U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION—DISTRIBUTION OF ESTIMATED FY 2002 REVENUE ALIGNED BUDGET AUTHORITY

States	TEA–21	Conference	Difference
Alabama	78,660,918	70,270,303	(8,390,615)
Alaska	47,506,115	42,438,725	(5,067,390)
Arizona	71,794,955	64,136,719	(7,658,236)
Arkansas	50,998,628	45,558,698	(5,439,930)
California	357,228,521	319,088,155	(38,140,386)
Colorado	51,633,630	46,125,966	(5,507,664)
Connecticut	59,372,721	53,039,542	(6,333,179)
Delaware	18,097,567	16,167,133	(1,930,434)
Dist. of Col.	15,517,870	13,862,608	(1,655,262)
Florida	187,841,638	167,804,915	(20,036,723)
Georgia	141,803,966	126,677,998	(15,125,968)
Hawaii	20,042,262	17,904,391	(2,137,871)
Idaho	28,813,232	25,739,778	(3,073,454)
Illinois	129,699,234	115,864,455	(13,834,779)
Indiana	91,837,217	82,041,110	(9,796,107)
Iowa	46,752,049	41,765,094	(4,986,955)
Kansas	45,442,357	40,595,104	(4,847,253)
Kentucky	68,342,130	61,052,200	(7,289,930)
Louisiana	61,436,479	54,883,163	(6,553,316)
Maine	20,796,328	18,578,021	(2,218,307)
Maryland	64,532,116	57,648,593	(6,883,523)
Massachusetts	71,715,580	64,065,811	(7,649,769)
Michigan	126,563,909	113,063,570	(13,500,339)
Minnesota	57,110,525	51,018,651	(6,091,874)
Mississippi	50,720,814	45,310,518	(5,410,296)
Missouri	90,924,402	81,225,663	(9,698,739)
Montana	40,640,152	36,305,141	(4,335,011)
Nebraska	31,472,305	28,150,666	(3,321,639)
Nevada	28,932,295	25,846,141	(3,086,154)
New Hampshire	19,605,698	17,514,394	(2,091,304)
New Jersey	100,687,563	89,947,406	(10,740,157)
New Mexico	38,735,144	34,603,338	(4,131,806)
New York	197,128,548	176,101,207	(21,027,341)
North Carolina	111,046,039	99,200,962	(11,845,077)
North Dakota	26,630,412	23,789,795	(2,840,617)
Ohio	136,327,071	121,785,313	(14,541,758)
Oklahoma	60,722,101	54,244,986	(6,477,115)
Oregon	46,434,548	41,481,460	(4,953,088)
Pennsylvania	186,849,447	166,918,559	(19,930,888)
Rhode Island	24,050,715	21,485,269	(2,565,446)
South Carolina	67,429,314	60,236,753	(7,192,561)
South Dakota	27,979,792	24,995,239	(2,984,553)
Tennessee	89,614,709	80,055,673	(9,559,036)
Texas	310,674,910	277,535,786	(33,139,124)
Utah	30,202,300	26,980,676	(3,221,624)
Vermont	18,375,381	16,415,313	(1,960,068)
Virginia	103,703,824	92,641,928	(11,061,896)
Washington	68,461,193	61,158,563	(7,302,630)
West Virginia	41,711,718	37,262,406	(4,449,312)
Wisconsin	77,986,228	69,667,581	(8,318,647)
Wyoming	28,178,230	25,172,507	(3,005,723)
Subtotal	3,968,764,800	3,545,423,946	[1](423,340,854)
Allocated Programs	574,235,200	997,576,054	423,340,854
Total	4,543,000,000	4,543,000,000	0

[1] Represents (−10.7%).

Mr. McCAIN. In addition to the RABA funding shell game, host of other actions by the appropriators merit concern. For example, section 330 of the conference report appropriates $144 million in grants for surface transportation projects while the Statement of Managers then earmarks the entire allotment for 55 projects in 31 States. I should point out that the Senate-passed version of the appropriations bill provided $20 million for these grants, not a dime of which was earmarked, while the House bill did not appropriate any funding for such grants. But through the will of the conferees, the level of funding for surface transportation projects grants are increased by $124 million and the conferees have recommended earmarks for every penny of the grant funding instead of allowing it to be made available for distribution on a competitive or meritorious basis.

Examples of these earmarks included in the Statement of Mangers include: $1.5 million for the Big South Fork Scenic Railroad enhancement project in Kentucky; $2 million for a public exhibition on ''America's Transportation Stories'' in Michigan—this sounds like a very critical and legitimate use of transportation dollars—and one of my favorites, $3 million for the Odyssey Maritime Project in Seattle, WA. What makes this last one a highlight is that the ''Odyssey Maritime Project'' is not a surface transportation project of all. It is, in fact, a museum. But the sponsor of that project must not have wanted us to really know what the funding was being allocated for and instead chose to incorporate some cleaver penmanship to mask the true nature of the so-called transportation project.

With respect to the Coast Guard, the conference report earmarks $2,000,000 for the Coast Guard to participate in an unrequested joint facility that would locate a new air station in Chicago with a new facility that would also house city and State facilities. The new marine safety and rescue station is not justified, not requested, and in fact would provide duplicative air coverage already met by other Coast Guard air stations.

The conference report also earmarks $4,650,000 to test and evaluate a currently developed 85-foot fast patrol craft that is manufactured in the United States and has a top speed of 40 knots. Interestingly, there is only one company with such a patrol craft, Guardian Marine International, LLC., and it is based in the State of Washington. The Coast Guard did not request this vessel, does not need this vessel, nor does this vessel meet the Coast Guard's requirements. The Coast Guard's resources are already stretched thin and this will only hamper its ability to meet its new challenges since September 11. But again, the appropriators know best.

The conference report further earmarks $500,000 for the Columbia River Aquatic Non-indigenous Species Initiative—CRANSI—Center at Portland State University in Portland, Oregon, to support surveys of nonindigenous aquatic species in the Columbia River. This earmark is directly taking away much needed Coast Guard R&D funds that could be used to fight the war on drugs, protect our ports, or aid in search and rescue efforts.

And, as with other modes of transportation, the appropriators have larded the DOT's aviation programs with numerous earmarks and authorizing language that is within the jurisdiction of the Commerce Committee. For example, the Statement of Managers earmarks more than $206 million in FAA facilities and equipment projects at dozens of specific airports. I am not sure how the appropriators seem to know precisely which pieces of equipment need to be installed at which airports, but I believe that we should be leaving these decisions to the FAA. The more projects that are forced upon the agency, the less ability it has to focus on those that are truly needed to enhance safety and capacity.

The appropriators do the same thing when it comes to airport projects and the expenditure of discretionary funds. The Statement of Managers earmarks more than 100 specific airport construction projects totaling more than $200 million. Once again, this is intended to take away significantly from the discretion of the FAA to determine the most important needs of the system as a whole.

This might be the time to remind the Secretary and the modal administrators that the slew of projects included in the Statement of Managers are advisory only. The Statement of Managers does not have the force of law and the FAA and other modal agencies must exercise its judgment in complying with the recommendations of the managers.

While the aviation earmarking is bad, the raiding of existing aviation accounts for unrelated purposes is even worse. The FAA's Airport Improvement Program is supposed to be devoted to the infrastructure needs of our nation's airports. Yet the conference report take tens of millions of dollars out of AIP to pay for the FAA's costs of administering AIP, the Essential Air Service program, and the Small Community Air Service Developing Pilot Program. Theses are worthy activities and programs, but it violates the long-established purpose of AIP to use monies for these things.

Mr. President, last year I warned that we should just as well get rid of DOT and let the appropriators act as the authorizing agency since they so routinely substitute their own judgment for that of the agency's. Well, apparently I have a job in my retirement predicting the future. There is a provision in this bill that prohibits the use of any funds for a regional airport in southeast Louisiana, unless a commission of stakeholders submits a comprehensive plan for the Administrator's approval. While that is not necessarily good government, that is well within the agency purview. However, the bill goes further and requires that if the Administrator approves the plan, it must be then submitted to the Appropriations Committee for approval before funds can be spent.

This is unconscionable. Clearly the appropriators do not want this airport to be funded unless they say so. Are the appropriators now going to require that every decision that is made by the oversight agency be approved by them first? Will the Administrator or Secretary have to send letters regarding transportation policy to Congress for approval? Will DOT leave requests and travel schedules have to be sent to the Appropriations Committees? Where does this end? I understand that Congress is supposed to act as a check and balance to the executive branch, but I must ask, who is serving as a check and balance to the appropriators? At a minimum, isn't it supposed to be the authorizers? But passage of this conference report will provide clear proof that once again there are no checks and there is no balance.

Mr. President, I could go on and on but will refrain. It is hard to imagine but despite the seemingly unlimited