

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE, ACCOUNTABLE, FLEXIBLE, AND EFFICIENT TRANSPORTATION EQUITY ACT OF 2003

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1072, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1072) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Pending:

Modified committee amendment in the nature of a substitute.

Dorgan amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements.

Gregg amendment No. 2268 (to amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining.

Dorgan amendment No. 2276 (to the language proposed to be stricken by the committee amendment), to modify the penalty for nonenforcement of open container requirements.

The PRESIDENT pro tempore. Who seeks recognition?

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we had a number of presentations made yesterday. There is a great deal of confusion as to what this bill is all about. I would like to go over a couple points.

First, I invite all Members with amendments to bring them to the floor and discuss them. We are rapidly approaching the point where we are going to be considering amendments. I am very proud of the staff, Democrats and Republicans, who staffed an office over the weekend to get information from Members who had amendments to offer.

For those who have not had a chance to become familiar with what we are doing, an injustice has been done to some of the members of the Finance Committee, particularly the chairman and the ranking member. They have worked long and hard. They have come up with something that meets the criteria originally put forward by the administration, such as not including a gas tax. It does not include going into the general fund. I do believe there are some areas where we have rectified problems with treatments that had been taken previously to the highway trust fund. Of course, I consider that something that should have been done anyway.

We are now in position to consider the bill. It is going to be a huge jobs bill. It is going to accomplish great work for the country.

A lot of people do not understand the formula aspect. One Member came down yesterday and talked about how one State is doing better under the formula. There are a lot of considerations to the formula, considerations such as the total lane miles of interstate, the vehicle miles traveled, the annual contributions to the highway trust fund attributed to commercial vehicles, the diesel fuel used on highways, relative share of total cost of repair and replacement of deficient highway bridges—I can identify with that, as in Oklahoma we have the worst bridges in the country—weighted nonattainment in maintenance areas, rate of return of donor States. That is one of the problems people have failed to understand, that we are getting all donor States up to 95 percent.

To do this, there have to be some who have been actually in a better position than they should have been by any formula because let's keep in mind that in TEA-21, 6 years ago, we had the minimum guarantee. The minimum guarantee was a political document. Let's look at who was in charge at that time. We had quite a disproportionate number of leaders from the Northeast. We had Senator Moynihan, Congressman SHUSTER over in the House who was driving the boat, Senator CHAFEE, Senator BAUCUS from Montana. As a result, there are some States that got up to a larger share than they would have achieved under any type of formula.

What they did was start with the same formula, using the factors I just outlined, and then, halfway through the process, went to the minimum guarantee. The minimum guarantee is the easy way out. All you have to do is count up 60 people, give them what they want, and you have 60 votes. That is not the right way to do it. We are doing it the right way.

I haven't seen anyone who really understands the formula, and everything that went into the last year we spent working on it, who is not supportive. They may not like how their State fared. Their State may have been in a position where they were getting more than they were entitled to for a period of time. That might be rectified by this. But we have the best intentions of going ahead. I am quite sure, in the final analysis, we will have a bill that is far greater and better and more equitable than ISTEA was—I was here during the ISTEA debate—and TEA-21 in 1998. I believe we have done a good job.

I refer again to the cooperation we have had on both sides of the aisle. We have had an opportunity to work with the leadership, and Senators JEFFORDS and REID have been great to work with. They have set partisanship aside. Historically, this has been a nonpartisan bill. It should be that way. A lot of the actions of the Environment and Public

Works Committee are nonpartisan. Certainly at the top of that list is this bill. I don't think anyone would accuse us of being at all partisan in this legislation.

There are winners and losers—no question about that—when compared to TEA-21. But let's go back to see what happened in TEA-21 before we are critical of where we are today.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding that the Senator from Oklahoma has to be gone from the floor this morning. We have our caucuses at 12:30. There are a number of people on our side who have requested time for morning business. I am wondering if it would be appropriate, in that we are in kind of a procedural tangle anyway, that we have time for debate only until the caucuses.

Mr. INHOFE. Mr. President, I propound that as a unanimous consent request, that we have debate only until after the conclusion of our conferences.

The PRESIDENT pro tempore. What is the request?

Mr. REID. The request is that we remain on the bill, but for debate only, until 12:30.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Vermont.

Mr. JEFFORDS. Mr. President, the EPW Committee has been working this bill for the past 2 years. Senators INHOFE, BOND, and REID and I have been very involved in this process. From the beginning, we wanted to accomplish a few important national goals: First, improve roads and bridges; second, move freight; third, address congestion; and fourth, improve safety.

Congestion is a growing concern all across America. Each day, Americans spend more time in their cars as they pursue routine activities, such as going to work, taking the kids to school, or picking up some groceries. As our Nation's population grows, travel demands grow as well.

The number of miles traveled annually on our Nation's roads is increasing at a substantial rate.

Many roads are at or approaching their physical capacity. In many areas of the country, it is both impractical and financially infeasible to add lanes to existing roadways.

However, we can increase capacity by actively managing the transportation network.

Intelligent transportation systems provide State and local governments the data and tools necessary to undertake time saving activities like incident management, ramp metering, traveler advisory systems, and variable pricing.

Over the past 10 years, some areas of the country have begun to implement these techniques, and they have realized numerous benefits.