

gather in the Nation's Capital to honor their comrades lost in the line of duty. They are accompanied by wives, husbands, sons, and daughters, along with families of the fallen.

It is a solemn occasion. It is a sacred occasion. It reminds us of the tremendous sacrifices our police officers make to keep us safe. Every day around the clock they are on the front lines defending our neighborhoods and protecting our lives, our homes, protecting our freedoms.

When we need an officer to investigate a dark alley, quell a domestic dispute, to chase an armed suspect, or subdue a criminal, we call these dedicated professionals to save us from harm. And each and every time they take a risk that our distress call could be their last.

I share very briefly a few stories of our proud heroes from Tennessee who, last year, gave the ultimate sacrifice.

Officer Jason Michael Scott of Loudoun County was shot and died on March 12, 2004, after responding to a family dispute. The station got a call that a teenager was attacking his mother. Officer Scott was sent to the scene. As Officer Scott climbed out of his patrol car to walk up to the house, he was shot four times with a high-powered rifle. The 16-year-old shooter then barricaded himself inside the home and exchanged gunfire with responding officers. The gunfight raged on for more than 20 hours before the disturbed young man committed suicide. Officer Scott was only 24 years old. His first child, Jayden Nicole, was born 11 days after his death. Our prayers are with the Scott family.

Even routine calls can lead to unexpected tragedy. Officer Christy Jo Dedman of Nashville was helping a motorist on the side of Interstate 40, not too far from my home, when a tractor trailer hit and killed her. In the flash of an instant, in one random moment, her life was taken.

At the funeral of Officer Mark Vance in Bristol, TN, an officer remarked:

You always know when you go out that you are taking a risk but you do not think it is going to happen.

Officer Vance was only 30 years old when he was shot and killed on a domestic violence call. Our prayers are with each and every member of his family.

Tonight, the National Law Enforcement Officers' Memorial will hold a candlelight vigil to honor Officer Vance along with his fellow colleagues killed in the line of duty. Over 20,000 people are expected to attend the ceremony tonight. The names of the 153 heroes will be read, as will the names of 262 other fallen officers from years past.

On Sunday, a memorial service will be held on the West Front of the Capitol. The President will be on hand to honor these heroes. I look forward to paying my respects to each of these courageous men and women.

I will take a moment now to single out Tennessee's own who are included

on this solemn roster: Sergeant Andy Thaddeus Bailey of Jackson; Officer Christy Jo Dedman of Nashville; Patrolman Timothy Howard Dunn of Shelby County; Patrolman J. Matthew Rittenhouse of Harriman; Deputy Sheriff Jason Michael Scott of Lenoir City; Patrolman Marlon Allen Titus of Memphis; and finally, Mark Edward Vance of Bristol.

Our hearts go out to their families, friends, and colleagues who were made safer by their service. We all suffer their tragic loss. In their honor I pledge to keep working hard to show our commitment in the Senate.

Last year, I cosponsored the Law Enforcement Safety Act, which the President signed into law. This legislation had been the No. 1 priority for our Nation's law enforcement community for years. Finally, last year, Congress passed it. It is now the law of the land.

The new law allows current and retired police officers to carry a concealed weapon in any of the 50 States. America now has the added security of tens of thousands of trained and certified law enforcement officers serving and protecting us across the country and even into retirement.

There are more than 870,000 sworn law enforcement officers now serving communities across America, the highest number ever. I thank each and every one of them and their families for their selfless courage, their sacrifice, and their dedication to public safety. Each of these officers is a hero. I honor them. Each of these officers has a family who deserves our appreciation and gratitude for their sacrifice. May God bless our women and men in blue.

I yield the floor and 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. JEFFORDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

SAFTEA PLANNING AND MITIGATION

Mr. JEFFORDS. Mr. President, the bill before us today recognizes some of the challenges that face States and metropolitan planning agencies when developing plans for future highway projects.

We have included natural resource and environmental factors for States and metropolitan planning agencies to consider when developing their transportation plans. They should consider protecting habitat, water quality and agricultural and forest land while minimizing invasive species.

While I am most familiar with aquatic invasive species such as the sea lamprey and the zebra mussel that are wreaking havoc on my beloved Lake

Champlain, nonnative species of vegetation have been degrading public and private property, degrading habitat, crops, and pastures.

State transportation planning agencies can become active stewards in roadside management by phasing out the uses of nonnative vegetation and reestablishing native plants on our rights-of-way. In addition to considering invasive species during the planning process, this bill makes funding available for the control of invasive plant species and establishment of native species.

To help States and metropolitan planning agencies assess the environmental impacts of proposed highway projects we suggest consulting with other State and local agencies. Those responsible for land use management, natural resources, environmental protection, conservation and historic preservation should compare transportation plans with State conservation plans.

This would include inventories of natural or historic resources and consideration of areas where wildlife crossing structures may be needed to ensure connectivity between wildlife habitat linkage areas.

This commonsense approach will assure that transportation planners will consider the location of important habitat, wetlands and other natural resources at the earliest stages of planning for new roads. These provisions will make project delivery faster and more efficient.

Currently, transportation projects are often planned without detailed information on core conservation areas, sensitive resources or important habitat that might lie within the selected corridor. These conflicts do not come to light until the environmental review process, which then becomes more expensive and time-consuming as transportation and resource officials try to reconcile infrastructure and conservation activities. These provisions will help transportation planners in avoiding unnecessary impacts on wildlife habitat and in mitigating for unavoidable impacts of a project.

These provisions encourage States to utilize available wildlife habitat data and maps to inform the long-range transportation planning process. Planners would be able to identify potential concerns at the earliest stage of planning, when options for minimizing impacts are greatest and costs of doing so are lowest.

Over 200 Americans die each year in wildlife-vehicle collisions, many more are injured and more than 1 million animals are killed on our roadways every day.

State and Federal agencies spend considerable time and money both protecting natural areas and building transportation infrastructure. Unfortunately, conservation and growth efforts often happen independently and then come into conflict during the permitting and construction phases of a

transportation project. These investments need to be coordinated. If conservation efforts are taken into account at the earliest stages of transportation planning, both priorities can be realized, in less time and at less cost.

While none of us have a crystal ball that can show us what the future will look like, through consultation, transportation planners can get a picture of the broader landscape and see what the consequences of a proposed project might be. In some instances, potential environmental and habitat impacts can be avoided.

The most significant threat to the biodiversity of this country is habitat loss. However, thoughtful, forward-looking transportation planning can go a long way towards reducing negative impacts and mitigating for unavoidable impacts. Over the next few decades, the decisions we make regarding highways and the ensuing loss of habitat will determine the fate of species and America's biodiversity. These provisions are aimed at helping to preserve that biodiversity through coordinated planning.

Another provision focuses on improving environmental stewardship in transportation projects by expanding the current eligibility for environmental restoration and pollution abatement from only those projects undergoing reconstruction, rehabilitation, resurfacing, or restoration to any project, as well as establish eligibility for invasive species control efforts.

Contributions to measures to control exotic and invasive plant species may precede, concur, or follow project construction if such measures are consistent with Federal law and State transportation planning processes. Finally, this bill recognizes that despite the best planning process, mitigation for impacts on habitat and natural resources from transportation projects may be necessary.

To help provide for needed mitigation, the bill allows the States to establish habitat and wetlands mitigation funds for efforts related to mitigation activities. The fund would allow States to undertake larger mitigation efforts based on the total impacts of multiple projects rather than the smaller scale of a single project. These changes to the planning process and increased consideration of environmental impacts will improve future transportation projects while protecting the environment.

This highway bill is about more than money. It is about balancing the needs of our Nation's transportation system with concerns about our natural habitats. We have done our best to strike that balance in this bill.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The PRESIDING OFFICER. The Senate will resume consideration of H.R. 3, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Pending:

Inhofe amendment No. 605, to provide a complete substitute.

Dorgan amendment No. 652 (to amendment No. 605), to provide for the conduct of an investigation to determine whether market manipulation is contributing to higher gasoline prices.

Inhofe (for Ensign) amendment No. 636 (to amendment No. 605), to authorize the State of Nevada to continue construction of the US-95 Project in Las Vegas, Nevada.

Allen/Ensign amendment No. 611 (to amendment No. 605), to modify the eligibility requirements for States to receive a grant under section 405 of title 49, United States Code.

Schumer amendment No. 674 (to amendment No. 605), to increase the transit pass and van pooling benefit to \$200.

Sessions Modified amendment No. 646 (to amendment No. 605), to reduce funding for certain programs.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, today I would like to spend a few minutes discussing an important provision in the highway bill before us.

Section 4(f) of the highway bill provides important protections for historic sites, parks, recreation areas, and wildlife and waterfowl refuges throughout the country. With the increasing demand for transportation projects, it is important that we not lose sight of our natural treasures. We need to balance the growing need for transportation with responsible stewardship of our history and natural resources.

In my State of Vermont, we have a wealth of history and natural beauty. To see the wildlife that populate the Missisquoi Wildlife Refuge or the covered bridges used by our forefathers—is to experience a heritage that we all want preserved for future generations. Section 4(f) has helped preserve these treasures.

The Revolutionary War site at Fort Vehemence on Route 7 in Pittsford, VT, was avoided as a result of 4(f). An excellent collection of historic metal truss bridges across the Connecticut River were rehabilitated, not replaced, as a result of 4(f). A road in the Danville Historic District was narrowed in order to keep the historic characteristics of the historic village because of 4(f).

While constructing a new highway in Vermont, we have discovered a significant archeological site containing arti-

facts from Native Americans, providing us with a piece of history that until now was not known. By documenting this site, we will expand our knowledge of Vermont's Native Americans. Also, because of 4(f) protections, 4(f) is amended in this legislation.

The objective of this amendment is to allow transportation projects and programs to move forward more quickly, while maintaining the protections of 4(f). Those protections assure that there will be public notice and opportunity for public review and comment on proposed "de minimis" determinations for transportation projects. And that affected agencies will concur in the decision of the Secretary of Transportation that there will be no adverse impact on a historic site, recreation area, park, or wildlife or waterfowl refuge. The provision would require the Secretary of Transportation, when making a finding that a transportation project or program will have a "de minimis" impact, to consider all avoidance, minimization, mitigation, and enhancement measures that have been incorporated into the project.

This provision allows project sponsors to incorporate environmentally protective measures into the project from the beginning, in order to support a finding of "de minimis" impact.

These mitigation measures must be carried out and be shown to have the intended impact. If they are not having the intended impact, other measures must be used to ensure no adverse impact. This is an important strengthening of the 4(f) program that will protect our heritage while planning for needed transportation projects.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first, I thank the ranking member of our committee, Senator JEFFORDS, for the hard work he has done, as well as Senator BAUCUS and Senator GRASSLEY, who have worked very hard and, of course, Senator BOND, who is chairman of the transportation subcommittee of the committee I chair.

This has been 3 years in the making. What we are looking at right now is very significant. We are to the point now where we are down to a handful of amendments that remain—probably the most significant bill that would be passed this year. It appears that under the rules of cloture, we probably will have our vote on this and be able to take amendments between 2 o'clock and 4 o'clock on Monday, and vote on some amendments starting at 4 p.m. I hope we vote on quite a few. I think we will end up with about six more total votes before this is done.

If we get some of those out of the way Monday night, by Tuesday, when we go in, we will be able to finish and have final passage on this bill and send it to conference. We went through this exercise a year ago and we were able to get it to conference. Unfortunately, we lacked one signature of getting a conference report and getting it back here.