendment is trying to do is to require truth in Government by saying that gasoline taxes have to, in an orderly, fiscally responsible manner, be spent on highways.

This is a big deal. This is a very big deal in every State in the Union. What it means in my State, what it means in West Virginia, what it means in every State in the Union is roughly a 25 percent increase in the amount of money that is available to build roads beginning on May the 2nd.

We are not talking about doing something that is going to be felt in your State in the sweet bye and bye. This is something that on May the 2nd we can begin to see States letting contracts, putting people to work, pouring concrete, pressing asphalt, improving the quality of our roads and highways, saving lives, creating jobs, reducing the amount of time that we all spend in traffic, improving the environment in the country. You could list 100 things that are positive for America that will occur, beginning on May 2, if we can pass this amendment and pass the highway bill.

Now, Senator BYRD and I have spoken virtually every day for the last 2 or 3 weeks, and we have made a series of points that no one who opposes the amendment has come down to try to argue against. Those points are basically the following: Gasoline taxes have historically been devoted to road construction; the American people are led to believe this by every sign on every gasoline pump in America. They are paying lots of taxes, but the good news is it is a user fee for roads. And yet that is not the case today nor has it been the case through the 1990s. Money has been collected in gasoline taxes and spent on other things.

Second, we have established very clearly that this amendment does not bust the budget. Nothing in this amendment raises the total level of spending. What this amendment does is it requires that the money collected for road construction be spent for road construction and nothing else.

In fact, one of our colleagues, in arguing against the amendment, posed the question to Senator BYRD and to me, ''If you spend this money on highways, that means we are not going to be able to spend it on the other things we want to spend the money on.''

I think it can be argued in two ways. The first argument is that we have a desperate need for highways in America—31,000 miles of roads in my State are substandard. We have thousands of bridges that have been certified as not being safe. We are basically now at a point in Texas that half of the money we have for roads goes to just maintain the roads we have. The expected life of a road is between 30 and 40 years, depending on where it is built. We built our great farm-to-market roads in Texas in the 1930s and 1940s. We have long since exceeded the life of those roads. Our busiest roads in Texas, our interstates, were built in the 1960s. They are heavily used, some beyond 100 percent capacity, and they are reaching the end of their economic life.

What do we spend on in Government that is more critical than national security and roads? But as strong as that argument is, that is not the strongest argument.

Our colleagues stand up and say, if the money you collect for highways is really spent on highways—we plan to spend this money on other things. I think, quite frankly, that there is an argument in terms of basic honesty in dealing with the electorate that we have on our side, and that is that we have a revenue source dedicated to the highway trust fund. So not only is there a great need for roads, but the money was collected for that purpose and for that purpose only. The idea that we are going to collect potentially $90 billion for highway construction and simply stand by and watch the Government spending it on everything except highways is, I believe, outrageous and unacceptable. Quite frankly, I believe that is going to end this year—end this year.

Some people have raised questions about the priorities of the bill. We have answered each and every one of those questions about the amount that goes to the States, the amount held by the Secretary. Questions have been raised about the Appalachian program, started in 1965, as a percentage of money spent on highways. We are actually in our amendment asking for less than the President requested, the same amount, for all practical purposes, requested by the House.

Questions are raised about border infrastructure and international trade corridors. We actually have less money in our amendment than the bill that came out of committee, but there is one big difference. We make it possible that Congress might actually fund it, whereas the committee bill, in a sleight of hand, appears to provide the money but really doesn't provide the money.

In short, we have answered each and every one of the criticisms that have been raised in this initiative. It is the right thing. It is what we tell people we are doing. It does not violate the Budget Act. It does not raise the total level of spending, and it doesn't create any new priorities. It simply sets out an orderly fashion of fulfilling obligations we have made in the past.

Now, we are getting down to the moment of truth. The highway bill is going to expire on May 1. So road-building equipment that is currently in the process of building highways and roads and interstates all over America, come May 1, they will cut those machines off. Come May 1, people are going to be forced to walk off the job because we have not provided money for highways. It is not that we don't have the money, Senator BYRD. We have the money. It is being collected every time any American goes to the filling station and pumps gas. But they are going to stop building roads all over America on May 1 because we are not allowed to vote on a highway bill to allow the expenditure of money that is being collected specifically to build roads, even though we are collecting more money for road construction in the gasoline tax than ever in history. Despite the fact that the surplus grows every single second, we have the terrible prospect of highway construction stopping all over America on May 1.

There is only one solution to this problem—bring up the highway bill. We debated it last year. It got bogged down in other issues. I wish we could have broken the deadlock last year. It is bad public policy that it happened. But the point is this is not last year. This is this year. We have an opportunity right now to bring this bill up. I can assure you, we are not going to let any issue that has nothing to do

with highways derail this bill this year. There are a lot of legitimate issues that need to be debated. We need to bring this bill up and we need to bring it up as soon as we get back from the recess next week.

I feel an obligation to people in my State. I feel an obligation to the State where we pay in gasoline taxes on a per capita basis as much as any State in the Union. It is not uncommon for people in my State to drive in their cars and trucks 50 miles one way to work, to drive 30 miles to take their children to school. People in my State need highways. They pay for them by paying the gasoline tax.

I want to urge our leadership to work with us to bring this bill up. This is not a budget issue. We are not talking about busting the budget. We are not talking about setting the total level of spending. We are talking about requiring money to be spent for the purpose that it was collected and not on other things. But if there are those who want to talk about this within the context of the budget, Senator BYRD and I are not so busy that we don't have time to sit down and talk. I believe that the day we come back, week after next, that the situation with highways is going to be getting so desperate that we will have to do something. I think we ought to bring up the highway bill. I think it would be bad for us to be forced to try to deal with this issue as an amendment on another bill. That is not the way I want to do it. I know the Senator from West Virginia doesn't want to do it that way. We need to act and we need to do it very quickly. We are running out of time.

I want to conclude by simply urging those who would like to commingle this issue with the budget, if they want to sit down with Senator BYRD, with me, with Senator WARNER, with Senator BAUCUS, to talk about how this might fit into a budget that would be written later, we are willing to sit down and talk about it. It is not a budget issue. Quite frankly, I believe those who oppose us want to make it a budget issue so that they can say to people, look, don't vote for these highways because if you do that, then you can't spend all this money on other things, money requested by the President, money sought by other interests, money expenditures that are supported by Members of Congress.

There is one fundamental difference. Nobody is saying that child care is not important or food stamps aren't important, or funds for the IMF aren't important, or paying dues at the United Nations are not important, or that foreign aid is not important. But there is one fundamental difference. None of those expenditures has a dedicated revenue source. None of those expenditures has a tax that working Americans pay for the purpose of funding them. Americans do pay a gasoline tax to build roads. So our claim is stronger. We have committed to people we are going to do this. I believe time is running out here. I think we have been very patient. I think we have tried to work with everybody. We have been willing to sit down and talk to anyone. You don't get 54 cosponsors by accident. You do it by answering a lot of questions, by convincing a lot of people. I don't think anyone has asked Senator BYRD or asked me to sit down with them to explain this amendment, what it does, how it will affect their State, how it will affect anything they are concerned about. But we are going to reach a point here when we come back after the recess where we have to quit explaining and start acting.

I urge those who would like to commingle this with the budget, while I really believe that is a ruse to beat our amendment—they are trying to convince people that our demand that we spend money for the purpose we tell people we are going to spend it when we collect it is somehow on a par with proposals made to spend money to just simply increase the level of expenditure. There is no comparison between the two. But if somebody wants to talk to us about the budget as it relates to our amendment, we are willing, any time, day or night, to sit down and talk to them. What we are not willing to do is to sit here and let May 1 come and let highway construction stop all over the country. We are not willing to do that, and we need to get on with the task of passing the highway bill and, I believe, passing this amendment.

I want to thank my colleague, Senator BYRD, for his leadership. We have done a lot of work on this. I would like to believe the number of cosponsors, the progress we have made, is somewhat due to our persuasiveness. But I think, really, it is not our persuasiveness; it is the strength of the case we are making. This is the right thing to do. It is clearly the right thing to do. I think if the American people really understood what this debate was about, if they really understood that the critics of what we are doing are saying, ''Don't spend the money for the purpose you select it is because we want to spend it on other things,'' they would be outraged about it. I think that is one of the reasons that people don't come over and debate us on this subject.

I am glad to be on a side of an issue where we are right. I can assure you, it is much easier to argue something if the facts are on your side. Now, often here, great cases are made when the facts don't comport, but when they are on your side, it is easy. And they are on our side on this issue.

Mr. BYRD. Will the Senator yield?

Mr. GRAMM. I am happy to yield to the Senator.

Mr. BYRD. I want to thank the distinguished senior Senator from Texas. He worked inside the Finance Committee to offer an amendment which was adopted in the committee transferring the 4.3-cent gas tax to the trust fund, to the highway trust fund, where it would be spent on highways and mass transit programs. So he got it that far. So the money is in the trust fund, and I compliment him.

Now he has joined with me and 52 other Senators—in addition to the two of us, he has joined with me and 52 other Senators, Mr. BAUCUS and Mr. WARNER, in particular—who are initial cosponsors of this legislation. He has joined with us in attempting to authorize, to have the Congress authorize, the expenditure of the moneys in the trust fund, the 4.3-cent gas tax, to authorize the expenditure of those funds for highways and for mass transit programs.

That is what they were intended to be used for. He has stood like a stout Irish oak on his side of the aisle in urging that the ISTEA bill be brought up and in urging support of this amendment upon which we are both allied and working. I thank him for that. I thank him for his steadfastness; he has stood like a Rock of Gibraltar. We will continue to work in the effort to implore the bringing up of this highway bill. I thank him very much.

Mr. GRAMM. Mr. President, I thank the Senator from West Virginia. Let me just conclude by saying that the American people cry out for bipartisanship. This is the only real bipartisan effort of this Congress. We have 54 cosponsors on this bill; they are roughly divided, Democrats and Republicans. This is not a partisan issue. I hope we can move ahead and I believe we will. I want to thank the Senator from West Virginia. It has been a great honor for me to work with him. I believe we are going to be successful, in large part, because this is the right thing to do. But as Edmund Burke once said, ''All that is necessary for evil to triumph in the world is for good men to do nothing.''

We intend to do something to make this happen—however much work it takes. We have carried this ball all the way down to the goal line, and we are not about to fumble it or call time-out right now.

I thank the Chair and yield the floor.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE WAR CRIMES TRIBUNAL

Mr. SPECTER. Mr. President, in the absence of any other Senator seeking recognition, this may be a good time for me to report briefly on the travels that I undertook from December 30 to January 13, when I visited the War Crimes Tribunal in The Hague and found that this agency is moving forward with prosecutions on war crimes against humanity, arising out of the activities in Bosnia.

It is my sense that after the first conviction, which has been obtained,