hasten to sit at the negotiating table with a nuclear super power that refuses to renounce the use of force against Taiwan's democracy. I believe a renunciation of the use of force by Beijing would be an important demonstration of good will and would facilitate a meaningful dialogue so our democratic friends in Taiwan are not pressured by Washington to negotiate with a gun to their head.

Further, Dr. Nye states that the United States should publicly announce that it will not defend Taiwan if Taiwan declare independence. While I agree that it is undesirable for Taiwan to declare independence, I think Nye's logic is backward. Do we want to encourage people to think that Taiwan is ripe for the picking? Our policy of creative ambiguity has long served U.S. interests. So has our demonstrated readiness to use force, as we did when we introduced the two carriers into the Taiwan Strait two years ago when China tried to intimidate the people of Taiwan on the eve of their presidential election. I believe we should not change this policy. The U.S. should continue to be prepared, under appropriate circumstances, to deploy our defense resources in support of democracy in Taiwan.

Finally, Dr. Nye suggests that there is nothing but second class status in Taiwan's future. I do not think that the United States should endorse such a fate for the proud, free democratic people of Taiwan. With creative solutions, I hope Taiwan can assume its full and rightful place in international organizations. I don't think the United States through current officials, former officials or trial balloons should walk away from our support in this regard.

As President Clinton prepares for another summit with President Jiang of China, I hope that he will take into consideration Dr. Waldron's comments and the input of interested Members of Congress who have long followed this issue. Taiwan is a strong democracy. It is not going to simply bow to coercion from China. The United States should recognize this and work to find a policy that will ease regional tensions and promote future stability in the Asia-Pacific area.

Thank you, Mr. President.

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

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1718 TO AMENDMENT NO. 1676

(Purpose: To require the Secretary of Transportation to reduce the amounts made available under the bill for fiscal year 1998 by the amounts made available under the Surface Transportation Extension Act of 1997)

Mr. CHAFEE. Mr. President, last Friday, I sent to the desk an amendment numbered 1718. I ask to call up that amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE] proposes an amendment numbered 1718 to amendment No. 1676.

Mr. CHAFEE. Mr. President, I ask unanimous consent 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.'')

Mr. CHAFEE. Mr. President, this is an amendment, as I said, that I sent to the desk last Friday. It would require the Secretary of Transportation to reduce the amounts made available under the so-called ISTEA Act for fiscal year 1998 by the amounts made available under the Surface Transportation Extension Act of 1997, the so-called 6-month extension.

Last year, Mr. President, as you recall, in the latter part of the calendar year, around October, the Senate passed a 6-month extension of the ISTEA legislation which allowed States to use their unobligated balances to fund eligible transportation projects. It also allocated an additional $5.5 billion in new money to the States. The Senate agreed to provide that $5.5 billion on the condition that the amounts allocated to the States under the ISTEA II legislation in fiscal year 1998 would be reduced by the amount each State received for the 6-month extension. In other words, under the legislation we are now considering, Mr. President, we provide money for the entire fiscal year of 1998.

What this amendment would do is say the amounts we previously gave the States in October for this fiscal year will be deducted from the total amount that we provide for the entire fiscal year for them. By the way, Mr. President, the amounts would be allocated to each of the categories for which they had received that amount previously. For example, the amount each State will receive in the surface transportation program, so-called STP funds, under ISTEA II will be reduced by their portion of the more than $1 billion provided in STP funds for the 6-month extension.

There are several reasons why this reduction is necessary. First of all, ISTEA II provides money for each fiscal year 1998 through 2003. It does not provide a half-year amount. If this reduction is not required and agreed to, the States would receive one and one-half times as much as they should for 1998 and our bill would be subject to a point of order. Second, the reduction ensures that each State will receive money based on the new formula provided in ISTEA II instead of the old formula, or amounts received in the past.

We worked long and hard to update this formula to make it as fair as possible.

Mr. BAUCUS. Mr. President, this is essentially a bookkeeping amendment to prevent double counting and to make sure that moneys States do receive under the new ISTEA highway program are according to the new formula rather than the old formula. It is really very straightforward—to prevent double counting.

There is no reason why this should not pass.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1718) was agreed to.

Mr. CHAFEE. I move to reconsider the vote.

Mr. BAUCUS. I move to lay it on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1841 TO AMENDMENT NO. 1676

Mr. CHAFEE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE] proposes an amendment numbered 1841 to amendment No. 1676.

Mr. CHAFEE. Mr. President, I ask unanimous consent 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.'')

Mr. CHAFEE. Mr. President, this amendment makes several technical clarifying and noncontroversial changes to the underlying legislation.

Mr. BAUCUS. Mr. President, I urge adoption. These are truly technical amendments, clarifying amendments, truly noncontroversial. It should pass.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1841) was agreed to.

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

Mr. BAUCUS. I move to table the motion.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Now, Mr. President, we are waiting for those who are going to present the Finance Committee amendment, which I hope will be soon.

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

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

Mr. BAUCUS. Mr. President, I wonder if I could engage the distinguished chairman of our committee in a colloquy about the status of the bill.

Mr. President, I ask the chairman: Isn't it true that we are pretty much wrapped up with our bill, but we are waiting on two major amendments? They are from two other committees, and we are waiting for those committees to come to the floor and offer their amendments so we can get them agreed to and then get on with this bill and get this bill off the floor so we can, hopefully following the House action, have a bill to go to conference.

Isn't it true that we are about wrapped up here but we waiting on two committees?

Mr. CHAFEE. Mr. President, I say to my distinguished colleague, the ranking member of the committee, that he is exactly right. There are two big amendments out there, but neither of them have anything to do with our committee. One is from the Finance Committee dealing with the tax portions of this legislation, and the other from the Banking Committee dealing with the mass transit portions of this legislation. But both of those are in other committees.

So we have been very anxious. The Finance Committee chairman and others have indicated that they are prepared to come to the floor. We started this at 1 p.m., and we keep hoping that they will come. We are losing valuable time, Mr. President. Obviously, both of us and all members of the committee want to finish this legislation. There are several hundred amendments still out there, but I have reason to believe very few of those are actually going to be presented.

So, we could really make tremendous progress if we could dispose of those two major amendments—the one from the Banking Committee and the one from the Finance Committee, which we are expecting to have presented momentarily.

Mr. BAUCUS. I ask the chairman, also, is it his understanding that the Finance Committee is ready with its amendment, that it has been drafted, but for some reason they just do not come over to the floor and offer it?

Mr. CHAFEE. The Senator is exactly right. That is my understanding. My understanding is they are ready to go.

One of the most famous reports that one hears in the Senate is, so and so ''is on his way.'' ''On his way'' can mean a lot of things. It can mean circling Ronald Reagan Airport preparing to land, or it could just mean that he has gotten on the elevator and will be here within 45 seconds. So we have heard reports that the Finance Committee representatives who are going to present that amendment are on their way. Again, I am not sure what that exactly means.

Mr. BAUCUS. Mr. President, might I ask the distinguished chairman of our committee, isn't it true that the Finance Committee amendment is very important to this bill because that is the amendment which will extend the current gasoline tax that is going to transfer the funds into the trust fund and, therefore, to other trust fund States? So we definitely need to get this Finance Committee amendment agreed to.

Mr. CHAFEE. I say to the distinguished Senator that he is absolutely right. Without the money, this bill isn't going to amount to much. So we treat the members of the Finance Committee and the chairman with great deference since he provides the wherewithal to make this whole program fly.

The amendment they will present will extend the highway trust fund taxes for 6 years. It will extend the highway trust fund expenditure authority for 6 years. It creates a 15-project pilot program dealing with tax-exempt bonds for private-public partnerships. It has a whole series of provisions that have been worked out in the Finance Committee. It is crucial to this legislation.

So once we get that dealt with, which I certainly hope won't take long, we can then move on to the Banking Committee amendment.

I have just heard through the grapevine that the Banking Committee amendment, which deals with mass transit, will be ready tomorrow. But, as everyone knows, there is a cloture vote coming up at 5 or 5:30. It would seem to me that they should get that Banking Committee amendment in, or there will be all kinds of problems should cloture be invoked since that would not be germane to the bill.

Mr. BAUCUS. Mr. President, might I ask the chairman again, where does he think the Finance Committee amendment is? Here it is, 2:30 in the afternoon.

Mr. CHAFEE. They are on their way. I keep looking toward that door expecting that door to swing open.

Mr. BAUCUS. My office called, and there is no answer. They are out to lunch. The lunch hour, I am sure, is over by 2:30. I hope the Finance Committee comes over quickly so that we get their amendment offered.

I also ask the chairman—there is no reason why we even have to take the Banking Committee amendment. It seems to this Senator that we can just as soon go to third reading, and, if the Banking Committee does not come over with its amendment by tomorrow or the next day, then there is no transit amendment to the bill. There will be other opportunities for them to bring up their transit amendment sometime later this year, I would think. We don't have to wait. We don't have to have the transit amendment in this bill.

Mr. CHAFEE. Mr. President, I have to be cautious about allying myself with those comments since my State gets something out of the transit legislation. It is very important. We have one transit system within our State.

So I am very anxious to see that transit measure passed—the so-called ''banking amendment.'' So, I do not want to foreclose anybody. But I urge the managers of that legislation, as well as others who have amendments which they might want to present, to come on over. The store is open for business. Now is the time.

Mr. BAUCUS. Mr. President, I might also note that last week when we were working out an arrangement to allocate dollars in the Byrd-Gramm-Warner-Baucus amendment the mass transit folks were going berserk; they were all upset that they were not ''taken care of''.

As we all know, the distinguished chairman of the Budget Committee and the chairman of the Banking Committee and others have reached an agreement of the amounts that will be in the transit title. So there is no reason why they can't quickly put this bill together with the amounts that are contained in that agreement and offer their amendment. I hope they will do that very quickly.

Again, we are here waiting for the Finance Committee. We are here waiting for the Banking Committee. Once those two committees come over with their major amendments to different titles to this bill, we will by and large be able to pass this bill and urge the House to take up and pass their ISTEA bill so we can meet the deadline of April 30. A lot can slip between now and April 30—passage here and in the House, then conference, and we have to have all of that done by April 30, and signed by the President by that same date so we don't have to worry about the possibility of another extension, which I certainly don't want, and so that States can rest assured that the highway program is in place. We have to move here. I hope the Finance Committee and the Banking Committee will help us out.

Mr. CHAFEE. Mr. President, I totally agree. I think once we dispose of those two big amendments, we can really wrap this thing up. It is dangerous to make predictions around here.

Mr. BAUCUS. Don't.

Mr. CHAFEE. All right. I will not. Anyway, I think we can do it rather soon. I know the majority leader is very anxious to get this legislation completed. I share that interest and concern with him.

So, while we wait upon the Finance Committee representatives, 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. CHAFEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. Collins). Without objection, it is so ordered.

AMENDMENT NO. 1724 TO AMENDMENT NO. 1676

(Pending: To specify further penalties and the use of withheld funds under the section relating to minimum penalties for repeat offenders for driving while intoxicated or driving under the influence)

Mr. CHAFEE. Madam President, I now call up amendment No. 1724, which I submitted last Friday.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for Mr. DEWINE, for himself, Mr. WARNER, Mr. CHAFEE, Mr. LAUTENBERG, Mr. DORGAN, Mrs. MURRAY, Mr. LIEBERMAN and Mr. BAUCUS, proposes an amendment numbered 1724 to amendment No. 1676.

Mr. CHAFEE. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

Beginning on page 225, strike line 12 and all that follows through page 227, line 13, and insert the following:

''(5) REPEAT INTOXICATED DRIVER LAW.—The term 'repeat intoxicated driver law' means a State law that provides, as a minimum penalty, that an individual convicted of a second or subsequent offense for driving while intoxicated or driving under the influence after a previous conviction for that offense shall—

''(A) receive a driver's license suspension for not less than 1 year;

''(B) be subject to the impoundment or immobilization of each of the individual's motor vehicles or the installation of an ignition interlock system on each of the motor vehicles;

''(C) receive an assessment of the individual's degree of abuse of alcohol and treatment as appropriate; and

''(D) receive—

''(i) in the case of the second offense—

''(I) an assignment of not less than 30 days of community service; or

''(II) not less than 5 days of imprisonment; and

''(ii) in the case of the third or subsequent offense—

''(I) an assignment of not less than 60 days of community service; or

''(II) not less than 10 days of imprisonment.

''(b) TRANSFER OF FUNDS.—

''(1) FISCAL YEARS 2001 AND 2002.—

''(A) IN GENERAL.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under paragraphs (1) and (3) of section 104(b) to the apportionment of the State under section 402—

''(i) to be used for alcohol-impaired driving countermeasures; or

''(ii) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

''(B) DERIVATION OF AMOUNT TO BE TRANSFERRED.—An amount transferred under subparagraph (A) may be derived—

''(i) from the apportionment of the State under section 104(b)(1);

''(ii) from the apportionment of the State under section 104(b)(3); or

''(iii) partially from the apportionment of the State under section 104(b)(1) and partially from the apportionment of the State under section 104(b)(3).

''(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—

''(A) IN GENERAL.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer 3 percent of the funds apportioned to the State on that date under each of paragraphs (1) and (3) of section 104(b) to the apportionment of the State under section 402—

''(i) to be used for alcohol-impaired driving countermeasures; or

''(ii) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

''(B) DERIVATION OF AMOUNT TO BE TRANSFERRED.—An amount transferred under subparagraph (A) may be derived—

''(i) from the apportionment of the State under section 104(b)(1);

''(ii) from the apportionment of the State under section 104(b)(3); or

''(iii) partially from the apportionment of the State under section 104(b)(1) and partially from the apportionment of the State under section 104(b)(3).

Mr. CHAFEE. Madam President, this is what we might call a repeat offenders amendment. I filed it last Friday so that our Members would have a chance, and their staffs, to look at it and consider it. The amendment would strengthen and clarify the repeat drunk driving offenders section of the bill; that is, the underlying bill.

The bill, as currently drafted, requires States to act and support penalties for drunk drivers who have a blood alcohol concentration of .15 or greater. And two things have to occur—the drunk driver is arrested, has a blood alcohol content of .15 or greater, and has been convicted of a second or third or more drunk driving offense within 5 years.

This amendment, of which Senator DEWINE is the lead sponsor, is cosponsored by Senator LAUTENBERG, Senator WARNER, Senator CHAFEE, Senator BAUCUS, and Senator DORGAN. And what it does, it strikes the reference to the .15 blood alcohol concentration and lets the State law on blood alcohol concentration determine what is a ''repeat offender.''

The amendment, therefore, clarifies that a person who is arrested for driving with a blood alcohol concentration level lower than .15, such as .08 or .10, still may be classified as a repeat offender if the State so chooses. So, in essence, Madam President, what this amendment does, instead of our setting it at a Federal level, we let the States set the level for the second or greater offense that has occurred within the 5 years.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, I support this amendment. There are no objections I am aware of on our side.

A critical feature is State discretion. The States will have the authority, have the discretion, under this amendment, to change the alcohol content to a level that they so choose. That is, this amendment does not prescribe specifically what the alcohol content should be with respect to the repeat offender law. And because the States have that discretion, that choice, I support the amendment.

Mr. LIEBERMAN. Madam President, on March 4 the Senate voted in favor of an amendment to ISTEA that would make .08 BAC for drunk drivers the law of the land. I voted for this amendment and was an original co-sponsor of the bill introduced last year by Senators LAUTENBERG and DEWINE to establish .08 BAC as a national standard.

Today I stand in support of a related amendment sponsored by Senators LAUTENBERG and DEWINE that would establish national minimum penalties for repeat drunk driving offenders. Like the .08 BAC amendment, this amendment is supported by senators from both sides of the aisle. Having agreed upon a clear and reasonable standard for drunk driving, we need to take firm steps that stop repeat offenders and that discourage others from drinking and driving.

The terrible price we pay as a society for drunk driving warrants firm measures to address the repeat offender problem. In 1996, over 17,000 Americans lost their lives in car accidents when a driver had been drinking alcohol. These Americans died in every state and they come from all walks of life. Many thousand more Americans suffer severe injuries in alcohol-related car accidents and families are devastated. Experts tell us that repeat offenders account for a disproportionate part of these drunk driving accidents.

This amendment provides states with necessary flexibility and a number of important tools with which to combat the repeat offender problem. It includes minimum sentencing and license revocation. It allows states to implement vehicle impoundment or restrictions on vehicle use. Punitive actions are only part of what is necessary. The amendment also provides for alcohol assessment and appropriate treatment for repeat offenders to address the underlying problems that lead to drunk driving. These carefully considered steps to fight repeat offender drunk driving need to be implemented to protect all Americans.

Drinking and driving once is inexcusable. Drinking and driving a second or third time simply cannot be tolerated. Madam President, I support the Lautenberg and DeWine repeat offender amendment to ISTEA.

Mr. LAUTENBERG. Madam President, I rise to express my support for Senator MIKE DEWINE's amendment that would establish minimum standards of punishment and treatment for repeat offenders of drunk driving. These standards will send a strong message that repeated convictions for drinking and driving will not be tolerated.

We have heard, over the past few days, the extent of the national scourge that is drunk driving in our country. Let me remind you, in 1996, 41,907 people were killed in highway crashes. Another three million were injured. These crashes cost society $150 billion every year. Forty-one percent of all traffic fatalities are alcohol related.

In 1996, 17,126 people were killed in alcohol-related crashes. That year, more people were killed in alcohol related crashes than were killed in the worst year of the Vietnam War, a war that tore this country apart.

Driving While Intoxicated, or DWI, is one of the most prevalent crimes in this country. In 1994, more people were arrested for DWI—1.5 million—than for any other reported criminal activity including larceny or theft. We need to start treating this epidemic.

A shocking number of DWI convictions are repeat offenders. When the National Highway Traffic and Safety Administration studied this issue, it found that about one-third of all drivers arrested or convicted of DWI each year are repeat DWI offenders. One out of eight drunk drivers in a fatal crash has had a DWI conviction in the past three years. The danger of these repeat offenders is illustrated by the fact that drivers with prior DWI convictions are over represented in fatal crashes. These drivers have a 4.1 times greater risk of being in a fatal crash, as do intoxicated drivers without a prior DWI, and the risk of a particular driver being involved in a fatal crash increases with each DWI arrest.

According to the National Commission Against Drunk Driving, about 2,300 innocent victims are killed each year due to so-called persistent drinking drivers, or those who repeatedly drive after drinking. Annually, persistent drinking drivers represent an estimated 65 percent of fatally injured drinking drivers and 15 to 20 percent of all injured drivers. This translates into 7,000 dead drivers and 250,000 injured drivers each year. And, Mr. President, persistent drinking drivers cost the economy $1.5 billion each year in enforcement and court costs and $45 billion each year in crashes.

One study in California demonstrated the extent of this problem over the long-term. It found that 44 percent of all drivers convicted of DWI in California in 1980 were convicted again of DWI within the next ten years.

Madam President, when we talk about drunk driving, too often we talk about it in statistical terms. But there are real people attached to those statistics. In the spring of 1995, a young man, from Tuckerton, New Jersey, full of goodness and potential, was struck down by a drunk driver while he and his friend were in-line skating. Matthew Hammell was exceptional. All those who knew him talk about being touched by his kindness and caring. At one point Matt dreamed of being a baseball player, but as he matured he knew he wanted to be a missionary. His dream became living a life of helping others. But this dream never materialized. Robert Hyer, drunk and driving, struck Matthew with his car while passing another vehicle. Hyer should not have been on the road. Not only was he drunk, but he had a history of driving drunk. Before this fateful incident, Hyer had been charged with DWI six times, though he was convicted only twice. Hyer lost his license in New Jersey in 1984, but somehow he obtained a North Carolina License just two years later. He was a habitual offender who kept bucking the system. A system which kept letting him go. A system which, in the end, was too late in responding.

Madam President, it may be too late for Matthew Hammell, and all of the other Matthew Hammells who are taken from us too early, but it is now that we must become serious about drinking and driving. I introduced a bill one year ago that I named in his honor the ''Deadly Driver Reduction and Matthew P. Hammell Memorial Act.'' That bill required states to adopt a ''three strikes and you're out'' law that took away the driver's license.

While I introduced that bill, I am pleased to say that the amendment proposed by Senator DEWINE is a positive step toward combating this terrible epidemic. The amendment before us provides a comprehensive approach toward reducing repeated drinking and driving.

First, the amendment recognizes that the large percentage of DWI arrestees, from 40 to 80 percent of all offenders, are alcohol dependent, by requiring alcohol assessment and treatment, as necessary, after the second and each subsequent offense. Experts suggest that combining treatment and legal sanctions will produce the largest benefit to traffic safety. It makes sense.

Second, the proposal requires states to revoke a driver's license for one year after the second and each subsequent offense. Most states already require license suspensions after the first and subsequent offense, and states have found that the threat of taking away one's license has been very effective deterrent for the general population. However, studies have also found that for the chronic drinking driver, license suspensions have very little effect—upwards of 80 percent of drinking drivers continue to drink and drive after license suspension.

That's why this amendment seeks to employ other methods that will make it difficult for the repeat offender to drive when he or she is drunk, or to drive at all. The amendment requires that, after the second and subsequent offense, the person is subject to vehicle impoundment or immobilization, or the installation of an ignition interlock device on the car. These tools have found to be extremely effective in reducing recidivism of drunk driving. After the City of Portland, Oregon adopted an ordinance to take cars away from repeat offenders, the City saw a 42 percent decrease in drunk driving fatalities, and a recidivism rate of only four percent for offenders whose cars had been seized.

Ignition interlock devices are those that are locked into a repeat offender's car. Before the person can drive, he or she must blow into the device, and if the device registers more than .02 BAC—or zero tolerance—the car will not turn on. The repeat offender usually is responsible for paying the costs of the device, which is about two dollars a day. Over 35 states have passed some form of legislation that uses ignition interlock devices to combat repeat offenders. According to the NCADD, ignition interlock programs used in several states have reduced recidivism to about one percent while the program is in effect.

Finally, the amendment requires states to adopt laws if they have not already, mandating jail time or community service for the second (five days in jail or 30 days community service) and subsequent (ten days in jail or 60 days community service) offense. Repeat offenders must know the severity of their crime.

States are given three years to adopt laws that have, at a minimum, these provisions. States that fail to do so must transfer one and one-half percent of their highway construction funds in the fourth year, and three percent in the fifth year, to their Section 402 impaired driving program, or to the state police, to assist in enforcing drunk driving laws.

The NCADD has proposed strategies to deal with the persistent drinking driver. I am pleased to say that this amendment incorporates almost all of those strategies. License revocation. Vehicle immobilization or impoundment. Imposition of an ignition interlock device. Alcohol assessment and treatment. Another strategy the NCADD proposes to deal with the persistent drinking driver is to reduce the legal BAC limit to .08 BAC for adults, because studies have shown that .08 BAC laws have reduced drunk driving at even higher BACs. As we all know, the Senate approved that amendment last week.

Madam President, I want to commend Senator DEWINE and Senator WARNER on their effective leadership on behalf of this issue. The programs that we have passed—the .08 BAC amendment, Senator DORGAN's open-container amendment, and this repeat offender amendment—create a comprehensive program that when in place, will show measurable effects. We will

see a reduction of alcohol-related crashes. Fewer families will face the crippling grief of a loved one lost to drunk driving.

This amendment matters. I hope my colleagues will join us in supporting this comprehensive amendment that will save lives.

The PRESIDING OFFICER. Is there any further debate? If there is no further debate, the question now occurs on agreeing to amendment No. 1724.

The amendment (No. 1724) was agreed to.

Mr. CHAFEE. Madam President, I move to reconsider the vote.

Mr. BAUCUS. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1922 TO AMENDMENT NO. 1676

(Purpose: To codify the transportation infrastructure finance and innovation provisions)

Mr. CHAFEE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for himself and Mr. GRAHAM, proposes an amendment numbered 1922 to amendment No. 1676.

Mr. CHAFEE. 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.'')

Mr. CHAFEE. Madam President, this is a package of amendments to the Transportation Infrastructure Finance and Innovation Act, so-called TIFIA. These include two types of changes. First, they make technical and noncontroversial changes to the TIFIA subchapter. The majority were recommended by the U.S. Department of Transportation to improve and clarify provisions under this act.

Second, this package establishes a fee for those States that use the Federal credit assistance to fund transportation projects under so-called TIFIA. This fee is necessary to offset the revenue loss that the Joint Committee on Taxation estimated will result in the program. It is important to note we have confirmation from the Congressional Budget Office that this fee will address the loss.

I am pleased that TIFIA was included in the underlying bill, S. 1173, as it will assist the Nation in funding the gap between transportation resources and needs.

Mr. BAUCUS. Madam President, we accept the amendment. The chairman has articulated the reasons. They are good reasons.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1922) was agreed to.

Mr. CHAFEE. I move to reconsider the vote.

Mr. BAUCUS. I move to lay it on the table.

The motion to lay on the table was agreed to.

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

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

VITIATION OF ACTION AND WITHDRAWAL OF AMENDMENT NO. 1310

Mr. WARNER. Madam President, this is a request from the Republican leader. I understand it is joined in by the Democratic leader.

I ask unanimous consent that Senate action on amendment No. 1310 be vitiated, and I further ask unanimous consent that the amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1310) was withdrawn.

Mr. WARNER. Madam President, seeing no Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROBB. Madam President, I rise to address a problem that threatens to overwhelm the Nation's Capital and surrounding jurisdictions: traffic. As our colleagues know, driving in the greater Washington area can raise your blood pressure and test your patience. Our regional traffic jam, which is rated as second only to Los Angeles, will get worse, not better, over the next few decades if we fail to act.

Projections indicate that the number of people and jobs in this area will grow by about 50 percent over the next two decades and the number of vehicle miles traveled will grow by nearly 75 percent.

Unfortunately, transportation funding will fall short of our needs by $500 million each year, and this shortfall will be even larger if we don't get the higher funding levels agreed to in ISTEA II. The U.S. Federal Highway Administration predicts that highway funding for the Nation as a whole in 1999 will be $12 billion less than we need just to maintain our current system, and, again, that is assuming the higher funding we have already agreed to in ISTEA II.

Unfortunately, State funding in Virginia will not be able to make up this shortfall. A recent report by the Virginia Department of Transportation shows that the spending shortfall in Virginia alone will be $1.74 billion in 1999, and this shortfall is projected to get worse, rising to $2.44 billion in the year 2009.

This paints a very grim picture for the future when our present situation is already intolerable.

Today, on average, every man, woman and child pays a congestion tax in fuel expenses, lost salaries and productivity, and pollution of $860 every year. Some have predicted by the year 2020 commuters will spend 50 percent more time getting to work. Imagine increasing your drive time from an hour up to an hour and a half or even from 30 minutes up to 45 minutes, depending on where you live and where you work.

Given our predicament, our failure to act may seem surprising, but when we stop and think about it, the Capital region encompasses two States and a Federal district within a single metropolitan area. And although the area has common needs, it is understandably hard to get everyone to agree.

Some have suggested creating a regional transportation department to tax the region and build needed roads. But Marylanders really don't want Virginians helping to choose what roads to build in Maryland, and Virginians don't want their tax dollars paying for projects in DC, and District residents don't want their interests overwhelmed by the suburbs. In short, everyone wants to have a say in how he or she will be taxed, how their money will be spent, and where roads will be built in their neighborhoods.

Earlier today, I submitted an amendment to assist the region in reaching consensus on how to meet its transportation needs. Under this proposal, which my office has vetted with a number of State and local officials and with the Greater Metropolitan Washington Board of Trade, the metropolitan planning organization for this region would come up with a set of projects and a regional funding mechanism to get those projects built. The region would then work toward consensus and an interstate agreement on the projects and funding.

The amendment that I have submitted offers several incentives for the region to reach agreement on this package.

First, the Federal Government would provide a small amount of administrative funding to assist the metropolitan planning organization for this region,

the National Capital Regional Transportation Planning Board at the Metropolitan Washington Council of Governments. This board would work to find a way to fund and implement its regional transportation plan, which is ready to go but for the funding.

I believe the region has no real choice but to look at a regional funding mechanism to meet its needs, because Federal and State money will not be enough to address the spending shortfall.

I understand that reaching an agreement will be a lengthy process. So the proposal creates a corporation to provide short-term action on transportation needs. The corporation, acting alone, with the express consent of the region, would have the power to issue bonds to pay for regional projects.

At first, the corporation would obtain revenue by expanding transportation options. For instance, current Federal laws bar single drivers from using HOV lanes in this region during peak hours. This legislation would permit single drivers to use HOV lanes if they pay a toll and if the region agrees to spend the proceeds on transportation. In this way, drivers would have more options than they have today and the region would have more transportation revenue.

I realize that tolls are controversial, and part of the controversy comes from the fact that toll collection can slow down traffic. This legislation bars the use of tolls if they would result in slowing down drivers. There is no reason the region could not collect tolls through advanced technology, called ''hot lanes,'' which allows drivers to pay their tolls without slowing down. ''Hot lanes'' use sensors to measure a driver's mileage on a toll road and bill the driver accordingly, without requiring them to slow down. Obviously, the tolls would not go into effect immediately. As with all the provisions of this amendment, the region would have to consent, as it would have to consent to any proposal advanced by the Transportation Planning Board.

Finally, this proposal provides for the expedited congressional approval of the region's interstate compact or agreement. Once the region reached consensus, it would not have to wait for Congress to act. This amendment would give automatic approval of the consensus plan unless Congress rejected the plan within 60 days.

I should reemphasize that this legislation is not intended to impose a solution on the region. Neither the transportation planning board nor the new corporation would have the power to raise taxes or build roads in anyone's backyard. Instead, the legislation is designed to promote cooperation among the local governments.

The region would have to find a set of projects and a funding mechanism that is fair to everyone. Only a balanced plan could gain the required approval of the regional and State governments.

In addition, the transportation planning board would need to make sure the plan is cost-effective. Voters and local governments will not agree to extravagant or impractical projects. Voters would have to be convinced that the TPB has come up with an affordable and practical strategy to reduce this region's growing traffic problem. The TPB could come up with any number of solutions to our gridlock problem, but let me describe one possible vision for the region's transportation plan.

First, we could add an extra lane in each direction on the beltway.

We could add an additional Potomac River crossing. Alexandria and southern Maryland, in particular, would benefit from a southern crossing to divert traffic away from the Woodrow Wilson Bridge. We could use these large-scale efforts simply to keep up.

Additional mass transit and alternative transportation are also critical if we are going to reduce congestion and pollution and provide transportation for the disabled and for those who cannot afford cars.

We could direct funds to maintain, upgrade and expand the Metro system. And to further reduce automobile traffic, we could expand bus service and improve bicyclist and pedestrian facilities. Additional commuter rail and commuter ferry service on the Potomac are also possibilities.

Finally, we could improve local roads to create a more web-like highway system instead of our current hub-and-spoke approach. In the future, more people will be commuting along the edges of DC rather than into the city itself. A plan of this magnitude would probably cost between $8 billion and $15 billion above current spending.

I should emphasize that the vision I just suggested is that only, a vision.

The Federal Government could not impose a plan on anyone. Local citizens would participate in creating a regional transportation proposal, and the regional governments would have to consent to any agreement. The State departments of transportation in Virginia and Maryland and the Department of Public Works in the District of Columbia would also have to consent to the agreement.

The Federal Government would contribute only a small sum, less than $1 million divided over 3 years, for the region to move toward consensus on action. This small investment, however, would yield enormous returns as this region's economy grew in strength.

More important, this is the kind of investment the Federal Government should be making. Traffic in and around our Nation's Capital is an interstate problem, creating regional challenges that warrant Federal action. Indeed, congestion threatens the very livelihood of our Nation's Capital.

The Federal Government certainly cannot be expected to foot the bill for every transportation need, and that is not what I am suggesting today. Indeed, I am proposing that the Federal Government should help create a framework for the region to help itself.

There was some understandable anxiety expressed by the departments of transportation of the States and the District when we began to explore this initiative several months ago. But I believe we have addressed those concerns by giving the jurisdictions involved absolute veto power over any action they choose not to support.

Madam President, that is the outline of the proposal that I have introduced in the form of an amendment to the pending legislation. It is my hope that we will be able to clear this legislation at the appropriate time so that we can take action upon it. But at this time I simply wanted to explain to our colleagues what it was that was in this particular amendment so they could consider it, and if it is necessary, tinker with any of the specific provisions. We can do so either between now and the time we complete action on the ISTEA II bill, or in conference, or with subsequent amendments down the road if we need to do any fine-tuning. But I thought it was appropriate to provide our colleagues with some suggestions as to how I believe we should approach this particularly vexing problem for our Nation's capital.

Mr. COCHRAN. Madam President, we have had a good debate, a prolonged debate, on S. 1173, the surface transportation bill, or the highway bill, as it is known in my State of Mississippi. It is now time to pass it and get to work on a conference report with the other body to meet the May 1 expiration of current law.

There is a tremendous backlog of road, bridge and highway projects in every state. Some have estimated that our national investment in highways per vehicle miles of travel decreased by 56 percent during the last 25 years while vehicle travel has increased by 123 percent. This illustrates the problem and explains why we have such a serious need to address this legislation and complete our work so the states can start work on the projects this bill will fund.

I am very pleased that the bill allocates the money on a much more fair and equitable basis than the current formula. Mississippi will get over 90 percent, at least, of the highway tax contributions it makes to the trust fund. That is a lot better than the 83 percent my State is now receiving.

I'm also pleased that the bill gives the states more flexibility to spend the money they get from the trust fund on road, highway and other transportation projects that they identify as their priorities rather than having to abide by federal priorities that don't coincide with state needs.

In Mississippi 29 percent of our major roads are in poor or mediocre condition and 39 percent of the State's bridges are structurally deficient or functionally obsolete.

These conditions contribute significantly to highway accidents which have increased 6 percent during the last 4 years. In addition to the loss of

life, these accidents cost Mississippi's citizens $1.3 billion per year, or $500 for every resident, for emergency services, medical costs, property damage and lost productivity.

Another relevant statistic is that 77 percent of all fatal accidents were on two-lane roads and only 14 percent were on roads with four lanes or more. Money that is spent on highway improvements, such as adding lanes and shoulders, will save lives. It is also good economics.

I'm confident the flexibility provided in this bill will help Mississippi solve some of its special and most serious highway and transportation problems, especially the completion of our comprehensive four lane program.

Mississippi has been working for over ten years to implement this program. According to the Mississippi Department of Transportation, projects remaining to be put under contract include 30 miles of US 45, 17 miles of US 49 West, 69 miles of US 61, 25.4 miles of US 82, 54.6 miles of US 84, 24.6 miles of US 98, 58 miles of State Road 25, 33 miles on State Roads 57 and 63, and 10 miles of State Road 302. All of US 72 is now under contract and all of US 78 is now open to four-lane traffic.

The specific provision of the bill that helps us in this way gives states the flexibility to use up to 22 percent of their trust fund allocations for any projects that fall within title XXIII of the U.S. Code, which covers all highway programs.

There are other provisions of this legislation that are of special interest to our efforts in Mississippi to ensure that roads, highways and bridges on federal lands within the States are improved. Additional funding added to the bill as part of the committee amendment will provide $850 million in additional contract authority over 5 years for the three elements of the Federal Lands Highway Program.

Funding for Parkways and Park Roads will increase by $70 million per year for fiscal years 1999–2003, and funding for Public Lands Highways by $50 million per year during the same period. This ought to provide funding to bring the Natchez Trace Parkway closer to completion and ensure some much needed improvements are made to roads in our national forests and wildlife refuge areas.

Another provision of this bill that is of major interest to me and my State is the additional $450 million for funding NAFTA Trade Corridors.

The I–69 Trade Corridor Highway, which will run from Canada down through the Mississippi Valley to our border with Mexico, will provide significant economic benefits to the entire region through which it passes. We expect our State of Mississippi will be one of the states through which I–69 will pass.

Without this investment, the transportation infrastructure of the Mid-South region cannot accommodate the needs associated with increasing trade and commercial traffic. Growth in North American trade, as well as trade between the U.S. and the rest of the world, is supported by recent trends and current projections, particularly in the agricultural sector.

U.S. agricultural exports, which were valued at $26.3 billion in fiscal year 1986, increased to $54.2 billion in 1995 and to nearly $60 billion in fiscal year 1996. We also consistently export more agriculture commodities and food products than we import.

A recent USDA Agricultural Outlook publication projected ''robust growth'' in global demand for agricultural products in international commodity markets through the year 2005. It also predicted that U.S. high-value agricultural exports will continue to show strong growth, generally outpacing bulk exports and accounting for a growing share of U.S. farm exports.

Every state in the I–69 Trade Corridor exports agricultural products and commodities, sharing in export-generated employment, income, and rural development. These exports generate economic activity in the non-farm economy as well. USDA estimates that each $1.00 received from agricultural exports in 1995 stimulated another $1.38 in supporting activities to produce those exports generating an estimated 895,000 full-time civilian jobs, including 562,000 in the non-farm sector.

Trends in agriculture exports and the potential for their growth suggest that additional investment in transportation resources, particularly in the I–69 Trade Corridor, will provide a favorable return to the economies of all the States and communities along the route.

Madam President, I commend the members of the Committee on Environment and Public Works who have worked hard to provide more funding for our transportation needs and to ensure a more equitable distribution of funds to the States, and I especially congratulate, our distinguished majority leader for his effective leadership in helping to produce a good and fair bill. This bill ought to receive an overwhelming vote of approval.

Madam 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. LOTT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

SENATOR COLLINS' GOLDEN GAVEL AWARD

Mr. LOTT. Madam President, today I have the pleasure to announce that Senator SUSAN COLLINS of the great State of Maine, the current Presiding Officer, is the latest recipient of the prestigious Golden Gavel Award.

Since the 1960s, Senators who preside over the Senate in excess of 100 hours are recognized with the Golden Gavel. The Golden Gavel has long served as a symbol of appreciation for time these dedicated Senators contribute to presiding over the U.S. Senate—a privileged and important duty.

With respect to this particular Presiding Officer, two words describe Senator COLLINS as she presides over this Chamber: reliable and punctual. Senator COLLINS takes her presiding responsibilities seriously and is someone who can always be counted on to serve. We now take the opportunity to extend our thanks to her for her commitment to the fine way in which she presides.

I must say, she has received one of the highest compliments that can be received from the Senate itself. Senator BYRD has commented about what a good job she does in the chair and that she presides fairly and she pays attention to what the Senators are saying.

I congratulate her and thank her on behalf of the U.S. Senate for her time.

(Applause, Senators rising.)

Mr. BAUCUS. Will the leader yield?

Mr. LOTT. I will be glad to yield.

Mr. BAUCUS. I agree with the leader's comments and observations with respect to the current Presiding Officer. In the few times I have been on the floor—and certainly during this last week of managing this bill—she has often been the Presiding Officer. And she smiles.

Mr. LOTT. Sometimes that is hard to do.

Mr. BAUCUS. Yes. Not all Presiding Officers smile. I don't know why she is smiling, if it is in agreement or whatever, but she certainly is engaged. It is a very refreshing continence and demeanor compared to a lot of Presiding Officers.

I also very much congratulate her and agree with the leader's comments.

Mr. LOTT. Thank you.

Mr. CHAFEE. Will the majority leader yield?

Mr. LOTT. Yes.

Mr. CHAFEE. I share those sentiments. I have noticed that the Presiding Officer who is in the seat now, the distinguished Senator from Maine, as you say, follows the debate. Now, she may be thinking about something else, but you wouldn't know it, and, as a matter of fact, she has indicated approval of many of the things I have said, at least it looks that way.

So I think it is wonderful that she has won this great award. I hope she will not give up now. What can she aspire to? How are we going to keep her in this chair?

Mr. BAUCUS. Give her a second one.

Mr. LOTT. Make her a permanent one, except when, of course, Senator THURMOND is available.

I thank the Senator for his comments.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The Senate continued with the consideration of the bill.