

the human rights in China, including the crushing of the culture and history and the people in Tibet.

Mr. President, silence on our part would be betrayal. It would be unconscionable. Our country is a great country because we support human rights. We support the freedoms of people. We support the idea that people should not be persecuted because of their religious practices. They should not be persecuted because they have the courage to challenge governments if one of those governments is left, or right, or center.

I said it yesterday, but I will say it one more time today. I hope we will work with the President. We are going to get a strong vote for this resolution. I hope the President and the administration will do the right thing. I have myself been calling the State Department. I think Secretary Albright wants to move forward on this. I have not had a chance to talk to her. She is, of course, abroad, working on another very important question about what is happening to people in Kosovo—and rightfully so—trying to lead an international effort and making it clear to Milosevic that Serbia cannot with impunity do this to the people in Kosovo. I believe she is a strong advocate on human rights.

I talked to Strobe Talbott and to Sandy Berger. I have been putting calls in to their offices, and I think it is important that this week the administration come out with a clear position which would be a reasonable position, doing just what the President has said we ought to do. We don't link it to trade agreements, though I think we should. But this is the right place—at this U.N. Human Rights Commission—to be talking about these human rights violations.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Mr. D'AMATO. Mr. President, I believe that we have made substantial progress and, hopefully, we will be able to come to an accommodation that will meet the needs a number of my colleagues have expressed relating to the fixed rail modernization system. We are working on that at the present time. I hope we are going to be able to further deal with the question of New Starts in a way that will be satisfactory to my colleagues.

Last, but not least, it is my hope that we can resolve even the most contentious of points if those who are advocating changes will either meet with our staffs or come to the floor for the purposes of introducing their amendments so we can dispose of this significant portion of the bill, hopefully today. I believe we can, or certainly we can make very significant progress.

If we are not going to have agreement, then I can tell you it is my intent, after negotiations and after deliberations and debate, to move to table those amendments on which we cannot come to an agreement. But I hope we will work to the best of our ability. I think by putting this off we are not going to add to the likelihood of finishing this chapter of the bill today, and that is my hope.

This is an important piece of legislation which I believe the Senate, and I know Senator LOTT, our majority leader, is anxious to dispose of. That means the difference between States doing nothing and States beginning their highway projects in an orderly fashion, undertaking the necessary work to get their transit systems going and improving them. There are contracts that have to be let out. It takes time.

So, the sooner we get this done the more likely that some of the programs that otherwise will not continue, or start, this spring, will get started. We have to give the States assurance that there is going to be an orderly flow of funds. So I urge my colleagues if they have provisions or have statements they want to make, between now and 12:15 they can certainly come down. That would be a good time to make those statements. If there is legislation that they seek, now is the time to make it known to the committee, to the staff, and seek either an accommodation or action on their legislation. Certainly between now and 12:15, if anyone wants to come down to speak to these issues, or 12:30 when we go out—or thereafter, when we reconvene at 2:15—we are ready, willing and able to deal with whatever ramifications my colleagues might have or whatever legislative solution they might look for. We are willing to discuss and entertain their legislative proposals, again, by way of staff work directly, or the Senator meeting with his colleagues and/or Senators offering legislation. We can attempt to dispose of their legislative proposals one way or the other.

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

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

Mr. SARBANES. Mr. President, I just want to make a few points about the importance of transit as we are considering this amendment.

First of all, when we had the energy crisis, there was a tremendous focus at the time on transit, which in a sense faded from the scene because we no longer confront an energy crisis. But it is very important to underscore how energy efficient mass transit is in terms of moving people and goods. We have developed and, of course, even improved technology with respect to low emissions on clean-fuel buses, clean technology for light rail systems and for heavy rail systems.

People have to understand that means it is just that much less oil we have to import. So we are able to decrease our dependence on foreign oil by developing transit systems. And, of course, we are able to, as a consequence, improve our balance of payments situation. We often lose sight of that. We do not talk about that very much nowadays because energy isn't seen as a critical issue. But I simply want to remind people that at the time when we had the oil embargoes and everything, there was a tremendous emphasis on transit and its importance.

Secondly, the importance of transit for improving the environment I think is indisputable. It is estimated that over 40 percent, between 40 and 50 percent, of all Americans live in areas with unhealthy air, according to the EPA. In many communities, transit investments are a cornerstone of the strategies to achieve air quality standards. A failure to develop transit capacity will undermine our efforts to give millions of Americans cleaner air to breathe. So we have to recognize that transit is important for environmental purposes as well.

Thirdly, traffic congestion in our Nation's largest 50 cities is estimated to cost travelers over \$50 billion annually, just from the bottlenecks and the gridlocks. These delays translate directly into added cost to businesses and to individuals. Transit carries the equivalent of 5 million additional automobiles per year. People need to sort of envision what would happen if we did not have these transit systems. You would have utter chaos.

So we have to address this congestion and delay cost for millions of American motorists. And it is interesting to note, transit is used disproportionately during peak periods, peak-period commuting, which is exactly the same time when the roads are at their most congested. So, obviously, it serves a very important purpose in limiting or diminishing the amount of congestion that would otherwise occur on the highways.

Now, not only does it eliminate or decrease the amount of congestion, transit also provides essential access for people to jobs and shopping and medical services. It is estimated there are about 80 million or above Americans who do not drive, in other words, people who, to get around independently, are totally dependent on transit.

Transit is also essential now as we focus on moving people from welfare to

work, a major national priority, one as a consequence of the legislation passed by the Congress. Now the States are under very tight constraints in terms of addressing that population. It is estimated that only a very small percentage of welfare recipients, 6 percent, own cars. So most people on welfare would be dependent on transit in order to get them to and from their jobs.

So a strong and vibrant transit system, I think, is critical to the Nation's economy, to the well-being of our communities. I hope we can keep these additional considerations in mind as we address the transit title which is now pending before the Senate. There are these additional benefits that flow from it, and they really flow to the country as a whole.

If we can reduce our dependence on foreign oil and the import of oil, we become less in the hands, as it were, of others overseas, and we improve our balance of payments position. Transit makes an important contribution in that regard. It clearly makes a very strong contribution in the effort to improve our environment and to achieve clean air quality. It helps to reduce congestion.

Of course, people look around and say there is a tremendous amount of congestion now. I only say to them, think how much worse it would be if we did not have the transit systems. I mean, for those in the areas that are served by a transit system and are traveling by automobile or truck and encounter a lot of congestion, think what they would encounter if there was not a transit system moving millions and millions of people every day. You would have absolute gridlock in those areas of the country.

Now, as we deal, of course, with the welfare-to-work challenge, transit is a major component in helping us to succeed in addressing that challenge. It is also clear that transit is an important contributor to economic development and property values. Those areas that have the availability of convenient transit services have discovered that it makes an important contribution in spurring economic development and job creation. So, Mr. President, I hope our colleagues will keep this in mind.

An argument was strongly made in this body many years ago that we needed farm-to-market roads. We needed roads to make it possible for farmers to move their goods to market. As a nation, we responded to that and sought to support a farm-to-market network of highway transportation. I am supportive of that concept.

I think if we are going to build the Nation, we have to be sensitive to the needs of all parts of our country. I very much hope my colleagues will be sensitive to the needs of transit. Actually, everywhere in the country, we have provisions in this bill for rural transit, and transit in cities of over 50,000 and up to 200,000, special provisions. But, of course, we have the situation in which

we have the greater urban centers where literally millions of people move every day on mass transit. If it were not there, if we did not have a first-rate system, we would have a total, total breakdown in the functioning of the economy.

Mr. President, I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SARBANES. Mr. President, I think we are now scheduled to go out, as I understand it, for the party conferences.

RECESS

The PRESIDING OFFICER. The Senate is recessed, under the previous order, until 2:15 p.m.

Thereupon, the Senate, at 12:25 p.m., recessed until 2:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask permission to address the Senate as if in morning business.

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

LOSING OUR WAY II

Mr. GRASSLEY. Mr. President, in earlier remarks, I indicated a number of problems in our domestic drug control efforts. I intend now to highlight some of the problems in our international control efforts. Many past problems in this area have been documented in testimony before the House and Senate and in reports issued by the Congress. Let me give just a few highlights of recent issues that speak of deep problems.

I am concerned that the Administration seems only too willing to give drug producing pariah states a pass. Recently Senator HELMS and I wrote the Secretary of State on North Korea. We wanted to know why, with indications that the Government of North Korea is implicated in drug production, that there was not more effort to confront this pariah state. The response was that we don't know enough. Well, why don't we know enough? Basically because we are not asking the questions. We are not putting our collection assets on the problem.

This is one way of avoiding confronting North Korea on drug trafficking. This is a country apparently whose only two cash crops are nuclear weapons and illegal drugs. Yet, we ignore their drug activities and provide them help with nuclear materials. This

is not the only dictatorship and enemy of the United States that this Administration is declining to confront for drug production and trafficking.

During the recent recess, the Administration pulled another rabbit out of its hat. In the process, it once again showed its disregard for both requirements in law and for consulting with Congress. Mr. President, most members are probably not aware that the Administration has dropped Syria from the countries that we certify on drugs. The rationale the Administration offers for this move, done without consulting with Congress or Israel, is that what drug production there is in Syria does not affect the United States. That is not, of course, what last year's International Narcotics Control Strategy report, the Administration's own report, said. It is not what presidential certification notices have said. It is not what the Israelis report. It does not accord with the realities of international drug trafficking and the nature of the activities of organized criminal gangs. But there's more to the story. The Administration says it made this decision strictly on interpreting the law. In its reading of the law, the Administration argues that Congress did not mean to include countries like Syria where production is not coming to the United States. That is a singular interpretation, however.

I have here a copy of an interpretation by the Senate Legislative Council's office pointing out where the Administration's reading of the law is in error. I also note that the Administration undertook this significant change in policy based on the legal opinion of a single State Department lawyer. They did this without consulting with anyone in Congress. And, in my view, they did it by not complying with the law.

What all this means is empty gestures that send useless signals to pariah states. The fact that it does this by using U.S. drug policy as the throw away issue tells us a lot about how seriously this Administration takes our international counter-drug efforts.

The law requires the Administration to submit to Congress each November 1 the list of countries to be considered for certification. My staff reminded the State Department of this requirement in late October. It became clear, however, that Administration officials had no intention of meeting that requirement. Only under pressure did they finally get the paperwork up here, 10 days late. This tardiness was in spite of the fact that they promised not to be late, after having been weeks late in 1996. And they were weeks late then even after Congress gave them an extra month to get the list up here. This list, as I say, was late. I note also, that in being late, the Administration submitted it just days before the Congress recessed. That is, it submitted a document that contained a controversial decision without consultation or the opportunity for serious discussion.