Rush	Smith (TX)	Tierney
Ryun	Smith, Adam	Torres
Sabo	Smith, Linda	Towns
Salmon	Snowbarger	Traficant
Sanchez	Snyder	Turner
Sanders	Solomon	Upton
Sandlin	Souder	Velazquez
Sanford	Spence	Vento
Sawyer	Spratt	Visclosky
Saxton	Stabenow	Walsh
Scarborough	Stark	Wamp
Schaffer, Bob	Stearns	Watt (NC)
Schumer	Stenholm	Watts (OK)
Scott	Stokes	Waxman
Sensenbrenner	Strickland	Weldon (FL)
Serrano	Stump	Weldon (PA)
Sessions	Stupak	Weller
Shadegg	Sununu	Wexler
Shaw	Talent	Weygand
Shays	Tanner	White
Sherman	Tauscher	Whitfield
Shimkus	Tauzin	Wicker
Shuster	Taylor (MS)	Wise
Sisisky	Taylor (NC)	Wolf
Skaggs	Thomas	Woolsey
Skeen	Thompson	Wynn
Skelton	Thornberry	Yates
Slaughter	Thune	Young (AK)
Smith (MI)	Thurman	Young (FL)
Smith (NJ)	Tiahrt	

NAYS—8

Bachus	Hostettler	Schaefer, Dan
Barton	Paul	Watkins
Gillmor	Paxon	

NOT VOTING—11

Cannon	Kennedy (MA)	Royce
Condit	Klug	Smith (OR)
Gonzalez	Payne	Waters
Jefferson	Rangel	

□ 1336

Mr. PAXON and Mr. BARTON of Texas changed their vote from ''yea'' to ''nay.''

Messrs. DOYLE, HEFNER, CHRISTENSEN and MEEHAN changed their vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend the Federal Credit Union Act to clarify existing law with regard to the field of membership of Federal credit unions, to preserve the integrity and purpose of federal credit unions, to enhance supervisory oversight of insured credit unions, and for other purposes.''

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONDIT. Mr. Speaker, I was unavoidable detained for roll call vote 92, The Credit Union Membership Access Act. Had I been present, I would have voted aye. I would ask that this be reflected in the RECORD in the appropriate section.

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1151, as amended.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

LAYING ON THE TABLE HOUSE RESOLUTION 309 AND HOUSE RESOLUTION 403

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that House Resolution 309, dealing with the rule on fast track, and House Resolution 403, dealing with the rule on the bank reform bill, be laid on the table.

The SPEAKER pro tempore (Mr. HEFLEY). Is there objection to the request of the gentleman from New York?

There was no objection.

BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

The SPEAKER pro tempore. Pursuant to House Resolution 405 and rule XXIII, the Chair declares the House in the Committee of the Whole on the State of the Union for the consideration of the bill, H.R. 2400.

□ 1340

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) each will control one hour, and the gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) will each control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SHUSTER asked and was given permission to revise and extend his remarks.)

Mr. SHUSTER. Mr. Chairman, today we bring to the floor of the House historic legislation, legislation to rebuild America so that we have a 21st Century transportation system. In the 21st Century, from Seattle to Miami, from New York to California, America is growing and prospering, but our infrastructure is crumbling.

There are two fundamental principles in the bill we bring to the floor today. The first is to put the trust back in the Transportation Trust Funds. It is to restore honesty in budgeting.

Every time an American drives up to the gas pump and pays his or her 18.4-cent gas tax for every gallon of tax, that money goes into the Highway Trust Fund and Americans have the right to believe that the money in the trust fund is going to be spent to improve transportation.

In fact, that is the way it was, until in the mid-1960's President Johnson got the idea that by not spending the money, he could help fund the Vietnam War.

Indeed, it was Eisenhower and the Congress which made a Contract with America, and that contract was you pay your gas tax, and that money is spent to improve highways. Unfortunately, in the past several years, we have had a fraud perpetrated on the American people. It has not happened. We have had abate and switch. You pay your gas tax, but the money in the trust fund does not get spent. To the tune, there is $23 billion in that Highway Trust Fund today.

Let me share with Members something that a very well-known American said when he was Governor of a State just a few years ago. He said this on television: ''The Congress took that money from us under a solemn contract to turn right around and give it back to the States to be spent on roads and highways. Instead, they are hoarding that money up there, and the only reason is to make the Federal deficit look smaller than it is. It is just wrong. It is wrong as it can be, and we ought to stop it. It is in violation of the solemn contract the national government has to the people who pay the tax.'' Governor Bill Clinton.

So I say now to the Clinton Administration, join us. Keep your word. Help us unlock the trust fund so that money can go where it is supposed to go, to improve America's transportation infrastructure.

We swallowed hard in the committee to get where we are today on a couple of very, very important compromises. We agreed that from this point forward, we would not count the interest in the trust fund.

Over the life of this bill, that means $15 billion in debt reduction for our country. And we swallowed hard and said that approximately $10 billion of the $23 billion in the balance will be returned.

□ 1345

Put those two figures together and you get about $25 billion in reduced debt for the Federal Government, an amount which approximates the increase in spending that this bill proposes. We only spend the revenue coming into this Trust Fund from this point forward. We only spend the money paid for by the American people in the gas tax and the related transportation taxes. Indeed, the projection is we come in over the 6-year period about $3 billion under the revenue coming in.

I would be quick to say, if there is no need to spend this money, we certainly should not spend it, nor should we let it accumulate. We should reduce the taxes.

So that brings me to, really, the second fundamental principle: That is, what are the needs for investment in infrastructure for America? I suggest

that the needs are very clear; indeed, they are overwhelming. Twenty-seven percent of the highways in America are in poor condition. The average American is stuck 26 hours out of every year in traffic. That does not really tell the whole story. The average American living in one of our big cities is stuck in traffic, bumper-to-bumper traffic, over 50 hours in a year, more than a workweek in a year.

Indeed, on our highways, 42,000 Americans are killed every year. Of that 42,000, 9,000 are kids killed on our highways. The experts tell us that 30 percent of highway fatalities are caused by bad roads. That is 12,000 Americans of the 42,000 being killed on our highways. Indeed, it is about 2,700 kids being killed on our highways as a result of bad roads. That is more than a commercial airplane crashing every day. What outrage we would have in this country if we had an airplane going down every day.

In addition to those fatalities, 3.5 million Americans are injured on our highways every year. Get this. For every baby born in America today, six out of every ten babies born will be injured in an automobile accident during his lifetime, some of them more than once, if we do not change these accident rates.

We can change them. In fact, something I do not talk about very much, but it is appropriate today, I think. Seventeen years ago I had my neck broken in an automobile accident. I was a passenger in a head-on collision. I had my seatbelt on. They tell me I would have been a dead duck if I did not. But I am one of the lucky ones. They put three pins in my neck and a bone out of my hip, and I am okay. I am here. I am alive. I am lucky. But 42,000 Americans every year are not so lucky. Nine thousand kids every year are not so lucky.

I would wager that there is hardly anybody here in the Chamber today, or in our viewing audience, who has not had a loved one or a friend who has been killed or seriously injured in an automobile accident. What is the cost of a life? We cannot really put a price tag on it, but what we do know is that with the investment made in this bill over the life of this bill, the experts tell us we can cut fatalities by 4,000 people a year. It sounds like a lot. Actually, it is less than 10 percent of the fatality rate. It is doable. But do we want to cut the number in half, 2,000 lives a year? What is the value we put on a life?

This bill will save lives. This bill will give our country a productivity boost, an economic boost. This bill will create jobs. For every $1 billion invested in highways, 42,500 jobs are created.

Where is the support for this bill? It is not just here in the Congress, although I must tell the Members how thrilled I was to see the overwhelmingly positive vote we got just a few minutes ago on the rule for this bill. If Members would listen to the naysayers, we would have thought we would have squeaked through, at best. Instead, when the vote came, it was six to one overwhelmingly in support of the rule for this bill.

Who are the supporters of this bill? It is not just us. All 50 governors have endorsed this bill. The League of Cities, the mayors have endorsed this bill. The counties have endorsed this bill. The State legislatures have endorsed this bill. Environmentalists have endorsed this bill. Safety groups have endorsed this bill. Labor, the AFL-CIO and the Chamber of Commerce, what a pair, have both endorsed this legislation. And, yes, the AAA, representing millions of the motoring public.

Why have they supported this bill? Why do we have this extraordinary, broad, bipartisan support across America? Here is what the bill does: It unlocks the Transportation Trust Fund and says, from this point forward the revenue coming into the Trust Fund can be spent on transportation improvements.

Do not believe this baloney that we somehow break the budget, that we somehow create a deficit. Not a penny can be spent if, indeed, the money is not there in the Trust Fund to be spent. Not a penny can be spent if we do not come back to this House with offsets from conference with the Senate. So it cannot bust the budget. Indeed, it can only spend the revenues flowing into the Trust Fund paid for by the motoring public.

That is not all this does. This revises the formulas for the States by which they get their money in a much fairer way. We throw out the old formula, which by the way is based in part on some 1919 statistics, if Members can believe that. We throw that aside, and we create a much fairer formula based on transportation need as well as population.

We raise the minimum allocation for each State to 95 percent, including all formula funds; and, for the first time, we include the projects in the minimum calculation. We also say that the donor States, since they are the ones putting up most of the money, the donor States get preference in discretionary grants.

Beyond that, we recognize the need for more flexibility. There are those who argue we should give the program back to the States. We believe that goes too far, but we acknowledge the States and the cities should have much more flexibility, and we put it in this bill. In this bill we provide that, in every category going back, the States and cities can shift up to 50 percent of the money in that category into any other category, based on the State or city need.

There are two modifications to that. We want to protect the environment, and so we provide that in CMAQ and enhancements the States must spend at least as much as they have been previously spending, but in the increased money, 50 percent of that can be flexed to other categories, should the States and the localities so choose.

Beyond that, we recognize the national interest. Those who talk about just give it all back to the States I think must be living in 1920 instead of 1998. Interestingly, there is a greater Federal interest today to tie our country together than there has ever been. Why? Because we have more interstate travel than we have ever had.

I love to refer to Oklahoma City as an example. Out there, you have two interstates that cross, 35 and 40. They were built to carry 60,000 vehicles a day. They are carrying 120,000 vehicles a day. But, to me, that is not the most interesting figure. To me, the most interesting figure is that 60 percent of the license plates on those vehicles are out-of-State license plates. It is not an Oklahoma problem. It is a national problem.

Up in Seattle, coming out of the great port of Seattle-Tacoma, over 50 percent of the product coming in from Asia is shipped to Chicago and east. With tongue in cheek, I said they should change the name from the Port of Seattle to the Port of Chicago, the point being it is not a Washington State problem, it is a national problem.

Across America today, 64 percent of truck traffic is interstate. There is a greater need to tie our country together to make sure that the national interest is protected, as well as State and local interest. That is why we bring this balanced bill to the floor.

We also move some general fund transportation spending into the Trust Fund. We acknowledge that it is the Transportation Trust Fund that should be spending the money, so we do that.

We also toughen up safety standards. We provide incentives to toughen the drunk driving laws. We say that .08 is important, and we provide incentives to the States to put .08 in their State laws. But we do not want to have an unfunded mandate. We hope the States will do it. We give them an incentive to do it.

On the subject of projects, which it seems the media and the opponents, few though they are, have focused so much on projects, only 5 percent of the funds in this bill go to congressional high-priority projects. Stop and think about it. Eight percent of all the money in this bill goes back to the States. Seven percent goes downtown to the Secretary of Transportation.

The last time I checked, angels in heaven did not make the decisions and are not making the decisions as to where to build highways and transit systems. It is a political process. There is nothing wrong with the States, the Governors, the legislators having 88 percent of the money to decide how it is going to be spent, or the Secretary having 7 percent of the pot.

We think it is not unreasonable, in fact, it is very reasonable, to say that the Members of Congress who have to cast the tough votes on this legislation

should be able to recommend to our committee what projects are most important in their district, and we limit it to only 5 percent of the pot.

In addition to that, when we hear those saying, well, it is the same old way it used to be done, that simply is not true. We have a 14-point vetting process where these projects must meet the standard, including support from the Secretary of Transportation in their home States, or their mayors, if it is in an MPO area.

Let me emphasize that this tough 14-point vetting program was something that was actually proposed and put into effect by the gentleman from West Virginia (Mr. NICK JOE RAHALL), a Democrat. So this is bipartisan. It is something that makes a lot of sense; and, indeed, it is something that should be done.

Further, let me emphasize, when we hear people saying, well, if you eliminate the projects you save money, Mr. Speaker, we do not save a penny. The money, if there are no projects, simply goes back to the States or downtown. It will be spent, but it will either be the faceless, nameless bureaucrats downtown or in State government or the Governors or the State legislators who will be spending the money.

I do not know how many Members I have had come to me and say, for example, my State government is all Republican, and I am a Democrat. I do not get anything in my district, so I need a high-priority project. Or, conversely, my State is all Democrat; and, as a Republican, I do not get anything unless I have a high-priority project.

Who knows better what is most important in their district than the Members of Congress from that district? In fact, I would respectfully suggest there is a bit of arrogance in those who say that somehow they know better what is important in their congressional districts than Members know. Indeed, I would suggest that if Members do not know what is really important to people in their congressional district, they are not going to be here very long.

Let me emphasize that, while we have some disagreement in this bill, I have the greatest respect particularly for the gentleman from Ohio (Mr. JOHN KASICH), who is not a hypocrite and who said he does not want to see tax revenue spent on transportation.

□ 1400

I disagree with him. I disagree with him fundamentally. But he is straight. This is his position. He has a right to take that position. And he also, in the process, has not sent us letters requesting projects for his district while at the same time saying he opposes projects. He is not a hypocrite. He is an honorable person.

Mr. Chairman, I had to take the well last week and to release and put in the CONGRESSIONAL RECORD letters from several Members of Congress who are castigating the projects but who have asked for multimillion dollar projects in their own congressional districts. Now, as hard as that is for Members to believe, it is in the RECORD. It is there for Members to see.

Last week I challenged any Member to come forward and say that I had offered a project in exchange for his vote or, conversely, had threatened to take a project away if he did not vote with us. Nobody has responded to that challenge. Why? Because nobody can, because that is not the way we do business. Not only in this bill, but never in my career in the Congress have I ever made such a threat to a Member of Congress.

So it is very regrettable that the people who on the one hand seem so self-righteous also are dealing very loosely with the truth. Maybe there is a little inconsistency there that I hope one might recognize. In fact, there is a great line in the book, ''The Hawaiians'' which I will clean up and paraphrase, which is, ''How I envy the pious. They can be such hypocrites and never even know it.''

Well, the good news is we have dealt fairly with every Member in this body. I must say I was surprised to see the gentleman from Delaware, my good friend, last week holding a press conference because he does not like our bill, calling it highway robbery. He is my good friend. We serve together on the Select Committee on Intelligence. Indeed, we are members of other organizations here on the Hill.

But what short memories we seem to have. It was just last year that the Delaware delegation pushed through $2.3 billion for Amtrak. In fact it was described by some as one of the most bizarre, backhanded ways of funding a program that has ever been witnessed around here.

But I did not take the floor and call it the ''great train robbery.'' No, I supported what they were trying to do because we were able to reform Amtrak, because Amtrak is important, not to some Members but to the gentleman from Delaware and the Members from the Northeast Corridor. Amtrak is important to them, so we supported that and we supported the reform of Amtrak.

I must tell my colleagues that the reform bill spells out that those reforms must be accomplished by June 1, or all money for Amtrak stops, ceases, zero. I must also tell my colleagues that there are indications that those reforms may not be met by June 1, which means they will have to be back here on the floor again asking for forgiveness for Amtrak legislation or there will not be any money for Amtrak.

Well, it seems to me that it might be a little more difficult next time around to get that kind of forgiveness for Amtrak. So I hope that those who sometimes seem to feel that nobody's cause but their own is worthwhile might take a little broader look at the transportation needs all across America.

The Woodrow Wilson Bridge is another case in point. A billion dollars. We read so much in the local papers about the importance of the Woodrow Wilson Bridge. Let me tell my colleagues there are over 30 interstate reconstruction projects, all of which cost more than a billion dollars. So while the Woodrow Wilson Bridge may well be important to the region here, there are other projects all across America which cost just as much on the interstate system, the highest priority system, and which are just as important to other Americans across this country.

So I hope that, again, those who seem to see nothing of virtue in anything but their own particular interest might broaden their horizons just a bit.

Mr. Chairman, my colleagues who know me best know I am not exactly a raving left-wing liberal spender. In fact the American Conservative Union gave me a 100 percent rating last year. I slipped in my NFIB rating. I only got a 97. I am not a big spender; I am a fiscal conservative. But there is a fundamental difference between spending tax dollars to build assets and pouring money down a rat hole.

Indeed, Mr. Chairman, I would say to my conservative Republican colleagues, look at the legacy of our party. It was Abraham Lincoln who in the midst of the Civil War signed the papers to create the first transcontinental railroad and who strongly supported Henry Clay's American system for capital improvements, for internal improvements.

It was Teddy Roosevelt, the Panama Canal. George Will, the wonderful columnist, wrote a column a few months ago in which he observed that some conservatives today, had those same conservatives been back there with Teddy Roosevelt, probably would have voted against the Panama Canal. Well, I would like to think not, but it does not end with Teddy Roosevelt.

Eisenhower, the father of the interstate system. Mr. Chairman, do my colleagues know who Eisenhower's floor manager was in the United States Senate to pass the interstate system? Prescott Bush, the father of President George Bush.

To my conservative colleagues I say we have a legacy here of building America and today is the day we have the opportunity to do it. Today is the day we have the opportunity to put honesty back in budgeting. To spend only the trust fund money that is coming in. To save lives. To remove congestion and to increase productivity. The revenue exists.

Let me close by sharing with my colleagues something that Stephen Ambrose, the historian, wrote in a book that just came out recently. It is a wonderful book entitled ''Citizen Soldiers.'' It is a book about the soldiers of America who in World War II slogged their way through Europe to win victory for our country and for the allies.

He wrote in the conclusion of his wonderful book about those World War

II veterans when they came home, and here is what he said about them:

These were the men who built modern America. They wanted to construct. They built the interstate highway system, the St. Lawrence Seaway, the suburbs so scorned by the sociologists but so successful with the people, and much more.

So let us on a bipartisan basis in this Chamber today, let us in our time be the builders of a better America as we move into a new and exciting 21st century, so that our children's children 50 years from now might be able to look back and say: See, this they did for us.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself 3 minutes.

Mr. Speaker, 42 years ago in this Chamber a Democratic Congress, united with a Republican President, launched a new experiment in transportation, one that would prove to be enormously successful in improving America's mobility and expanding its economy and moving transportation from border to border and coast to coast in a way that never had been accomplished before.

Today we stand at the beginning of a new century and a new millennium. The legislation we bring to the floor today takes us beyond the vision of the interstate system and beyond the vision that was created in ISTEA in 1991 and to a new century, a new millennium, a new investment with renewed vigor in a future America.

Mr. Chairman, I compliment the gentleman from Pennsylvania (Chairman SHUSTER) on the extraordinary job he has accomplished of leading us through the thicket of conflicting issues, values, ideas, demands, interests and pressures to do the right thing for America. He traced the evolution of the transportation system, of this legislation, in a very heartfelt, deeply sensitive and deeply committed way just a moment ago. His words are a measure for all time.

What we do in this legislation is not just to continue but to extend beyond where we have been in our transportation mix of the last 42 years. Mr. Chairman, we continue the investment in America that is the fundamental driving force for this transportation sector, which is 10 percent of our gross domestic product. We continue the programs of this country that we initiated in ISTEA that have been so enormously successful. We continue the environmental stewardship. We address safety and, indeed, had we not addressed safety with the interstate highway program in 1956, we would be killing 110,000 people on America's highways today.

We provide continued equity in our transportation program for minorities for labor, for construction labor, and for the States through our distribution formula. This is a bill that is good for all America, for all time, to take us into that next century. Not a bridge of fiber optic cable, but a bridge built on concrete, asphalt, steel and goodwill and good vision and a good sense of direction for America.

Transportation means economic growth, means mobility, and it means opportunity for America. That is what this legislation is all about.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Wisconsin (Mr. PETRI) chairman of the Subcommittee on Surface Transportation.

Mr. PETRI. Mr. Chairman, today we are considering legislation that, perhaps more than any bill we will consider this Congress, touches the lives of each and every constituent of each and every Member of this House.

Mr. Chairman, until something goes wrong, we often overlook the impact that transportation has on our daily lives. No matter who we are or where we live, we rely on an efficient and safe transportation network. Whether we live in an urban area where transit provides a way to get to and from work; whether we farm land in a rural area and need to get crops to market quickly; whether we own a business that needs to truck in materials and get finished goods out over the roads; whether we are a young mother worrying about safely driving our young children to school each day; or whether we load up the family and go down the highway on our annual family vacation in Disney World or the Grand Canyon, we need a good transportation system in the United States for daily commutes, to transport freight around the country, and to provide opportunities for tourism and for recreation.

Transportation is something that we use every day, and it provides a safe and efficient way of getting around and moving goods, and it is something that our constituents expect.

Mr. Chairman, today we have an opportunity to pass legislation that truly does provide tangible, real benefits for all Americans. Some have tried to attack the bill before us based on the funding levels and budget implications of authorizations for projects in various Members' districts. But those critics ignore one important fact: all the spending in this bill is fully supported by the gas taxes paid and collected in the Highway Trust Fund. In fact, spending is actually below trust fund revenues over the next 6 years. Spending in this bill is linked to the amount of taxes collected in the trust fund, taxes collected from the motoring public and which can be used only for transportation purposes.

Spending increases in this bill are so large in part because we are finally using the gas taxes for transportation instead of hoarding them in the trust fund to subsidize other spending. The current trust fund balance is about $23 billion. Under the budget agreement last year it would have grown to $70 billion. What is fair about that, government borrowing from the trust fund to spend on all kinds of things, adding to the national debt?

Gas taxes are user fees collected to fund transportation. They should either be used for that purpose, as BESTEA does, or the gas tax should be cut.

□ 1415

Now, some have used the term ''hypocrisy'' to describe this bill. Well, the true hypocrisy is taxing the American public, saying we will use those taxes only for transportation, and then not living up to our part of the bargain. That is why America has become so skeptical about Washington.

We are ending that practice in this bill. We should not lose sight of the fact that since BESTEA more fully spends the new gas taxes coming into the trust fund, we have agreed to write off a total of $9 billion of the outstanding $22 billion cash balance in the Highway Trust Fund, and we have agreed to forgo interest that would otherwise be credited to this trust fund saving over $14 billion in national indebtedness. No one has been talking about that, but it reduces the outstanding debt of the United States by over $20 billion.

We have significantly reformed distribution formulas to provide for the more equitable allocation of funds among the States. Funding formulas are updated so that we no longer use historic shares to distribute funds, and instead we use up-to-date transportation data that more accurately reflects usage and need.

Minimum allocation for donor States is increased to 95 percent. Several other donor State funding provisions are included. A very significant reform is that for the first time projects are included in the minimum allocation calculation so States cannot be severely disadvantaged or advantaged whether they have or do not have projects.

Finally, donee States do not lose in terms of actual dollars received, but in fact increase substantially over the amounts received, over the past 6 years of ISTEA. Under BESTEA, we are able to increase funding for clean air programs. We increase by $2 billion funding for safety and safety education programs, and we have done an increase in transit funding by 43 percent.

It contains significant reforms to streamline project delivery and reduce red tape, including coordinating environmental reviews, reducing project approval requirements and eliminating programmatic responsibilities of Department of Transportation regional offices.

Mr. Chairman, passage of BESTEA today means Americans traveling on the roads will be safer. It means that we will take a step forward in sustaining and improving the economic prosperity that we as Americans are so fortunate to enjoy. And it means that we will be competitive in a global economy that relies on efficient transportation. We quite literally need good

highways, bridges and public transit to keep us moving ahead into the future.

Mr. OBERSTAR. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois (Mr. LIPINSKI), ranking member on the Subcommittee on Aviation.

Mr. LIPINSKI. Mr. Chairman, I thank the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for this time.

Mr. Chairman, I rise today in strong support of H.R. 2400, the Building Efficiency Surface Transportation and Equity Act, commonly referred to as BESTEA. First, I want to thank our chairman and ranking members for all of their hard work, the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI), the gentleman from West Virginia (Mr. RAHALL). They have worked together to create a strong bipartisan bill that provides the necessary funding to maintain and improve our Nation's infrastructure.

I am sure that during the debate today, a few of our colleagues will try to say that this important bill busts the Balanced Budget Act of 1997. This is simply not true. This bill is paid for out of the Highway Trust Fund. The Highway Trust Fund is supported by fuel taxes paid by motorists. Therefore, this bill is paid for each time motorists go to pay for their gasoline. BESTEA does not bust the balanced budget. BESTEA simply spends down the large unspent surplus in the Highway Trust Fund. Under this bill, dedicated gas taxes are used for their dedicated purpose, to address the transportation needs of cities and States throughout this Nation.

This is absolutely necessary because America's transportation needs are staggering. Our Nation's transportation infrastructure in many areas is crumbling and it is in urgent need of repair, mainly because we as a Nation have not invested enough to maintain and improve our transportation system. In fact, in the last 30 years transportation spending as a percentage of the Federal budget has been cut in half. Yet investing in transportation means investing in America's future.

Economic studies show that every dollar invested in the highway system yields $2.60 in economic benefit. Other countries are already investing billions in their core infrastructure. Fortunately, BESTEA does the same for America.

Mr. Chairman, as I said this morning, BESTEA is a good bipartisan bill. It will provide better, safer roads. It will provide new and improved public transportation systems. It will improve air quality by reducing traffic congestion and by promoting public transit. It will provide good jobs for middle-class Americans. It will ensure America's future as a world leader by maintaining and improving our world class surface transportation system. I strongly urge all my colleagues to vote to invest in America's future and vote in favor of H.R. 2400.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

I almost find myself uncontrollable here in recognizing and giving 5 minutes to the Honorable John Paul Hammerschmidt, a former member of Congress and a former ranking member of our committee, the man who would be chairman if he were still here, so I want to acknowledge he is in the Chamber and wish him well.

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds to join in the acknowledgment of our colleague, one of the architects of ISTEA that brings us to the floor today, and an extraordinarily distinguished Member of this House and of our committee for so very, very many years. We owe him a great debt of gratitude.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Kentucky (Mr. ROGERS) chairman of one of the important appropriations subcommittees.

Mr. ROGERS. Mr. Chairman, I thank the chairman for yielding the time and join in welcoming our friend, Mr. Hammerschmidt, back to this Chamber.

Mr. Chairman, the highway bill before us today opens doors for the Nation and the people of Kentucky. First, it unlocks the Highway Trust Fund, providing the money needed to invest in our national highway system and to boost spending in donor States like Kentucky. BESTEA gives Kentucky 90 cents back on every dollar that we send in to the trust fund as opposed to 77 cents they received under ISTEA.

Overall, Kentucky will receive on average approximately $479 million per year in highway funding. That is 70 percent more than our share over the last 5 years.

Second, it launches the I–66 project in Kentucky, making the first major dollar investment toward construction. I–66 will open up southern and eastern Kentucky to the rest of the Nation, creating thousands of jobs.

Third, monies included in the House and Senate version of this bill virtually guarantee that we will make substantial progress on the unfinished sections of the Appalachian development road system, which is vital to our region.

Of special importance is that this bill will save lives. BESTEA gives States the ability to improve the safety of many poorly designed roads and bridges. This will save hundreds of lives in Kentucky alone.

Simply put, BESTEA is the best deal for Kentucky, the best deal for donor States and the best deal for our Nation. I congratulate the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) and the other members of the committee for a great job on a great bill.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from West Virginia (Mr. RAHALL), ranking member on the Subcommittee on Surface Transportation, who has contributed so vigorously and so many dedicated, devoted hours to the shaping of this legislation.

Mr. RAHALL. Mr. Chairman, I thank the gentleman for yielding me this time.

I commend the gentleman as well as the gentleman from Pennsylvania (Mr. SHUSTER) and the subcommittee chairman, the gentleman from Wisconsin (Mr. PETRI), for their excellent work on this legislation. As we begin debate on this legislation, we are indeed at a crossroads in this country. We can decide whether we want to retreat from the transportation needs of the new century and fail to make the necessary investments in our highway and transit infrastructure, or we can rise to the challenge and dedicate the necessary resources to these endeavors.

Those of us who bring this legislation forth today are seeking to rise to that challenge, to keep faith with the American public, to restore integrity and restore trust back into the Highway Trust Fund and to make the necessary investments in America. To be clear, this is not just about an investment in concrete and asphalt, but one about investment into our children, one about investment into our environment, and an investment into the very social fabric of this Nation.

This legislation involves the very standard of living we in this country wish to enjoy, and it entails the type of legacy we wish to leave to future generations, our children. Poor road pavement, outdated design standards, and the lack of safety enhancement present a very real threat to the motoring public. In parts of my district, school buses have collided with trucks for these very reasons, prematurely extinguishing the innocent lives of our younger generation. I know tragedies like this have happened elsewhere around the country.

This bill makes an investment into improving those roads and providing more safety features so that we can better ensure the well-being of our children.

Our environment, let us look at what this bill does. Congestion plagues our cities, both large and small. Air quality deteriorates as vehicles stack up behind each other with motors idling. And tempers flare erupting into road rage affecting so many parts of this country.

This bill makes an investment into improving our environment by advancing alternative means of transportation such as transit, bicycle and pedestrian pathways, and innovative new intelligent transportation systems.

Our very standard of living, let us look at what this bill does. In order to compete globally, companies are demanding production efficiency. It is estimated that more than one-half of U.S. manufacturers are using just-in-time inventory systems. This approach requires an efficient transportation system.

This legislation makes a fundamental investment into improving our transportation systems, not just highways, but transportation links that are intermodal in nature, to better ensure the smooth flow of goods, both domestic and international markets.

It has been said that ISTEA represented a revolution in how we viewed our surface transportation needs. Over the course of the last 6 years ISTEA, as implemented, has produced some fundamental changes in the Federal role in transportation. It empowered our local communities.

If ISTEA was indeed a revolution, then this bill known as BESTEA is a revelation; a revelation because it exposes the Highway Trust Fund for what it truly is, not an account to be used to mask the true size of the Federal deficit, or make our budget look brighter. Not a pot of funds to be held hostage to the whims and the caprices of our budgeteers, but rather as a trust fund, a trust fund paid into by the American motorists for the express purpose of receiving a better return in building our road and bridges in this country.

I urge adoption of this entire bill. I think it is what the American public wants. It is what our children and future generations want.

Mr. PETRI. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Chairman, I think it is important to recognize the tremendous steps the committee is taking to significantly to improve donor States rate of return in this bill. BESTEA distributes funds equitably among the States by reforming the highway funding formulas so that they are based upon relevant transportation factors.

Specifically, there are provisions in this bill which will guarantee that no State will fall below a 90 percent return on its contributions to the Highway Trust Fund. In addition, the committee repealed the penalty on discretionary grants for States that receive minimum allocation funding. While BESTEA is not perfect, Mr. Chairman, it certainly goes a long way to address the critical need of donor States, and I hope we can continue to work together to that end.

This bill is not only about saving lives, it is about being honest with the American people. Many Members in the Chamber today will claim that this is a budget buster. I am a fiscal conservative, Mr. Chairman. This charge is simply not true.

When Congress set up the Highway Trust Fund, it created a contract with the American people by instituting a gas tax with the promise that these taxes would only be used for transportation improvements. When these taxes are used to mask the size of the deficit or to increase welfare spending or foreign aid, the contract is broken and American lives are put at risk. Using the gas tax for other social spending is wrong and dishonest.

We must, in fact, spend these taxes on what we promised we would spend them on. It is an honesty question and it is time to be honest with the American people. If we are not going to expend these monies for the purpose that was intended, then let us repeal the tax.

Mr. Chairman, it is time to spend the Highway Trust Fund where it is supposed to be spent: Improving roads and enhancing the safety of the American motorists who use those roads.

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Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. BORSKI), the ranking member on our Subcommittee on Water Resources and Environment.

(Mr. BORSKI asked and was given permission to revise and extend his remarks.)

Mr. BORSKI. Mr. Chairman, let me first thank the distinguished gentleman from Minnesota (Mr. OBERSTAR) for yielding me this time.

I also want to commend and congratulate both he and our distinguished Chairman for bringing this truly bipartisan and truly historic bill to the floor of the House of Representatives. I also want to commend the gentleman from Wisconsin (Mr. PETRI) and, of course, our ranking member on the subcommittee, the gentleman from West Virginia (Mr. RAHALL).

Mr. Chairman, I think it is important to understand that this is not just a highway bill. By establishing funding levels that are fiscally sound, it provides necessary resources to meet America's diverse transportation infrastructure needs.

BESTEA maintains the enhancement and CMAQ provisions set forth in ISTEA. It provides for an equitable distribution of funds among States, it improves safety on our highways, provides flexibility for States and local areas, and it benefits urban and rural America.

Mr. Chairman, it is important to point out that these varied and critical goals can only be met because of a provision in the bill that calls for phasing in spending the 4.3 cents fuel tax recently returned to the Trust Fund and taking the Trust Fund, itself, off budget beginning in 1999.

The monies that are actually spent on our country's infrastructure have been consistently and substantially less than what is collected. To call this money a dedicated tax and then disregard its intended use is a fraud. Clearly, our country has enormous transportation infrastructure needs. We cannot afford to look the other way while revenues committed to address these needs go elsewhere or sit fallow. That money is desperately needed, and it exists in a Trust Fund. We do not need to find the money to pay for our infrastructure. We simply have to stop others from spending it for unintended purposes.

Mr. Chairman, I must tell my colleagues, as a Representative from an urban community, I am greatly encouraged by the increase in transit funding provided for in BESTEA. Ridership on computer and light rail has grown steadily and significantly. New transit starts are exploding. And as such, in each of the last 4 years of the bill, $6.4 billion is spent on transit, nearly a 50-percent increase above current funding levels.

In the current political climate of decreased Federal spending, committing such revenues speaks to the recognition of the pivotal role mass transit must play if we are to best utilize our resources, transportation and otherwise.

Perhaps the best illustration of the innumerable benefits investments in our Nation's infrastructure and, more specifically, in transit can yield is found in the welfare-to-work provisions of the bill. This critically important program helps restore our cities and return our people to productive use by providing them with the ability to physically get to where the jobs are.

People in my city of Philadelphia know all too well that, as companies abandon our cities for the suburbs, they take their jobs and opportunities with them, leaving unemployed city dwellers. In fact, two-thirds of all new jobs created are in the suburbs. Furthermore, less than 6 percent of families receiving benefits from the Temporary Assistance for Needy Family program own cars. This means that 94 percent must rely on transit systems to get them to work.

Mr. Chairman, I rise today to offer my wholehearted support for H.R. 2400, the Building Efficient Surface Transportation and Equity Act of 1997. Let me first congratulate Chairman SHUSTER, Ranking Member OBERSTAR, Chairman PETRI, and Ranking Member RAHALL for the truly remarkable job that they have done. Reauthorization of any bill of this magnitude is always an arduous and delicate task. But the validity of some of the inherently competing interests associated with this program, and the need for those interests to be both acknowledged and reconciled, created a monumental assignment for those charged with the reauthorization of ISTEA. What they bring to the floor today, surpasses any reasonable expectations held by those of us all too familiar with the scope and complexity of the bill. In BESTEA, the enormous needs of our nation's infrastructure have been addressed, while maintaining the integrity of the program itself. The result is a bipartisan product the Transportation and Infrastructure Committee, and the whole House, should be proud to endorse. Finally, with this bill, we can do what we have promised every American that we would do when we asked them to pay into the Highway Trust Fund at the gas pump- adequately build and maintain our nation's crumbling infrastructure.

This is not just a highway bill. By establishing funding levels that are fiscally sound it provides the necessary resources to meet America's diverse infrastructure needs. BESTEA maintains the enhancement and CMAQ provisions set forth in ISTEA. It provides for an equitable distribution of funds among states, improves safety on our highways, focuses on national priorities, streamlines program delivery,

and reinvents the DOT. The bill provides flexibility for states and local areas, benefits urban and rural America and supports technology development needed as we enter the 21st century.

Mr. Chairman, it is important to point out that these varied and critical goals can only be met because of a provision in the bill that calls for phasing-in spending the 4.3 cents fuel tax recently returned to the Trust fund and taking the Trust fund, itself, off-budget, beginning in 1999. When Congress established the Highway Trust Fund in 1956, it was a deliberate policy decision to impose a user fee funding mechanism and a trust fund, rather than continuing to support transportation infrastructure programs out of general revenues. The Highway Trust fund ensured that the money was collected from those benefitting from the improvements by taxing gasoline, diesel and special fuels as well as heavy trucks and tires. By creating a trust fund, Congress was presumably guaranteeing a promise to those contributing to the fund that the money would be dedicated to transportation infrastructure improvements. This promise has blatantly been ignored for far too long. The monies that are actually spent on our country's infrastructure are consistently, and substantially, less than what is collected. As a result, an enormous surplus has been allowed to accumulate in the Trust Fund, much to the delight of our Nation's bookkeepers. This practice of locking up billion of dollars in treasury notes that should rightfully be stimulating our economy has been likened to a shell game, and amounts to nothing more than fraud on the taxpayer. To call this money a dedicated tax and then disregard its intended use is fraudulent. I can tell you as a sixteen year veteran of the Transportation and Infrastructure Committee that our nation's infrastructure can no longer afford to pay the price for dishonest bookkeeping.

The Department of Transportation estimates that simply maintaining current conditions on our highway, bridge, and transit systems will require annual investments of $57 billion, an increase of 41%. These conditions are indisputably unacceptable and unsafe. In my home state of Pennsylvania for example, more than 70% of our roads were rated fair to poor. Over 40% of our bridges were deemed deficient. These statistics are not inconsequential. Inadequate roads and bridges are a factor in traffic accidents that result annually in over 12,000 highway deaths nationwide. Metropolitan congestion alone costs our nation more than $40 million annually.

Transit needs are at least as critical. One-third of rail maintenance yards, stations, and bridges, and almost one-half of transit buildings are still in poor or fair condition. Rolling stock needs immediate replacement as the average fleet age for all classes of bus and paratransit vehicles has exceeded the useful life of the vehicles. Additionally, 51% of rural buses are overage and more than 9,000 urban buses need immediate replacement. According to the DOT, to improve the condition of our nation's infrastructure to optimal levels, would require annual investments of $80 billion. Clearly, our country has enormous needs. We cannot afford to look the other way while revenues committed to address these needs go elsewhere or sit fallow. Perhaps, if our nation's roads and bridges weren't crumbling we could indulge our colleagues as they continued to steal money dedicated to infrastructure so that they could claim, and take credit for, a balanced budget. But we can't. That money is desperately needed, and it exists in the trust fund. We don't need to find the money to pay for our infrastructure, we simply have to stop others from spending it for unintended purposes. If that results in a budget that is not balanced, I would suggest that my colleagues who serve on the appropriate committee should take a closer look and find offsets that would make up for the money they planned to divert from this user fee.

Mr. Chairman, I must tell you that, as a Representative from an urban community, I am greatly encouraged by the increase in transit funding provided for in BESTEA. Ridership on commuter and light rail has grown steadily and significantly. New transit starts are exploding. In fact, our committee received over 150 requests for these type of projects just this year, totaling over $25 billion. As such, in each of the last four years of the bill, $6.4 billion is spent on transit, nearly a fifty percent increase above current funding levels. In the current political climate of decreased federal spending, committing such revenue speaks to the recognition of the pivotal role mass transit must play if we are to best utilize our resources-transportation and otherwise.

Perhaps the best illustration of the innumerable benefits investment in our nation's infrastructure—and more specifically, in transit, can yield, is found in the Welfare-to-Work provision of the bill. This critically important program, helps restore our cities—and return our people—to productive use, by providing them with the ability to physically get to where the jobs are. People in my city of Philadelphia know all too well that, as companies abandon our cities for the suburbs, they take their jobs and opportunities with them, leaving unemployed city dwellers. In fact, two-thirds of all new jobs created are in the suburbs. Furthermore, research by the U.S. Department of Transportation found that less than 6% of families receiving benefits from the Temporary Assistance for Needy Families program own cars. This means that 94% must rely on transit systems to get them to work. In the past, those of us who represent cities, have watched, with great frustration, the impact on our community as these companies leave for the suburbs. We have focused a great deal of energy on convincing companies to stay in or come to our city. While this is important, it is not always possible and, perhaps in our zealousness, we have not recognized the benefits of any other alternatives. If a company can or will not stay in the city, there is still an enormous economic benefit to be had, should people be able to commute out to the suburbs. This is the impetus behind the welfare-to-work program. And we have seen it work in cities like Chicago. Suburban Job-Link, working with Chicago's PACE bus company, began serving the needs of unemployed Chicago residents in 1971. The program has proven to yield economic rewards. For every 1,000 workers employed at suburban manufacturing jobs, $25 million in pay and benefits annually flow back into inner-city neighborhoods.

Mr. Chairman, again, I would like to applaud the leadership of our committee for their truly remarkable and Historic accomplishment. A year ago, it seemed a nearly impossible task to meet the very real, diverse, and often competing needs of our nation's infrastructure. But Chairman SHUSTER and Ranking Member OBERSTAR held firm to their principles, arguing tirelessly that integrity be restored to the Trust Fund. It is with admiration that I acknowledge their achievement and without any hesitation that I offer my support for the BESTEA bill. This bipartisan effort and product represents the very best our committee has to offer, and reinforces both the pleasure and pride with which I have served on it for the past sixteen years.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington (Mr. METCALF).

Mr. METCALF. Mr. Chairman, I would like to take this opportunity to congratulate the Chairman on an outstanding bill and ask if the Chairman will enter into a colloquy?

Mr. SHUSTER. Mr. Chairman, if the gentleman will yield, I will be pleased to.

Mr. METCALF. Mr. Chairman, as the Chairman has noted, the volume of international trade passing through Washington State's ports has snarled traffic at dozens of at-grade rail-highway crossing in the Puget Sound region. As the Chairman knows, public and private interests have come together to propose a series of grade-crossing projects and port-access projects that we refer to as the ''fast corridor'' program.

Does the Chairman agree that section 115 of the bill, the National Corridor Planning and Development Program, was designed to help projects like the fast corridor?

Mr. SHUSTER. Mr. Chairman, reclaiming my time, I would certainly agree with the gentleman. I have seen the problem firsthand there.

As the gentleman from Washington has observed, I have first-hand knowledge of the special mobility problems in the Puget Sound region. The Fast Corridor Program was developed to address that problem.

Section 136 of the bill designates the ''Everett-Tacoma Fast Corridor'' as a ''high-priority corridor.'' With this designation, the fast corridor would be eligible for funding under section 115, as you have already pointed out.

Section 115 was designed with projects like the fast corridor in mind and I am certain that it would be an ideal candidate.

I commend the gentleman for his initiative on this matter and for the leadership he brings to transportation issues in the region.

Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. KIM), a distinguished member of the committee.

Mr. KIM. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I have heard critics saying today that we are stealing money from other programs to rebuild our highways and bridges. Now, come on. Let us be honest with the American people. The money is already there. The American people pay for it with the gas tax money.

In 1956, Congress made a simple contract with the American people that gas taxes would be used for highways and bridges. Seven years ago, Congress broke the promise and diverted gas tax

money to foreign aid and other programs.

Southern Californians have paid dearly for that ever since. Southern Californians spend more time stuck in traffic than anyone else in the country.

And there is another argument. I am tired of hearing this bill is full of pork. It is not about pork. It is about saving people's lives. Every year 14,000 people are killed in roads that are too narrow, too congested, or simply too dangerous for existing traffic. None of these people have to die.

In my district, there is a road known as ''Blood Alley.'' Eight lanes of freeway are crammed into a two-lane country road when it crosses the county line. About 10 people die each year on this three-mile stretch of road because the counties do not want each other's traffic.

Our bill includes $13 million to widen this Blood Alley and save lives. Fixing Blood Alley is our responsibility. It is not pork. Our bill saves lives and restores our promise to the American people. This bill forces Washington to keep its promise and fix highways with the gas and tax money.

I urge my colleagues to support this bill.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT), the ranking member on the Subcommittee on Public Buildings and Economic Development, a valiant, vigorous member of our committee and advocate for Buy America.

Mr. TRAFICANT. Mr. Speaker, $217 billion is being invested in America, not overseas. To put some perspective on it, our trade deficits with China in the next 6 years will exceed $300 billion.

Now let us call it like it is. Everybody is talking about pork. I was called the king of pork on ISTEA because I got five bridges funded. One of those bridges collapsed last week. One of my constituents almost got killed. Thank God, no one got killed in my district. They do not call that bridge pork today.

Now let us put the hay where the goats can reach it. To all of these political purists in the Congress, here is how they would have it: We would fight to get the money for the States. The local politicians would have press conferences and announce the projects. Then they would brag how they got the money and that there was no Federal money in it. And then they will run against us. Beam me up. I do not apologize.

In 1986, I passed the amendment that increased the minimum allocation to donor States. And last year in Ohio, 28 major projects, I did not get one of them; and we are the most deserving.

I do not apologize for any damn thing. They can call me anything they want on this House floor, but if we do not take care of our district, no one is going to take care of our district. Stand up today, and you fight for your district. That is what it is about. This is not the Rotary, my colleagues.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I rise today in strong support of BESTEA, the Building Efficient Surface Transportation and Equity Act.

I would like to point out to all of my colleagues and to the American people that BESTEA is green tea. The reason I have attached the label of ''green tea'' to the bill before us this afternoon is because the legislation provides more funding to improve the quality of America's environment than any approved by this body in the last decade.

This is an environmentally sensitive and an environmentally friendly bill. And that is good for the American people, because they expect us to protect the air we breathe and the water we drink and the food we eat. Nothing is more important than that in terms of our assignment.

Green tea contains over $40 billion for the transit program, the Congestion Mitigation Air Quality program, commonly known as CMAQ; the Transportation Enhancement Program; the Recreational Trails Program; and the National Scenic Byways Program.

The gentleman from Pennsylvania (Mr. SHUSTER), the Chairman, and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, are to be applauded for their obvious concerns about America's transportation policy and how they have incorporated a sensitivity to the environment in this measure.

In fact, the environmental community strongly endorses BESTEA. Let me repeat this point. The environmental community strongly endorses BESTEA because they, too, know it is green tea. The Environmental Defense Fund, the League of American Bicyclists, the National Trust of Historic Preservation, the National Parks and Conservation Association, the Natural Resources Defense Council, the Rails to Trails Program, Scenic America and the Sierra Club all strongly support BESTEA because they, too, know it is green tea.

Green tea provides nearly $4 billion for the transportation enhancement program. This program provides needed funding to communities to build bicycle and pedestrian facilities and renovate historic transportation facilities. Green tea provides nearly $10 billion for the Congestion and Mitigation Air Quality Program over a 6-year period.

This is a good bill. It deserves support. It has earned the support of the environmental community.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT), the distinguished ranking member of the Subcommittee on Coast Guard and Maritime Transportation.

Mr. CLEMENT. Mr. Chairman, my colleagues, this is a great day for all of us when it comes to transportation and the future of transportation needs. We know what they are doing in Europe, we know what they are doing in Asia, we know what they are doing in other countries around the world when it comes to infrastructure; and we are falling further and further behind.

As one of the so-called donor States, I do know that we have been underserved, short-changed in the past. And I am pleased to hear what the gentleman from Pennsylvania (Mr. SHUSTER) said so well and so eloquently a while ago, that this outdated formula goes back all the way to 1991 and now it is time, because of the shifts in population, that we need to realize that we need to make some major adjustments in the formula in order to be fair to all States involved. This is a great day. I strongly support this transportation bill. It is truly in our best interest.

Mr. Chairman, at this time, I would like to have a colloquy with the Chairman on a matter.

I would like to thank the Chairman for his willingness to extend the Coast Guard's boating safety program in H.R. 2400. Mr. Chairman, H.R. 2400 also extends the transfer of the gasoline tax attributable to motorboats from the Highway Trust Fund to the Boating Safety Account. Does this mean that the Boating Safety Account will have the same budgetary treatment as the Highway Trust Fund in section 701 since this is a disbursement from the Highway Trust Fund?

Mr. SHUSTER. Mr. Chairman, if the gentleman would yield, the gentleman from Tennessee is correct. Since the Boating Safety Account receives its money from the Trust Fund, it would have the same budgetary treatment as the Highway Trust Fund under section 101.

Mr. CLEMENT. Mr. Chairman, let us all get behind this most important transportation bill for the 21st century. We need it, and we need it now.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FOX).

Mr. FOX of Pennsylvania. Mr. Chairman, I rise in strong support of H.R. 2400, this outstanding bipartisan measure to reauthorize our Federal surface transportation programs. A great deal of credit goes to the leadership of our Chairman, the gentleman from Pennsylvania (Mr. SHUSTER); the gentleman from Minnesota (Mr. OBERSTAR); and members of staff.

We have far too many roads, bridges, and transit systems which have been neglected and have fallen into disrepair. They are leading to highway fatalities, congestion, in addition to wasted time, energy and money. We must restore the trust of the American people and spend the federal gas taxes they already pay to restore our Nation's infrastructure.

Take roads such as Route 309 in Pennsylvania, right in my district,

where the accident rate is double that of the State-wide average. We can stop these deaths by making sure we pass BESTEA. Save our roads, improve mass transit, job creation and environmental preservation. That is what this bill is all about.

The Transportation needs of the country are at stake, and we need to take care of what is best for our constituents. I urge all my colleagues here in this room and those listening to please vote ''yes'' on BESTEA. This is the best investment in America, the best investment in our communities, and the best investment for our people.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), the voice of our Nation's capital in this body.

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Ms. NORTON. Mr. Chairman, I thank the gentleman for his generosity in yielding.

Mr. Chairman, I have come to the floor to take head-on this notion that transportation and infrastructure money in today's America is pork. This is displaced rhetoric from prior decades before our infrastructure declined dangerously.

There are two ingredients that make the United States a world class power. One is human capital. The other is our infrastructure. We cannot maintain our place in the world if we continue to allow our infrastructure to rot.

Go to India. Enormous investment in human capital, but not in infrastructure, and so they are exporting their human capital, sending their people, their technicians and their scientists, around the world. A great power must have balanced investment.

I am still a tenured law professor at Georgetown. Human capital advantage, I understand. That is why I support education so strongly. But neither must we lose the huge advantage infrastructure gives us in world markets.

Instead of maintaining that advantage, we have been disinvesting in our infrastructure. There is no excuse for continuing to do so, because this bill is fully paid for out of transportation trust funds. Nor are the earmarked projects pork. Each and every one of mine came from my transportation department, prioritized for vital projects for the economy of my city.

Yet, the Washington Post this morning, under a headline about, ''Record Pork'' goes on to say the following: ''Among these earmarked projects are $24 million to replace the crumbling 61-year-old Missisquoi Bay Bridge in northwestern Vermont, which local officials described as an accident waiting to happen.'' If that is so, how could it be pork?

Mr. Speaker, this is not pork. This is steak. If we want to continue to be a prime rib country, we better pass this bill quick.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, when the President talks about building a bridge to the 21st Century, this is the bill that lays the infrastructure that makes that bridge a reality. This bill saves and creates well-paying American jobs by making sure we have the means to efficiently move the goods and products we produce.

But transportation is not just about moving goods and people from one place to another. It is about economic opportunity, new business, expanding commerce, a cleaner environment, safety for our children, and a higher quality of life.

Better infrastructure means more time with our families. How many hours do we waste sitting in traffic because our roads are inadequate. Too many, Mr. Chairman. Too many. This is the bill that does something about that.

Mass transit and road improvements may not be glamorous work, but it is important work. The success of almost everything else we do depends on our transit and infrastructure. At a time when most of our major trading competitors are making large investments in new infrastructure, we cannot afford to lag behind.

The solution we need is a national one. Our commerce is no longer confined or constrained to national, much less State boundaries, so our system is only as strong as its weakest link.

If one State has a great system, and the next State has an outdated one, both States suffer. In the next century, we will lose crucial economic ground if we allow these gaps to remain.

Close to my home, traffic on the bridges and roads that connect New York and New Jersey is reaching the breaking point. Ironically, the reason is a good one. Our ports are bringing in businesses and jobs and trade. But if we do not improve and innovate these connections, our growth will literally be held back by our inability to handle the flow of people and goods.

So we are using ferries to get people back and forth, 6 million people annually. And by 2005, we will need ferry service for 8 million or more. By making that investment today, we are able to handle the growth of tomorrow.

This is a cost reduction measure. It saves money. Ferries do not require the construction of costly infrastructure. They reduce single occupancy vehicle use. They are more energy-efficient.

This bill was put together with creative solutions like this one in mind. Yes, it is a bill of many individual projects, but it is a national plan. The projects in the bill make up that national plan, and we deserve to be supportive of it.

I want to commend the chairman and the ranking member for their vision in putting this in before the House.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New York (Mr. QUINN), an important member of our committee.

Mr. QUINN. Mr. Chairman, this is truly a historic day for the United States. H.R. 2400 is a magnificent work which addresses many transportation-related concerns of our country.

For example, section 205 contains the most comprehensive antidrinking and driving measures ever put into legislation. The bill also reauthorizes the Discretionary Bridge Program that gives our State the tools to repair and replace crumbling bridges.

It also, though, Mr. Chairman, talks about safety. If I can particularly make a point in my district, there was an accident in 1992 where a car was trying to swerve around another truck. Steel coils fell off, and people were killed. More recently, another truck carrier swerved to avoid a disabled vehicle on the same stretch of road. Just last month, six people lost their lives.

H.R. 2400 provides us with the opportunity to fix that stretch of road and other roads all across the country where safety is a concern. Can anybody in the Chamber tell the families of these victims and others that these are unnecessary projects? Can anybody tell the New York State Thruway Authority that this is not a worthy project or a pork project?

Mr. Chairman, this is a good bill. It deserves our attention, and it deserves passage today.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in strong support of H.R. 2400. I want to begin by thanking my Chairman, the gentleman from Pennsylvania (Mr. SHUSTER), and my ranking member, the gentleman from Minnesota (Mr. OBERSTAR) for their leadership and tenacity in bringing this bill to the floor today.

The Building Efficient Surface Transportation and Equity Act of 1998 is desperately needed and a long time and coming.

Mr. Chairman, I suggest there is not a single Member of this House who cannot appreciate the tremendous needs of this Nation's infrastructure. I know there are Members who will vote against this measure, and I fully appreciate the sincerity of their convictions. But I believe they are being a wee bit shortsighted.

Transportation is the engine driving this Nation's economy. To the extent transportation fails, our economy fails. We cannot ignore these needs any longer.

Mr. Chairman, this bill is important for other reasons as well. There are areas of this country which have unique needs, and this bill addresses those needs. There are areas for which, for whatever reason, have historically been shortchanged in the distribution of trust fund revenue. H.R. 2400 brings fairness to this process, and I strongly support it.

Mr. Chairman, we have heard a lot of rhetoric and histrionics about demonstration projects. A great many headlines of today highlight this frenzy. But I take a different view. I came to Washington to represent the people of South Carolina's Sixth District. I was eager to request funding for projects my district needs. But I resent the implication from anyone who thinks otherwise. My requests represent the views of the local officials of the towns and communities I represent.

Finally, Mr. Chairman, I want to address the provision of this bill which provides for opportunity for owners of small businesses to participate in the American dream. The DBE program is not a set-aside program, nor is it a quota. It sets reasonable goals for full participation in a highly competitive process, and I believe this bill, with all it contains, deserves passage.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from South Dakota (Mr. THUNE), a very important member of our committee.

Mr. THUNE. Mr. Chairman, I appreciate the opportunity to speak today in support of H.R. 2400, the Building Efficient Surface Transportation Equity Act. There has been a lot of talk about the budget issues surrounding the highway bill, but there are some things that I think that people are forgetting to mention.

First of all, the fact that the American people have already paid for this bill. We paid for it this morning. We filled our cars; came to work. We will pay for it this evening on the way home when we stop at the gas station to top off the tank.

It makes no sense to impose a national highway gas tax, collect the money from this tax, then use that money to fund wasteful Washington spending. That is exactly what has been happening here for years.

Finally, thanks to the work of the gentleman from Pennsylvania (Mr. SHUSTER) and others, we are doing the right thing, and we are returning honesty to the budgeting process by using the motor fuels tax for the purpose for which it was created, intended, and that is the Highway Trust Fund.

I want to credit the chairman again for the work that he has done in seeing that we spend more fuel taxes on roads, bridges, and highways in keeping our promise to the American people. It returns honesty to the budgeting process, and it forces Washington to keep its word on transportation funding. For that reason, I urge my colleagues to support H.R. 2400.

Mr. SHUSTER. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. ARCHER) and the gentleman from California (Mr. STARK) each will control 15 minutes.

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

Mr. ARCHER. Mr. Chairman, I am pleased to yield myself such time as I may consume.

Mr. Chairman, I bring to the attention of the House the provisions of title XI, the revenue title H.R. 2400.

The revenue title provides the necessary financing for our Nation's surface transportation needs by extending for 6 years current law excise taxes on gasoline, diesel, and other transportation taxes which flow into the Highway Trust Fund.

By continuing the dedication of these monies to the Highway Trust Fund, we fulfill the expectations of the American people as the highway user charges they pay are reinvested in our country's infrastructure.

Furthermore, I am pleased to inform my colleague that the Ways and Means revenue title would transfer 6.8 cents per gallon tax on motorboat gasoline from the general fund to the Aquatic Resources Trust Fund. This is very, very important to those who use boats and the fishermen, because the money spent out of that fund enhances boater safety and protects the environment for millions of Americans who fish in the great outdoors.

In addition, title XI would repeal the 4.3 cents per gallon tax on railroad diesel fuel, which now goes to the general fund. I believe that the Nation's railroads have been unfairly penalized with a tax which has no relationship to railroads or to transportation. This will tend to level the playing field between the way that we tax various forms of transportation.

Finally, the Committee on Ways and Means revenue title would repeal after the year 2000 the excise tax on truck tires and tread rubber, which is generally perceived as a nuisance by truckers and the IRS.

I believe that this is a good package that addresses our Nation's critical transportation needs while providing appropriate tax relief. I urge support for the Committee on Ways and Means revenue title.

Mr. Chairman, I reserve the balance of my time.

Mr. STARK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to praise the work that the committee has done on H.R. 2400 and to thank the gentleman from Texas (Mr. ARCHER), chairman, for the work that the Committee on Ways and Means did, be it ever such a small part of an otherwise Herculean undertaking.

The 6-year extension of the Highway Trust Fund will provide much-needed infrastructure, maintenance, and expansion for this country's economic future. It does an important job. It will create jobs, ease bottlenecks, and will help the traffic flow in the Bay area of California, which is of particular local interest to me, as the gentleman from Texas (Mr. ARCHER) has explained.

It is paid for in a variety of ways. But I have one small reservation with the bill. That redounds not to the leadership of the committee of jurisdiction, but I am afraid to the leadership, budget leadership on the other side of the aisle, and that is that the bill is not paid for.

I would be a much happier and more enthusiastic supporter if I knew that other items were off the table. I am led to understand that the 24 or $25 billion shortfall in this bill is not going to be taken out of veterans programs. Well, great for old veterans like me.

□ 1500

But I would like some assurance that that will not leave children at risk, and that will not mean that the $24 or 5 billion is going to come out of education, or that is not going to come out of programs to improve public safety or housing for the homeless. There are many programs in this country that will be competing for that $24 billion, and I would be much more comfortable and feel that we were doing the more responsible job if the leadership of this House had told us just exactly how they intend to come up with that shortfall.

I do not like legislating in the blind, and it is very nice to tell my constituents that I am bringing home all kinds of worthy projects to the San Francisco Bay area and to the East Bay. I am afraid that perhaps later this summer I am going to have to deliver the bad news, which is how we are going to pay for this wonderful Easter present.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Minnesota (Mr. OBERSTAR).

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ARCHER. Mr. Chairman, I yield such time as he may consume to the gentleman from South Dakota (Mr. THUNE) for a colloquy.

Mr. THUNE. Mr. Chairman, I would like to thank the gentleman from Texas (Mr. ARCHER), the distinguished chairman of the Committee on Ways and Means, for yielding to me for a question.

I have worked closely with the chairman for several months to amend H.R. 2400, and would like to thank him for his willingness to work with me and our colleagues from other States who are not served by Amtrak. Those States include Alaska, Hawaii, Maine, Oklahoma and Wyoming. What I would like to have offered in amendment, the gentleman from Texas expressed, in conversations we have had, his concerns about doing so.

As my colleague knows, I attempted to attach the same amendment to H.R. 2477, the Amtrak Privatization and Reform Act, but ran into jurisdictional and revenue questions at that time. The provision would amend the Taxpayer Relief Act of 1997 relating to tax

refunds for the National Railroad Passenger Corporation, Amtrak. Therefore, a revenue estimate of the amendment was necessary prior to enactment. At my request, the Joint Committee on Taxation conducted a revenue estimate of the amendment and determined it would have no revenue impact.

The 1997 tax provisions specifically would provide Amtrak with access to $2.3 billion. Of that $2.3 billion, the law also sets aside a portion of the fund for non-Amtrak States. However, the allowable uses are very limited. In fact, the law would allow those funds to be used only for intercity passenger rail service and for intercity bus services.

While my State, the State of South Dakota, does not have intercity passenger rail service, the State has been clear in stating that it would put available funds to use for intercity bus service. In fact, the State already is putting some of those funds to use. All the same, the State would like to have more flexibility in how it uses those funds.

For that reason I drafted an amendment that would allow non-Amtrak States to use the funds for other transportation priorities such as State-owned rail operations, rural transit and transit services for the elderly and disabled, rural air service, and highway-rail grade crossing projects. These are common sense and necessary uses. In fact, the Senate earlier saw the value of this amendment, and during consideration of Senate Bill 1173 adopted a similar amendment.

I nonetheless appreciate the concerns expressed by the gentleman from Texas regarding authorizing jurisdiction of the amendment. At the same time I understand the gentleman from Texas would not object to this provision in conference. Is my understanding correct?

Mr. ARCHER. Mr. Chairman, will the gentleman yield?

Mr. THUNE. I yield to the gentleman from Texas.

Mr. ARCHER. Mr. Chairman, let me say to the gentleman from South Dakota that it is not normal procedure for us to announce a negotiating position on the floor of the House where there is a difference between a Senate provision and a House provision. Let me simply say that we will try to work this out equitably in the conference, that I have talked with the gentleman from South Dakota a number of times about this and I personally do not have any objection to his request, and I think it is appropriate and we will do the best that we can in the conference.

Mr. THUNE. Mr. Chairman, I thank the gentleman from Texas (Mr. ARCHER), and would say that for States that do not have rail passenger service, each of these transportation needs are appropriate and important alternatives to rail passenger service. The amendment in my view represents sound, common sense policy that simply allows non-Amtrak States to make the best, most worthwhile use of the funds that are provided for transportation needs.

Mr. Chairman, I thank the gentleman from Texas for his hard work and commitment to work with me to address the concerns of my State of South Dakota and the other States that are not served by Amtrak. He, our colleagues in the House, the taxpayers of this Nation should have every assurance that the funds provided to non-Amtrak States will address important transportation needs in each of those States.

And I also add that I would like to thank the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure, for his assistance. He expressed his support of this measure in the past, and as a result, both he and his staff on the Committee on Transportation and Infrastructure have been extremely helpful in this effort to see that these funds are put to the best possible use. I would like to say as well that I thank the gentlewoman from Wyoming (Mrs. CUBIN) for her support and assistance, as well as support from the gentleman from Alaska (Mr. YOUNG) and the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentlewoman from Hawaii (Mrs. MINK).

Mr. ARCHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. MCCRERY), a respected member of the Committee on Ways and Means, for a colloquy.

Mr. MCCRERY. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, as I review the tax portion of the bill that we are voting on today, I note that we are considering the elimination of the 4.3 cent per gallon deficit reduction tax on railroad fuel. As you know, Mr. Chairman, this tax was imposed on the railroad industry in a 1993 reconciliation act, and it was put as well on other modes of transportation, including the inland barge industry.

As we head toward the conference on this bill, Mr. Chairman, I would appreciate it if the gentleman would work with me and others to explore the extension of this repeal to the barge industry, to make sure that we maintain a level playing field between competing modes of transportation. It is my understanding that the tax on inland barge traffic generates a rather modest contribution to the Treasury, and paying for it is not going to be extremely costly.

Mr. Chairman, I yield to the gentleman from Georgia (Mr. COLLINS) for a comment from another member of our committee and the former chairman of the Transportation Task Force of the Committee on Ways and Means.

Mr. COLLINS. Mr. Chairman, I would like to offer comments in support of the gentleman from Louisiana. Last year members of the Transportation Task Force studied the waterway tax and trust fund structure with regard to equity. In light of the fact the current tax that applies to waterway uses has generated a surplus to the trust fund, and since the legislation before us today will eliminate the deficit reduction tax as it applies to the rail industry, I join in the request that we work toward an equitable elimination of the deficit reduction tax as it applies to the barge industry.

Mr. MCCRERY. Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, I yield to the gentleman from Texas (Mr. ARCHER) chairman of the committee.

Mr. ARCHER. Mr. Chairman, I appreciate the important role that the barge industry plays in the economies both of Louisiana and Texas and other States in this country, and I appreciate the comments from the chairman of the Transportation Task Force, our colleague from Georgia. Accordingly, I will be pleased to work with my colleagues, subject to budgetary constraints of course, to ensure that we maintain tax equity among the various modes of transportation, and I thank my colleague for bringing this up and asserting this point.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Pennsylvania (Mr. SHUSTER), chairman of the Committee on Transportation and Infrastructure.

The CHAIRMAN pro tempore (Mr. UPTON). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), a very vigorous advocate for transportation and a distinguished member of our committee.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman from Minnesota for the time.

Mr. Chairman, I have heard a few Members come to the floor and seen some press accounts that there is too much in this bill. Now the question will be, too much? Is it that we are meeting and overfulfilling the transportation and infrastructure needs in the United States? No, not at all. In fact, this bill will still leave us with a $30 billion per year deficit in transportation, $16 billion for highways and $14 billion for transit, 254,000 miles of pavement in poor condition, one out of three highway bridges structurally deficient or obsolete, one out of every two transit yard stations and bridges for mass transit in poor condition.

In my own State we need an additional $244 million a year to meet our needs for preservation and maintenance and $351 million for capital improvements. It is not too much in terms of the needs of the country.

Now is it too much in terms of what we have to pay for transportation? No. In fact this bill will not spend all the money which the American people are paying in taxes dedicated to transportation. Every time an American drives to the pump they pay 18.4 cents a gallon gas tax, and this bill, as good as it

is, as robust as it is, will only spend about 14 to 15 cents of that tax, and the rest will go elsewhere in the Federal budget. It will go to deficit reduction, or it will go to pay for secret programs at the CIA, or over to the Pentagon or somewhere else, maybe for tax cuts for the wealthy.

That is not why Americans pay a gas tax, and there should be no diversion of the gas tax money until every infrastructure need of this country is met and up to date. So it is not too much to ask that we fulfill the needs, and it is not too much to ask that we spend every penny of that dedicated regressive tax on the transportation needs of this country.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. POSHARD), a distinguished member of our committee.

Mr. POSHARD. Mr. Chairman, I thank the gentleman from Minnesota for yielding this time to me.

Mr. Speaker, I would like to reference some parts of this bill that perhaps other Members have not spoken about. In addition to the core programs of ISTEA, BESTEA offers two other important programs that I think are extremely important. The high risk road safety construction program will give States incentives to address their worst safety problems, and the high cost interstate rehabilitation program will provide additional funds for major projects that are extremely important in cost in our interstate system. Moreover, BESTEA permits continued flexibility to allow for a productive relationship between all levels of government when it comes to transportation spending.

Another important provision in this bill is language that would benefit rural areas by guaranteeing relief for Illinois farmers from Department of Transportation regulations concerning the local transport of agricultural materials, including pesticides, fertilizers and fuel. States have traditionally been allowed to set their own exceptions to Federal regulations for these farming necessities when involved in farm-to-farm, field-to-farm and retail-to-farm activities.

□ 1515

However, Federal standards proposed in 1996 would force farmers to comply with costly and burdensome documentation rules meant for over-the-road trucks that regularly haul hazardous materials on a regular basis.

The language in BESTEA allows States to retain the ability to regulate these matters on a regular basis. This will save farmers and retailers hundreds of thousands of dollars in compliance costs and save valuable time for our farm community. I greatly appreciate the efforts of my colleagues, the gentleman from Illinois (Mr. EWING), the gentleman from Michigan (Mr. BARCIA), and the gentleman from Indiana (Mr. BUYER), who join me for fighting for inclusion of this language.

I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota, the ranking member (Mr. OBERSTAR), for their tireless efforts on behalf of this legislation. I think the passage of BESTEA will benefit the entire Nation and ensure that the transportation needs of America are met, and I am proud to have been a part of this historic process.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Montana, (Mr. HILL).

Mr. HILL. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I want to applaud the chairman for his efforts with regard to this bill. I support the chairman's efforts to take the Highway Trust Fund off budget and share his commitment to infrastructure. Unfortunately, I cannot support this bill and that is because it is not fair to Montana and Western States.

Mr. Chairman, Montanans pay the highest gas taxes in the Nation, 27.5 cents per gallon. In fact, on a per capita basis, they pay the highest State gas taxes, and are fourth in the Nation in how much they pay in Federal gas taxes. We have 31,950 lane miles of roads in Montana. That is 1.5 percent of the Nation's roads, and we are trying to pay for it with three-tenths of 1 percent of the population.

This bill is unfair to Montana because it reduces the funding formula for Montana by about 26 percent while increasing the formula for the funding in most States by factors of 40 to 50 percent. In addition, it reduces the funding for places like Montana that have high portions of Federal lands by changing that formula, and, even worse, the congestion mitigation air quality changes also hurt Montana.

I would urge the chairman to join with the Senate in adopting the Senate versions of the bill. Enough is enough.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to respond to my good friend from Montana and point out that Montana gets back $1.35 for every dollar it sends into the trust fund from this bill, and, indeed, there are only four States out of the 50 States which get a better return. I do not begrudge that money to Montana.

I understand it is a rural State, has a low population, but I think Montana does extremely well, and I think everybody should understand that.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania, (Mr. MASCARA), the gentleman from the Mon Valley.

Mr. MASCARA. Mr. Chairman, I thank the ranking member from Minnesota for yielding me time.

Mr. Chairman, I would like to thank the gentleman from Pennsylvania (BUD SHUSTER), our committee chairman; the gentleman from Minnesota (JIM OBERSTAR), the ranking member, as well as our leaders from the Subcommittee on Surface Transportation, the gentleman from California (TOM PETRI) and the gentleman from West Virginia (NICK RAHALL), for their strong leadership in bringing this legislation to the floor.

Without their firm bipartisan resolve, none of this would have been possible. As a former local official deeply committed to economic development projects, I truly appreciate the significance of this transportation bill.

America's economy depends heavily on the interstate highway system. For example, nearly $6 trillion worth of goods are transported over our Nation's highways, yet we are allowing our roads to deteriorate. Over the past 25 years, road use has grown more than 15 times the highway capacity.

This has left many of our roads and bridges in need of serious repair. In fact, the Department of Transportation has determined that 12,000 accidents occur each year as a result of poor highway conditions. Thirty percent end up in fatalities.

Furthermore, 59 percent of all roads and 31 percent of all bridges in America are in need of repair, or are structurally deficient. We must begin investing now to improve the quality and safety of our roads. BESTEA will allow us to make these improvements, providing funding for highway projects across America, such as the Mon-Fayette Expressway in my district, but we must begin now. We cannot delay completion of this bill, because many States have already begun their road building projects. If we do not finish our job here, States could lose an entire construction season.

I urge all Members to join me in support of this bill to fix our Nation's interstates, to improve highway safety, to promote economic development in our communities, and, as all of you have said, to build America.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the distinguished gentlewoman from Florida, Mrs. FOWLER.

Mrs. FOWLER. Mr. Chairman, I rise today in strong support of H.R. 2400. This bill has been falsely accused of many things, but perhaps the most egregious falsehood is that this bill signals an end to the Republican revolution. Nothing could be further from the truth.

When Republicans took control of Congress, we promised to change the way we do business. We made a Contract with America and followed through on it. BESTEA fulfills another contract by ending the practice of misusing gas tax revenues.

For every gallon of gas we put in our tanks, we pay 18.3 cents to the Federal Government. Frankly, that is a pretty high rate of taxation. But we pay the tax because the revenues are supposed to be used so we do not have to sit in traffic, incur the wrath of crumbling roads, damage our cars or lose a friend to unsafe highways.

The tax is a contract between American motorists and the Federal Government, but for many years now Congress

has simply failed to live up to our part of the contract.

BESTEA fulfills our deal with the American taxpayer. It spends the gas tax revenue on roads and takes the Highway Trust Fund off budget, ending the practice of spending the revenues on nonhighway-related needs.

This bill also restores faith to taxpayers in States like Florida who have been forced to fund the infrastructure priorities of other States, receiving only 77 cents on every dollar citizens in Florida pay. Under BESTEA, States will get at least 90 cents of every dollar allocated by formula, a tremendous improvement.

I want to thank the gentleman from Pennsylvania (Chairman SHUSTER), who has fought for these gains and listened to the concerns of States like Florida. Today we have a chance to vote for honest budgeting, funding equity, economic growth and safer highways. I encourage my colleagues to do the same.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. FILNER).

(Mr. FILNER asked and was given permission to revise and extend his remarks.)

Mr. FILNER. Mr. Chairman, I thank the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from West Virginia (Mr. RAHALL) for their leadership, and the gentleman from Pennsylvania (Chairman SHUSTER) for his courage and steadfastness throughout this struggle, which has been an inspiration to all of us on both sides of the aisle.

We thank the gentleman and his staff, and the staff of the gentleman from Minnesota (Mr. OBERSTAR). They have had to deal with a lot of issues, and they worked hard for a long period of time. We thank them profusely.

Mr. Chairman, I rise on behalf of the people of California's 50th Congressional District in strong support of BESTEA, because BESTEA is best for jobs. My constituents have many interests, but their most important ones can be summarized in three words: Jobs, jobs, jobs. Jobs, so they can support themselves and their families; jobs, so they can raise and educate their kids; jobs, so they can contribute to our community; jobs, so they can enjoy their recreation; and jobs, so they can provide for their retirement.

This legislation addresses these concerns in an equitable manner, renews important transportation programs and creates these much-needed jobs.

Contrary to all the hype and hysteria, this bill is not a budget buster. It restores the truth in the budgeting process by accessing the Nation's Transportation Trust Funds.

As everyone has said before me, this bill will restore the trust the American people place in their trust funds. This is an investment in our infrastructure. It is desperately needed. We have created the strongest economy in the world through our transportation infrastructure, and this continues that policy and guarantees our future. It provides us with the opportunity to again demonstrate that we have an investment policy on a national scale. We must take this opportunity now.

Mr. Chairman, I will vote for my constituents' interests and vote for BESTEA. I encourage my colleagues to do likewise. Remember, it is about jobs, jobs, jobs.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I want to thank the gentleman for the terrific job he has done on this bill. It is not about pork, it is not about politics, but it is about saving lives. Since I come from a rural area that does not have a four-lane highway all the way across it, I am particularly pleased that we will be able to make significant improvements in our infrastructure.

I am also very pleased that the bill includes a significant increase in funding for the Highway Bridge Program and does promote the innovative seismic retrofit technologies such as carbon fiber composites for bridges located in regions like mine, which lie along the New Madrid Fault, and which potentially faces catastrophic infrastructure damage due to earthquakes.

I am also pleased that this bill includes a provision that expresses the sense of Congress that offsets to the spending in the bill should not be derived through any change in Veterans Administration programs or benefits. Just as this bill reaffirms our commitment to the American public to use their gas tax dollars to ensure safe highways, roads and bridges, we also must reaffirm our commitment to our Nation's veterans.

Now, while I believe this bill is a tremendous step forward, I do want to say I am extremely dismayed that the ethanol tax incentive is not extended in the bill, Mr. Chairman. This incentive is a vital boost to farm income, decreases our dependence on foreign oil, provides consumers with a cleaner burning fuel and creates good jobs.

Ethanol is a proven industry that benefits our local farmers in southeast Missouri and others around the country. It provides clear advantages to the broader American public, and the tax incentives should be extended. I strongly urge that during the conference negotiations on H.R. 2400, the House adopt the Senate language which authorizes the ethanol tax incentive through the year 2007.

With that said, I fully support this legislation, and commend the chairman for the terrific job he has done.

Mr. OBERSTAR. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the distinguished voice of the great outdoors and of livable cities.

Mr. BLUMENAUER. Mr. Chairman, I thank the ranking member for yielding me time.

Mr. Chairman, there has been much talk about America's future and fiscal stability in the course of this debate. I rise to support H.R. 2400 because it gives the tools for America's communities to control their own destinies.

You have heard and will hear more from the gentleman from Pennsylvania (Chairman SHUSTER), and the gentleman from Minnesota (Mr. OBERSTAR), and others about how this bill is good for the safety of the American public, how it provides important resources to improve vital transit programs. It is good for the environment, for rail passengers and freight. It is good for bicyclists. It is good for the motoring public, because it promotes the free flow of a balanced transportation system and, for those people who do drive their cars, makes it safer for them, more convenient, less congested.

But I want to focus, if I could, on what difference this bill makes by making America's citizens and their local governments full partners in our transportation system, because BESTEA gives the tools for livable communities to stop sprawl and revitalize existing communities.

Every year we spend billions of dollars dealing with the symptoms of dysfunctional communities. The Congress spends money on economic development, on crime, on education that is largely attempting to deal with what has happened after communities go over the brink.

What is critical about BESTEA and the resources that are directed is that it gives communities unprecedented abilities to manage those resources in conjunction with State and local communities to strengthen them before they deteriorate.

I posit, Mr. Chairman, that any careful analysis of the economic benefit that we will derive as a Nation revitalizing these central cities, preventing the deterioration of the first ring of suburbs and so on throughout the metropolitan areas, conservatively it is going to return far more money than any modest increase.

□ 1530

When we couple that with the economic benefits from cleaner air, less congestion, and a wide range of important economic infrastructure investments for the next century, I think any short-term increase in funding is going to be dwarfed. BESTEA is good for the fiscal health of America. It is good for the health of American communities.

I, too, add my thanks to the bipartisan leadership of this committee that has given this Congress the most important environmental legislation we are going to see for the remainder of this century and on into the next millennium.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Virginia

(Mr. DAVIS), a valued member of our committee.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Mr. Chairman, I would like to point out some of the provisions in section 140 of the bill entitled ''Quality through competition.''

As I understand the provisions, it reflects the following important points:

First, it is going to provide for substantial savings to States by providing for a single, consistent rule for the administration and accounting of costs for engineering and design contracts that are funded with Federal-aid highway funds.

Second, it acknowledges and permits the use of the expedited process in the existing FAR, which is applicable to qualifications-based selection procedures for architect, engineering, and related services of smaller projects which fall below the threshold of $100,000.

Third, by using the term ''simplified acquisition procedures,'' it does not change or authorize the avoidance of the contract administration and audit requirements specified in the section.

Fourth, this section provides no authority for a contracting authority to waive the requirements of the contract administration or single audit provisions provided in this section.

Mr. Chairman, I would ask the gentleman from Pennsylvania, is my understanding correct?

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, the gentleman is absolutely correct in his observation of the effects of section 140 of the bill.

Mr. DAVIS of Virginia. Just to continue, Mr. Chairman, in support of this bill, the Trust Fund dollars are like user fees people pay at the gas pumps to come back and improve our Nation's transportation system. This bill, instead of spending Highway Trust Fund dollars collected at the gas pumps on defense or health care, deficit reduction, or some other worthy endeavor, simply spends the Trust Fund user fees for their intended use.

In local government, when I was in Fairfax County, if we had raided a trust fund and used it to spend the dollars for water or sewer or another use, we would have gone to jail; but at the Federal level it is perfectly legal to do that. But this starts to straighten that and bring some fiscal accountability to the Trust Fund dollars for our taxpayers.

Secondly, there have been some comments about demonstration projects or earmarking. In my region, Northern Virginia, over the last 25 years we have been consistently shortchanged from the State government. Money that goes through Richmond does not come back to Northern Virginia in any way, shape or form to our proportion of highway use, population, vehicle miles or anything else. Yet we have the greatest need for transportation dollars. We have historically been shortchanged by the State.

This legislation contains over $10 million for the completion of the Fairfax County Parkway through Reston, $25 million for road widening of Route 123, $10 million for the Virginia Railway Express, a transit alternative down the 95 corridor.

These projects are not my projects, they are not political projects, they were requested and coordinated with the local governments in that region, who knew that if they had to wait for Richmond to deliver, they may be waiting a decade. We are putting them out on top.

I applaud the Chairman and the Ranking Member, the gentleman from Minnesota (Mr. JIM OBERSTAR), for addressing these needs for our region, which has had traffic jams and is probably the traffic jam capital of the country. This legislation will go a long way to alleviate that.

I strongly support this measure and ask my colleagues to support it.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I am delighted to stand in favor of BESTEA today. I owe a lot of gratitude to our leaders on this committee, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), and the rest.

This bill provides resources to meet America's infrastructure needs, not frivolous, but needs that have been expressed by persons throughout this Nation, and not just by Members here, but all the people that we represent.

This bill provides an unprecedented commitment to improve safety on America's highways and to help reduce the 40,000 annual deaths from motor vehicles. It improves the safety for commercial motor vehicles. The Motor Carrier Safety Assistance Program has been refined to focus on performance-based goals, and funding for this program has been significantly increased. That is important. It strengthens and emphasizes our Federal commitment to the national systems of transportation that facilitate interstate travel.

Being from Texas, a border State, it creates a new border infrastructure program to ensure that needs from NAFTA-related trade and safety issues are addressed. These are very important components for the State of Texas and for our Nation.

It significantly increases funding for the Congestion Mitigation and Air Quality Program, while making some minor adjustments to the program's eligibility. All of these areas help the entire Nation, but especially does it help Texas, a very large State with lots of people with lots of cars that they hate to give up. There are elements of this bill that will address that area.

Not only is it a big State, it is one of the fastest-growing States. We have so many people on the highways every day and on our streets and roads getting to work. It is this bill that addresses those issues and helps to solve our problem. It is our responsibility as legislators to make sure that our transportation system is as safe and accessible as possible.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Texas (Mr. DELAY), the Majority Whip.

Mr. DELAY. Mr. Chairman, I am very pleased to finally get this bill to the floor. I rise in support of this bill. If the Nation's infrastructure is its circulatory system, then BESTEA keeps our Nation very healthy.

I commend the Chairman and the Ranking Member for their yeoman efforts in putting this bill together; and, in particular, I would like to thank the Chairman for addressing the concerns of our Nation's donor States, whose taxpayers for years have been shortchanged when it comes to meeting their transportation needs.

For nearly 2 years, I have lamented the lack of fairness and logic when it comes to how transportation dollars are allocated. Based on such outdated factors as the 1980 census, States like Texas have been receiving an average return of 76 cents on the dollar. As a result, only one out of every three projects of critical need has been able to be met in my own State of Texas. So I introduced the bill called Step 21 to streamline the transportation program and bring equity to funding formulas.

While I did not get as much as I wanted in this bill in the way of streamlining, I am very pleased to note that BESTEA incorporates many of our formula recommendations. The most important element is that BESTEA guarantees States the 95 percent minimal allocation on all formula programs and highway projects, which works out to about a 90 percent minimum return.

I am also extremely pleased with the creation of a national corridor program in this bill. This means we are finally on the road to completing I–69, a multi-State trade corridor of national and international significance, extending from Michigan's border with Canada all the way through Texas, where it connects to the Mexican highway system. I–69 corridor States are vital to international trade, as they carry 52 percent of the U.S. truck-borne trade with Mexico and 33 percent of U.S. truck-borne trade with Canada.

Another issue I am deeply involved in is in the Disadvantaged Business Enterprise Program, which has been at the center of a lawsuit affecting the transit agency in my district, Houston Metro. Metro was prohibited from implementing its DBE program by Federal court order, and for some 18 months FTA cut off Federal funds that

it had pledged to Metro as part of a full funding grant agreement. Metro was caught between two branches of the Federal Government. I am very pleased that this committee has recognized this problem and taken care of it.

In conclusion, I just urge the committee to maintain these provisions in conference. I know it is tough being in conference with the Senate, but, in particular, it is vital that the conference report include a guaranteed rate of return that is no less than those included in this House bill. Donor States will not stand for another 6 years of funding inequity.

I once again congratulate the Chairman and the Ranking Member, and say, just quickly, a job well done.

Mr. OBERSTAR. Mr. Chairman, I yield myself 10 seconds.

I would say to the distinguished Majority Whip that I can assure him that we will stand, on a bipartisan basis, in support of the principles that we have crafted so vigorously and, as the gentleman pointed out, so astutely in this legislation. We appreciate his support.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. BARCIA).

Mr. BARCIA. Mr. Chairman, I thank the gentleman for yielding me the time.

It is a pleasure to offer a few remarks in support of this tremendous transportation bill, and I want to compliment all of our distinguished members in the Chamber who worked on drafting what I believe is to be a very equitable and reasonable bill regarding transportation spending at the Federal level for the next 6 years.

Mr. Chairman, I rise today in support of H.R. 2400 and urge my colleagues to make a strong showing in support of this landmark legislation. This bill means a lot to the citizens of my Fifth District of Michigan, to our State, and to the Nation as a whole.

I want to thank the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Wisconsin (Mr. PETRI) and the ranking minority members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from West Virginia (Mr. RAHALL), for their leadership on this critical issue.

Mr. Chairman, I want to focus on two aspects of the legislation which have drawn unwarranted criticism. First, the budgetary effects of the bill have been completely misrepresented.

Some claim to be outraged at the levels of spending in this bill. I would suggest, Mr. Chairman, that the American people should be outraged that this bill represents an increase at all. Our government has for far too long ignored the future health of our economy by disinvesting in our infrastructure.

The safe and efficient movement of goods and people makes this country great and our economy strong. But over the past 2 decades, we have fallen far behind our global competitors in our commitment to our transportation system.

This bill is about tax fairness. To my Democratic colleagues, I say, they are concerned about tax cuts which benefit the wealthy members of our society. This bill is a tax return to our Nation's working families. Those who use our transportation system pay for our transportation system, but it is not fair to withhold those taxes to mask spending in other areas.

The Congress has not followed through on its promise to use those taxes exclusively for transportation. Instead, the money in the Trust Fund has been allowed to grow while our citizens' repair bills rise. That is inexcusable. This bill will reverse that practice.

Mr. SHUSTER. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the Chairman for yielding time to me, and I commend him and the Ranking Member on this legislation and, in particular, for including funds for the widening of U.S. Highway 192.

Mr. Chairman, U.S. Highway 192 is a dangerous two-lane road that connects the south Orlando-Kissimmee-St. Cloud area with the coastal communities of Palm Bay and Melbourne, communities of about 250,000 combined.

I became interested in the widening of this road when a physician colleague of mine lost his wife on this road when a truck crossed the midline and she was killed. Ever since then, my wife will not allow me to drive on this road with her at any time.

Just last week, a truck crossed the midline. The driver was killed, closing the road, a major highway connecting two major areas in Florida, closing the road for a week because of herbicide that was spilled all over the road.

Widening U.S. 192 is not pork. Widening U.S. 192 will save lives. Closing a road for a week because of a midline crossing accident involving a truck hurts our economies. It will save lives. It will be good for our communities. It will be good for the economy.

I challenge those who would call this pork to come to my district and talk to the people who have to travel on this road, a road that should have been widened 10 years ago.

Again, I thank both the Chairman and the Ranking Member.

Mr. OBERSTAR. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentlewoman from Los Angeles, California (Ms. MILLENDER-MCDONALD), the voice of Southern California.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, over the last 2 years I have heard a lot of talk about building bridges to the 21st century. Let us talk about building roads and bridges for America's future, real roads and real bridges that are traveled on by real Americans. BESTEA builds those roads and builds those bridges and provides the infrastructure that will allow our Nation to move into the 21st century.

I come from the most populous State in the Nation, the great State of California, with 32 million people, 25 million registered vehicles, and moves 30 percent of our Nation's freight traffic on our highways. Clearly, we have the most traveled roads and bridges of any State represented in this House and contribute more in gas taxes to the Highway Trust Fund.

As one of the cochairs of the California ISTEA Task Force, I, along its founder, my friend, the gentleman from California (Mr. JAY KIM), held a number of hearings throughout our great State. In those hearings our State and local elected officials, municipal planning organizations and citizens at large told us one thing: Pass BESTEA. It is a good bill for California, and we all know that what is good for California is good for the Nation.

Transportation provides substantial economic benefit to our country. According to the study by the Department of Transportation, 42,000 jobs are created for every $1 billion we invest in highways, transit, and bridges.

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How can we expect to compete in today's global economy without a world class highway and transit system?

I would like to congratulate both my chairman and my ranking member on doing a yeoman's job on bringing this bipartisan bill to the floor. I will urge colleagues on both sides of the aisle to dismiss the empty rhetoric about demonstration projects and focus on our Nation's infrastructure needs to compete in this global economy. Let us move America.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Michigan (Mr. EHLERS).

(Mr. EHLERS asked and was given permission to revise and extend his remarks.)

Mr. EHLERS. Mr. Chairman, I thank the gentleman from Pennsylvania (Chairman SHUSTER) for yielding me this time.

Mr. Chairman, I wish to speak about honesty and integrity, and this bill is a bill of integrity. I have been concerned, unhappy, and upset for almost 30 years now, since transportation funding was placed on budget, surpluses were allowed to accumulate, and the money was used to shield the size of the national deficit from the American taxpayers. That is wrong, and I am pleased that this bill ends that practice.

Mr. Chairman, the money that the public pays for gas taxes, under this bill will be used for the purpose for which it was intended, and that is transportation funding. No longer will it be used to disguise the size of the deficit.

Some people have called this bill a budget buster. If it were a budget buster, then we should reduce the tax.

But, Mr. Chairman, there is a good reason it is not a budget buster. Section 1001 makes it very clear that if the

expenditures in this bill exceed the budget guidelines, spending will have to be cut back or offsets will have to be found, and we will take care of that through the budget process.

One other important issue of equity. I come from a donor State. That is a polite way of saying that Michigan has contributed more to road funding in this country than it has received back. In fact, under ISTEA, 76 cents of every dollar we sent to Washington came back to Michigan. Under this bill we will be treated much better. This bill achieves equity in funding, equity in taxation, and is an honest bill that serves the people well.

Mr. Chairman, I urge my colleagues to vote for the bill.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia (Mr. WISE), the ranking member of our Subcommittee on Railroads and a strong advocate for transportation.

Mr. WISE. Mr. Chairman, I want to thank very much, and I think the country owes a vote of thanks, to the gentleman from Pennsylvania (Chairman SHUSTER) for his tireless efforts to bring this bill to the floor, as well as to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, for all he has done and for the bipartisan effort, Republicans and Democrats working together. This is going to be the major economic growth package that passes this Congress this year. And, indeed, it is going to be one of the most significant growth packages to pass the Congress in many a year.

It does not do all that it could or should, but it sure does a lot and begins to redress an imbalance that has been there for many years: the fact that we are not investing significantly and not investing enough in our infrastructure.

Mr. Chairman, some have called this, yes, a budget buster, and so I look at the $4 billion to $5 billion to maybe $6 billion over what was projected initially per year that this could cost. I estimate that that is roughly .003 of the total Federal budget in a year, and my guess is that we are going to be able to find that money some place pretty quickly, particularly because this bill brings about the economic growth that we need to make sure that the economy keeps growing.

There is an imbalance that needs to be corrected. Fifty-nine percent of the roads in this country need work of some significant amount. Thirty-one percent nationally of all bridges, 47 percent in my State, are in some way structurally deficient or functionally obsolete. Think about that: One out of three bridges that we cross is functionally obsolete or structurally deficient. This bill begins to address that.

Mr. Chairman, it begins to finally invest in our infrastructure. I do not mind standing in line behind orange barrels in rush hour if the orange barrel is about construction. I hate it when they are just about ordinary maintenance and nothing is being improved to speed commerce and the flow of traffic.

Mr. Chairman, this is the kind of bill that we all want to be supporting. This is a bill that grows America. This is a bill that leads to a lot of other things that we want our country to be.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana (Mr. PEASE).

Mr. PEASE. Mr. Chairman, I rise in support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act. America's roads, bridges and related infrastructure are in critical need of repair. Heightened congestion and the deterioration of many of our major highways, bridges and roads can and must be repaired.

Many hours have been spent by many people on this bill. I commend the efforts of the gentleman from Pennsylvania (Chairman SHUSTER), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from West Virginia (Mr. RAHALL), the Indiana delegation, the Governor of Indiana, and others both in the public and private sectors throughout my congressional district, the Seventh of Indiana, for their part in making this bill a reality. Through their hard work, H.R. 2400 is a fairer bill for Indiana and other donor States.

When Congress started the Highway Trust Fund, a gas tax was instituted and a promise was made to Hoosiers and all Americans that the dollars in this trust fund would be used for transportation improvements. I believe this promise must be kept.

I also believe it would be wrong for me to return to Indiana for the district work period without doing everything in my power do ensure that this bill is fairly considered and adopted. Thousands of jobs in Indiana and across America are at stake.

Mr. Chairman, with this bill we take a giant step toward that objective and toward fairness in the distribution of taxpayer dollars. I urge my colleagues to support this tremendously important legislation.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. SANDLIN), a very valuable member of our committee.

(Mr. SANDLIN asked and was given permission to revise and extend his remarks.)

Mr. SANDLIN. Mr. Chairman, first let me say ''thank you'' to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, and to the leadership on both sides of the aisle.

Mr. Chairman, I rise in strong support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act. This bill is the single most important piece of legislation that this Congress has considered this year.

For too long the infrastructure has taken a back seat in this country while the hard-earned dollars of our constituents have been used and paid into the trust fund for the highways and we have used it to mask the size of the deficit. With BESTEA we can say no more. No more.

Mr. Chairman, our constituents pay the gas tax with the expectation that the money they pay will be spent to improve and enhance the roads on which they drive. BESTEA meets their expectation. For the first time in 29 years, the Highway Trust Fund will be moved off budget. This important provision ensures these funds are used for their original purpose, to repair and rebuild our Nation's roads and highways.

Our transportation system is in dire need of improvement and new construction to meet the needs of the traveling public and business in the future. Today more than ever we must begin the modernization of our roads and bridges if we are to be able to handle our increasing traffic.

Today, some will argue that BESTEA busts the budget. This argument is clearly a weak attempt to make political points, and it is an argument that is easily dismantled. All the new spending in BESTEA is more than paid for by gas taxes. In fact, over the next 6 years the Highway Trust Fund will collect about $2 billion more in taxes than it will pay under BESTEA.

While I share the belief that the House should have completed its budget negotiations prior to consideration of the bill, I do not believe that local communities should be punished for this body's inaction. Passing this bill now so our States can continue to receive transportation funds is the right thing to do.

Mr. Chairman, I am especially pleased that BESTEA has improved upon our current illogical funding formulas. Under the current formula, Texas receives approximately 77 cents for each dollar that we contribute to the Highway Trust Fund. Thanks to the efforts of the leadership on both sides of the aisle in this committee, BESTEA includes important language to guarantee that Texas and other donor States receive at least 90 cents.

Finally, for those who would argue that this bill is ''pork,'' I would say that any bill that creates tens of thousands of new jobs and increases investments in the economy is not pork in my book. Indeed, according to a 1993 CRS report, for every dollar spent building new highways, the economy is estimated to rise by about $2.43. For every $1 billion of new highway construction spending, employment is estimated to rise by 24,300 workers.

Mr. Chairman, we have put off the needs of our Nation's infrastructure long enough. This is good for our constituents and good for the economy. I urge my colleagues to join me in supporting this important legislation.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. UPTON), my good friend.

Mr. UPTON. Mr. Chairman, a couple of weeks ago Lake Champlain was

added as a sixth Great Lake over in the Senate, and it was added primarily to take money away from the Sea Grant College Fund. There are many of us here that thought it was highway robbery and are delighted that the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from New York (Mr. SOLOMON), as well as Mr. ABRAHAM and Mr. LEAHY in the Senate, agreed to language that removed it from the Great Lakes status.

Mr. Chairman, I want to commend our two Michigan Members for their work on this highway bill, the gentleman from Michigan (Mr. BARCIA) and the gentleman from Michigan (Mr. EHLERS). For many years we have been a donor State, and as one that believes in trust funds, we ought to use the money in the trust funds for the purposes that they were intended for, whether it is the Coast Guard or the Airport Trust Fund and certainly the Highway Trust Fund.

I have said from the beginning that the money that we pay needs to be used as it was intended instead of financing other parts of the government. Either spend the money on our roads or give it back to us in reducing our gas tax. This bill ensures that our gas tax dollars go from the pump to the pavement. This is a good bill.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), a vigorous advocate for transportation and a valuable member of our committee.

Mr. PASCRELL. Mr. Chairman, there is one overriding fact in here that I would like to stress, if I may, to the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, who have done such a marvelous job. This bill, this legislation would spend $18 billion less than the Federal Government will collect in highway user taxes, not including the interest, over the next 3 years. Over the next 6-year life of the legislation we are about to vote on, it will spend $12 billion less than highway tax receipts.

The facts are clear, Mr. Chairman, that there is within our domain the facility to pay for what we are voting on here today. New Jersey is a perfect example of a State that will be helped. It ranks fiftieth of all the States in the Union in terms of return on our tax dollar, the very basis of Federalism upon which the Constitution was written.

This legislation is going to help us correct the major deficiencies we have in 44 percent of our bridges. Who will we turn to when another bridge is shut down in New Jersey? In just a short 6 years, there have been 230,000 new jobs in New Jersey as a result of the original transportation legislation, which my predecessor, Bob Roe, of good memory, was able to bring to this floor many, many times. We need a little history here once in a while to keep us on track.

So, Mr. Chairman, we thank you for allowing us the time here today. This is critical legislation. Let us get on with it and get it passed to help America.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. BEREUTER), my good friend.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Chairman, I rise in strong support of H.R. 2400. I commend the distinguished gentleman from Pennsylvania (Chairman SHUSTER) and the distinguished gentleman from Minnesota (Mr. OBERSTAR), as well as the distinguished chairman (Mr. PETRI) and the distinguished ranking member (Mr. RAHALL) of the Subcommittee on Surface Transportation, for their extraordinary work.

Mr. Chairman, I think this legislation lives up to its name. It will improve the lives of all Americans by helping to create a more efficient and safer highway system. I am pleased we are restoring integrity to the trust fund.

Finally, we are returning to the principles that were established by President Dwight D. Eisenhower for the Highway Trust Fund. When Americans pay their Federal gasoline tax at the gas pump, they have every right to expect that their money actually will be used for transportation and not diverted to other purposes. Those funds do not belong to OMB or the House Budget Committee. They belong to the American people who pay those gasoline taxes to be used for transportation, primarily highway construction and maintenance.

Mr. Chairman, this bill ensures that the taxes paid at the gas pump will go toward constructing and improving our Nation's highways. Our infrastructure is in desperate need of additional resources. The gentleman from West Virginia a few minutes ago told us of the situation with the country's obsolete bridges, functionally and structurally deficient. This bill addresses these and other crying needs in our infrastructure. I urge my colleagues to support this outstanding and, I would say, very responsible legislation.

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Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. JOHNSON), representative of Green Bay.

Mr. JOHNSON of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me the time. I rise today in strong support of this bipartisan historic investment, and I repeat the word ''investment,'' in our Nation's infrastructure and transportation. I also join many others today who salute not only the chairman, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), ranking member, for their leadership, but also the subcommittee chairman, the gentleman from Wisconsin (Mr. PETRI) and the ranking member, the gentleman from West Virginia (Mr. RAHALL), for great leadership on this bill.

For too many years when the people of northeast Wisconsin fueled their cars, they watched the numbers on the pumps turn and they watched their fair share of the gas taxes we all pay at the pump to travel to Washington only to be rerouted to another State. Our State saw only 87 cents in transportation funding for every dollar paid at the pump. Now, with the passage of BESTEA, this approach, Wisconsin will know fairness and equity.

This transportation bill guarantees Wisconsin at least 95 cents on the dollar, and we may even see much more than that. In total, Wisconsin hopes to see a 60 percent increase in Federal transportation dollars. More importantly, the next time the people of northeast Wisconsin are at the gas pumps, they will know they are investing in Wisconsin's future and the safety of our highways.

I am pleased to see this priority on safety. Safe roads save lives. Under this bill, northeast Wisconsin will see $40 million to improve Highway 41, bloody Highway 29 and Highway 10. It is an investment that we can be proud of, and I join in the praise of the chairman and the members of this committee that have brought this to the floor today.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I rise today in strong support of H.R. 2400. By funding important transportation projects, H.R. 2400 paves the way to economic growth. This bill is the right way to move our Nation forward by providing safer roads for our citizens. It puts trust back into the Highway Trust Fund. It helps restore fairness and equity to donor States like my own State of Texas, whose citizens pay more in gasoline taxes to Washington than they get back.

It is forward-thinking legislation that addresses our Nation's evolving transportation and roadway safety needs as we advance in the 21st Century. Mr. Chairman, transportation is more than just planes, trains and automobiles. It is also about people, progress and public safety. Transportation is the only item that physically links our Nation together, and the American public has accepted Federal user taxes to pay the cost of keeping our Nation's highways and bridges sound.

As a strong proponent of a balanced budget, I believe it is dishonest to tax the American public for the express purpose of improving our Nation's highways only to have the Federal Government redirect some of the taxes in the Highway Trust Fund to pay for other spending. H.R. 2400 provides fairness by introducing much greater funding equity to donor States and to the

Federal highway funding formula. Like under current law, my home State of Texas receives only 76 cents back for every dollar in Federal fuel taxes that are sent to Washington. This bill will give 90 cents back for every dollar funded. I support H.R. 2400.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. LAMPSON), a valuable member of this committee.

Mr. LAMPSON. Mr. Chairman, as the only Houston area member of the House Committee on Transportation and Infrastructure, I am pleased to have played a role in moving the BESTEA out of committee and to this floor. I applaud the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI) and the gentleman from West Virginia (Mr. RAHALL) for the fine work that the big four produced.

BESTEA sets funding formulas to determine percentages for States to receive Federal Highway Trust Fund monies. Texas, for the past 6 years, has received only 77 cents for every dollar we pay into the trust fund. Our needs are too great to give our dollars to other States. This new legislation will make a significant increase in Texas' share of highway funds and bring us closer to equity.

For over two decades, Congress and the White House have used unobligated funds in the four transportation trust funds to make the Federal deficit look smaller. It is a sham that has kept billions of dollars locked up in Treasury notes that should be in our economy matching local and State transportation dollars continuing the process of building this country. There are plenty of uses for any funds that we can secure.

I also do not need to tell this House how important improving infrastructure is to promoting economic growth. Over the last 6 years, this Nation has dedicated $155 billion to its transportation infrastructure. Compare that to the $2.1 trillion spent by Germany and the $3.2 trillion spent by Japan over a decade to develop their respective transportation networks.

Our national transportation economy in 1994 accounted for 10.8 percent of our gross domestic product, employing over 3.2 million Americans, but at the same time congestion on our highways has risen to such a level that traffic costs American businesses $40 billion a year.

Americans waste 1.6 million hours every day sitting in traffic. We cannot allow our Nation's transportation infrastructure to erode any further. Our highways and railways must be shored up to keep transportation costs as low as possible for the sake of commerce. For the sake of our economy, now is the proper time to act. If we allow the situation to get worse, we will have to make a choice down the road to expand or repair. I do not believe that is a choice we can make. Let us pass H.R. 2400.

As the only Houston-area member of the House Transportation and Infrastructure Committee, I am pleased to have played a role in moving the Building Efficient Surface Transportation and Equity Act, or BESTEA, out of Committee and to this Floor. I applaud Chairman SHUSTER, Ranking Member OBERSTAR, Chairman PETRI and Congressman RAHALL for the fine work the ''Big Four'' produced.

BESTEA sets funding formulas to determine percentages for states to receive federal highway trust fund monies. Texas, for the past six years, has received only 77 cents for every dollar we pay into the trust fund. Our needs are too great to give our dollars to other states. This new legislation will make a significant increase in Texas' share at highway funds and bring us closer to equity.

The House Transportation and Infrastructure Committee has taken steps to significantly improve donor states' rate-of-return by including the $9.3 billion High Priority Projects category within the Minimum Allocation program. While BESTEA currently includes a 90% rate-of-return, I am of the hope that as the process continues, donor states will see a 95% rate-of-return on 100% of the funds distributed to the states.

For over two decades Congress and the White House have used unobligated funds in the four transportation trust funds to make the federal deficit look smaller. It is a sham that has kept billions of dollars locked up in Treasury notes that should be in our economy, matching local and state transportation dollars, continuing the process of building this country. There are plenty of uses for any funds we can secure. I also don't need to tell this House how important improving infrastructure is to promoting economic growth.

Over the last six years, this nation dedicated $155 billion to restoring its transportation infrastructure. Compare that to the $2.1 trillion spent by Germany and $3.2 trillion spent by Japan over a decade to develop their respective transportation networks. Our national transportation economy in 1994 accounted for 10.8 percent of our Gross Domestic Product, employing over 3.2 million Americans. But at the same time, congestion on our highways has risen to such a level that traffic costs American businesses $40 billion each year. Americans waste 1.6 million hours every day sitting in traffic.

We cannot allow our nation's transportation infrastructure to erode any further. Our highways and railways must be shored up to keep transportation costs as low as possible for the sake of commerce. Our products compete on a worldwide basis now, and products from countries with strong and efficient infrastructure will cost less on the market and allows producers to spend more on quality. That's the bottom line. For the sake of our economy, now is the proper time to act. If we allow the situation to get worse, we will have to make a choice down the road to expand or repair the existing infrastructure. That's a choice I don't believe this nation can afford to make.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. COBLE), a distinguished member of our committee.

Mr. COBLE. Mr. Chairman, I want to engage in a colloquy regarding implementation of the unified motor carrier registration system with the chairman and the ranking member.

In 1995, when the Congress enacted the ICC Termination Act, we instructed the Secretary of Transportation to establish a single, on-line Federal system for the registration of all interstate motor carriers. The purpose of the system was to enhance the monitoring of safety and insurance compliance.

We required the DOT to promulgate final rules by January 1, 1998, but little has been done to accomplish that. The State program, it seems to me, needlessly cost the industry about $90 million a year and ought to be replaced by a single national system as this body intended in 1995.

I ask the chairman or the ranking member, is there any optimism to resolve this?

Mr. Chairman, I would like to engage the bill managers in a colloquy regarding implementation of a unified motor carrier registration system.

Mr. Chairman, in 1995, when Congress enacted the Interstate Commerce Commission Termination Act, we instructed the Secretary of Transportation to establish a single, on-line federal system for the registration of all interstate motor carriers. The purpose of the system was to enhance the monitoring of safety and insurance compliance. We required DOT to promulgate final rules by January, 1998. That date has come and gone with little progress. This is largely because, I am advised, the DOT is uncertain what to do with state-operated insurance registration programs that duplicate the anticipated federal program.

This House had given DOT clear authority to replace the state programs, while providing the states with free access to the safety and insurance data contained in the federal system. Unfortunately, the House bill was amended in conference to require DOT to preserve the revenues from these fees if DOT replaces the state programs. This change greatly complicated the development of a simplified, uniform federal program.

The state programs needlessly cost the industry about $90 million annually. They should be replaced with a single, national system as this body intended in 1995.

We need to rectify this problem which has needlessly delayed implementation of the uniform, on-line federal system to cover all interstate motor carriers. (I would greatly prefer that we resolve this issue in conference on this bill. If that proves not to be possible, we must see that we resolve it in some other bill before we adjourn this year.)

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. COBLE. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I would respond to the gentleman that I agree with him. We do need corrective legislation. I want to assure him that we will continue to work with him to bring this about.

The gentleman raises a valid point.

The House passed legislation in 1995 that was amended in conference.

DOT is prevented from establishing a universal and accessible register of motor carriers for safety and insurance compliance.

We need corrective legislation, and we need it this year if possible.

We have been working with motor carriers and with the States to resolve this. I want to assure the gentleman that we will continue to work with the gentleman and the affected parties to address this issue at the earliest possible date.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I thank the gentleman for yielding me the time.

Later today, I will offer an amendment to this bill which will expand the Access to Jobs Program. The Access to Jobs Program assists welfare recipients in making the transition from welfare to work. The amendment seeks to increase the current authorization from $42 million to $150 million. The additional $108 million authorized for this vital program does not take money from any other projects, nor does it raid the Highway Trust Fund. It is a simple authorization subject to the appropriations process. Therefore, I urge all of my colleagues to support the amendment which I will offer later today and to support this bill.

I also take the opportunity to commend and congratulate the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) for their outstanding leadership in bringing this measure before us today.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the chairman for yielding me the time. I thank the chairman and ranking member for the bipartisan nature in which we have put forth this bill. I would like to say basically every time you cross a bridge, ride a train, light rail, subway, ride on a bus, commute to work, et cetera, et cetera, et cetera, who do you assume assures your safety? Well, Mr. Chairman, that is us. More accurately, that is the government. And more accurately than that, that is individuals on the House floor and the Senate side who take their role very responsibly.

I want to give one example of a problem that would be fixed by this bill, and it is Highway 113 in my district. That is a single-lane highway, and in the last 20 years, over 70 people have been tragically killed on this highway. This bill corrects that problem. I once again commend the bipartisan nature with which this bill has come forth, the ranking member and the chairman of the committee.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN), a valuable member of the committee.

Ms. BROWN of Florida. Mr. Chairman, I want to indicate my strong support for H.R. 2400 and thank the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) for working hard on the donor State issue, and making this day possible. As the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) said, this is money for transportation from those who use transportation and pay for it in gasoline taxes. It is a common-sense approach to funding infrastructure.

Much has been said about the high priority projects, and I just want to say that these projects ensure safe travel for millions of Americans and help stimulate the economy. As the chairman has said, sometimes money going to States does not trickle down to all parts of the State. Poor and rural communities are not always represented, and a high priority project from a Member of Congress is the only way some of these needy projects can be funded.

I also want to say that I work very closely with the local mayors, city councils and commissioners and citizens when it comes to determining necessary projects. It is a true partnership between all levels of government. This is not pork, Mr. Chairman, it is bringing the transportation infrastructure of this country up to a world class level. Safety for all Americans and good for our economy.

Mr. OBERSTAR. Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Chairman, Maine is currently at a critical crossroads. Projected public investment for Maine's highways and bridges fall far short of the level of funding needed to maintain the system in its current condition and address the significant backlog of needs. In bridges alone, we are looking at work that is estimated to be a shortfall of over $5 million. We are looking at the road system. We are looking at shortages of $32.2 million. Maine is a very large rural State.

The district I represent is the largest physical district east of the Mississippi. We are trying to repair the existing road work and the shortages that we have experienced through the last reauthorization which have left some pot holes along the way.

This funding measure will go to significantly repairing the damaged roads, bridges, ports and airports. I ask for Members' support. This funding that we were under, the Federal levels have not been increased and the money that would be available under this program in these alternatives will certainly go to enhancing Maine's balanced transportation network. I encourage all of the Members to support this measure and to be able to move forward on reauthorization in a timely fashion.

Mr. OBERSTAR. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. KILDEE).

(Mr. KILDEE asked and was given permission to revise and extend his remarks.)

Mr. KILDEE. Mr. Chairman, I rise in strong support of H.R. 2400 and the manager's amendment offered by the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. Chairman, I rise today in support of H.R. 2400 and the manager's amendment offered by my distinguished colleague, Mr. SHUSTER. As Co-chairman of the Congressional Native American Caucus, I want to speak briefly on the condition of roads in Indian country and on two amendments that Mr. SHUSTER has included in the manager's amendment.

There are more than 50,000 miles of roads that serve hundreds of Indian reservations throughout the United States. Indian reservation roads make up 2.63% of all existing roads eligible for ISTEA funding. However, tribes receive less than 1% of ISTEA funding for these roads.

If Indian country were to receive its full prorata share of the billions included in this bill, Indian reservations would receive $4.7 billion over six years, or $793 million per year. Mr. Chairman, when you compare this amount with the recommended funding level for Indian roads, $212 million per year in H.R. 2400 and $250 million per year in S. 1173, the recommended amount hardly seems adequate.

The condition of roads in Indian country endangers the health and safety of those living on Indian reservations and inhibits economic development. In inclement weather, over 30,000 miles of roads serving Indian reservations are impassable. Things that most of us take for granted like access to emergency services, or availability of heating fuel and groceries, are not available on many reservations for several months of the year. No business is going to locate on an Indian reservation that cannot offer a basic transportation infrastructure.

The condition of bridges on Indian reservations is even more dire. A recent survey by the Bureau of Indian Affairs counted 4,000 of these bridges and found 190 to be deficient to the point of needing replacing or undergo major repairs. The estimated cost to replace or repair bridges are more than $40 million. Under H.R. 2400 and S. 1173, the requested amount for the reservation bridge program is $9 million. While I support funding for the bridge program, this amount still falls short of addressing the need in Indian country.

Two amendments that Mr. SHUSTER includes in the manager's amendments will encourage tribes to be more self-sufficient. These amendments would allow certain tribal governments to receive transportation funds and directly administer them. They would also require that the Secretary allocate funds to tribes according to a negotiated rulemaking process.

While I agree with the idea of the current language in the manager's amendment, I disagree with the recommended process that will be used to accomplish these goals. It is my hope that when this bill goes to Conference, the conferees will agree that tribal governments should manage their funds according to the authority of Public Law 93–638, the Indian Self-Determination and Education Assistance Act of 1975.

Each year, under P.L. 93–638, the Bureau of Indian Affairs and the Indian Health Service directly transfers hundreds of millions of dollars to tribal governments so they can administer governmental services and construction projects. P.L. 93–638 provides for streamlined administrative efficiencies while preserving program and financial accountability.

In closing, I strongly urge the House conferees to support the recommended amount in S. 1173 that provides $250 million per year for the Indian Reservation Roads program, and to allow tribes to receive funds and directly administer them under P.L. 93–638.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Chairman, I thank the chairman and ranking member. I rise today in support of H.R. 2400.

Think about this. In the next 5 years in central Orange County, that is Anaheim, Gardon Grove and Santa Ana, we will be spending over $5 billion in new construction and modernization. That is the private sector and that is the public sector; the public sector in our infrastructure needs for all of this new construction and modernization going on.

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It is the rising economy of Orange County. It requires local dollars, State dollars and, yes, the dollars that we from Orange County send here to be returned back to help our crumbling infrastructure. That is why I am proud to say that I am part of this responsible bipartisan initiative that was written with the support of diverse transportation communities from business to labor, contractors to environmentalists, from engineers to safety advocates and to cyclists.

These groups see that America is growing and prospering, but our transportation infrastructure is lagging behind. And this bill picks up the pace and our highways. I believe that this bill will improve America, will improve our futures. The projects included are important and very cost-effective, in particular in Orange County.

Our Nation's networks of road and transit systems are the arteries that keep the economic heart of our country beating. Without this blood supply, our country's economic body would suffer an irreversible financial heart attack. Please join me in supporting this important piece of legislation.

Mr. OBERSTAR. Mr. Chairman, may I inquire of the Chair, how much time remains on our side?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 16½ minutes remaining. The gentleman from Pennsylvania (Mr. SHUSTER) has 5 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I thank the gentleman for yielding.

I want to congratulate the Chairman, the gentleman from Pennsylvania (Mr. SHUSTER); and the gentleman from Minnesota (Mr. OBERSTAR), the Ranking Member; and others for the very fine work they have done on this important bill.

Mr. Chairman, the truth of the matter is that the infrastructure of the United States of America is rotting. It is falling apart right under us. And our roads, our bridges, our mass transportation, which is our rail system, our rural bus system, our bicycle paths, are in major need of repair; and it is high time that we paid attention to those needs.

In the State of Vermont, we have a major infrastructure problem which has been made worse in recent years by flooding, flooding which is occurring today in the State of Vermont, further damaging our infrastructure. All over Vermont bridges are in serious need of repair, and this bill begins to address that problem.

Sixteen million from this legislation is going to the Missisquoi Bay Bridge in Franklin County, Vermont. This bridge in the northern part of our State serves as a vital transportation link for New York, Canadian, and other New England traffic and would have been virtually impossible to rebuild without help from the Federal Government.

What we now have is a deteriorating two-lane bridge, which, in light of its high level of truck traffic, poses a significant hazard to the traveling public and is a serious deterrent to interstate and international commerce.

The State of Vermont's Agency of Transportation regarded this project as the State's highest transportation priority, and this $16 million will be a significant step forward in helping to rebuild that bridge.

Mr. Chairman, we hear about budget busting. In my view, tax breaks for the wealthy are budget busting, corporate welfare is budget busting, spending money that the military does not need is budget busting. But rebuilding the infrastructure of this country and putting our workers to work at decent-paying jobs is doing exactly the right thing. It is improving the economic well-being of this country, and it is long overdue. I congratulate our friends for the work that they have done.

Mr. SHUSTER. Mr. Chairman, I yield as much time as he may consume to the gentleman from Indiana (Mr. BUYER).

(Mr. BUYER asked and was given permission to revise and extend his remarks.)

Mr. BUYER. Mr. Chairman, I would like to compliment the Chairman for his hard work. It is truly good work, a good product.

Mr. Chairman, I rise today to thank Chairman SHUSTER and Ranking Member OBERSTAR for their dedication to bringing H.R. 2400, the Building Efficient Surface Transportation and Equity Act, to the House Floor. The House Transportation and Infrastructure Committee has taken positive steps to significantly improve donor states' rate-of-return.

Indiana is and has been a donor state. For years now, Indiana has received only 77 cents for every $1 generated in federal gas tax revenues in Indiana. Now that the National Highway System has been completed, the time has arrived for Congress to bring fairness and equity back into transportation funding and spending.

BESTEA includes a 90% rate-of-return. The Senate-passed version contains a 91% rate-of-return. As the process continues, donor states continue to seek a 95% rate-of-return.

Both versions have made great strides to bringing fairness and equity to the funding. It would not only be unfair, but also an injustice for the Conference Committee to not support the great strides that both Chambers have made. I encourage Mr. SHUSTER and Mr. OBERSTAR to continue the fine work they have begun with this bill as it moves to conference.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY).

(Mr. VISCLOSKY asked and was given permission to revise and extend his remarks.)

Mr. VISCLOSKY. Mr. Chairman, I would like to engage in a colloquy with the Chairman of the committee.

Mr. Chairman, I thank you for the opportunity to discuss one of ISTEA's most vital safety initiatives, the rail-crossing safety program.

Last year, I testified before the Subcommittee on Surface Transportation in support of legislation which I have introduced to change the formula for ISTEA's rail-crossing safety program which allocates funds to States based on a number of rail-crossing accidents and fatalities.

Although BESTEA does not change the formula by which these funds are distributed, I do want to commend my colleague for increasing by 41 percent funds allocated to the highway rail-crossing safety program in BESTEA. As this bill moves to conference, I ask my colleague to ensure that that priority funding be maintained.

Several hundred people are killed, and thousands more injured, every year in the United States as a result of vehicle-train collisions at highway-rail grade crossings. Just last week, a resident of Lake Station, Indiana died when a train struck his car at a rail crossing without gates, marked only by stop signs.

Although BESTEA does not change the formula by which these funds are distributed, I do want to commend you for increasing, by 41%, the funds allocated to the Highway-Rail Grade Crossing Safety Program in BESTEA. As this bill moves to conference, I ask you to ensure that this priority funding is maintained.

Mr. SHUSTER. Mr. Chairman, if the gentleman will yield, I would say that the gentleman has accurately pointed out the importance of this provision, and he certainly has my assurance that we will do everything we can to defend this provision, as we will with every House provision as we go to conference.

Mr. VISCLOSKY. I appreciate the gentleman's concern.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, Indiana is known as the crossroad of America. It is nicknamed the crossroad of America not

only because it connects the people to their communities, but because it is in central America and it connects the east to the west. This bill is an investment in Indiana's connection to its people, it is an investment to its communities, and it is an investment to the rest of America.

This bill is important because it is about public safety, it is about an investment in our economy, it is about our security. These are very, very important measures that we consider today.

People in La Porte and Michigan City and Rolling Prairie, Indiana, tell me that roads are the single most important issue to many of them; and we must spend money to repair our roads before we spend more and more and more money to repair our cars and our automobiles. This is a prudent investment.

Now, I would say, as complimentary as I am to the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), they have been fair and judicious, I would encourage them to continue to be fair and judicious in conference; and as we look for offsets in conference, I strongly encourage them not to go into public education.

As shootings go up in our public schools and test scores come down, it is cutting our nose off to spite our face, it is hurting our businesses if we take money out of public education for our children.

Secondly, I want to commend the Chairmen for their addressing the donor State issue for Indiana. Indiana will get close to a billion extra dollars under the 6-year provisions of this bill because of the way the Chairmen have treated donor-state issues. I hope and pray that they continue to hold to those areas and those concerns in conference with respect to Indiana.

Finally, there is some criticism about the expenditure. China will spend $1 trillion on public investment over a 3-year period. The United States will spend one-third of that over a 6-year period. We need to invest in public safety.

Mr. SHUSTER. Mr. Chairman, I yield myself 15 seconds to inform the body that, this being April 1, somebody has sent out a bogus press release from my office saying that I oppose high-priority congressional projects. I just want to make sure that everybody understands this is in the good spirit of April Fool's Day, and it is not accurate.

Mr. OBERSTAR. Mr. Chairman, I yield myself 10 seconds to say that is absolutely astonishing. This is April Fool's Day, but this is not the time for that sort of thing.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, the most congested and the most dangerous section of Interstate 35 anywhere between Canada and Mexico is in my hometown of Austin, Texas. Correcting the gridlock on Interstate 35 is vital not only for the Central Texas economy but for everyone in this Nation that relies on this vital transportation artery. I commend the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Wisconsin (Mr. PETRI), and all of the Members that have worked so hard to produce this bill.

We have followed their example with a broad regional bipartisan coalition to build a bypass to I–35 in Texas known as State Highway 130. Our work on SH–130 demonstrates the wisdom of the Chairman's support of demonstration projects. These high-priority projects like SH–130 are a way of assuring that our priorities are addressed by both State and Federal transportation bureaucracies.

These bureaucracies are not the know-all and the be-all on planning transportation. Sometimes the bureaucratic number-crunchers forget that their actions can crunch people and can crunch neighborhoods as well as numbers.

In the case of SH–130, we have required in this bill a specific route endorsed unanimously by City Council members and commissioners as well as some State legislators. We have also specified that that money must be expended solely for the construction of that portion of SH–130 within Travis County and south of U.S. 290.

From the outset, I have supported a bypass for traffic, not a bypass of local community concerns by an unresponsive bureaucracy. Now is the time for the Texas Department of Public Transportation to apply some of the $10½ billion that it is receiving in this bill to build SH–130, build it now, build it in the right way to the east of Decker Lake in Travis County, Texas.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL), a very distinguished member of our committee.

Mr. BOSWELL. Mr. Chairman, I thank the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER).

I really appreciate, being a newcomer, and inquired about coming to this committee. I knew a lot of important work was to take place there. So I inquired about the Chairman, and I inquired about the Ranking Member. I was informed and it has been proven out that they have worked together and that the committee is open. So I come as a newcomer, realizing that commerce has got to move across this country in order for us to compete, to compete with the elements of the Pacific Rim and European Union and we have got to do it.

My colleagues, I really appreciated it when they pointed out that some of this increase is giving up the interest and other aspects that they pointed out, not to repeat them. So this is a doable thing, and this country will benefit from it.

I often wonder what it would be like—the gentleman from Indiana (Mr. ROEMER) said it is the heartland, and we claim the heartland. So I will just claim the belt buckle, if I can, for Iowa. But I can imagine the embarrassment if commerce is moving back and forth across this country and they got to Iowa and we had to put up a sign that said, ''Excuse me. Slow down to 35 or 40 miles an hour because we cannot repair our bridges and fill in the potholes and make those improvements.''

We cannot do that. We are not 50 separate countries; we are 50 United States. So I think this is pointing that out, and it is going to help our country as a whole. Some things we just got to do to keep up. And we do not want to get behind. We are already behind, and we will never catch up if we do not keep up.

So I am very pleased to be supporting this very important thing. It is probably the most important thing we do in the entire 2 years we are in this assembly. Thank you for your efforts.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. GREEN).

(Mr. GREEN asked and was given permission to revise and extend his remarks.)

Mr. GREEN. Mr. Chairman, like a lot of my colleagues today, I would like to thank both the Chairman and our Ranking Member and the Committee on Transportation and Infrastructure for the fine work on H.R. 2400. I believe it is good not only for our Nation but also for the State of Texas that I represent and also for the district and the community I represent of Houston.

BESTEA is the fairest and best bill for donor States such as Texas because it guarantees that each State receives back at least 95 percent of the amount it pays out in gasoline taxes. Transportation funds are imperative for a State as large as Texas, and we need a transportation funding bill that makes sure we receive adequate funds just to maintain the safety on our roads and highways.

As a border State, Texas is impacted by large amounts of traffic resulting from trade with Mexico. This high volume of traffic passes through I–69, which runs through the middle of my district. We must make sure that funds are included for trade corridors such as I–69 because NAFTA has so dramatically increased the traffic through Texas. Also, ISTEA originally was based on intermodal. With the Port of Houston and I–69, it makes that intermodal transportation work.

In addition, I support BESTEA because it recognizes the importance of demonstration projects to solve local transportation problems.

For 5 years, as a Member of Congress, I have worked with the Committee on Transportation and Infrastructure on a grade separation project; and I am glad to see it is in this bill. This project protects the lives of not only the residents and people who work in the Manchester community in East Houston but, again, it is the definitive reason we need demonstration projects on intermodal

transportation, a grade separation over nine tracks that will be great for the business community but also for the residents there. Funding these demonstration projects such as this is long overdue and must be protected in BESTEA authorization.

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Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the Chairman and the Ranking Member for his leadership, and I thank the committee as well. I rise to support H.R. 2400.

Let me point out that, in the 18th congressional an urban district, this legislation will bring our communities together with the funding of hike and bike trails, many constituents in my district have long asked for such transportation tools.

It is also very important to note that we will be rebuilding our Nation's infrastructure, the highways, and roads so badly needed. But what is very important to the city of Houston, is the understanding that H.R. 2400 authorizes not only a Houston regional bus plan for final design and construction, and the Houston Advanced Transit program for planning activities, and preliminary engineering.

This allows Houston to look into the options of bus and/or rail. The City of Houston is the fourth largest city in the Nation, with over 1.4 million residents and, as such, must be able to explore all of the transportation options to its residents.

The City experiences frequent traffic congestion. Currently, Houston receives a certain amount for its Better Bus Program and has received such funds for approximately 6 years. Houston does not at this time receive any funds for a rail system.

My Democratic colleagues in the Houston area support this option. I hope the gentleman from Texas (Mr. ARCHER) will work with me to make sure that this option comes to the City of Houston. The City of Houston is preparing and has announced a Transportation 2000 study that will include consideration and review of options such as commuter rail and other forms of urban rail systems for Houston.

I am delighted that this bill in its wisdom will allow the City of Houston to consider the options of bus and/or rail. I believe rail is needed in our community. In fact several transportation options are needed for our city, which is the fourth largest city in the Nation. And or well, it is needed for inner city Houston. This legislation will support such options as rail to be pursued by Houston as the city may desire.

Mr. Speaker, I rise today in support of H.R. 2400 as a modernization of America's highway and transportation systems for the 21st century. This bill provides for developing the infrastructure that our economy needs to continue its miraculous growth well into the next century. Transportation is clearly a factor in the development of our economy and will be an element for our continuing economic success in this ever-changing new world order. The modernization and technological advancement of our transportation systems that are contained in this bill are essential to our nation. Mr. SHUSTER and Mr. OBERSTAR as well as all of the members of the committee should be commended for their excellent work.

Our large and complex transportation system unites us and connects even the smallest town with the rest of the world. Transportation and our highways touch every person in this country, it comprises 11 percent of our Gross Domestic Product and makes up one-fifth of the typical American household budget.

However, there are some fundamental problems with how BESTEA will be funded. The ground-breaking balanced budget agreement of last year gave us the guidelines and caps necessary to keep our spending within our means. Many of our vital social programs were asked to sacrifice their monies in the name of fiscal restraint. Now we are asked to vote on a bill that exceeds the budget caps by $26 billion.

Mr. Speaker, I am concerned as to which programs the Republicans will cut in order to make way for the $26 billion we are asked to spend today. It is imperative that these cuts will not be made by the conference committee at the expense of the disadvantaged, our children and those citizens who do not have the resources to have a lobbying group pressuring that committee.

Another troubling aspect of this bill is the possible amendment to end the Department of Transportation's Disadvantaged Business Enterprise Program. This is a program that for over two decades has been providing equal opportunities for women and minorities competing for highway and transit contracts.

Since its inception, small businesses as well as women and minority-owned construction firms are now participating in building our nation's highways. Their participation has increased from 1.9 percent in 1978 to 14.8 percent in 1996. By reaching out to and fostering new business relationships, this program has countered the effects of discrimination and good old boy networks which had been road blocks for many years.

These facts were recognized by the Senate as it voted to preserve this 15-year-old program as we should also. We all wish that we lived in a world that was free from discrimination, but we don't. But, this program is not about quotas or set-asides as some members want to characterize it. The statute only relies on flexible goals.

The program also complies completely within the "strict scrutiny" standard of the Supreme Court decision in Adarand. The Department of Transportation has recently published proposed rule changes in response to that standard. There is clearly a compelling governmental interest in redressing past discrimination in DOT-assisted contracting. Minority-owned construction firms represent about 9 percent of all such firms and receive only about 5 percent of construction receipts. The 10 percent national goal is constitutional, good policy and still necessary. BESTEA with it is unacceptable.

Mr. Speaker, I am a part of a state delegation that will be getting back less than they will be paying in our taxes. Texas will be getting more than $1.7 billion in formula distributions and over $216 million in demonstration projects with this bill. However, Texans will be getting back only about 90 cents on the dollar, but I understand the needs of the other states. For my own part, Houston will benefit from a new "Hike and Bike" path, new buses and rebuilt roads. I am also advocating a study on the use of light rail for Houston. As the fourth largest city in the country, it is appropriate that we consider light rail as a substitute for using our streets and highways.

Mr. Speaker, I support this bill with these exceptions. We need to continue the effective and efficient transportation system that this bill provides for the betterment of all Americans.

Mr. OBERSTAR. Mr. Chairman, may I inquire of the Chair how much time remains on both sides?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 3½ minutes remaining, and the gentleman from Pennsylvania (Mr. SHUSTER) has 5 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Minnesota is recognized for 3½ minutes.

Mr. OBERSTAR. Mr. Chairman, this brings us to the end of a very long and productive general debate period when we have heard fulsome praise for this legislation from all sectors of this country, all spectrums of our society, from urban and suburban and exurban and rural America, from coastal and border America, from all spectrums, all aspects of the economic slices of our country.

It has been very encouraging to see the enormous outpouring of support from Members across the body for a truly visionary piece of legislation. It does, indeed, do all these things that all of our colleagues have praised the legislation for.

I have a few things of my own that are very special to me. We continue the Rails to Trails Program, continue the Bicycling and Pedestrian Walkways Program that has made it possible for more than 10 million Americans to buy bicycles, become bicyclists.

I am an avid cyclist myself. I have pedaled over 2,100 miles on the open road last year. I want to see more people using bike to commute from home to work, as is done in Chicago.

We preserve and continue the Congestion Mitigation and Air Quality Improvement Program which, in Chicago, has enabled that city with wise use and wise investment of those dollars to improve its Air Quality Index over 15 percent in the 6 years of ISTEA.

We continue the Scenic America Program with the Scenic Byways Program that was initiated in ISTEA, again stimulating the tourism travel sector of our economy, which is nearly a $400 billion sector of our economy, one that generates a $20 billion surplus balance of payments for this country, inbound tourism expenditures here over what Americans spend traveling abroad.

We will initiate in this legislation when it is finally enacted a very important part of our Welfare to Work Program that was passed in the last Congress. It is very hard to get people to jobs if they do not have the means to get there.

My middle daughter, Annie, works in Jubilee Jobs in the Adams Morgan area of Washington, D.C., trying to place people from the homeless shelters, those who have fallen from the welfare net in the Hispanic and black community of Northeast/Northwest Washington. The biggest single problem she faces with her clients is getting them to and from their job.

This innovative experimental program, pilot program, will help cities across this country do there what Chicago has done in its city with a program of welfare to work, provide means of transportation for those who need to get to the places where the jobs are located.

All in all, all told, this is the bill that the visionaries of 1956 could not have foreseen. This is a bill that the Members of this Congress who stand on their shoulders, who look into the future have said to the gentleman from Pennsylvania (Mr. SHUSTER), this bill will be an everlasting legacy of his service in this Congress. I hope he will serve many more years. But whatever those years, this will be his greatest achievement and the greatest legacy that we could leave to future generations.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. OBERSTAR) has expired.

Mr. SHUSTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I certainly thank my good friend, the gentleman from Minnesota (Mr. OBERSTAR), and all our colleagues on both sides of the aisle for making this a truly bipartisan team effort for the good of America.

In closing, I want to particularly recognize our staff, which has done such an outstanding job, particularly the Subcommittee on Surface Transportation and Committee on Budget staff, and most of all Jack Schenendorf, the Chief of Staff of our Committee on Transportation, the largest committee in the Congress, indeed the largest committee in the history of the United States with 75 members.

Jack Schenendorf is truly a leader of extraordinary capability. Without his dedication and perseverance, intelligence and experience, the staff would not have been able to accomplish everything they did.

That staff and those who have contributed so much include Roger Nober, Debbie Gebhardt, Chris Bertram, Susan Lent, Adam Tsao, Darrell Wilson, Bill Hughes, Linda Scott, Patricia Law, and Mary Beth Will.

Certainly, the Members on the other side of the aisle equally stand shoulder to shoulder with me to recognize the staff on both sides, because, indeed, this is a joint staff working together for the betterment of our country.

Let me close by focusing on the two fundamental principles that we started out with in this debate today, the first fundamental principle being that this legislation puts the trust back in the Transportation Trust Fund. It is honest budgeting.

It says that the 18.4 cents gasoline tax that the Americans pay in the related transportation taxes, the revenue, and only that revenue, will be spent from the Trust Fund to rebuild America's infrastructure.

Indeed, there can be no deficit financing here. The money must be there. It is the most fiscally responsible kind of Federal spending we can have. We only spend the revenue that comes in. Indeed, as part of our agreement, we have agreed to forgo the interest on the balance in the Trust Fund, which means the national debt will be reduced by close to $15 billion over the life of this bill.

Beyond that, we have agreed to turn back $9 billion in the Transportation Trust Fund. So between the foregone interest and the $10 billion that we will turn back, it adds up to approximately $25 billion, a reduction in the national debt, real dollars, real reduction in the national debt. That $25 billion approximates the increased spending in this legislation.

The second fundamental principle is that we begin to meet the transportation needs of America. Our highways are in poor condition. There are 42,000 people killed on them every year, and 9,000 of those being killed are kids. In fact, of those fatalities, about 12,000 to 13,000 are attributed to bad roads, which means we will be saving lives. I am told, over the life of this bill, we will be able to reduce fatalities by about 4,000 lives a year.

Beyond that, we provide an economic stimulus, increase productivity, jobs, have tremendous support from all sectors of the country. The 50 governors, the cities, the counties, the environmentalists, safety leaders, labor, Chamber of Commerce, triple AAAs, this bill has extraordinarily broad support. It is good for America. It puts honesty in budgeting. We spend only the revenue that comes into the bill.

For all those reasons, I urge my colleagues to support this legislation that we are bringing to the floor, because we will rebuild America as we move into the 21st Century.

Mrs. MORELLA. Mr. Chairman, I would like to thank Chairmen SHUSTER and PETRI as well as Ranking Democratic Members OBERSTAR and RAHALL for their cooperation in bringing a Research Title to the floor which incorporates most of the significant research and development provisions from H.R. 860 as reported by the House Committee on Science. I believe our cooperative efforts of the past have contributed significantly to strengthening the Department of Transportation's surface transportation research and development portfolio, and I am equally convinced that our efforts during 1997 and 1998 will take these research programs to the next level.

I also appreciate the Transportation Committee's willingness to keep the dialog going in the areas in which we could not reach final agreement and their willingness to consider our few remaining concerns in the context of the upcoming conference with the Senate. I am convinced that this approach will lead to a unified House position in these negotiations and a stronger final product for the President to sign.

At this point, I would like to point out a number of the provisions of H.R. 860 which can be found in the Manager's Amendment. The provisions were crafted in a cooperative and bipartisan fashion by members of the Science Committee. First, the amendment includes H.R. 860's ''Sense of Congress'' that the Department of Transportation should place a high priority on addressing the Year 2000 problem in all of its computer and information systems. The amendment includes provisions from H.R. 860 to expand the Department's Research and Technology program to include: testing and evaluation of bridge, concrete and pavement structures; environmental research; human factors research; research on the use of recycled materials such as paper and plastic fiber reinforcement systems; knowledge of implementing life-cycle cost assessment; and standardized estimates of useful life for advanced materials.

Provisions from H.R. 860 are included in the amendment to commission a study by the National Academy of Sciences regarding the need for a new Strategic Highway Research Program or similar effort and to require the Department to establish a strategic planning process for surface transportation R&D. The Amendment further requires the plan to be consistent with the provisions of the Government Performance and Results Act of 1993. A surface Transportation-Environment Cooperative Research Program designed to provide State and local transportation officials with the tools and knowledge necessary to better understand the impacts of transportation decisions is also included in the amendment. Finally, the amendment includes small changes to the Intelligent Transportation Systems (ITS) provisions of the bill to expand the goals of the program and to extend the research activities of the program to include human factors research on the science of the driving process; the effects of cold climates on ITS; and magnetics.

Again, I wish to thank my colleagues on the Transportation Committee for their cooperation and I look forward to working with them in Conference. The remainder of my statement reflects the views of the Committee on Science on the legislation.

The Committee on Science, for almost twenty years, has worked closely with the Committee on Transportation and Infrastructure to craft transportation research and development authorizing legislation. Our tradition, rather than to enact separate transportation research and development legislation, has been to write our own legislation and then to work out our differences with the other Committee prior to House floor consideration of transportation measures. In 1991, Congressman Norman Mineta, who was both a member of our Committee and Chairman of the Surface Transportation Subcommittee, offered our compromise legislation during the Transportation Committee markup. This year our Committees agreed that the Managers Amendment on the House Floor would be the appropriate time to merge our work product, H.R. 860—

the Surface Transportation Research and Development Act of 1997 as reported by the Committee on Science, with the bill HR 2400—the Building Efficient Surface Transportation Equity Act of 1998 which is before us today.

The Science Committee is pleased the Manager's Amendment to H.R. 2400 includes a provision from H.R. 860 expressing the sense of Congress that the Department of Transportation should give high priority to correcting the Year 2000 problem in all of its computer systems to ensure effective operation in the Year 2000 and beyond. The Department needs to develop a plan and a budget to correct the problem for its mission-critical programs. Currently, the Department has only fixed 23 percent of its mission critical systems. The Department also needs to begin consideration of contingency plans, in the event that certain systems are unable to be corrected in time. The Committee believes Congress should continue to take a leadership role in raising awareness about the issue with both government and the private sector. The potential impact on the Department's programs, if the Year 2000 problem is not corrected in an effective and timely manner, is substantial and potentially serious. It is imperative that such corrective action be taken to avert disruption to critical programs.

The Committee is pleased the Amendment includes important provisions from H.R. 860 which seeks to improve the performance of the federal investment in surface transportation research by requiring the Secretary to establish a performance-based strategic planning process consistent with the Government Performance and Results Act of 1993. The strategic planning process will address deficiencies in the current program, as identified by the General Accounting Office, Transportation Research Board, and other transportation research and development stakeholders, by setting a strategic direction, defining national priorities, coordinating federal efforts and evaluating the impact of the federal investment in surface transportation R&D. As envisioned by the Results Act, a strategic plan will be developed and include review and comment from industry, the National Research Council and other advisory boards. The plan will be submitted to Congress within one year after enactment and updated as required by the Results Act.

H.R. 2400, as amended by the Manager's Amendment, includes language to reauthorize the Department's Highway Research and Technology (R&T) Program which is very similar to the provisions of H.R. 860. There is wide agreement on the need to allow the Department to engage in research, development and technology transfer activities designed to improve the safety, efficiency, and effectiveness of the surface transportation system. The amendment includes provisions from H.R. 860 requiring the Department to include in the advanced research program: diagnostics for the evaluation of the condition of bridge and pavement structures to enable the assessment of risks of failure, including from seismic activity, vibration and weather; environmental research which may include among other things development of environmentally safe coatings for surface transportation infrastructure; and human factors research including the prediction of the response of current and future travelers to new technologies. In addition, the Committee believes that destructive testing simulating seismic activity, vibration and weather on certain bridges and pavement structures that are in the process of being replaced offers the potential to improve methods of structure design, construction and rehabilitation.

The Amendment further requires the Department's Highway R&T Program to include a program to strengthen and expand surface transportation infrastructure research and development. The program is required to include testing to improve the life of bridge structures, including tests simulating seismic activity, vibration and weather; research on the use of recycled materials, such as paper and plastic fiber reinforcement systems; expansion of knowledge of implementing life cycle cost assessment, including establishing the appropriate analysis period and discount rates, learning how to value and properly consider user costs, determining trade-off between reconstruction and rehabilitation, and establishing methodologies for balancing higher initial costs of new technologies and improved or advanced materials against lower maintenance costs; and standardizing estimates of useful life under various conditions for advanced materials of use in surface transportation, developed in conjunction with the National Institute of Standards and Technology and other appropriate organizations.

The Committee on Science was especially interested in utilizing the R&T program to both save money and make sure that innovations penetrated the marketplace. Similarly, the Committee notes that there has been very little follow-on to the experiments to date in alternatives to low-cost bidder contracting and feels the more that can be done to increase the knowledge base associated with contracting alternatives, the easier it will be to justify innovations in highway construction. In addition, the Committee supports research on the use of recycled materials such as paper and plastic fiber reinforcement systems. Research in this area indicates that technically equivalent recycled plastics are potentially much cheaper than the expensive welded fabric, which traditionally has been added to standard concrete for crack control.

The Science Committee is pleased the Amendment includes a provision from H.R. 860 to commission a study to be conducted by the National Academy of Sciences regarding the need for a new Strategic Highway Research Program (SHRP) or similar effort. The original SHRP program has yielded over 100 pavement products that combines to save our nation over $690 million per year in highway operations and maintenance costs. The legislation directs the Secretary to work with the transportation community to study and specify the goals, purposes, needs, agenda and structure for a new SHRP program or similar effort. The study will help to ensure that the Department continues its strong partnership role with States, the Transportation Research Board and industry to move technology and innovation into common practice.

Under the State Research Program, the amendment includes a provision from H.R. 860 asking each state to report annually to the Secretary on the level of its funding for research and development provided through this program. A state may provide such information as part of existing reports that the state provides to the Secretary. This provision is not intended to require any additional reporting from the States. Its purpose is simply to provide a more accurate accounting of each state's surface transportation research and development activities. Currently, it is difficult to track research or to separate it from other permitted uses of funding under this section.

The Science Committee concurs with H.R. 2400's provisions to reauthorize the Local Technical Assistance Program (LTAP). LTAP improves access to surface transportation technology and serves as the primary channel through which innovative transportation technology and training are delivered to both urban and rural communities. The Manager's Amendment includes language from H.R. 860 to add concrete to the road and transportation areas of which the LTAP is to expand the knowledge and expertise of rural and local transportation agencies. Concrete is an area where substantial knowledge in the research community has not adequately filtered down to the working level and where universities who train the engineers and other experts involved in highway construction have a major contribution to make in solving the technology transfer problem. For instance, the Committee would like to see the development of partnerships among state Departments of Transportation, industry, and associations to address educational and training needs, to provide testing services and cooperative applied research, to demonstrate new technologies and product applications, and to link architects, engineers, and contractors to speed adoption of industry advancements for commercial benefit to the surface transportation industry, including the area of concrete management.

Other provisions from H.R. 860 have also been included in the amendment to expand LTAP's modern highway technology to include implementing life-cycle costs assessment and standardized assessments of useful life under various conditions for advanced materials. The Committee understands that one of the impediments to rapid deployment of advanced materials in local high construction projects is the difficulty of estimating the contributions these materials can make to reducing life cycle costs of roads, bridges, and other highway structures. The Committee feels a research program geared to understanding the likely useful life of these materials under a variety of conditions will decrease uncertainties associated with innovation and increase the comfort level of local officials as well as their willingness to buy new products.

The Committee is pleased H.R. 2400 includes provisions from H.R. 860 reauthorizing both The Dwight David Eisenhower Transportation Fellowship Program and the National Highway Institute. The Eisenhower Fellowship Program continues to attract qualified students to the field of transportation research to assist in developing the professional workforce necessary to face future transportation challenges. The National Highway Institute (NHI) continues to provide education and training to Federal, State and local transportation agencies in proactive effort to apply state of the art transportation technologies emanating from the Department's R&D programs. The NHI is the leading resource within the Department for providing high quality comprehensive education and training programs tailored to meet the needs of transportation professionals at all levels of the Federal, State and local government, as well as industry.

H.R. 2400's National Technology Deployment Initiative is very similar to H.R. 860's Technology Partnerships Program in that it will encourage new transportation technology partnerships between the Department and State, local, private, academic, and other entities. The Committee believes it is essential that the Department continue its strong partnership role with government and the private sector to move technology and innovation into common practice. In selecting projects under this program, the Committee supports giving preference to projects that leverage federal funds with other significant public or private resources.

The University Transportation Centers (UTC) Program is one of the few areas where the Science Committee and the Transportation Committee failed to reach complete agreement on the provisions of the legislation. The Committee recognizes the UTC Program has been shown to be an effective means of advancing transportation technology and expertise and believes that one of the program's strengths is directly related to the fact that most UTCs had to compete to participate, stimulating a high degree of continuous improvement raising the quality of the entire program. H.R. 860 requires participation in the UTC program on a peer-reviewed, competitive basis. H.R. 2400 allows all participants that received grants during Fiscal Year 1997 automatically to be awarded participation in the UTC program for Fiscal Years 1998 and 1999. However, the Science Committee is pleased that, beginning in Fiscal Year 2000, participation in the UTC program will be based on a competitive process for most of the institutions participating in the program.

The Committee on Transportation and Infrastructure did not decide to include specific legislative authority for awarding grants to researchers at primarily undergraduate institutions which involve undergraduate students in their transportation research. These schools are a major source of professional capacity for the surface transportation industry and we feel that when these engineers are acquainted with the purposes and practice of research during their university training that they will be more sensitive to innovative ideas throughout their careers. We note that it is within the power of the Department of Transportation to increase its efforts to promote undergraduate research and we urge the Department to do so.

The Science Committee is pleased that the Manager's Amendment includes the Surface Transportation-Environment Cooperative Research Program (STECRP). This program was included to address the need for information which will assist transportation planners at the Federal, State, and local level in their efforts to design an intermodal transportation system that meets the needs of our citizens for a safe, clean environment and for access to economic goods and services.

Transportation projects must meet a widerange of criteria under a host of laws at the Federal, State, and local levels. Our state and local transportation planners are charged with the responsibility to assess the environmental and community impacts of proposed transportation projects. These assessments require more than engineering specifications and new technologies. They require information about the interrelationships between factors such as demographic change, land-use planning, and transportation system design that influence the demand for transportation. By creating the STECRP, the Committee ensures there will be a program in place to gather and disseminate this information to the individuals charged with the responsibility for making these decisions.

The Committee recognizes there is a perception by low-income and minority communities that they are disproportionately impacted by some transportation projects and that they derive fewer benefits from transportation expenditures. Federal and state laws currently require the social and economic impacts of transportation projects be assessed. The Committee feels these debates can best be resolved by doing rigorous studies designed to examine the nature of the relationship between transportation investments and community development. Research in this area, which is sometimes referred to as environmental justice, is eligible for funding under the STECRP.

The Committee recognizes that many communities have utilized funds available under the Congestion Mitigation and Air Quality Program to improve or construct pedestrian and bicycle trails. We expect that some research will be allocated to collecting information about the use of these trails that can be used to assess their effectiveness in addressing air quality and congestion problems, and to identify factors which can improve overall trail design to ensure maximum benefits are obtained through their use.

The Committee recognizes that there is a need to conduct research and development on energy use and air quality as it relates to surface transportation efficiency. Research in this area may include new and innovative fuel technologies, such as biodiesel fuel, that enables recycled and renewable resources to be used as fuel. Biodiesel fuel, a renewable fuel product made using virgin soybean oil, may potentially help the U.S. achieve cleaner air and greater energy independence.

The Committee expects the advisory board to build upon the preliminary work done by the participants in the two conferences held to identify critical transportation environmental research needs in 1991 and 1996 published in Transportation Research Board Circulars 389 and 469 in developing their recommendations. These documents identify the type of research needs this program is intended to fulfill.

The Intelligent Transportation Systems program is an area where the Committee on Science and the Committee on Transportation and Infrastructure did not have time before floor consideration to work out all of our differences. Therefore, the Committee on Science was willing to yield to the suggested text of the Transportation and Infrastructure Committee for purposes of floor consideration on the assurance that the provisions of H.R. 860 would be given due consideration as our Committees jointly conference with the Senate and work on a final version of the ITS section of this legislation.

The Committee's concerns regarding ITS are straight-forward. There are already examples of orphan ITS systems across the country paid for at taxpayer expense using protocols which are incompatible with other systems and with standards which were developed after the ITS system was deployed. There are also metropolitan areas where some of the ITS systems already installed are not compatible with others. We are concerned that this is a growing problem. The Administration's proposal for ITS takes a sharp swing towards demonstrations and implementation of ITS systems and away from research and standardization. This approach places the cart before the horse. Further haste in deployment will waste even more tax dollars. We would rather defer the deployment of systems a little while longer than ask taxpayers to pay for both initial deployment and the subsequent retrofit of these systems to permit interoperability with future systems built subsequently in conformance with national standards.

The ITS principles of the final bill should include:

The development and promulgation of the standards and protocols needed for a national ITS architecture and for compatibility of all ITS systems subsequently deployed must be made the number one priority in this program if we are to avoid widespread waste. Furthermore, the program must comply with the recently revised OMB Circular A–119 which requires all Federal agencies to make use of private sector standards developed through a voluntary consensus process whenever possible.

Deployments of ITS systems funded under this Act should be conditioned on compatibility with ITS final and provisional standards. The ITS program has instituted a model standards development program that is well underway. For the initial generations of ITS systems, it is clear which standards are needed and the Department has provided substantial assistance to standards development organizations to make sure they are developed on a priority basis. Therefore, the Committee feels that conditioning further deployments of ITS systems on their use of final and provisional standards proposed by standard development organization's subcommittees will accelerate the development process even further by making it in all parties' interest to have standards in place at the earliest possible date. If standards are not in place, funds should be spent on operational tests which will provide information needed to finalize the standards rather than on deployments which may later be incompatible with the standard.

We feel that, given the limited funds available and the importance of national deployment of ITS, that all operational tests and deployments carried out in compliance with this Act must be designed and carried out with subsequent purchasers of similar systems in mind. The government needs to use them as test beds. Operational tests need to be designed for the collection of data and the preparation of reports to permit objective evaluation of the success of the tests and the derivation of cost-benefit information and life-cycle costs that will be useful to other contemplating the purchase of similar systems. Recipients of funds for either operational tests or deployments should be asked to help increase the understanding of what skills workers must possess to successfully operate ITS systems; of what similarly situated governments should consider before commitment to purchasing an ITS system including legal, technological, and institutional barriers to deployment; and of how to improve procurement of these systems.

We also feel that a portion of ITS funding should look to future ITS systems. At least 15 percent of funding available for ITS systems should be spent on basic research or long-term research. The Committee is especially concerned that adequate emphasis be placed

on human factors research, including research into the science of the driving process, to improve the operational efficiency and safety of intelligent transportation systems; research conducted on environmental, weather, and natural conditions that impact intelligent transportation systems, including effects of cold climates. We feel that ITS advanced systems will be such a fundamental shift in the use of motor vehicles that basic research to increase our understanding of the driving process, is in order. We are concerned that the ITS needs of cold climates, will be significantly different than needs in other regions of the country and that the potential impact on ITS of natural phenomena such as earthquakes needs to be understood better. We also feel that magnetics will have major roles to play in advanced systems where cars will travel at rapid rates of speed at close differences.

Additionally, although not specifically referenced in H.R. 2400, the Committee supports research on new advanced ITS systems designed to reduce congestion, enhance safety and improve cost effectiveness. The Committee does not support reviving the Automated Highway Systems, but endorses continuing advanced research on traffic technologies which may include information technologies such as Active Response Geographical Information Systems used to facilitate effective transportation system decision-making; and advanced traffic management technologies, including the use of fiber optic cable and video, to monitor and control traffic control and volume.

Mr. DAVIS of Illinois. Mr. Chairman, given all the stories in the papers about ''pork'' in the transportation bill, I rise today to tell you about a transportation project that I believe will benefit hundreds of thousands of schoolchildren and adults alike in the great State of Illinois and which I am proud to sponsor.

The Museum Campus Chicago, which is in my district, is made up of three world-famous institutions: the Adler Planetarium and Astronomy Museum, the Field Museum of Natural History, and the John G. Shedd Aquarium. The Museum Campus has a plan to transport visitors to its three institutions and others along the lake in Chicago on free trolleys powered by ethanol. This is a worthy, environmentally beneficial project that will be enjoyed by literally millions of people. And I and others in the Illinois delegation believe it is exactly the type of local project that merits Federal ''BESTEA'' start-up funding in order to get it off the ground.

The Chicago Museum Campus was just created through the $92 million relocation of Lake Shore Drive, a major thoroughfare running along Lake Michigan in downtown Chicago. The Museum Campus, which is on Park District land, opens officially this June. It totals 57 acres, including 10 new acres of public parkland that allow a continuous link between the three museums, which, Mr. Speaker, already draw nearly 4 million visitors a year. The Museum Campus will offer outdoor collaborative programming and is expected to attract an additional 1 million visitors a year to the Chicago lakefront. It is expected to be one of the country's most popular destinations.

Still, while the museums are excited about the rerouting of Lake Shore Drive, they came to me because they have serious access problems that could reduce visitorship. I am speaking of problems like the loss of several hundred parking spaces due to the Lake Shore Drive relocation, the long distances between the three institutions and to area parking lots, competition for parking with Soldier Field patrons, and inadequate links to local public transportation. All these obstacles make visits by the elderly, by the handicapped and by families with young children very difficult and frustrating.

It is for these reasons, that I and several of my colleagues in the Chicago delegation—and our colleagues in the Senate—hope to secure BESTEA funds for the Museum Campus Transportation Project, which would largely eliminate the access problems while increasing public awareness of ethanol as a fuel choice. The project has two components. The first—free Museum Campus and Chicago Lakefront shuttle service—was recommended in a recent Lakefront Transportation Study prepared for the City of Chicago Department of Transportation. The Museum Campus took the report's advice and launched a free trolley service last summer on a pilot basis. The trolleys were very popular—they shuttled more than 300,,000 visitors, up to 6,000 people a day, between the museums and parking lots! Besides being free and reducing people's stress levels, the trolleys also reduced traffic congestion, and noise and air pollution. I think there's no argument about the benefits of these trolleys.

I am pleased to join with several of my colleagues to seek BESTEA funds for the Museum Campus Transportation Project to establish a permanent Museum Campus shuttle system using ethanol-powered trolleys and to extend shuttle service along the lakefront to other cultural destinations. Stops along the Lakefront Shuttle route would include the Art Institute, the Museum of Contemporary Art, the Chicago Cultural Center, the Spertus Museum, the Grant Park Festival Center, the Children's Museum at Navy Pier, Columbia College, and Roosevelt and DePaul universities.

The second component of the Museum Campus Transportation Project is the creation of an intermodal transportation center at the intersection of Indiana Avenue and Roosevelt Road, which also is endorsed by the City's Lakefront Transportation Study. This center would connect the trolley route to bus routes, the CTA and Metra stations—the local elevated train and subway—and to pedestrian walkways. It would also include construction of an 850-car decked parking garage nearby. Mr. Speaker, the intermodal transportation center will provide easier access to the Museum Campus and to other lakefront offerings for all visitors using all forms of transportation.

The Museum Campus and its City and private partners intend to run the shuttle systems in the future. They will raise the necessary funds through private contributions, increased museum entrance fees, projected parking fees and City funds.

Mr. Speaker, I hope that you will agree that this project is the type of project that we at the Federal level are happy to lend a helping hand to. It makes good economic sense, good environmental sense, and is an investment in the thousands of children and others who want to experience and learn from Chicago's many cultural institutions. This Sunday afternoon, the Museum Campus is holding an open house for members of the Illinois delegation. I invite you and others in this Body to come visit the Field, the Shedd and the Adler and see why I believe in this project.

Mr. CRANE. Mr. Chairman, three years ago, when the Contract with America was being debated, had somebody told me that this Congress would seriously consider, much less adopt, legislation calling for a 40% increase in highway spending, I would have said ''only on April Fools Day.'' Well, here it is, April 1, 1998, and what do we have on the Floor but a bill fitting that description that stands a good chance of being approved.

Is it a joke? No indeed. Whatever people may think of it, the Building Efficient Surface Transportation and Equity Act (BESTEA) we are considering today is a very real and a very attractive proposal for a number of reasons.

First of all, BESTEA meets a clear need, the need for better roads, safer bridges and relief from the incessant traffic congestion that plagues Chicago and many other urban areas of this country. Second, the legislation deals with several rather obvious inequities, one being the expenditure of federal gas taxes for purposes other than those intended and another being that not all states receive a fair return on their gas tax contributions. Third, the bill addresses these inequities in a way that is not only generous but is designed to prevent their recurrence. And fourth, almost every state and four congressional districts out of every five stand to benefit from that generosity and from the inclusion of nearly 1,800 demonstration projects in the legislation.

So what is the problem?

Put simply, the problem is the way BESTEA, or H.R. 2400 as it is otherwise known, goes about those tasks.

Yes, BESTEA meets a need, but that need can be met without shattering the balanced budget agreement by a $26 billion margin.

Yes, BESTEA corrects several inequities, but there are other ways those can be addressed besides setting a spending increase precedent so monumental that many other special interest groups will be tempted to seek similar treatment.

Yes, BESTEA is generous, but is being so generous to ourselves fair to future generations who will have to pay the bill for any deficits that may result?

Yes, BESTEA calls for budget cuts to offset those spending increases, but it does not specify what they are or guarantee that they will be in the bill when it is enacted into law.

Yes, BESTEA has state and local appeal but, at the same time, it is so expensive and so replete with demonstration projects that it threatens the nation's fiscal interests.

And yes, it may be easier to pass a bill like BESTEA that increases spending enough to make everybody happy in the short term than it is to adopt a measure that develops priorities, makes choices and promotes fiscal year responsibility over the long run.

But expediency should not be the determining factor when it comes to surface transportation legislation. Instead, our decisions should be primarily based on the very same need for fiscal restraint and responsibility that caused many of us to seek, and be elected to, public office in the first place. Otherwise put, that means taking into account the fact that Uncle Sam has been running in the red for 30 years, may continue to run in the red if we are not careful, and has accumulated a $5.5 trillion national debt that should be reduced if its forbidding consequences are not to hang like the

Sword of Damocles over the heads of our children and grandchildren.

Like many other Members, I cannot help but be impressed by what H.R. 2400 could do in the short term for my state and locality. Not only that but I like the idea of taking the Highway Trust Fund off budget, which BESTEA would accomplish. However, last year's balanced budget agreement, which BESTEA would shred, provides for a 20% increase in surface transportation spending which should be sufficient to fund the most pressing infrastructure needs and the most deserving of the demonstration projects. Moreover, the sanctity of the Highway Trust Fund can be restored by reducing gas taxes to the level of annual appropriations rather than by increasing spending so as to consume all of those revenues. Furthermore, enactment of H.R. 2400 would appear to be entirely inconsistent with the tenets of fiscal responsibility and restraint to which the majority in this Congress has heretofore adhered. To many, it might smack of hypocrisy.

For all those reasons, I find myself obliged to oppose this edition of BESTEA. While it is possible that some of its excesses might be addressed in conference, there is no assurance that they will be corrected or that others will not be added. Worse yet, approval of this bill by the House of Representatives would send absolutely the wrong message about our future fiscal intentions. Accordingly, we should return this bill to committee so that it can be scaled back to a level that allows necessary infrastructure improvements to be made but is in keeping with the balanced budget agreement. Granted, that will not be easy and could take some time, but far better that than the alternative. Believe me, our children and grandchildren will thank us for looking beyond our immediate interests to their prospects as well.

Mr. WATTS of Oklahoma. I rise today in support of H.R. 2400. I commend Chairman SHUSTER for his hard work in constructing a bill that recognizes that the nation's transportation infrastructure is in severe disrepair and that public safety is at equally severe risk.

The statistics speak for themselves. The number of people killed on our nation's highways has risen to 42,000 a year. Every 13 minutes someone loses their life on our nation's highways. Many of these deaths are the result of road and bridge conditions that are shameful.

We have a perfect example of this in my home state of Oklahoma. There is a crosstown bridge in Oklahoma City that is in a serious state of deterioation—so serious, in fact, that the Oklahoma Department of Transportation has to examine the structure every 6 months and has to spend over $300,000 a year in patch-work repairs.

Now, don't be mistaken. This is not a local highway. This is a stretch of Interstate 40—a major, national East-West corridor that connects in Oklahoma City with two other Interstates which connect traffic from Mexico to Canada and from coast to coast. This crosstown bridge carries more than 100,000 vehicles a day, and over 60% of the truck traffic is from outside of Oklahoma.

With H.R. 2400, the critical repairs can finally begin on this important national highway. An accident-waiting-to-happen can be reconstructed into a safe, modern highway, and as a public official who is responsible for public safety, I can tell you that this gives me a great sense of relief.

I also want to commend the Chairman for returning ''trust'' to the ''trust fund'' in this legislation. It is time that the gas taxes paid by our constituents for highway maintenance and construction be directed to repairing and building safer highways for American families. This bill achieves that long overdue goal.

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 2400 and yield back the balance of my time.

Mr. LEVIN. Mr. Chairman, I rise in support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act. I do so because it is imperative that Congress rectify the longstanding shortfall in transportation funds received by Michigan.

For as long as I've served in the House and longer, my state of Michigan has been a donor state. Along with other donor states, Michigan has received far less than our fair share of transportation funding, averaging just 85 cents for every dollar we send to the federal government. Over the last 15 months, I have worked with the Michigan Delegation, Chairman SHUSTER, Representative OBERSTAR and others to address this longstanding injustice. I believe the bill before us today represents the only available vehicle to bring about a fairer deal for donor states like Michigan. Under this bill, Michigan's annual highway funding would rise to $872.3 million a year. That's an increase of $358 million a year over what Michigan received under the 1991 ISTEA law. The basic formula remains inequitable; Michigan would remain a donor state, but at least this legislation is a step in the right direction.

At the same time, I want to reiterate my chagrin over the failure of the Majority in the House to put together a budget resolution which would make clear how this bill would fit into the overall budget. Where is the Majority's budget resolution? Simply put, this process puts the cart before the horse. This bill is silent on the issue of spending offsets to pay for the increased funding of transportation needs. We cannot just pave over the commitment we made last year to live within the framework of a balanced budget. When 214 of us voted last year to support the Shuster/Oberstar amendment, we were saying: Yes, we need to spend more on infrastructure. Yes, more money has to be made available to donor states. The difference is that we were willing to pay for it.

The Republican Leadership in the House is abdicating fiscal responsibility by continuing to delay a vote on the budget resolution. Unless the House Leadership intends to completely abandon fiscal discipline, sooner or later—and the sooner the better—we're going to have to come up with the budget offsets to pay for increased transportation spending. I regret we have not done so before today.

My vote today in support of the transportation bill is a vote to continue the process of addressing the longstanding inequities of the current highway funding formulas. The next step is for this bill to go to conference with the Senate. I want to make it clear that my vote on the final conference report will depend on two factors. First, fair treatment for donor states like Michigan. I will not support any bill that does not address the longstanding funding inequities borne by Michigan and other donor states. Second, my vote on the conference report will depend on concrete actions by the conferees and the Budget Committee to bring this bill into line with last year's balanced budget agreement, including appropriate, sound offsets.

Mrs. CHENOWETH. Mr. Chairman, I rise today in strong support of H.R. 2400, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs.

H.R. 2400 is extremely important to the State of Idaho and its citizens. This legislation provides a significantly higher level of funding for surface transportation programs as compared to the level provided under the short term Surface Transportation Extension Act of 1997 which expires on May 1, 1998.

Although the highway program formula used to apportion funds to the states under H.R. 2400 fails to fairly and equitably address the needs of rural states, such as Idaho, it is important that Congress pass, and the President sign, a new surface transportation act.

The State of Idaho support H.R. 2400 albeit with some concerns. I include the letter from the Idaho Transportation Department with this statement.

TRANSPORTATION DEPARTMENT,
March 31, 1998.

Hon. HELEN CHENOWETH,
U.S. House of Representatives,
Washington, DC.

Re: House Vote on H.R. 2400 (BESTEA)

DEAR CONGRESSMAN CHENOWETH: As you know, the House will vote this week on H.R. 2400, the ''Building Efficient Surface Transportation and Equity Act of 1997'' (BESTEA). The passage of a new surface transportation act is extremely important to the State of Idaho and its citizens and I wanted to convey to you our thoughts on this critical vote.

First, we believe you should vote for the passage of BESTEA for two reasons:

BESTEA provides a significantly *higher level of funding for surface transportation program* as compared to the level provided under the now expired Intermodal Surface Transportation Efficiency Act (ISTEA). The House bill authorizes $218.3 billion in transportation funding over a six-year period, an increase of more than 40% over the ISTEA levels.

It is very important that *Congress passes a new surface transportation act as soon as possible.* States are now operating under the short-term ''Surface Transportation Extension Act'' which expires on May 1, 1998. After that date there will be no federal-aid funding available to the states. Most transportation programs will be completely shut down or severely curtailed. In northern states like Idaho and entire highway construction season may be missed entirely.

Secondly, we have the following major objection to the content of the House bill which should be corrected in Conference Committee with the Senate:

The highway program formulas used to apportion funds to the states under BESTEA do not fairly and equitably address the needs or characteristics of rural states. An overemphasis is placed on factors that favor urbanized states such as population, contributions to the Highway Trust Fund and total public road mileage. Urban highway miles and vehicle miles-of-travel are double counted while those in rural areas are not. Local road mileage and traffic are used as factors in determining the distribution of funds for the Interstate and National Highway System programs, which are both strictly national and federal in character and use.

If you have any questions concerning the Transportation Department's position on H.R. 2400, please don't hesitate to call me at (208) 334–8807.

Sincerely,

DWIGHT M. BOWER,
Director.

Mr. DAVIS of Florida. Mr. Chairman, today I rise in reluctant opposition to HR 2400, the

Building Efficient Surface Transportation and Equity Act (BESTEA). Quite simply, this bill is too much of a good thing. Infrastructure funding is critical for the economic future of our nation, but this bill goes too far and in doing so breaks the bi-partisan balanced budget agreement of last year. We should be debating an increase in transportation funding, but we should be having this debate first within the context of a budget resolution where we can analyze transportation needs relative to other critical domestic priorities. Above all, I believe we must keep to the spirit of the balanced budget agreement we passed last year. This year, we have a balanced budget for the first time in 30 years and today the House is being asked to pass a spending bill which blows a $40 billion hole in the budget.

Clearly, our states have transportation needs that are significantly underfunded and I agree that we should be increasing federal funding for transportation. For my home state of Florida, this bill does help address the fundamental inequities in the current funding formula. Under current law, Florida receives an average of 77 cents for every dollar sent to Washington in gasoline taxes. BESTEA would increase this return to roughly 87 cents on the dollar. I commend the Chairman and Ranking Member for their commitment to addressing this issue and I urge them to continue to work on a fairer funding formula to ensuring that every state receives its fair share of transportation dollars.

Mr. Chairman, despite this improvement in the funding formula and the fact that this bill funds many worthwhile and important transportation projects, I must oppose it based on the overall levels of funding. I believe we can and must find a way to increase transportation funding without abandoning fiscal responsibility. This bill does not offset the increases in spending, leaving it only to a promise of future, unidentified cuts in other programs. Furthermore, the overall levels of funding under this bill set up a fiscal train wreck in the coming years as Congress will have to make massive cuts in other domestic priorities to maintain a balanced budget.

When I was elected to Congress, I was skeptical that this body had the fiscal restraint to balance the budget. This past year, I had hope that things had changed. We worked together to pass a tough balanced budget act in a bi-partisan manner and proved to the American people that we were serious about ending decades of deficit spending. Now, no sooner than the Congressional Budget Office has certified that we have balanced the budget with the possibility of surpluses for the near future, Congress is rushing out to spend tens of billions of dollars that we simply do not have.

Mr. Chairman, I urge my colleagues to reaffirm this Congress's commitment to fiscal responsibility and vote no on HR 2400.

Ms. DEGETTE. Mr. Chairman, I rise today in support of H.R. 2400, the Building Efficiency and Surface Transportation and Equity Act (BESTEA). This legislation provides a total of over $218.3 billion over six years for federal highway and transit programs. This funding is much needed and overdue, and will provide Americans with a stronger transportation infrastructure.

The effects of BESTEA are clear. It will save lives by improving the safety of our highways, and will improve the environment by emphasizing mass transit, the Congestion Mitigation Air Quality Program (CMAQ), and nonmotorized uses such as bike trails.

The First Congressional District of Colorado is one of the top ten fastest growing metropolitan area in the country and has witnessed unprecedented demands on its transportation system. The need for wise and creative investment in transportation has never been greater for Denver metropolitan area. This legislation will address these needs, laying a sound foundation for federal-local partnership.

However, I believe that the offsets for BESTEA must not come from important domestic programs, such as education, environment or health care. Therefore, I will oppose efforts which seek to sacrifice the progress this country has made to improve the quality of life. Congress needs to work in a bipartisan manner to ensure that these offsets are fair and appropriate.

Mr. BILBRAY. Mr. Chairman, I rise today to express my appreciation to Chairman BUD SHUSTER and express my strong support for the provisions in H.R. 2400 that promote the use of clean fuel vehicles and technology in public transit, and the incentives it provides which allow consumers greater opportunity to travel in environmentally sound modes of transportation.

The CMAQ, research and development, bus and bus facility grant provisions of H.R. 2400 are examples of the Committee's effort to begin coordinating federal transportation policy with federal environmental policy. Giving states the opportunity to allow an electric vehicle with fewer than two occupants to operate in an high occupancy vehicle lane is yet another example.

Mr. Speaker, as you know, promoting policies which improve our air quality is a subject near and dear to my heart. As a former mayor, county supervisor, member of my regional air resources board, and member of our county mass transit authority, I understand the difficulties local governments and the private sector face in meeting federal mandates. I saw first hand how the federal government subsidized polluting fuels, while at the same time heavily regulating small businesses over their emissions levels. Small businesses, local governments, and consumer vehicles have stepped up to the plate. It's time the Federal government do its share.

How many times have you been driving down the street and saw black smoke belching out of a bus and that black soot entering into the air? Ninety percent of all bus purchases are paid for with federal dollars. While the federal government has been paying for these polluting vehicles, small companies, local governments and the private sector have been reducing their emissions levels, oftentimes under the threat of severe punitive action. It's time that the federal government lead by example and operate under the same set of clean air rules we require of everyone else.

Yesterday, I testified before the Rules Committee in order to offer an amendment which would have phased out the spending of federal dollars in this bill on polluting fuels in mass transit. This amendment would have simply required that any federal funds in the bill which were to be spent on mass transit vehicles must be spent on technologies which meet EPA's definition of clean fuel technology. This amendment would not have been retroactive, and would have only applied to future vehicle purchases. Unfortunately this amendment was not ruled in order, but I was heartened by the positive response I received from my colleagues on this subject. In fact, I plan on introducing a bill later this Spring that would help accomplish this goal.

Chairman SHUSTER has been very helpful in assisting me with moving this proposal along. In fact, we worked together to add Section 340 in the Manager's Amendment to H.R. 2400. Section 340 directs the Comptroller General to conduct a study to examine the current status of clean fuels technology, which is to be completed by the end of 1999. This study will be reported to the Congress by January 1, 2000.

I am confident that this study will demonstrate what numerous major cities in non-attainment zones already know. The technology exists to move our mass transit systems to cleaner burning fuels. These cities are already accomplishing much in this area. San Diego County made the herculean effort to begin phasing out its diesel burning buses to natural gas buses. By the year 2000, 26% of its bus fleet will be using clean fuel technology that already exists.

Again, I thank Chairman SHUSTER in working with me on this vital matter, as well as Chairman BLILEY of the Commerce Committee, who has always given me the opportunity to pursue new methods of improving our air quality.

Mr. EVERETT. Mr. Chairman, I am proud to speak today in support of H.R. 2400, the Transportation Authorization bill. Our nation's infrastructure has been overlooked and treated as a low priority for far too long. It is time to re-invest in our nation's roads, bridges, and other surface transportation needs. By improving and properly maintaining our infrastructure, we will enhance new growth opportunities, commerce, and safety. I believe this legislation meets many of these goals.

In addition, the regional distribution of gas tax and user fees are more properly allocated among all 50 states in this bill than in the past. As a member of the Donor State Coalition, this represents a hard fought victory for those states, like Alabama, that have been paying in more in gas taxes than they have received in federal highway funds. I pledge to continue in my efforts to see that donor states ultimately receive a 95% overall rate-of-return and further that these states receive a rate-of-return of 100% of the fund distributed to states.

Perhaps most importantly, H.R. 2400 addresses the infrastructure priorities of the State of Alabama. Of our Governor's top highway priorities, I am pleased to say that two of these projects are located in my district in Southeast Alabama. The bill provides additional funding, at my request, for both the Montgomery Outer Loop project and the Dothan I–10 Connector.

Once completed, the Outer Loop will link I–85 with I–65 and U.S. 80. This will allow for more orderly growth in and around Montgomery, our state capital. The eastern side of Montgomery is experiencing the most rapid growth of the area, so construction of this outer loop project will ease the burdens currently placed on our existing transportation routes.

The Dothan project will connect Dothan with Interstate 10 in northwest Florida. Additionally, this freeway will serve as an important link between Fort Rucker, home of the U.S. Army Aviation Warfighting Center, and the interstate system.

Both of these projects are essential in meeting the increasing demands in these rapidly growing and developing areas. Further, as priorities of the state transportation officials, these projects are in the state's long range plan and are thereby assured of receiving the requisite state matching funds.

Mr. Chairman, this legislation represents a balanced blue print for renewing American's highway infrastructure and safety needs over the next six years. I am confident that the funding commitments of the bill will remain within our balanced budget structure, and I urge its adoption.

Mr. ADERHOLT. Mr. Chairman, I rise in support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act. I commend Chairman SHUSTER and Ranking Member OBERSTAR for their work in crafting legislation that meets the transportation needs of this nation.

For the last six years Alabama has received an average of $330 billion per year for transportation. When this bill becomes law Alabama will receive $552 billion per year. This will mean a 67% increase and brings a level of fairness for Alabama since we have been getting the short end of the stick on transportation funding. Fairness in this process is crucial to ensure our roads and bridges are as we move into the 21st Century.

However, I am most pleased with the creation of a specific category for the Appalachian Development Highway System (ADHS) for the first time. The Fourth Congressional District of Alabama contains very few miles of four lane highways. Unfortunately, the Interstate Highway System did not include a route to connect Birmingham, Alabama with Memphis, Tennessee. This is an unacceptable omission from the Interstate Highway System

Thankfully, the Appalachian Development Highway System includes Corridor X which will connect these two cities, and runs through North Alabama, In addition, the system includes Corridor V which connects with Corridor X in Alabama and runs through North Alabama to Chattanooga, Tennessee is part of the Appalachian Development Highway System.

Category funding for the Appalachian Development Highway System is crucial to expedite completion of these two highways. Traditionally, the Appalachian Development Highway System has had to rely on the annual appropriations process. Corridor X and Corridor V fared well in some years, but other years they received little, if any funds.

This made it difficult for long term planning and has needlessly delayed completion of both highways. In fact the Appalachian Development Highway System is only 78% complete while the Interstate Highway System is 99% complete.

Category funding ensures a stable source of funding that will complete the corridors in Alabama and throughout the thirteen states of Appalachia. I urge all Members to move this bill to Conference so we can complete this process before we lose additional time during the annual construction season.

Mr. COSTELLO. Mr. Chairman, I rise in strong support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act. This bill reauthorizes highway, mass transit and highway safety programs for six years. By passing this legislation we will be renewing our commitment to investing in America's infrastructure.

Our infrastructure is crumbling around us. In my home State of Illinois, for example, a quarter of all the bridges are structurally deficient. Forty-three percent of road in Illinois are in poor or mediocre condition. Driving on these roads costs Illinois motorists $1 billion a year in extra vehicle operating costs. That is $144 per driver. These statistics are shameful. As we enter the next millennium, we cannot allow our nation's infrastructure to languish in the past. We have ignored these problems for too long.

As a Member of the Transportation and Infrastructure Committee which crafted this bill, I know this bill is a solid piece of legislation. H.R. 2400 will enable us to bring our transportation needs into the 21st Century. Under this bill, highways and transit systems will operate more efficiently. People and goods will travel more safely because of the highway safety programs and initiatives under this bill. I will promote a cleaner environment and decrease the red tape associated with environmental regulations.

I realize that many have criticized the high priority projects included in this bill. They call these projects ''pork.'' However, I would like to clarify that these projects are included only after consulting with local elected officials, local highway departments and state departments of transportation about the transportation needs of communities. Republicans espouse the need to give control back to the localities. That is exactly what these high priority projects are all about. The local governments know what their transportation priorities and needs are. By including funding for local projects in H.R. 2400 we are allowing local and regional officials to decide on and meet their own transportation needs. Further, the authorization for high priority projects is only 5 percent of the total funding in the bill. No programs in the bill are compromised at the expense of including high priority projects.

In my district in Southwestern Illinois these projects are critical to meet the transportation needs of many communities. For example, the MetroLink light rail system provides a vital transportation link for commuters and travelers in the St. Louis-MetroEast area. Under this bill, MetroLink will be expanded from East St. Louis to Belleville Area College and then to MidAmerica Airport. When this extension is complete, the region's two airports, St. Louis-Lambert International in St. Louis, MO and MidAmerica Airport in St. Clair County, Illinois will be linked by one light rail line. MetroLink, whose ridership has surpassed all expectations, has had an enormous impact on the environment, transportation efficiency and economic development in my district and the entire St. Louis metropolitan region. It is precisely projects like these that are so important in this bill. These projects are vital to communities.

Mr. Speaker, this is a good bill. We must pass this bill so critical infrastructure funding can get to our states. This bill is not about pork! It is about improving our transportation policies so that Americans and our goods can travel efficiently and safely throughout our nation.

Let's pass this bill today so we can get it to the President before funding expires on May 1. I urge my colleagues to join me in voting in favor of H.R. 2400.

Ms. CHRISTIAN-GREEN. Mr. Chairman, I rise today to join my colleagues in strong support of the Building Efficient Surface Transportation and Equity Act. I want to thank the Chairman of the Transportation Committee, Mr. SHUSTER and the Ranking Democrat Mr. OBERSTAR for their strong leadership in getting this bill to the floor today. BESTEA as the bill is also known, will authorize $218 billion over six years for federal highways and mass transit programs. It would also modify highway funding formulas to ensure that each state receives 90% of the amount it pays to the federal government in gas taxes.

I also want to strongly urge my colleagues to support continuation of the Department of Transportation's Disadvantage Enterprise Program, (DBE). This is an issue that is of the utmost importance to the President. And it is a program that was first enacted for highway transit construction projects under President Reagan.

It is an equal opportunity program which uses flexible goals established by state and local transportation programs to ensure that small businesses owned by women, minorities and other disadvantaged individuals have a fair chance to compete for federal transportation contracts.

Whether we believe so or not, it is a fact that minorities and women continue to face discrimination on a daily basis. We must not turn the clock back on this segment of our population by eliminating a program that, since its inception, has significantly increased the percentage of women and minority-owned construction firms.

We must defeat the Roukema amendment and protect economic opportunity for women and minorities.

In conclusion, Mr. Speaker, I want to thank the Chairman of the Surface Transportation Subcommittee for his willingness to support the transportation needs of my constituents. I also want to especially thank my colleague the Ranking Member of the Surface Transportation Subcommittee Mr. RAHALL, for his help as well.

I urge my colleagues to support this bill which will serve as the engine to further drive our nation's economy into the 21st century and beyond.

Mr. PACKARD. Mr. Chairman, H.R. 2400, the Building Efficient Surface Transportation and Equity Act of 1997 (BESTEA), provides much-needed funding for the improvement and renewal of highways across the country. I support this legislation because, as I see it, it is the first step towards improving our infrastructure. However, I would like to share my concerns that this legislation does not provide taxpayers in states like California with a fair share in federal transportation funding. This is an issue that we cannot ignore and must address in the near future.

Under BESTEA, Californians will pay $22 billion towards federal highway funding, but will only be guaranteed $19 billion in return. We must stop asking California taxpayers to pay for highway and infrastructure improvements that they may never see. They should not constantly be forced to sacrifice their hard-earned money to projects in some other town, in some other state.

As it stands, communities throughout California are struggling to maintain their infrastructure. For many quickly growing communities, it is nearly impossible to keep up, and this is not only unfair for taxpayers, it is becoming unsafe.

Mr. Chairman, while I support BESTEA, I urge my colleagues to keep California and other ''donor states'' across the country in mind when voting on this and related legislation. Let's not wait to address this dilemma and find a funding formula that is fair for California taxpayers.

Mr. PASTOR. Mr. Chairman, I rise today to express my strong support for the Indian Reservation Roads program (IRR). As the House considers BESTEA, I urge the conferees to fully support the Senate amount of $250 million annually for the program.

The needs of the Native American community are often overlooked and under funded. The conditions of reservation roads are the worst in this country and immediate attention and funding is badly needed in order for tribes to attract economic development. We must not ignore these needs.

In the bill under consideration today, the House has authorized up to $212 million annually for the IRR program. While I am pleased that the Committee recognized the need for an increase in the program, I am hopeful that the Committee will recede to the Senate's amount of $250 million annually for the IRR program. I believe that this modest increase is essential to the continued economic progress and improvement of our nation's tribal communities.

Again, I urge the conferees to support this vital program for Indian reservations.

Mr. POMEROY. Mr. Chairman, I rise today in reluctant opposition to H.R. 2400, the Building Efficient Surface Transportation and Equity Act (BESTEA) which reauthorizes federal highway spending. States desperately need adequate resources to keep pace with the stresses placed on their transportation infrastructure. While I am supportive of increased funding for transportation infrastructure, I believe the bill before us today contains a flawed funding formula which leaves rural states without the resources to address their transportation needs.

Highway funding is vitally important to every state in America, especially my state of North Dakota since we have more miles of road per capita than any state in the nation. Highways are the lifeline of our economy, providing a means to transport commodities to market and linking the distance between our cities and towns.

This bill unfortunately short changes several rural states. Large rural states face unique challenges in maintaining, repairing and building their transportation network. However, the funding distribution formula contained in the bill results in a drop in total spending for North Dakota and other rural states from the existing formula. Under BESTEA, North Dakota would receive $34 million a year less than what it would receive if the bill were enacted using the existing formula. Maintaining a sound and efficient transportation network across the country depends on adequate funding for both urban/suburban and rural areas.

The transportation bill which passed the Senate contained a funding formula which strikes a balance between the competing interests of urban/suburban and rural areas. I am hopeful that as the conference committee begins work on the two bills that we can reach a funding formula that recognizes the unique aspects of rural states.

Mr. EWING. Mr. Chairman, I would like to commend the Chairman for the highway bill we are voting on today, which is truly bipartisan and reflects a commitment to ensuring the continued viability of our national highway infrastructure.

I want to take a few moments to express my support for an important domestic renewable energy program that, unfortunately, is not included in this bill, but which I hope to see included in the final ISTEA reauthorization conference report. This program is the Federal Ethanol Program.

Ethanol is a very important, value-added market for agriculture, providing a critical economic stimulus throughout the Midwest. Today, the third largest use of corn is for ethanol production, behind only feed and export uses. Ethanol production utilizes approximately 7 percent of the nation's corn corp, increasing farm income and generating tremendous economic activity both within rural America and nationwide.

The use of ethanol also lessens our dependence on foreign oil. Today, we depend on oil imports to meet more than 54% of our consumption. Using ethanol decreases the demand for oil, thus increasing our energy independence and safeguarding against problems in the volatile Middle East.

Ethanol provides tremendous environmental benefits, including a reduction of harmful emissions of carbon monoxide, ozone, and toxicities. Ethanol can also alleviate concerns about climate change and rising greenhouse gases. A recent study completed by the Argonne National Laboratory found that use of corn-ethanol results in a 50–60 percent reduction in fossil energy use and a 35 to 46 percent reduction in greenhouse gas emissions.

The benefits of Ethanol are well documented, and I believe it is crucial for the federal government to maintain a strong ethanol policy. Mr. Chairman, I hope that, as this bill moves forward, you can support the Senate language on ethanol.

Additionally, Mr. Chairman, I would like to take this opportunity to discuss the ramifications of a rule, finalized by the U.S. Department of Transportation last year, known as HM–200. This rule needlessly imposes the will of the federal government upon states with regard to the regulations governing the transport of Hazardous Materials in the agriculture industry. Mr. Chairman, this Committee and this Congress are right to take action to prevent the usurpation of state's rights and the resulting effect to commerce and safety of a rule which is not supported in its conclusions by any evidence of improved safety, or any consideration of its impact on the community it seeks to protect.

The farmers who produce the many crops that form the basis of the American agricultural economy rely on agricultural production materials to aid in the development of a healthy and robust harvest that is the safest and most abundant in the world. These materials are sold by, delivered and applied by agricultural retailers who are among the most experienced men and women in the country in handling these types of materials. The rigors of continuous training and a lifetime of experience have taught them how to safety store, transport, and apply hazardous agricultural inputs.

As a result, some states with a large agricultural economy have given the retail community an exception to complying with Hazardous Materials (HAZMAT) transport regulations for the intrastate transport of hazardous agriculture inputs from retail facility to farm, farm to farm, and from farm to facility. My own home state of Illinois is one of these states, and despite having such an exception, the Illinois Department of Transportation (IDOT) has closely monitored the agricultural community to ensure its safety. In nearly fifteen years, IDOT has yet to find a reason to revoke these exceptions.

In early 1997, the Research and Special Programs Administration (RSPA) of the U.S. Department of Transportation finalized its HM–200 rule. This rule forces states to implement the same standards for all intrastate HAZMAT transport as they do for federally regulated interstate transport. As a result, states which already have exceptions in place would lose them, as HM–200 would preempt their existence. Other states which do not already have exceptions in place would lose the ability to provide one to their retailer community. Despite a petition signed by a 48 member coalition asking the U.S. Department of Transportation (DOT) to reconsider this aspect of its HM–200 rule, and numerous letters to RSPA expressing industry sentiment, the administration refused to re-examine its position of the HM–200 rule.

Included within H.R. 2400 is language which would preserve the rights of states to provide HAZMAT transport exceptions for retailers and farming communities. This language by no means mandates nationwide exceptions, it only provides the option for states to provide them. Supporting this language are a wide bipartisan array of House members from across the country, as well as a 57 member industry coalition representing every aspect of the agricultural community.

Mr. Chairman, I am pleased that you have joined me in supporting this language which will prevent the federal government from imposing yet another onerous burden on states. The US DOT has produced no studies or accident reports to substantiate the policy of denying exceptions to retailers. In fact, the US DOT has joined several other public interest groups to counter our efforts with respect to HM–200. The Agency has consistently attempted to substantiate this position by using the results of accident reports for interstate commerce.

This agriculture industry and the large, long-haul vehicles carrying thousands of gallons/lbs. of hazardous agents at high rates of speed down interstate highways have virtually nothing in common, and therefore accident statistics for one do not relate to the other. Under HAZMAT rules, placarding, shipping papers and toll-free 800 emergency response phone numbers are to be utilized as a measure to help in responding to a spill or fire. However, within agricultural communities, emergency responders are typically volunteers who are intimately familiar with the types of materials involved with production agriculture and who would have few problems in identifying the agents involved in this type of incident.

Mr. Chairman, this language within H.R. 2400 is sorely needed. It is estimated that compliance with HM–200 could cost the average retail facility $12,300. In addition to being an out-of-pocket cost to the retailer, this is going to be yet another expense that is passed along to the American farmer, who every year, sees his or her margins continue to shrink as the result of increased costs and

government intervention. I appreciate and gladly thank the Chairman and the other members of this committee for the inclusion of this language in H.R. 2400, and would hope that as this legislation moves into conference that we would all endeavor to ensure its inclusion in the conference report.

Ms. VELAZQUEZ. Mr. Chairman, I rise today on behalf of myself and my distinguished colleague from New York, Mr. TOWNS. Today is a very significant day for the residents of my congressional district and for the constituents of Congressman TOWNS. We have worked tirelessly for years with the communities in Brooklyn surrounding the Gowanus Expressway to find the best solution to the congestion and dilapidated condition of this major highway and key component in the New York area's transportation network. These residents have patiently asked that a full study of alternatives to the planned reconstruction of the Gowanus Expressway be conducted.

For the economic viability of the area and the environment health of the families living near this planned reconstruction, it is crucial that the impact on the surrounding communities be adequately assessed. For these reasons, I thank the Transportation and Infrastructure Committee, particularly Chairman SHUSTER, Chairman PETRI, Ranking Member OBERSTAR, and Ranking Member RAHALL, for understanding these concerns and supporting our proposal.

The Building Efficient Surface Transportation and Equity Act finally responds to the pleas of these New York neighborhoods. H.R. 2400 authorizes $24 million dollars for New York State to conduct a Major Investment Study (MIS) of the Gowanus Expressway Corridor. None of these funds may be used to supplement or finance any part of the currently proposed rehabilitation and reconstruction of the highway. The intent of the funding is to provide for an MIS to determine the short and long term social, economic and environmental benefits and costs of different alternatives to rebuilding the current elevated highway—including a tunnel.

The MIS will include Phase I to IV civil engineering and design documents so as to accurately determine the initial and long term fiscal, environmental, social and economic costs of replacing the current elevated structure of the Gowanus with a tunnel. This analysis will include a complete engineering study, including hydro-geologic study and the cost of tunnel connectivity with bridges and tunnels adjacent to the corridor.

Using the methodology devised in the ''West Brooklyn Traffic Calming Study'' CMAQ proposal, the MIS will devise mitigation measures to reduce current and future traffic diversions from the Gowanus Expressway in adjacent neighborhoods. Additionally, the MIS will include an assessment of service improvements to all subway lines needed to produce an increase in ridership and reduction in motor vehicle traffic in the Gowanus corridor before, during and after the reconstruction of the highway. Upon completion of the MIS and tunnel alternative study, any remaining authorized funds should be held for the future planning and design phase of the Gowanus project.

The Gowanus MIS Project is part of a sound national and regional transportation policy. With this transportation proposal, the Gowanus neighborhoods are one step closer to real answers to this long-standing local transportation problem. This proposal is not only about transportation—it is also about the economic development and empowerment future of our communities.

Mr. LAHOOD. Mr. Chairman, funding levels: $217 billion total over the next six years; $181 million for highways and highway safety; and $36 billion for transit.

Illinois will receive nearly 36 percent more per year under BESTEA.

Illinois received $684 million per year under ISTEA and will now receive over $1 billion per year under BESTEA.

Illinois needs: According to IDOT, more than 98 percent of highway and bridge funding will have to be allocated to the repair of existing roads and bridges over the next five years.

For the first time in 14 years, the number of road miles considered to be in poor condition will increase from 2,300 miles to 4,300 miles.

10,681 miles are considered to be in poor or mediocre condition—this is roughly ⅓ of the total federal aid miles for Illinois (i.e., ⅓ of Illinois' federal aid highway miles are in poor or mediocre condition).

Illinois Citizens for Better Highways released a report that concluded that rural road repairs, upgrades and bridge replacements are underfunded b7 $227 million annually.

For example, Tazewell County, alone, will need $8.3 million over the next five years for highway and bridge rehabilitation.

IDOT estimates that 42 percent of county roads and 51 percent of township roads are substandard.

Special additional federal funding is needed so that Illinois can restore and maintain such important roadways as the Stevenson Expressway and I–74 running through Peoria.

Stevenson Expressway repairs are expected to cost $567 million; I–74 rehabilitation and reconstruction is expected to cost $193.6 million.

National needs: The demand for high cost interstate highway reconstruction funds has outpaced the money available by more than 9 to 1.

In FY '96 alone, 18 states requested $687 million in project work, while only six states were awarded a total of $66 million in funding.

Limited funds meant that $621 million in requests went unfunded in 1996. The current ISTEA I–4R (reconstruction, rehabilitation, resurfacing and repair program) level is averaging only $63 million per year.

In 1993, almost 32 percent of the Interstate pavement was in poor or mediocre condition, and 60% of the nation's major roads are considered by the federal government to be substandard and in need of repair.

The FHWA estimated that $202.6 billion ($10.1 billion annually) is needed over the next 20 years to maintain the 1993 conditions and performance of the Interstate system. Of that amount, 40 percent would be needed just for system preservation.

In order to preserve today's pavement quality, 100,000 miles of roads would have to be restored every year.

Safety hazards caused by poor roads and highways: According to the Keep America Moving Coalition, ''Substandard designs, outdated safety features, poor pavement quality and other road conditions are a factor in 30% of all fatal highway accidents.''

FHWA has found that converting two-lane roads to four-lane roads with a median decreased traffic deaths by 71%. Widening a two-lane road by just two feet reduces accidents by 23%.

Economic costs to motorists caused by poor roads and highways: American motorists suffer expenses of $21.5 billion annually in vehicle operating and maintenance costs due to damage caused by driving on poor roads. This translates to costs of $122 per driver.

General economic benefits of road and highway investments: FHWA estimates that for every $1 billion in highway investment, 42,100 jobs are created. Every dollar invested in the Interstate Highway System generates $6 in economic returns.

BESTEA solutions to poor quality roads: Section 113 of BESTEA provides a formula and discretionary grant program that will provide significant amounts of money over the next 6 years to repair and resurface high cost interstate highways: $165 million for FY '98; $412.5 million for FY '99; $670 million for FY '2000 through 2003.

These funds would be available to fund ''major reconstruction or improvement projects on the Interstate system. In order to be eligible, a project must cost over $200 million or cost more than 50% of a State's Federal-aid highway apportionments.'' The project must also be ready to go to construction.

Mr. BURTON of Indiana. Mr. Chairman, this historic bipartisan legislation restores the word trust to the Highway Trust Fund. For years the Congress has spent money dedicated to Highway Trust Fund on wasteful government programs, at the expense of our National transportation infrastructure. A trust fund is exactly that, a trust fund. Whether it is the Transportation Trust Fund or the Social Security Trust Fund, we need to restore the trust.

In addition, BESTEA, goes a long way towards restoring funding equity to donor states like Indiana. The historic shortfall and inequity in Federal transportation funding in Indiana has left Hoosiers with an old, congested, and inadequate infrastructure. Allowing the gasoline taxes paid by Hoosiers to be spent in Indiana will allow Indiana to modernize our transportation infrastructure for the 21st century. This legislation distributes funds more equitably among States under the revised funding formulas. I want to thank and commend Chairman SHUSTER, Ranking Member OBERSTAR and the Members of the Committee for their hard work and encourage them to fight to maintain the equity levels in this bill when this legislation is debated in conference.

Mrs. CAPPS. Mr. Chairman, I rise in support of this important legislation. The bill before us provides much needed funding for critical transportation projects across the country.

For a long time now, many of us here today have spoken about the need to rebuild critical parts of our transportation infrastructure. Pothole-filled roads, crumbling and dangerous bridges, and inefficient and outdated transportation systems have crippled the economy of many parts of our country. We must continually rebuild our infrastructure if we are to ensure that our economy remains strong into the next century.

In addition, this bill maintains several critical programs to ensure that we are doing more than just paving roads. In particular, I am pleased that the bill contains the ''enhancement set-aside'' provision which allows states to use these funds for pedestrian walkways, bike lanes, scenic easements and other preservation activities. In addition, this bill continues the Congestion Mitigation and Air Quality Improvement program, which provides funding

to areas with air pollution problems for reducing traffic congestion. It is critically important that this legislation continues to support alternative transportation systems that address quality of life issues and will help preserve our environment.

Mr. Chairman, a lot has been said about the special projects in this bill. I believe strongly that any Federal spending—be it for transportation, education or health care—has to be an efficient and responsible use of our tax dollars. I know that the projects I have requested and received funding for in this bill meet that test. All of these projects are widely supported in my district and address critical local needs such as safety and promoting alternative transportation.

For example, this bill provides $8 million for the widening of dangerous Highway 46 in the northern part of my district, as my husband had requested last year. This road is most infamously known as the road that James Dean was killed on some 40 years ago, but to my constituents it is known as the road that is dangerous for them today. Since 1992, 48 people have died on this road and nearly 700 have been injured due to the volatile mix of traffic that uses this road, which includes school buses, trucks going back and forth from the coast to the Central Valley, farm and ranch traffic, and daily commuters.

This road has been such a problem a local citizens group, called ''Fix 46,'' was formed to advocate for improvements. Through their efforts some progress has been made on Route 46, such as implanting rumble strips and an enhanced Highway Patrol presence. But as it has been pointed out to me by everyone from the leaders of ''Fix 46,'' Mary Chambers and Tom Rusch, to the California Highway Patrol, these are only short-term fixes and widening the road is a necessity.

The funding for this road is going to the type of community that is too often forgotten in Washington—small, rural and out of the way—and I am very proud that I have been able to help them help build a safer and more productive community.

In addition to the Hwy 46 funding, this bill also provides targeted funds for locally supported, fully vetted and important local transportation projects such as the installation of emergency call boxes on secluded Highway 166 near Santa Maria and the upgrade of the 332 call boxes throughout Santa Barbara County to make them all handicapped and accessible. This legislation will also allow the city of Guadalupe and the county of Santa Barbara to undertake some much needed repaving work, and the city of Santa Maria to fund three new bikeway segments.

In addition, this bill also will provide funds for a traffic calming project and pedestrian boardwalks in the coastal cities of Grover Beach and Pismo Beach, and for road reconstruction in Arroye Grande. Finally, funds are included for a street widening project in San Luis Obispo and for road widening and bike lane installation south of the city.

I am strongly in support of this legislation as it responds to needs across the country and to specific transportation needs on the Central Coast. I urge my colleagues to support this important bill.

Mr. EVERETT. Mr. Chairman, I am proud to speak today in support of H.R. 2400, the Transportation Authorization bill. Our nation's infrastructure has been overlooked and treated as a low priority for far too long. It is time to re-invest in our nation's roads, bridges, and other surface transportation needs. By improving and properly maintaining our infrastructure, we will enhance new growth opportunities, commerce, and safety. I believe this legislation meets many of these goals.

In addition, the regional distribution of gas tax and user fees are more properly allocated among all 50 states in this bill than in the past. As a member of the Donor State Coalition, this represents a hard fought victory for those states, like Alabama, that have been paying more in gas taxes then they have received in federal highway funds. I pledge to continue my efforts to see that donor states ultimately receive a 95 percent overall rate-of-return and, further, that these states receive a rate-of-return of 100 percent of the funds distributed to states.

Perhaps most importantly, H.R. 2400 addresses the infrastructure priorities of the State of Alabama. Of our Governor's top highway priorities, I am pleased to say that two of these projects are located in my district in Southeast Alabama. The bill provides additional funding, at my request, for both the Montgomery Outer Loop project and the Dothan I–10 Connector.

Once completed, the Outer Loop will link I–85 with I–65 and US 80. This will improve traffic safety and allow for more orderly growth in and around Montgomery, our state capital. The eastern side of Montgomery and surrounding area represent one of the most rapidly growing regions in the state, so construction of this outer loop project will ease the burdens currently placed on our existing transportation routes.

The Dothan project will connect Dothan with Interstate 10 in northwest Florida. Additionally, this freeway will serve as an important link between Fort Rucker, home of the U.S. Army Aviation Warfighting Center, and the interstate system.

Both of these projects are essential in meeting the increasing demands in these rapidly growing and developing areas. Further, as priorities of the state transportation officials, these projects are in the state's long range plan and are thereby assured of receiving the requisite state matching funds.

Mr. Chairman, this legislation represents a balanced blue print for renewing America's highway infrastructure and safety needs over the next six years. I am confident that the funding commitments of the bill will remain within our balanced budget structure, and I urge it's adoption.

Mr. ENSIGN. Mr. Chairman, I would like to take this opportunity to thank Chairman Shuster and Chairman Petri for their leadership in bringing the needed reauthorization of the Intermodal Surface Transportation Efficiency Act to the floor. The efficient movement of commerce and people is among the keys to a successful free market economy.

This bill transcends simple infrastructure development and advocates innovative strategies to fight air pollution caused by congestion. I am pleased that my Nevada colleague, Mr. Gibbons, and I were able to include language that will provide states with more flexibility in the use of their CMAQ allocations. Our proposal will afford states the opportunity to leverage Federal funding with private dollars through the establishment of public-private partnerships—joint ventures that will release innovations in the private sector to develop breakthrough technologies that substantially reduce air pollution. With dwindling Federal resources, states need this vital option to meet clean air requirements.

The CMAQ program is intended to promote projects and strategies that will assist states in the attainment of ambient air quality standards for ozone and carbon monoxide. Cars and other transportation account for one-third of greenhouse gas emissions. Because of this, we have a responsibility to aggressively promote technologies—such as non-traditional fuels—that can combat some of the negative effects of our progress. States must find new and innovative means of attacking their air quality problems associated with congestion and transportation. Our amendment would energize community stakeholders to promote cooperative efforts with the scientific, industrial, and other such organizations that can bring unique capabilities to the table that develop new ways to reduce emissions.

I am proud to say that one such innovative non-traditional fuel has been developed in Nevada. This small startup company—A–55 Clean Fuels—has developed a water-phased hydrocarbon fuel emulsion, which, because of its unparalleled ability to fight the pervasive air pollutant NO_X, warrants special consideration. Tests of this innovative fuel are being performed around the country on a wide-range of applications including cars, trucks, and buses to confirm performance and environmental benefits. EPA has verified these tests. The potential of this fuel to reduce dangerous air pollution is enormous. Therefore, it is important to include this fuel as an eligible activity for CMAQ funding because:

NO_X, one of the major building blocks of ozone and particulate matter, is reduced from 50% to 80% by using the fuel. Soot and smoke are also reduced.

It is market driven, offering consumers a fuel that is cost competitive and often less expensive than diesel and gasoline.

The fuel is safer than traditional fuels. It does not readily ignite outside the combustion chamber making it ideal for school buses, trucks and all vehicles that traverse our nation's roadways.

Decision-makers need every possible alternative in their tool kit to address air pollution. Non-traditional fuels must play a critical role in the CMAQ program so that states can meet their clean air responsibilities and at the same time, allow their citizens and their economy the freedom to grow. Our amendment would capitalize on the power of the private sector to provide innovations, like A–55, that both same money and reduce emissions.

Mr. OXLEY. Mr. Chairman, I rise today in strong support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act (BESTEA).

In my district, and in the districts of many of my colleagues, the rural highways that have served our nation since the mid-fifties are no longer capable of serving the growing number of cars and trucks that use them everyday. Additionally, many of these highways often prove to be hazardous, and unable to meet the needs of the small towns and growing economies that they serve. Adding to this problem is the fact that more often than not rural highways are overlooked when upgrade decisions are made in favor of major interstate projects that serve large metropolitan cities

and constituencies. U.S. Rt. 30 that runs through my district is a perfect example of this growing problem.

As a major east-west thoroughfare U.S. 30 is a integral trucking route serving the northern half of Ohio between I–70 and the Ohio Turnpike. Over the years this narrow two-lane stretch of highway has logged a disturbing number of automotive accidents, which, when combined with the increase in truck traffic and lack of sufficient shoulder room, has all too often led to fatalities. With truck traffic on this route up 11 percent since 1994, much of which can be attributed to an increase state tolls elsewhere that forced many trucks to reroute to rural thoroughfares like US 30, the need for a four-lane upgrade has never been more critical. I support BESTEA because it will give Ohio the needed resources and flexibility to bring much needed relief to those who live along and drive U.S. Rt. 30.

Of great importance to me is the fact that Chairman Shuster' bill finally provides equity for donor states like Ohio that have long provided more revenue than they have received back in federal-aid highway funds. By providing a true 95 percent return on contributions to the Highway Trust Fund Ohio will be able to complete many projects that have long been shelves due to lack of federal funding. Moreover, by taking the Highway Trust Fund off-budget, BESTEA will restore the integrity of the fund and provide all states with the transportation funding their citizens have already contributed through gas taxes. While in 1991 we made great strides in improving our transportation system by passing ISTEA, in fact increasing Ohio's return from a meager 79 cents on the dollar to 87 cents, Today's BESTEA legislation will significantly strengthen this commitment to our nations infrastructure that we began many years ago.

Mr. Chairman, I applaud the Chairman of the Transportation Committee for his leadership in bringing this important piece of legislation to the House floor. I plan to support it and I look forward to its passage so we can ensure that our nation has the best and most modern transportation system in the world.

Mr. DOYLE. Mr. Chairman, roads, bridges, transit, and trails all play an important part in meeting the challenge of continuing to use transportation to benefit the economy, environment, and quality of life in all of our communities. Today's passage of H.R. 2400, the Building Efficient Surface Transportation and Equity Act (BESTEA), means that the critical infrastructure needs of the people in the 18th Congressional District of Pennsylvania will be addressed in a comprehensive manner.

The success of BESTEA is its preservation of the most progressive components of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). BESTEA continues to recognize and pay attention to, creating and maintaining transportation systems which reflect both environmental concerns and the needs of residents. BESTEA is a balanced bill which meets the needs of road repair, bridge rehabilitation, transit access, safety research, and pollution reduction.

Pennsylvania's overall network of 116,000 miles of highways and streets is the largest of any eastern state with 44% of the state's 22,327 bridges in disrepair. The support provided by BESTEA not only stimulates economic activity, but meets important safety concerns. BESTEA also provides critical assistance in improving other aspects of transportation that enhance the aesthetic of our local landscapes and improve the quality of our air. I am pleased that CMAQ and Recreational Trail Program funds were included in BESTEA.

It is important to note that BESTEA provides this critical assistance to cities, towns, and neighborhoods across our country in a fiscally responsible manner. As a strong balanced budget advocate, I am supportive of the requirement that any spending increases in BESTEA must be off-set. As a cosponsor of the Truth in Budgeting Act in both the 104th and 105th Congress, I am pleased that BESTEA addresses a tax fairness issue by moving the Highway Trust Fund ''off-budget'' beginning in FY 1999. Currently, with this fund ''on-budget'' the surpluses are used to mask a portion of our true budget deficit and prevents the funds from being used in the manner they were intended.

Without the critical support that BESTEA provides, countless communities in the 18th Congressional District would have to stave off undesirable consequences of poor infrastructure, rather than plan for future development and growth. By improving our communities' mobility we can directly benefit the quality of life and economic competitiveness of our country. I am pleased to support H.R. 2400.

Mr. HAYWORTH. Mr. Chairman, I rise today in strong support of the Indian Reservation Roads (IRR) program. While the Building Efficient Surface Transportation and Equity Act (BESTEA) increases current IRR funding levels to $212 million, I would urge the conferees to recede to the Senate funding level for IRR of $250 million.

Funding for the IRR program is critical to the safety and, ultimately, the health and welfare of Native American communities. The current state of tribal infrastructure often consists of dirt roads over which community members must travel for hundreds of miles to reach the nearest hospital or school. Crumbling infrastructure does nothing to induce safe travel to and from community resources, and speaks poorly of our nation's regard for the treaties, relationships, and prioritization of Native Americans needs.

The Senate funding level for IRR of $250 million is a modest but necessary increase, and I urge my colleagues to respect the call for desperately needed resources.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure printed in the bill, modified by the amendment recommended by the Committee on Ways and Means printed in the bill, and the amendment printed in Part I of House Report 105–476, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute, modified by the amendment recommended by the Committee on Ways and Means now printed in the bill and the amendment printed in Part I of House Report 105–476 is as follows:

H.R. 2400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Building Efficient Surface Transportation and Equity Act of 1998''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Savings clause.

TITLE I—FEDERAL-AID HIGHWAYS

Sec. 101. Amendments to title 23, United States Code.
Sec. 102. Authorization of appropriations.
Sec. 103. Obligation ceiling.
Sec. 104. Apportionments.
Sec. 105. Interstate maintenance program.
Sec. 106. National Highway System.
Sec. 107. Highway bridge program.
Sec. 108. Surface transportation program.
Sec. 109. Congestion mitigation and air quality improvement program.
Sec. 110. High risk road safety improvement program.
Sec. 111. Minimum allocation.
Sec. 112. Appalachian Development Highway System.
Sec. 113. High cost Interstate System reconstruction and improvement program.
Sec. 114. Recreational trails program.
Sec. 115. National corridor planning and development program.
Sec. 116. Coordinated border infrastructure and safety program.
Sec. 117. Federal lands highways program.
Sec. 118. National scenic byways program.
Sec. 119. Variable pricing pilot program.
Sec. 120. Toll roads, bridges, and tunnels.
Sec. 121. Construction of ferry boats and ferry terminal facilities.
Sec. 122. Highway use tax evasion projects.
Sec. 123. Performance bonus program.
Sec. 124. Metropolitan planning.
Sec. 125. Statewide planning.
Sec. 126. Roadside safety technologies.
Sec. 127. Discretionary program authorizations.
Sec. 128. Woodrow Wilson Memorial Bridge.
Sec. 129. Training.
Sec. 130. Transportation assistance for Olympic cities.
Sec. 131. National Defense Highways.
Sec. 132. Miscellaneous surface transportation programs.
Sec. 133. Eligibility.
Sec. 134. Fiscal, administrative, and other amendments.
Sec. 135. Access of motorcycles.
Sec. 136. Amendments to prior surface transportation authorization laws.
Sec. 137. Bicycle transportation and pedestrian walkways.
Sec. 138. Hazard elimination program.
Sec. 139. Project administration.
Sec. 140. Contracting for engineering and design services.
Sec. 141. Commercial motor vehicle study.
Sec. 142. New York Avenue Transportation Development Authority.
Sec. 143. Definitions.

TITLE II—HIGHWAY SAFETY

Sec. 201. Amendments to title 23, United States Code.
Sec. 202. Highway safety programs.
Sec. 203. Highway safety research and development.
Sec. 204. Occupant protection incentive grants.
Sec. 205. Alcohol-impaired driving countermeasures.
Sec. 206. State highway safety data improvements.
Sec. 207. National Driver Register.
Sec. 208. Safety studies.
Sec. 209. Effectiveness of laws establishing maximum blood alcohol concentrations.

Sec. 210. Authorizations of appropriations.
Sec. 211. Transportation injury research.

TITLE III—FEDERAL TRANSIT ADMINISTRATION PROGRAMS

Sec. 301. Amendments to title 49, United States Code.
Sec. 302. Definitions.
Sec. 303. Metropolitan planning.
Sec. 304. Transportation improvement program.
Sec. 305. Transportation management areas.
Sec. 306. Urbanized area formula grants.
Sec. 307. Mass Transit Account block grants.
Sec. 308. Capital program grants and loans.
Sec. 309. Dollar value of mobility improvements.
Sec. 310. Formula grants and loans for special needs of elderly individuals and individuals with disabilities.
Sec. 311. Formula program for other than urbanized areas.
Sec. 312. Research, development, demonstration, and training projects.
Sec. 313. National planning and research programs.
Sec. 314. National transit institute.
Sec. 315. University research institutes.
Sec. 316. Transportation centers.
Sec. 317. Bus testing facilities.
Sec. 318. Bicycle facilities.
Sec. 319. General provisions on assistance.
Sec. 320. Contract requirements.
Sec. 321. Special procurements.
Sec. 322. Project management oversight and review.
Sec. 323. Study on alcohol and controlled substances random testing rate calculation.
Sec. 324. Administrative procedures.
Sec. 325. Reports and audits.
Sec. 326. Apportionment of appropriations for formula grants.
Sec. 327. Apportionment of appropriations for fixed guideway modernization.
Sec. 328. Authorizations.
Sec. 329. Obligation ceiling.
Sec. 330. Access to jobs challenge grant pilot program.
Sec. 331. Adjustments for the Surface Transportation Extension Act of 1997.
Sec. 332. Projects for new fixed guideway systems and extensions to existing systems.
Sec. 333. Projects for bus and bus-related facilities.
Sec. 334. Project management oversight.
Sec. 335. Privatization.
Sec. 336. School transportation safety.
Sec. 337. Urbanized area formula study.
Sec. 338. Coordinated transportation services.
Sec. 339. Final assembly of buses.

TITLE IV—MOTOR CARRIER SAFETY

Sec. 401. Amendments to title 49, United States Code.
Sec. 402. State grants.
Sec. 403. Information systems.
Sec. 404. Automobile transporter defined.
Sec. 405. Inspections and reports.
Sec. 406. Exemptions and pilot programs.
Sec. 407. Safety regulation.
Sec. 408. Improved interstate school bus safety.
Sec. 409. Repeal of certain obsolete miscellaneous authorities.
Sec. 410. Commercial vehicle operators.
Sec. 411. Interim border safety improvement program.
Sec. 412. Vehicle weight enforcement.
Sec. 413. Participation in international registration plan and international fuel tax agreement.
Sec. 414. Telephone hotline for reporting safety violations.
Sec. 415. Insulin treated diabetes mellitus.
Sec. 416. Performance-based CDL testing.
Sec. 417. Postaccident alcohol testing.
Sec. 418. Driver fatigue.
Sec. 419. Safety fitness.
Sec. 420. Hazardous materials transportation regulation and farm service vehicles.
Sec. 421. Truck trailer conspicuity.
Sec. 422. DOT implementation plan.

TITLE V—PROGRAMMATIC REFORMS AND STREAMLINING

Sec. 501. Project approval and oversight.
Sec. 502. Environmental streamlining.
Sec. 503. Major investment study integration.
Sec. 504. Financial plan.
Sec. 505. Uniform transferability of Federal-aid highway funds.
Sec. 506. Discretionary grant selection criteria and process.
Sec. 507. Elimination of regional office responsibilities.
Sec. 508. Authority for Congress to make mid-course corrections to the highway and transit programs.

TITLE VI—TRANSPORTATION RESEARCH

Sec. 601. Amendments to title 23, United States Code.
Sec. 602. Applicability of title 23.
Sec. 603. Transfers of funds.

Subtitle A—Surface Transportation Research, Technology, and Education

PART I—HIGHWAY RESEARCH

Sec. 611. Research.
Sec. 612. State planning and research.
Sec. 613. International highway transportation outreach program.

PART II—TRANSPORTATION EDUCATION, PROFESSIONAL TRAINING, AND TECHNOLOGY DEPLOYMENT

Sec. 621. National Highway Institute.
Sec. 622. National technology deployment initiative.
Sec. 623. Education and training programs.
Sec. 624. University transportation research.
Sec. 625. Funding allocations.

PART III—BUREAU OF TRANSPORTATION STATISTICS AND MISCELLANEOUS PROGRAMS

Sec. 631. Bureau of Transportation Statistics.
Sec. 632. Transportation technology innovation and demonstration program.

Subtitle B—Intelligent Transportation Systems

Sec. 651. Definitions.
Sec. 652. Scope of program.
Sec. 653. General authorities and requirements.
Sec. 654. National ITS program plan.
Sec. 655. Technical assistance, planning, research, and operational tests.
Sec. 656. ITS deployment.
Sec. 657. Funding allocations.
Sec. 658. Global positioning satellite data.
Sec. 659. Repeal.

TITLE VII—TRUTH IN BUDGETING

Sec. 701. Budgetary treatment of Highway Trust Fund.
Sec. 702. Applicability.

TITLE VIII—RECREATIONAL BOATING SAFETY PROGRAM

Sec. 801. Short title.
Sec. 802. Amendments relating to recreational boating safety program.

TITLE IX—RAILROADS

Sec. 901. High-speed rail.
Sec. 902. Light density rail line pilot projects.
Sec. 903. Miami-Orlando-Tampa corridor project.
Sec. 904. Alaska Railroad.
Sec. 905. Railway-highway crossing hazard elimination in high speed rail corridors.
Sec. 906. Railroad rehabilitation and improvement financing.

TITLE X—CONDITIONS FOR IMPLEMENTATION OF FUNDING

Sec. 1001. Conditions for implementation of funding.

TITLE XI—REVENUES

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) INTERSTATE SYSTEM.—The term ''Interstate System'' has the meaning such term has under section 101 of title 23, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 3. SAVINGS CLAUSE.

Except as otherwise provided in this Act, an amendment made by this Act shall not affect any funds apportioned or allocated before the date of the enactment of this Act.

TITLE I—FEDERAL-AID HIGHWAYS

SEC. 101. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this title and title V an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program under section 119 of title 23, United States Code, $4,019,500,000 for fiscal year 1998, $4,462,600,000 for fiscal year 1999, and $5,006,200,000 for each of fiscal years 2000 through 2003.

(2) NATIONAL HIGHWAY SYSTEM.—For the National Highway System under section 103 of such title $4,978,500,000 for fiscal year 1998, $5,520,500,000 for fiscal year 1999, and $6,186,500,000 for each of fiscal years 2000 through 2003.

(3) BRIDGE PROGRAM.—For the bridge program under section 144 of such title $3,777,600,000 for fiscal year 1998, $4,194,000,000 for fiscal year 1999, and $4,704,800,000 for each of fiscal years 2000 through 2003.

(4) SURFACE TRANSPORTATION PROGRAM.—For the surface transportation program under section 133 of such title $5,601,400,000 for fiscal year 1998, $6,218,900,000 for fiscal year 1999, and $6,976,300,000 for each of fiscal years 2000 through 2003.

(5) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—For the congestion mitigation and air quality improvement program under section 149 of such title $1,406,800,000 for fiscal year 1998, $1,561,900,000 for fiscal year 1999, and $1,752,200,000 for each of fiscal years 2000 through 2003.

(6) HIGH RISK ROAD SAFETY IMPROVEMENT PROGRAM.—For the high risk road safety improvement program under section 154 of such title $750,000,000 for fiscal year 1998, $1,000,000,000 for fiscal year 1999, and $1,000,000,000 for each of fiscal years 2000 through 2003.

(7) HIGH COST INTERSTATE SYSTEM RECONSTRUCTION AND IMPROVEMENT PROGRAM.—For the high cost Interstate System reconstruction and improvement program under section 160 of such title $265,000,000 for fiscal year 1998, $512,500,000 for fiscal year 1999, $920,000,000 for fiscal year 2000, $923,000,000 for fiscal year 2001, $922,000,000 for fiscal year 2002, and $1,067,000,000 for fiscal year 2003.

(8) DISCRETIONARY PROGRAMS.—For executive and legislative branch discretionary programs referred to in section 127 of this Act (including amendments made by such section) $1,622,400,000 for fiscal year 1998, $2,215,300,000 for fiscal year 1999, $2,563,600,000 for fiscal year 2000, $2,563,600,000 for fiscal year 2001, $2,657,600,000 for fiscal year 2002, and $2,657,600,000 for fiscal year 2003.

(9) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM PROGRAM.—For the Appalachian development highway system program under section 201 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) $250,000,000 for fiscal year 1998, $400,000,000 for fiscal year 1999, and $400,000,000 for each of fiscal years 2000 through 2003.

(10) RECREATIONAL TRAILS PROGRAM.—For the recreational trails program under section 206 of

such title $30,000,000 for fiscal year 1998, $40,000,000 for fiscal year 1999, and $50,000,000 for each of fiscal years 2000 through 2003.

(11) FEDERAL LANDS HIGHWAYS PROGRAM.—

(A) INDIAN RESERVATION ROADS.—For Indian reservation roads under section 204 of such title $194,000,000 for fiscal year 1998, $200,000,000 for fiscal year 1999, and $212,000,000 for each of fiscal years 2000 through 2003.

(B) PUBLIC LANDS HIGHWAYS.—For public lands highways under section 204 of such title $58,000,000 for fiscal year 1998, $60,000,000 for fiscal year 1999, and $60,000,000 for each of fiscal years 2000 through 2003.

(C) PARKWAYS AND PARK HIGHWAYS.—For parkways and park highways under section 204 of such title $85,300,000 for fiscal year 1998, $86,200,000 for fiscal year 1999, and $99,000,000 for each of fiscal years 2000 through 2003.

(D) FOREST HIGHWAYS.—For forest highways under section 204 of such title $113,500,000 for fiscal year 1998, $130,000,000 for fiscal year 1999, and $130,000,000 for each of fiscal years 2000 through 2003.

(12) HIGHWAY USE TAX EVASION PROJECTS.—For highway use tax evasion projects under section 1040 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1992) $5,000,000 for fiscal year 1998 and $10,000,000 for each of fiscal years 1999 through 2003.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) GENERAL RULE.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts authorized to be appropriated under titles I, III, and VI of this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

(2) COMPLIANCE WITH COURT ORDERS.—Nothing in this section limits the eligibility of an entity or person to receive funds made available under titles I, III, and VI of this Act, if the entity or person is prevented, in whole or in part, from complying with paragraph (1) because a Federal court issues a final order in which the court finds that the requirement of paragraph (1), or the program established under paragraph (1), is unconstitutional.

(3) REVIEW BY COMPTROLLER GENERAL.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of, and publish and report to Congress findings and conclusions on, the impact throughout the United States of administering the requirement of paragraph (1), including an analysis of—

(A) in the case of small business concerns owned and controlled by socially and economically disadvantaged individuals—

(i) the number of the small business concerns; and

(ii) the participation rates of the small business concerns in prime contracts and subcontracts funded under titles I, III, and VI of this Act;

(B) in the case of small business concerns described in subparagraph (A) that receive prime contracts and subcontracts funded under titles I, III, and VI of this Act—

(i) the number of the small business concerns;

(ii) the annual gross receipts of the small business concerns; and

(iii) the net worth of socially and economically disadvantaged individuals that own and control the small business concerns;

(C) in the case of small business concerns described in subparagraph (A) that do not receive prime contracts and subcontracts funded under titles I, III, and VI of this Act—

(i) the annual gross receipts of the small business concerns; and

(ii) the net worth of socially and economically disadvantaged individuals that own and control the small business concerns;

(D) in the case of business concerns that receive prime contracts and subcontracts funded under titles I, III, and VI of this Act, other than small business concerns described in subparagraph (B)—

(i) the annual gross receipts of the business concerns; and

(ii) the net worth of individuals that own and control the business concerns;

(E) the rate of graduation from any programs carried out to comply with the requirement of paragraph (1) for small business concerns owned and controlled by socially and economically disadvantaged individuals;

(F) the overall cost of administering the requirement of paragraph (1), including administrative costs, certification costs, additional construction costs, and litigation costs;

(G) any discrimination, on the basis of race, color, national origin, or sex, against small business concerns owned and controlled by socially and economically disadvantaged individuals;

(H)(i) any other factors limiting the ability of small business concerns owned and controlled by socially and economically disadvantaged individuals to compete for prime contracts and subcontracts funded under titles I, III, and VI of this Act; and

(ii) the extent to which any of those factors are caused, in whole or in part, by discrimination based on race, color, national origin, or sex;

(I) any discrimination, on the basis of race, color, national origin, or sex, against construction companies owned and controlled by socially and economically disadvantaged individuals in public and private transportation contracting and the financial, credit, insurance, and bond markets;

(J) the impact on small business concerns owned and controlled by socially and economically disadvantaged individuals of—

(i) the issuance of a final order described in paragraph (2) by a Federal court that suspends a program established under paragraph (1); or

(ii) the repeal or suspension of State or local disadvantaged business enterprise programs; and

(K) the impact of the requirement of paragraph (1), and any program carried out to comply with paragraph (1), on competition and the creation of jobs, including the creation of jobs for socially and economically disadvantaged individuals.

(4) DEFINITIONS.—For purposes of this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning such term has under section 3 of the Small Business Act (15 U.S.C. 632); except that such term shall not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals which has average annual gross receipts over the preceding 3 fiscal years in excess of $16,600,000, as adjusted by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning such term has under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

SEC. 103. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Notwithstanding any other provision of law, the total of all obligations for Federal-aid highway programs shall not exceed—

(1) $21,500,000,000 for fiscal year 1998;

(2) $25,300,000,000 for fiscal year 1999; and

(3) $28,400,000,000 for each of fiscal years 2000 through 2003.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations—

(1) under section 125 of title 23, United States Code;

(2) under section 157 of such title;

(3) under section 147 of the Surface Transportation Assistance Act of 1978;

(4) under section 9 of the Federal-Aid Highway Act of 1981;

(5) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982;

(6) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987;

(7) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; and

(8) under section 104(j) of title 23, United States Code, relating to high priority projects.

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 1998 through 2003, the Secretary shall—

(1) not distribute amounts authorized for administrative expenses and programs funded from the administrative takedown authorized by section 104(a) of title 23, United States Code, and amounts authorized for the highway use tax evasion program and the Bureau of Transportation Statistics;

(2) determine the ratio that—

(A) the obligation limitation imposed by subsection (a) for such fiscal year less the aggregate of amounts not distributed under paragraph (1), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highway programs (other than sums authorized to be appropriated for sections referred to in subsection (b)) for such fiscal year less the aggregate of amounts not distributed under paragraph (1);

(3)(A) multiply the ratio determined under paragraph (2) by the sums authorized to be appropriated for such fiscal year for each of the programs that are allocated by the Secretary under this Act and title 23, United States Code (other than the recreational trails program and programs to which paragraph (1) applies);

(B) not distribute such amount for each such program (other than the recreational trails program and programs to which paragraph (1) applies); and

(C) in administering such program, allocate such amount for such program;

(4) distribute the obligation limitation imposed by subsection (a) less the aggregate of amounts not distributed under paragraphs (1) and (3) and less amounts distributed under paragraph (5) by allocation in the ratio which sums authorized to be appropriated for Federal-aid highway programs that are apportioned or allocated to each State for such fiscal year and that are subject to the limitation imposed by subsection (a) bear to the total of the sums authorized to be appropriated for Federal-aid highway programs that are apportioned or allocated for such fiscal year and that are subject to the limitation imposed by subsection (a); and

(5) distribute any amount determined under paragraph (3) for the recreational trails program in accordance with the formula set forth in section 104(h) of title 23, United States Code, for such program.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highway programs that have been apportioned to a State; and

(2) after August 1 of each of fiscal years 1998 through 2003 revise a distribution of the obligation authority made available under subsection (c) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, under section 160 of title 23, United States Code (as in effect on the day before the date of the enactment of this Act), and under section 1015 of the

Intermodal Surface Transportation Act of 1991 (105 Stat. 1943–1945).

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—Obligation limitations for Federal-aid highways programs established by subsection (a) shall apply to transportation research programs carried out under chapter 3 of title 23, United States Code, and under title VI of this Act.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation authority under subsection (a) for each of fiscal years 1998 through 2003, the Secretary shall distribute to the States any funds (A) that are authorized to be appropriated for such fiscal year for Federal-aid highway programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and chapter 4 of title 23, United States Code, and (B) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (c)(5). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(2) HIGH COST INTERSTATE SYSTEM RECONSTRUCTION AND IMPROVEMENT PROGRAM FUNDS.—Not later than 30 days after the date of the distribution of obligation authority under subsection (c) for each of fiscal years 1998 through 2003, the Secretary shall distribute to the States any funds that are authorized to be appropriated for such fiscal year to carry out the high cost Interstate System reconstruction and improvement program under section 160 of title 23, United States Code, and that will not be available for obligation in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as funds are apportioned under section 104(b)(5) of such title. The funds so distributed to a State shall be credited to the State's apportionment under such section 104(b)(5).

SEC. 104. APPORTIONMENTS.

(a) ADMINISTRATIVE TAKEDOWN.—Section 104(a) is amended to read as follows:

''(a) ADMINISTRATIVE TAKEDOWN.—Whenever an apportionment is made of the sums authorized to be appropriated for expenditure on Interstate maintenance, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, the high risk road safety program, the high cost Interstate System reconstruction and improvement program, the national corridor planning and development program, the border infrastructure and safety program, and the Federal lands highways program, the Secretary shall deduct a sum, in such amount not to exceed 1 percent of all sums so authorized, as the Secretary may deem necessary for administering the provisions of law to be financed from appropriations for the Federal-aid highway program. In making such determination, the Secretary shall take into account the unobligated balance of any sums deducted for such purposes in prior years. The sums so deducted shall remain available until expended. The Secretary may not transfer any of such sums to a Federal entity other than the Federal Highway Administration.''.

(b) APPORTIONMENTS.—Section 104(b) is amended to read as follows:

''(b) APPORTIONMENTS.—On October 1 of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) and the set-aside authorized by subsection (f), shall apportion the remainder of the sums authorized to be appropriated for expenditure on Interstate maintenance, the National Highway System, the surface transportation program, the congestion mitigation and air quality improvement program, and the high risk road safety program for that fiscal year, among the several States in the following manner:

''(1) NATIONAL HIGHWAY SYSTEM.—For the National Highway System, 1 percent to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and the remaining 99 percent apportioned as follows:

''(A) In the case of a State with an average population density of 20 persons or fewer per square mile, and in the case of a State with a population of 1,500,000 persons or fewer and with a land area of 10,000 square miles or less, the greater of—

''(i) a percentage share of the remaining apportionments equal to the percentage specified for the State in section 104(h)(1) of the Building Efficient Surface Transportation and Equity Act of 1998; or

''(ii) a share determined under subparagraph (B).

''(B) Subject to subparagraph (A), in the case of any State for which the apportionment is not determined under subparagraph (A)(i), a share of the remaining apportionments determined in accordance with the following formula:

''(i) 1/9 of the remaining apportionments in the ratio that the total rural lane miles in each State bears to the total rural lane miles in all States for which the apportionment is not determined under subparagraph (A)(i).

''(ii) 1/9 of the remaining apportionments in the ratio that the total rural vehicle miles traveled in each State bears to the total rural vehicle miles traveled in all States for which the apportionment is not determined under subparagraph (A)(i).

''(iii) 2/9 of the remaining apportionments in the ratio that the total urban lane miles in each State bears to the total urban lane miles in all States for which the apportionment is not determined under subparagraph (A)(i).

''(iv) 2/9 of the remaining apportionments in the ratio that the total urban vehicle miles traveled in each State bears to the total urban vehicle miles traveled in all States for which the apportionment is not determined under subparagraph (A)(i).

''(v) 3/9 of the remaining apportionments in the ratio that each State's annual contributions to the Highway Trust Fund (other than the Mass Transit Account) attributable to commercial vehicles bear to the total of such annual contributions by all States for which the apportionment is not determined under subparagraph (A)(i).

''(2) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—

''(A) FORMULA.—For the congestion mitigation and air quality improvement program, in the ratio which the weighted nonattainment and maintenance area populations of each State bear to the total weighted nonattainment and maintenance area population of all States.

''(B) CALCULATION OF WEIGHTED POPULATION.—Such weighted population shall be calculated by multiplying the population of each area within any State that was a nonattainment or maintenance area as described in subsection 149(b) for ozone, carbon monoxide, or particulate matter by a factor of—

''(i) 1.0 if, at the time of the apportionment, the area has been redesignated as an attainment (maintenance) area under section 107(d) of the Clean Air Act;

''(ii) 1.1 if, at the time of apportionment, the area is classified as a marginal ozone nonattainment area under subpart 2 of part D of title I of the Clean Air Act;

''(iii) 1.2 if, at the time of apportionment, the area is classified as a moderate ozone nonattainment area under such subpart;

''(iv) 1.3 if, at the time of apportionment, the area is classified as a serious ozone nonattainment area under such subpart;

''(v) 1.4 if, at the time of apportionment, the area is classified as a severe ozone nonattainment area under such subpart;

''(vi) 1.5 if, at the time of apportionment, the area is classified as an extreme ozone nonattainment area under such subpart; or

''(vii) 1.2. if, at the time of apportionment, the area is not a nonattainment or maintenance area as described in subsection 149(b) of this title for ozone, but is a nonattainment area for carbon monoxide or particulate matter.

''(C) ADDITIONAL FACTORS.—If the area was also classified under subpart 3 or 4 of part D of title I of the Clean Air Act as a nonattainment area described in section 149(b) for carbon monoxide or particulate matter or both, the weighted nonattainment area population of the area, as determined under clauses (i) through (vi) of subparagraph (B), shall be further multiplied by a factor of 1.2. For an area that is a nonattainment area for both carbon monoxide and for particulate matter and the area's weighted population was determined under clause (vii) of subparagraph (B), the area's weighted population shall be further multiplied by a factor of 1.2. For such areas, the population to which this factor is applied shall be the larger of the carbon monoxide and the particulate matter nonattainment area populations.

''(D) MINIMUM APPORTIONMENT.—Notwithstanding any other provision of this paragraph, each State shall receive a minimum of 1/2 of 1 percent of the funds apportioned under this paragraph. The Secretary shall use annual estimates prepared by the Secretary of Commerce when determining population figures.

''(3) SURFACE TRANSPORTATION PROGRAM.—

''(A) IN GENERAL.—For the surface transportation program, 2 percent to the State of Alaska for any purpose described in section 133(b) and the remaining 98 percent apportioned as follows:

''(i) 1/3 in the ratio that each State's total population bears to the total population of all States, using the latest available annual updates to the Federal decennial census, as prepared by the Secretary of Commerce.

''(ii) 1/3 in the ratio that each State's annual contributions to the Highway Trust Fund (other than the Mass Transit Account) attributable to commercial vehicles bear to the total of such annual contributions by all States.

''(iii) 1/3 in the ratio that each State's annual contributions to the Highway Trust Fund (other than the Mass Transit Account) bear to the total of such annual contributions by all States.

''(B) ADJUSTMENT.—The amount of funds which, but for this subparagraph, would be apportioned to each State for each fiscal year under subparagraph (A) shall be increased or decreased by an amount which, when added to or subtracted from the aggregate amount of funds apportioned or allocated to such State for such fiscal year for Interstate maintenance, National Highway System, surface transportation program, bridge program, congestion mitigation and air quality improvement program, high risk road safety program, recreational trails program, Appalachian Development Highway System program, and metropolitan planning will ensure that the aggregate of such apportionments to any State that does not contribute to the Highway Trust Fund does not exceed the aggregate of such apportionments to any State that does contribute to the Highway Trust Fund.

''(4) HIGH RISK ROAD SAFETY IMPROVEMENT PROGRAM.—For the high risk road safety improvement program—

''(A) 1/3 in the ratio that each State's total population bears to the total population of all States, using the latest available annual updates to the Federal decennial census, as prepared by the Secretary of Commerce;

''(B) 1/3 in the ratio that each State's total public road mileage bears to the total public road mileage of all States; and

''(C) 1/3 in the ratio that the total vehicle miles traveled on public roads in each State bear to

the total vehicle miles traveled on public roads in all States.

''(5) INTERSTATE MAINTENANCE.—For resurfacing, restoring, rehabilitating, and reconstructing the Interstate System—

''(A) ⅓ in the ratio that each State's annual contributions to the Highway Trust Fund (other than the Mass Transit Account) attributable to commercial vehicles bear to the total of such annual contributions by all States;

''(B) ⅓ in the ratio that the total vehicle miles traveled on Interstate routes open to traffic in each State bear to the total vehicle miles traveled on such routes in all States; and

''(C) ⅓ in the ratio that the total lane miles on such routes in each State bear to the total lane miles on such routes in all States.''.

(c) OPERATION LIFESAVER AND HIGH SPEED RAIL CORRIDORS.—Section 104(d) is amended—

(1) in paragraph (1) by striking ''$300,000'' and inserting ''$500,000'';

(2) in paragraph (2)(A) by striking ''$5,000,000'' and inserting ''$5,250,000''; and

(3) by adding at the end of paragraph (2)(A) the following: ''Not less than $250,000 of such set-aside shall be available per fiscal year for eligible improvements to the Minneapolis/St. Paul-Chicago segment of the Midwest High Speed Rail Corridor.''.

(d) CERTIFICATION OF APPORTIONMENTS.—Section 104(e) is amended—

(1) by inserting ''CERTIFICATION OF APPORTIONMENTS.—'' after ''(e)'';

(2) by inserting ''(1) IN GENERAL.—'' before ''On October 1'';

(3) by striking the first parenthetical phrase;

(4) by striking ''and research'' the first place it appears;

(5) by striking the second sentence;

(6) by adding at the end the following:

''(2) NOTICE TO STATES.—If the Secretary has not made an apportionment under section 104, 144, or 157 of title 23, United States Code, on or before the 21st of a fiscal year, then the Secretary shall transmit, on or before such 21st day, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a written statement of the reason for not making such apportionment in a timely manner.''; and

(7) by indenting paragraph (1), as designated by paragraph (2) of this subsection, and aligning such paragraph (1) with paragraph (2) of such section, as added by paragraph (6) of this subsection.

(e) METROPOLITAN PLANNING SET-ASIDE.—Section 104(f) is amended—

(1) in paragraph (1) by striking ''Interstate construction and Interstate substitute programs'' and inserting ''recreational trails program''; and

(2) in paragraph (3) by striking ''120(j) of this title'' and inserting ''120(b)''.

(f) RECREATIONAL TRAILS PROGRAM.—Section 104(h) of such title is amended to read as follows:

''(h) RECREATIONAL TRAILS PROGRAM.—

''(1) ADMINISTRATIVE COSTS.—Whenever an apportionment is made of the sums authorized to be appropriated to carry out the recreational trails program under section 206, the Secretary shall deduct an amount, not to exceed 3 percent of the sums authorized, to cover the cost to the Secretary for administration of and research and technical assistance under the recreational trails program and for administration of the National Recreational Trails Advisory Committee. The Secretary may enter into contracts with for-profit organizations or contracts, partnerships, or cooperative agreements with other government agencies, institutions of higher learning, or nonprofit organizations to perform these tasks.

''(2) APPORTIONMENT TO THE STATES.—After making the deduction authorized by paragraph (1) of this subsection, the Secretary shall apportion the remainder of the sums authorized to be appropriated for expenditure on the recreational trails program for each fiscal year, among the States in the following manner:

''(A) 50 percent of that amount shall be apportioned equally among eligible States.

''(B) 50 percent of that amount shall be apportioned among eligible States in amounts proportionate to the degree of non-highway recreational fuel use in each of those States during the preceding year.''.

(g) CROSS REFERENCE CORRECTIONS.—

(1) INTERSTATE MAINTENANCE PROGRAM.—Subsections (a), (d), and (f) of section 119 are each amended by striking ''104(b)(5)(B)'' each place it appears and inserting ''104(b)(5)''.

(2) FRINGE AND CORRIDOR PARKING FACILITIES.—Section 137(f)(1) is amended by striking ''section 104(b)(5)(B) of this title'' and inserting ''section 104(b)(5)''.

(3) ADDITIONS TO INTERSTATE SYSTEM.—Section 139 is amended by striking ''section 104(b)(5)(B) of this title'' each place it appears and inserting ''section 104(b)(5)''.

(4) ACCOMMODATION OF OTHER MODES.—Section 142(c) is amended by striking ''section 104(b)(5)(A)'' and inserting ''section 104(b)(5)''.

(5) MINIMUM DRINKING AGES.—Section 158 is amended—

(A) by striking ''104(b)(2), 104(b)(5), and 104(b)(6)'' each place it appears in subsection (a) and inserting ''104(b)(3), and 104(b)(5)'';

(B) in the heading to subsection (b) is amended by striking ''PERIOD OF AVAILABILITY;''; and

(C) in subsection (b)—

(i) by striking ''(1)'' the first place it appears and all that follows through ''No funds'' and inserting ''No funds''; and

(ii) by striking paragraphs (2), (3), and (4).

(6) SUSPENSION OF LICENSES OF INDIVIDUALS CONVICTED OF DRUG OFFENSES.—Section 159(b) is amended—

(A) by striking ''PERIOD OF AVAILABILITY;'' in the subsection heading; and

(B) by striking ''(1)'' the first place it appears and all that follows through ''No funds'' and inserting ''No funds''; and

(C) by striking paragraphs (2), (3), and (4).

(7) OPERATION OF MOTOR VEHICLES BY INTOXICATED MINORS.—Section 161(a) is amended by striking ''(B)'' each place it appears.

(h) STATE PERCENTAGES FOR NATIONAL HIGHWAY SYSTEM APPORTIONMENTS.—

(1) IN GENERAL.—The percentage referred to in section 104(b)(1) of title 23, United States Code, for each State shall be determined in accordance with the following table:

States:	Adjustment percentage
Alabama	2.02
Alaska	1.24
Arizona	1.68
Arkansas	1.32
California	9.81
Colorado	1.23
Connecticut	1.64
Delaware	0.40
District of Columbia	0.52
Florida	4.77
Georgia	3.60
Hawaii	0.70
Idaho	0.70
Illinois	3.71
Indiana	2.63
Iowa	1.13
Kansas	1.10
Kentucky	1.91
Louisiana	1.63
Maine	0.50
Maryland	1.64
Massachusetts	1.68
Michigan	3.34
Minnesota	1.56
Mississippi	1.23
Missouri	2.45
Montana	0.95
Nebraska	0.73
Nevada	0.67
New Hampshire	0.48
New Jersey	2.28
New Mexico	1.05
New York	4.27
North Carolina	2.83
North Dakota	0.76
Ohio	3.77
Oklahoma	1.55
Oregon	1.23
Pennsylvania	4.12
Puerto Rico	0.50
Rhode Island	0.55
South Carolina	1.63
South Dakota	0.70
Tennessee	2.30
Texas	7.21
Utah	0.71
Vermont	0.43
Virginia	2.61
Washington	1.75
West Virginia	0.76
Wisconsin	1.91
Wyoming	0.66.

(2) ADDITIONAL RULE.—Any State with lane miles on the National Highway System totaling between 3,500 and 4,000 miles shall be treated as a State meeting the requirements of section 104(b)(1)(A) of title 23, United States Code, for purposes of such section.

(i) USE OF MOST UP-TO-DATE DATA.—The Secretary shall use the most up-to-date data available for the latest fiscal year for the purposes of making apportionments under this section and section 157 of title 23, United States Code.

(j) ADJUSTMENTS FOR THE SURFACE TRANSPORTATION EXTENSION ACT OF 1997.—

(1) IN GENERAL.—Notwithstanding any other provision of law and subject to section 2(c) of the Surface Transportation Extension Act of 1997, the Secretary shall ensure that the total apportionments for a State for fiscal year 1998 made under the Building Efficient Surface Transportation and Equity Act of 1998 (including amendments made by such Act) shall be reduced by the amount apportioned to such State under section 1003(d)(1) of the Intermodal Surface Transportation Efficiency Act of 1991.

(2) REPAYMENT OF TRANSFERRED FUNDS.—The Secretary shall ensure that any apportionments made to a State for fiscal year 1998 and adjusted under paragraph (1) shall first be used to restore in accordance with section 3(c) of the Surface Transportation Extension Act of 1997 any funds that a State transferred under section 3 of such Act.

(3) INSUFFICIENT FUNDS FOR REPAYMENT.—If a State has insufficient funds apportioned in fiscal year 1998 under the Building Efficient Surface Transportation and Equity Act of 1998 (including amendments made by such Act) to make the adjustment required by paragraph (1), then the Secretary shall make an adjustment to any funds apportioned to such State in fiscal year 1999.

(4) ALLOCATED PROGRAMS.—Notwithstanding any other provision of law, amounts made available for fiscal year 1998 by the Building Efficient Surface Transportation and Equity Act of 1998 (including amendments made by such Act) for a program that is continued by both of sections 4, 5, 6, and 7 of the Surface Transportation Extension Act of 1997 (including amendments made by such sections) and the Building Efficient Surface Transportation and Equity Act of 1998 (including amendments made by such Act) shall be reduced by the amount made available by such sections 4, 5, 6, and 7 for such programs.

SEC. 105. INTERSTATE MAINTENANCE PROGRAM.

Section 119 is further amended—

(1) in subsection (a)—

(A) by striking ''and rehabilitating'' and inserting '', rehabilitating, and reconstructing'';

(B) by striking ''of this title and'' and inserting a comma;

(C) by striking ''this sentence'' and inserting ''the Building Efficient Surface Transportation and Equity Act of 1998'';

(D) by striking ''of this title;'' and inserting '', and any segments that become part of the Interstate System under section 1105(e)(5) of the Intermodal Surface Transportation Efficiency Act of 1991;''; and

(E) by striking ''subsection (e)'' and inserting ''section 129 or continued in effect by section 1012(d) of the Intermodal Surface Transportation Efficiency Act of 1991 and not voided by the Secretary under section 120(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 159)'';

(2) by striking subsections (b), (c), and (e); and

(3) by redesignating subsections (d), (f), and (g) as subsections (b), (c), and (d), respectively.

SEC. 106. NATIONAL HIGHWAY SYSTEM.

(a) COMPONENTS.—Section 103(b) is amended—

(1) by striking the last 4 sentences of paragraph (2)(B);

(2) in paragraph (2)(C) by striking ''and be subject to approval by Congress in accordance with paragraph (3)''; and

(3) in paragraph (2)(D) by striking ''and subject to approval by Congress in accordance with paragraph (3)''.

(b) MAXIMUM MILEAGE.—Section 103(b) is amended—

(1) by striking paragraphs (3) and (4) and inserting the following:

''(3) MAXIMUM MILEAGE.—The mileage of highways on the National Highway System shall not exceed 155,000 miles; except that the Secretary may increase or decrease such maximum mileage by not to exceed 15 percent.''; and

(2) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

(c) DESIGNATION.—Section 103(b)(4), as so redesignated by subsection (b)(2) of this section, is amended—

(1) by inserting ''(A) BASIC SYSTEM.—'' before ''The National'';

(2) by inserting after subparagraph (A), as so designated by paragraph (1) of this subsection, the following:

''(B) INTERMODAL CONNECTORS.—The modifications to the National Highway System that consist of highway connections to major ports, airports, international border crossings, public transportation and transit facilities, interstate bus terminals, and rail and other intermodal transportation facilities, as submitted to Congress by the Secretary on the map dated May 24, 1996, are designated within the United States, including the District of Columbia and the Commonwealth of Puerto Rico.''; and

(3) by indenting such subparagraph (A) and aligning it with subparagraph (B), as inserted by paragraph (2) of this subsection.

(d) MODIFICATIONS.—Section 103(b)(5)(A), as redesignated by subsection (b)(2) of this section, is amended by inserting ''or, in the case of the strategic highway network, that are proposed by the Secretary in consultation with appropriate Federal agencies and the States'' before ''if the Secretary''.

(e) CONFORMING AMENDMENTS.—Section 103(b) is amended—

(1) in paragraph (5), as redesignated by subsection (b)(2) of this section, by striking ''Subject to paragraph (7), the'' and inserting ''The'';

(2) by striking paragraph (7);

(3) by redesignating paragraph (8) as paragraph (6); and

(4) in paragraph (6), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (4)''.

(f) TECHNICAL AMENDMENT.—Section 103 is amended—

(1) by redesignating subparagraphs (A), (B), and (C) of subsection (i)(3) as clauses (i), (ii), and (iii), respectively;

(2) by redesignating paragraphs (1) through (13) of subsection (i) as subparagraphs (A) through (M), respectively;

(3) by redesignating subsection (i) as paragraph (7);

(4) by moving such paragraph (7) (including such subparagraphs and clauses) to the end of subsection (b); and

(5) by moving such paragraph (7) (including such subparagraphs and clauses) 2 ems to the right.

(g) EFFECT ON EXISTING APPORTIONMENTS.—The amendments made by this section shall not affect funds apportioned or allocated under title 23, United States Code, before the date of the enactment of this Act.

(h) INTERMODAL FREIGHT CONNECTORS STUDY.—

(1) REPORT.—Not later than 24 months after the date of the enactment of this Act, the Secretary shall review the condition of and improvements made to connectors on the National Highway System approved by this Act that serve seaports, airports, and other intermodal freight transportation facilities since the designation of the National Highway System and shall report to Congress on the results of such review.

(2) REVIEW.—In preparing the report, the Secretary shall review the connectors designated by this Act as part of the National Highway System and identify projects carried out on those connectors which were intended to provide and improve service to an intermodal facility referred to in paragraph (1) and to facilitate the efficient movement of freight, including movements of freight between modes.

(3) IDENTIFICATION OF IMPEDIMENTS.—If the Secretary determines on the basis of the review that there are impediments to improving the connectors serving intermodal facilities referred to in paragraph (1), the Secretary shall identify such impediments, including any funding for such connectors, and make any appropriate recommendations as part of the Secretary's report to Congress.

(i) HIGHWAY SIGNS ON THE NATIONAL HIGHWAY SYSTEM.—

(1) COMPETITION.—The Secretary shall conduct in accordance with this subsection a national children's competition to design a national logo sign for the routes comprising the National Highway System. Children 14 years of age and under shall be eligible for such competition.

(2) PANEL OF JUDGES.—The Secretary shall appoint a panel of not less than 6 persons to evaluate all designs submitted under the competition and select a winning design. The panel shall be composed of—

(A) a representative of the Department of Transportation;

(B) a representative designated by the American Association of State Highway and Transportation Officials;

(C) a representative of the motor carrier industry;

(D) a representative of private organizations dedicated to advancement of the arts; and

(E) a representative of the motoring public.

(3) REPORT AND PLAN.—Not later than 24 months after the date of the enactment of this section, the Secretary shall initiate and complete the competition and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the competition, a plan for the placement of logo signs on the National Highway System, and an estimate of the cost of implementing such plan.

(j) WEST VIRGINIA CORRIDOR 10.—The Secretary shall designate in the State of West Virginia Route 73 between Route 10 and United States Route 119, Route 10 between Route 80 and Route 73, and Route 80 between United States Route 52 and Route 10 as part of the National Highway System.

SEC. 107. HIGHWAY BRIDGE PROGRAM.

(a) APPORTIONMENT FORMULA.—Section 144(e) is amended by inserting before the period at the end of the fourth sentence the following: '', and, if a State transfers funds apportioned to it under this section in a fiscal year beginning after September 30, 1997, to any other apportionment of funds to such State under this title, the total cost of deficient bridges in such State and in all States to be determined for the succeeding fiscal year shall be reduced by the amount of such transferred funds''.

(b) DISCRETIONARY BRIDGE SET-ASIDE.—Section 144(g)(1) is amended—

(1) by inserting ''(A) FISCAL YEARS 1992 THROUGH 1997.—'' before ''Of the amounts'';

(2) by adding at the end the following:

''(B) FISCAL YEAR 1998.—The amounts authorized for fiscal year 1998 by section 127(a)(1) of the Building Efficient Surface Transportation and Equity Act of 1998 shall be at the discretion of the Secretary. 25 percent of such amount shall be available only for projects for the seismic retrofit of a bridge described in subsection (l).

''(C) FISCAL YEARS 1999 THROUGH 2003.—The amounts authorized for each of fiscal years 1999 through 2003 by section 127(a)(1) of the Building Efficient Surface Transportation and Equity Act of 1998 shall be at the discretion of the Secretary. Not to exceed 25 percent of such amount shall be available only for projects for the seismic retrofit of bridges, including projects in the New Madrid fault region.''; and

(3) by indenting subparagraph (A), as so designated by paragraph (1) of this subsection, and aligning such subparagraph (A) with subparagraphs (B) and (C), as inserted by paragraph (2) of this subsection.

(c) OFF SYSTEM BRIDGE-SET ASIDE.—Section 144(g)(3) is amended—

(1) by striking '', 1988'' and all that follows through ''1997,'' and inserting ''through 2003,''; and

(2) by striking ''system'' each place it appears and inserting ''highway''.

(d) ELIGIBILITY.—Section 144 is amended—

(1) in subsection (d) by inserting after ''magnesium acetate'' the following: '', sodium acetate/formate, or agriculturally derived, environmentally acceptable, minimally corrosive anti-icing and de-icing compositions or installing scour countermeasures'';

(2) in subsection (d) by inserting after ''such acetate'' each place it appears the following: ''or sodium acetate/formate or such anti-icing or de-icing composition or installation of such countermeasures''; and

(3) in subsection (g)(3) by inserting after ''magnesium acetate'' the following: '', sodium acetate/formate, or agriculturally derived, environmentally acceptable, minimally corrosive anti-icing and de-icing compositions or install scour countermeasures''.

(e) CONFORMING AMENDMENT.—Section 144(n) is amended by striking ''system'' and inserting ''highway''.

SEC. 108. SURFACE TRANSPORTATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Section 133(a) is amended by inserting after ''establish'' the following: ''and implement''.

(b) APPLICATION OF ANTI-ICING AND DE-ICING COMPOSITIONS TO BRIDGES.—Section 133(b)(1) is amended by inserting after ''magnesium acetate'' the following: '', sodium acetate/formate, or agriculturally derived, environmentally acceptable, minimally corrosive anti-icing and de-icing compositions''.

(c) TRANSPORTATION CONTROL MEASURES.—Section 133(b)(9) is amended by striking ''clauses (xii) and'' and inserting ''clause''.

(d) ENVIRONMENTAL RESTORATION AND POLLUTION ABATEMENT PROJECTS.—Section 133(b) is amended by adding at the end the following:

''(12) Environmental restoration and pollution abatement projects, including the retrofit or construction of storm water treatment systems, to address water pollution or environmental degradation caused or contributed to by existing transportation facilities at the time such transportation facilities are undergoing reconstruction, rehabilitation, resurfacing, or restoration;

except that the expenditure of funds under this section for any such environmental restoration or pollution abatement project shall not exceed 20 percent of the total cost of the reconstruction, rehabilitation, resurfacing, or restoration project.''.

(e) DIVISION OF FUNDS.—Section 133(d)(3)(B) is amended by adding at the end the following: ''Notwithstanding subsection (c), up to 15 percent of the amounts required to be obligated under this subparagraph may be obligated on roads functionally classified as minor collectors.''.

(f) PROGRAM APPROVAL.—Section 133(e)(2) is amended to read as follows:

''(2) PROGRAM APPROVAL.—Each State shall submit a project agreement for each fiscal year, certifying that the State will meet all the requirements of this section and notifying the Secretary of the amount of obligations needed to administer the surface transportation program. Each State shall request adjustments to the amount of obligations as needed. The Secretary's approval of the project agreement shall be deemed a contractual obligation of the United States for the payment of surface transportation program funds provided under this title.''.

(g) CONFORMING AMENDMENT.—Section 133(f) is amended by striking ''6-fiscal year period 1992 through 1997'' and inserting ''fiscal years for which funds are made available by the Building Efficient Surface Transportation and Equity Act of 1998''.

(h) ENCOURAGEMENT OF USE OF YOUTH CONSERVATION OR SERVICE CORPS.—The Secretary shall encourage the States to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform appropriate transportation enhancement projects under chapter 1 of title 23, United States Code.

SEC. 109. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Section 149(a) is amended by inserting after ''establish'' the following: ''and implement''.

(b) CURRENTLY ELIGIBLE PROJECTS.—Section 149(b) is amended—

(1) in paragraph (1)(A) by striking ''clauses (xii) and''; and inserting ''clause'';

(2) by striking ''or'' at the end of paragraph (3);

(3) by striking ''standard.'' at the end of paragraph (4) and inserting ''standard; or''; and

(4) by inserting after paragraph (4) the following:

''(5) if the program or project would have been eligible for funding on or before September 30, 1997, under guidance issued by the Secretary to implement this section.''.

(c) STUDY OF EFFECTIVENESS OF CMAQ PROGRAM.—

(1) STUDY.—The Secretary shall request the National Academy of Sciences to study the impact of the congestion mitigation and air quality improvement program on the air quality of nonattainment areas. The study shall, at a minimum—

(A) determine the amount of funds obligated under such program in each nonattainment area and to make a comprehensive analysis of the types of projects funded under such program;

(B) identify any improvements to or degradations of the air quality in each nonattainment area;

(C) measure the impact of the projects funded under such program on the air quality of each nonattainment area; and

(D) assess the cost effectiveness of projects funded under such program in nonattainment areas, including, to the extent possible, the cost per ton of reductions of ozone and carbon monoxide and reduction of traffic congestion.

(2) REPORT.—Not later than January 1, 2000, the National Academy of Sciences shall transmit to the Secretary, the Committee on Transportation and Infrastructure and the Committee on Commerce of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report on the results of the study with recommendations for modifications to the congestion mitigation and air quality improvement program in light of the results of the study.

(3) FUNDING.—Before making the apportionment of funds under section 104(b)(2) for each of fiscal years 1998 and 1999, the Secretary shall deduct from the amount to be apportioned under such section for such fiscal year, and make available, $500,000 for such fiscal year to carry out this subsection.

SEC. 110. HIGH RISK ROAD SAFETY IMPROVEMENT PROGRAM.

(a) IN GENERAL.—Chapter 1 is amended by inserting after section 153 the following:

''§ 154. High risk road safety improvement program

''(a) ESTABLISHMENT.—The Secretary shall establish and implement a high risk road safety improvement program in accordance with this section.

''(b) ELIGIBLE PROJECTS.—A State may obligate funds apportioned to it under section 104(b)(4) only for construction and operational improvement projects, and for pavement marking and signing projects, on high risk roads and only if the primary purpose of the project is to improve highway safety on a high risk road.

''(c) STATE ALLOCATION SYSTEM.—Each State shall establish a system for allocating funds apportioned to it under section 104(b)(4) among projects eligible for assistance under this section that have the highest benefits to highway safety. Such system may include a safety management system established by the State under section 303 or a survey established pursuant to section 152(a).

''(d) TRANSFERABILITY.—A State may transfer not to exceed 50 percent of the amount of funds apportioned to it under section 104(b)(4) for any fiscal year to the apportionment of such State under section 104(b)(1) or 104(b)(3) or both.

''(e) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(f) DEFINITIONS.—In this section, the following definitions apply:

''(1) HIGH RISK ROAD.—The term 'high risk road' means any Federal-aid highway or segment of a Federal-aid highway—

''(A) on which a significant number of severe motor vehicle crashes occur; or

''(B) which has current, or will likely have, increases in traffic volume that are likely to create a potential for severe crash consequences in a significant number of motor vehicle crashes.

''(2) SEVERE CRASH.—The term 'severe crash' means a motor vehicle crash in which a fatality or incapacitating injury occurs.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 1 is amended by inserting after the item relating to section 153 the following:

''154. High risk road safety improvement program.''.

(c) ROADWAY SAFETY AWARENESS AND IMPROVEMENT PROGRAM.—

(1) IN GENERAL.—For purposes of identifying high-risk roadway hazards and effective countermeasures and improving the collection and public dissemination of information regarding such hazards and their impact on the number and severity of motor vehicle crashes, the Secretary shall enter into an agreement with a private nonprofit national organization that is dedicated solely to improving roadway safety.

(2) TERMS OF AGREEMENT.—Under the terms of the agreement entered into under this subsection, the organization shall—

(A) develop a pilot program to improve the collection of data pertaining to roadway hazards and design features that cause or increase the severity of motor vehicle crashes;

(B) develop a public awareness campaign to educate State and local transportation officials, public safety officials, and motorists regarding the extent to which roadway hazards and design features are a factor in motor vehicle crashes; and

(C) develop and disseminate information to assist State and local transportation officials, public safety officials, and motorists in identifying roadway hazards and effective countermeasures.

(3) REPORT.—Not later than 24 months after the date of entry into the agreement under this subsection, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the status of the program authorized by this subsection. Such report shall be updated each year thereafter, and a final report shall be transmitted not later than 5 years after the date of entry into the agreement.

(4) FUNDING.—Before funds are apportioned under section 104(b)(4) of title 23, United States Code, for each of fiscal years 1998 through 2003, the Secretary shall deduct a sum not to exceed $1,000,000 per fiscal year for carrying out this subsection. Such sums shall remain available until expended.

SEC. 111. MINIMUM ALLOCATION.

(a) GENERAL RULES.—Section 157(a) is amended—

(1) in paragraph (4)—

(A) by striking ''THEREAFTER'' and inserting ''FISCAL YEARS 1992–1997''; and

(B) by striking ''fiscal year 1992 and each fiscal year thereafter'' and inserting ''each of fiscal years 1992 through 1997''; and

(2) by adding at the end the following new paragraph:

''(5) THEREAFTER.—In fiscal year 1998 and each fiscal year thereafter on October 1, or as soon as possible thereafter, the Secretary shall allocate among the States amounts sufficient to ensure that a State's percentage of the total apportionments in each such fiscal year for Interstate maintenance, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, the high priority projects program, the high risk road safety improvement program, the recreational trails program, the Appalachian Development Highway System program, and metropolitan planning shall not be less than 95 percent of the percentage of estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund, other than the Mass Transit Account, in the latest fiscal year for which data are available. In determining allocations under this paragraph, the Secretary shall not take into account the 2 percent set aside under section 104(b)(3)(A).''.

(b) AVAILABILITY OF FUNDS.—Section 157(b) is amended—

(1) by inserting before ''Amounts allocated'' the following: ''AVAILABILITY OF FUNDS.—'';

(2) by striking ''Interstate highway substitute,'' and all that follows through ''crossing projects'' and inserting ''any purpose described in section 133(b)''; and

(3) by inserting before the period at the end ''and section 103(c) of the Building Efficient Surface Transportation and Equity Act of 1998''.

(c) CONFORMING AMENDMENTS.—Section 157 is further amended—

(1) in subsection (d) by striking ''154(f) or''; and

(2) in subsection (e) by inserting before ''In order'' the following: ''AUTHORIZATION OF APPROPRIATIONS.—''.

(d) MINIMUM ALLOCATION ADJUSTMENT.—If the Secretary—

(1) determines that—

(A) the ratio of—

(i) the aggregate of funds made available by this Act, including any amendments made by

this Act, that are apportioned to a State for Federal-aid highway programs (including funds allocated to the State under sections 104(j) and 157 of title 23, United States Code) for each fiscal year beginning after September 30, 1997, to

(ii) the aggregate of such funds apportioned to all States for such programs for such fiscal year, is less than

(B) the ratio of—

(i) estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund, other than the Mass Transit Account, in the latest fiscal year for which data are available, to

(ii) the estimated tax payments attributable to highway users in all States paid into such Trust Fund in such latest fiscal year; and

(2) determines that—

(A) the ratio determined under paragraph (1)(A), is less than

(B) the ratio of—

(i) the aggregate of funds made available by the Intermodal Surface Transportation Efficiency Act of 1991, including any amendments made by such Act, and section 202 of the National Highway System Designation Act of 1995 that are apportioned to the State for Federal-aid highway programs (other than Federal lands highway programs and projects under sections 1103–1108 of the Intermodal Surface Transportation Efficiency Act of 1991) for fiscal years 1992 through 1997, to

(ii) the aggregate of such funds apportioned to all States for such programs for such fiscal years;

the Secretary shall allocate under such section 157 to the State amounts sufficient to ensure that the State's percentage of total apportionments for Federal-aid highway programs under this Act (including amendments made by this Act and allocations under such sections 104(j) and 157) for such fiscal year beginning after September 30, 1997, is equal to the State's percentage of total apportionments for Federal-aid highway programs (other than Federal lands highway programs and projects under sections 1103–1008 of the Intermodal Surface Transportation Efficiency Act of 1991) for fiscal year 1997 under the Intermodal Surface Transportation Efficiency Act of 1991, including any amendments made by such Act, and section 202 of the National Highway System Designation Act of 1995. The allocation shall be made on October 1 of fiscal year 1998, 1999, 2000, 2001, 2002, or 2003, as the case may be, or as soon as possible thereafter and shall be in addition to any other allocation to the State under such section 157 for such fiscal year.

(e) FINAL ADJUSTMENT.—

(1) IN GENERAL.—In fiscal year 1998 and each fiscal year thereafter on October 1, or as soon as practicable thereafter, the Secretary shall allocate under section 157 of title 23, United States Code, among the States amounts sufficient to ensure that the ratio that—

(A) each State's percentage of the total apportionments for such fiscal year for Interstate maintenance, National Highway System, high cost Interstate system reconstruction and improvement program, surface transportation program, metropolitan planning, congestion mitigation and air quality improvement program, high risk road safety improvement program, bridge program, Appalachian development highway system, recreational trails program, high priority projects program, the 2 percent set aside under section 104(b)(3)(A) of title 23, United States Code, and section 157 of such title (including subsection (d) of this section and this subsection), bears to

(B) each State's percentage of estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the latest fiscal year for which data are available;

is not less than 0.90.

(2) TREATMENT.—The allocation required by this paragraph shall be in addition to any other allocation under section 157 of title 23, United States Code, including allocations required by subsection (d) of this section.

SEC. 112. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

(a) APPORTIONMENT.—The Secretary shall apportion funds made available by section 102 of this Act for fiscal years 1998 through 2003 among the States based on the latest available cost to complete estimate for the Appalachian development highway system prepared by the Appalachian Regional Commission, unless the Appalachian Regional Commission adopts an alternative method for distribution. In general, no State containing Appalachian development highway system routes shall receive an apportionment of less than $1,000,000. For fiscal years 1999 through 2003, any alternative method for distribution adopted by the Appalachian Regional Commission must be communicated to the Secretary at least 30 days prior to the beginning of the fiscal year in which the apportionment is to be made. Such funds shall be available to construct highways and access roads under section 201 of the Appalachian Regional Development Act of 1965.

(b) APPLICABILITY OF TITLE 23.—Funds authorized by section 102 of this Act for the Appalachian development highway system under section 201 of the Appalachian Regional Development Act of 1965 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with such section 201 and such funds shall remain available until expended.

(c) FEDERAL SHARE FOR PRE-FINANCED PROJECTS.—Section 201(h)(1) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking ''70'' and inserting ''80''.

(d) DEDUCTION FOR ADMINISTRATIVE EXPENSES.—Section 201 of such Act is amended by adding at the end the following new subsection:

''(i) DEDUCTION FOR ADMINISTRATIVE EXPENSES.—On October 1 of fiscal year 1998 and each fiscal year thereafter, or as soon as is practicable thereafter, there shall be deducted, for the expenses of the Appalachian Regional Commission in administering the funds authorized under this section for such year, not to exceed 3.75 percent of the funds made available for such year under subsection (g) of this section.''.

(e) LOCAL PARTICIPATION IN DEDESIGNATION DECISIONS.—Section 201 of such Act is further amended by adding at the end the following:

''(j) LOCAL PARTICIPATION IN DEDESIGNATION DECISIONS.—Before the State of Ohio may request the dedesignation of corridor B from the Ohio River in Scioto County to the Scioto-Adams County line, corridor B1 from the Kentucky State line to the junction with corridor B at Rosemount, corridor C from the junction with corridor B at Lucasville to State Route 159 at Chillicothe, or corridor D from the Adams County line to the Ohio River in Washington County as segments of the Appalachian development highway system, the State must consult about the proposed dedesignation with local elected officials having jurisdiction over the area in which the segment is located and conduct public hearings on the proposed dedesignation in each county in which any part of the segment is located.''.

(f) ADDITIONS TO APPALACHIAN REGION.—The undesignated paragraph relating to Georgia of section 403 of such Act is amended—

(1) by inserting ''Elbert,'' after ''Douglas,''; and

(2) by inserting ''Hart,'' after ''Haralson,''.

SEC. 113. HIGH COST INTERSTATE SYSTEM RECONSTRUCTION AND IMPROVEMENT PROGRAM.

(a) IN GENERAL.—Section 160 is amended to read as follows:

''§ 160. High cost interstate system reconstruction and improvement program

''(a) ESTABLISHMENT.—The Secretary shall establish and implement a high cost Interstate System reconstruction and improvement program in accordance with this section.

''(b) ELIGIBLE PROJECTS.—Funds made available to carry out the high cost interstate reconstruction and improvement program under this section for a fiscal year shall be available for obligation by the Secretary for any major reconstruction or improvement project to any highway designated as part of the Interstate System and open to traffic before the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998. Such funds shall be made available by the Secretary to any State applying for such funds only if the Secretary determines that—

''(1) the total cost of the project is greater than the lesser of $200,000,000 or 50 percent of the aggregate amount of funds apportioned to the State under this title for such fiscal year;

''(2) the project is a ready-to-commence project;

''(3) the State agrees that it will not transfer funds apportioned to it under section 104(b)(5) for such fiscal year to any other program category; and

''(4) the applicant agrees to obligate the funds within 1 year of the date the funds are made available.

''(c) ALLOCATION OF FUNDS.—Subject to subsection (f)(1), of the funds made available to carry out the program under this section, the Secretary shall allocate—

''(1) not less than $165,000,000 for fiscal year 1998, $412,500,000 for fiscal year 1999, and $670,000,000 for each of fiscal years 2000 through 2003 among States in the ratio that the estimated cost of carrying out projects determined by the Secretary to be eligible for funding under subsection (b) in each State bears to the estimated cost of carrying out such projects in all of the States; and

''(2) at the discretion of the Secretary, not more than the amounts set forth in section 127(a)(2) for each of fiscal years 1998 through 2003 for projects eligible for assistance under this section to—

''(A) meet an extraordinary need for funding; or

''(B) help expedite completion of a project of national significance.

''(d) UNALLOCATED FUNDS.—

''(1) APPORTIONMENT.—If, on August 1 of fiscal year 1998 and each fiscal year thereafter, the Secretary determines that funds authorized to be allocated in such fiscal year for the program under this section will not be allocated in such fiscal year as a result of not enough projects being eligible for assistance under this section, the Secretary shall apportion under section 104(b)(5) such funds among the States for the Interstate maintenance program.

''(2) REDISTRIBUTION OF OBLIGATION AUTHORITY.—The Secretary shall also redistribute on such August 1 any obligation authority that is allocated for the fiscal year under section 103(c)(4) of the Building Efficient Surface Transportation and Equity Act of 1998 attributable to the program under this section and that the Secretary determines will not be used before September 30 of such fiscal year among the States (other than a State from which obligation authority for such fiscal year is redistributed under section 103(d) of such Act) in the same ratio as set forth in section 103(c)(5) of such Act.

''(e) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(f) FUTURE ALLOCATIONS.—

''(1) FISCAL YEARS 1998–2003.—For fiscal years 1998, 1999, 2000, 2001, 2002, and 2003, funds to be

allocated pursuant to subsection (c)(1) shall be allocated in the same manner as funds apportioned under section 104(b)(5). Such funds shall only be available for projects eligible under subsection (b); except that if a State does not have a project eligible under subsection (b), funds allocated to such State under this paragraph shall be available for any project in such State on a segment of the Interstate System that is open to traffic.

''(2) DETERMINATIONS.—The Secretary shall, in cooperation with States and affected metropolitan planning organizations, determine—

''(A) the expected condition of the Interstate System over the next 10 years and the needs of States and metropolitan planning organizations to reconstruct and improve the Interstate System; and

''(B) a method to allocate funds made available under this section that would—

''(i) address the needs identified in subparagraph (A);

''(ii) provide a fair and equitable distribution of such funds; and

''(iii) allow for States to address any extraordinary needs.

''(3) REPORT.—The determination made under paragraph (2) shall be submitted to Congress in a report not later than January 1, 2000.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 1 is amended by striking the item relating to section 160 and inserting the following:

''160. High cost interstate system reconstruction and improvement program.''.

SEC. 114. RECREATIONAL TRAILS PROGRAM.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 205 the following:

''§ 206. Recreational trails program

''(a) IN GENERAL.—The Secretary, in consultation with the Secretary of the Interior and the Secretary of Agriculture, shall administer a national program for the purposes of providing and maintaining recreational trails.

''(b) STATEMENT OF INTENT.—Funds made available to carry out the recreational trails program under this section are to be derived from revenues collected through motor fuel taxes from nonhighway users and are to be used on trails and trail-related projects which have been planned and developed under the otherwise existing laws, policies, and administrative procedures within each State, and which are identified in, or which further a specific goal of, a trail plan included or referenced in a statewide comprehensive outdoor recreation plan required by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.).

''(c) STATE ELIGIBILITY.—A State shall be eligible to obligate funds apportioned to it under section 104(h) only if—

''(1) the Governor of the State has designated the State agency or agencies that will be responsible for administering funds received under this section; and

''(2) a recreational trail advisory committee on which both motorized and nonmotorized recreational trail users are fairly represented exists within the State.

''(d) FEDERAL SHARE PAYABLE.—

''(1) IN GENERAL.—Except as provided in paragraphs (2), (3), (4), and (5), the Federal share payable on account of a project under this section shall not exceed 50 percent.

''(2) FEDERAL AGENCY PROJECT SPONSOR.—Notwithstanding any other provision of law, a Federal agency sponsoring a project under this section may contribute additional Federal funds toward a project's cost if the share attributable to the Secretary does not exceed 50 percent and the share attributable to the Secretary and the Federal agency jointly does not exceed 80 percent.

''(3) ALLOWABLE MATCH FROM FEDERAL PROGRAMS.—The following Federal programs may be used to contribute additional Federal funds toward a project's cost and may be accounted for as contributing to the non-Federal share:

''(A) State and Local Fiscal Assistance Act of 1972 (Public Law 92–512).

''(B) HUD Community Development Block Grants (Public Law 93–383).

''(C) Public Works Employment Act of 1976 (Public Law 94–369).

''(D) Acts establishing national heritage corridors and areas.

''(E) Job Training Partnership Act of 1982 (Public Law 97–300).

''(F) National and Community Service Trust Act of 1993 (Public Law 103–82).

''(G) Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–93).

''(4) PROGRAMMATIC NON-FEDERAL SHARE.—A State may allow adjustments of the non-Federal share of individual projects in a fiscal year if the total Federal share payable for all projects within the State carried out under this section with funds apportioned to the State under section 104(h) for such fiscal year does not exceed 50 percent. For purposes of this paragraph, a project funded under paragraph (2) or (3) of this subsection may not be included in the calculation of the programmatic non-Federal share.

''(5) STATE ADMINISTRATIVE COSTS.—The Federal share payable on account of the administrative costs of a State under subsection (e)(1)(A) shall be determined in accordance with section 120(b).

''(e) USE OF FUNDS.—

''(1) PERMISSIBLE USES.—A State may use funds apportioned to it under section 104(h)—

''(A) in an amount not exceeding 7 percent of such funds, for administrative costs of the State;

''(B) in an amount not exceeding 5 percent of such funds, for operation of environmental protection education and safety education programs relating to the use of recreational trails;

''(C) for development and rehabilitation of urban trail linkages to provide connections to and among neighborhoods and community centers and between trails;

''(D) for maintenance of existing recreational trails, including the grooming and maintenance of trails across snow;

''(E) for restoration of areas damaged by usage of recreational trails, including back country terrain;

''(F) for development and rehabilitation of trail-side and trail-head facilities that meet goals identified by the National Recreational Trails Advisory Committee;

''(G) for provision of features which facilitate the access and use of trails by persons with disabilities;

''(H) for acquisition of easements for trails, or for trail corridors identified in a State trail plan;

''(I) for acquisition of fee simple title to property from a willing seller, when the objective of the acquisition cannot be accomplished by acquisition of an easement or by other means;

''(J) for construction of new trails on State, county, municipal, or private lands, where a recreational need for such construction is shown; and

''(K) only as otherwise permissible and where necessary and required by a statewide comprehensive outdoor recreation plan, for construction of new trails crossing Federal lands if such construction is approved by the administering agency of the State and the Federal agency or agencies charged with management of all impacted lands and if such approval is contingent upon compliance by the Federal agency with all applicable laws, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.), and the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.).

''(2) USE NOT PERMITTED.—A State may not use funds apportioned to it under section 104(h)—

''(A) for condemnation of any kind of interest in property;

''(B)(i) for construction of any recreational trail on National Forest System lands for motorized uses unless—

''(I) such lands have been allocated for uses other than wilderness by an approved forest land and resource management plan or have been released to uses other than wilderness by an Act of Congress, and

''(II) such construction is otherwise consistent with the management direction in such approved land and resource management plan; or

''(ii) for construction of any recreational trail on Bureau of Land Management lands for motorized uses unless—

''(I) such lands have been allocated for uses other than wilderness by an approved Bureau of Land Management resource management plan or have been released to uses other than wilderness by an Act of Congress, and

''(II) such construction is otherwise consistent with the management direction in such approved management plans; or

''(C) for upgrading, expanding, or otherwise facilitating motorized use or access to trails predominantly used by non-motorized trail users and on which, as of May 1, 1991, motorized use is either prohibited or has not occurred.

''(3) GRANTS.—

''(A) IN GENERAL.—A State may provide funds apportioned to it under section 104(h) to make grants to private individuals, organizations, municipal, county, State, and Federal government entities, and other government entities as approved by the State after considering guidance from the recreational trail advisory committee satisfying the requirements of subsection (c)(2), for uses consistent with this section.

''(B) COMPLIANCE.—A State that makes grants under subparagraph (A) shall establish measures to verify that recipients comply with the specified conditions for the use of grant moneys.

''(4) ASSURED ACCESS TO FUNDS.—Except as provided under paragraph (7), not less than 30 percent of the funds apportioned to a State in a fiscal year under section 104(h) shall be reserved for uses relating to motorized recreation, and not less than 30 percent of such funds shall be reserved for uses relating to non-motorized recreation.

''(5) ENVIRONMENTAL MITIGATION.—

''(A) REQUIREMENT.—To the extent practicable and consistent with other requirements of this section, in complying with paragraph (4), a State should give consideration to project proposals that provide for the redesign, reconstruction, nonroutine maintenance, or relocation of trails in order to mitigate and minimize the impact to the natural environment.

''(B) GUIDANCE.—A recreational trail advisory committee satisfying the requirements of subsection (c)(2) shall issue guidance to a State for the purposes of implementing subparagraph (A).

''(6) DIVERSIFIED TRAIL USE.—

''(A) REQUIREMENT.—To the extent practicable and consistent with other requirements of this section, a State shall expend funds apportioned to it under section 104(h) in a manner that gives preference to project proposals which—

''(i) provide for the greatest number of compatible recreational purposes, including those described in subsection (g)(3); or

''(ii) provide for innovative recreational trail corridor sharing to accommodate motorized and non-motorized recreational trail use.

This paragraph shall remain effective with respect to a State until such time as the State has allocated not less than 40 percent of funds apportioned to it under section 104(h) in such manner.

''(B) COMPLIANCE.—The State shall receive guidance for determining compliance with subparagraph (A) from the recreational trail advisory committee satisfying the requirements of subsection (c)(2).

''(7) EXEMPTIONS.—

''(A) SMALL STATE.—Any State with a total land area of less than 3,500,000 acres and in

which nonhighway recreational fuel use accounts for less than 1 percent of all such fuel use in the United States shall be exempted from the requirements of paragraph (4) upon application to the Secretary by the State demonstrating that it meets the conditions of this paragraph.

''(B) STATE RECREATIONAL TRAIL ADVISORY COMMITTEE.—If approved by the State recreational trail advisory committee satisfying the requirements of subsection (c)(2), the State may be exempted from the requirements of paragraph (4).

''(8) CONTINUING RECREATIONAL USE.—At the option of each State, funds apportioned to it under section 104(h) may be treated as Land and Water Conservation Fund moneys for the purposes of section 6(f)(3) of the Land and Water Conservation Fund Act.

''(9) CREDIT FOR DONATIONS OF FUNDS, MATERIALS, SERVICES, OR NEW RIGHT-OF-WAY.—Nothing in this title or any other law shall prevent a project sponsor from offering to donate funds, materials, services, or new right-of-way for the purposes of a project eligible for assistance. Any funds, or the fair market value of any materials, services, or new right-of-way may be donated by any project sponsor and shall be credited to the non-Federal share in accordance with subsection (d). Any funds or the fair market value of any materials or services may be provided by a Federal project sponsor and shall be credited as part of that Federal agency's share under subsection (d)(2).

''(10) RECREATIONAL PURPOSE.—A project funded under this section is intended to enhance recreational opportunity and is not subject to the provisions of section 303 of title 49 or section 138 of this title.

''(f) COORDINATION OF ACTIVITIES.—

''(1) COOPERATION BY FEDERAL AGENCIES.—Each agency of the United States that manages land on which a State proposes to construct or maintain a recreational trail pursuant to this section is encouraged to cooperate with the State and the Secretary in planning and carrying out the activities described in subsection (e). Nothing in this section diminishes or in any way alters the land management responsibilities, plans, and policies established by such agencies pursuant to other applicable laws.

''(2) COOPERATION BY PRIVATE PERSONS.—

''(A) WRITTEN ASSURANCES.—As a condition to making available funds for work on recreational trails that would affect privately owned land, a State shall obtain written assurances that the owner of the property will cooperate with the State and participate as necessary in the activities to be conducted.

''(B) PUBLIC ACCESS.—Any use of funds apportioned to a State under section 104(h) on private lands must be accompanied by an easement or other legally binding agreement that ensures public access to the recreational trail improvements funded by those funds.

''(g) APPLICABILITY OF CHAPTER 1.—Funds made available to carry out this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1; except that the Federal share payable for a project using such funds shall be determined in accordance with this section and such funds shall remain available until expended.

''(h) DEFINITIONS.—In this section, the following definitions apply:

''(1) ELIGIBLE STATE.—The term 'eligible State' means a State that meets the requirements of subsection (c).

''(2) NONHIGHWAY RECREATIONAL FUEL.—The term 'nonhighway recreational fuel' has the meaning such term has under section 9503(c)(6) of the Internal Revenue Code of 1986.

''(3) RECREATIONAL TRAIL.—The term 'recreational trail' means a thoroughfare or track across land or snow, used for recreational purposes such as bicycling, cross-country skiing, day hiking, equestrian activities (including carriage driving), jogging or similar fitness activities, skating or skateboarding, trail biking, overnight or long-distance backpacking, snowmobiling, aquatic or water activity, or vehicular travel by motorcycle, four-wheel drive or all-terrain off-road vehicles, without regard to whether it is a 'National Recreation Trail' designated under section 4 of the National Trails System Act (16 U.S.C. 1243).

''(4) MOTORIZED RECREATION.—The term 'motorized recreation' means off-road recreation using any motor-powered vehicle, except for motorized wheelchairs.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 2 is amended by inserting after the item relating to section 205 the following:

''206. Recreational trails program.''.

(c) REPEAL OF OBSOLETE PROVISION.—Section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261) is repealed.

(d) TERMINATION OF ADVISORY COMMITTEE.—Section 1303 of such Act (16 U.S.C. 1262) is amended by adding at the end the following:

''(j) TERMINATION.—The advisory committee established by this section shall terminate on September 30, 2000.''.

(e) ENCOURAGEMENT OF USE OF YOUTH CONSERVATION OR SERVICE CORPS.—The Secretary shall encourage the States to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform construction and maintenance of recreational trails under section 206 of title 23, United States Code.

SEC. 115. NATIONAL CORRIDOR PLANNING AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish and implement a program to make allocations to States for coordinated planning, design, and construction of corridors of national significance, economic growth, and international or interregional trade. A State may apply to the Secretary for allocations under this section.

(b) ELIGIBILITY OF CORRIDORS.—

(1) IN GENERAL.—The Secretary may make allocations under this section only with respect to high priority corridors identified in section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991.

(2) SPECIAL RULE.—In fiscal years 1998 through 2000, the Secretary may make, on an interim basis pending identification by Congress of high priority corridors as part of a law provided for in section 508 of this Act, allocations under this section for the creation or upgrade of any other significant regional or multistate highway corridor not described in whole or in part in paragraph (1) that the Secretary determines would—

(A) facilitate international or interregional trade; or

(B) encourage or facilitate major multistate or regional mobility and economic growth and development in areas underserved by existing highway infrastructure.

(c) PURPOSES.—Allocations may be made under this section for 1 or more of the following purposes:

(1) Feasibility studies.

(2) Comprehensive corridor planning and design activities.

(3) Location and routing studies.

(4) Environmental review.

(5) Multistate and intrastate coordination for corridors described in subsection (b).

(6) Construction.

(d) CORRIDOR DEVELOPMENT AND MANAGEMENT PLAN.—A State receiving an allocation under this section shall develop, in consultation with the Secretary, a development and management plan for the corridor with respect to which the allocation is being made. Such plan shall include, at a minimum, the following elements:

(1) A complete and comprehensive analysis of corridor costs and benefits.

(2) A coordinated corridor development plan and schedule, including a timetable for completion of all planning and development activities, environmental reviews and permits, and construction of all segments.

(3) A finance plan, including any innovative financing methods and, if the corridor is a multistate corridor, a State-by-State breakdown of corridor finances.

(4) The results of any environmental reviews and mitigation plans.

(5) The identification of any impediments to the development and construction of the corridor, including any environmental, social, political and economic objections.

In the case of a multistate corridor, the Secretary shall ensure that all States having jurisdiction over any portion of such corridor will participate in the development of such plan.

(e) APPLICABILITY OF TITLE 23.—Funds made available by section 127(a)(3)(B) of this Act shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(f) STATE DEFINED.—In this section, the term ''State'' has the meaning such term has under section 101 of title 23, United States Code.

SEC. 116. COORDINATED BORDER INFRASTRUCTURE AND SAFETY PROGRAM.

(a) GENERAL AUTHORITY.—The Secretary shall establish and implement a coordinated border infrastructure and safety program under which the Secretary may make allocations to any border State for projects to improve the safe movement of people and goods at or across the border between the United States and Canada and the border between the United States and Mexico.

(b) ELIGIBLE USES.—Allocations under this section may only be used in a border region for—

(1) improvements to existing transportation and supporting infrastructure that facilitate cross-border vehicle and cargo movements;

(2) construction of highways and related safety and safety enforcement facilities that will facilitate vehicle and cargo movements related to international trade;

(3) operational improvements, including improvements relating to electronic data interchange and use of telecommunications, to expedite cross border vehicle and cargo movement;

(4) modifications to regulatory procedures to expedite cross border vehicle and cargo movements; and

(5) international coordination of planning, programming, and border operation with Canada and Mexico relating to expediting cross border vehicle and cargo movements.

(c) SELECTION CRITERIA.—The Secretary shall make allocations under this section on the basis of—

(1) expected reduction in commercial and other motor vehicle travel time through an international border crossing as a result of the project;

(2) improvements in vehicle and highway safety and cargo security related to motor vehicles crossing a border with Canada or Mexico;

(3) strategies to increase the use of existing, underutilized border crossing facilities and approaches;

(4) leveraging of Federal funds provided under this section, including use of innovative financing, combination of such funds with funding provided under other sections of this Act, and combination with other sources of Federal, State, local, or private funding;

(5) degree of multinational involvement in the project and demonstrated coordination with other Federal agencies responsible for the inspection of vehicles, cargo, and persons crossing international borders and their counterpart agencies in Canada and Mexico;

(6) the extent to which the innovative and problem-solving techniques of the proposed project would be applicable to other international border crossings;

(7) demonstrated local commitment to implement and sustain continuing comprehensive border planning processes and improvement programs; and

(8) such other factors as the Secretary determines are appropriate to promote border transportation efficiency and safety.

(d) STATE MOTOR VEHICLE SAFETY INSPECTION FACILITIES.—Due to the increase in cross-border trade as a result of the Northern American Free Trade Agreement, of the amounts made available to carry out this section for a fiscal year, not to exceed $25,000,000 for fiscal year 1998 and not to exceed $20,000,000 for each of fiscal years 1999 through 2003 shall be available for the construction of State motor vehicle safety inspection facilities for the inspection by State authorities of commercial motor vehicles crossing the border to ensure the safety of such vehicles.

(e) ALLOCATIONS.—

(1) FUNDS.—At least 40 percent of the funds made available for carrying out this section shall be allocated for projects in the vicinity of the border of the United States and Mexico, and at least 40 percent of such funds shall be allocated for projects in the vicinity of the border of the United States and Canada.

(2) PROJECTS.—At least 2 of the projects in the vicinity of the border of the United States with Mexico for which allocations are made under this section and at least 2 of the projects in the vicinity of the border of the United States and Canada for which allocations are made under this section shall be located at ports of entry with high annual volumes of traffic.

(f) APPLICABILITY OF TITLE 23.—Funds authorized by section 127(a)(3)(A) of this Act shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(g) DEFINITIONS.—In this section, the following definitions apply:

(1) BORDER REGION.—The term ''border region'' means the portion of a border State in the vicinity of an international border with Canada or Mexico.

(2) BORDER STATE.—The term ''border State'' means any State that has a boundary in common with Canada or Mexico.

SEC. 117. FEDERAL LANDS HIGHWAYS PROGRAM.

(a) FEDERAL SHARE PAYABLE.—Section 120 is amended—

(1) in subsection (e)—

(A) by striking ''(c)'' and inserting ''(b)''; and

(B) by striking ''90'' and inserting ''120''; and

(2) by adding at the end the following:

''(j) FUNDS APPROPRIATED TO A FEDERAL LAND MANAGING AGENCY.—Notwithstanding any other provision of law, the funds appropriated to any Federal land managing agency may be used as the non-Federal share payable on account of any Federal-aid highway project the Federal share of which is payable with funds apportioned under section 104 or 144 or allocated under the Federal scenic byways program.

''(k) FUNDS APPROPRIATED FOR FEDERAL LANDS HIGHWAYS PROGRAM.—Notwithstanding any other provision of law, funds appropriated for carrying out the Federal lands highways program under section 204 may be used as the non-Federal share payable on account of any project that is carried out with funds apportioned under section 104 or 144 or allocated under the Federal scenic byways program if the project will provide access to, or be carried out within, Federal or Indian lands.''.

(b) ALLOCATIONS.—Section 202 is amended—

(1) by striking subsection (b) and inserting the following:

''(b) ALLOCATION OF SUMS AUTHORIZED FOR PUBLIC LANDS HIGHWAYS.—

''(1) IN GENERAL.—On October 1 of each fiscal year and after making the transfer provided for in section 204(i), the Secretary shall allocate the sums authorized to be appropriated for such fiscal year for public lands highways for transportation projects within the boundaries of those States having unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations, on the basis of need in such States, respectively, as determined by the Secretary from applications for such funds by Federal land managing agencies, Indian tribal governments, and States.

''(2) PREFERENCE.—In allocating sums under paragraph (1), the Secretary shall give preference to those projects that are significantly impacted by Federal land, recreation, or resource management activities that are proposed within the boundaries of a State in which at least 3 percent of the total public lands in the United States are located.''; and

(2) by adding at the end the following:

''(e) FOREST HIGHWAYS.—

''(1) ALLOCATION OF FUNDS.—On October 1 of each fiscal year and after making the transfer provided for in section 204(g), the Secretary shall allocate the sums authorized to be appropriated for such fiscal year for forest highways as provided in section 134 of the Federal-Aid Highway Act of 1987.

''(2) PROJECT SELECTION.—With respect to allocations under this subsection, the Secretary shall give priority to projects that provide access to and within the National Forest System, as identified by the Secretary of Agriculture through renewable resources and land use planning and the impact of such planning on existing transportation facilities.''.

(c) AVAILABILITY OF FUNDS.—Section 203 is amended—

(1) by striking ''Funds authorized for,'' and inserting ''(a) IN GENERAL.—Funds authorized for forest highways,'';

(2) in the fourth sentence by inserting ''forest highways'' after ''any fiscal year for''; and

(3) by adding at the end the following:

''(b) TIME OF OBLIGATION.—Notwithstanding any other provision of law, the Secretary's authorization of engineering and related work for a Federal lands highways program project or the Secretary's approval of plans, specifications, and estimates for construction of a Federal lands highways program project shall be deemed to constitute a contractual obligation of the Federal Government for the payment of its contribution to such project.''.

(d) AWARD OF CONTRACTS; TRANSFERS—Section 204 is amended—

(1) in subsection (a) to read as follows:

''(a) Recognizing the need for all Federal roads that are public roads to be treated under uniform policies similar to those that apply to Federal-aid highways, there is established a coordinated Federal Lands Highways Program which shall consist of forest highways, public lands highways, park roads and parkways, and Indian reservation roads and bridges. The Secretary, in cooperation with the Secretary of the appropriate Federal land managing agency, shall develop transportation planning procedures which are consistent with the metropolitan and Statewide planning processes in sections 134 and 135 of this title. The transportation improvement program developed as a part of the transportation planning process under this section shall be approved by the Secretary. All regionally significant Federal Lands Highway Program projects shall be developed in cooperation with States and metropolitan planning organizations and be included in appropriate Federal Lands Highways Program, State, and metropolitan plans and transportation improvement programs. The approved Federal Lands Highways Program transportation improvement program shall be included in appropriate State and metropolitan planning organization plans and programs without further action thereon. The Secretary and the Secretary of the appropriate Federal land managing agency shall develop appropriate safety, bridge, and pavement management systems for roads funded under the Federal Lands Highways Program.'';

(2) by striking the first three sentences of subsection (b) and inserting ''Funds available for forest highways, public lands highways, park roads and parkways, and Indian reservation roads shall be used by the Secretary and the Secretary of the appropriate Federal land managing agency to pay for the cost of transportation planning, research, engineering, and construction thereof. The Secretary and the Secretary of the appropriate Federal land managing agency, as appropriate, may enter into construction contracts and such other contracts with a State or civil subdivision thereof or Indian tribe to carry out this subsection.'';

(3) in the first sentence of subsection (e) by striking ''Secretary of the Interior'' and inserting ''Secretary of the appropriate Federal land managing agency''; and

(4) by striking subsection (i) and inserting the following:

''(i) TRANSFERS TO SECRETARIES OF FEDERAL LAND MANAGING AGENCIES.—The Secretary shall transfer to the appropriate Federal land managing agency from the appropriation for public lands highways such amounts as may be needed to cover—

''(1) necessary administrative costs of such agency in connection with public lands highways; and

''(2) the cost to such agency of conducting necessary transportation planning serving Federal lands if funding for such planning is otherwise not provided in this section.''.

(e) ACCESS TO JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.—

(1) STUDY.—The Secretary, in cooperation with the District of Columbia, the John F. Kennedy Center for the Performing Arts, and the Department of the Interior and in consultation with other interested persons, shall conduct a study of methods to improve pedestrian and vehicular access to the John F. Kennedy Center for the Performing Arts.

(2) REPORT.—Not later than September 30, 1999, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of the study, together with an assessment of the impacts (including environmental, aesthetic, economic, and historic impacts) associated with the implementation of each of the methods examined under the study.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $500,000 for fiscal year 1998 to carry out this subsection.

(4) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of activities conducted using such funds shall be 100 percent and such funds shall remain available until expended.

(f) SMITHSONIAN INSTITUTION TRANSPORTATION PROGRAM.—

(1) IN GENERAL.—The Secretary shall allocate amounts made available by this subsection for obligation at the discretion of the Secretary of the Smithsonian Institution, in consultation with the Secretary, to carry out projects and activities described in paragraph (2).

(2) ELIGIBLE USES.—Amounts allocated under paragraph (1) may be obligated only—

(A) for transportation-related exhibitions, exhibits, and educational outreach programs;

(B) to enhance the care and protection of the Nation's collection of transportation-related artifacts;

(C) to acquire historically significant transportation-related artifacts; and

(D) to support research programs within the Smithsonian Institution that document the history and evolution of transportation, in cooperation with other museums in the United States.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated out of the Highway Trust Fund (other than the Mass

Transit Account) $5,000,000 for each of fiscal years 1998 through 2003 to carry out this subsection.

(4) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project or activity under this subsection shall be 100 percent and such funds shall remain available until expended.

(g) NEW RIVER PARKWAY.—Of amounts available under section 102(a)(11)(C) of this Act, the Secretary shall allocate $1,300,000 for fiscal year 1998, $1,200,000 for fiscal year 1999, and $9,900,000 for fiscal year 2000 to the Secretary of the Interior for the planning, design, and construction of a visitors center, and such other related facilities as may be necessary, to facilitate visitor understanding and enjoyment of the scenic, historic, cultural, and recreational resources accessible by the New River Parkway in the State of West Virginia. The center and related facilities shall be located at a site for which title is held by the United States in the vicinity of the intersection of the New River Parkway and I–64. Such funds shall remain available until expended.

(h) GETTYSBURG, PENNSYLVANIA.—

(1) RESTORATION OF TRAIN STATION.—The Secretary shall allocate amounts made available by this subsection for the restoration of the Gettysburg, Pennsylvania, train station.

(2) FUNDING.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $400,000 for each of fiscal years 1998 and 1999 to carry out this subsection.

(3) APPLICABILITY OF TITLE 23.—Funds made available to carry out this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of restoration of the train station under this subsection shall be 80 percent and such funds shall remain available until expended.

SEC. 118. NATIONAL SCENIC BYWAYS PROGRAM.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

''§ 162. National scenic byways program

''(a) DESIGNATION OF ROADS.—The Secretary shall carry out a national scenic byways program that recognizes roads having outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities by designating them as 'National Scenic Byways' or 'All-American Roads'. The Secretary shall designate roads to be recognized under the national scenic byways program in accordance with criteria developed by the Secretary. To be considered for such designation, a road must be nominated by a State or Federal land management agency and must first be designated as a State scenic byway or, for roads on Federal lands, as a Federal land management agency byway.

''(b) ALLOCATIONS AND TECHNICAL ASSISTANCE.—

''(1) GENERAL AUTHORITY.—The Secretary shall make allocations and provide technical assistance to States to—

''(A) implement projects on highways designated as National Scenic Byways or All-American Roads, or as State scenic byways; and

''(B) plan, design, and develop a State scenic byways program.

''(2) PRIORITY PROJECTS.—In making allocations under this subsection, the Secretary shall give priority to—

''(A) eligible projects along highways that are designated as National Scenic Byways or All-American Roads;

''(B) eligible projects on State-designated scenic byways that are undertaken to make them eligible for designation as National Scenic Byways or All-American Roads; and

''(C) eligible projects that will assist the development of State scenic byways programs.

''(c) ELIGIBLE PROJECTS.—The following are projects that are eligible for Federal assistance under this section:

''(1) Activities related to planning, design, or development of State scenic byway programs.

''(2) Development of corridor management plans for scenic byways.

''(3) Safety improvements to a scenic byway to the extent such improvements are necessary to accommodate increased traffic and changes in the types of vehicles using the highway due to such designation.

''(4) Construction along a scenic byway of facilities for pedestrians and bicyclists, rest areas, turnouts, highway shoulder improvements, passing lanes, overlooks, and interpretive facilities.

''(5) Improvements to a scenic byway that will enhance access to an area for the purpose of recreation, including water-related recreation.

''(6) Protection of historical, archaeological, and cultural resources in areas adjacent to scenic byways.

''(7) Development and provision of tourist information to the public, including interpretive information about scenic byways.

''(8) development and implementation of scenic byways marketing programs.

''(d) FEDERAL SHARE.—The Federal share payable on account of any project carried out under this section shall be determined in accordance with section 120(b) of this title. For any scenic byways project along a public road that provides access to or within Federal or Indian lands, a Federal land management agency may use funds authorized for its use as the non-Federal share of the costs of the project.

''(e) PROTECTION OF SCENIC INTEGRITY.—

''(1) SCENIC INTEGRITY.—The Secretary shall not make an allocation under this section for any project that would not protect the scenic, historic, recreational, cultural, natural, and archaeological integrity of a highway and adjacent areas.

''(2) SAVINGS CLAUSE.—The Secretary shall not make any grant, provide technical assistance, or impose any requirement on a State under this section that is inconsistent with the authority of the State provided in this chapter.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 is amended by adding at the end the following new item:

''162. National scenic byways program.''.

(c) CENTER.—

(1) ESTABLISHMENT.—The Secretary shall allocate funds made available to carry out this subsection to establish a center for national scenic byways in Duluth, Minnesota, to provide technical communications and network support for nationally designated scenic byway routes in accordance with paragraph (2).

(2) COMMUNICATIONS SYSTEMS.—The center for national scenic byways shall develop and implement communications systems for the support of the national scenic byways program. Such communications systems shall provide local officials and planning groups associated with designated National Scenic Byways or All-American Roads with proactive, technical, and customized assistance through the latest technology which allows scenic byway officials to develop and sustain their National Scenic Byways or All-American Roads.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection $1,500,000 for each of fiscal years 1998 through 2003.

(4) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project under this subsection shall be 100 percent and such funds shall remain available until expended.

SEC. 119. VARIABLE PRICING PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish and implement a variable pricing program. In implementing such program, the Secretary shall solicit the participation of State and local governments and public authorities for 1 or more variable pricing pilot programs. The Secretary may enter into cooperative agreements with as many as 15 of such governments and public authorities to conduct and monitor the pilot programs.

(b) FEDERAL SHARE PAYABLE.—The Federal share payable for a pilot program under this section shall be 80 percent of the aggregate cost of the program and the Federal share payable for any portion of a project conducted under the program may not exceed 100 percent.

(c) IMPLEMENTATION COSTS.—The Secretary may fund all pre-implementation costs, including public education and project design, and all of the development and startup costs of a pilot project under this section, including salaries and expenses, until such time that sufficient revenues are being generated by the program to fund its operating costs without Federal participation; except that the Secretary may not fund the pre-implementation, development, and startup costs of a pilot project for more than 3 years.

(d) USE OF REVENUES.—Revenues generated by any pilot project under this section must be applied to projects eligible for assistance under title 23, United States Code.

(e) COLLECTION OF TOLLS.—Notwithstanding sections 129 and 301 of title 23, United States Code, the Secretary shall allow the use of tolls on the Interstate System as part of a pilot program under this section, but not as part of more than 3 of such programs.

(f) FINANCIAL EFFECTS ON LOW-INCOME DRIVERS.—Any pilot program conducted under this section shall include an analysis of the potential effects of the pilot program on low income drivers and may include mitigation measures to deal with any potential adverse financial effects on low-income drivers.

(g) REPORTS TO CONGRESS.—The Secretary shall monitor the effect of the pilot programs conducted for a period of at least 10 years and shall report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives biennially on the effects such programs are having on driver behavior, traffic volume, transit ridership, air quality, drivers of all income levels, and availability of funds for transportation programs.

(h) HOV PASSENGER REQUIREMENTS.—Notwithstanding section 102 of title 23, United States Code, a State may permit vehicles with fewer than 2 occupants to operate in high-occupancy vehicle lanes if such vehicles are part of a pilot program being conducted under this section.

(i) PERIOD OF AVAILABILITY.—Funds allocated by the Secretary under this section shall remain available for obligation by the State for a period of 3 years after the last day of the fiscal year for which such funds are authorized. Any amounts allocated under this section that remain unobligated at the end of such period and any amounts authorized under subsection (i) that remain unallocated by the end of such period shall be transferred to a State's apportionment under section 104(b)(3) of title 23, United States Code, and shall be treated in the same manner as other funds apportioned under such section.

(j) APPLICABILITY OF TITLE 23.—Funds made available to carry out this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project under this section and the availability of such funds shall be determined in accordance with this section.

(k) REPEAL.—Section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938) is repealed.

SEC. 120. TOLL ROADS, BRIDGES, AND TUNNELS.

(a) FEDERAL SHARE PAYABLE.—Section 120 is amended by adding at the end the following:

''(l) CREDIT FOR NON-FEDERAL SHARE.—

''(1) ELIGIBILITY.—A State may use as a credit toward the non-Federal matching share requirement for any funds made available to carry out this title (other than the emergency relief program authorized in section 125) or chapter 53 of title 49 toll revenues that are generated and used by public, quasi-public, and private agencies to build, improve, or maintain highways, bridges, or tunnels that serve the public purpose of interstate commerce. Such public, quasi-public, or private agencies shall have built, improved, or maintained such facilities without Federal funds.

''(2) MAINTENANCE OF EFFORT.—

''(A) IN GENERAL.—The credit for any non-Federal share provided under this subsection shall not reduce nor replace State funds required to match Federal funds for any program under this title.

''(B) AGREEMENTS.—In receiving a credit for non-Federal capital expenditures under this subsection, a State shall enter into such agreements as the Secretary may require to ensure that the State will maintain its non-Federal transportation capital expenditures at or above the average level of such expenditures for the preceding 3 fiscal years.

''(3) TREATMENT.—

''(A) LIMITATION ON LIABILITY.—Use of a credit for a non-Federal share under this subsection that is received from a public, quasi-public, or private agency—

''(i) shall not expose the agency to additional liability, additional regulation, or additional administrative oversight; and

''(ii) shall not subject the agency to any additional Federal design standards, laws, or regulations as a result of providing the non-Federal match other than those to which the agency is already subject.

''(B) CHARTERED MULTISTATE AGENCIES.—When a credit that is received from a chartered multistate agency is applied for a non-Federal share under this subsection, such credit shall be applied equally to all charter States.''.

(b) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish and implement an Interstate System reconstruction and rehabilitation pilot program under which the Secretary, notwithstanding sections 129 and 301 of title 23, United States Code, may permit a State to collect tolls on a highway, bridge, or tunnel on the Interstate System for the purpose of reconstructing and rehabilitating Interstate highway corridors that could not otherwise be adequately maintained or functionally improved without the collection of tolls.

(2) LIMITATION ON NUMBER OF FACILITIES.—The Secretary may permit the collection of tolls under this subsection on 3 facilities on the Interstate System. Each of such facilities shall be located in a different State.

(3) ELIGIBILITY.—In order to be eligible to participate in the pilot program, a State shall submit to the Secretary an application that contains, at a minimum, the following:

(A) An identification of the facility on the Interstate System proposed to be a toll facility, including the age, condition, and intensity of use of such facility.

(B) In the case of a facility that affects a metropolitan area, an assurance that the metropolitan planning organization established under section 134 of title 23, United States Code, for the area has been consulted concerning the placement and amount of tolls on the facility.

(C) An analysis demonstrating that such facility could not be maintained or improved to meet current or future needs from the State's apportionments and allocations made available by this Act (including amendments made by this Act) and from revenues for highways from any other source without toll revenues.

(D) A facility management plan that includes—

(i) a plan for implementing the imposition of tolls on the facility;

(ii) a schedule and finance plan for the reconstruction or rehabilitation of the facility using toll revenues;

(iii) a description of the public transportation agency which will be responsible for implementation and administration of the pilot toll reconstruction and rehabilitation program; and

(iv) a description of whether consideration will be given to privatizing the maintenance and operational aspects of the converted facility, while retaining legal and administrative control of the Interstate route section.

(E) Such other information as the Secretary may require.

(4) SELECTION CRITERIA.—The Secretary may approve the application of a State under paragraph (3) only if the Secretary determines the following:

(A) The State is unable to reconstruct or rehabilitate the proposed toll facility using existing apportionments.

(B) The facility has a sufficient intensity of use, age, or condition to warrant the collection of tolls.

(C) The State plan for implementing tolls on the facility takes into account the interests of local, regional, and interstate travelers.

(D) The State plan for reconstruction or rehabilitation of the facility using toll revenues is reasonable.

(E) The State has given preference to the use of an existing public toll agency with demonstrated capability to build, operate, and maintain a toll expressway system meeting criteria for the Interstate System.

(5) LIMITATIONS ON USE OF REVENUES; AUDITS.—Before the Secretary may permit a State to participate in the pilot program, the State must enter into an agreement with the Secretary that provides that—

(A) all toll revenues received from operation of the toll facility will be used only for debt service, for reasonable return on investment of any private person financing the project, and for any costs necessary for the improvement of and the proper operation and maintenance of the toll facility, including reconstruction, resurfacing, restoration, and rehabilitation of the toll facility; and

(B) regular audits will be conducted to ensure compliance with subparagraph (A) and the results of such audits will be transmitted to the Secretary.

(6) LIMITATION ON USE OF INTERSTATE MAINTENANCE FUNDS.—During the term of the pilot program, funds apportioned for Interstate maintenance under section 104(b)(5) of title 23, United States Code, may not be used on a facility for which tolls are being collected under the program.

(7) PROGRAM TERM.—The Secretary shall conduct the pilot program under this section for a term to be determined by the Secretary but not less than 10 years.

(8) INTERSTATE SYSTEM DEFINED.—In this subsection, the term ''Interstate System'' has the same meaning such term has under section 101(a) of title 23, United States Code.

(c) BRIDGE RECONSTRUCTION OR REPLACEMENT.—Section 129(a)(1)(C) is amended by striking ''toll-free bridge or tunnel'' and inserting ''toll-free major bridge or toll-free tunnel''.

SEC. 121. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) OBLIGATION OF AMOUNTS.—Section 1064(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 129 note; 105 Stat. 2005) is amended to read as follows:

''(c) OBLIGATION OF AMOUNTS.—Amounts made available out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section may be obligated at the discretion of the Secretary. Such sums shall remain available until expended.''.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study of ferry transportation in the United States and its possessions—

(A) to identify existing ferry operations, including—

(i) the locations and routes served; and

(ii) the source and amount, if any, of funds derived from Federal, State, or local government sources supporting ferry operations; and

(B) to identify potential domestic ferry routes in the United States and its possessions and to develop information on those routes.

(2) REPORT.—The Secretary shall submit a report on the results of the study required under paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) FERRY OPERATING AND LEASING AMENDMENTS.—Section 129(c) is amended—

(1) in paragraph (3) by striking ''owned.'' and inserting ''owned or operated.''; and

(2) in paragraph (6) by striking ''sold, leased, or'' and inserting ''sold or''.

SEC. 122. HIGHWAY USE TAX EVASION PROJECTS.

(a) APPLICABILITY OF TITLE 23.—Section 1040(f) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1992) is amended to read as follows:

''(f) APPLICABILITY OF TITLE 23.—Funds made available out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project carried out under this section shall be 100 percent and such funds shall remain available for obligation for a period of 1 year after the last day of the fiscal year for which the funds are authorized.''.

(b) AUTOMATED FUEL REPORTING SYSTEM.—Section 1040 of such Act (23 U.S.C. 101 note; 105 Stat. 1992) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following:

''(g) AUTOMATED FUEL REPORTING SYSTEM.—Of the amounts made available to carry out this section for each of fiscal years 1998 through 2003, the Secretary shall make available sufficient funds to the Internal Revenue Service to establish and operate an automated fuel reporting system.''.

(c) TECHNICAL AMENDMENT.—Section 1040(a) of such Act (23 U.S.C. 101 note; 105 Stat. 1992) is amended by striking ''by subsection (e)''.

SEC. 123. PERFORMANCE BONUS PROGRAM.

(a) STUDY.—The Secretary shall develop performance-based criteria for the distribution of not to exceed 5 percent of the funds from each of the following programs:

(1) The Interstate maintenance program under section 119 of title 23, United States Code.

(2) The bridge program under section 144 of such title.

(3) The high risk road safety improvement program under section 154 of such title.

(4) The surface transportation program under section 133 of such title.

(5) The congestion mitigation and air quality improvement program under section 149 of such title.

(b) REQUIREMENTS FOR DEVELOPMENT OF CRITERIA.—Performance-based criteria developed by the Secretary under subsection (a) shall assess on a statewide basis the following:

(1) For the Interstate maintenance program, whether pavement conditions on routes on the Interstate System in the State have consistently been of a high quality or have recently improved.

(2) For the bridge program, whether the percentage of deficient bridges in the State has consistently been low or has recently decreased.

(3) For the high risk road safety improvement program, whether the level of safety on highways in the State has consistently been high or has recently improved.

(4) For the surface transportation program, whether the level of financial effort in State

funding for highway and transit investments has been high or has recently increased.

(5) For the congestion mitigation and air quality improvement program, whether the environmental performance of the transportation system has been consistently high or has improved.

(c) REQUIRED SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the performance-based criteria developed under subsection (a).

SEC. 124. METROPOLITAN PLANNING.

(a) GENERAL REQUIREMENTS.—Section 134(a) is amended by inserting after ''and goods'' the following: ''and foster economic growth and development''.

(b) COORDINATION OF MPOS.—Section 134(e) is amended—

(1) in the subsection heading by striking ''MPO'S'' and inserting ''MPOS'';

(2) by inserting before ''If'' the following: ''(1) NONATTAINMENT AREAS.—'';

(3) by adding at the end the following:

''(2) PROJECT LOCATED IN MULTIPLE MPOS.—If a project is located within the boundaries of more than one metropolitan planning organization, the metropolitan planning organizations shall coordinate plans regarding the project.''; and

(4) by indenting paragraph (1), as designated by paragraph (2) of this subsection, and aligning such paragraph (1) with paragraph (2), as added by paragraph (3) of this subsection.

(c) GOALS AND OBJECTIVES OF PLANNING PROCESS.—Section 134(f) is amended to read as follows:

''(f) GOALS AND OBJECTIVES OF PLANNING PROCESS.—To the extent that the metropolitan planning organization determines appropriate, the metropolitan transportation planning process may include consideration of goals and objectives that—

''(1) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;

''(2) increase the safety and security of the transportation system for all users;

''(3) increase the accessibility and mobility for people and freight;

''(4) protect and enhance the environment, conserve energy, and enhance quality of life;

''(5) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;

''(6) promote efficient system utilization and operation; and

''(7) preserve and optimize the existing transportation system.

This subsection shall apply to the development of long-range transportation plans and transportation improvement programs.''.

(d) LONG-RANGE PLAN.—Section 134(g) is amended—

(1) in paragraph (1) by inserting ''transportation'' after ''long-range'';

(2) in paragraph (2) by striking '', at a minimum'' and inserting ''contain, at a minimum, the following'';

(3) in paragraph (2)(A)—

(A) by striking ''Identify'' and inserting ''An identification of''; and

(B) by striking ''shall consider'' and inserting ''may consider'';

(4) by striking paragraph (2)(B) and inserting the following:

''(B) A financial plan that demonstrates how the adopted transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the transportation plan, the metropolitan planning organization and State shall cooperatively develop estimates of funds that will be available to support plan implementation.'';

(5) in paragraph (4) by inserting after ''employees,'' the following: ''freight shippers and providers of freight transportation services,''; and

(6) in paragraph (5) by inserting ''transportation'' before ''plan prepared''.

(e) TRANSPORTATION IMPROVEMENT PROGRAM.—Section 134(h) is amended—

(1) in paragraph (1), by striking ''2 years'' and inserting ''3 years''; and

(2) by adding at the end of paragraph (2)(B) the following: ''The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.''.

(f) TRANSPORTATION MANAGEMENT AREAS.—Section 134(i) is amended—

(1) in paragraph (4) by inserting after ''System'' each place it appears the following: '', under the high risk road safety program,''; and

(2) in paragraph (5)—

(A) by striking ''(1)'' and inserting ''(A)''; and

(B) by striking ''(2)'' and inserting ''(B)''.

SEC. 125. STATEWIDE PLANNING.

(a) SCOPE OF PLANNING PROCESS.—Section 135(c) is amended to read as follows:

''(c) SCOPE OF THE PLANNING PROCESS.—To the extent that a State determines appropriate, the State may consider goals and objectives in the transportation planning process that—

''(1) support the economic vitality of the Nation, its States and metropolitan areas, especially by enabling global competitiveness, productivity and efficiency;

''(2) increase the safety and security of the transportation system for all users;

''(3) increase the accessibility and mobility for people and freight;

''(4) protect and enhance the environment, conserve energy, and enhance the quality of life;

''(5) enhance the integration and connectivity of the transportation system, across and between modes throughout the State for people and freight;

''(6) promote efficient system utilization and operation; and

''(7) preserve and optimize the existing transportation system.''.

(b) ADDITIONAL CONSIDERATIONS.—Section 135(d) is amended—

(1) in the subsection heading by striking ''REQUIREMENTS'' and inserting ''CONSIDERATIONS''; and

(2) by striking ''shall, at a minimum,'' and inserting ''may''.

(c) LONG-RANGE PLAN.—Section 135(e) is amended by inserting after ''representatives,'' the following: ''freight shippers and providers of freight transportation services,''.

(d) TRANSPORTATION IMPROVEMENT PROGRAM.—Section 135(f) is amended—

(1) by inserting after the second sentence of paragraph (1) the following: ''With respect to nonmetropolitan areas of the State (areas with less than 50,000 population), the program shall be developed by the State, in cooperation with elected officials of affected local governments and elected officials of subdivisions of affected local governments which have jurisdiction over transportation planning, through a process developed by the State which ensures participation by such elected officials.'';

(2) in paragraph (1) by inserting after ''representatives,'' the following: ''freight shippers and providers of freight transportation services,'';

(3) in paragraph (2) by inserting before the last sentence the following: ''The program may include, for illustrative purposes, additional projects that would be included in the program if reasonable additional resources were available.'';

(4) in paragraph (3) by inserting after ''System'' each place it appears the following: '', under the high risk road safety program,'';

(5) in the heading to paragraph (4) by striking ''BIENNIAL'' and inserting ''TRIENNIAL''; and

(6) in paragraph (4) by striking ''biennially'' and inserting ''triennially''.

(e) PARTICIPATION OF LOCAL ELECTED OFFICIALS.—

(1) STUDY.—The Secretary shall conduct a study on the effectiveness of the participation of local elected officials in transportation planning and programming. In conducting the study, the Secretary shall consider the degree of cooperation between State, local rural officials, and regional planning and development organizations in different States.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report containing the results of the study with any recommendations the Secretary determines appropriate as a result of the study.

SEC. 126. ROADSIDE SAFETY TECHNOLOGIES.

(a) CRASH CUSHIONS.—

(1) GUIDANCE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall initiate and issue a guidance regarding the benefits and safety performance of redirective and nonredirective crash cushions in different road applications, taking into consideration roadway conditions, operating speed limits, the location of the crash cushion in the right-of-way, and any other relevant factors. The guidance shall include recommendations on the most appropriate circumstances for utilization of redirective and nonredirective crash cushions.

(2) USE OF GUIDANCE.—States shall use the guidance issued under this subsection in evaluating the safety and cost-effectiveness of utilizing different crash cushion designs and determining whether directive or nonredirective crash cushions or other safety appurtenances should be installed at specific highway locations.

(b) TRAFFIC FLOW AND SAFETY APPLICATIONS OF ROAD BARRIERS.—

(1) STUDY.—The Secretary shall conduct a study on the technologies and methods to enhance safety, streamline construction, and improve capacity by providing positive separation at all times between traffic, equipment, and workers on highway construction projects. The study shall also address how such technologies can be used to improve capacity and safety at those specific highway, bridge, and other appropriate locations where reversible lane, contraflow, and high occupancy vehicle lane operations are implemented during peak traffic periods.

(2) FACTORS TO CONSIDER.—In conducting the study, the Secretary shall consider, at a minimum, uses of positive separation technologies related to—

(A) separating workers from traffic flow when work is in progress;

(B) providing additional safe work space by utilizing adjacent and available traffic lanes during off-peak hours;

(C) rapid deployment to allow for daily or periodic restoring lanes for use by traffic during peak hours as needed;

(D) mitigating congestion caused by construction by—

(i) opening all adjacent and available lanes to traffic during peak traffic hours; or

(ii) use of reversible lanes to optimize capacity of the highway by adjusting to directional traffic flow; and

(E) permanent use of positive separation technologies to create contraflow or reversible lanes to increase the capacity of congested highways, bridges, and tunnels.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secreary shall submit a report to Congress on the results of the study. The report shall include findings and recommendations for the use of the identified technologies to provide positive separation on appropriate projects and locations. The Secretary shall provide the report to the States for their use on appropriate projects on the National Highway System and other Federal-aid highways.

SEC. 127. DISCRETIONARY PROGRAM AUTHORIZATIONS.

(a) EXECUTIVE BRANCH DISCRETIONARY PROGRAMS.—

(1) BRIDGE DISCRETIONARY PROGRAM.—The amount set aside by the Secretary under section 144(g)(2) of title 23, United States Code, shall be $100,000,000 for each of fiscal years 1998 through 2003.

(2) HIGH COST INTERSTATE SYSTEM RECONSTRUCTION AND IMPROVEMENT PROGRAM.—The amount the Secretary shall allocate for the high cost Interstate System reconstruction and improvement program under section 160(c)(2) of title 23, United States Code, shall not be more than $100,000,000 for fiscal year 1998, $100,000,000 for fiscal year 1999, $250,000,000 for fiscal year 2000, $252,000,000 for fiscal year 2001, $252,000,000 for fiscal year 2002, and $397,000,000 for fiscal year 2003.

(3) ADDITIONAL EXECUTIVE BRANCH DISCRETIONARY PROGRAMS.—Of amounts made available by section 102(a)(8) of this Act, the following sums shall be available:

(A) COORDINATED BORDER INFRASTRUCTURE AND SAFETY PROGRAM.—For the coordinated border infrastructure and safety program under section 116 of this Act $70,000,000 for fiscal year 1998, $100,000,000 for fiscal year 1999, and $100,000,000 for each of fiscal years 2000 through 2003.

(B) NATIONAL CORRIDOR PLANNING AND DEVELOPMENT PROGRAM.—For the national corridor planning and development program under section 115 of this Act $50,000,000 for fiscal year 1998, $200,000,000 for fiscal year 1999, and $250,000,000 for each of fiscal years 2000 through 2003.

(C) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—For construction of ferry boats and ferry terminal facilities under section 1064 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 129 note; 105 Stat. 2005) $18,000,000 for each of fiscal years 1998 through 2003.

(D) NATIONAL SCENIC BYWAYS PROGRAM.—For the national scenic byway program under section 162 of title 23, United States Code, $30,000,000 for each of fiscal years 1998 through 2003.

(E) VARIABLE PRICING PILOT PROGRAM.—For the variable pricing pilot program under section 119 of this Act $10,000,000 for fiscal year 1998 and $14,000,000 for each of fiscal years 1999 through 2003.

(F) HIGHWAY RESEARCH.—For highway research under sections 307, 308, and 325 of title 23, United States Code, $150,000,000 for fiscal year 1998, $185,000,000 for fiscal year 1999, and $195,000,000 for each of fiscal years 2000 through 2003.

(G) TRANSPORTATION EDUCATION, PROFESSIONAL TRAINING, AND TECHNOLOGY DEPLOYMENT.—For transportation education, professional training, and technology deployment under sections 321, 322, and 326 of title 23, United States Code, and section 5505 of title 49, United States Code, $50,000,000 for each of fiscal years 1998 and 1999 and $55,000,000 for each of fiscal years 2000 through 2003.

(H) TRANSPORTATION TECHNOLOGY INNOVATION AND DEMONSTRATION PROGRAM.—For Transportation technology innovation and demonstration program under section 632 of this Act $43,667,000 for fiscal year 1998, $44,667,000 for fiscal year 1999, $48,167,000 for fiscal year 2000, $47,717,000 for fiscal year 2001, $47,967,000 for fiscal year 2002, and $48,217,000 for fiscal year 2003.

(I) INTELLIGENCE TRANSPORTATION SYSTEMS PROGRAMS.—For intelligence transportation systems programs under subtitle B of title VI of this Act $175,000,000 for each of fiscal years 1998 through 2003.

(4) TRANSPORTATION ASSISTANCE FOR OLYMPIC CITIES.—There is authorized to be appropriated to carry out section 130 of this Act, relating to transportation assistance for Olympic cities, such sums as may be necessary for fiscal years 1998 through 2003.

(b) LEGISLATIVE BRANCH DISCRETIONARY PROGRAMS.—Section 104 is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following:

''(j) HIGH PRIORITY PROJECTS PROGRAM.—

''(1) IN GENERAL.—Of amounts made available by section 102(a)(8) of the Building Efficient Surface Transportation and Equity Act of 1998, $1,025,695,000 for fiscal year 1998, $1,398,675,000 for fiscal year 1999, $1,678,410,000 for fiscal year 2000, $1,678,410,000 for fiscal year 2001, $1,771,655,000 for fiscal year 2002, and $1,771,655,000 for fiscal year 2003 shall be available for high priority projects in accordance with this subsection. Such funds shall remain available until expended.

''(2) AUTHORIZATION OF HIGH PRIORITY PROJECTS.—The Secretary is authorized to carry out high priority projects with funds made available by paragraph (1). Of amounts made available by paragraph (1), the Secretary, subject to paragraph (3), shall make available to carry out each project described in section 127(c) of such Act the amount listed for such project in such section. Any amounts made available by this subsection that are not allocated for projects described in section 127(c) shall be available to the Secretary, subject to paragraph (3), to carry out such other high priority projects as the Secretary determines appropriate.

''(3) ALLOCATION PERCENTAGES.—For each project to be carried out with funds made available by paragraph (1)—

''(A) 11 percent of the amount allocated by such section shall be available for obligation beginning in fiscal year 1998;

''(B) 15 percent of such amount shall be available for obligation beginning in fiscal year 1999;

''(C) 18 percent of such amount shall be available for obligation beginning in fiscal year 2000;

''(D) 18 percent of such amount shall be available for obligation beginning in fiscal year 2001;

''(E) 19 percent of such amount shall be available for obligation beginning in fiscal year 2002; and

''(F) 19 percent of such amount shall be available for obligation beginning in fiscal year 2003.

''(4) FEDERAL SHARE.—The Federal share payable on account of any project carried out with funds made available by paragraph (1) shall be 80 percent of the total cost thereof.

''(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for carrying out a project or projects, with funds made available by paragraph (1), to the State in which such project or projects are located upon request of such State.

''(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for a project under this subsection—

''(A) has obligated all funds allocated under this subsection of such Act for such project; and

''(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection and such section 127(c).

''(7) NONAPPLICABILITY OF OBLIGATION LIMITATION.—Funds made available by paragraph (1) shall not be subject to any obligation limitation.''.

(c) HIGH PRIORITY PROJECTS.—Subject to section 104(j)(3) of title 23, United States Code, the amount listed for each high priority project in the following table shall be available (from amounts made available by section 104(j) of such title) for fiscal years 1998 through 2003 to carry out each such project:

[Dollars in Millions]

1. Dist. of Col.	Implement traffic signalization, freeway management and motor vehicle information systems, Washington, D.C.	8.000
2. West Virginia	Upgrade US 340 between West Virginia/Virginia State line and the Charles Town Bypass	6.500
3. New York	Construct bridge deck over the Metro North right-of-way along Park Ave. between E. 188th and 189th Streets	0.750
4. Oregon	Upgrade access road and related facilities to Port Orford, Port Orford	1.500
5. Minnesota	Upgrade Perpich Memorial from 2 miles south of Biwabik to CSAH 111	2.800
6. Indiana	Upgrade Route 31 and other roads, St. Joseph and Elkhart Counties	7.000
7. Illinois	Upgrade Western Ave., Park Forest	0.126
8. Washington	Undertake FAST Corridor improvements with the amounts provided as follows: $16,000,000 to construct the North Duwamish Intermodal Project, $4,500,000 for the Port of Tacoma Road project, $3,000,000 for the SW Third St./BSNF project in Auburn, $2,000,000	32.000
9. Dist. of Col.	Implement Geographical Information System, Washington, D.C.	10.000
10. New York	Reconstruct Niagara St., Quay St., and 8th St. including realignment of Qual St. and 8th Ave. in Niagara Falls	3.500
11. California	Construct the San Fernando Valley Regional Transportation Hub in Los	0.500
12. Washington	Construct Cross Base Corridor, Fort Lewis-McChord AFB	0.500
13. Illinois	Rehabilitate 95th Street between 54th Place and 50th Avenue, Oak Lawn	0.600
14. Virginia	Reconstruct SR 168 (Battlefield Blvd.) in Chesapeake	8.000
15. New York	Construct interchange and connector road using ITS testbed capabilities at I–90 Exit 8	13.000

[Dollars in Millions]

16. Minnesota	Trunk Highway 53 DWP railroad bridge replacement, St. Louis Co.	4.800
17. Illinois	Resurface Cicero Ave. between 127th St. and 143rd St., Chicago	0.610
18. Illinois	Undertake improvements to 127th Street, Cicero Avenue and Route 83 to improve safety and facilitate traffic flow, Crestwood	1.000
19. Illinois	Construct I–57 interchange, Coles Co.	15.000
20. Connecticut	Construct Harford Riverwalk South, Hartford	3.520
21. Virgin Islands	Upgrade West-East corridor through Charlotte Amalie	8.000
22. Connecticut	Improve pedestrian and bicycle connections between Union Station and downtown New London	4.520
23. North Carolina	Upgrade US 13 (including Ahoskie bypass) in Bertie and Hertford Counties	1.000
24. Wisconsin	Construct Chippewa Falls Bypass	6.000
25. Mississippi	Upgrade Brister Rd. between Tutwiler and Coahoma County line, Tallahatchie Co.	0.510
26. Florida	Construct improvements to JFK Boulevard, Eatonville	1.000
27. Illinois	Reconstruct Greenbriar Rd. with construction of new turn lanes in vicinity of John A. Logan College in Carterville	1.400
28. Connecticut	Construct overlook and access to Niantic Bay	3.080
29. California	Construct sound walls along SR23 in Thousand Oaks	2.532
30. Mississippi	Construct I–20 /Norrell Road interchange, Hinds County	5.000
31. North Carolina	Upgrade I–85, Mecklenburg and Cabarrus Counties	26.000
32. New Jersey	Construct, reconstruct and integrate multi-transportation modes to establish intermodal transportation corridor and center between Elizabeth and Newark	4.000
33. Texas	Road improvements along historic mission trails in San Antonio.	2.500
34. Mississippi	Construct Lincoln Road extension, Lamar Co.	1.500
35. Texas	Upgrade JFK Causeway, Corpus Christi	3.000
36. Florida	Enhance access to Gateway Marketplace through improvements to access roads, Jacksonville	1.200
37. California	Implement traffic management improvements, Grover Beach	0.500
38. California	Construct Chatsworth Depot Bicycle and Pedestrian Access project, Los	0.492
39. California	Reconstruct Palos Verdes Drive, Palos Verdes Estates	0.450
40. Wisconsin	Construct freeway conversion project on Highway 41 between Kaukauna and Brown County Highway F	20.000
41. California	Upgrade Price Canyon Road including construction of bikeway between San Luis Obispo and Pismo Beach	1.100
42. Arkansas	Upgrade US Rt. 67, Newport to Missouri State line	2.000
43. Missouri	Construct extension of bike path between Soulard market area and Riverfront bike trail in St. Louis	1.200
44. Massachusetts	Construct Greenfield-Montague Bikeways, Franklin Co.	0.900
45. Vermont	Replace Missisquoi Bay Bridge	16.000
46. California	Upgrade Route 4 East in Contra Costa Co.	10.000
47. Minnesota	Construct Phalen Blvd. between I–35E and I94	13.000
48. Ohio	Upgrade North Road between US 422 and East Market St., Trumbull Co.	1.200
49. Michigan	Construct bike path between Mount Clemens and New Baltimore	5.000
50. Maryland	Upgrade US 29 interchange with Randolph Road, Montgomery Co.	12.000
51. Texas	Construct Texas State Highway 49 between FM 1735 to Titus/Morris Co. line	6.400
52. Wisconsin	Upgrade Marshfield Blvd., Marshfield	5.000
53. California	Reconstruct the I–710/Firestone Blvd. interchange	16.000
54. Massachusetts	Construct I–495/Route 2 interchange east of existing interchange to provide access to commuter rail station, Littleton	4.200
55.. Maryland	Undertake transportation infrastructure improvements within Baltimore Empowerment Zone	13.300
56. West Virginia	Preliminary engineering, design and construction of the Orgas to Chelayn Road, Boone Co.	2.000
57. Minnesota	Upgrade CSAH 1 from CSAH 61 to 0.8 miles north	0.480
58. South Carolina	Widen North Main Street, Columbia	9.750
59. Texas	Construct circumferential freeway loop around Texarkana	9.900
60. Texas	Upgrade FM517 between Owens and FM 3346, Galveston	3.856
61. Michigan	Reconstruct Co.Rd. 612 and Co.Rd. 491, Montmorency Co.	0.910
62. Ohio	Construct Chesapeake Bypass, Lawrence Co.	5.000
63. California	Construct I–10/Pepper Ave. Interchange	8.800
64. Pennsylvania	Construct safety and capacity improvements to Rt. 309 and Old Packhouse Road including widening of Old Packhouse Road between KidsPeace National Hospital to Rt. 309	8.200
65. Iowa	Relocate US 61 to bypass Fort Madison	3.000
66. Rhode Island	Install directional signs in Newport and surrounding communities	0.300
67. Pennsylvania	Construct access to Tioga Marine Terminal, Ports of Philadelphia and Camden	1.600
68. New York	Construct bikeway and pedestrian trail improvements, Rochester	2.400
69. Ohio	Upgrade U.S. Route 422 through Girard	4.720
70. Tennessee	State Highway 109 upgrade planning and engineering	1.840
71. Virginia	Construct transportation demonstration project utilizing magnetic levitation technology along route of 'Smart Road' between Blacksburg and Roanoke	2.000
72. Massachusetts	Construct Nowottuck-Manhan Bike Trail connections, Easthampton, Amherst, Holyoke, Williamsburg and Northampton	4.000
73. New Jersey	Reconstruct Essex Street Bridge, Bergen Co.	2.500
74. Illinois	Undertake traffic mitigation and circulation enhancements, 57th and Lake Shore Drive	1.520
75. Alabama	Upgrade County Road 39 between Highway 84 and Silver Creek Park, Clarke Co.	1.000
76. Virginia	Construct road improvements, trailhead and related facilities for Birch Knob Trail on Cumberland Mountain	0.125
77. Washington	Construct SR 167 Corridor, Tacoma	1.500
78. Pennsylvania	Construct Johnstown-Cambria County Airport Relocation Road	1.600
79. Mississippi	Construct connector between US–90 and I–10 in Biloxi	8.500
80. Alabama	Upgrade SR 5 in Bibb Co.	1.700
81. Maryland	Upgrade roads within Leakin Park Intermodal Corridor, Baltimore	3.200
82. Illinois	Construct US Route 67 bypass project around Roseville	11.700
83. Pennsylvania	Construct California University of Pennsylvania intermodal facility	1.000

[Dollars in Millions]

84. Virginia	Planning and design for Coalfields Expressway, Buchanan, Dickenson and Wise Counties	1.200
85. Oregon	Design and engineering for Tualatin-Sherwood Bypass	0.500
86. California	Upgrade Route 4 West in Contra Costa Co.	10.000
87. Connecticut	Construct I–95 interchange, New Haven	26.000
88. Illinois	Replace Lebanon Ave. Bridge and approaches, Belleville	1.000
89. Minnesota	Upgrade Highway 73 from 4.5 miles north of Floodwood to 22.5 miles north of Floodwood	3.700
90. Illinois	Reconstruct Mt. Erie Blacktop in Mt. Erie	5.290
91. Michigan	Construct grade separation on Sheldon Road, Plymouth	7.000
92. Connecticut	Construct the US Rt. 7 bypass project, Brookfield to New Milford town line	5.000
93. Mississippi	Upgrade Cowan-Lorraine Rd. between I–10 and U.S. 90, Harrison Co.	10.000
94. Alabama	Construct repairs to Pratt Highway Bridge, Birmingham	0.600
95. Alabama	Initiate work on controlled access highway between I–65 and Mississippi State line	8.000
96. Michigan	Upgrade Walton Blvd. between Opdyke and Squirrel, Oakland Co.	2.000
97. Michigan	Construct Monroe Rail Consolidation Project, Monroe	6.000
98. Massachusetts	Renovate Union Station Intermodal Transportation Center in Worcester	7.000
99. Oregon	Construct bike path paralleling 42nd Street to link with existing bike path, Springfield	0.750
100. California	Improve streets and related bicycle lane in Oak Park, Ventura Co.	0.907
101. California	Construct Arbor Vitae Street improvements, Inglewood	3.500
102. Mississippi	Refurbish Satartia Bridge, Yazoo City	0.500
103. Missouri	Upgrade Route 169 between Smithville and north of I–435, Clay Co.	14.000
104. Illinois	Upgrade U.S. 45 between Eldorado and Harrisburg	5.000
105. Michigan	Replace Chevrolet Ave. bridge in Genesee Co.	1.800
106. Connecticut	Reconstruct I–84, Hartford	9.470
107. Massachusetts	Improve safety and traffic operations on Main and Green Streets, Mellrose	2.600
108. Michigan	Design and ROW acquisition for ''Intertown South'' route of US 31 bypass,	1.500
109. Illinois	Undertake improvements to Campus Transportation System	1.000
110. California	Improve streets in Canoga Park and Reseda areas, Los Angeles	1.100
111. Texas	Construct US Rt. 67 Corridor through San Angelo	7.000
112. Illinois	Upgrade Bishop Ford Expressway/142nd St. interchange	1.500
113. Texas	Construct Galveston Island Causeway Expansion project, Galveston	0.730
114. California	Reconstruct Harbor Blvd./SR22 Interchange, City of Garden Grove	2.000
115. Michigan	Undertake capital improvements to facilitate traffic between Lansing and	10.000
116. Virginia	Construct Main Street Station in Richmond	8.000
117. New York	Reconstruct Houston Street between Avenue B to the West Side Highway, New York City	2.000
118. North Carolina	Upgrade US 158 (including bypasses of Norlina, Macon and Littleton) in Halifax and Warren Counties	3.000
119. New York	Construct access road and entranceway improvments to airport in Niagara Falls	3.000
120. New Jersey	Upgrade Baldwin Ave. intersection to facilitate access to waterfront and ferry, Weehawken	4.000
121. Massachusetts	Undertake vehicular and pedestrian movement improvments within Central Business District of Foxborough	2.080
122. California	Construct I–680HOV lanes between Marina Vista toll plaza to North Main Street, Martinez to Walnut Creek	7.000
123. Michigan	Improvements to Card Road between 21 mile road and 23 mile road in Macomb Co.	1.300
124. Michigan	Upgrade (all weather) on US 2, US 41, and M 35	1.700
125. Oregon	Relocate and rebuild intersection of Highway 101 and Highway 105, Clatsop Co.	1.600
126. New York	Undertake Linden Place reconstruction project, Queens	7.000
127. Texas	Construct Houston Street Viaduck project in Dallas	5.500
128. Iowa	Improve US 65/IA 5 interchange, Polk Co.	5.000
129. Texas	Construct segment located south of U.S. 209 in Travis County of a bypass to I–35 known as SH–130 only on a route running east of Decker Lake	16.000
130. Illinois	Rehabilitate Timber Bridge over Little Muddy River and approach roadway, Perry Co.	0.140
131. Connecticut	Reconstruct cross road over I–95, Waterford	2.000
132. Minnesota	Construct pedestrian overpass on Highway 169, Mille Lacs Reservation	0.600
133. Hawaii	Upgrade Kaumualili Highway	10.000
134. Massachusetts	Undertake improvements to South Station Intermodal Station	3.000
135. Illinois	Construct Marina Access Road, East Chicago	1.000
136. Massachusetts	Reconstruct North Street, Fitchburg	1.000
137. Virginia	Replace Shore Drive Bridge over Petty Lake, Norfolk	4.000
138. New Jersey	Upgrade Urban University Heights Connector, Newark	9.700
139. California	Implement City of Compton traffic signal systems improvements	5.800
140. California	Undertake San Pedro Bridge project at SR 1, Pacifica	1.500
141. Texas	Construct grade separations in Manchester	16.000
142. Minnesota	Upgrade TH6 between Talmoon to Bowstring River	1.200
143. North Carolina	Construct US Route 17, Elizabeth City Bypass	0.500
144. Pennsylvania	Undertake transportation enhancement activities within the Lehigh Landing Area of the Delaware and Lehigh Canal National Heritage Corridor	7.000
145. Texas	Upgrade State Highway 24 from Commerce to State Highway 19 north of Cooper	5.000
146. California	Reconstruct I–215 and construct HOV lanes between 2nd Street and 9th Street, San Bernardino	2.750
147. California	Undertake safety enhancements along Monterey County Railroad highway grade, Monterey Co.	2.800
148. Michigan	Upgrade I–94 between M–39 and I–69	8.000
149. Michigan	Widen and make improvements to Baldwin and Joslyn Roads, Oakland Co.	5.000
150. Arkansas	Construct Geyer Springs RR grade separation, Little Rock	1.000
151. New Jersey	Construct Route 4/17 interchange in Paramus	8.500
152. West Virginia	Upgrade US Rt. 35 between I–64 and South Buffalo Bridge	35.000
153. Alabama	Construct enhancements along 12th Street between State Highway 11 and Baptist Princeton Hospital, Birmingham	0.800
154. Pennsylvania	Construct Independence Gateway Transportation Center project, Philadelphia	6.000
155. Minnesota	Implement Trunk Highway 8 Corridor projects, Chisago Co.	15.300
156. Missouri	Construct extension of bike path between Soulard market area and Riverfront bike trail in St. Louis	0.800
157. Mississippi	Upgrade Goose Pond Subdivision Roads, Tallahatchie Co.	0.200

[Dollars in Millions]

158. Iowa	Construct controlled access four-lane highway between Des Moines and Burlington	14.925
159. Maryland	Construct improvements to Route 50 interchange with Columbia Pike, Prince Georges Co.	3.200
160. Tennessee	Construct Landport regional transportation hub, Nashville	8.000
161. California	Construct San Francisco Regional Intermodal Terminal	12.500
162. Texas	Relocate railroad tracks to eliminate road crossings, and provide for the rehabilitation of secondary roads providing access to various parts of the Port and the construction of new connecting roads to access new infrastructure safely and efficiently, Bro	6.000
163. Massachusetts	Replace Brightman Street bridge in Fall River	13.640
164. California	Construct Alameda Corridor East project	12.750
165. Georgia	Upgrade US Rt. 27	10.000
166. Michigan	Upgrade Davison Rd. between Belsay and Irish Roads, Genessee Co.	4.500
167. Pennsylvania	Upgrade PA 228 (Crows Run Corridor)	7.200
168. Maine	Replace Singing Bridge across Taunton Bay	1.000
169. California	Roadway improvements to provide access to Hansen Dam Recreation Area in Los Angeles	1.000
170. Pennsylvania	Construct Rt. 819/Rt. 119 interchange between Mt. Pleasant and Scottdale	14.400
171. Massachusetts	Reconstruct Huntington Ave. in Boston	4.000
172. Ohio	Replace McCuffey Road Bridge, Mahoning Co.	3.360
173. Michigan	Upgrade Rochester Road between I–75 and Torpsey St.	12.300
174. California	Rehabilitate Artesia Blvd.	4.000
175. Illinois	Construct improvements to McKinley Bridge over Mississippi River with terminus points in Venice, Illinois, and St. Louis, Missouri	5.200
176. Maine	Construct I–295 connector, Portland	4.500
177. Maine	Studies and planning for reconstruction of East-West Highway	4.000
178. Illinois	Reconstruct Claire Blvd., Robbins	0.330
179. Pennsylvania	Upgrade PA Route 21, Fayette and Greene Counties	7.000
180. California	Construct VC Campus Parkway Loop System in Merced	8.000
181. Massachusetts	Replace deck of Chain Bridge over Merrimack River	1.012
182. New York	Construct Edgewater Road Dedicated Truck Route	12.000
183. Illinois	Construct Raney Street Overpass in Effingham	4.400
184. Pennsylvania	Replace Masontown bridge, Fayette and Greene Counties	7.000
185. Pennsylvania	Upgrade US Rt. 22, Chickory Mountain section	10.200
186. Michigan	Upgrade Lalie St., Frenchtown Rd., and Penshee Rd., Ironwood	0.360
187. South Carolina	Upgrade US Highway 301 within Bamberg	2.950
188. Arizona	Construct Veterans' Memorial overpass in Pima Co.	15.000
189. Michigan	Replace Chalk Hills Bridge over Menominee River	0.400
190. Michigan	Construct intermodal freight terminal in Wayne Co.	24.000
191. Oregon	Replace grade crossing with separated crossing and related improvements, Linn Co.	6.710
192. California	Reconstruct State Route 81 (Sierra Ave.) and I–10 Interchange in Fontana	10.000
193. California	Construct four-lane highway facility (Hollister Bypass), San Benito Co.	3.000
194. Maine	Construct new bridge over Kennebee River (Carlton Bridge replacement)	8.000
195. Oregon	Upgrade I–5/Highway 217 interchange, Portland	7.000
196. American Samoa	Upgrade village roads on Tutilla Island, American Samoa	11.000
197. New Jersey	Eliminate Berlin Circle and signalize intersection in Camden	8.000
198. New York	Implement Melrose Commons geographic information system	1.000
199. Pennsylvania	Reconstruct Lover Interchange on I–70, Washington Co.	5.000
200. Virginia	Aquire land and construct segment of Daniel Boone Heritage Trail (Kane Gap section), Jefferson National Forest	0.200
201. California	Construct Sacramento Intermodal Station	4.000
202. New York	Construct intermodal facility in New Rochelle, Westchester Co.	7.250
203. New York	Reconstruct 79th Street Traffic Circle, New York City	9.000
204. Pennsylvania	Extend North Delaware Ave. between Lewis St. and Orthodox St., Philadelphia	5.200
205. Missouri	Upgrade Route MO291 Connector	2.000
206. Pennsylvania	Upgrade US Rt. 119 between Homer City and Blairsville	6.400
207. West Virginia	Relocate segment of Route 33 (Scott Miller Bypass), Roane Co.	8.000
208. Missouri	Construct on intermodal center at Missouri Botanical Garden	1.600
209. Maine	Rehabilitate Piscataqua River bridges, Kittery	5.250
210. Wisconsin	Upgrade STH 29 between IH 94 and Chippewa Falls	6.000
211. Illinois	Extend and reconstruct roadways through industrial corridor in Alton	5.690
212. New Jersey	Construct road from the Military Ocean Terminal to the Port Jersey Pier, Bayonne	3.000
213. Missouri	Relocate and reconstruct Route 21 between Schenk Rd. to Town of DeSoto	40.000
214. Michigan	Improve drainage on 6th Street in Menominee	0.150
215. Pennsylvania	Reconstruct and widen US Rt. 222 to four-lane expressway between Lancaster/Berks County line and Grings Mill Rd. and construction of Warren Street extenstion in Reading	25.000
216. New Jersey	Relocate and complete construction of new multi-modal facility, Weehawken	8.000
217. Arkansas	Construct North Belt Freeway	7.000
218. California	Rehabilitate pavement throughout Santa Barbara Co.	1.500
219. Virginia	Repair historic wooden bridges along portion of Virginia Creeper Trail maintained by Town of Abingdon	2.050
220. Arizona	Reconstruct I–19, East Side Frontage Road, Ruby Road to Rio Rico Drive, Nogales	10.000
221. Massachusetts	Conduct planning and engineering for connector route between I–95 and industrial/business park, Attleboro	0.800
222. Georgia	Undertake Perimeter Central Parkway Overpass project and Ashford Dunwoody interchange improvements at I–285, DeKalb Co.	0.100
223. Ohio	Construct Wilmington Bypass, Wilmington	5.000
224. Illinois	Construct Western Springs Pedestrian and Tunnel project, Cook Co.	0.925
225. Minnesota	Upgrade Cass County Road 105 and Crow Wing County Road 125, East Gull Lake	0.960
226. Michigan	Upgrade H-58 within Pictured Rocks National Lakeshore	5.600
227. California	Reconstruct and widen Mission Road, Alhambra	3.250
228. Texas	Reconstruct and widen I–35 between North of Georgetown at Loop 418 to US Rt. 190	8.000
229. Florida	Construct access road to St. Johns Ave. Industrial Park	1.000
230. Illinois	Intersection improvements at 79th and Stoney Island Blvd., Chicago	1.740
231. Michigan	Construct Tawas Beach Road/US 23 interchange improvements, East Tawas	2.200
232. Pennsylvania	Construct Lawrenceville Industrial Access Road	10.000

[Dollars in Millions]

233. Maryland	Construct intersection improvements to facilitate access to NSA facility, Anne Arundel Co.	3.000
234. California	Upgrade Del Almo Boulevard at I–405	5.000
235. Minnesota	Reconstruct and replace I–494 Wakota Bridge from South St. Paul to Newport, and approaches	13.000
236. Tennessee	Construct separated grade crossing at US 41 and US 231, Murfreesboro	0.323
237. Michigan	Construct four-lane boulevard from Dixie Highway to Walton Blvd., Oakland Co.	3.700
238. New York	Reconstruct Mamaroneck Ave., White Plains, Harrison and Mamaroneck	4.500
239. Texas	Upgrade FM 1764 between FM 646 to State Highway 6	3.000
240. Texas	Construct ramp connection between Hammet St. to Highway 54 ramp to provide access to I–10 in El Paso	8.000
241. New York	Undertake studies, planning, engineering, design and construction of a tunnel alternative to reconstruction of existing elvated expressway (Gowanus tunnel project)	32.000
242. New York	Rehabilitate segment of Henry Hudson Parkway between Washington Bridge and Dyckman St., New York City	1.470
243. Illinois	Construct bicycle/pedestrian trail parallel to light rail transit system in St. Clair Co.	6.000
244. Indiana	Extend SR 149 between SR 130 to US Rt. 30, Valparaiso	5.900
245. Connecticut	Construct Greenmanville Ave. streetscape extension, including feasibility study, in towns of Groton, Stonington and Mystic	8.400
246. Illinois	Reconstruct Broad Street between Maple St. to Sixth St., Evansville	0.350
247. New York	Construct Mineola and Hicksville Intermodal Centers in Nassau Co.	16.000
248. Colorado	Construct intermodal center at Stapleton, Denver	3.000
249. New Jersey	Undertake improvements associated with the South Amboy Regional Intermodal Center	16.000
250. Michigan	Extend Trowbridge Road from Harrison Rd. to Red Cedar Rd.	2.500
251. Massachusetts	Construct improvements to North Main St. in Worcester	2.400
252. Tennessee	Upgrade SR 96 between Arno Rd. and SR 252, Williamson Co.	3.600
253. Louisiana	Extend Howard Avenue to Union Passenger Terminal, New Orleans	8.000
254. California	Construct bike path between Sepulveda Basin Recreation Area and Warner Center/Canoga Park, Los Angeles	3.000
255. New York	Upgrade Route 17 between Five Mile Point and Occanum, Broome Co.	16.800
256. Ohio	Upgrade US Rt. 33 between vicinity of Haydenville to Floodwood (Nelsonville Bypass)	5.000
257. Oregon	Construct passing lande on Highway 58 between Kitson Ridge Road and Mile Post 47, Lane Co.	6.800
258. Michigan	Upgrade East Jordon Road, Boyne City	0.170
259. California	Reconstruct Tennessee Valley Bridge, Marin Co.	1.000
260. Illinois	Improve access to 93rd Street Station, Chicago	3.000
261. California	Construct I–580 interchange, Livermore	13.200
262. California	Construct San Diego and Arizona Eastern Intermodal Yard	10.000
263. Michigan	Apply ITS technologies relating to traffic control, Lansing	3.700
264. California	Construct Palisades Bluff Stabilization project, Santa Monica	8.000
265. Rhode Island	Upgrade pedestrian traffic facilities, Bristol	0.100
266. Rhode Island	Implement transportation alternative relating to Court Street Bridge, Woonsocket	0.200
267. California	Upgrade Industrial Parkway Southwest between Whipple Rd. and improved segment of the parkway, Hayward	0.600
268. Missouri	Replace bridge on Route 92, Platte Co.	1.000
269. Ohio	Upgrade Western Reserve Road, Mahoning Co.	5.600
270. Ohio	Upgrade SR 124 between Five Points and Ravenswood Bridge, Meigs Co.	5.000
271. Illinois	Undertake streetscaping between Damden and Halsted	1.150
272. Illinois	Construct improvements to New Era Road, Carbondale	3.500
273. New York	Construct access improvements to Port of Rochester Harbor, Rochester	12.000
274. Rhode Island	Reconstruct interchanges on Rt. 116 between Rt. 146 and Ashton Viaduct, Lincoln	0.445
275. West Virginia	Preliminary engineering and design for access road to proposed location of regional airport, Lincoln Co.	1.000
276. Massachusetts	Upgrade Route 2 between Philipston and Greenfield	4.000
277. Ohio	Construct grade separations at Front Street and Bagley Road, Berea	14.000
278. Pennsylvania	Relocate PA 18 between 9th Ave. and 32nd St., Beaver Falls	1.400
279. California	Construct bike paths, Thousand Oaks	0.625
280. Oregon	Construct right-of-way improvements to provide improved pedestrian access to MAX light rail, Gresham	1.282
281. Louisiana	Reconstruct I–10 and Ryan Street access ramps and frontage street improvements, Lake Charles	8.000
282. California	Upgrade SR 92/El Camino interchange, San Mateo	3.700
283. Massachusetts	Construct Housatonic-Hoosic bicycle network	4.000
284. Texas	Upgrade SH 30, Huntsville	2.500
285. Connecticut	Replace bridges over Harbor Brook, Meriden	6.550
286. Indiana	Extend SR 149 between SR 130 to US Rt. 30	1.000
287. West Virginia	Construct improvements on WV 9 including turning lane and signalization, Berkely Co.	0.200
288. Arkansas	Upgrade Highway 63, Marked Tree to Lake David	12.000
289. Dist. of Col.	Conduct studies and related activities pertaining to proposed intermodal transportation Center, D.C.	1.000
290. Ohio	Undertake improvements to Valley Street, Dayton	0.900
291. Texas	Construct US Expressway 77/83 interchange, Harlingen	7.500
292. Texas	Construct Loop 197, Galveston	4.290
293. Minnesota	Upgrade Highway 53 between Virginia and Cook	2.000
294. California	Upgrade intersection of Folsom Blvd. and Power Inn Rd., Sacramento	10.000
295. California	Reconstruct Grand Avenue between Elm Street and Halcyon Road, Arroyo Grande	0.500
296. New York	Construct intermodal facility in Yonkers, Westchester Co.	10.250
297. Massachusetts	Construct bike path between Rt. 16 (Everett) to Lynn Oceanside	1.700
298. Oregon	Design and engineering for intermodal transportation center, Astoria	0.300
299. California	Construct Port of Oakland intermodal terminal	8.000
300. Indiana	Upgrade County roads in LaPorte County	7.000
301. Alabama	Replace bridge over Tombigbee River, Naheola	3.000
302. Virginia	Construct access road and related facilities for Fisher Peak Mountain Music Interpretive Center on Blue Ridge Parkway	1.700
303. Colorado	Reconstruct and upgrade I–70/I–25 Interchange, Denver	13.000

[Dollars in Millions]

304. Alabama	Construct improvements to 41st Street between 1st Ave. South and Airport Highway, Birmingham	1.000
305. New York	Replace Route 28 bridge over NY State Thruway, Ulster Co.	3.200
306. Minnesota	Reconstruct SE Main Ave./I–94 interchange, Moorhead	4.000
307. Indiana	Construct Gary Marina access road (Buffington Harbor)	10.000
308. Washington	Undertake SR 166 slide repair	6.500
309. Oregon	Construct bike path between Main Street/Highway 99 in Cottage Grove to Row River Trail, Cottage Grove	0.230
310. Minnesota	Upgrade 10th Street South, St. Cloud	1.500
311. Missouri	Construct Grand Ave. viaduct over Mill Creek Valley in St. Louis	2.200
312. Missouri	Construct Strother Rd./I–470 interchange, Jackson Co.	8.000
313. Wisconsin	Upgrade U.S. 51 between I–90/94 to northern Wisconsin	5.000
314. Virginia	Construct trailhead and related facilities and restore old Whitetop Train Station at terminus of Virginia Creeper Trail adjacent to Mount Rogers National Recreation Area	0.250
315. Oregon	Reconstruct Lovejoy ramp, Portland	7.718
316. Michigan	Rehabilitate Lincoln St., Negaunee	0.170
317. New York	Construct full access controlled expressway along NY Route 17 at Parkville, Sullivan Co.	6.000
318. Texas	Construct extension of Bay Area Blvd.	1.000
319. California	Construct pedestrian boardwalk between terminus of Pismo Promenade at Pismo Creek and Grande Avenue in Gover Beach	0.500
320. Michigan	Construct deceleration lane in front of 4427 Wilder Road, Bay City	0.020
321. Massachusetts	Construct Arlington to Boston Bike Path	1.000
322. Virginia	Undertake access improvements for Freemason Harbor Development Initiative, Norfolk	2.000
323. Oregon	Construct bike path along Willamette River, Corvallis	0.808
324. California	Upgrade Highway 99 between State Highway 70 and Lincoln Rd., Sutter Co.	14.300
325. Texas	Construct US 77/83 Expressway extension, Brownsville	3.000
326. Ohio	Undertake improvements to open Federal Street to traffic, Youngstown	2.080
327. Massachusetts	Upgrade I–495 interchange 17 and related improvements including along Route 140	14.480
328. Indiana	Undertake safety and mobility improvements involving street and street crossings and Conrail line, Elkhart	2.000
329. Illinois	Reconstruct interchange at I–294, 127th St. and Cicero Ave. with new ramps to the Tri-State Tollway, Alsip	34.265
330. Minnesota	Construct TH 1 east of Northome including bicycle/pedestrian trail	0.240
331. Missouri	Construct Jefferson Ave. viaduct over Mill Creek Valley in St. Louis	11.000
332. Ohio	Construct connector road between North Road and SR46, Trumbull Co.	5.680
333. Oregon	Repair bridge over Rogue River, Gold Beach	10.000
334. Tennessee	Construct I–40/SR 155 interchange, Davidson	9.000
335. Pennsylvania	Upgrade I–95 between Lehigh Ave. and Columbia Ave. and improvements to Girard Ave./I–95 interchange, Philadelphia	29.000
336. Massachusetts	Construct Hyannis Intermodal Transportation Center, Hyannis	3.200
337. New York	Reconstruct 127th Street viaduct, New York City	1.470
338. California	Construct bicycle path, Westlake Village	0.136
339. California	Upgrade Osgood Road between Washington Blvd. and South Grimmer Blvd., Freemont	2.000
340. Tennessee	Upgrade Briley Parkway between I–40 and Opreyland	9.000
341. Minnesota	Construct Gunflint Realignment project, Grand Marais	0.800
342. Maryland	Construct Baltimore Washington Parkway to Route 197, Prince Georges Co.	8.000
343. Virgin Islands	Construct bypass around Christiansted	8.000
344. Dist. of Col.	Rehabilitate Theodore Roosevelt Memorial Bridge	10.000
345. California	Construct Los Angeles County Gateway Cities NHS Access	8.750
346. South Carolina	Construct pedestrian walkway and safety improvements along SC 277, Richland Co.	0.800
347. Ohio	Upgrade US Rt. 35 between vicinity of Chillicothe to Village of Richmond Dale	5.000
348. California	Extend 7th St. between F St. and North 7th St., Sacramento	2.000
349. Illinois	Construct I–64/North Greenmount Rd. interchange, St. Clair Co.	4.800
350. Texas	Construct 6th and 7th Street overpass over railroad yard, Brownsville	0.500
351. Iowa	Construct four-lane expressway between Des Moines and Marshalltown	11.100
352. Michigan	Construct route improvements along Washington Ave. between Janes Ave. to Johnson St. and East Genesee Ave. between Saginaw River and Janes Ave., Saginaw	3.600
353. Minnesota	Construct pedestrian bridge over TH 169 in Elk River	0.707
354. Michigan	Reconstruct I–75/M-57 interchange	14.000
355. Virginia	Upgrade Danville Bypass in Pittsylvania	4.000
356. Massachusetts	Reconstruct Route 126 and replace bridge spanning Route 9, Town of Framingham	4.700
357. Alabama	Construct improvements to 19th Street between I–59 and Tuxedo Junction, Birmingham	0.900
358. Ohio	Restore Main and First Streets to two-way traffic, Miamisburg	0.450
359. Texas	Upgrade FM225, Nacogdoches	4.000
360. California	Construct railroad at-grade crossings, San Leandro	0.500
361. Pennsylvania	Improve walking and biking trails between Easton and Lehigh Gorge State Park within the Delaware and Lehigh Canal National Heritage Corridor	2.800
362. Massachusetts	Environmental studies, preliminary engineering and design of North-South Connector in Pittsfield to improve access to I–90	2.000
363. Oregon	Upgrade Naito Parkway, Portland	1.500
364. Pennsylvania	Make safety improvements on PA Rt. 61 (Dusselfink Safety Project) between Rt. 183 in Cressona and SR 0215 in Mount Carbon	7.000
365. New York	Capital improvements for the car float operations in Brooklyn, New York, for the New York City Economic Development Corp.	14.000
366. California	Construct Backbone Trail through Santa Monica National Recreation Area	0.200
367. Massachusetts	Reconstruct Greenfield Road, Montague	2.500
368. North Dakota	Upgrade U.S. Route 52 between Donnybrook and US Route 2	2.400
369. Pennsylvania	Construct Philadelphia Intermodal Gateway Project at 30th St. Station	8.000
370. Hawaii	Construct Kapaa Bypass	10.000
371. Missouri	Construct bike/pedestrian path between Delmar Metrolink Station and University City loop business district in St. Louis	0.800
372. Hawaii	Replace Sand Island tunnel with bridge	1.000
373. Missouri	Improve safety and traffic flow on Rt. 13 through Clinton	8.000
374. California	Construct improvements to Moorpark/Highway 101 interchange, Bouchard/Highway 101 interchange and associated street improvements, Thousand Oaks	0.368

[Dollars in Millions]

375. Texas	Construct extension of West Austin Street (FM 2609) between Old Tyler Road and Loop 224, Nacogdoches	1.800
376. Washington	Construct passenger ferry to serve Southworth-Seattle	5.000
377. Hawaii	Construct interchange at junction of proposed North-South road and H–1	20.000
378. South Carolina	Construct I–95/I–26 interchange, Orangeburg Co.	12.000
379. Ohio	Upgrade SR 46 between Mahoning Ave. and Salt Springs Rd., Mahoning and Trumbull Counties	3.520
380. California	Rehabilitate Highway 1 in Guadalupe	0.500
381. Massachusetts	Construct Great River Bridge improvements, Westfield	2.000
382. Maine	Studies and planning for extension of I–95	1.500
383. Michigan	Widen Arch St., Negaunee	0.080
384. Texas	Construct Concord Road Widening project, Beaumont	8.500
385. Massachusetts	Construct accessibility improvments to Charles Street T Station, Boston	4.000
386. Oregon	Purchase and install emitters and receiving equipment to facilitate movement of emergency and transit vehicles at key arterial intersections, Portland	4.500
387. Pennsylvania	Construct bicycle and pedestrian facility between Boston Bridge and McKee Point Park, Allegheny Co.	0.180
388. Oregon	Restore transportation connection between Wauna, Astoria and Port of Astoria	0.700
389. Pennsylvania	Construct Wexford I–79/SR 910 Interchange, Allegheny Co.	1.100
390. Minnesota	Undertake improvements to Hennepin County Bikeway	5.200
391. New Jersey	Construct New Jersey Exit 13A Flyover (extension of Kapkowsk Rd. to Trumbull St.)	3.000
392. Texas	Implement 'Hike and Bike' trail program, Houston	8.000
393. Puerto Rico	Upgrade PR 30 between PR 203 in Gurabo to PR 31 in Juncos	8.000
394. Illinois	Planning, engineering and first phase construction of beltway connector, Decatur	10.310
395. Texas	Extend Texas State Highway 154 between US 80W and State Highway 43S	4.900
396. Illinois	Construct bypass of historic stone bridge, Maeystown	0.820
397. Ohio	Rehabilitate Martin Luther King, Jr. Bridge, Toledo	2.000
398. Missouri	Upgrade Little Blue Expressway, Jackson Co.	3.000
399. Puerto Rico	Upgrade PR 3 between Rio Grande and Fajardo	8.000
400. Illinois	Reconstruct Cossitt Ave. in LaGrange	1.485
401. Pennsylvania	Facilitate coordination of transportation systems at intersection of 46th and Market, and enhance access and related measures to area facilities including purchase of vans for reverse commutes, Philadelphia	4.000
402. Connecticut	Upgrade bridge over Naugatuck River, Ansonia	0.450
403. Pennsylvania	Construct access road to Hastings Industrial Park, Cambria Co.	6.400
404. Pennsylvania	Construct Mon-Fayette Expressway between Union Town and Brownsville	20.000
405. Washington	Reconstruct I–5 interchange, City of Lacy	1.500
406. Dist. of Col.	Construct bicycle and pedestrian walkway (Metropolitan Branch Trail), Union Station to Silver Spring	10.000
407. New Jersey	Upgrade I–78 interchange and West Peddie St. ramps, Newark	6.300
408. Tennessee	Implement ITS technologies, Nashville	2.800
409. Connecticut	Construct bicycle and pedestrian walkway, Town of East Hartford	1.200
410. North Carolina	Upgrade Highway 55 between US 64 and State Route 1121, Wake and Durham Counties	23.000
411. Virginia	Upgrade Route 501 in Bedford County	1.000
412. Georgia	Construct multi-modal passenger terminal, Atlanta	16.000
413. Virginia	Renovate Greater Richmond Transit transportation facility, Richmond	5.000
414. Michigan	Upgrade Van Dyke Road between M–59 and Utica City limits	3.700
415. Pennsylvania	Design, engineer, ROW acquisition and construct the Luzerne County Community College Road between S.R. 2002 and S.R. 3004 one-mile west of Center Street through S.R. 2008 in the vicinity of Prospect Street and the Luzerne County Community College	14.000
416. Texas	Construct two-lane parallel bridge, State Highway 146, FM 517 to vicinity of Dickinson Bayou	4.850
417. North Dakota	Upgrade US Rt. 52, Kenmare to Donnybrook	2.800
418. Minnesota	Improve roads, Edge of Wilderness, Grand Rapids to Effie	6.000
419. Virginia	Construct access road, walking trail and related facilities for the Nicholsville Center, Scott Co.	0.225
420. Maryland	Construct pedestrian and bicycle path between Druid Hill Park and Penn Station, Baltimore	1.800
421. Illinois	Construct access road to Melvin Price Locks and Dam Visitors Center, Madison Co.	1.500
422. New York	Install advance traffic management system along Cross County Parkway between Saw Mill River Parkway and Hutchinson River Parkway	4.000
423. South Carolina	Construct I–77/SC #S–20–30 interchange, Fairfield Co.	7.000
424. Pennsylvania	Rehabilitate Jefferson Heights Bridge, Penn Hills	1.500
425. Oregon	Construct I–205/Sunnyside/Sunnybrook interchange and related extrension road, Clackamas Co.	20.000
426. New York	Conduct Trans-Hudson Freight Improvement MIS, New York City	5.000
427. Illinois	Construct Marion Street multi-modal project in Village of Oak Park	2.000
428. Pennsylvania	Upgrade roadway in the Princeton/Cottman I–95 interchange and related improvements, Philadelphia	20.200
429. California	Extend I–10 HOV lanes, Los Angeles	2.940
430. Massachusetts	Rehabilitate Union Station in Springfield	16.000
431. California	Upgrade Greenville Rd. and construct railroad underpass, Livermore	6.800
432. Pennsylvania	Extend Martin Luther King, Jr. East Busway to link with Mon-Fayette	6.000
433. Michigan	Construct improvements to Linden Rd. between Maple Ave. and Pierson Rd., Genessee Co.	1.200
434. Texas	Construct Titus County West Loop, Mount Pleasant	2.500
435. New York	Upgrade Riverside Drive between 97th St. and Tiemann, New York City	1.470
436. Florida	Construct interchange at 21st Street to provide access to Talleyrand Marine Terminal	11.300
437. Minnesota	Upgrade CSAH 116 north of SCAH 88 in Ely	1.600
438. New York	Rehabilitate Queens Blvd./Sunnyside Yard Bridge, New York City	8.000
439. Oregon	Upgrade I–5, Salem	6.592
440. California	Install call boxes along Highway 166 between intersection with Highway 101 and junction with Highway 33	0.288
441. Arkansas	Construct US 63 interchange with Washington Ave. and Highway 63B	2.000
442. Virginia	Upgrade Rt. 600 to facilitate access between I–81 and Mount Rogers National Recreation Area	8.000

[Dollars in Millions]

443. Pennsylvania	Construct bicycle and pedestrian facility between Washington's Landing and Millvale Borough, Allegheny Co.	0.620
444. New Jersey	Conduct Route 46 Corridor Improvement Project with of the amount provided, $11,500,000 for the Route 46/Riverview Drive Interchange reconstruction project, $16,900,000 for the Route 46/Van Houton Avenue reconstruction project, and $4,100,000 for the Route	32.500
445. Virginia	Construct Southeastern Parkway and Greenbelt in Virginia Beach	4.000
446. Michigan	Upgrade Hill Road corridor between I–75 to Dort Highway, Genesee Co.	3.000
447. Louisiana	Upgrade Lapalco Blvd. between Destrehan Ave. and Lapalco Blvd., Jefferson Parish	8.000
448. California	Upgrade South Higuera Street, San Luis Obispo	0.900
449. Rhode Island	Reconstruct Harris Ave., Woonsocket	2.000
450. California	Construct Olympic Training Center Access Road, Chula Vista	5.000
451. Alabama	Construct bridge over Tennessee River connecting Muscle Shoals and Florence	10.000
452. North Carolina	Construct I–540 from east of NC Rt. 50 to east of US Rt. 1 in Wake Co.	13.000
453. Oregon	Upgrade Murray Blvd. including overpass bridge, Millikan to Terman	5.000
454. California	Planning, preliminary engineering and design for Etiwanda Ave./I–10 interchange, San Bernardino Co.	2.000
455. Arkansas	Upgrade US Rt. 412, Mountain Home to Missouri State line	10.000
456. California	Upgrade access road to Mare Island	1.000
457. California	Construct Prunedale Bypass segment of U.S. 101, Monterey Co.	2.200
458. Illinois	Rehabilitate and upgrade 87th Street Station to improve intermodal access	2.362
459. Wisconsin	Upgrade US Rt. 10 between Waupaca to US Rt. 41	8.000
460. Minnesota	Construct railroad crossing connecting University of MN with City of Crookston	0.200
461. Wisconsin	Construct Eau Claire Bypass project	8.000
462. Illinois	Resurface 63rd Street from Western Avenue to Wallace, Chicago	0.750
463. New York	Reconstruct Chili Ave. between W. City Line and West Ave., Rochester	1.600
464. West Virginia	Construct I–81 interchange, Martinsburg	5.300
465. Texas	Construct transportation improvements as part of redevelopment of Kelly AFB, San Antonio	5.000
466. Oregon	Construct roundabout at intersection of Highway 101 and Highway 202, Clatsop Co.	0.400
467. Oregon	Construct bike path improvements between W.D. Street to south parking lot in Island Park and bicycle/pedestrian facility between Island Park path to the Willamalane Senior Center, Springfield	0.100
468. Ohio	Undertake multimodal transportation improvements, Dayton	2.750
469. Massachusetts	Upgrade Rt. 3 between Rt. 128/I–95 to Massachusetts and New Hampshire State Line	8.200
470. Texas	Conduct MIS for Multimodal Downtown Improvement Project, San Antonio	1.000
471. California	Construct improvements to Route 101/Lost Hills Road interchange, Calabasas	5.790
472. Florida	Construct John Young Parkway/I–4 interchange	8.000
473. Texas	Reconstruct FM 364 between Humble Road and I–10, Beaumont	4.800
474. Texas	Construct Austin to San Antonio Corridor	9.500
475. Texas	Construct East Loop, Brownsville	1.000
476. Illinois	Upgrade South Lake Shore Drive between 47th and Hayes, Chicago	7.800
477. Alabama	Construct Finley Ave. Extension East project	3.900
478. Tennessee	Implement middle Tennessee alternative transportation system along the Stones River	9.500
479. Hawaii	Construct improvements to H–1 between the Waiawa interchange and the Halawa interchange	2.000
480. New Jersey	Upgrade Industrial Road between Carteret and Woodbridge Township	3.000
481. Minnesota	Restore MN Transportation facility, Jackson Street Roundhouse, St. Paul	1.000
482. Hawaii	Construct Kawahihee Bypass	1.000
483. Georgia	Upgrade U.S. Rt. 19 between Albany and Thomaston	5.000
484. Michigan	Upgrade M–15 from I–75 north to the Genesee County line	0.500
485. Georgia	Upgrade Lithonia Industrial Boulevard, DeKalb Co.	0.500
486. Michigan	Upgrade Walton Blvd. between Dixie and Sashabaw, Oakland Co.	2.000
487. Kentucky	Reconstruct Liberty and Todd Roads, Lexington	8.000
488. North Carolina	Construct Charlotte Western Outer Loop freeway, Mecklenburg Co.	16.000
489. Tennessee	Construct Crosstown Greenway/Bikeway, Springfield	3.200
490. North Carolina	Construct segment of I–74 between Maxton Bypass and NC 710, Robeson Co.	2.000
491. Pennsylvania	Construct enhancements and related measures, including purchase of vans for reverse commutes, to intermodal facility located at intersection of 52nd and Lancaster Ave., Philadelphia	4.000
492. Illinois	Undertake Industrial Transportation Improvement Program in Chicago	4.350
493. Illinois	Resurface S. Chicago Ave. From 71st to 95th Streets, Chicago	1.060
494. Texas	Upgrade US Rt. 59 between US 281 to I–37	16.000
495. Tennessee	Construct Stones River Greenway, Davidson	7.200
496. South Carolina	Construct Calhoun/Clarendon Causeway	10.000
497. Tennessee	Construct U.S. 40 bypass, Madison Co.	2.000
498. Mississippi	Upgrade Land Fill Road, Panola Co.	1.000
499. Illinois	Construct elevated walkway between Centre Station and arena	1.200
500. New Jersey	Construct interchange improvements and flyover ramps at I–80W to Route D23N in Passaic Co.	10.000
501. Illinois	Construct new entrance to Midway Airport Terminal	6.500
502. North Dakota	Construct Jamestown bypass	4.800
503. Illinois	Resurface 95th St. between Western Ave. and Stony Island Blvd., Chicago	3.120
504. Massachusetts	Upgrade Rt. 9/Calvin Coolidge Bridge, Hadley	10.000
505. Oregon	Acquire and rennovate facility to serve as multimodal transportation center, Eugene	3.590
506. Tennessee	Upgrade SR 386 between US 31 to the Gallatin Bypass, Sumner Co.	3.440
507. American Samoa	Construct drainage system improvements associated with highway construction on Tutilla Island, American Samoa	5.000
508. Ohio	Replace I–280 bridge over Maumee River, Toledo area	24.000
509. Pennsylvania	Improve access to McKeesport-Duquesne Bridge	2.268
510. Wisconsin	Upgrade State Highway 29 between Green Bay and Wausau	12.000
511. California	Construct State Route 905 between I–805 and the Otay Mesa Border Crossing, San Diego Co.	25.000
512. California	Undertake median improvements along E. 14th St., San Leandro	1.000
513. Virginia	Conduct preliminary engineering on I–73 between Roanoke and Virginia/North Carolina State line	4.000

[Dollars in Millions]

514. Illinois	Upgrade industrial park road in Village of Sauget	4.500
515. Massachusetts	Construct TeleCom Boulevard with access via Commercial Street and Corporation Way to the west of Malden River and with access via Santilli Highway to the east of the river in Everett, Medord and Malden	7.000
516. Rhode Island	Construct Blackstone River Bikeway	3.455
517. Oregon	Construct intermodal station, Clackamas Co.	0.600
518. Illinois	Rehabilitate Western Springs Arterial Roadway, Cook Co.	0.825
519. California	Implement enhanced traffic access between I–10, area hospitals and southern portion of Loma Linda	2.000
520. Maine	Replace Ridlonville Bridge across Androscoggin River	1.500
521. New York	Capital improvements for the Red Hook Barge in NY/NJ for the Port Authority of NY/NJ	5.000
522. Oregon	Construct bike path between Terry Street and Greenhill Road, Eugene	1.500
523. Texas	Conduct pipeline express study through Texas Transportation Institute (A&M University)	1.500
524. North Carolina	Construct segment of Raleigh Outer Loop, Wake Co.	2.700
525. North Carolina	Construct segment of new freeway, including right-of-way acquisition, between East of US 401 to I–95, and bridge over Cape Fear River	16.000
526. Kentucky	Construct Newton Pike Extension between West Main St. to South Limestone in Lexington	8.000
527. Indiana	Extend SR 149 between SR 130 to US Rt. 30, Valparaiso	4.000
528. California	Implement safety and congestion mitigation improvements along Pacific Coast Highway, Malibu	0.650
529. Maryland	Upgrade I–95/I–495 interchange at Ritchie Marlboro Rd., Prince Georges	4.800
530. Michigan	Construct arterial connector between US41/M28 and Co. Rd. 480, Marquette	0.500
531. Ohio	Construct SR 711 connector four-lane limited access highway in Mahoning Co.	25.000
532. Illinois	Study for new bridge over Mississippi River with terminus points in St. Clair County and St. Louis, MO.	1.400
533. Michigan	Upgrade Three Mile Road, Grand Traverse	1.000
534. Wisconsin	Construct Abbotsford Bypass	6.000
535. North Carolina	Upgrade US 13/NC11 (including Bethel bypass) in Pitt and Edgecombe	2.000
536. New Jersey	Construct highway connector between Interstate Route 1&9 (Tonelle Ave.) and the New Jersey Turnpike at Secaucus Intermodal Transfer Rail Station	5.000
537. Iowa	Reconstruct US Highway 218 between 7th and 20th Streets including center turn lane from Hubenthal Place to Carbide Lane, Keokuk	2.500
538. Minnesota	Construct grade crossing improvments, Morrison County	1.800
539. California	Upgrade Bristol St., Santa Ana	7.000
540. Illinois	Undertake access improvements to U.S. Rt. 41, Chicago	3.750
541. Illinois	Reconstruct Dixie Highway, Harvey	0.494
542. Minnesota	Upgrade CSAH between TH324 and Snake River	1.200
543. California	Rehabilitate B Street between Foothill Blvd. and Kelly St., Hayward	0.700
544. Illinois	Construct improvements to Pleasant Hill Road, Carbondale	3.500
545. Mississippi	Construct access improvments to various roads, Humphreys Co.	1.000
546. Michigan	Construct safety enhancements at rail crossings, Linden, Fenton, Swartz Creek and Gaines	1.000
547. Maryland	Implement city-wide signal control system replacements and improvements in Baltimore	17.700
548. Michigan	Construct road drainage improvements, Suttons Bay Village	0.240
549. West Virginia	Upgrade Route 10 between Logan and Man	50.000
550. California	Construct Gene Autry Way/I–5 Access project, Anaheim	9.000
551. Tennessee	Reconstruct US 79 between Milan and McKenzie	4.000
552. Illinois	Reconstruct Midlothian Turnpike, Robbins	0.288
553. California	Construct connector between I–5 and SR 113 and reconstruct I–5 interchange with Road 102, Woodland	11.500
554. Massachusetts	Reconstruct Route 2/Jackson Road interchange, Lancaster	3.600
555. California	Construct Airport Blvd. interchange in Salinas	8.000
556. California	Construct Third Street South Bay Basin Bridge, San Francisco	12.500
557. Minnesota	Reconstruct CSAH 48 extension, Brainerd/Baxter	0.320
558. Florida	Upgrade U.S. 319 between Four Points and Oak Ridge Road, Tallahasee	4.000
559. Connecticut	Reconstruct I–84 between vicinity of Route 69 in Waterbury and Marion Avenue in Southington	6.000
560. California	Upgrade Riverside Avenue/I–10 interchange, Rialto	0.925
561. Illinois	Consolidate rail tracks and eliminate grade crossings as part of Gateway Intermodal Terminal access project	1.500
562. Pennsylvania	Construct Robinson Town Centre intermodal facility	2.700
563. North Carolina	Construct bridge over Chockoyotte Creek in Halifex Co.	1.800
564. Texas	Investigate strategies to reduce congestion and facilitate access at the international border crossing in Roma	0.250
565. Hawaii	Construct Waimea Bypass	1.000
566. Oregon	Reconstruct I–5/Beltline Road interchange	3.000
567. Ohio	Construct Intermodal Industrial Park in Wellsville	2.040
568. Ohio	Upgrade Route 82, Strongsville	7.000
569. California	Construct pedestrian promenade, Pismo Beach	0.200
570. Dist. of Col.	Conduct MIS of light rail corridors, D.C.	1.000
571. California	Upgrade I–680 Corridor, Alameda Co.	10.000
572. Ohio	Construct new bridge over Muskingum River and highway approaches, Washington County	2.000
573. Massachusetts	Construct improvements along Route 18 to provide for access to waterfront and downtown areas, New Bedford	12.000
574. Minnesota	Upgrade Cross-Range Expressway between Coleraine to CSAH 7	6.000
575. Illinois	Construct transportation improvements to Industrial Viaduct, Chicago	1.500
576. Pennsylvania	Construct American Parkway Bridge project in Allentown	4.000
577. Pennsylvania	Replace Grant Street Bridge, New Castle	2.400
578. Illinois	Extend South 74th Street, Belleville	0.500
579. California	Construct Phase 3 of Alameda Street project, Los Angeles	6.000
580. New York	Rehabilitate Third Avenue Bridge over Harlem River, New York City	1.470
581. West Virginia	Upgrade Route 2 in Cabell Co., including the relocation of Route 2 to provide for a connection to I–64 (Merrick Creek Connector)	25.000

[Dollars in Millions]

582. Minnesota	Construct Shepard Road/Upper Landing interceptor, St. Paul	3.000
583. Illinois	Construct improvements to segment of Town Creek Road, Jackson Co.	1.300
584. Minnesota	Complete construction of Forest Highway 11, Lake Co.	5.000
585. Ohio	Construct access and related improvements to Downtown Riverfront Area, Dayton	4.900
586. Minnesota	Replace Sauk Rapids Bridge over Mississippi River, Stearns and Benton Counties	10.300
587. Ohio	Replace Jacobs Road Bridge, Mahoning Co.	2.000
588. North Carolina	Make improvements to I–95/SR–1162 interchange in Johnston Co.	3.200
589. Oregon	Rehabilitate Broadway Bridge in Portland	10.000
590. Minnesota	Construct Trunk Highway 169 Causeway, Itasca Co.	8.100
591. Minnesota	Construct Cass County Public Trails Corridors	0.240
592. Tennessee	Construct park and ride intermodal centers for Nashville/Middle Tennessee Commuter Rail	8.000
593. California	Construct bicycle path, Calabasas	0.500
594. Mississippi	Upgrade Hampton Lake Road, Tallahatchie Co.	0.880
595. Michigan	Upgrade M.L. King Drive. Genesee Co.	2.000
596. Michigan	Facilitate access between I–75 and Soo Locks through road reconstruction, bikepath construction and related improvements, Sault Ste. Marie	1.000
597. New York	Construct Midtown West Intermodal Ferry Terminal, New York City	5.000
598. Michigan	Construct Jackson Road project (demonstrating performance of paper and plastic reinforced concrete), Scio Township	4.600
599. Alabama	Upgrade Opoto-Madrid Blvd., Birmingham	1.400
600. Michigan	Reconstruct Bagley Street and improve Genschaw Road, Alpena	0.600
601. Texas	Reconstruct State Highway 87 between Sabine Pass and Bolivar Penninsula, McFadden Beach	1.294
602. Arkansas	Construct Baseline Road RR grade separation, Little Rock	5.000
603. Louisiana	Construct I–10/Louisiana Ave. interchange	8.000
604. Oregon	Construct regional multimodal transportation center in Albany	10.320
605. Oregon	Repair Coos Bay rail bridge, Port of Coos Bay	5.500
606. Illinois	Upgrade Illinois 336 between Illinois 61 to south of Loraine	5.100
607. Illinois	Right-of-way acquisition for segment of Alton Bypass between Illinois 143 to Illinois 140 near Alton	4.000
608. Oregon	Restore the Historic Columbia River Highway including construction of a pedestrian and bicycle path under I–84 at Tanner Creek and restoration of the Tanner Creek and Moffett Creek bridges	2.000
609. New Jersey	Reconstruct intermodal transportation facility on Bergenline Ave., Union City	4.000
610. Tennessee	Upgrade US 231 between SR 268 and Walter Hill, Rutherford	5.100
611. Minnesota	Extend County State Highway 61 extension into Two Harbors	0.800
612. Mississippi	Upgrade roads, Washington Co.	4.410
613. Michigan	Upgrade M–24 from I–75 to the northern Oakland Co. border	0.500
614. Washington	Construct Sequim/Dungeness Valley trail project	1.000
615. California	Construct HOV lane and bicycle lane within the Glendale Blvd. corridor in Los Angeles	16.000
616. Michigan	Upgrade Groveland Mine Road, Dickinson	0.500
617. Pennsylvania	Upgrade Route 219 between Meyersdale and Somerset	5.000
618. Texas	Upgrade IH–30 between Dallas and Ft. Worth	29.000
619. Florida	Upgrade U.S. 319 between I–10 and the Florida/George State line	4.000
620. Rhode Island	Construct Rhode Island Greenways and Bikeways projects with of the amount provided $5,700,000 for the Washington Secondary Bikepath, and $2,100,000 for the South County Bikepath Phase 2	7.800
621. Texas	Conduct feasability study on upgrading SH 16 in South Texas.	0.250
622. Virginia	Construct road improvement, trailhead development and related facilities for Haysi to Breaks Interstate Bicycle and Pedestrian Trail between Haysi and Garden Hole area of Breaks Interstate Park	0.250
623. Minnesota	Upgrade CSAH 16 between TH 53 and CSAH 4	5.400
624. Minnesota	Construct bicycle and pedestrian facility (Mesabi Trail), St. Louis County	3.000
625. Ohio	Construct Black River Intermodal Center, Lorain	2.400
626. Pennsylvania	Reconstruct structures and adjacent roadway, Etna and Aspenwall (design and right-of-way acquisition phases), Allegheny Co.	3.700
627. Florida	Construct safety improvements and beautification along U.S. 92, Daytona Beach	3.000
628. Georgia	Undertake major arterial enhancements in DeKalb Co. with the amount provides as follows: $7,000,000 for Candler Rd., $7,500,000 for Memorial Highway and $900,000 for Bufford Highway	15.400
629. Minnesota	Construct highway construction between Highway 494 and Carver Co. Rd. 147	4.000
630. California	Construct improvements to Harry Bridges Blvd., Los Angeles	9.100
631. California	Extend Route 46 expressway in San Luis Obispo Co.	8.000
632. Michigan	Upgrade M–84 connector between Tittabawasee Rd. and M–13, Bay and Saginaw Counties	16.180
633. California	Construct I–380 connector between Sneath Lane and San Bruno Ave., San Bruno	2.800
634. Maryland	Reconstruct segment of Baltimore Beltway between U.S. 1 and I–70	9.000
635. Ohio	Construct interchange at SR 11 and King Graves Rd. in Trumball Co.	4.800
636. Tennessee	Construct Franklin Road interchange and bypass	2.000
637. Arkansas	Construct access routes between interstate highway, industrial park and Slackwater Harbor, Little Rock	1.000
638. California	Upgrade I–880, Alameda	10.000
639. Maine	Upgrade Route 11	4.000
640. Minnesota	Upgrade 77th St. between I–35W and 24th Ave. to four lanes in Richfield	22.800
641. Rhode Island	Reconstruct Pawtucket Ave. and Wilcott St., Pawtucket	1.500
642. Ohio	Construct grade separations at Fitch Road in Olmsted Falls	5.000
643. New Jersey	Upgrade Market St./Essex St. and Rochelle Ave./Main St. to facilitate access to Routes 17 and 80, Bergen Co.	5.000
644. Alabama	Construct improvements to Ensley Avenue between 20th St. and Warrior Rd., Birmingham	1.000
645. California	Seismic retrofit of Golden Gate Bridge	2.000
646. Illinois	Extend Rogers Street to mitigate congestion, Waterloo	1.900
647. Massachusetts	Construct I–95/I–93 interchange, Boston	5.000
648. Minnesota	Upgrade TH 13 between TH 77 and I–494	2.000
649. Indiana	Upgrade Ridge Road between Griffith and Highland	4.400
650. California	Construct bikeways, Santa Maria	0.512

[Dollars in Millions]

651. Pennsylvania	Upgrade PA 61 between PA 895 and SR 2014, Schuylkill Co.	8.000
652. Pennsylvania	Construct road connector and bridge over Allegheny River to link New Kensington with Allegheny Valley Expressway	5.000
653. Alabama	Replace pedestrian bridges at Village Creek and Valley Creek, Birmingham	0.100
654. Arkansas	Upgrade U.S. 65 in Faulkner and Van Buren Counties	4.000
655. Illinois	Reconstruct U.S. 6, Harvey	1.660
656. Texas	Construct improvements along US 69 including frontage roads, Jefferson Co.	7.680
657. North Carolina	Relocate US 1 from north of Lakeview to SR 1180, Moore and Lee Counties	7.300
658. Massachusetts	Reconstruct Bates Bridge over Merrimack River	4.000
659. Oregon	Design and engineering for Newberg-Dundee Bypass	0.500
660. Massachusetts	Construct Packets Landing Enhancement and Restoration Project, Town of Yarmouth	1.000
661. Massachusetts	Construct roadway improvements on Crosby Drive and Middlesex Turnpike, Beford, Burlington and Billerica	7.717
662. Tennessee	Construct SR22 Bypass, Obion Co.	10.000
663. Indiana	Reconstruct US Rt. 231 between junction of State Road 66 to Dubois Co. line	4.500
664. Massachusetts	Upgrade Lowell Street between Woburn Street and Route 38, Town of Wilmington	1.440
665. New York	Redesign Grand Concourse to enhance traffic flow and related enhancements between E. 161st St. and Fordham Rd., New York City	13.000
666. Massachusetts	Upgrade Spring St. between Bank and Latham Streets, Williamstown	2.000
667. Massachusetts	Construct bikeway between Blackstone and Worcester	8.000
668. Indiana	Repair signal wires, grade-crossing warning devices and other safety protections along South Shore Railroad between Gary and Michigan City	0.700
669. Hawaii	Upgrade Puuloa Road between Kamehameha Highway and Salt Lake Blvd.	9.000
670. California	Upgrade call boxes throughout Santa Barbara County	1.500
671. Missouri	Upgrade Route 6 between I–29 and Route AC, St. Joseph	5.000
672. Tennessee	Upgrade Briley Parkway between McGavock Pike and I–65	9.000
673. Wisconsin	Upgrade Highway 151 between Platteville and Dubuque	8.000
674. Michigan	Construct Detroit Metropolitan/Wayne County South Access Road	20.000
675. Missouri	Upgrade Route 36 between Hamilton and Chillicothe	20.000
676. Pennsylvania	Extend Martin Luther King Busway, Alleghany Co.	2.200
677. Illinois	Study upgrading Illinois 13/127 between Murphysboro and Pinckneyville	2.100
678. Pennsylvania	Construct access to site of former Philadelphia Naval Shipyard and Base, Philadelphia	2.000
679. California	Construct extension of State Route 180 between Rt. 99 and the Hughes/West Diagonal	8.000
680. Iowa	Construct overpass to eliminate railroad crossing in Burlington	3.475
681. West Virginia	Construct Riverside Expressway, Fairmont	36.000
682. Massachusetts	Construct South Weymouth Naval Air Station Connectivity Improvements	16.300
683. Ohio	Construct Eastern US Rt. 23 bypass of Portsmouth	5.000
684. Texas	Construct highway-rail-marine intermodal project, Corpus Christi	11.000
685. Illinois	Construct Central Ave.-Narragansett Ave. connector, Chicago	8.700
686. Massachusetts	Preliminary design of Route 2 connector to downtown Fitchburg	2.000
687. Connecticut	Implement Trinity College Area road improvements, Hartford	6.810
688. New Jersey	Construct Collingswood Circle eliminator, Camen	8.000
689. Virginia	Upgrade Virginia Route 10, Surrey Co.	1.000
690. Alabama	Construct repairs to viaducts connecting downtown and midtown areas, Birmingham	0.600
691. Connecticut	Replace Windham Road bridge, Windham	2.000
692. Maine	Implement rural ITS	0.250
693. Tennessee	Construct SR22 Bypass, Obion Co.	10.000
694. Ohio	Construct Black River intermodal transportation center	5.600
695. California	Construct the South Central Los Angeles Exposition Park Intermodal Urban Access Project in Los Angeles	26.000
696. Georgia	Upgrade I–75 between the Crisp/Dooly Co. line to the Florida State line	11.000
697. California	Construct bicycle paths as part of regional system, Agoura Hills	0.100
698. Massachusetts	Construct bicycle and pedestrian facility (The Riverwalk), Peabody	1.440
699. California	Construct I–5 rail grade crossings between I–605 and State Route 91, Los Angeles and Orange Counties	20.120
700. California	Construct tunnel with approaches as part of Devils Slide project in San Mateo Co.	8.000
701. Texas	Construct US Highway 59 railroad crossing overpass in Texarkana	3.500
702. South Carolina	Construct improvements to I–95/SC 38 interchange	9.000
703. Texas	Construct Cleveland Bypass	13.500
704. Illinois	Rehabilitate WPA Streets in Chicago	4.700
705. California	Implement ITS technologies in Employment Center area of City of El Segundo	3.550
706. California	Construct grade-separated bicycle path along Los Angeles River between Fulton Ave. to the vicinity of Sepulveda Blvd. and the Sepulveda Basin Recreation Area, Los Angeles	1.600
707. Michigan	Replace Barton Rd./M–14 interchange, Ann Arbor	1.000
708. Missouri	Upgrade Mo. Rt. 150, Jackson Co.	3.000
709. Michigan	Construct M–24 Corridor from I–69 to southern Lapeer County	4.000
710. Virginia	Upgrade Route 58 from Stuart up Lovers' Leap Mountain towards Carroll Co.	7.000
711. Massachusetts	Implement Cape and Islands Rural Roads Initiative, Cape Cod	0.500
712. New York	Rehabilitate Broadway Bridge, New York City	1.470
713. Massachusetts	Implement Phase II of unified signage system, Essex Co.	0.391
714. Arizona	Design, engineering and ROW acquisition for Area Service Highway, Yuma	1.000
715. Alabama	Construct Decatur Southern Bypass	2.000
716. California	Construct new I–95 interchange with Highway 99W, Tehama Co.	2.200
717. New York	Study transportation improvements for segments of Hutchinson River Parkway and New England Thruway which pass through the Northeast Bronx	0.750
718. California	Construct Alameda Corridor East, San Gabriel Valley	2.940
719. Massachusetts	Reconstruct Pleasant Street-River Terrace, Holyoke	1.600
720. Mississippi	Upgrade Alva-Stage Rd., Montgomery Co.	1.500
721. New York	Upgrade Frederick Douglas Circle, New York City	14.650
722. West Virginia	Construct New River Parkway	6.000
723. Illinois	Upgrade Wood Street between Little Calumet River to 171st St., Dixmore, Harvey, Markham, Hazel Crest	0.990
724. Michigan	Improve Hoban Road and Grand Avenue, City of Mackinac Island	1.120
725. Oregon	Construct South Rivergate rail overcrossing in Portland	13.000

[Dollars in Millions]

726. Mississippi	Upgrade West County Line Road, City of Jackson	11.000
727. Massachusetts	Implement directional signage program between Worcester CBD and regional airport	0.600
728. California	Upgrade D Street between Grand and Second Streets, Hayward	1.200
729. Pennsylvania	Construction of noise barriers along State Route 28, Aspinwall	0.800
730. Michigan	Upgrade Tittabawasee Road between Mackinaw Road and Midland Road, Saginaw Co.	4.000
731. South Carolina	Construct North Charleston Regional Intermodal Center	4.500
732. Ohio	Upgrade SR 7 (Eastern Ave.) to improve traffic flow into Gallipolis, Gallia Co.	2.000
733. California	Modify HOV lanes, Marin Co.	7.000
734. Minnesota	Construct Highway 210 trail/underpass, Brainerd/Baxter	0.640
735. Pennsylvania	Design, engineer, ROW acquisition and construct the Wilkes-Barre/Scranton International Airport Access Road between Route 315 and the airport	2.000
736. Tennessee	Construct greenway and bicycle path corridor, City of White House	3.800
737. Texas	Upgrade Highway 271 between Paris and Pattonville	2.000
738. North Carolina	Upgrade NC 48 in Halifax and Northampton Counties	1.500
739. Connecticut	Revise interchange ramp on to Route 72 northbound from I–84 East in Plainville, Connecticut	3.750
740. California	Improve Mission Boulevard in San Bernardino, California	8.500
741. Ohio	Widen and reconstruct State Route 82 from Lorain/Cuyahoga County line to l.R. 77.	8.000
742. Tennessee	Widen US–321 from Kinzel Springs to Wean Valley Road	9.100
743. New Hampshire	Construct Orford Bridge	3.400
744. Oklahoma	Reconstruct US–70 in Marshall and Bryan Counties	0.200
745. Washington	Widen SR522 from SR–9 to Paradise Lake Road	4.000
746. New York	Improve Cross Westchester Expressway	1.000
747. Pennsylvania	Improve US 22/Canoe Creek Blair County	2.000
748. Missouri	Upgrade US–60 in Carter County, Missouri.	27.000
749. Ohio	Relocate State Route 60 from Zanesville to Dresden, Muskingum County	1.500
750. Pennsylvania	Construct PA 16 Truck climbing lane in Franklin County	1.000
751. Indiana	Conduct railroad relocation study in Muncie	0.060
752. Pennsylvania	Construct highway-transit transfer facility in Lemoyne	2.000
753. Georgia	Construct surface transportation facilities along Atlanta-Griffin-Macon corridor	39.000
754. Louisiana	Improve US–165 from Alexandria to Monroe	40.000
755. Ohio	Upgrade US–30 from Wooster to Riceland	15.000
756. Washington	Construct Edmonds Crossing Multi-modal transportation project in Edmonds, Washington.	5.000
757. Indiana	Remove and replace Walnut Street in Muncie	2.140
758. Pennsylvania	Improve South Central Business Park in Fulton County	1.000
759. Pennsylvania	Construct exit ramp on I–180 at State Route 2049 in Williamsport	10.500
760. Washington	Construct pedestrian access and safety on Deception Pass Bridge, Deception Pass State Park, Washington	1.000
761. Illinois	Improve and construct grade separation on Cockrell Lane in Springfield	2.400
762. Virginia	Construct the Kemper Street Station connector road in Lynchburg	2.000
763. Oklahoma	Reconstruct and widen I–40 Crosstown Bridge and Realignment in downtown Oklahoma City, including demolition of the existing bridge, vehicle approach roads, interchanges, intersections, signalization and supporting structures between I–35 and I–44.	97.050
764. New Mexico	Improve I–25 at Raton Pass	10.000
765. California	Reconstruct La Loma Bridge in Pasadena	3.000
766. New York	Conduct traffic calming study on National Scenic Byway Route 5 in Hamburg	0.100
767. Pennsylvania	Improve PA–8 between Cherry Tree and Rynd Farm	6.400
768. Alabama	Construct Historic Whistler Bike Trail in Prichard, Alabama	0.670
770. Alaska	Construct capital improvement to the Alaska Marine Highway and related facilities: $6,000,000 for Seward, $3,000,000 for Ketchikan and $3,000,000 for Hollis	12.000
771. Connecticut	Rehabilitate Route 202 bridge in New Milford, Connecticut	2.700
772. Wisconsin	Construct U.S. Highway 10, Freemont to Appleton	4.000
773. Texas	Conduct major investment study for Outer Loop freeway extension between I–35 West at State Highway 170 and State Highway 199 in Tarrant County	0.500
774. Pennsylvania	Reconfigure US–13/Pennsylvania Turnpike interchange	2.230
775. Washington	Construct Washington Pass visitor facilities on North Cascades Highway	1.200
776. Washington	Improve Huntington Avenue South in Castle Rock	0.750
777. California	Construct Centennial Transportation Corridor	21.000
778. Kentucky	Extend Hurstbourne Parkway from Bardstown Road to Fern Valley Road	8.560
779. Pennsylvania	Eliminate 16 at-grade rail crossings through Erie	8.000
780. California	Construct Cabot-Camino Capistrano Bridge project in Southern Orange County	2.000
781. Utah	Widen 106th South from I–15 to Bangerter Highway in South Jordan	5.000
782. Ohio	Upgrade 11 warning devices on the rail north/south line from Toledo to Deshler	1.100
783. Washington	Construct Port of Kalama River Bridge	0.900
784. California	Improve Folsom Boulevard—Highway 50 in the city of Folsom	4.000
785. New Hampshire	Construct the Broad Street Parkway in Nashua	16.300
786. New York	Construct County Road 93 between NYS 27 and NYS 454.	0.515
787. Washington	Improve Clinton Ferry Terminal in Clinton	7.750
788. Illinois	Construct Riverfront pedestrian walkway in Peoria	0.050
789. Colorado	Construct alternative truck route in Montrose	5.600
790. New York	I–87 Noise Abatement Program	10.000
791. New Jersey	Construct Toms River bridge project connecting Dover and South Toms River Borough	3.000
792. California	Install SiliconValley Smart Corridor project along the I–880 corridor	4.860
793. Illinois	Construct Veterans Parkway from Eastland Drive to Commerce Parkway in Bloomington	11.040
794. Pennsylvania	Construct Drexel University Infrastructure Research Facility roadway improvements	1.000
795. New Jersey	Widen Route 1 from Pierson Avenue to Inman Avenue in Middlesex County	7.000
796. Michigan	Construct US–131 Cadillac Bypass project	5.000
797. New Hampshire	Reconstruct US–3 Carroll town line 2.1 miles north	2.000
798. Texas	Upgrade State Highway 35 Houston District Brazoria County	12.000
799. Tennessee	Construct US–27 from State Road 61 to Morgan County line	5.500
800. Pennsylvania	Install citywide signalization (SAMI) project in Lebanon	1.000
801. Maryland	Upgrade US–113 north of US–50 to MD–589 in Worcester County, Maryland	24.000
802. Louisiana	Construct Florida Expressway in St. Bernard and Orleans Parishes	0.200

[Dollars in Millions]

803. Colorado	Construct I–25 truck lane from Lincoln Avenue to Castle Pines Parkway in Douglas County	3.000
804. Oklahoma	Conduct study of Highway 3 in McCurtain, Pushmataha and Atoka Counties.	0.300
805. Texas	Reconstruct intermodal connectors on Highway 78 and Highway 544 in Wylie	10.000
806. Georgia	Construct noise barriers on the westside of I–185 between Macon Road and Airport Thruway and on I–75 between Mt. Zion Road and Old Dixie Highway in the Atlanta area	1.000
807. Arkansas	Construct the Ashdown Bypass/Overpass in Ashdown	5.000
808. Illinois	Constuct Peoria City River Center parking facility in Peoria	4.000
809. Arkansas	Study and construct a multi-modal facility Russellville, Arkansas.	1.000
810. Washington	Design and implement report and environmental study of the I–5 corridor in Everett, Washington	1.000
811. Pennsylvania	Construct Newton Hamilton SR 3021 over Juniata River in Mifflin County	2.000
812. Texas	Widen State Highway 6 from from Senior Road to FM521	12.100
813. South Dakota	Construct Eastern Dakota Expressway (Phase I)	15.790
814. Kentucky	Construct necessary connections for the Taylor Southgate Bridge in Newport and the Clay Wade Bailey Bridge in Covington	9.500
815. Washington	Construct traffic signals on US–2 at Olds Owens Road and 5th Street in Sultan, Washington.	0.257
816. Minnesota	Widen Trunk Highway 14/52 from 75th Street, NW to Trunk Highway 63 in Rochester	13.000
817. New Jersey	Improve Old York Road/Rising Run Road intersection in Burlington	6.640
818. Pennsylvania	Construct I–81 noise abatement program in Dauphin County	0.640
819. Alabama	Construct Crepe Myrtle Trail near Mobile, Alabama	1.600
820. California	Construct SR–78/Rancho Del Oro interchange in Oceanside	5.000
821. New Jersey	Improve grade separations on the Garden State Parkway in Cape May County, New Jersey.	14.000
822. Pennsylvania	Construct Western Innerloop from PA–26 to State Route 3014	3.600
823. Kansas	Widen US–169 in Miami County	13.500
824. New Hampshire	Construct Hindsale Bridge	3.000
825. Washington	Construct I–5 interchanges in Lewis County	6.650
826. Georgia	Widen Georgia Route 6/US–278 in Polk County	10.888
827. Pennsylvania	Improve access and interchange from I–95 to the international terminal at Philadelphia International Airport	5.000
828. Pennsylvania	Construct rail mitigation and improvement projects from Philadelphia to New Jersey Line	12.800
829. Nevada	Extend I–580 in Washie and Douglas Counties	5.000
830. Georgia	Resurface Davis Drive, Green Street, and North Houston Road in Warner Robins	0.400
831. Oregon	Repair Port of Hood River Bridge Lift Span project	23.500
832. New York	Improve access to I–84/Dutchess intermodal facility in Dutchess County	3.000
833. Georgia	Conduct a study of an interstate multimodal transportation corridor from Atlanta to Chattanooga	5.000
834. Nebraska	Corridor study for Louisville South bypass from State Highway 66 to State Highway 50	0.100
835. Michigan	Conduct feasibility study on widening US–12 to three lanes between US–127 and Michigan Highway 50.	0.250
836. Kentucky	Correct rock hazard on US–127 in Russell County	0.035
837. New York	Construct new exit 46A on I–90 at Route 170 in North Chili	10.000
838. California	Construct parking lot, pedestrian bridge and related improvements to improve intermodal transportation in Yorba Linda	3.800
839. Missouri	Construct US–412 corridor from Kennett to Hayti, Missouri.	8.000
840. Florida	ITS improvements on US–19 in Pasco County	2.000
841. Florida	Construct I–4 reversible safety lane in Orlando	14.000
842. Connecticut	Improve and realign Route 8 in Winchester	2.020
843. Louisiana	Construct State Highway 3241/State Highway 1088/I–12 interchange in St. Tammany Parish, Louisiana.	10.000
844. Nebraska	Corridor study for Plattsmouth Bridge area to US–75 and Horning Road	0.350
845. Michigan	Construct US–131 Business route/industrial connector in Kalamazoo	2.000
846. Michigan	Reconstruct I–94 between Michigan Route 14 and US–23	14.750
847. California	Ontario International Airport ground access program	10.500
848. Texas	Construct the George H.W. Bush Presidential Corridor from Bryan to east to I–45	10.000
849. Virginia	Construct I–73 from Roanoke to the North Carolina border	8.500
850. Louisiana	Kerner's Ferry Bridge Replacement project	1.000
851. Washington	Widen SR–522 in Snohomish County: $3,650,000 for phase 1 from SR–9 to Lake Road; $1,500,000 to construct segment from Paradise Lake Road to Snohomish River Bridge	5.200
852. California	Plan and design interchange between I–15 and Sante Fe Road in Barstow, California.	4.000
853. California	Upgrade Ft. Irwin Road from I–15 to Fort Irwin	1.500
854. Nebraska	Construct bridge in Newcastle	4.000
855. Indiana	Conduct rail-highway feasibility project study in Muncie	0.100
856. New Jersey	Replace the Ocean City-Longport bridge in Cape May County, New Jersey.	26.000
857. Kentucky	Construct a segment of the I–66 corridor from Somerset to I–75	10.000
858. Ohio	Improve and widen SR–45 from North of the I–90 interchange to North Bend Road in Ashtabula County, Ohio	7.920
859. Illinois	Construct I–88 interchange at Peace Road in Dekalb	4.300
860. Virginia	Widen Route 123 from Prince William County line to State Route 645 in Fairfax County, Virginia.	10.000
861. Pennsylvania	Widen and improve Route 449 in Potter County	1.000
862. Ohio	Conduct feasibility study for inclusion of US–22 as part of the Interstate System	0.100
863. New Hampshire	Improve the Bridge Street bridge in Plymouth	1.000
864. Louisiana	Conduct a feasibility and design study of Louisiana Highway 30 between Louisiana Highway 44 and I–10	2.000
865. Louisiana	Construct I–610 noise and safety barrier in the Lake View section of New Orleans, Louisiana.	1.000
866. New York	Conduct North Road Corridor study in Oswego County	1.500
867. Kansas	Construct Diamond interchange at Antioch and I–435	8.400
868. Iowa	Reconstruct I–235 in Polk County	6.900
869. Florida	Construct Port of Palm Beach road access improvements, Palm Beach County, Florida.	21.000

[Dollars in Millions]

870. Tennessee	Improve the Elizabethon Connector from US–312 to US–19 East	8.450
871. California	Stabilize US–101 at Wilson Creek	1.000
872. Michigan	Improve the I–73 corridor in Jackson and Lenawee Counties	5.000
873. Arkansas	Improve Arkansas State Highway 59 from Rena Road to Old Uniontown Road in Van Buren	2.500
874. Illinois	Construct Richton Road, Crete	2.000
875. Ohio	Widen Licking-SR–79–06.65 (PID 8314) in Licking County	9.400
876. New York	Improve and reconstruct Commerce Street in York Town	0.280
877. Arkansas	Construct Highway 371 from Magnolia to Prescott	3.000
878. Arkansas	Construct Highway 82 from Hamburg to Montrose	7.000
879. California	Improve SR–91/Green River Road interchange	6.500
880. California	Widen and improve I–5/State Route 126 interchange in Valencia	13.900
881. Pennsylvania	Construct US–30 Bypass from Exton Bypass to PA–10	4.400
882. Illinois	Replace State Route 47 Bridge in Morris	19.000
883. New York	Construct County Road 67 at Long Island Expressway Exit 57 between County Road 17 and	0.700
884. California	Construct I–15/Barton Road West/Anderson Street connection	5.000
885. New York	Reconstruct Route 9 in Plattsburgh	3.354
886. Illinois	Engineering for Peoria to Chicago expressway	5.000
887. Louisiana	Construct Hourma-Thibodaux to I–10 connector from Gramercy to Hourma	3.100
888. Washington	Construct Peace Arch Crossing of Entry (PACE) lane in Blaine	4.900
889. Florida	Purchase and install I–275 traffic management system in Pinellas County, Florida.	1.000
890. Mississippi	Construct I–55 connectors to US–51 in Madison, Mississippi.	3.000
891. Alabama	Construct Anniston Eastern Bypass from I–20 to Fort McClellan in Calhoun County	44.600
892. Connecticut	Realign and extend Hart Street in New Britain	4.000
893. Texas	Construct Spur 10 from SH–36 to US–59	4.000
894. Wisconsin	Construct U.S. Highway 151 Fond du Lac Bypass	30.000
895. Ohio	Grade separation project at Snow Road Brook Park	3.000
896. Nebraska	Conduct corridor study from Wayne to Vermillion-Newcastle bridge	0.550
897. Pennsylvania	Construct Erie Eastside Connector	21.600
898. New York	Reconstruct County Route 24 in Franklin County	2.473
899. Pennsylvania	Construct SR–3019 over Great Trough Creek in Huntingdon County	0.500
900. California	Construct Tulare County roads in Tulare County	9.000
901. Pennsylvania	Widen PA–228 from Criders Corners to State Route 3015	1.200
902. South Carolina	Three River Greenway Project to and from Gervals Street in Columbia	5.000
903. Washington	Construct State Route 305 corridor improvements in Poulsbo, Washington.	3.500
904. Pennsylvania	Improve Lewistown Narrows US–322 in Mifflin and Juniata County	1.000
905. Nevada	Construct the US–395 Carson City Bypass	5.000
906. Illinois	Reconstruct I–74 through Peoria	12.865
907. Florida	Widen Gunn Highway between Erlich Road and South Mobley Road in Hillsborough County	2.000
908. New York	Construct intermodal transportation hub in Patchogue	2.500
909. New York	Upgrade and relocate Utica-Rome Expressway in Oneida, County New York.	20.000
910. Georgia	Conduct a study of a multimodal transportation corridor from Lawrenceville to Marietta	2.400
911. Georgia	I–75 advanced transportation management system in Cobb County	1.700
912. New Hampshire	Berlin Heritage Project from the Everett turnpike to Hudson in Berlin County	0.050
913. Alabama	Engineering, right-of-way acquisition and construction of the Birmingham Northern Beltline in Jefferson County	20.000
914. Florida	Replace St. Johns River Bridge in Volusia and Seminole Counties	14.000
915. Maryland	Improve Halfway Boulevard east and west of Exit 5, I–81 in Washington County	4.000
916. Georgia	Construct Harry S. Truman Parkway	3.550
917. Pennsylvania	Reconstruct the I–81 Davis Street interchange in Lackawanna	8.000
918. Illinois	Widen 143rd Street in Orland Park	8.000
919. Pennsylvania	Conduct study of Ft. Washington transportation improvements, Upper Dublin, PA.	0.500
920. Kansas	Construct grade separations on US–36 and US–77 in Marysville, Kansas.	4.200
921. Ohio	Relocate Harrison/Belmont US–250	6.000
922. Arkansas	Widen 28th Street and related improvements in Van Buren, Arkansas	1.000
923. Tennessee	Improve County Road 374 in Montgomery County	5.000
924. Virginia	Conduct feasibility study for the construction I–66 from Lynchburg to the West Virginia border	0.500
925. Florida	Expand Palm Valley Bridge in St. Johns County	3.100
926. Michigan	Construct M–6 Grand Rapids South Beltline in Grand Rapids, Michigan.	28.720
927. Pennsylvania	Reconstruct PA–309 in Eastern Montgomery with $4,000,000 for noise abatement	17.400
928. Colorado	Reconstruct I–225/Iliff Avenue interchange in Aurora	5.500
929. California	Widen US–101 from Windsor to Arata Interchange	1.600
930. New Jersey	Design and construction Belford Ferry Terminal in Belford, New Jersey.	4.600
931. Louisiana	Construct East-West Corridor project in Southwest Louisiana	1.000
932. Kentucky	Construct US–127 Jamestown Bypass	5.800
933. Kentucky	Conduct feasibility study for Northern Kentucky High Priority Corridor (I–74)	0.500
934. Utah	Improve 5600 West Highway from 2100 South to 4100 South in West Valley City	5.000
935. Arkansas	Construct US–270 East-West Arterial in Hot Springs	9.000
936. New York	Improve Route 31 from Baldwinsville to County Route 57	11.750
937. Arkansas	Widen West Phoenix Avenue and related improvements in Fort Smith, Arkansas.	8.000
938. Arkansas	Improve Arkansas State Highway 12 from US–71 at Rainbow Curve to Northwest Arkansas Regional Airport	0.500
939. Texas	Widen State Highway 35 from SH288 in Angleton to FM521	6.900
940. Louisiana	Congestion mitigation and safety improvements to the Central thruway in Baton Rouge	3.000
941. North Carolina	Widen North Carolina Route 24 from Swansboro to US–70 in Onslow and Carteret Counties	4.000
942. North Carolina	Construct US–13 from the Wilson the US–264 Bypass to Goldsboro in Wayne and Wilson Counties	4.500
943. Michigan	Construct Bridge Street bridge project in Southfield	4.200
944. Connecticut	Improve Route 7 utility and landscaping in New Milford	7.200
945. Pennsylvania	Construct access improvements between exits 56 and 57 off I–81 in Lackawanna	1.700

[Dollars in Millions]

946. New Jersey	Construct grade separation of Route 35 and Tinton falls and extend Shrewsbury Avenue in Monmouth	5.000
947. Washington	Improve I–5/196th Street, Southwest Freeway interchange in Lynnwood, Washington.	4.500
948. Tennessee	Extend Pellissippi Parkway from State Route 33 to State Route 321 in Blount County	11.800
949. New York	Improve Route 281 in Cortland	9.000
950. California	Construct I–15 Galinas interchange in Riverside County	8.500
951. New Hampshire	Construct the Keene bypass	6.150
952. Illinois	Design and construct US–67 corridor from Jacksonville to Beardstown	10.000
953. Virginia	Conduct Williamsburg 2007 transportation study	0.325
954. Mississippi	Widen US–84 from I–55 at Brookhaven to US–49 at Collins	1.250
955. New York	Reconstruct Jackson Avenue in New Windsor, Orange County	2.624
956. Texas	Widen State Highway 6 from FM521 to Brazoria County line and construct railroad overpass	12.200
957. Tennessee	Reconstruct road and causeway in Shiloh Military Park in Hardin County	15.000
958. Florida	Pedestrian safety initiative on US–19 in Pinellas County	6.800
959. Washington	Improve primary truck access route on East Marine View Drive, FAST corridor in Washington	4.900
960. Florida	Construct Wonderwood Connector from Mayport to Arlington, Duval County, Florida.	38.000
961. California	Improve the Avenue H overpass in Lancaster County	6.100
962. Pennsylvania	Improve safety on PA–41 from US–30 to PA–926	6.000
963. New Jersey	Consrtuct Route 29/129 bicycle, pedestrian and landscape improvement plan	5.500
964. Idaho	Construct critical interchanges and grade-crossings on US–20 between Idaho Falls and Chester	10.000
965. Louisiana	Expand Perkins Road in Baton Rouge	10.000
966. Pennsylvania	Widen US 30 from Walker Rd to Fayetteville in Franklin County	2.000
967. Wyoming	Construct Jackson-Teton Pathway in Teton County	1.830
968. Utah	Widen 7200 South in Midvale	1.100
969. Washington	Conduct feasibility study of State Route 35 Hood River bridge in White Salmon	1.000
970. Arkansas	Upgrade US Route 412, Harrison to Mountain Home, Arkansas	3.550
971. Nevada	Canamex Corridor Innovative Urban Renovation project in Henderson	12.000
972. Georgia	Construct Athens to Atlanta Transportation Corridor	8.000
973. California	Widen State Route 29 between Route 281 and Route 175	0.500
974. California	Upgrade US–101 from Eureka to Arcata	1.000
975. Louisiana	Expand Harding Road from Scenic Highway to the Mississippi River and construct an information center	3.600
976. Indiana	Improve Southwest Highway from Bloomington to Evansville	30.000
977. Pennsylvania	Construct Route 72 overpass at Conrail in Lebanon	8.810
978. Indiana	Construct Hazel Dell Parkway from 96th Street to 146th Street in Carmel	5.500
979. New Jersey	Replace Calhoun Street Bridge in Trenton	1.300
980. Utah	Reconstruct US–89 and interchange at 200 North in Kaysville	7.000
981. California	Construct Nogales Street at Railroad Street grade separation in Los Angeles County, California.	4.500
982. Pennsylvania	Improve Bedford County Business Park Rd in Bedford County	2.000
983. Utah	Extend Main Street from 5600 South to Vine Street in Murray	11.500
984. Pennsylvania	Construct US–30 at PA–772 and PA–41	6.000
985. Illinois	Improve Sugar Grove US30	2.500
986. California	Improve Route 99/Route 120 interchange in Manteca County	8.000
987. Pennsylvania	Widen US–11/15 between Mt. Patrick and McKees Half Falls in Perry County	5.000
988. Ohio	Add lanes and improve intersections on Route 20 in Lake County, Ohio	2.000
989. Pennsylvania	Construct PA–283 North Union Street ramps in Dauphin County	2.450
990. California	Improve and construct I–80 reliever route project; Walters Road and Walters Road Extension Segments	7.400
991. Alabama	Expand US–278 in Cullman County	6.000
992. Ohio	Construct Chagrin River/Gulley Brook corridor scenic greenway along I–90 in Lake County	1.545
993. Oregon	Construct phase I: highway 99 to Biddle Road of the highway 62 corridor solutions project.	1.500
994. New York	Renovate State Route 9 in Phillipstown	3.840
995. Arkansas	Enhance area in the vicinity of Dickson Street in Fayetteville	1.500
996. Missouri	Construction US–67/Route 60 interchange in Poplar Bluff, Missouri.	8.000
997. Kansas	Widen US–81 from Minneapolis, Kansas to Nebraska.	27.800
998. California	Widen US–101 from Petaluma Bridge to Novato	33.000
999. Alabama	Construct new I–10 bridge over the Mobile River in Mobile, Alabama.	14.375
1000. Mississippi	Upgrade and widen US–49 in Rankin, Simpson, and Covington Counties	1.250
1001. California	Realign and improve California Route 79 in Riverside County	6.000
1002. New Jersey	Construct East Windsor Bear Brook pathway system	0.360
1003. New York	Construct Hutton Bridge Project	3.000
1004. Ohio	Improve State Route 800 in Monroe County	0.500
1005. Pennsylvania	Improve PA–41 between Delaware State line and PA–926	7.600
1006. New York	Improve Hiawatha Boulevard and Harrison Street corridors in Syracuse	2.250
1007. Pennsylvania	Replace Dellville Bridge in Wheatfield	1.000
1008. Florida	Construct I–4/John Young Parkway interchange project in Orlando	13.659
1009. Connecticut	Reconstruct Broad Street in New Britain	3.200
1010. Washington	Widen US–395 in the vicinity of mile post 170 north of Spokane	10.000
1011. New York	Construct NYS Route 27 at intersection of North Monroe Avenue	4.700
1012. New York	Reconstruct Route 23/Route 205 intersection in Oneonta	0.850
1013. Alaska	Construct Pt. Mackenzie Intermodal Facility	9.000
1014. Maryland	Construct phase 1A of the I–70/I–270/US–340 interchange in Frederick County	15.000
1015. Illinois	Widen and improve US–34 intechange in Aurora	8.000
1016. Florida	A–1–A Beautification project in Daytona, Florida	4.400
1017. Louisiana	Construct I–49 interchange at Caddo Port Road in Shreveport	5.600
1018. Tennessee	Construct Kingsport Highway in Washington County	2.000
1019. New Hampshire	Improve 3 Pisquataqua River Bridges on the New Hampshire—Maine border	2.200
1020. Nebraska	Construct the Antelope Valley Overpass in Lincoln	7.500

[Dollars in Millions]

1021. Pennsylvania	Install traffic signal upgrade in Clearfield Borough in Clearfield County	0.500
1022. North Carolina	Construct US–311(I–74) from NC–68 to US–29A–70A	30.500
1023. California	Design and initiation of long term improvements along Highway 199 in Del Norte County, California	0.500
1024. Virginia	Improve Lee Highway Corridor in Fairfax, Virginia.	1.800
1025. Illinois	Improve roads in the Peoria Park District	0.810
1026. California	Construct Overland Drive overcrossing in Temecula	5.000
1027. Iowa	Construct the Julien Dubuque Bridge over the Mississippi River at Dubuque	28.000
1028. Kentucky	Construct highway-rail grade separations along the City Lead in Paducah	1.100
1029. Indiana	Safety improvements to McKinley and Riverside Avenues in Muncie	9.100
1030. Pennsylvania	Gettysburg comprehensive road improvement study	4.000
1031. Indiana	Reconstruct Wheeling Avenue in Muncie	1.600
1032. Indiana	Construct Hoosier Heartland from Lafayette to Ft. Wayne	25.000
1033. Louisiana	Upgrade and widen I–10 between Williams Boulevard and Tulane Avenue in Jefferson and Orleans Parishes	12.000
1034. Louisiana	Construct Metairie Rail Improvements and Relocation project in Jefferson and Orleans Parishes, Louisiana.	7.000
1035. Wisconsin	Construct STH–26/US–41 Interchange in Oshkosh	3.000
1036. Pennsylvania	Improve Sidling Hill Curve and Truck Escape in Fulton County	0.500
1037. New York	Construct Wellwood Avenue from Freemont Street to Montauk Highway in Lindenhurst	1.200
1038. New York	Improve ferry infrastructure in Greenport	1.000
1039. Alaska	Construct Spruce Creek Bridge in Soldotna	0.350
1040. Alabama	Construct East Foley corridor project from Baldwin County Highway 20 to State Highway 59 in Alabama.	7.000
1041. Louisiana	Construct North/South Road/I–10–US–61 connection in the Kenner, Louisiana.	7.000
1042. Texas	Construct FM2234(McHard Road) from SH–35 to Beltway 8 at Monroe Boulevard	6.400
1043. Michigan	Construct M–5 Haggerty Connector	3.200
1044. Kentucky	Ohio River Major Investment Study Project, Kentucky and Indiana	40.100
1045. Ohio	Construct Muskingum–SR–16	8.000
1046. Ohio	Relocate SR–30 for final design of south alternative in Carroll County, Ohio	1.000
1047. Missouri	Upgrade US–63 in Howell County, Missouri.	8.000
1048. California	Widen SR–23 between Moorpark and Thousand Oaks	14.000
1049. Connecticut	Reconstruct Post Office Town Farm Road in Enfield, Connecticut	1.500
1050. Washington	Improve I–90/Sunset Way interchange in Issaquah, WA	19.800
1051. New York	Construct Elmira Arterial from Miller to Cedar	3.000
1052. California	Construct Imperial Highway grade separation and sound walls at Esperanza Road/Orangethorpe Avenue in Yorba Linda, California.	14.500
1053. Wyoming	Widen and improve Cody—Yellowstone Highway from the entrance to Yellowstone National Park to Cody	10.170
1054. Florida	West Palm Beach Traffic Calming Project on US–1 and Flagur Drive	15.000
1055. Missouri	Construction and upgrade of US–71/I–49 in Newton and McDonald County, Missouri.	33.303
1056. Virginia	Commuter and freight rail congestion and mitigation project over Quantico Creek	10.000
1057. California	Complete Citraeado Parkway project in San Diego County	3.000
1058. Tennessee	Improve State Route 92 from I–40 to South of Jefferson City	4.550
1059. Washington	Redevelop Port of Anacortes waterfront	0.077
1060. Mississippi	Widen US–98 from Pike County to Foxworth	1.250
1061. New York	Construct US–219 from Route 39 to Route 17	20.000
1062. Michigan	Construct US–27 between St. Johns and Ithaca	8.500
1063. California	Construct highway-rail grade separation for Fairway Drive and Union Pacific track	4.215
1064. Tennessee	Reconstruct Old Walland Highway bridge over Little River in Townsend	1.680
1065. California	Construct I–10 Tippecanoe/Anderson interchange project in Loma Linda and San Bernardino County, California.	2.000
1066. California	Construct State Route 76 in Northern San Diego.	10.000
1067. Nebraska	Construct NE–35 alternative and modified route expressway in Norfolk and Wayne	4.500
1068. Arkansas	Construct Highway 425 from Pine Bluff to the Louisiana State line	7.000
1069. Tennessee	Construct bridge and approaches on State Route 33 over the Tennessee River (Henley Street Bridge)	13.200
1070. Mississippi	Construct Jackson International Airport Parkway and connectors from High Street to the Jackson International Airport in Jackson, Mississippi.	10.000
1071. Wisconsin	Reconstruct U.S. Highway 10, Waupaca County	12.000
1072. Ohio	Construct highway-rail grade separations on Heisley Road between Hendricks Road and Jackson Street in Mentor	8.205
1073. Virginia	Widen I–64 Bland Boulevard interchange	30.675
1074. Illinois	Improve IL–159 in Edwardsville	4.275
1075. Iowa	Extend NW 86th Street from NW 70th Street to Beaver Drive in Polk County	7.000
1076. New York	Construct County Route 21, Peeksill Hollow Road renovation project	7.577
1077. Iowa	IA–192 relation and Avenue G viaduct in Council Bluffs	6.000
1078. Ohio	Upgrade and widen US–24 from I–469 to I–475	23.000
1079. Illinois	Construct crossings over Fox River in Kane County	10.200
1080. Florida	Construct North East Dade Bike Path in North Miami Beach, Florida.	1.600
1081. Pennsylvania	Improve Oxford Valley Road/US–1 interchange in Bucks County	4.000
1082. California	Improve highway access to Humboldt Bay and Harbor Port	0.500
1083. North Carolina	Construct I–85 Greensboro Bypass in Greensboro, North Carolina.	29.500
1084. Pennsylvania	Reconfigure I–81 Exit 2 Ramp in Franklin County	0.700
1085. Indiana	Feasibility study of State Road 37 improvements in Noblesville, Elwood and Marion	0.600
1086. New Jersey	Revitalize Route 130 from Cinnaminson to Willingboro	4.000
1087. Ohio	Upgrade I–77/US–250/SR–39 interchange in Tuscarawas County	1.000
1088. Virginia	Enhance Maple Avenue streetscape in Vienna, Virginia	2.700
1089. Arkansas	Widen Highway 65/82 from Pine Bluff to the Mississippi State line	7.000
1090. New Jersey	Construct Route 31 Fleming Bypass in Hunterdon County, New Jersey.	15.400
1091. New York	Conduct safety study and improve I–90 in Downtown Buffalo	0.400
1092. Utah	Widen SR–36 from I–80 to Mills Junction	3.000
1093. Alabama	Construct the Montgomery Outer Loop from US–80 to I–85 via I–65	17.650
1094. Tennessee	Construct Foothills Parkway from Walland to Weans Valley	11.500

[Dollars in Millions]

1095. California	Upgrade and synchronize traffic lights in the Alameda Corridor East in Los Angeles County	23.000
1096. New York	Conduct feasibility study of new International bridges on the NY/Canada border	0.500
1097. Colorado	Construct C–470/I–70 ramps in Jefferson Co.	6.250
1098. Virginia	Improve Route 123 from Route 1 to Fairfax County line in Prince William County, Virginia.	15.000
1099. Washington	Construct Interstate 405/NE 8th Street interchange project in Bellevue, WA	23.500
1100. New Hampshire	Widen I–93 from Salem north	12.100
1101. South Dakota	Replace Meridan Bridge	3.250
1102. Washington	Extend Mill Plain Boulevard in Vancouver	4.000
1103. Colorado	Improve SH–74/JC–73 interchange in Evergreen County	6.250
1104. Tennessee	Improve US–64 in Hardeman and McNairy Counties	5.000
1105. Illinois	Design and construct I–72/MacArthur Boulevard interchange in Springfield	5.500
1106. Pennsylvania	Replace bridge over Shermans Creek in Carroll	1.000
1107. Illinois	Improve IL–113 in Kankakee	7.700
1108. Pennsylvania	Realign PA29 in the Borough of Collegeville, Montgomery County, Pennsylvania	0.550
1109. Louisiana	Construct Causeway Boulevard/Earhart Expressway interchange in Jefferson, Parish, Louisiana	5.000
1110. Pennsylvania	Improve PA 26 in Huntingdon County	1.000
1111. New York	Construct Furrows Road from Patchogue/Holbrook Road to Waverly Avenue in Islip	1.500
1112. Tennessee	Reconstruction of US–414 In Henderson County	5.000
1113. Indiana	Widen 116th Street in Carmel	1.500
1114. Louisiana	Reconstruct Jefferson Lakefront bikepath in Jefferson Parish, Louisiana.	1.000
1115. Utah	Construct 7800 South from 1300 West to Bangerter Highway in West Jordan	6.500
1116. Mississippi	Construct segment 2 and 3 of the Bryam-Clinton Corridor in Hinds County	1.250
1117. Kentucky	Construct Route 259–101 from Brownsville to I–65	1.000
1118. New Jersey	Replace Kinnaman Avenue bridge over Pohatcong Creek in Warren County	1.600
1119. Louisiana	Widen Lapalco Boulevard from Barataria Boulevard to Destrehan Avenue in Jefferson Parish, Louisiana.	5.000
1120. Florida	Restore and rehabilitate Miami Beach Bridge and waterfront in Miami Beach, Florida.	1.800
1121. Texas	Widen Highway 287 from Creek Bend Drive to Waxahacie bypass	13.500
1122. Utah	Widen and improve 123rd/126th South from Jordan River to Bangerter Highway in Riverton	5.000
1123. Ohio	Construct a new interchange at County Road 80 and I–77 in Dover with $100,000 to preserve or reconstruct the Tourism Information Center	7.100
1124. Pennsylvania	Realign Route 501 in Lebanon County	1.600
1125. Pennsylvania	Construct Williamsport-Lycoming County Airport Access road from I–80 to the airport	7.000
1126. New York	Construct the Mineola intermodal facility and Hicksville intermodal facility in Nassau County	14.000
1127. Arkansas	Construct Highway 15 from Connector Road to Railroad Overpass in Pine Bluff	1.000
1128. Kentucky	Redevelop and improve ground access to Louisville Waterfront District in Louisville, Kentucky.	2.840
1129. Ohio	Improve and widen SR–91 from SR–43 south to county line/city line in Solon	5.000
1130. Louisiana	Extend I–49 from I–220 to Arkansas State line	4.400
1131. Pennsylvania	West Philadelphia congestion mitigation initiative	0.410
1132. New York	Judd Road Connector in New Hartford and Whitestown, New York	37.300
1133. South Dakota	Construct Eastern Dakota Expressway (Phase II)	31.438
1134. Virginia	Conduct historic restoration of Roanoke Passange Station in Roanoke	0.500
1135. Louisiana	Construct Port of St. Bernard Intermodal facility	2.100
1136. Mississippi	Construct segment 2 of the Jackson University Parkway in Jackson	1.250
1137. Indiana	Extend East 56th Street in Lawrence	6.500
1138. Ohio	Improve and construct SR–44/Jackson Street Interchange in Painesville	4.000
1139. Pennsylvania	Widen US–30 from US–222 to PA–340 and from PA–283 to PA–741	12.000
1140. Ohio	Construct State Route 209 from Cambridge and Byesville to the Guernsey County Industrial Park	2.200
1141. California	Construct I–5/Avenida Vista Hermosa interchange in San Clemente	3.000
1142. Pennsylvania	Improve PA 17 from PA 274 to PA 850 in Perry County	1.000
1143. Georgia	Improve GA–316 in Gwinnett County	40.900
1144. New York	Construct congestion mitigation project for Brookhaven	5.000
1145. New Hampshire	Construct Chestersfield Bridge	3.000
1146. California	Improve the interchange at Cabo and Nason Street in Moreno Valley	6.000
1147. Missouri	Widen US–63 in Randolph and Boone Counties, Missouri	45.360
1148. New Jersey	Upgrade Garden State Parkway Exit 142	30.000
1149. New York	Improve Bedford-Banksville Road from Millbrook to Connecticut State line	2.880
1150. New York	Upgrade and improve Albany to Saratoga to Adirondack intermodal transportation corridor	14.000
1151. Oklahoma	Reconstruct US–99/SH377 from Prague to Stroud in Lincoln County	9.000
1152. Washington	Safety improvements to State Route 14 in Columbia River Gorge National Scenic Area	4.200
1153. Nevada	Widen I–50 between Fallon and Fernley	4.000
1154. South Carolina	Widen and relocate SC–6 in Lexington County	8.000
1155. Kansas	Widen US–54 from Liberal, Kansas southwest to Oklahoma.	8.000
1156. Virginia	Improve East Eldon Street in Herndon	0.500
1157. Michigan	Improve US–31 from Holland to Grand Haven	5.000
1158. Arkansas	Construct turning lanes at US–71/AR–8 intersection in Mena	0.250
1159. California	Widen LaCosta Avenue in Carlsbad	3.000
1160. Alaska	Improve roads in Kotzebue	2.350
1161. New Hampshire	Construct Manchester Airport access road in Manchester	10.700
1162. Texas	Upgrade SH 130 in Caldwell amd Williamson Counties	1.000
1163. South Dakota	Construct Heartland Expressway Phase I	6.505
1164. New York	Design and construct Outer Harbor Bridge in Buffalo.	16.260
1165. Pennsylvania	Reconstruct State Route 2001 in Pike County	9.000
1166. Ohio	Construct interchange at I–480 in Independence, Ohio.	6.000
1167. New Mexico	Improve US–70 southwest of Portales	10.000
1168. California	Willits Bypass, Highway 101 in Mendocino County, California	1.000

[Dollars in Millions]

1169. Florida	Widen US–192 between County Route 532 and I–95 in Brevard and Osceola Counties	25.000
1170. Georgia	Widen US–84 South from US–82 to the Ware County Line in Waycross and Ware Counties	3.200
1171. New Hampshire	Reconstruct bridge over the Connecticut River between Lebanon, NH and White River Junction, VT	3.000
1172. Ohio	Conduct feasibility study for the construction of Muskingum County South 93–22–40 connector	0.700
1173. Georgia	Reconstruct SR–26/US–60 from Bull River to Lazaretto Creek	3.550
1174. Wisconsin	Improve Janesville transportation	4.000
1175. Illinois	Reconstruct US–30 in Joliet	9.000
1176. New Mexico	Complete the Paseo del Norte East Corridor in Bernalillo County	7.500
1177. Michigan	Construct I–96/Beck Wixom Road interchange	2.600
1178. Pennsylvania	Construct US–322 Conchester Highway between US–1 and PA–452	25.000
1179. New Mexico	Extend Unser Boulevard in Albuquerque	1.000
1180. Arkansas	Conduct planning for highway 278 and rail for the Warren/Monticello Arkansas Intermodal Complex	1.000
1181. Washington	Widen SR–543 from I–5 to International Boundary, Washington.	3.616
1182. New York	Construct congestion mitigation project for Smithtown	1.000
1183. Mississippi	Widen MS–15 from Laurel to Louiseville	10.000
1184. Pennsylvania	Construct Abbey Trails in Abington Township	0.500
1185. Mississippi	Construct East Metro Corridor in Rankin County, Mississippi.	3.500
1186. Utah	Construct I–15 interchange at Atkinville	8.000
1187. California	Improve SR–70 from Marysville Bypass to Oroville Freeway	15.000
1188. New Hampshire	Construct Conway bypass from Madison to Bartlett	7.100
1189. New York	Improve the Route 31/I–81 Bridge in Watertown	2.473
1190. Pennsylvania	Relocate PA–113 at Creamery Village in Skippack	3.000
1191. Indiana	Upgrade 4 warning devices on north/south rail line from Terre Haute to Evansville	0.400
1192. Pennsylvania	Construct noise abatement barriers along US–581 from I–83 2 miles west in Cumberland County	0.480
1193. Louisiana	Install computer signal synchronization system in Baton Rouge	6.500
1194. Alabama	Construct US–231/I–10 Freeway Connector from the Alabama border to Dothan	1.350
1195. Michigan	Improve I–94 in Kalamazoo County	5.000
1196. Florida	Construct Englewood Interstate connector from River Road to I–75 in Sarasota and Charlotte Counties	10.000
1197. New York	Conduct scope and design study of Hamilton Street interchange in Erwin.	16.500
1198. Alabama	Extend I–759 in Etowah County	15.000
1199. Pennsylvania	US–209 Marshall's Creek Traffic Relief project in Monroe County	10.000
1200. Georgia	Construct the Fall Line Freeway from Bibb to Richmond Counties	23.000
1201. Indiana	Construct SR–9 bypass in Greenfield	3.150
1202. Illinois	Construct Alton Bypass from IL–40 to Fosterburg Road	2.500
1203. New York	Replace of Route 92 Limestone Creek Bridge in Manlius	4.000
1204. Indiana	Upgrade 14 warning devices on east/west rail line from Gary to Auburn	1.400
1205. New York	Improve 6th and Columbia Street project in Elmira	0.700
1206. Michigan	Improve Kent County Airport road access in Grand Rapids, Michigan	11.280
1207. Arkansas	Enhance area around the Paris Courthouse in the vicinity of Arkansas Scenic Highway 22 and Arkansas Scenic Highway 309, Paris Arkansas	0.400
1208. Virginia	Downtown Staunton Streetscape Plan—Phase I in Staunton	0.500
1209. New York	Construct CR–85 from Foster Avenue to CR97 in Suffolk County	0.675
1210. California	Construct interchange between I–15 and Main Street in Hesperia, California	10.000
1211. Pennsylvania	Construct Ardmore Streetscape project	0.500
1212. New York	Reconstruct Route 25/Route 27 intersection in St. Lawrence County	1.000
1213. Connecticut	Relocate and realign Route 72 in Bristol	4.800
1214. Pennsylvania	Improve Park Avenue/PA 36 in Blair County	0.600
1215. Virginia	Construct Route 288 in the Richmond Metropolitan Area	22.000
1216. New York	Construct city of Glen Cove waterfront improvements	5.000
1217. North Carolina	Upgrade and improve US–19 from Maggie Valley to Cherokee	20.000
1218. New York	Construct Eastern Long Island Scenic Byway in Suffolk County	15.000
1219. Pennsylvania	Widen SR–247 and SR–2008 between 84 and Lackawanna Valley Industrial Highway for the Moosic Mountain Business Park	10.900
1220. Louisiana	Construct and equip Transportation Technology and Emergency Preparedness Center in Baton Rouge, Louisiana	5.400
1221. Pennsylvania	Reconstruct I–95/Street Road interchange in Bucks County	7.500
1222. Mississippi	Widen State Route 24 from Liberty to I–55	1.250
1223. New York	Initiate study and subsequent development and engineering of an international trade corridor in St. Lawrence County	2.000
1224. Missouri	Construct Highway 36 Hannibal Bridge and approaches in Marion County	3.496
1225. New York	Reconstruct Ridge Road Bridge in Orange County	0.160
1226. New Jersey	Reconstruct South Pembrton Road from Route 206 to Hanover Street	8.000
1227. Ohio	Improve Alum Creek Drive from I–270 to Frebis Avenue in Franklin County	7.000
1228. Ohio	Construct SR–315 Ohio State University Ramp project in Franklin County	3.000
1229. North Carolina	Construct US–64/264 in Dare County	2.000
1230. New Mexico	Improve US–70 from I–25 to Organ in New Mexico.	25.000
1231. Kentucky	Construct connection between Natcher Bridge and KY–60 east of Owensboro	3.000
1232. California	Widen 5th Street and replace 5th Street bridge in Highland, California	1.000
1233. New Mexico	Reconstruct US–84/US–285 from Santa Fe to Espanola	15.000
1234. Iowa	Improve IA–60 Corridor from LeMar to MN State line	8.800
1235. Louisiana	Construct Leeville Bridge on LA–1	1.500
1236. Tennessee	Reconstruct US–27 in Morgan County	3.000
1237. Texas	Improve US 82, East-West Freeway between Memphis Avenue and University Avenue	16.400
1238. Alabama	Construction of Eastern Black Warrior River Bridge and right-of-way acquisition and construction of an extension of the Black Warrior Parkway from US–82 to US–43 in Tuscaloosa County	23.000
1239. North Carolina	Construct US–117, the Elizabeth City Bypass in Pasquotank County	4.500
1240. Florida	Construct Cross Seminole Trail connection in Seminole County	1.500
1241. New York	Construct County Road 50 in the vicinity of Windsor Avenue	1.360

[Dollars in Millions]

1242. Ohio	Construct greenway enhancements in Madison	2.300
1243. Nebraska	Conduct corridor study of NE–35 alternative and modified route in Norfolk, Wayne and Dakota City	1.000
1244. New York	Improve Broadway in North Castle in Westchester County	2.520
1245. Louisiana	Extend Louisiana Highway 42 between US–61 and I–10 in Ascension Parish	8.000
1246. Alaska	Extend Kenai Spur Highway-North Road in Kenai Peninsula Borough	8.000
1247. Utah	Construct underpass at 100th South in Sandy	3.900
1248. Connecticut	Construct Seaview Avenue Corridor project	10.000
1249. New Jersey	Replace Maple Grange Road bridge over Pochuck Creek in Sussex County	1.800
1250. New York	Construct congestion mitigation project for Riverhead	2.500
1251. Pennsylvania	Improve PA 453 from Water Street to Tyrone in Huntingdon County	1.000
1252. Oklahoma	Reconstruct County Road 237 from Indiahoma to Wichita Mountains Wildlife Refuge	0.250
1253. Washington	Construct 192nd Street from Sr–14 to SE 15th	5.000
1254. Ohio	Construct Licking-Thornwood Connector in Licking County	1.500
1255. Pennsylvania	Improve I–95/PA–413 Interchange in Bucks County	7.500
1256. Florida	Construct US–98/Thomas Drive interchange	15.000
1257. Texas	Widen Meacham Boulevard from I–35W to FM–146 and extend Meacham Boulevard from west of FM–156 to North Main Street	3.500
1258. Utah	Construct Cache Valley Highway in Logan	7.000
1259. Texas	Relocation of Indiana Avenue between 19th street to North Loop 289 and Quaker Avenue intersection	9.600
1260. Kentucky	Reconstruct KY–210 from Hodgenville to Morning Star Road, Larue County	8.000
1261. Georgia	Construct Rome to Memphis Highway in Floyd and Bartow Counties	4.112
1262. Pennsylvania	Realign West 38th Street from Shunpike Road to Myrtle Street in Erie County	7.200
1263. New York	Upgrade Chenango County Route 32 in Norwich	1.600
1264. California	Rehabilitate historic train depot in San Bernadino	3.500
1265. Louisiana	Construct the Southern extension of I–49 from Lafayette to the Westbank Expressway	5.500
1266. New York	Replace Kennedy-class ferries, Staten Island	40.000
1267. Florida	Construct South Connector Road and Airport Road interchange in Jacksonville, Florida	9.000
1268. Virginia	Construct the Lynchburg/Madison Heights bypass in Lynchburg	1.500
1269. California	Widen I–15 from Victorville to Barstow in California	24.000
1270. New York	Traffic Mitigation Project on William Street and Losson Road in Cheektowaga	3.000
1271. Pennsylvania	Improve PA 56 from I–99 to Somerset County Line in Bedford County	1.000
1272. Pennsylvania	Renovate Harrisburg Transportation Center in Dauphin County	2.500
1273. Washington	Widen Columbia Center Boulevard in Kennewick	1.610
1274. Indiana	Improve State Road 31 in Columbus	0.500
1275. New York	Construct pedestrian access bridge from Utica Union Station	0.250
1276. Pennsylvania	Improve Route 219 in Clearfield County	1.000
1277. Kentucky	Construct KY–70 from Cave City to Mammoth Cave	2.000
1278. New Jersey	Replace Groveville-Allentown Road bridge in Hanilton	3.200
1279. Washington	Construct Mount Vernon multi-modal transportation facility project in Mount Vernon, Washington	3.500
1280. New Jersey	Construct pedestrian bridge in Washington Township	3.000
1281. Indiana	Install traffic signalization system in Muncie	0.900
1282. New Mexico	Improve 84/285 between Espanola and Hernandez	5.000
1283. Florida	Widen of State Road 44 in Volusia County	2.250
1284. Maryland	Construct improvements a I–270/MD–187 interchange	10.000
1285. Louisiana	Increase capacity of Lake Pontchartrain Causeway	2.000
1286. Pennsylvania	Construct Walnut Street pedestrian bridge in Dauphin County	1.000
1287. Pennsylvania	Improve US–22/PA–866 Intersection in Blair County	2.000
1288. Indiana	Expand 126th Street in Carmel	1.000
1289. Ohio	Upgrade 1 warning device on the rail line from Marion to Ridgeway	0.100
1290. Illinois	Conduct Midwest Regional intermodal facility feasibility study in Rochelle	0.400
1291. Minnesota	Construct Trunk Highway 610/10 from Trunk Highway 169 in Brooklyn Park to I–94 in Maple Grove	15.000
1292. Oklahoma	Improve Battiest-Pickens Road between Battiest and Pickens in McCurtain County	3.000
1293. Mississippi	Widen US–61 from Louisiana State line to Adams County	1.250
1294. California	Construct capital improvements along I–680 corridor	5.000
1295. Arkansas	Study and construct Van Buren intermodal port facility in Van Buren, Arkansas	0.300
1296. New York	Construct access road from Lake Avenue to Milestrip Road in Blasdell	0.240
1297. Iowa	Construct I–29 airport interchange overpass in Sioux City	6.200
1298. Pennsylvania	Construct PA–309 Sumneytown Pike Connector	4.400
1299. Kentucky	Construct Savage-Cedar Knob Bridge at Koger Creek	0.350
1300. Washington	Widen SR–527 from 112th SE to 132nd SE in Everett	4.700
1301. Kentucky	Complete I–65 upgrade from Elizabethtown to Tennessee State line	5.000
1302. Illinois	Replace Gaumer Bridge near Alvin	0.900
1303. South Carolina	Construct I–26/US–1 connector in Columbia	12.000
1304. Illinois	Construct Sullivan Road Bridge over the Fox River	10.000
1305. California	Extend State Route 7 in Imperial County	10.000
1306. South Carolina	Construct high priority surface transportation projects eligible for Federal-aid highway funds.	10.000
1307. New York	Construct Erie Canal Preserve I–90 rest stop in Port Byron	3.000
1308. Virginia	Improve Harrisonburg East Side roadways in Harrisonburg	0.500
1309. Texas	Improve I–35 West from Spur 280 to I–820 in Fort Worth	4.000
1310. Pennsylvania	Construct US–202 Section 600 Phase I Early Action project in Upper Gwynedd and Lower Gwynedd	5.000
1311. Pennsylvania	PA 26 over Piney Creek 2-bridges in Bedford County	0.800
1312. Florida	Widen and realign Eller Drive in Port Everglades, Florida	5.600
1313. Illinois	Improve access to Rantoul Aviation Center in Rantoul	1.600
1314. Florida	Deploy magnetic lane marking system on I–4	0.500
1315. Alaska	Construct the a bridge joining the Island of Gravina to the Community of Ketchikan on Revilla Island	20.000
1316. Louisiana	Conduct feasibility study, design and construction of connector between Louisiana Highway 16 to I–12 in Livingston Parish	5.000

[Dollars in Millions]

1317. New York	Improve Hardscrabble Road from Route 22 to June Road in North Salem	2.880
1318. California	Enhance Fort Bragg and Willitis passenger stations	0.500
1319. New Mexico	Improve Uptown in Bernalillo County	1.500
1320. Missouri	Construction of airport ground transportation terminal for the Springfield/Branson Airport intermodal facility in Springfield, Missouri	5.000
1321. North Carolina	Widen US–421 from North Carolina Route 194 to two miles East of US–221	7.400
1322. Kentucky	Construct US–127: $800,000 for the segment between the Albany Bypass and KY–90; $10,375,000 for the segment between the Albany Bypass and Clinton County High School; $40,000 for the segment between KY696 and the Tennessee State line	11.215
1323. Missouri	Upgrade US–71 interchange in Carthage, Missouri	1.000
1324. Ohio	Reconstruct Morgan County 37 in Morgan County	0.500
1325. New York	Construct Maybrook Corridor bikeway in Dutchess County	1.404
1326. New York	Construct Poughkeepsie Intermodal Facility in Poughkeepsie	3.750
1327. Illinois	Construct Orchard Road Bridge over the Fox River	7.000
1328. Pennsylvania	Improve PA–23 Corridor from US–30 Bypass between Lancaster County line and Morgantown	4.000
1329. California	Improve State Route 57 interchange at Lambert Road in Brea	0.985
1330. Texas	Upgrade State Highway 35 Yoakum District in Matagorda and Buazovia Counties	12.000
1331. Pennsylvania	Improve T–344 Bridge over Mahantango Creek in Snyder County	0.700
1332. Ohio	Complete safety/bicycle path in Madison Township	0.030
1333. New Jersey	Upgrade Montvale/Chestnut Ridge Road and Grand Avenue intersection at Garden State Parkway in Bergan County	0.500
1334. Kentucky	Widen US–27 from Norwood to Eubank	30.000
1335. California	Extend Highway 41 in Madera County	10.000
1336. New York	Improve and reconstruct Stony Street in York Town	0.350
1337. Pennsylvania	Complete Broad Street ramps at Route 611 bypass in Bucks County	1.770
1338. Tennessee	Construct State Route 131 from Gill Road to Bishop Road	2.400
1339. Georgia	Construct the Savannah River Parkway in Bullock, Jenkins, Screven and Effinghaus Counties	10.000
1340. Illinois	Improve Illinois Route 29 in Sangamon and Christian Counties	2.300
1341. Mississippi	Widen State Route 6 from Pontotoc to US–45 at Tupelo in Mississippi	15.000
1342. Kansas	Construct road and rail grade separations in Wichita	35.000
1343. Illinois	Widen US–20 in Freeport	5.100
1344. Minnesota	Construct Mankato South Route in Mankato	7.000
1345. Michigan	Construct interchange at Eastman Avenue/US–10 in Midland	11.000
1346. California	Highway 65 improvement and mitigation project	4.000
1347. Pennsylvania	Improve access to Raystown in Huntingdon County	1.500
1348. Indiana	Construct East 79th from Sunnyside Road to Oaklandon Road in Lawrence	4.000
1349. Georgia	Widen and reconstruct Corder Road from Pineview Drive to the Russell Parkway	3.400
1350. New York	Rahabilitate Jay Covered Bridge in Essex County	1.000
1351. New York	Improve Long Ridge Road from Pound Ridge Road to Connecticut State line	2.800
1352. Mississippi	Widen MS–45 from Brooksville to US–82 in Mississippi.	4.500
1353. Ohio	Upgrade US–30 in Hancock	15.000
1354. Illinois	Construct an interchange at I–90 and Illinois Route 173 in Rockford	7.500
1355. New York	Construct Route 17-Lowman Crossover in Ashland	4.800
1356. New Jersey	Rehabilitate East Ridgewood Avenue over Route 17 in Bergan County	3.600
1357. Pennsylvania	St. Thomas Signals Hade and Jack Rds US–30 in Franklin County	0.200
1358. New York	Improve Route 9 in Dutchess County	1.560
1359. Ohio	Rail mitigation and improvement projects from Vermillion to Conneaut	12.000
1360. Virginia	Complete North Section of Fairfax County Parkway in Fairfax County, Virginia.	10.000
1361. Arkansas	Conduct design study and acquire right of way on US–71 in the vicinity of Fort Chaffee, Fort Smith	5.000
1362. Pennsylvania	Realign Moulstown Road/Route 194/Eisenhower Drive York County	2.000
1363. Florida	Construct Greater Orlando Aviation Authority Consolidated Surface Access in Orlando	1.341
1364. Florida	Construct US17/92 and SR–436 interchange in Orange/Osceola/Seminole County region	2.750
1365. Washington	Construct State Route 7—Elbe rest area and interpretive facility in Pierce County, WA.	0.600
1366. Virginia	Improve the RIC airport connector road in Richmond	3.000
1367. Tennessee	Improve State Road 60 from Waterville to US–64 in Bradley County	1.600
1368. Pennsylvania	Relocate US–219 Ridgeway, Pennsylvania, truck bypass connector along Osterhout Street	6.000
1369. Pennsylvania	Construct PA 36 Convention Center Connector in Blair County	1.000
1370. New Jersey	Construct US–22/Chimney Rock Road interchange in Somerset County	23.000
1371. Alaska	Improve Dalton Highway from Fairbanks to Prudhoe Bay	5.000
1372. Pennsylvania	Allegheny Trail from Pittsburgh, Pennsylvania to Cumberland, Maryland	12.000
1373. Washington	Reconstruct I–21/Keys Road intersection in Yakima	8.640
1374. Pennsylvania	Upgrade 2 sections of US–6 in Tioga County	1.500
1375. Illinois	Congestion mitigation for Illinois Route 31 and Illinois Route 62 intersection in Algonquin	12.000
1376. Illinois	Construct Towanda-Barnes Road in Mclean County	7.760
1377. Pennsylvania	Construct Lackawanna River Heritage Trail in Lackawanna	0.500
1378. Pennsylvania	Reconstruct I–81 Plainfield interchange in Cumberland County	3.520
1379. Kentucky	Reconstruct US–127: $7,500,000 for the segment between Dry Ridge Road and US–231 and US–31; $4,000,000 for the segment between Allen-Warren County line and Dry Ridge Road	11.500
1380. Tennessee	Construct State Route 30 from Athens to Etowah in McMinn County	10.320
1381. Arizona	Replace US–93 Hoover Dam Bridge	20.000
1382. Iowa	Conduct study of Port of Des Moines, Des Moines	0.100
1383. Missouri	Bull Shoals Lake Ferry in Taney County, Missouri.	0.697
1384. Pennsylvania	Widen PA–413 in Bucks County	2.000
1385. Mississippi	Construct I–20 interchange at Pirate Cove	1.000
1386. Texas	Complete State Highway 35 in Aransas County	10.000
1387. California	Construct interchange between I–15 and SR–18 in San Bernardino, California.	8.000
1388. Pennsylvania	Improve Route 94 Corridor through Hanover to Maryland State Line.	8.000
1389. Ohio	Upgrade 2 warning devices on the rail north/south line from Columbus to Toledo	0.200
1390. Pennsylvania	Resurface current 219 bypass at Bradford	6.500
1391. New Jersey	Construct Route 17 bridge over the Susquehanna and Western Rail line in Rochelle Park	1.500

[Dollars in Millions]

1392. Louisiana	Replace ferry in Plaquemines Parish	2.150
1393. New York	Construct Hudson River scenic overlook from Route 9 to Waterfront in Poughkeepsie	0.455
1394. California	Complete State Route 56 in San Diego	4.000
1395. New Jersey	Replace Clove Road bridge over tributary of Mill Brook and Clove Brook in Sussex County	1.000
1396. California	Construct interchanges for I–10 in Coachella Valley, Riverside County	3.000
1397. South Dakota	Construct US–16 Hell Canyon Bridge and approaches in Custer County	0.441
1398. Wisconsin	Reconstruct U.S. Highway 151, Waupun to Fond du Lac	26.000
1399. Indiana	Construct I–70/Six Points interchange in Marion and Hendricks County	19.950
1400. Wyoming	Reconstruct Cheyenne Area Norris Viaduct	8.000
1401. California	Extend State Route 52 in San Diego	5.000
1402. Kansas	Reconstruct K–7 from Lone Elm Road to Harrison	3.100
1403. Mississippi	Construct US–84 from Eddiceton to Auburn Road	1.250
1404. Florida	Construct County Road 470 Interchange in Lake County	8.000
1405. Virginia	Widen I–81 in Roanoke and Botetourt Counties and in Rockbridge, Augusta and Rockingham Counties	6.000
1406. California	Improve and modify the Port of Hueneme Intermodal Corridor—Phase II in Ventura County	22.400
1407. New York	Construct Bay Shore Road SR–231 to SR–27 in Suffolk County	8.000
1408. Alabama	Complete I–59 interchange in Dekalb County	4.000
1409. Michigan	Construct interchange at US–10/Bay City Road in Midland	4.000
1410. Connecticut	Improve Route 4 intersection in Harwinton, Connecticut.	1.800
1411. Colorado	Construct Wadsworth Boulevard improvement project in Arvada	1.000
1412. Connecticut	Reconstruct Post Office Town Farm Road in Enfield, Connecticut	1.500
1413. Pennsylvania	Widen and signalize Sumneytown Pike and Forty Foot Road in Montgomery County, Pennsylvania.	4.300
1414. Tennessee	Improve State Road 95 from Westover Drive to SR–62 in Roane and Anderson Counties	4.900
1415. New York	FJ&G Rail/Trail Project in Fulton County	0.700
1416. Pennsylvania	Construct Towamencin Township multimodal center	2.900
1417. Michigan	Relocate US–31 from River Road to Naomi Road in Berrian County	18.000
1418. Alaska	Extend West Douglas Road in Goldbelt and Juneau	3.300
1419. Illinois	Construct US–67 in Madison and Jersey Counties	6.800
1420. Idaho	Reconstruct US–95 from Bellgrove to Mica	10.000
1421. Idaho	Construct US–95: Sandcreek Alternate Route in Sandpoint	15.000
1422. Ohio	Construct highway-rail grade separations on Snow Road in Brook Park	3.000
1423. New York	Construct Southern State Parkway ITS between NYS Route 110 and Sagtikos Parkway	4.825
1424. Florida	Widen US–17/92 in Volusia County	1.800
1425. Connecticut	Realign Route 4 intersection in Farmington	2.800
1426. Louisiana	Construct Louisiana Highway 1 from the Gulf of Mexico to US–90	0.750
1427. Kentucky	Construct Kentucky 31E from Bardstowns to Salt River	1.000
1428. Virginia	Constuct Third Bridge/Tunnel Crossing of Hampton Road	5.000
1429. Washington	Widen Cook Road in Skagit County, Washington.	3.100
1430. Pennsylvania	Construct 25.5 miles of the Perkiomen Trail	0.540
1431. Louisiana	Construct Port of South Louisiana Connector in Saint John the Baptist Parish	0.700
1432. New York	Construct CR–96 from Great South Bay to Montauk Highway in Suffolk County	0.275
1433. Pennsylvania	Construct US–6 Tunkhannock Bypass in Wyoming County	2.400
1434. Alabama	Construct Eastern Shore Trail project in Fairhope, Alabama.	1.355
1435. Georgia	Construct North River Causeway and Bridge, St. Mary's County	2.900
1436. Utah	Construct Phase II of the University Avenue Interchange in Provo	10.000
1437. California	Widen SR–71 from Riverside County to SR–91	13.000
1438. Arkansas	Construct access route to Northwest Arkansas Regional Airport in Highfill, Arkansas.	16.000
1439. California	Construct Ocean Boulevard and Terminal Island Freeway interchange in Long Beach, California.	20.000
1440. Nebraska	Widen and reconstruct I–680 from Pacific Street to Dodge Street in Douglas County	8.000
1441. Indiana	Lafayette Railroad relocation project in Lafayette, Indiana.	29.400
1442. Florida	Construct pedestrian overpass from Florida National Scenic Trail over I–4	2.500
1443. Michigan	Construct interchange at I–75/North Down River Road	1.500
1444. New York	Construct CR–96 from Montauk Highway to Sunrise Highway in Suffolk County	0.435
1445. Connecticut	Widen Route 10 from vicinity of Lazy Lane to River Street in Southington, Connecticut	4.640
1446. Connecticut	Widen Route 4 in Torrington	2.800
1447. Washington	Construct Port of Longview Industrial Rail Corridor and Fibre Way Overpass in Longview	2.500
1448. Virginia	Construct I–95/State Route 627 interchange in Stafford County	4.000
1449. Colorado	Complete the Powers Boulevard north extension in Colorado Springs	12.000
1450. Ohio	Construct St. Clairsville Bike Path in Belmont County	0.500
1451. South Dakota	Construct Aberdeen Truck bypass	2.576
1452. New York	Conduct extended needs study for the Tappan Zee Bridge	4.000
1453. Washington	Widen SR–99 between 148th Street and King County Line in Lynnwood	3.000
1454. Texas	Construct State Highway 121 from I–30 to US–67 in Cleburne	32.000
1455. Oklahoma	Reconstruct US–70 from Broken Bow to Arkansas State line in McCurtain County	7.500
1456. Georgia	Conduct study of a multimodal transportation corridor along GA–400	25.000
1457. New York	Reconstruct and widen Route 78 from I–90 to Route 15	5.500
1458. Nebraska	Construct South Beltway in Linclon	5.500
1459. Nebraska	Replace US–81 bridge between Yankton, south Dakota and Cedar County, Nebaska	1.500
1460. Florida	Construct Alden Road Improvement Project in Orange County	0.700
1461. California	Improve and widen Forest Hill Road in Placer County	7.000
1462. Washington	Improve Hillsboro Street/Highway 395 intersection in Pasco	3.550
1463. Missouri	Construct Hermann Bridge on Highway 19 in Montgomery and Gasconade Counties	1.544
1464. Utah	Widen and improve 123rd/126th South from 700 East to Jordan River in Draper	7.000
1465. Illinois	Improve Constitution Avenue in Peoria	3.500
1466. New York	Reconstruct Washington County covered bridge project	1.700
1467. New York	Reconstruct Stoneleigh Avenue in Putnam County	3.920

SEC. 128. WOODROW WILSON MEMORIAL BRIDGE.

Section 407(a) of the National Highway System Designation Act of 1995 (109 Stat. 630–631) is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by striking ''(a)'' and all that follows through the period at the end of paragraph (1) and inserting the following:

''(a) CONVEYANCES.—

''(1) CONVEYANCE TO STATES AND DISTRICT OF COLUMBIA.—

''(A) GENERAL AUTHORITY.—Not later than 60 days after the date of the enactment of this subparagraph, the Secretary shall convey to the State of Virginia, the State of Maryland, and the District of Columbia all right, title, and interest of the United States in and to the Bridge, including such related riparian rights and interests in land underneath the Potomac River as are necessary to carry out the project.

''(B) ACCEPTANCE OF TITLE.—Except as provided in paragraph (3), upon conveyance by the Secretary, the State of Virginia, the State of Maryland, and the District of Columbia shall accept the right, title, and interest in and to the Bridge.

''(C) CONSOLIDATION OF JURISDICTION.—For the purpose of making the conveyance under this paragraph, the Secretary of the Interior and the head of any other Federal department or agency that has jurisdiction over the land adjacent to the Bridge shall transfer such jurisdiction to the Secretary.

''(D) FUNDS ALLOCATED.—No funds made available for the high cost Interstate System reconstruction and improvement program under section 160 of title 23, United States Code, may be allocated for the Bridge before the State of Virginia, the State of Maryland, and the District of Columbia accept right, title, and interest in and to the Bridge under this paragraph.

''(2) CONVEYANCE TO AUTHORITY.—After execution of the agreement under subsection (c), the State of Virginia, State of Maryland, and the District of Columbia shall convey to the Authority their respective rights, titles, and interests in and to the Bridge, including such related riparian rights and interests in land underneath the Potomac River as are necessary to carry out the Project. Except as provided in paragraph (3), upon conveyance by the Secretary, the Authority shall accept the right, title, and interest in and to the Bridge and all duties and responsibilities associated with the Bridge.''; and

(3) in paragraph (3), as redesignated by paragraph (1) of this section, by striking ''conveyance under paragraph (1)'' and inserting ''conveyance under this subsection''.

SEC. 129. TRAINING.

(a) TRAINING POSITIONS FOR WELFARE RECIPIENTS.—Section 140(a) is amended by inserting after the third sentence the following: ''In implementing such programs, a State may reserve training positions for persons who receive welfare assistance from such State; except that the implementation of any such program shall not cause current employees to be displaced or current positions to be supplanted.''.

(b) TYPES OF TRAINING.—Section 140(b) is amended—

(1) in the first sentence—

(A) by inserting ''and technology'' after ''construction''; and

(B) by inserting after ''programs'' the following: '', and to develop and fund summer transportation institutes''; and

(2) in the last sentence by striking ''may be available'' and inserting ''may be utilized''.

(c) HEAVY EQUIPMENT OPERATOR TRAINING FACILITY.—

(1) ESTABLISHMENT.—The Secretary shall establish a heavy equipment operator training facility in Hibbing, Minnesota. The purpose of the facility shall be to develop an appropriate curriculum for training, and to train operators and future operators of heavy equipment in the safe use of such equipment.

(2) FUNDING.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $500,000 for each of fiscal years 1998 and 1999 to carry out this subsection.

(3) APPLICABILITY OF TITLE 23.—Funds made available to carry out this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of establishment of the facility under this subsection shall be 80 percent and such funds shall remain available until expended.

(d) MOTOR CARRIER OPERATOR VEHICLE AND TRAINING FACILITY.—

(1) ESTABLISHMENT.—The Secretary shall make grants to the State of Pennsylvania to establish and operate an advanced tractor trailer safety and operator training facility in Chambersburg, Pennsylvania. The purpose of the facility shall be to develop and coordinate an advance curriculum for the training of operators and future operators of tractor trailers. The facility shall conduct training on the test track at Letterkenny Army Depot and the unused segment of the Pennsylvania Turnpike located in Bedford County, Pennsylvania. The facility shall be operated by a not-for-profit entity and, when Federal assistance is no longer being provided with respect to the facility, shall be privately operated.

(2) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $500,000 per fiscal year shall be available to carry out this subsection. Such funds shall remain available until expended. The Federal share of the cost of establishment and operation of the facility under this subsection shall be 80 percent.

SEC. 130. TRANSPORTATION ASSISTANCE FOR OLYMPIC CITIES.

(a) PURPOSE.—The purpose of this section is to provide assistance and support to State and local efforts on surface and aviation-related transportation issues necessary to obtain the national recognition and economic benefits of participation in the International Olympic movement and the International Paralympic movement by hosting international quadrennial Olympic and Paralympic events in the United States.

(b) PRIORITY FOR TRANSPORTATION PROJECTS RELATED TO OLYMPIC EVENTS.—Notwithstanding any other provision of law, the Secretary may give priority to funding for a transportation project related to an Olympic event from funds available to carry out 1 or more of sections 144(g)(1) and 160 of title 23, United States Code, and sections 5309 and 5326 of title 49, United States Code, if the project meets the extraordinary needs associated with an international quadrennial Olympic event and if the project is otherwise eligible for assistance under such section.

(c) TRANSPORTATION PLANNING ACTIVITIES.—The Secretary may participate in planning activities of States, metropolitan planning organizations, and sponsors of transportation projects related to an international quadrennial Olympic event under sections 134 and 135 of title 23, United States Code, and in developing intermodal transportation plans necessary for such projects in coordination with State and local transportation agencies.

(d) USE OF ADMINISTRATIVE EXPENSES.—The Secretary may provide assistance from funds deducted under section 104(a) of title 23, United States Code, for the development of an Olympic and Paralympic transportation management plan in cooperation with an Olympic and a Paralympic Organizing Committee responsible for hosting, and State and local communities affected by, an international quadrennial Olympic event.

(e) TRANSPORTATION PROJECTS RELATED TO OLYMPIC EVENTS.—

(1) GENERAL AUTHORITY.—The Secretary may provide assistance to States and local governments in carrying out transportation projects related to an international quadrennial Olympic event. Such assistance may include planning, capital, and operating assistance.

(2) FEDERAL SHARE.—The Federal share of the costs of projects assisted under this subsection shall not exceed 80 percent. For purposes of determining the non-Federal share, highway, aviation, and transit projects shall be considered a program of projects.

(f) ELIGIBLE GOVERNMENTS.—A State or local government is eligible to receive assistance under this section only if it is hosting a venue that is part of an international quadrennial Olympics that is officially selected by the International Olympic Committee.

(g) AIRPORT DEVELOPMENT PROJECTS.—

(1) AIRPORT DEVELOPMENT DEFINED.—Section 47102(3) of title 49, United States Code, is amended by adding at the end the following:

''(H) Developing, in coordination with State and local transportation agencies, intermodal transportation plans necessary for Olympic-related projects at an airport.''.

(2) DISCRETIONARY GRANTS.—Section 47115(d) of title 49, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (5);

(B) by striking the period at the end of paragraph (6) and inserting ''; and''; and

(C) by adding at the end the following:

''(7) the need for the project in order to meet the unique demands of hosting international quadrennial Olympic events.''.

SEC. 131. NATIONAL DEFENSE HIGHWAYS.

(a) RECONSTRUCTION PROJECTS.—If the Secretary determines, after consultation with the Secretary of Defense, that a highway, or portion of a highway, located outside the United States is important to the national defense, the Secretary may carry out a project for the reconstruction of such highway or portion of highway.

(b) FUNDING.—The Secretary may make available, from funds appropriated for expenditure on the National Highway System, not to exceed $20,000,000 per fiscal year for each of fiscal years 1998 through 2003 to carry out this section. Such sums shall remain available until expended.

SEC. 132. MISCELLANEOUS SURFACE TRANSPORTATION PROGRAMS.

(a) INFRASTRUCTURE AWARENESS PROGRAM.—

(1) IN GENERAL.—The Secretary is authorized to fund the production of a documentary about infrastructure in cooperation with a not-for-profit national public television station and the National Academy of Engineering which shall demonstrate how public works and infrastructure projects stimulate job growth and the economy and contribute to the general welfare of the nation.

(2) FUNDING.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $1,000,000 for each of fiscal years 1998, 1999, and 2000. Such funds shall remain available until expended.

(3) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project under this subsection and the availability of funds authorized by this subsection shall be determined in accordance with this subsection.

(b) STUDY OF PARKING FACILITIES ADEQUACY.—

(1) STUDY.—The Secretary shall conduct a study to determine the location and quantity of parking facilities at commercial truck stops and travel plazas and public rest areas that could be used by motor carriers to comply with Federal hours of service rules. The study shall include an inventory of current facilities serving the National Highway System, analyze where shortages exist or are projected to exist, and propose

a plan to reduce the shortages. The study shall be carried out in cooperation with research entities representing motor carriers, the travel plaza industry, and commercial motor vehicle drivers.

(2) REPORT.—Not later than January 1, 2001, the Secretary shall transmit to Congress a report on the results of the study with any recommendations the Secretary determines appropriate as a result of the study.

(3) FUNDING.—From amounts set aside under section 104(a) of title 23, United States Code, for each of fiscal years 1998, 1999, and 2000, the Secretary may use not to exceed $500,000 per fiscal year to carry out this section.

SEC. 133. ELIGIBILITY.

(a) AMBASSADOR BRIDGE ACCESS, MICHIGAN.—Notwithstanding section 129 of title 23, United States Code, or any other provision of law, improvements to and construction of access roads, approaches, and related facilities (such as signs, lights, and signals) necessary to connect the Ambassador Bridge in Detroit, Michigan, to the Interstate System shall be eligible for funds apportioned under sections 104(b)(1) and 104(b)(3) of such title.

(b) CUYAHOGA RIVER BRIDGE, OHIO.—Notwithstanding section 149 of title 23, United States Code, or any other provision of law, a project to construct a new bridge over the Cuyahoga River in Cleveland, Ohio, shall be eligible for funds apportioned under section 104(b)(2) of such title.

(c) CONNECTICUT.—In fiscal year 1998, the State of Connecticut may transfer any funds remaining available for obligation under the section 104(b)(5)(A) of title 23, United States Code, as in effect on the day before the date of the enactment of this Act, for construction of the Interstate System to any other program eligible for assistance under chapter 1 of such title. Before making any distribution of the obligation limitation under section 103(c)(4) of this Act, the Secretary shall make available to the State of Connecticut sufficient obligation authority under section 103(c) of this Act to obligate funds available for transfer under this subsection.

(d) SAN FRANCISCO-OAKLAND BAY BRIDGE, CALIFORNIA.—In accordance with section 502 of this Act, a project to reconstruct the Interstate System approach to the western end of the San Francisco-Oakland Bay Bridge and the ramps connecting the bridge to Treasure Island shall be eligible for funds under section 160 of title 23, United States Code, relating to the high-cost Interstate System reconstruction and improvement program.

(e) SOUTHERN CALIFORNIA.—Notwithstanding section 120(l)(1) of title 23, United States Code—

(1) private entity expenditures to construct the SR–91 toll road located in Orange County, California, from SR–55 to the Riverside County line may be credited toward the State matching share for any Federal-aid project beginning construction after the SR–91 toll road was opened to traffic; and

(2) private expenditures for the future SR–125 toll road in San Diego County, California, from SR–905 to San Miguel Road may be credited against the State match share for Federal-aid highway projects beginning after SR–125 is opened to traffic.

(f) INTERNATIONAL BRIDGE, SAULT STE. MARIE, MI.—The International Bridge Authority, or its successor organization, shall be permitted to continue collection of tolls for the maintenance, operation, capital improvements, and future expansions to the International Bridge and its approaches, plaza areas, and associated buildings and structures.

(g) INFORMATION SERVICES.—A food business that would otherwise be eligible to display a mainline business logo on a specific service food sign described in section 2G–5.7(4) of part IIG of the 1988 edition of the Manual on Uniform Traffic Control Devices for Streets and Highways under the requirements specified in that section, but for the fact that the business is open 6 days a week, cannot be prohibited from inclusion on such a food sign.

SEC. 134. FISCAL, ADMINISTRATIVE, AND OTHER AMENDMENTS.

(a) ADVANCED CONSTRUCTION.—Section 115 is amended—

(1) in subsection (b)—

(A) by moving the text of paragraph (1) (including subparagraphs (A) and (B)) 2 ems to the left;

(B) by striking ''(1) IN GENERAL.—'';

(C) by striking paragraphs (2) and (3); and

(D) by striking ''(A) prior'' and inserting ''(1) prior''; and

(E) by striking ''(B) the project'' and inserting ''(2) the project'';

(2) by striking subsection (c); and

(3) by redesignating subsection (d) as subsection (c).

(b) AVAILABILITY OF FUNDS.—Section 118 is amended—

(1) in the subsection heading for subsection (b) by striking ''; DISCRETIONARY PROJECTS''; and

(2) by striking subsection (e) and inserting the following:

''(e) EFFECT OF RELEASE OF FUNDS.—Any Federal-aid highway funds released by the final payment on a project, or by the modification of the project agreement, shall be credited to the same program funding category previously apportioned to the State and shall be immediately available for expenditure.''.

(c) FEDERAL SHARE PAYABLE.—Section 120 is amended in each of subsections (a) and (b) by striking ''shall be'' and inserting ''shall not exceed''.

(d) PAYMENTS TO STATES FOR CONSTRUCTION.—Section 121 is amended—

(1) in subsection (a)—

(A) by striking the second sentence; and

(B) by striking the last sentence and inserting the following: ''Such payments may also be made for the value of the materials (1) which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the projects, and (2) which are not in the vicinity of such construction if the Secretary determines that because of required fabrication at an off-site location the material cannot be stockpiled in such vicinity.'';

(2) by striking subsection (b) and inserting the following:

''(b) PROJECT AGREEMENT.—No payment shall be made under this chapter except for a project covered by a project agreement. After completion of the project in accordance with the project agreement, a State shall be entitled to payment out of the appropriate sums apportioned or allocated to it of the unpaid balance of the Federal share payable on account of such project.'';

(3) by striking subsections (c) and (d); and

(4) by redesignating subsection (e) as subsection (c).

(e) ADVANCES TO STATES.—Section 124 is amended—

(1) by striking ''(a)'' the first place it appears; and

(2) by striking subsection (b).

(f) DIVERSION.—Section 126, and the item relating to such section in the table of sections for chapter 1, are repealed.

(g) STATE HIGHWAY DEPARTMENT.—Section 302 is amended—

(1) by adding at the end of subsection (a) the following: ''Compliance with this provision shall have no effect on the eligibility of costs.'';

(2) by striking ''(a)''; and

(3) by striking subsection (b).

(h) BRIDGE COMMISSIONS.—Public Law 87–441, relating to bridge commissions created by Congress and Federal approval of membership of such commissions, is repealed.

(i) OTHER AMENDMENTS.—

(1) Section 1023(h)(1) of Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note) is amended by striking ''the date on which Federal-aid highway and transit programs are reauthorized after the date of the enactment of the National Highway System Designation Act of 1995'' and inserting ''September 30, 2003''.

(2) Section 127(a) is amended by inserting before the next to the last sentence the following: ''With respect to the State of Colorado, vehicles designed to carry 2 or more precast concrete panels shall be considered a nondivisible load.''.

(3) Section 127(a) is amended by adding at the end the following: ''The State of Louisiana may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 100,000 pounds for the hauling of sugarcane during the harvest season, not to exceed 100 days annually.''.

(4) Section 127 is amended by adding at the end the following new subsection:

''(h) MAINE AND NEW HAMPSHIRE.—With respect to Interstate Route 95 in the State of New Hampshire, State laws or regulations in effect on January 1, 1987, shall be applicable for purposes of this section. With respect to that portion of the Maine Turnpike designated Interstate Route 95 and 495, and that portion of Interstate Route 95 from the southern terminus of the Maine Turnpike to the New Hampshire State line, State laws or regulations in effect on October 1, 1995, shall be applicable for purposes of this section.''.

(j) SPECIALIZED HAULING VEHICLES.—

(1) STUDY.—The Secretary shall conduct a study to examine the impact of the truck weight standards on specialized hauling vehicles.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study with any recommendations the Secretary determines appropriate as a result of the study.

SEC. 135. ACCESS OF MOTORCYCLES.

Section 102 is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following:

''(b) ACCESS OF MOTORCYCLES.—No State or political subdivision of a State may restrict the access of motorcycles to any highway or portion of a highway for which Federal-aid highway funds have been utilized for planning, design, construction, or maintenance.''.

SEC. 136. AMENDMENTS TO PRIOR SURFACE TRANSPORTATION AUTHORIZATION LAWS.

(a) ISTEA HIGH PRIORITY CORRIDORS.—

(1) IN GENERAL.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032–2033) is amended—

(A) in paragraph (5)(B)(iii)(I)(ff) by inserting before the semicolon '', including a connection to Andrews following the Route 41 Corridor'';

(B) in paragraph (9) by inserting after ''New York'' the following: '', including United States Route 322 between United States Route 220 and I–80'';

(C) in paragraph (18)—

(i) by inserting before ''Indianapolis, Indiana'' the following: ''Sarnia, Ontario, Canada, through Port Huron, Michigan, southwesterly along I–69 and from Windsor, Ontario, Canada, through Detroit, Michigan, westerly along I–94 via Marshall, Michigan, thence south to''; and

(ii) by striking ''and to include'' and inserting the following:

''as follows:

''(A) In Tennessee, Mississippi, Arkansas, and Louisiana, the Corridor shall—

''(i) follow the alignment generally identified in the Corridor 18 Special Issues Study Final Report; and

''(ii) run in an East/South direction to United States Route 61 and cross the Mississippi River (in the vicinity of Memphis, Tennessee) to Highway 79, and then follow Highway 79 south to 2 miles west of Altimer, Arkansas, and across the Arkansas River at Lock and Dam Number 4, Arkansas, and then proceed south in the direction of Monticello, Arkansas, and link up with the

route proposed in the Corridor 18 Special Issues Study Final Report which would continue to Haynesville, Louisiana.

''(B) In the Lower Rio Grande Valley, the Corridor shall—

''(i) include United States Route 77 from the Rio Grande River to Interstate Route 37 at Corpus Christi, Texas, and then to Victoria, Texas, via United States Route 77;

''(ii) include United States Route 281 from the Rio Grande River to Interstate Route 37 and then to Victoria, Texas, via United States Route 59; and

''(iii) include'';

(D) in paragraph (21) by striking ''United States Route 17 in the vicinity of Salamanca, New York'' and inserting ''Interstate Route 80'';

(E) by inserting '', including I–29 between Kansas City and the Canadian border'' before the period at the end of paragraph (23); and

(F) by inserting after paragraph (29) the following:

''(30) Interstate Route 5 in the States of California, Oregon, and Washington, including California State Route 905 between Interstate Route 5 and the Otay Mesa Port of Entry.

''(31) The Mon-Fayette Expressway and Southern Beltway in Pennsylvania.

''(32) The Wisconsin Development Corridor from the Iowa, Illinois, and Wisconsin border near Dubuque, Iowa, to the Upper Mississippi River Basin near Eau Claire, Wisconsin, as follows:

''(A) United States Route 151 from the Iowa border to Fond du Lac via Madison, Wisconsin, then United States Route 41 from Fond du Lac to Marinette via Oshkosh, Appleton, and Green Bay, Wisconsin.

''(B) State Route 29 from Green Bay to I–94 via Wausau, Chippewa Falls, and Eau Claire, Wisconsin.

''(C) United States Route 10 from Appleton to Marshfield, Wisconsin.

''(33) The Capital Gateway Corridor following United States Route 50 from the proposed intermodal transportation center connected to I–395 in Washington, D.C., to the intersection of United States Route 50 with Kenilworth Avenue and the Baltimore-Washington Parkway in Maryland.

''(34) The Alameda Corridor East generally described as 52.8 miles from east Los Angeles (terminus of Alameda Corridor) through the San Gabriel Valley terminating at Colton Junction in San Bernandino.

''(35) Everett-Tacoma FAST Corridor.

''(36) New York and Pennsylvania State Route 17 from Harriman, New York, to its intersection with I–90 in Pennsylvania.

''(37) United States Route 90 from I–49 in Lafayette, Louisiana, to I–10 in New Orleans.

''(38) The Ports-to-Plains Corridor from the Mexican Border via I–27 to Denver, Colorado.

''(39) United States Route 63 from Marked Tree, Arkansas, to I–55.''.

(2) PROVISIONS APPLICABLE TO CORRIDORS.—Section 1105(e)(5)(A) of such Act is amended—

(A) by inserting after ''referred to'' the first place it appears the following: ''in subsection (c)(1),'';

(B) by striking ''and'' the second place it appears; and

(C) by inserting after ''(c)(20)'' the following: '', in subsection (c)(36), and in subsection (c)(37)''.

(3) ROUTES.—Section 1105(e)(5) of such Act is further amended—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(B) by inserting after subparagraph (A) the following:

''(B) ROUTES.—

''(i) DESIGNATION.—The routes referred to in subsections (c)(18) and (c)(20) shall be designated as Interstate Route I–69. A State having jurisdiction over any segment of routes referred to in subsections (c)(18) and (c)(20) shall erect signs identifying such segment that is consistent with the criteria set forth in subsections (e)(5)(A)(i) and (e)(5)(A)(ii) as Interstate Route I–69, including segments of United States Route 59 in the State of Texas. The segment identified in subsection (c)(18)(B)(i) shall be designated as Interstate Route I–69 East, and the segment identified in subsection (c)(18)(B)(ii) shall be designated as Interstate Route I–69 Central. The State of Texas shall erect signs identifying such routes as segments of future Interstate Route I–69.

''(ii) RULEMAKING TO DETERMINE FUTURE INTERSTATE SIGN ERECTION CRITERIA.—The Secretary shall conduct a rulemaking to determine the appropriate criteria for the erection of signs for future routes on the Interstate System identified in subparagraph (A). Such rulemaking shall be undertaken in consultation with States and local officials and shall be completed not later than December 31, 1998.'';

(C) by striking the last sentence of subparagraph (A) and inserting it as the first sentence of subparagraph (B)(i), as inserted by subparagraph (B) of this paragraph; and

(D) in subparagraph (D), as redesignated by subparagraph (A) of this paragraph, by striking ''(C)'' and inserting ''(D)''.

(b) AMENDMENTS TO SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982.—Section 146 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2130), relating to lane restrictions, is repealed.

SEC. 137. BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS.

(a) IN GENERAL.—Section 217 is amended—

(1) in subsection (b)—

(A) by inserting ''pedestrian walkways and'' after ''construction of''; and

(B) by striking ''(other than the Interstate System)'';

(2) in subsection (e) by striking '', other than a highway access to which is fully controlled,'';

(3) by striking subsection (g) and inserting the following:

''(g) PLANNING AND DESIGN.—Bicyclists and pedestrians shall be given due consideration in the comprehensive transportation plans developed by each metropolitan planning organization and State in accordance with sections 134 and 135, respectively. Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities, except where bicycle and pedestrian use are not permitted. Transportation plans and projects shall provide due consideration for safety and contiguous routes. Safety considerations shall include the installation and maintenance of audible traffic signals and audible signs at street crossings.'';

(4) in subsection (h) by striking ''No motorized vehicles shall'' and inserting ''Motorized vehicles may not'';

(5) in subsection (h)(3) by striking ''when State and local regulations permit,'';

(6) in subsection (h)—

(A) by striking ''and'' at the end of paragraph (3);

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) when State or local regulations permit, electric bicycles; and''; and

(7) by striking subsections (i) and (j) and inserting the following:

''(i) DEFINITIONS.—In this section, the following definitions apply:

''(1) BICYCLE TRANSPORTATION FACILITY.—The term 'bicycle transportation facility' means new or improved lanes, paths, or shoulders for use by bicyclists, traffic control devices, shelters, and parking facilities for bicycles.

''(2) ELECTRIC BICYCLE.—The term 'electric bicycle' means any bicycle or tricycle with a low-powered electric motor weighing under 100 pounds, with a top motor-powered speed not in excess of 20 miles per hour.

''(3) PEDESTRIAN.—The term 'pedestrian' means any person traveling by foot and any mobility impaired person using a wheelchair.

''(4) WHEELCHAIR.—The term 'wheelchair' means a mobility aid, usable indoors, and designed for and used by individuals with mobility impairments, whether operated manually or powered.''.

(b) PROTECTION OF NONMOTORIZED TRANSPORTATION TRAFFIC.—Section 109(n) is amended to read as follows:

''(n) PROTECTION OF NONMOTORIZED TRANSPORTATION TRAFFIC.—The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonably alternate route or such a route exits.''.

(c) RAILWAY-HIGHWAY CROSSINGS.—Section 130 is amended by adding at the end the following:

''(j) BICYCLE SAFETY.—In carrying out projects under this section, a State shall take into account bicycle safety.''.

(d) HIGHWAY AND STREET DESIGN STANDARDS.—

(1) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall initiate, in conjunction with the American Association of State Highway and Transportation Officials, a study to consider proposals to amend the policies of such association relating to highway and street design standards to accommodate bicyclists and pedestrians.

(2) REPORT.—Not later than 2 years after such date of enactment, the Secretary shall transmit to Congress a report on the results of the study with any recommendations on amending the policies referred to in paragraph (1) the Secretary determines appropriate.

(e) NATIONAL BICYCLE SAFETY EDUCATION CURRICULA.—

(1) DEVELOPMENT.—The Secretary is authorized to develop a national bicycle safety education curricula that may include courses relating to on-road training.

(2) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Secretary shall transmit to Congress a copy of the curricula.

(3) FUNDING.—From amounts made available under section 210 of this Act, the Secretary may use not to exceed $500,000 for fiscal year 1998 to carry out this subsection.

(f) DESIGN GUIDANCE.—In implementing section 217(g) of title 23, United States Code, the Secretary, in cooperation with the American Association of State Highway and Transportation Officials, the Institute of Transportation Engineers, and other interested organizations, shall develop guidance on the various approaches to accommodating bicycles and pedestrian travel. The guidance shall address issues such as the level and nature of the demand, volume, and speed of motor vehicle traffic, safety, terrain, cost, and sight distance. The guidance shall be developed within 1 year after the date of the enactment of this Act.

SEC. 138. HAZARD ELIMINATION PROGRAM.

Section 152 is amended—

(1) in subsection (a) by inserting '', bicyclists,'' after ''motorists'';

(2) by adding at the end of subsection (a) the following: ''In carrying out this section, States shall minimize any negative impact on safety and access for bicyclists and pedestrians.'';

(3) in subsection (b) by inserting after ''project'' the following: ''or safety improvement project described in subsection (a)''; and

(4) in subsections (f) and (g) by striking ''highway'' each place it appears.

SEC. 139. PROJECT ADMINISTRATION.

(a) LIFE CYCLE COST ANALYSIS.—Section 106(e) is amended—

(1) in paragraph (1) by striking ''with a cost of $25,000,000 or more'';

(2) by adding at the end of paragraph (1) the following: ''The program shall be based on the principles contained in section 2 of Executive Order 12893.''; and

(3) in paragraph (2) by inserting after ''maintenance,'' the following: ''user costs,''.

(b) EVALUATION OF PROCUREMENT PRACTICES AND PROJECT DELIVERY.—

(1) STUDY.—The Comptroller General shall conduct a study to assess the impact that a utility company's failure to relocate their facilities in a timely manner has on the delivery and cost of Federal-aid highway and bridge projects. The study shall also assess the following:

(A) Methods States use to mitigate such delays, including the use of the courts to compel utility cooperation.

(B) The prevalence and use of incentives to utility companies for early completion of utility relocations on Federal-aid transportation project sites and, conversely, penalties assessed on utility companies for utility relocation delays on such projects.

(C) The extent to which States have used available technologies, such as subsurface utility engineering, early in the design of Federal-aid highway and bridge projects so as to eliminate or reduce the need for or delays due to utility relocations.

(D) Whether individual States compensate transportation contractors for business costs they incur when Federal-aid highway and bridge projects under contract to them are delayed by utility company caused delays in utility relocations and any methods used by States in making any such compensation.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall transmit to Congress a report on the results of the study with any recommendations the Comptroller General determines appropriate as a result of the study.

SEC. 140. CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.

Section 112(b)(2) of title 23, United States Code, is amended—

(1) in subparagraph (B)(i) by striking '', except to'' and all that follows through ''services'';

(2) by striking subparagraph (C) and inserting the following:

''(C) SELECTION, PERFORMANCE, AND AUDITS.—

''(i) IN GENERAL.—All requirements for architectural, engineering, and related services at any phase of a highway project funded in whole or in part with Federal-aid highway funds shall be performed under a contract awarded in accordance with subparagraph (A) unless the simplified acquisition procedures of the Federal Acquisition Regulations of title 48, Code of Federal Regulations, apply.

''(ii) PROHIBITION ON STATE RESTRICTIONS.—A State shall not impose any overhead restriction, or salary limitation inconsistent with the Federal Acquisition Regulations, that would preclude any qualified firm from being eligible to compete for contracts awarded in accordance with subparagraph (A).

''(iii) COMPLIANCE WITH FEDERAL ACQUISITION REGULATIONS.—The process for selection, award, performance, administration, and audit of the resulting contracts shall comply with the procedures, cost principles, and cost accounting principles of the Federal Acquisition Regulations, including parts 30, 31, and 36 of title 48, Code of Federal Regulations.'';

(3) in subparagraph (G)—

(A) by inserting ''(i) GENERAL RULE.—'' before ''Subpargraphs'';

(B) by adding at the end the following:

''(ii) STATE OPTION.—Congress has determined that the State opt-out period for the contract administration procedures has expired. States that have complied with or received waivers from the Secretary regarding the requirements of section 307 of the National Highway Designation Act of 1995, as of the date of the enactment of this clause, shall not be subject to the requirements of subparagraph (A).''; and

(C) by indenting clause (i), as designated by subparagraph (A) of this paragraph, and aligning it with clause (ii), as added by subparagraph (B) of this paragraph; and

(4) by adding at the end the following:

''(H) COMPLIANCE.—A State shall comply, with respect to any architecture, engineering, or related service contract for any phase of a Federal-aid highway project, with the qualifications-based selection procedures of the Federal Acquisition Regulations, and with the single audit procedures required under this paragraph, or with an existing State law or a statute enacted in accordance with the legislative session exemption provided by subparagraph (G).''.

SEC. 141. COMMERCIAL MOTOR VEHICLE STUDY.

(a) STUDY.—The Secretary shall request the Transportation Research Board of the National Academy of Sciences to conduct a study regarding the regulation of weights, lengths, and widths of commercial motor vehicles operating on Federal-aid highways to which Federal regulations currently apply. In conducting the study, the Board shall review current law, regulations, studies (including Transportation Research Board Special Report 225), and practices and develop recommendations regarding any revisions to current law and regulations that the Board deems appropriate.

(b) FACTORS TO CONSIDER AND EVALUATE.—In developing recommendations under subsection (a), the Board shall consider and evaluate the impact of the recommendations described in subsection (a) on the economy, the environment, safety, and service to communities.

(c) CONSULTATION.—In carrying out the study, the Board shall consult the Department of Transportation, States, the motor carrier industry, freight shippers, highway safety groups, air quality and natural resource management groups, commercial motor vehicle driver representatives, and other appropriate entities.

(d) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Board shall transmit to Congress and the Secretary a report on the results of the study conducted under this section.

(e) RECOMMENDATIONS.—Not later than 6 months after the date of receipt of the report under subsection (d), the Secretary may transmit to Congress a report containing comments or recommendations of the Secretary regarding the report.

(f) FUNDING.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $250,000 for each of fiscal years 1998 and 1999 to carry out this subsection.

(g) APPLICABILITY OF TITLE 23.—Funds made available to carry out this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of the study under this section shall be 100 percent and such funds shall remain available until expended.

SEC. 142. NEW YORK AVENUE TRANSPORTATION DEVELOPMENT AUTHORITY.

(a) ESTABLISHMENT.—There is established an authority to be known as the New York Avenue Transportation Development Authority (hereinafter in this section referred to as ''Authority'').

(b) MEMBERSHIP.—The Authority shall be composed of 5 members appointed as follows:

(1) 3 individuals appointed by the President.

(2) 2 individuals appointed by the mayor of the District of Columbia.

(c) COMPENSATION.—Members of the Authority may not receive pay, allowances, or benefits by reason of their service on the Authority.

(d) DUTIES.—The Authority shall develop a transportation improvement plan for the Capital Gateway Corridor and vicinity following United States Route 50 from I–395 in Washington, D.C., to the intersection of United States Route 50 with Kenilworth Avenue and the Baltimore-Washington Parkway in Maryland, which shall include—

(1) engineering, pre-design, and design necessary to improve the corridor; and

(2) economic feasibility studies of financing the project, including the feasibility of repaying funds that may be borrowed from the Highway Trust Fund to carry out the project.

(e) CONSIDERATIONS FOR TIP.—In developing the transportation improvement plan, the Authority shall consider—

(1) how a tunnel or other method to re-route interstate traffic from the surface of New York Avenue may improve traffic on and access to the New York Avenue Corridor; and

(2) how to improve access to the National Arboretum.

(f) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Authority shall report to the Congress on any additional legal authorities it needs to carry out the transportation improvement plan.

(g) FUNDING.—The Authority is eligible to receive funds authorized under the National Corridor Planning and Development program established in section 115.

SEC. 143. DEFINITIONS.

Section 101(a) is amended to read as follows:

''(a) DEFINITIONS.—The following definitions apply:

''(1) APPORTIONMENT.—The term 'apportionment' includes unexpended apportionments made under prior authorization laws.

''(2) CARPOOL PROJECT.—The term 'carpool project' means any project to encourage the use of carpools and vanpools, including provision of carpooling opportunities to the elderly and handicapped, systems for locating potential riders and informing them of carpool opportunities, acquiring vehicles for carpool use, designating existing highway lanes as preferential carpool highway lanes, providing related traffic control devices, and designating existing facilities for use for preferential parking for carpools.

''(3) CONSTRUCTION.—The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including bond costs and other costs relating to the issuance in accordance with section 122 of bonds or other debt financing instruments and costs incurred by the State in performing Federal-aid project related audits which directly benefit the Federal-aid highway program. Such term includes—

''(A) locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the National Oceanic and Atmospheric Administration in the Department of Commerce);

''(B) resurfacing, restoration, and rehabilitation;

''(C) acquisition of rights-of-way;

''(D) relocation assistance, acquisition of replacement housing sites, and acquisition and rehabilitation, relocation, and construction of replacement housing;

''(E) elimination of hazards of railway grade crossings;

''(F) elimination of roadside obstacles;

''(G) improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas; and

''(H) capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits, scale installation, and scale houses.

''(4) COUNTY.—The term 'county' includes corresponding units of government under any other name in States which do not have county organizations and, in those States in which the county government does not have jurisdiction

over highways, any local government unit vested with jurisdiction over local highways.

''(5) FEDERAL-AID HIGHWAYS.—The term 'Federal-aid highways' means highways eligible for assistance under this chapter other than highways classified as local roads or rural minor collectors.

''(6) FEDERAL-AID SYSTEM.—The term 'Federal-aid system' means any one of the Federal-aid highway systems described in section 103.

''(7) FEDERAL LANDS HIGHWAYS.—The term 'Federal lands highways' means forest highways, public lands highways, park roads, parkways, and Indian reservation roads which are public roads.

''(8) FOREST DEVELOPMENT ROADS AND TRAILS.—The term 'forest development roads and trails' means a forest road or trail under the jurisdiction of the Forest Service.

''(9) FOREST HIGHWAY.—The term 'forest highway' means a forest road under the jurisdiction of, and maintained by, a public authority and open to public travel.

''(10) FOREST ROAD OR TRAIL.—The term 'forest road or trail' means a road or trail wholly or partly within, or adjacent to, and serving the National Forest System and which is necessary for the protection, administration, and utilization of the National Forest System and the use and development of its resources.

''(11) HIGHWAY.—The term 'highway' includes roads, streets, and parkways, and also includes rights-of-way, bridges, railroad-highway crossings, tunnels, drainage structures, signs, guardrails, and protective structures, in connection with highways. It further includes that portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State highway department, including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of an international bridge or tunnel.

''(12) HIGHWAY SAFETY IMPROVEMENT PROJECT.—The term 'highway safety improvement project' means a project which corrects or improves high hazard locations, eliminates roadside obstacles, improves highway signing and pavement marking, installs priority control systems for emergency vehicles at signalized intersections, installs or replaces emergency motorist aid call boxes, or installs traffic control or warning devices at high accident potential locations.

''(13) INDIAN RESERVATION ROADS.—The term 'Indian reservation roads' means public roads that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups, or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians.

''(14) INTERSTATE SYSTEM.—The term 'Interstate System' means the Dwight D. Eisenhower National System of Interstate and Defense Highways described in section 103(e).

''(15) MAINTENANCE.—The term 'maintenance' means the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for its safe and efficient utilization.

''(16) NATIONAL HIGHWAY SYSTEM.—The term 'National Highway System' means the Federal-aid highway system described in section 103(b).

''(17) OPERATING COSTS FOR TRAFFIC MONITORING, MANAGEMENT, AND CONTROL.—The term 'operating costs for traffic monitoring, management, and control' includes labor costs, administrative costs, costs of utilities and rent, and other costs associated with the continuous operation of traffic control, such as integrated traffic control systems, incident management programs, and traffic control centers.

''(18) OPERATIONAL IMPROVEMENT.—The term 'operational improvement' means a capital improvement for installation of traffic surveillance and control equipment, computerized signal systems, motorist information systems, integrated traffic control systems, incident management programs, and transportation demand management facilities, strategies, and programs and such other capital improvements to public roads as the Secretary may designate, by regulation; except that such term does not include resurfacing, restoring, or rehabilitating improvements, construction of additional lanes, interchanges, and grade separations, and construction of a new facility on a new location.

''(19) PARK ROAD.—The term 'park road' means a public road, including a bridge built primarily for pedestrian use, but with capacity for use by emergency vehicles, that is located within, or provides access to, an area in the National Park System with title and maintenance responsibilities vested in the United States.

''(20) PARKWAY.—The term 'parkway', as used in chapter 2 of this title, means a parkway authorized by Act of Congress on lands to which title is vested in the United States.

''(21) PROJECT.—The term 'project' means an undertaking to construct a particular portion of a highway, or if the context so implies, the particular portion of a highway so constructed or any other undertaking eligible for assistance under this title.

''(22) PROJECT AGREEMENT.—The term 'project agreement' means the formal instrument to be executed by the State highway department and the Secretary as required by section 110(a).

''(23) PUBLIC AUTHORITY.—The term 'public authority' means a Federal, State, county, town, or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free facilities.

''(24) PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS.—The term 'public lands development roads and trails' means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.

''(25) PUBLIC LANDS HIGHWAY.—The term 'public lands highway' means any highway through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations under the jurisdiction of and maintained by a public authority and open to public travel.

''(26) PUBLIC ROAD.—The term 'public road' means any road or street under the jurisdiction of and maintained by a public authority and open to public travel.

''(27) RURAL AREAS.—The term 'rural areas' means all areas of a State not included in urban areas.

''(28) SECRETARY.—The term 'Secretary' means Secretary of Transportation.

''(29) STATE.—The term 'State' means any one of the fifty States, the District of Columbia, or Puerto Rico.

''(30) STATE FUNDS.—The term 'State funds' includes funds raised under the authority of the State or any political or other subdivision thereof, and made available for expenditure under the direct control of the State highway department.

''(31) STATE HIGHWAY DEPARTMENT.—The term 'State highway department' means that department, commission, board, or official of any State charged by its laws with the responsibility for highway construction.

''(32) TRANSPORTATION ENHANCEMENT ACTIVITIES.—The term 'transportation enhancement activities' means, with respect to any project or the area to be served by the project, any of the following activities if such activity has a direct link to surface transportation: provision of facilities for pedestrians and bicycles, provision of safety and educational activities for pedestrians and bicyclists, acquisition of scenic easements and scenic or historic sites, scenic or historic highway programs, landscaping and other scenic beautification, including removal of graffiti and litter to the extent that such removal is in excess of fiscal year 1997 maintenance levels for removal of graffiti and litter, historic preservation, rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals), preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails), control and removal of outdoor advertising, archaeological planning and research, environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity, and provision of tourist and welcome centers.

''(33) URBAN AREA.—The term 'urban area' means an urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or urban place as designated by the Bureau of the Census having a population of 5,000 or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census, except in the case of cities in the State of Maine and in the State of New Hampshire.

''(34) URBANIZED AREA.—The term 'urbanized area' means an area with a population of 50,000 or more designated by the Bureau of the Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Boundaries shall, at a minimum, encompass the entire urbanized area within a State as designated by the Bureau of the Census.''.

TITLE II—HIGHWAY SAFETY

SEC. 201. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 202. HIGHWAY SAFETY PROGRAMS.

(a) UNIFORM GUIDELINES.—Section 402(a) is amended—

(1) in the fourth sentence by striking ''(4)'' and inserting ''(4) to prevent accidents and''; and

(2) in the eighth sentence by striking ''include information obtained by the Secretary under section 4007 of the Intermodal Surface Transportation Efficiency Act of 1991 and''.

(b) ADMINISTRATION OF STATE PROGRAMS.—Section 402(b) is amended—

(1) by striking ''(b)(1)'' and all that follows through paragraph (2) and inserting the following:

''(b) ADMINISTRATION OF STATE PROGRAMS.—'';

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively;

(3) in paragraph (1)(C), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (3)''; and

(4) in paragraph (2), as so redesignated, by striking ''paragraph (3)(C)'' and inserting ''paragraph (1)(C)''.

(c) APPORTIONMENT OF FUNDS.—The 6th sentence of section 402(c) is amended by inserting ''the apportionment to the Secretary of the Interior shall not be less than three-fourths of 1 percent of the total apportionment and'' after ''except that''.

(d) APPLICATION IN INDIAN COUNTRY.—Section 402(i) is amended to read as follows:

''(i) APPLICATION IN INDIAN COUNTRY.—

''(1) IN GENERAL.—For the purpose of application of this section in Indian country, the terms 'State' and 'Governor of a State' include the

Secretary of the Interior and the term 'political subdivision of a State' includes an Indian tribe. Notwithstanding subsection (b)(1)(C), 95 percent of the funds apportioned to the Secretary of the Interior under this section shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions. The requirements of subsection (b)(1)(D) shall be applicable to Indian tribes, except to those tribes with respect to which the Secretary of Transportation determines that application of such provisions would not be practicable.

''(2) INDIAN COUNTRY DEFINED.—In this subsection, the term 'Indian country' means—

''(A) all land within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;

''(B) all dependent Indian communities within the borders of the United States, whether within the original or subsequently acquired territory thereof and whether within or without the limits of a State; and

''(C) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments.''.

(e) RULEMAKING PROCEEDING.—Section 402(j) is amended to read as follows:

''(j) RULEMAKING PROCEEDING.—The Secretary may from time to time conduct a rulemaking process to identify highway safety programs that are highly effective in reducing motor vehicle crashes, injuries, and deaths. Any such rulemaking shall take into account the major role of the States in implementing such programs. When a rule promulgated in accordance with this section takes effect, States shall consider these highly effective programs when developing their highway safety programs.''.

SEC. 203. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

Section 403(a)(2)(A) is amended by inserting '', including training in work zone safety management'' after ''personnel''.

SEC. 204. OCCUPANT PROTECTION INCENTIVE GRANTS.

(a) IN GENERAL.—Chapter 4 is amended by inserting after section 404 the following:

''§ 405. Occupant protection incentive grants

''(a) GENERAL AUTHORITY.—

''(1) AUTHORITY TO MAKE GRANTS.—Subject to the provisions of this section, the Secretary shall make grants under subsections (b) and (c) to States that adopt and implement effective programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles. Such grants may be used by recipient States only to implement and enforce, as appropriate, such programs.

''(2) MAINTENANCE OF EFFORT.—No grant may be made to a State under subsection (b) or (c) in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for programs described in paragraph (1) at or above the average level of such expenditures in its 2 fiscal years preceding the Building Efficient Surface Transportation and Equity Act of 1998.

''(3) MAXIMUM PERIOD OF ELIGIBILITY; FEDERAL SHARE FOR GRANTS.—No State may receive grants under subsection (b) or (c) in more than 6 fiscal years beginning after September 30, 1997. The Federal share payable for any grant under this section shall not exceed—

''(A) in the first and second fiscal years in which the State receives the grant, 75 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year a program adopted by the State;

''(B) in the third and fourth fiscal years in which the State receives the grant, 50 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program; and

''(C) in the fifth and sixth fiscal years in which the State receives the grant, 25 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program.

''(b) GRANT A.—A State may establish its eligibility for a grant under this subsection by adopting or demonstrating to the satisfaction of the Secretary at least 5 of the following and, beginning in fiscal year 2001, at least 6 of the following:

''(1) SAFETY BELT USE LAW.—The State has in effect a safety belt use law that makes unlawful throughout the State the operation of a passenger motor vehicle whenever an individual (other than a child who is secured in a child restraint system) in the front seat of the vehicle (and, beginning in fiscal year 2000, in any seat in the vehicle) does not have a safety belt properly secured about the individual's body.

''(2) PRIMARY SAFETY BELT USE LAW.—The State provides for primary enforcement of its safety belt use law.

''(3) MINIMUM FINE OR PENALTY POINTS.—The State imposes a minimum fine, or provides for the imposition of penalty points against an individual's driver's license, for a violation of its safety belt use law.

''(4) CHILD SAFETY SEAT LAW.—The State has in effect a child passenger protection law that makes unlawful throughout the State the operation of a passenger motor vehicle whenever a child up to 4 years of age in the vehicle is not properly secured in a child safety seat.

''(5) SPECIAL TRAFFIC ENFORCEMENT PROGRAM.—The State has implemented a statewide special traffic enforcement program for occupant protection that emphasizes publicity for the program.

''(6) CHILD OCCUPANT PROTECTION EDUCATION PROGRAM.—The State has implemented a statewide comprehensive child occupant protection education program that includes education about proper seating positions for children in air bag equipped motor vehicles and instruction on how to reduce the improper use of child restraints systems.

''(7) CHILD PASSENGER PROTECTION LAW.—The State has in effect a child passenger protection law that makes unlawful throughout the State the operation of a passenger motor vehicle whenever a child up to 10 years of age (and, beginning in fiscal year 2003, a child up to 16 years of age) in the vehicle is not properly restrained.

''(c) GRANT B.—A State may establish its eligibility for a grant under this subsection by adopting or demonstrating to the satisfaction of the Secretary each of the following:

''(1) STATE SAFETY BELT USE RATE.—The State demonstrates a statewide safety belt use rate in both front outboard seating positions in all passenger motor vehicles of 80 percent or higher in each of the years a grant under this subparagraph is received.

''(2) SURVEY METHOD.—The State follows safety belt use survey methods which conform to guidelines issued by the Secretary ensuring that such measurements are accurate and representative.

''(d) GRANT AMOUNTS.—The amount of each grant for which a State qualifies under subsection (b) or (c) for a fiscal year shall equal up to 30 percent of the amount apportioned to the State for fiscal year 1997 under section 402 of this title.

''(e) DEFINITIONS.—In this subsection, the following definitions apply:

''(1) CHILD SAFETY SEAT.—The term 'child safety seat' means any device (except safety belts) designed for use in a motor vehicle to restrain, seat, or position a child who weighs 50 pounds or less.

''(2) MOTOR VEHICLE.—The term 'motor vehicle' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line.

''(3) MULTIPURPOSE PASSENGER VEHICLE.—The term 'multipurpose passenger vehicle' means a motor vehicle with motive power (except a trailer), designed to carry not more than 10 individuals, that is constructed either on a truck chassis or with special features for occasional off-road operation.

''(4) PASSENGER CAR.—The term 'passenger car' means a motor vehicle with motive power (except a multipurpose passenger vehicle, motorcycle, or trailer) designed to carry not more than 10 individuals.

''(5) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' means a passenger car or a multipurpose passenger motor vehicle.

''(6) SAFETY BELT.—The term 'safety belt' means—

''(A) with respect to open-body passenger vehicles, including convertibles, an occupant restraint system consisting of a lap belt or a lap belt and a detachable shoulder belt; and

''(B) with respect to other passenger vehicles, an occupant restraint system consisting of integrated lap and shoulder belts.

''(f) ADMINISTRATIVE EXPENSES.—Funds authorized to be appropriated to carry out this section shall be subject to a deduction not to exceed 5 percent for the necessary costs of administering the provisions of this section.

''(g) APPLICABILITY OF CHAPTER 1.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, all provisions of chapter 1 of this title that are applicable to National Highway System funds, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to Federal-aid highways, shall apply to the funds authorized to be appropriated to carry out this section.

''(2) INCONSISTENT PROVISIONS.—If the Secretary determines that a provision of chapter 1 of this title is inconsistent with this section, such provision shall not apply to funds authorized to be appropriated to carry out this section.

''(3) CREDIT FOR STATE AND LOCAL EXPENDITURES.—The aggregate of all expenditures made during any fiscal year by a State and its political subdivisions (exclusive of Federal funds) for carrying out the State highway safety program under section 402 (other than planning and administration) shall be available for the purpose of crediting such State during such fiscal year for the non-Federal share of the cost of any project under this section (other than one for planning or administration) without regard to whether such expenditures were actually made in connection with such project.

''(4) INCREASED FEDERAL SHARE FOR CERTAIN INDIAN TRIBE PROGRAMS.—In the case of an occupant protection program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, the Secretary may increase the Federal share of the cost thereof payable under this title to the extent necessary.

''(5) TREATMENT OF TERM 'STATE HIGHWAY DEPARTMENT'.—In applying provisions of chapter 1 in carrying out this section, the term 'State highway department' as used in such provisions shall mean the Governor of a State and, in the case of an Indian tribe program, the Secretary of the Interior.''.

(b) CONFORMING AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 404 the following:

''405. Occupant protection incentive grants.''.

SEC. 205. ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.

Section 410 is amended to read as follows:

''§ 410. Alcohol-impaired driving countermeasures

''(a) GENERAL AUTHORITY.—Subject to the requirements of this section, the Secretary shall make grants to States that adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving while

under the influence of alcohol. Such grants may only be used by recipient States to implement and enforce such programs.

''(b) MAINTENANCE OF EFFORT.—No grant may be made to a State under this section in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for alcohol traffic safety programs at or above the average level of such expenditures in its 2 fiscal years preceding the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998.

''(c) MAXIMUM PERIOD OF ELIGIBILITY; FEDERAL SHARE FOR GRANTS.—No State may receive grants under this section in more than 6 fiscal years beginning after September 30, 1997. The Federal share payable for any grant under this section shall not exceed—

''(1) in the first and second fiscal years in which the State receives a grant under this section, 75 percent of the cost of implementing and enforcing in such fiscal year a program adopted by the State pursuant to subsection (a);

''(2) in the third and fourth fiscal years in which the State receives a grant under this section, 50 percent of the cost of implementing and enforcing in such fiscal year such program; and

''(3) in the fifth and sixth fiscal years in which the State receives a grant under this section, 25 percent of the cost of implementing and enforcing in such fiscal year such program.

''(d) BASIC GRANT ELIGIBILITY.—

''(1) BASIC GRANT A.—A State shall become eligible for a grant under this paragraph by adopting or demonstrating to the satisfaction of the Secretary at least 5 of the following:

''(A) .08 BAC PER SE LAW.—A law that provides that any individual with a blood alcohol concentration of 0.08 percent or greater while operating a motor vehicle shall be deemed to be driving while intoxicated.

''(B) ADMINISTRATIVE LICENSE REVOCATION.—An administrative driver's license suspension or revocation system for individuals who operate motor vehicles while under the influence of alcohol that requires that—

''(i) in the case of an individual who, in any 5-year period beginning after the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998, is determined on the basis of a chemical test to have been operating a motor vehicle under the influence of alcohol or is determined to have refused to submit to such a test as proposed by a law enforcement officer, the State agency responsible for administering drivers' licenses, upon receipt of the report of the law enforcement officer—

''(I) shall suspend the driver's license of such individual for a period of not less than 90 days if such individual is a first offender in such 5-year period; and

''(II) shall suspend the driver's license of such individual for a period of not less than 1 year, or revoke such license, if such individual is a repeat offender in such 5-year period; and

''(ii) the suspension and revocation referred to under clause (i) shall take effect not later than 30 days after the day on which the individual refused to submit to a chemical test or received notice of having been determined to be driving under the influence of alcohol, in accordance with the State's procedures.

''(C) UNDERAGE DRINKING PROGRAM.—An effective system, as determined by the Secretary, for preventing operators of motor vehicles under age 21 from obtaining alcoholic beverages and for preventing persons from making alcoholic beverages available to individuals under age 21. Such system may include a graduated licensing system, the issuance of drivers' licenses to individuals under age 21 that are easily distinguishable in appearance from drivers' licenses issued to individuals age 21 years of age or older, and the issuance of drivers' licenses that are tamper resistant.

''(D) ENFORCEMENT PROGRAM.—Either—

''(i) a statewide program for stopping motor vehicles on a nondiscriminatory, lawful basis for the purpose of determining whether the operators of such motor vehicles are driving while under the influence of alcohol; or

''(ii) a statewide special traffic enforcement program for impaired driving that emphasizes publicity for the program.

''(E) REPEAT OFFENDERS.—Effective sanctions for repeat offenders convicted of driving under the influence of alcohol. Such sanctions, as determined by the Secretary, may include electronic monitoring; alcohol interlocks; intensive supervision of probation; vehicle impoundment, confiscation, or forfeiture; dedicated detention facilities; special measures to reduce driving with a suspended license; and assignment of treatment.

''(F) DRIVERS WITH HIGH BAC'S.—Programs to target individuals with high blood alcohol concentrations who operate a motor vehicle. Such programs may include implementation of a system of graduated penalties and assessment of individuals convicted of driving under the influence of alcohol.

''(G) YOUNG ADULT DRINKING PROGRAMS.—Programs to reduce driving while under the influence of alcohol by individuals age 21 through 34. Such programs may include awareness campaigns; traffic safety partnerships with employers, colleges, and the hospitality industry; assessment of first time offenders; and incorporation of treatment into judicial sentencing.

''(H) TESTING FOR BAC.—An effective system for increasing the rate of testing for blood alcohol concentration of motor vehicle drivers in fatal accidents and, in fiscal year 2000 and in each fiscal year thereafter, a rate of such testing that is equal to or greater than the national average.

''(2) BASIC GRANT B.—A State shall become eligible for a grant under this paragraph by adopting or demonstrating to the satisfaction of the Secretary each of the following:

''(A) FATAL IMPAIRED DRIVER PERCENTAGE REDUCTION.—The percentage of fatally injured drivers with 0.10 percent or greater blood alcohol concentration in the State has decreased in each of the 3 most recent calendar years for which statistics for determining such percentages are available.

''(B) FATAL IMPAIRED DRIVER PERCENTAGE COMPARISON.—The percentage of fatally injured drivers with 0.10 percent or greater blood alcohol concentration in the State has been lower than the average percentage for all States in each of the calendar years referred to in subparagraph (A).

''(3) BASIC GRANT AMOUNT.—The amount of a basic grant made to a State for a fiscal year under this subsection shall equal up to 30 percent of the amount apportioned to the State for fiscal year 1997 under section 402 of this title.

''(e) DISCRETIONARY GRANTS.—

''(1) IN GENERAL.—Upon receiving an application from a State, the Secretary may make grants to the State for carrying out innovative programs (other than the programs specified in subsection (d)) to reduce traffic safety problems resulting from individuals driving while under the influence of alcohol or controlled substances. Such programs may seek to achieve such a reduction through legal, judicial, enforcement, educational, technological, or other approaches.

''(2) ELIGIBILITY.—A State shall be eligible to receive a grant under this subsection in a fiscal year only if the State is eligible to receive a grant under subsection (d) in such fiscal year.

''(3) FUNDING.—Of the amounts made available to carry out this section, not to exceed 12 percent shall be available for making grants under this subsection.

''(f) ADMINISTRATIVE EXPENSES.—Funds authorized to be appropriated to carry out this section shall be subject to a deduction not to exceed 5 percent for the necessary costs of administering the provisions of this section.

''(g) APPLICABILITY OF CHAPTER 1.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, all provisions of chapter 1 of this title that are applicable to National Highway System funds, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to Federal-aid highways, shall apply to the funds authorized to be appropriated to carry out this section.

''(2) INCONSISTENT PROVISIONS.—If the Secretary determines that a provision of chapter 1 of this title is inconsistent with this section, such provision shall not apply to funds authorized to be appropriated to carry out this section.

''(3) CREDIT FOR STATE AND LOCAL EXPENDITURES.—The aggregate of all expenditures made during any fiscal year by a State and its political subdivisions (exclusive of Federal funds) for carrying out the State highway safety program under section 402 (other than planning and administration) shall be available for the purpose of crediting such State during such fiscal year for the non-Federal share of the cost of any project under this section (other than one for planning or administration) without regard to whether such expenditures were actually made in connection with such project.

''(4) INCREASED FEDERAL SHARE FOR CERTAIN INDIAN TRIBE PROGRAMS.—In the case of an alcohol-impaired driving countermeasures program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, the Secretary may increase the Federal share of the cost thereof payable under this title to the extent necessary.

''(5) TREATMENT OF TERM 'STATE HIGHWAY DEPARTMENT'.—In applying provisions of chapter 1 in carrying out this section, the term 'State highway department' as used in such provisions shall mean the Governor of a State and, in the case of an Indian tribe program, the Secretary of the Interior.

''(h) DEFINITIONS.—In this section, the following definitions apply:

''(1) ALCOHOLIC BEVERAGE.—The term 'alcoholic beverage' has the meaning such term has under section 158(c) of this title.

''(2) CONTROLLED SUBSTANCES.—The term 'controlled substances' has the meaning such term has under section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

''(3) MOTOR VEHICLE.—The term 'motor vehicle' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line.''.

SEC. 206. STATE HIGHWAY SAFETY DATA IMPROVEMENTS.

(a) IN GENERAL.—Chapter 4 is further amended by adding at the end the following new section:

''§ 411. State highway safety data improvements

''(a) GENERAL AUTHORITY.—Subject to the provisions of this section, the Secretary shall make grants to States that adopt and implement effective programs to—

''(1) improve the timeliness, accuracy, completeness, uniformity, and accessibility of the State's data needed to identify priorities for national, State, and local highway and traffic safety programs;

''(2) evaluate the effectiveness of efforts to make such improvements;

''(3) link these State data systems, including traffic records, together and with other data systems within the State, such as systems that contain medical and economic data; and

''(4) improve State data systems' compatibility with national data systems and those of other States and enhance the Secretary's ability to observe and analyze national trends in crash occurrences, rates, outcomes, and causation.

Such grants may be used by recipient States only to implement such programs.

''(b) MODEL DATA ELEMENTS.—The Secretary, in consultation with States and other appropriate parties, shall determine the model data elements necessary to observe and analyze national trends in crash occurrences, rates, outcomes, and causation. A State's multiyear highway safety data and traffic records plan described in subsection (e)(1) shall demonstrate how the model data elements will be incorporated into the State's data systems for the State to be eligible for grants under this section.

''(c) MAINTENANCE OF EFFORT.—No grant may be made to a State under this section in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for highway safety data programs at or above the average level of such expenditures in its 2 fiscal years preceding the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998.

''(d) MAXIMUM PERIOD OF ELIGIBILITY; FEDERAL SHARE FOR GRANTS.—No State may receive grants under this section in more than 6 fiscal years beginning after September 30, 1997. The Federal share payable for any grant under this section shall not exceed—

''(1) in the first and second fiscal years in which the State receives the grant, 75 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year a program adopted by the State;

''(2) in the third and fourth fiscal years in which the State receives the grant, 50 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program; and

''(3) in the fifth and sixth fiscal years in which the State receives the grant under this section, 25 percent of the cost of implementing and enforcing, as appropriate, in such fiscal year such program.

''(e) FIRST-YEAR GRANTS.—

''(1) ELIGIBILITY.—A State shall be eligible for a first-year grant under this section in a fiscal year if the State either—

''(A) demonstrates, to the satisfaction of the Secretary, that the State has—

''(i) established a highway safety data and traffic records coordinating committee with a multidisciplinary membership, including the administrators, collectors, and users of such data (including the public health, injury control, and motor carrier communities);

''(ii) completed, within the preceding 5 years, a highway safety data and traffic records assessment or an audit of the State's highway safety data and traffic records system; and

''(iii) initiated the development of a multiyear highway safety data and traffic records strategic plan, to be approved by the State's highway safety data and traffic records coordinating committee, that identifies and prioritizes the State's highway safety data and traffic records needs and goals, and that identifies performance-based measures by which progress toward those goals will be determined; or

''(B) provides, to the satisfaction of the Secretary—

''(i) a certification that the State has met the requirements of clauses (i) and (ii) of subparagraph (A);

''(ii) a multiyear plan that—

''(I) identifies and prioritizes the State's highway safety data and traffic records needs and goals;

''(II) specifies how the State's incentive funds for the fiscal year will be used to address those needs and goals; and

''(III) identifies performance-based measures by which progress toward those goals will be determined; and

''(iii) a certification that the State's highway safety data and traffic records coordinating committee continues to operate and supports the multiyear plan described in clause (ii).

''(2) GRANT AMOUNTS.—The amount of a first-year grant made to a State for a fiscal year under this subsection shall equal—

''(A) if the State is eligible for the grant under paragraph (1)(A), $125,000, subject to the availability of appropriations; and

''(B) if the State is eligible for the grant under paragraph (1)(B), an amount determined by multiplying—

''(i) the amount appropriated to carry out this section for such fiscal year; by

''(ii) the ratio that the funds apportioned to the State under section 402 for fiscal year 1997 bears to the funds apportioned to all States under section 402 for fiscal year 1997;

except that no State shall receive less than $225,000, subject to the availability of appropriations.

''(f) SUCCEEDING YEAR GRANTS.—

''(1) ELIGIBILITY.—A State shall be eligible for a grant under this subsection in any fiscal year succeeding the first fiscal year in which the State receives a grant under subsection (e) if the State, to the satisfaction of the Secretary—

''(A) submits or updates a multiyear plan described in subsection (e)(1)(A)(iii);

''(B) certifies that the highway safety data and traffic records coordinating committee of the State continues to operate and supports the multiyear plan; and

''(C) reports annually on the State's progress in implementing the multiyear plan.

''(2) GRANT AMOUNTS.—The amount of a succeeding year grant made to the State for a fiscal year under this paragraph shall equal the amount determined by multiplying—

''(A) the amount appropriated to carry out this section for such fiscal year; by

''(B) the ratio that the funds apportioned to the State under section 402 for fiscal year 1997 bears to the funds apportioned to all States under section 402 for fiscal year 1997;

except that no State shall receive less than $225,000, subject to the availability of appropriations.

''(g) ADMINISTRATIVE EXPENSES.—Funds authorized to be appropriated to carry out this section shall be subject to a deduction not to exceed 5 percent for the necessary costs of administering the provisions of this section.

''(h) APPLICABILITY OF CHAPTER 1.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, all provisions of chapter 1 of this title that are applicable to National Highway System funds, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to Federal-aid highways, shall apply to the funds authorized to be appropriated to carry out this section.

''(2) INCONSISTENT PROVISIONS.—If the Secretary determines that a provision of chapter 1 of this title is inconsistent with this section, such provision shall not apply to funds authorized to be appropriated to carry out this section.

''(3) CREDIT FOR STATE AND LOCAL EXPENDITURES.—The aggregate of all expenditures made during any fiscal year by a State and its political subdivisions (exclusive of Federal funds) for carrying out the State highway safety program under section 402 (other than planning and administration) shall be available for the purpose of crediting such State during such fiscal year for the non-Federal share of the cost of any project under this section (other than one for planning or administration) without regard to whether such expenditures were actually made in connection with such project.

''(4) INCREASED FEDERAL SHARE FOR CERTAIN INDIAN TRIBE PROGRAMS.—In the case of a highway safety data improvements program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, the Secretary may increase the Federal share of the cost thereof payable under this title to the extent necessary.

''(5) TREATMENT OF TERM 'STATE HIGHWAY DEPARTMENT'.—In applying provisions of chapter 1 in carrying out this section, the term 'State highway department' as used in such provisions shall mean the Governor of a State and, in the case of an Indian tribe program, the Secretary of the Interior.''.

(b) CONFORMING AMENDMENT.—The table of sections for such chapter is amended by adding at the end the following:

''411. State highway safety data improvements.''.

SEC. 207. NATIONAL DRIVER REGISTER.

(a) TRANSFER OF SELECTED FUNCTIONS TO NON-FEDERAL MANAGEMENT.—Section 30302 of title 49, United States Code, is amended by adding at the end the following:

''(e) TRANSFER OF SELECTED FUNCTIONS TO NON-FEDERAL MANAGEMENT.—

''(1) AGREEMENT.—The Secretary may enter into an agreement with an organization that represents the interests of the States to manage, administer, and operate the National Driver Register's computer timeshare and user assistance functions. If the Secretary decides to enter into such an agreement, the Secretary shall ensure that the management of these functions is compatible with this chapter and the regulations issued to implement this chapter.

''(2) REQUIRED DEMONSTRATION.—Any transfer of the National Driver Register's computer timeshare and user assistance functions to an organization that represents the interests of the States shall begin only after a determination is made by the Secretary that all States are participating in the National Driver Register's 'Problem Driver Pointer System' (the system used by the Register to effect the exchange of motor vehicle driving records), and that the system is functioning properly.

''(3) TRANSITION PERIOD.—Any agreement entered into under this subsection shall include a provision for a transition period sufficient to allow the States to make the budgetary and legislative changes the States may need to pay fees charged by the organization representing their interests for their use of the National Driver Register's computer timeshare and user assistance functions. During this transition period, the Secretary shall continue to fund these transferred functions.

''(4) FEES.—The total of the fees charged by the organization representing the interests of the States in any fiscal year for the use of the National Driver Register's computer timeshare and user assistance functions shall not exceed the total cost to the organization of performing these functions in such fiscal year.

''(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed to diminish, limit, or otherwise affect the authority of the Secretary to carry out this chapter.''.

(b) ACCESS TO REGISTER INFORMATION.—

(1) CONFORMING AMENDMENTS.—Section 30305(b) of title 49, United States Code, is amended—

(A) in paragraph (2) by inserting before the period at the end the following: '', unless the information is about a revocation or suspension still in effect on the date of the request'';

(B) in paragraph (8), as redesignated by section 207(b) of the Coast Guard Authorization Act of 1996 (Public Law 104–324, 110 Stat. 3908)—

(i) by striking ''paragraph (2)'' and inserting ''subsection (a) of this section''; and

(ii) by moving the text of such paragraph 2 ems to the left; and

(C) by redesignating paragraph (8), as redesignated by section 502(b)(1) of the Federal Aviation Reauthorization Act of 1996 (Public Law 104–264, 110 Stat. 3262), as paragraph (9).

(2) FEDERAL AGENCY ACCESS PROVISION.—Section 30305(b) of title 49, United States Code, is further amended—

(A) by redesignating paragraph (6) as paragraph (10) and inserting such paragraph after paragraph (9);

(B) by inserting after paragraph (5) the following:

''(6) The head of a Federal department or agency that issues motor vehicle operator's licenses may request the chief driver licensing official of a State to obtain information under subsection (a) of this section about an individual applicant for a motor vehicle operator's license from such department or agency. The department or agency may receive the information, provided it transmits to the Secretary a report regarding any individual who is denied a motor vehicle operator's license by that department or agency for cause; whose motor vehicle operator's license is revoked, suspended, or canceled by that department or agency for cause; or about whom the department or agency has been notified of a conviction of any of the motor vehicle-related offenses or comparable offenses listed in section 30304(a)(3) and over whom the department or agency has licensing authority. The report shall contain the information specified in section 30304(b).''; and

(C) by adding at the end the following:

''(11) The head of a Federal department or agency authorized to receive information regarding an individual from the Register under this section may request and receive such information from the Secretary.''.

SEC. 208. SAFETY STUDIES.

(a) BLOWOUT RESISTANT TIRES STUDY.—The Secretary shall conduct a study on the benefit to public safety of the use of blowout resistant tires on commercial motor vehicles and the potential to decrease the incidence of accidents and fatalities from accidents occurring as a result of blown out tires.

(b) SCHOOL BUS OCCUPANT SAFETY STUDY.—The Secretary shall conduct a study to assess occupant safety in school buses. The study shall examine available information about occupant safety and analyze options for improving occupant safety.

(c) REPORTS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of each study conducted under this section.

(d) LIMITATION ON FUNDING.—The Secretary may not expend more than $200,000, from funds made available by section 210, for conducting each study under this section.

SEC. 209. EFFECTIVENESS OF LAWS ESTABLISHING MAXIMUM BLOOD ALCOHOL CONCENTRATIONS.

(a) STUDY.—The Comptroller General shall conduct a study to evaluate the effectiveness of State laws that—

(1) deem any individual with a blood alcohol concentration of 0.08 percent or greater while operating a motor vehicle to be driving while intoxicated; and

(2) deem any individual under the age of 21 with a blood alcohol concentration of 0.02 percent or greater while operating a motor vehicle to be driving while intoxicated;

in reducing the number and severity of alcohol-involved crashes.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Public Works and the Environment of the Senate a report containing the results of the study conducted under this section.

SEC. 210. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) NHTSA HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code, by the National Highway Traffic Safety Administration $128,200,000 for fiscal year 1998, $150,700,000 for fiscal year 1999, and $195,700,000 for each of fiscal years 2000 through 2003.

(2) FHWA HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code, by the Federal Highway Administration $12,000,000 for fiscal year 1998, $20,000,000 for fiscal year 1999, and $25,000,000 for each of fiscal years 2000 through 2003.

(3) NHTSA HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of such title by the National Highway Traffic Safety Administration $55,000,000 for each of fiscal years 1998 through 2003.

(4) FHWA HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of such title by the Federal Highway Administration $20,000,000 for each of fiscal years 1998 through 2003.

(5) OCCUPANT PROTECTION INCENTIVE GRANTS.—For carrying out section 405 of such title $9,000,000 for fiscal year 1998 and $20,000,000 for each of fiscal years 1999 through 2003.

(6) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—For carrying out section 410 of such title $35,000,000 for fiscal year 1998 and $45,000,000 for each of fiscal years 1999 through 2003.

(7) STATE HIGHWAY SAFETY DATA GRANTS.—For carrying out section 411 of such title $2,500,000 for fiscal year 1998 and $12,000,000 for each of fiscal years 1999 through 2003.

(8) NATIONAL DRIVER REGISTER.—For carrying out chapter 303 of title 49, United States Code, by the National Highway Traffic Safety Administration, $2,300,000 for each of fiscal years 1998 through 2003.

(b) TRANSFERS.—In each fiscal year, the Secretary may transfer any amounts remaining available under paragraph (5), (6), or (7) of subsection (a) to the amounts made available under any other of such paragraphs in order to ensure, to the maximum extent possible, that each State receives the maximum incentive funding for which the State is eligible under sections 405, 406, and 410 of title 23, United States Code.

SEC. 211. TRANSPORTATION INJURY RESEARCH.

(a) CENTER FOR TRANSPORTATION INJURY RESEARCH.—

(1) IN GENERAL.—The Secretary shall make grants to establish and maintain a center for transportation injury research at the Calspan University of Buffalo Research Center affiliated with the State University of New York at Buffalo.

(2) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $2,000,000 per fiscal year shall be available to carry out this subsection.

(b) HEAD AND SPINAL CORD INJURY RESEARCH.—

(1) IN GENERAL.—The Secretary shall make grants to the Neuroscience Center for Excellence at Louisiana State University and the Virginia Transportation Research Institute at George Washington University for research and technology development for preventing and minimizing head and spinal cord injuries relating to automobile accidents.

(2) FUNDING.—Of amounts made available for each of fiscal years 1999 through 2003 by section 127(a)(3)(F), $500,000 per fiscal year shall be available to carry out this subsection.

TITLE III—FEDERAL TRANSIT ADMINISTRATION PROGRAMS

SEC. 301. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 302. DEFINITIONS.

Section 5302 is amended to read as follows:

''§ 5302. Definitions

''(a) IN GENERAL.—In this chapter, the following definitions apply:

''(1) CAPITAL PROJECT.—The term 'capital project' means a project for—

''(A) acquiring, constructing, supervising, or inspecting equipment or a facility for use in mass transportation, expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, and acquiring rights of way), payments for the capital portions of rail trackage rights agreements, transit-related intelligent transportation systems, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing;

''(B) rehabilitating a bus;

''(C) remanufacturing a bus;

''(D) overhauling rail rolling stock;

''(E) preventive maintenance;

''(F) leasing equipment or a facility for use in mass transportation subject to regulations the Secretary prescribes limiting the leasing arrangements to those that are more cost-effective than acquisition or construction; or

''(G) a mass transportation improvement that enhances economic development or incorporates private investment (including commercial and residential development and pedestrian and bicycle access to a mass transportation facility) because the improvement—

''(i) enhances the effectiveness of a mass transportation project and is related physically or functionally to that mass transportation project or establishes new or enhanced coordination between mass transportation and other transportation; and

''(ii) provides a fair share of revenue for mass transportation that will be used for mass transportation.

''(2) CHIEF EXECUTIVE OFFICER OF A STATE.—The term 'chief executive officer of a State' includes the designee of the chief executive officer.

''(3) EMERGENCY REGULATION.—The term 'emergency regulation' means a regulation—

''(A) that is effective temporarily before the expiration of the otherwise specified periods of time for public notice and comment under section 5334(b) of this title; and

''(B) prescribed by the Secretary of Transportation as the result of a finding that a delay in the effective date of the regulation—

''(i) would injure seriously an important public interest;

''(ii) would frustrate substantially legislative policy and intent; or

''(iii) would damage seriously a person or class without serving an important public interest.

''(4) FIXED GUIDEWAY.—The term 'fixed guideway' means a mass transportation facility—

''(A) using and occupying a separate right of way or rail for the exclusive use of mass transportation and other high occupancy vehicles; or

''(B) using a fixed catenary system and a right of way usable by other forms of transportation.

''(5) HANDICAPPED INDIVIDUAL.—The term 'handicapped individual' means an individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semiambulatory capability), cannot use effectively, without special facilities, planning, or design, mass transportation service or a mass transportation facility.

''(6) LOCAL GOVERNMENTAL AUTHORITY.—The term 'local governmental authority' includes—

''(A) a political subdivision of a State;

''(B) an authority of at least one State or political subdivision of a State;

''(C) an Indian tribe; and

''(D) a public corporation, board, or commission established under the laws of a State.

''(7) MASS TRANSPORTATION.—The term 'mass transportation' means transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or sightseeing transportation.

''(8) NET PROJECT COST.—The term 'net project cost' means the part of a project that reasonably cannot be financed from revenues.

''(9) NEW BUS MODEL.—The term 'new bus model' means a bus model (including a model using alternative fuel)—

''(A) that has not been used in mass transportation in the United States before the date of production of the model; or

''(B) used in mass transportation in the United States but being produced with a major change in configuration or components.

''(10) PREVENTIVE MAINTENANCE.—The term 'preventive maintenance' means a major activity intended to improve or upgrade a transit vehicle or facility or repair or replace a damaged, malfunctioning, overaged, or outmoded transit vehicle or facility system, subsystem, element, or component. Such term does not include any activity of a routine or servicing nature, such as checking and replenishing fluid levels, adjusting settings on otherwise properly operating components, washing and cleaning a transit vehicle or facility, changing tires and wheels, or repairing damage to a vehicle or facility caused by an accident.

''(11) PUBLIC TRANSPORTATION.—The term 'public transportation' means mass transportation.

''(12) REGULATION.—The term 'regulation' means any part of a statement of general or particular applicability of the Secretary of Transportation designed to carry out, interpret, or prescribe law or policy in carrying out this chapter.

''(13) STATE.—The term 'State' means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

''(14) TRANSIT.—The term 'transit' means mass transportation.

''(15) TRANSIT ENHANCEMENT.—The term 'transit enhancement' means with respect to any project or an area to be served by the project, historic preservation, rehabilitation, and operation of historic mass transportation buildings, structures, and facilities (including historic bus and railroad facilities and canals); projects that enhance transit safety and security; landscaping and other scenic beautification and art in and around mass transportation stations, facilities, bus shelters, bridges, and buses; bicycle and pedestrian access to mass transportation, including bicycle storage facilities and installing equipment for transporting bicycles on mass transportation vehicles; projects that enhance access for the disabled to mass transportation; and archaeological planning and research related to mass transportation projects.

''(16) URBAN AREA.—The term 'urban area' means an area that includes a municipality or other built-up place that the Secretary of Transportation, after considering local patterns and trends of urban growth, decides is appropriate for a local mass transportation system to serve individuals in the locality.

''(17) URBANIZED AREA.—The term 'urbanized area' means an area—

''(A) encompassing at least an urbanized area within a State that the Secretary of Commerce designates; and

''(B) designated as an urbanized area within boundaries fixed by State and local officials and approved by the Secretary of Transportation.

''(b) AUTHORITY TO MODIFY 'HANDICAPPED INDIVIDUAL'.—The Secretary of Transportation by regulation may modify the definition of subsection (a)(5) as it applies to section 5307(d)(1)(D) of this title.''.

SEC. 303. METROPOLITAN PLANNING.

(a) GOALS AND OBJECTIVES OF PLANNING PROCESS.—Section 5303(b) is amended to read as follows:

''(b) GOALS AND OBJECTIVES OF PLANNING PROCESS.—

''(1) CONSIDERATION.—To the extent that the metropolitan planning organization determines appropriate, the metropolitan transportation planning process may include consideration of goals and objectives that—

''(A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;

''(B) increase the safety and security of the transportation system for all users;

''(C) increase the accessibility and mobility for people and freight;

''(D) protect and enhance the environment, conserve energy, and enhance quality of life;

''(E) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;

''(F) promote efficient system utilization and operation; and

''(G) preserve and optimize the existing transportation system.

This paragraph shall apply to the development of long-range transportation plans and transportation improvement programs.

''(2) CONVERSION TO GOALS AND OBJECTIVES.—The metropolitan planning organization shall cooperatively determine with the State and mass transportation operators how the considerations listed in paragraph (1) are translated into metropolitan goals and objectives and how they are factored into decisionmaking.''.

(b) COORDINATION.—Section 5303(e) is amended by adding at the end the following:

''(4) PROJECT LOCATED IN MULTIPLE MPOS.—If a project is located within the boundaries of more than one metropolitan planning organization, the metropolitan planning organizations shall coordinate plans regarding the project.''.

(c) LONG-RANGE TRANSPORTATION PLAN.—Section 5303(f) is amended—

(1) in paragraph (1) by inserting ''transportation'' after ''long-range'';

(2) in paragraph (1) by striking ''at least shall—'' and inserting ''shall contain, at a minimum, the following:'';

(3) in paragraph (1)(A)—

(A) by striking ''identify'' and inserting ''An identification of''; and

(B) by striking the semicolon at the end and inserting a period;

(4) by striking paragraph (1)(B) and inserting the following:

''(B) A financial plan that demonstrates how the adopted transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the transportation plan, the metropolitan planning organization and State shall cooperatively develop estimates of funds that will be available to support plan implementation.'';

(5) in paragraph (1)(C)—

(A) by striking ''assess'' and inserting ''An assessment of''; and

(B) by striking ''; and'' and inserting a period;

(6) in paragraph (1)(D) by striking ''indicate'' and inserting ''Indicate'';

(7) in paragraph (4) by inserting after ''employees,'' the following: ''freight shippers and providers of freight transportation services,''; and

(8) in paragraph (5) by inserting ''transportation'' before ''plan''.

SEC. 304. TRANSPORTATION IMPROVEMENT PROGRAM.

Section 5304 is amended—

(1) in subsection (a) by striking ''2 years'' and inserting ''3 years''; and

(2) in subsection (b)(2)—

(A) by striking ''and'' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(C) by adding at the end the following:

''(D) may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.''.

SEC. 305. TRANSPORTATION MANAGEMENT AREAS.

Section 5305(d)(1) is amended by striking ''of the National Highway System'' each place it appears and inserting the following: ''under the National Highway System and high risk road safety programs,''.

SEC. 306. URBANIZED AREA FORMULA GRANTS.

(a) SECTION HEADING.—

(1) AMENDMENT TO SECTION.—Section 5307 is amended by striking the section heading and inserting the following:

''§ 5307. Urbanized area formula grants''.

(2) CONFORMING AMENDMENT.—The item relating to section 5307 in the table of sections for chapter 53 is amended to read as follows:

''5307. Urbanized area formula grants.''.

(b) DEFINITIONS.—Section 5307(a) is amended—

(1) by striking ''In this section—'' and inserting ''In this section, the following definitions apply:'';

(2) by inserting ''ASSOCIATED CAPITAL MAINTENANCE ITEMS.—The term'' after ''(1)''; and

(3) by inserting ''DESIGNATED RECIPIENT.—The term'' after ''(2)''.

(c) GENERAL AUTHORITY.—Section 5307(b) is amended—

(1) in paragraph (1)—

(A) by striking '', improvement, and operating costs'' and inserting ''and improvement costs''; and

(B) by adding at the end the following new sentence: ''In an urbanized area with a population of less than 200,000, the Secretary may also make grants under this section to finance the operating cost of equipment and facilities for use in mass transportation.'';

(2) by striking paragraphs (3) and (5); and

(3) by redesignating paragraph (4) as paragraph (3).

(d) ADVANCE CONSTRUCTION.—Section 5307(g)(3) is amended by striking ''the amount by which'' and all that follows through the period at the end and inserting ''the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a manner satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.''.

(e) COORDINATION OF REVIEWS.—Section 5307(i)(2) is amended by adding at the end the following: ''To the extent practicable, the Secretary shall coordinate such reviews with any related State or local reviews.''.

(f) TRANSIT ENHANCEMENT ACTIVITIES.—Section 5307(k) is amended to read as follows:

''(k) TRANSIT ENHANCEMENT ACTIVITIES.—2 percent of the funds apportioned to urbanized areas of at least 200,000 population under section 5336 for a fiscal year shall only be available for transit enhancement activities.''.

(g) CONFORMING AMENDMENTS.—Section 5307(n) is amended—

(1) by striking ''(1)'' the first place it appears and all that follows through ''(2)''; and

(2) by inserting ''5319,'' after ''5318,''.

SEC. 307. MASS TRANSIT ACCOUNT BLOCK GRANTS.

Section 5308, and the item relating to section 5308 in the table of sections for chapter 53, are repealed.

SEC. 308. CAPITAL PROGRAM GRANTS AND LOANS.

(a) SECTION HEADING.—Section 5309 is amended in the section heading by striking ''**Discretionary**'' and inserting ''**Capital program**''.

(b) CONFORMING AMENDMENT.—The item relating to section 5309 in the table of sections for chapter 53 is amended by striking ''Discretionary'' and inserting ''Capital program''.

(c) GENERAL AUTHORITY.—Section 5309(a) is amended—

(1) by striking paragraph (1)(E) and inserting the following:

''(E) capital projects to modernize existing fixed guideway systems;'';

(2) by striking ''and'' at the end of paragraph (1)(F);

(3) by striking the period at the end of paragraph (1)(G) and inserting ''; and''; and

(4) by inserting after paragraph (1)(G) the following:

''(H) capital projects to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities.''.

(d) CONSIDERATION OF DECREASED COMMUTER RAIL TRANSPORTATION.—Section 5309(c) is repealed.

(e) CRITERIA FOR GRANTS AND LOANS FOR FIXED GUIDEWAY SYSTEMS.—Section 5309(e) is amended to read as follows:

''(e) CRITERIA FOR GRANTS AND LOANS FOR FIXED GUIDEWAY SYSTEMS.—

''(1) IN GENERAL.—The Secretary of Transportation may approve a grant or loan under this section for a capital project for a new fixed guideway system or extension of an existing fixed guideway system only if the Secretary determines that the proposed project is—

''(A) based on the results of an alternatives analysis and preliminary engineering;

''(B) justified based on a comprehensive review of its mobility improvements, environmental benefits, cost effectiveness, and operating efficiencies; and

''(C) supported by an acceptable degree of local financial commitment, including evidence of stable and dependable financing sources to construct, maintain, and operate the system or extension.

''(2) ALTERNATIVES ANALYSIS AND PRELIMINARY ENGINEERING.—In evaluating a project under paragraph (1)(A), the Secretary shall analyze and consider the results of the alternatives analysis and preliminary engineering for the project.

''(3) PROJECT JUSTIFICATION.—In evaluating a project under paragraph (1)(B), the Secretary shall—

''(A) consider the direct and indirect costs of relevant alternatives;

''(B) consider factors such as congestion relief, improved mobility, air pollution, noise pollution, energy consumption, and all associated ancillary and mitigation costs necessary to carry out each alternative analyzed;

''(C) identify and consider existing mass transportation supportive land use policies and future land use patterns and the costs of urban sprawl;

''(D) consider the degree to which the project increases the mobility of the mass transportation dependent population or promotes economic development;

''(E) consider population density, current transit ridership in the corridor, and cost per new rider;

''(F) consider the technical capability of the grant recipient to construct the project;

''(G) adjust the project justification to reflect differences in local land, construction, and operating costs; and

''(H) consider other factors the Secretary determines appropriate to carry out this chapter.

''(4) LOCAL FINANCIAL COMMITMENT.—

''(A) EVALUATION OF PROJECT.—In evaluating a project under paragraph (1)(C), the Secretary shall require that—

''(i) the proposed project plan provides for the availability of contingency amounts the Secretary determines to be reasonable to cover unanticipated cost increases;

''(ii) each proposed local source of capital and operating financing is stable, reliable, and available within the proposed project timetable; and

''(iii) local resources are available to operate the overall proposed mass transportation system (including essential feeder bus and other services necessary to achieve the projected ridership levels) without requiring a reduction in existing mass transportation services to operate the proposed project.

''(B) STABILITY, RELIABILITY, AND AVAILABILITY OF LOCAL FINANCING.—In assessing the stability, reliability, and availability of proposed sources of local financing for the project, the Secretary shall consider—

''(i) existing grant commitments;

''(ii) the degree to which financing sources are dedicated to the purposes proposed;

''(iii) any debt obligation that exists or is proposed by the recipient for the proposed project or other mass transportation purpose; and

''(iv) the extent to which the project has a local financial commitment that exceeds the required non-Federal share of the cost of the project.

''(5) REGULATIONS.—No later than 120 days after the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998, the Secretary shall issue regulations on how the Secretary will evaluate and rate the projects based on the results of alternatives analysis, project justification, and the degree of local financial commitment as required under this subsection.

''(6) PROJECT EVALUATION AND RATING.—A proposed project may advance from alternatives analysis to preliminary engineering, and may advance from preliminary engineering to final design and construction, only if the Secretary finds that the project meets the requirements of this section and there is a reasonable likelihood that the project will continue to meet such requirements. In making such findings, the Secretary shall evaluate and rate the project as either highly recommended, recommended, or not recommended based on the results of alternatives analysis, the project justification criteria, and the degree of local financial commitment as required under this subsection. In rating the projects, the Secretary shall provide, in addition to the overall project rating, individual ratings for each criteria established under the regulations issued under paragraph (5).

''(7) FULL FUNDING GRANT AGREEMENT.—A project financed under this subsection shall be carried out through a full funding grant agreement. The Secretary shall enter into a full funding grant agreement based on the evaluations and ratings required under this subsection. The Secretary shall not enter into a full funding grant agreement for a project unless that project is authorized for final design and construction.

''(8) LIMITATIONS ON APPLICABILITY.—

''(A) PROJECTS WITH A SECTION 5309 FEDERAL SHARE OF LESS THAN $25,000,000.—A project for a new fixed guideway system or extension of an existing fixed guideway system is not subject to the requirements of this subsection, and the simultaneous evaluation of similar projects in at least 2 corridors in a metropolitan area may not be limited, if the assistance provided under this section with respect to the project is less than $25,000,000.

''(B) PROJECTS IN NONATTAINMENT AREAS.—The simultaneous evaluation of projects in at least 2 corridors in a metropolitan area may not be limited and the Secretary shall make decisions under this subsection with expedited procedures that will promote carrying out an approved State Implementation Plan in a timely way if a project is—

''(i) located in a nonattainment area;

''(ii) a transportation control measure (as defined by the Clean Air Act (42 U.S.C. 7401 et seq.)); and

''(iii) required to carry out the State Implementation Plan.

''(C) PROJECTS FINANCED WITH HIGHWAY FUNDS.—This subsection does not apply to a project financed completely with amounts made available from the Highway Trust Fund (other than the Mass Transit Account).

''(D) PREVIOUSLY ISSUED LETTER OF INTENT OR FULL FUNDING GRANT AGREEMENT.—This subsection does not apply to projects for which the Secretary has issued a letter of intent or entered into a full funding grant agreement before the date of the enactment of this subparagraph.''.

(f) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—Section 5309(g) is amended—

(1) in the subsection heading by striking ''FINANCING'' and inserting ''FUNDING'';

(2) by striking ''full financing'' each place it appears and inserting ''full funding''; and

(3) in paragraph (1)(B)—

(A) by striking ''30 days'' and inserting ''60 days'';

(B) by inserting before the first comma ''or entering into a full funding grant agreement''; and

(C) by striking ''issuance of the letter.'' and inserting ''letter or agreement. The Secretary shall include with the notification a copy of the proposed letter or agreement as well as the evaluations and ratings for the project.''.

(g) ALLOCATING AMOUNTS.—Section 5309(m) is amended to read as follows:

''(m) ALLOCATING AMOUNTS.—

''(1) IN GENERAL.—Of the amounts made available by section 5338(b) for grants and loans under this section for each of fiscal years 1998 through 2003—

''(A) 40 percent shall be available for fixed guideway modernization;

''(B) 40 percent shall be available for capital projects for new fixed guideway systems and extensions to existing fixed guideway systems; and

''(C) 20 percent shall be available to replace, rehabilitate, and buy buses and related equipment and to construct bus-related facilities.

''(2) LIMITATION ON AMOUNTS AVAILABLE FOR ACTIVITIES OTHER THAN FINAL DESIGN AND CONSTRUCTION.—Not more than 8 percent of the amounts made available in each fiscal year by paragraph (1)(B) shall be available for activities other than final design and construction.

''(3) BUS AND BUS FACILITY GRANTS.—

''(A) CONSIDERATION.—In making grants under paragraph (1)(C), the Secretary shall consider the age of buses, bus fleets, related equipment, and bus-related facilities.

''(B) FUNDING FOR BUS TESTING FACILITY.—Of the amounts made available by paragraph (1)(C), $3,000,000 shall be available in each of fiscal years 1998 through 2003 to carry out section 5318.

''(C) FUNDING FOR BUS TECHNOLOGY PILOT PROGRAM.—Of the funds made available by paragraph (1)(C), 10 percent shall be available in each of fiscal years 1998 through 2003 to carry out the bus technology pilot program under subsection (o).

''(D) OTHER THAN URBANIZED AREAS.—Of amounts made available by paragraph (1)(C), not less than 5.5 percent shall be available in each fiscal year for other than urbanized areas.

''(4) ELIGIBILITY FOR ASSISTANCE FOR MULTIPLE PROJECTS.—A person applying for, or receiving, assistance for a project described in clause (A), (B), or (C) of paragraph (1) may receive assistance for a project described in another of those clauses.''.

(h) ADVANCE CONSTRUCTION.—Section 5309(n)(2) is amended by striking ''in a way'' and inserting ''in a manner''.

(i) CONFORMING AMENDMENTS.—

(1) RELOCATION OF SUBSECTION.—Section 5309 is amended—

(A) by striking subsection (f); and

(B) by redesignating subsections (g) through (o) as subsections (f) through (n), respectively.

(2) CROSS REFERENCES.—Chapter 53 is amended—

(A) in section 5319 by striking ''5309(h)'' and inserting ''5309(g)'';

(B) in section 5328(a)(2) by striking ''5309(e)(1)–(6) of this title'' and inserting ''5309(e)''; and

(C) in section 5328(a)(4) by striking ''5309(m)(2) of this title'' and inserting ''5309(o)(1)''.

(3) REFERENCES TO FULL FUNDING GRANT AGREEMENTS.—Sections 5320 and 5328(a)(4) are each amended by striking ''full financing'' each place it appears and inserting ''full funding''. The subsection heading for section 5320(e) is amended by striking ''FINANCING'' and inserting ''FUNDING''.

(j) BUS TECHNOLOGY PILOT PROGRAM.—Section 5309 is further amended by adding at the end the following:

''(o) BUS TECHNOLOGY PILOT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish a pilot program for the testing and deployment of new bus technology, including clean fuel and alternative fuel technology.

''(2) PROJECTS.—Under the pilot program, the Secretary shall carry out projects for testing and deployment of new bus technology, including clean fuel and alternative fuel technology. The Secretary shall select projects for funding under the pilot program that will employ a variety of technologies and will be performed in a variety of geographic areas of the country with populations under 50,000, between 50,000 and 200,000, and over 200,000.

''(3) REPORT.—Not later than April 30, 2000, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the pilot program, including a description of the projects carried out, the amounts obligated, and the status of the test and deployment activities undertaken.''.

(k) REPORTS.—Section 5309 is further amended by adding at the end the following:

''(p) REPORTS.—

''(1) FUNDING LEVELS AND ALLOCATIONS OF FUNDS FOR FIXED GUIDEWAY SYSTEMS.—

''(A) ANNUAL REPORT.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report that includes a proposal on the allocation of amounts to be made available to finance grants and loans for capital projects for new fixed guideway systems and extensions to existing fixed guideway systems among applicants for those amounts.

''(B) RECOMMENDATIONS ON FUNDING.—The annual report under this paragraph shall include evaluations and ratings, as required under subsection (e), for each project that is authorized or has received funds under this section since the date of the enactment of this Act or October 1 of the preceding fiscal year, whichever date is earlier. The report shall also include recommendations of projects for funding based on the evaluations and ratings and on existing commitments and anticipated funding levels for the next 3 fiscal years and for the next 10 fiscal years based on information currently available to the Secretary.

''(2) SUPPLEMENTAL REPORT ON NEW STARTS.—The Secretary shall submit a report to Congress on the 31st day of August of each year that describes the Secretary's evaluation and rating of each project that has completed alternatives analysis or preliminary engineering since the date of the last report. The report shall include all relevant information that supports the evaluation and rating of each project, including a summary of each project's financial plan.

''(3) ANNUAL GAO REVIEW.—the General Accounting Office shall—

''(A) conduct an annual review of—

''(i) the processes and procedures for evaluating and rating projects and recommending projects; and

''(ii) the Secretary's implementation of such processes and procedures; and

''(B) shall report to Congress on the results of such review by April 30 of each year.''.

(l) PROJECT DEFINED.—Section 5309 is further amended by adding at the end the following:

''(q) PROJECT DEFINED.—In this section, the term 'project' means, with respect to a new fixed guideway system or extension to an existing fixed guideway system, a minimum operable segment of the project.''.

SEC. 309. DOLLAR VALUE OF MOBILITY IMPROVEMENTS.

(a) IN GENERAL.—The Secretary shall not consider the dollar value of mobility improvements, as specified in the report required under section 5309(m)(1)(C) or section 5309(p) (as added by this Act), in evaluating projects under section 5309 of title 49, United States Code, in developing regulations, or in carrying out any other duty of the Secretary.

(b) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of the dollar value of mobility improvements and the relationship of mobility improvements to the overall transportation justification of a new fixed guideway system or extension to an existing system.

(2) REPORT.—Not later than January 1, 2000, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the study, including an analysis of the factors relevant to determining the dollar value of mobility improvements.

SEC. 310. FORMULA GRANTS AND LOANS FOR SPECIAL NEEDS OF ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES.

*(a) SECTION HEADING.—Section 5310 is amended in the section heading by striking ''**Grants**'' and inserting ''**Formula grants**''.*

(b) CONFORMING AMENDMENT.—The item relating to section 5310 in the table of sections for chapter 53 is amended by inserting ''formula'' before ''grants''.

SEC. 311. FORMULA PROGRAM FOR OTHER THAN URBANIZED AREAS.

(a) INTERCITY BUS TRANSPORTATION.—Section 5311 is amended—

*(1) in the section heading by striking ''**Financial assistance**'' and inserting ''**Formula grants**''; and*

(2) in subsection (f)(1) by striking ''10 percent of the amount made available in the fiscal year ending September 30, 1993, and''.

(b) CONFORMING AMENDMENT.—The item relating to section 5311 in the table of sections for chapter 53 is amended by striking ''Financial assistance'' and inserting ''Formula grant''.

SEC. 312. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND TRAINING PROJECTS.

(a) IN GENERAL.—Section 5312 is amended—

(1) in each of subsections (a) and (b) by striking the first parenthetical phrase; and

(2) by adding at the end the following:

''(d) JOINT PARTNERSHIPS FOR DEPLOYMENT OF INNOVATION.—

''(1) CONSORTIUM DEFINED.—In this subsection, the term 'consortium' means one or more public or private organizations located in the United States which provide mass transportation service to the public and one or more businesses, including small and medium sized businesses, incorporated in a State, offering goods or services or willing to offer goods or services to mass transportation operators. It may include as additional members public or private research organizations located in the United States, or State or local governmental authorities.

''(2) GRANTS AND AGREEMENTS.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements with consortia selected competitively from among public and private partnerships to promote the early deployment of innovation in mass transportation technology, services, management, or operational practices. Any such grant, contract, or agreement shall provide for the sharing of costs, risks, and rewards of early deployment of innovation. Such grants, contracts, and agreements shall be subject to such terms and conditions as the Secretary prescribes.

''(3) CONSULTATION REQUIREMENT.—This subsection shall be carried out in consultation with the transit industry.

''(4) COST SHARING.—Any consortium that receives a grant or enters into a contract or agreement under this subsection shall provide at least 50 percent of the cost of any joint partnership project. Any business, organization, person, or governmental body may contribute funds to such project.

''(5) PUBLIC NOTICE.—The Secretary shall periodically give public notice of—

''(A) the technical areas for which joint partnerships are solicited under this subsection;

''(B) required qualifications of consortia desiring to participate in such partnerships;

''(C) the method of selection and evaluation criteria to be used in selecting participating consortia and projects under this subsection; and

''(D) the process by which projects will be awarded under this subsection.

''(6) ACCEPTANCE OF REVENUES.—The Secretary may accept a portion of the revenues resulting from sales of an innovation supported under this subsection and deposit any revenues accepted into a special account of the Treasury of the United States to be established for purposes of carrying out this subsection.

''(e) INTERNATIONAL MASS TRANSPORTATION PROGRAM.—

''(1) ACTIVITIES.—The Secretary is authorized to engage in activities to inform the United States domestic mass transportation community about technological innovations available in the international marketplace and activities that may afford domestic businesses the opportunity to become globally competitive in the export of mass transportation products and services. These activities may include—

''(A) development, monitoring, assessment, and dissemination domestically of information about worldwide mass transportation market opportunities;

''(B) cooperation with foreign public sector entities in research, development, demonstration, training, and other forms of technology transfer and exchange of experts and information;

''(C) advocacy, in international mass transportation markets, of firms, products, and services available from the United States;

''(D) informing the international market about the technical quality of mass transportation products and services through participation in seminars, expositions, and similar activities; and

''(E) offering those Federal Transit Administration technical services which cannot be readily obtained from the United States private sector to foreign public authorities planning or undertaking mass transportation projects if the cost of these services will be recovered under the terms of each project.

''(2) COOPERATION.—The Secretary may carry out activities under this subsection in cooperation with other Federal agencies, State or local agencies, public and private nonprofit institutions, government laboratories, foreign governments, or any other organization the Secretary determines is appropriate.

''(3) FUNDING.—The funds available to carry out this subsection shall include funds paid to the Secretary by any cooperating organization or person and shall be deposited by the Secretary in a special account in the Treasury of the United States to be established for purposes of carrying out this subsection. The funds shall be available for promotional materials, travel, reception, and representation expenses necessary to carry out the activities authorized by this subsection. Reimbursement for services provided under this subsection shall be credited to the appropriation account concerned.''.

(b) MASS TRANSPORTATION TECHNOLOGY DEVELOPMENT AND DEPLOYMENT.—

(1) GENERAL AUTHORITY.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements with eligible consortia to promote the development and early deployment of innovation in mass transportation technology, services, management, or operational practices. The Secretary shall coordinate activities under this section with related activities under programs of other Federal departments and agencies.

(2) ELIGIBILITY CRITERIA.—To be qualified to receive funding under this section, an eligible consortium shall—

(A) be organized for the purpose of designing, developing, and deploying advanced mass transportation technologies that address identified technological impediments in the mass transportation field;

(B) have an established mechanism for designing, developing, and deploying advanced mass transportation technologies as evidenced by participation in a Federal program such as the consortia funded pursuant to Public Law 102–396;

(C) facilitate the participation in the consortium of small- and medium-sized businesses in conjunction with large established manufacturers, as appropriate;

(D) be designed to use State and Federal funding to attract private capital in the form of grants or investments to further the purposes of this section; and

(E) provide for the sharing of costs, risks, and rewards of early deployment of innovation in mass transportation technologies.

(3) GRANT REQUIREMENTS.—Grants, contracts, and agreements under paragraph (1) shall be eligible under and consistent with section 5312 of title 49, United States Code, and shall be subject to such terms and conditions as the Secretary prescribes.

(4) FEDERAL SHARE OF COSTS.—The Federal share of costs for a grant, contract, or agreement with a consortium under this subsection shall not exceed 50 percent of the net project cost.

(5) ELIGIBLE CONSORTIUM DEFINED.—For purposes of this section, the term ''eligible consortium'' means a consortium of—

(A) businesses incorporated in the United States;

(B) public or private educational or research organizations located in the United States;

(C) entities of State or local governments in the United States;

(D) Federal laboratories; or

(E) existing consortia funded pursuant to Public Law 103–396.

(6) FUNDING.—

(A) SET-ASIDE OF AMOUNTS MADE AVAILABLE UNDER SECTION 5338(d).—Of the funds made available by or appropriated under section 5338(d) of title 49, United States Code, for a fiscal year $5,000,000 shall be available to carry out this subsection.

(B) SET-ASIDE OF AMOUNTS MADE AVAILABLE UNDER SECTION 5309(o).—Of the funds made available to carry out the bus technology pilot program under section 5309(o) of title 49, United States Code, for a fiscal year $5,000,000 shall be available to carry out this subsection.

(c) FUEL CELL BUS AND BUS FACILITIES PROGRAM.—Of the funds made available for a fiscal year to carry out the bus technology pilot program under section 5309(o) of title 49, United States Code, $4,850,000 shall be available to carry out the fuel cell powered transit bus program and the intermodal transportation fuel cell bus maintenance facility.

(d) ADVANCED TECHNOLOGY PILOT PROJECT.—

(1) IN GENERAL.—The Secretary shall make grants for the development of low speed magnetic levitation technology for public transportation purposes in urban areas to demonstrate energy efficiency, congestion mitigation, and safety benefits.

(2) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $5,000,000 per fiscal year shall be available to carry out this subsection.

(3) FEDERAL SHARE.—The Federal share payable on account of activities carried out using a grant made under this subsection shall be 80 percent of the cost of such activities.

(e) INTELLIGENT TRANSPORTATION SYSTEMS APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall make grants for the study, design, and demonstration of fixed guideway technology in North Orange-South Seminole County, Florida, and in Galveston, Texas.

(2) FUNDING.—Of the amounts made available pursuant to section 5338(d) of title 49, United States Code, for fiscal year 1999, $1,500,000 shall be available to carry out this subsection. Of such sums, $750,000 shall be available for fixed guideway activities in North Orange-South Seminole County, Florida, and $750,000 shall be available for fixed guideway activities in Galveston, Texas.

SEC. 313. NATIONAL PLANNING AND RESEARCH PROGRAMS.

Section 5314(a)(2) is amended by striking ''$2,000,000'' and inserting ''$3,000,000''.

SEC. 314. NATIONAL TRANSIT INSTITUTE.

(a) IN GENERAL.—Section 5315 is amended—

*(1) in the section heading by striking ''**mass transportation**'' and inserting ''**transit**''; and*

(2) in subsection (a)—

(A) by striking ''mass transportation'' in the first sentence and inserting ''transit'';

(B) by inserting ''and architectural design'' before the semicolon at the end of paragraph (5);

(C) by striking ''carrying out'' in paragraph (7) and inserting ''delivering'';

(D) by inserting '', construction management, insurance, and risk management'' before the semicolon at the end of paragraph (11);

(E) by striking ''and'' at the end of paragraph (13);

(F) by striking the period at the end of paragraph (14) and inserting ''; and''; and

(G) by adding at the end the following:

''(15) innovative finance.''.

(b) CONFORMING AMENDMENT.—The item relating to section 5315 in the table of sections for chapter 53 is amended by striking ''mass transportation'' and inserting ''transit''.

SEC. 315. UNIVERSITY RESEARCH INSTITUTES.

Section 5316, and the item relating to section 5316 in the table of sections for chapter 53, are repealed.

SEC. 316. TRANSPORTATION CENTERS.

Section 5317, and the item relating to section 5317 in the table of sections for chapter 53, are repealed.

SEC. 317. BUS TESTING FACILITIES.

(a) OPERATION AND MAINTENANCE.—Section 5318(b) is amended—

(1) by striking ''make a contract with'' and inserting ''enter into a contract or cooperative agreement with, or make a grant to,'';

(2) by inserting ''or organization'' after ''person'';

(3) by inserting '', cooperative agreement, or grant'' after ''The contract''; and

(4) by inserting ''mass transportation'' after ''and other''.

(b) AVAILABILITY OF AMOUNTS.—Section 5318(d) is amended by striking ''make a contract with'' and inserting ''enter into a contract or cooperative agreement with, or make a grant to,''.

SEC. 318. BICYCLE FACILITIES.

Section 5319 is amended by striking ''under this section is for 90 percent of the cost of the project'' and inserting ''made eligible by this section is for 90 percent of the cost of the project; except that, if the grant or any portion of the grant is made with funds required to be expended under section 5307(k) and the project involves providing bicycle access to mass transportation, that grant or portion of that grant shall be at a Federal share of 95 percent''.

SEC. 319. GENERAL PROVISIONS ON ASSISTANCE.

(a) TECHNICAL AMENDMENT.—Section 5323(d) is amended by striking ''BUYING AND OPERATING BUSES.—''and inserting ''CONDITION ON CHARTER BUS TRANSPORTATION SERVICE.—''.

(b) GOVERNMENT'S SHARE.—Section 5323(i) is amended to read as follows:

''(i) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—A grant for a project to be assisted under this chapter that involves acquiring vehicle-related equipment required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) or vehicle-related equipment (including clean fuel or alternative fuel vehicle-related equipment) for purposes of complying with or maintaining compliance with the Clean Air Act, is for 90 percent of the net project cost of such equipment attributable to compliance with such Acts. The Secretary shall have discretion to determine, through practicable administrative procedures, the costs of such equipment attributable to compliance with such Acts.''.

(c) BUY AMERICA.—Section 5323(j)(7) is amended to read as follows:

''(7) OPPORTUNITY TO CORRECT INADVERTENT ERROR.—The Secretary may allow a manufacturer or supplier of steel, iron, or manufactured goods to correct after bid opening any certification made under this subsection if the Secretary is satisfied that the manufacturer or supplier submitted an incorrect certification as a result of an inadvertent or clerical error.''.

(d) PARTICIPATION OF GOVERNMENTAL AGENCIES IN DESIGN AND DELIVERY OF TRANSPORTATION SERVICES.—Section 5323 is amended by redesignating subsections (k) and (l) as subsections (l) and (m) and by inserting after subsection (j) the following:

''(k) PARTICIPATION OF GOVERNMENTAL AGENCIES IN DESIGN AND DELIVERY OF TRANSPORTATION SERVICES.—To the extent feasible, governmental agencies and nonprofit organizations that receive assistance from Government sources (other than the Department of Transportation) for nonemergency transportation services shall participate and coordinate with recipients of assistance under this chapter in the design and delivery of transportation services and shall be included in the planning for such services.''.

(e) SUBMISSION OF CERTIFICATIONS.—Section 5323 is further amended by adding at the end the following:

''(n) SUBMISSION OF CERTIFICATIONS.—A certification required under this chapter and any additional certification or assurance required by law or regulation to be submitted to the Secretary may be consolidated into a single document to be submitted annually as part of a grant application under this chapter. The Secretary shall publish annually a list of all certifications required under this chapter with the publication required under section 5336(e)(2).''.

(f) REQUIRED PAYMENTS AND ELIGIBLE COSTS.—Section 5323 is further amended by adding at the end the following:

''(o) REQUIRED PAYMENTS AND ELIGIBLE COSTS OF PROJECTS THAT ENHANCE ECONOMIC DEVELOPMENT OR INCORPORATE PRIVATE INVESTMENT.—

''(1) REQUIRED PAYMENTS.—Each grant or loan under this chapter for a capital project described in section 5302(a)(1)(G) shall require that a person making an agreement to occupy space in a facility funded under this chapter pay a reasonable share of the costs of the facility through rental payments and other means.

''(2) ELIGIBLE COSTS.—Eligible costs for a capital project described in section 5302(a)(1)(G)—

''(A) include property acquisition, demolition of existing structures, site preparation, utilities, building foundations, walkways, open space, and a capital project for, and improving, equipment or a facility for an intermodal transfer facility or transportation mall; but

''(B) do not include construction of a commercial revenue producing facility or a part of a public facility not related to mass transportation.''.

SEC. 320. CONTRACT REQUIREMENTS.

(a) EFFICIENT PROCUREMENT.—Section 5325 is amended—

(1) by striking subsections (b) and (c);

(2) by redesignating subsection (d) as subsection (b); and

(3) by adding at the end the following:

''(c) EFFICIENT PROCUREMENT.—A recipient may award a procurement contract under this chapter to other than the lowest bidder when the award furthers an objective consistent with the purposes of this chapter, including improved long-term operating efficiency and lower long-term costs.''.

(b) ARCHITECTURAL, ENGINEERING, AND DESIGN CONTRACTS.—Section 5325(b), as redesignated by subsection (a)(2), is amended—

(1) by inserting ''or requirement'' after ''A contract''; and

(2) by inserting before the last sentence the following: ''When awarding such contracts, recipients of assistance under this chapter shall maximize efficiencies of administration by accepting nondisputed audits conducted by other government agencies, as provided in subparagraphs (C) through (F) of section 112(b)(2) of title 23.''.

SEC. 321. SPECIAL PROCUREMENTS.

(a) TURNKEY SYSTEM PROJECTS.—Section 5326(a) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) TURNKEY SYSTEM PROJECT DEFINED.—In this subsection, the term 'turnkey system project' means a project under which a recipient enters into a contract with a seller, firm, or consortium of firms to design and build a mass transportation system or an operable segment thereof that meets specific performance criteria. Such project may also include an option to finance, or operate for a period of time, the system or segment or any combination of designing, building, operating, or maintaining such system or segment.'';

(2) in paragraph (2)—

(A) by inserting ''SELECTION OF TURNKEY PROJECTS.—'' after ''(2)''; and

(B) by inserting ''or an operable segment of a mass transportation system'' after ''transportation system'';

(3) in paragraph (3) by inserting ''DEMONSTRATIONS.—'' after ''(3)''; and

(4) by aligning paragraphs (2) and (3) with paragraph (1) of such section, as amended by paragraph (1) of this section.

(b) TECHNICAL AMENDMENT.—Section 5326 is amended by striking subsection (c) and inserting the following:

''(c) ACQUIRING ROLLING STOCK.—A recipient of financial assistance of the United States Government under this chapter may enter into a contract to expend that assistance to acquire rolling stock—

''(1) based on—

''(A) initial capital costs; or

''(B) performance, standardization, life cycle costs, and other factors; or

''(2) with a party selected through a competitive procurement process.

''(d) PROCURING ASSOCIATED CAPITAL MAINTENANCE ITEMS.—A recipient of a grant under section 5307 of this title procuring an associated capital maintenance item under section 5307(b) may enter into a contract directly with the original manufacturer or supplier of the item to be replaced, without receiving prior approval of the Secretary, if the recipient first certifies in writing to the Secretary that—

''(1) the manufacturer or supplier is the only source for the item; and

''(2) the price of the item is no more than the price similar customers pay for the item.''.

(c) CONFORMING AMENDMENT.—Section 5334(b)(4) is amended by striking ''5323(a)(2), (c) and (e), 5324(c), and 5325 of this title'' and inserting ''5323(a)(2), 5323(c), 5323(e), 5324(c), 5325(a), 5325(b), 5326(c), and 5326(d)''.

SEC. 322. PROJECT MANAGEMENT OVERSIGHT AND REVIEW.

Section 5327(c)(2) is amended—

(1) by striking ''make contracts'' and inserting ''enter into contracts''; and

(2) by inserting before the period at the end of the first sentence the following: ''and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section''.

SEC. 323. STUDY ON ALCOHOL AND CONTROLLED SUBSTANCES RANDOM TESTING RATE CALCULATION.

(a) STUDY.—The Secretary shall conduct a study to determine how the alcohol and controlled substances random testing rate under section 5331 of title 49, United States Code, should be calculated.

(b) CONSIDERATIONS.—In conducting the study under this section, the Secretary shall consider—

(1) the differences in random testing results among employers subject to section 5331 of title 49, United States Code;

(2) the differences in random testing results among employers subject to such section in areas with populations of at least 200,000, in areas with populations less than 200,000, and in other than urbanized areas;

(3) the deterrent effect of random testing; and

(4) the effect of random testing on public safety.

(c) REPORT.—Not later than December 31, 1999, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with any proposed changes to the calculation of the random alcohol and controlled substances testing rate.

SEC. 324. ADMINISTRATIVE PROCEDURES.

(a) TRAINING AND CONFERENCE COSTS.—Section 5334(a) is amended—

(1) by striking ''and'' at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting ''; and''; and

(3) by adding at the end the following:

''(10) collect fees to cover the costs of training or conferences, including costs of promotional materials, sponsored by the Federal Transit Administration to promote mass transportation and credit amounts collected to the appropriation concerned.''.

(b) FLEXIBILITY FOR AREAS WITH POPULATIONS UNDER 200,000.—Section 5334(i) is amended to read as follows:

''(i) FLEXIBILITY FOR AREAS WITH POPULATIONS UNDER 200,000.—Not later than 180 days after the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998, the Secretary shall seek public comment on ways to simplify and streamline the administration of the formula program for urbanized areas with populations of less than 200,000 and shall make, to the extent feasible and consistent with statutory requirements, every effort to ease any administrative burdens thereby identified.''.

(c) TECHNICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading for section 5334 is amended by inserting ''**provisions**'' after ''**Administrative**''.

(2) TABLE OF SECTIONS.—The item relating to section 5334 in the table of sections for chapter 53 is amended by inserting ''provisions'' after ''Administrative''.

SEC. 325. REPORTS AND AUDITS.

(a) NATIONAL TRANSIT DATABASE.—Section 5335(a) is amended—

(1) by striking ''REPORTING SYSTEM AND UNIFORM SYSTEM OF ACCOUNTS AND RECORDS'' and inserting ''NATIONAL TRANSIT DATABASE''; and

(2) in paragraph (1)—

(A) by striking ''by uniform categories,'' and inserting ''using uniform categories''; and

(B) by striking ''and a uniform system of accounts and records'' and inserting ''and using a uniform system of accounts''.

(b) REPORTS.—Section 5335 is further amended—

(1) by striking subsections (b) and (c); and

(2) by redesignating subsection (d) as subsection (b).

SEC. 326. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336 is amended—

(1) in the section heading by striking ''**block grants**'' and inserting ''**formula grants**''; and

(2) by striking subsection (d) and inserting the following:

''(d) LIMITATION ON OPERATING ASSISTANCE AND PREVENTIVE MAINTENANCE.—Of the funds apportioned under this section for urbanized areas, such sums as may be necessary shall be available for operating assistance for urbanized areas with populations under 200,000, except that the total amount of such funds made available for such operating assistance and for urbanized areas for preventive maintenance activities that become eligible for capital assistance under section 5307 on the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998 may not exceed $400,000,000 for any fiscal year.''.

SEC. 327. APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.

(a) DISTRIBUTION.—Section 5337(a) is amended to read as follows:

''(a) DISTRIBUTION.—The Secretary of Transportation shall apportion amounts made available for fixed guideway modernization under section 5309 for each of fiscal years 1998 through 2003 as follows:

''(1) The first $497,700,000 shall be apportioned in the following urbanized areas as follows:

''(A) Baltimore, $8,372,000.

''(B) Boston, $38,948,000.

''(C) Chicago/Northwestern Indiana, $78,169,000.

''(D) Cleveland, $9,509,500.

''(E) New Orleans, $1,730,588.

''(F) New York, $176,034,461.

''(G) Northeastern New Jersey, $50,604,653.

''(H) Philadelphia/Southern New Jersey, $58,924,764.

''(I) Pittsburgh, $13,662,463.

''(J) San Francisco, $33,989,571.

''(K) Southwestern Connecticut, $27,755,000.

''(2) The next $74,849,950 shall be apportioned as follows:

''(A) $4,849,950 to the Alaska Railroad for improvements to its passenger operations.

''(B) Of the remaining $70,000,000—

''(i) 50 percent in the urbanized areas listed in paragraph (1) as provided in section 5336(b)(2)(A); and

''(ii) 50 percent in other urbanized areas eligible for assistance under section 5336(b)(2)(A) to which amounts were apportioned under this section for fiscal year 1997, as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(3) The next $5,700,000 shall be apportioned in the following urbanized areas as follows:

''(A) Pittsburgh, 61.76 percent.

''(B) Cleveland, 10.73 percent.

''(C) New Orleans, 5.79 percent.

''(D) 21.72 percent in urbanized areas to which paragraph (2)(B)(ii) applies, as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(4) The next $186,600,000 shall be apportioned in each urbanized area to which paragraph (1) applies and in each urbanized area to which paragraph (2)(B) applies, as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(5) The next $140,000,000 shall be apportioned as follows:

''(A) 65 percent in the urbanized areas listed in paragraph (1) as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(B) 35 percent to other urbanized areas eligible for assistance under section 5336(b)(2)(A) of this title if the areas contain fixed guideway systems placed in revenue service at least 7 years before the fiscal year in which amounts

are made available and in any urbanized area if, before the first day of the fiscal year, the area satisfies the Secretary that the area has modernization needs that cannot adequately be met with amounts received under section 5336(b)(2)(A), as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(6) The next $100,000,000 shall be apportioned as follows:

''(A) 60 percent in the urbanized areas listed in paragraph (1) as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(B) 40 percent to urbanized areas to which paragraph (5)(B) applies, as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(7) Remaining amounts shall be apportioned as follows:

''(A) 50 percent in the urbanized areas listed in paragraph (1) as provided in section 5336(b)(2)(A) and subsection (e) of this section.

''(B) 50 percent to urbanized areas to which paragraph (5)(B) applies, as provided in section 5336(b)(2)(A) and subsection (e) of this section.''.

(b) ROUTE SEGMENTS TO BE INCLUDED IN APPORTIONMENT FORMULAS.—Section 5337 is further amended by adding at the end the following:

''(e) ROUTE SEGMENTS TO BE INCLUDED IN APPORTIONMENT FORMULAS.—(1) Amounts apportioned under paragraphs (2)(B), (3), and (4) of subsection (a) shall have attributable to each urbanized area only the number of fixed guideway revenue miles of service and number of fixed guideway route miles for segments of fixed guideway systems used to determine apportionments for fiscal year 1997.

''(2) Amounts apportioned under paragraphs (5) through (7) of subsection (a) shall have attributable to each urbanized area only the number of fixed guideway revenue miles of service and number of fixed guideway route-miles for segments of fixed guideway systems placed in revenue service at least 7 years before the fiscal year in which amounts are made available.''.

SEC. 328. AUTHORIZATIONS.

(a) IN GENERAL.—Section 5338 is amended to read as follows:

''§ 5338. Authorizations

''(a) FORMULA GRANTS.—

''(1) FROM THE TRUST FUND.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5307, 5310, and 5311—

''(A) $2,697,600,000 for fiscal year 1998;

''(B) $3,213,000,000 for fiscal year 1999; and

''(C) $3,553,000,000 for each of fiscal years 2000 through 2003.

''(2) FROM THE GENERAL FUND.—In addition to amounts made available under paragraph (1), there are authorized to be appropriated to carry out sections 5307 and 5311—

''(A) $290,000,000 for fiscal year 1998; and

''(B) $68,000,000 for fiscal year 1999.

''(3) ALLOCATION OF FUNDS.—Of the aggregate of amounts made available by and appropriated under this subsection for a fiscal year—

''(A) 2.4 percent shall be available to provide transportation services to elderly individuals and individuals with disabilities under section 5310;

''(B) 5.37 percent shall be available to provide financial assistance for other than urbanized areas under section 5311; and

''(C) 92.23 percent shall be available to provide financial assistance for urbanized areas under section 5307.

''(b) CAPITAL PROGRAM GRANTS AND LOANS.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 5309:

''(1) $2,197,000,000 for fiscal year 1998.

''(2) $2,412,000,000 for fiscal year 1999.

''(3) $2,613,000,000 for each of fiscal years 2000 through 2003.

''(c) PLANNING.—

''(1) FROM THE TRUST FUND.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5303, 5304, 5305, and 5313(b) $54,000,000 for each of fiscal years 2000 through 2003.

''(2) FROM THE GENERAL FUND.—There are authorized to be appropriated to carry out sections 5303, 5304, 5305, and 5313(b)—

''(A) $48,000,000 for fiscal year 1998; and

''(B) $52,000,000 for fiscal year 1999.

''(3) ALLOCATION OF FUNDS.—Of the funds made available by or appropriated under this subsection for a fiscal year—

''(A) 82.72 percent shall be available for metropolitan planning under sections 5303, 5304, and 5305; and

''(B) 17.28 percent shall be available for State planning under section 5313(b).

''(d) RESEARCH.—

''(1) FROM THE TRUST FUND.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322 $38,000,000 for each of fiscal years 2000 through 2003.

''(2) FROM THE GENERAL FUND.—There are authorized to be appropriated to carry out sections 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322 $38,000,000 for each of fiscal years 1998 and 1999.

''(3) ALLOCATION OF FUNDS.—Of the funds made available by or appropriated under this subsection for a fiscal year—

''(A) not less than $5,250,000 shall be available for providing rural transportation assistance under section 5311(b)(2);

''(B) not less than $8,250,000 shall be available for carrying out transit cooperative research programs under section 5313(a);

''(C) not less than $3,000,000 shall be available to carry out programs under the National Transit Institute under section 5315; and

''(D) the remainder shall be available for carrying out national planning and research programs under sections 5311(b)(2), 5312, 5313(a), 5314, and 5322.

''(e) UNIVERSITY TRANSPORTATION RESEARCH.—

''(1) FROM THE TRUST FUND.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 5505 $6,000,000 for each of fiscal years 2000 through 2003.

''(2) FROM THE GENERAL FUND.—There is authorized to be appropriated to carry out section 5505 $6,000,000 per fiscal year for fiscal years 1998 and 1999.

''(f) ADMINISTRATION.—

''(1) FROM THE TRUST FUND.—There shall be available from the Mass Transit Account of the Highway Trust Fund for administrative expenses to carry out section 5334 $52,000,000 for each of fiscal years 2000 through 2003.

''(2) FROM THE GENERAL FUND.—There is authorized to be appropriated for administrative expenses to carry out section 5334—

''(A) $46,000,000 for fiscal year 1998; and

''(B) $50,000,000 for fiscal year 1999.

''(g) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM THE HIGHWAY TRUST FUND.—A grant or contract approved by the Secretary, that is financed with amounts made available under subsection (a)(1), (b), (c)(1), (d)(1), (e)(1), or (f)(1) is a contractual obligation of the United States Government to pay the Government's share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUNDS.—A grant or contract, approved by the Secretary, that is financed with amounts made available under subsection (a)(2), (c)(2), (d)(2), (e)(2), or (f)(2) is a contractual obligation of the Government to pay the Government's share of the cost of the project only to the extent amounts are provided in advance in an appropriations law.

''(h) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under subsections (a) through (e) shall remain available until expended.''.

(b) CONFORMING AMENDMENTS.—Chapter 53 is amended as follows:

(1) In sections 5303(h)(1), 5303(h)(2)(A), and 5303(h)(3)(A) by striking ''5338(g)(1)'' and inserting ''5338(c)(3)(A)''.

(2) In section 5303(h)(1) by striking ''–5306'' and inserting ''and 5305''.

(3) In section 5303(h)(4) by striking ''5338(g)'' and inserting ''5338(c)(3)(A)''.

(4) In section 5309(f)(4), as redesignated by section 308(i)(1)(B) of this Act, by striking ''5338(a)'' and inserting ''5338(b)''.

(5) In section 5310(b) by striking ''5338(a)'' and inserting ''5338(a)(3)(A)''.

(6) In section 5311(c) by striking ''5338(a)'' and inserting ''5338(a)(3)(B)''.

(7) In section 5313(a)(1) by striking ''section 5338(g)(3)'' and inserting ''sections 5338(d)(3)(B) and 5338(d)(3)(D)''.

(8) In section 5313(b)(1) by striking ''5338(g)(3)'' and inserting ''5338(c)(3)(B)''.

(9) In section 5314(a)(1) by striking ''5338(g)(4)'' and inserting ''5338(d)(3)(D)''.

(10) In section 5318(d) by striking ''5338(j)(5)'' and inserting ''5309(m)(3)(B)''.

(11) In section 5333(b) by striking ''5338(j)(5)'' each place it appears and inserting ''5338(b)''.

(12) In section 5336(a) by striking ''5338(f)'' and inserting ''5338(a)(3)(C)''.

(13) In section 5336(e)(1) by striking ''5338(f)'' and inserting ''5338(a)(3)(C)''.

SEC. 329. OBLIGATION CEILING.

(a) CAPITAL PROGRAM GRANTS AND LOANS.—Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by section 5338(b) of title 49, United States Code, shall not exceed—

(1) $2,000,000,000 in fiscal year 1998;

(2) $2,412,000,000 in fiscal year 1999; and

(3) $2,613,000,000 in each of fiscal years 2000 through 2003.

(b) FORMULA GRANTS, PLANNING, RESEARCH, ADMINISTRATION, AND STUDIES.—Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsections (a), (c), (d), (e), and (f) of section 5338 of title 49, United States Code, and sections 331 and 332 of this Act shall not exceed—

(1) $2,260,000,000 in fiscal year 1998;

(2) $3,213,000,000 in fiscal year 1999; and

(3) $3,703,000,000 in each of fiscal years 2000 through 2003.

SEC. 330. ACCESS TO JOBS CHALLENGE GRANT PILOT PROGRAM.

(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to assist States, local governmental authorities, and nonprofit organizations in financing transportation services designed to transport welfare recipients to and from jobs and activities related to their employment. The Secretary shall coordinate activities under this section with related activities under programs of other Federal departments and agencies.

(b) GRANT CRITERIA.—In selecting applicants for grants under this section, the Secretary shall consider the following:

(1) The percentage of the population in the area to be served that are welfare recipients.

(2) The need for additional services (including bicycling) to transport welfare recipients to and from specified jobs, training, and other employment support services, and the extent to which the proposed services will address those needs.

(3) The extent to which the applicant demonstrates coordination with, and the financial commitment of, existing transportation service providers and the extent to which the applicant demonstrates coordination with the State agency or department that administers the State program funded under part A of title IV of the Social Security Act.

(4) The extent to which the applicant demonstrates maximum utilization of existing transportation service providers and expands existing transit networks or hours of service or both.

(5) The extent to which the applicant demonstrates an innovative approach that is responsive to identified service needs.

(6) The extent to which the applicant presents a comprehensive approach to addressing the needs of welfare recipients and identifies long-term financing strategies to support the services under this section.

(c) ELIGIBLE PROJECTS.—The Secretary may make grants under this section for—

(1) capital projects and to finance operating costs of equipment, facilities, and associated capital maintenance items related to providing access to jobs under this section;

(2) promoting the use of transit by workers with nontraditional work schedules;

(3) promoting the use by appropriate agencies of transit vouchers for welfare recipients under specific terms and conditions developed by the Secretary; and

(4) promoting the use of employer-provided transportation including the transit pass benefit program under subsections (a) and (f) of section 132 of the Internal Revenue Code of 1986.

No planning or coordination activities are eligible for assistance under this section.

(d) COMPETITIVE GRANT SELECTION.—The Secretary shall conduct a national solicitation for applications for grants under this section. Grantees shall be selected on a competitive basis. The Secretary shall select not more than 10 demonstration projects for the pilot program, including 6 projects from urbanized areas with populations of at least 200,000, 2 projects from urbanized areas with populations less than 200,000, and 2 projects from other than urbanized areas.

(e) FEDERAL SHARE OF COSTS.—The Federal share of costs under this section shall be provided from funds appropriated to carry out this section. The Federal share of the costs for a project under this section shall not exceed 50 percent of the net project cost. The remainder shall be provided in cash from sources other than revenues from providing mass transportation. Funds appropriated to a Federal department or agency (other than the Department of Transportation) and eligible to be used for transportation may be used toward the non-government share payable on a project under this section.

(f) PLANNING REQUIREMENTS.—The requirements of sections 5303 through 5306 of title 49, United States Code, apply to grants made under this section. Applications must reflect coordination with and the approval of affected transit grant recipients and the projects financed must be part of a coordinated public transit-human services transportation planning process.

(g) GRANT REQUIREMENTS.—A grant under this section shall be subject to all of the terms and conditions of grants made under section 5307 of title 49, United States Code, and such terms and conditions as determined by the Secretary.

(h) PROGRAM EVALUATION.—

(1) COMPTROLLER GENERAL.—Six months after the date of the enactment of this Act and each 6 months thereafter, the Comptroller General shall conduct a study to evaluate the access to jobs program conducted under this section and transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate the results of the study.

(2) DEPARTMENT OF TRANSPORTATION.—The Secretary shall conduct a study to evaluate the access to jobs program conducted under this section and transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate the results of the study within 2 years of the date of the enactment of this Act.

(i) DEFINITIONS.—In this section, the following definitions apply:

(1) CAPITAL PROJECT AND URBANIZED AREA.—The terms ''capital project'' and ''urbanized area'' have the meaning such terms have under section 5302 of title 49, United States Code.

(2) EXISTING TRANSPORTATION SERVICE PROVIDERS.—The term ''existing transportation service providers'' means mass transportation operators and governmental agencies and nonprofit organizations that receive assistance from Federal, State, or local sources for nonemergency transportation services.

(3) WELFARE RECIPIENT.—The term ''welfare recipient'' means an individual who receives or received aid or assistance under a State program funded under part A of title IV of the Social Security Act (whether in effect before or after the effective date of the amendments made by title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) at any time during the 3-year period ending on the date the applicant applies for a grant under this section.

(j) FUNDING.—There is authorized to be appropriated to carry out this section $42,000,000 per fiscal year for fiscal years 1998 through 2003. Such sums shall remain available until expended.

SEC. 331. ADJUSTMENTS FOR THE SURFACE TRANSPORTATION EXTENSION ACT OF 1997.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall ensure that the total apportionments and allocations made to a designated grant recipient under section 5338 of this Act for fiscal year 1998 shall be reduced by the amount apportioned to such designated recipient pursuant to section 8 of the Surface Transportation Extension Act of 1997 (111 Stat. 2559).

(b) FIXED GUIDEWAY MODERNIZATION ADJUSTMENT.—In making the apportionments described in subsection (a), the Secretary shall adjust the amount apportioned to each urbanized area for fixed guideway modernization for fiscal year 1998 to reflect the method for apportioning funds in section 5337(a).

SEC. 332. PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING SYSTEMS.

(a) FINAL DESIGN AND CONSTRUCTION.—The following projects are authorized for final design and construction for fiscal years 1998 through 2003 under section 5309(m)(1)(B) of title 49, United States Code:

(1) Atlanta—Athens Commuter Rail.
(2) Atlanta—Griffin Commuter Rail.
(3) Atlanta—North Line Extension.
(4) Austin—NW/North Central/SE—Airport LRT.
(5) Baltimore—Central LRT Extension to Glen Burnie.
(6) Boston—Massport Airport Intermodal Transit Connector.
(7) Boston—North Shore Blue Line Extension to Beverly.
(8) Charlotte—South Corridor Transitway.
(9) Chicago—Navy Pier-McCormick Place Busway.
(10) Chicago—North Central Upgrade Commuter Rail.
(11) Chicago—Ravenswood Line Extension.
(12) Chicago—Southwest Extension.
(13) Chicago—West Line Expansion.
(14) Cleveland—Akron-Canton Commuter Rail.
(15) Cleveland—Berea Metroline Extension.
(16) Cleveland—Blue Line Extension.
(17) Cleveland—Euclid Corridor Extension.
(18) Cleveland—I–90 Corridor to Ashtabula County.
(19) Cleveland—Waterfront Line Extension.
(20) Dallas—North Central Extension.
(21) Dallas—Ft. Worth RAILTRAN (Phase II).
(22) Denver—East Corridor (Airport).
(23) Denver—Southeast LRT (I–25 between 6th & Lincoln).
(24) Denver—Southwest LRT.
(25) Denver—West Corridor LRT.
(26) East St. Louis-St. Clair County—Mid-America Airport Corridor.
(27) Ft. Lauderdale-West Palm Beach-Miami Tri-County Commuter Rail.
(28) Galveston—Trolley Extension.
(29) Hartford—Griffin Line.
(30) Hollis—Ketchikan Ferry.
(31) Houston—Regional Bus Plan—Phase I.
(32) Kansas City—I–35 Commuter Rail.
(33) Kansas City—Southtown Corridor.
(34) Las Vegas Corridor.
(35) Little Rock—River Rail.
(36) Los Angeles—Metrolink San Bernadino Line.
(37) Los Angeles—MOS–3.
(38) Los Angeles—Metrolink (Union Station-Fullerton).
(39) Louisville—Jefferson County Corridor.
(40) MARC—Commuter Rail Improvements.
(41) Maryland Light Rail Double Track.
(42) Memphis—Medical Center Extension.
(43) Miami—East-West Corridor.
(44) Miami—North 27th Avenue Corridor.
(45) Miami—South Busway Extension.
(46) Milwaukee—East-West Corridor.
(47) Monterey County Commuter Rail.
(48) Nashua, NH—Lowell, MA Commuter Rail.
(49) Nashville—Commuter Rail.
(50) New Orleans—Canal Streetcar.
(51) New York—8th Avenue Subway Connector.
(52) New York—Brooklyn—Staten Island Ferry.
(53) New York—Long Island Railroad East Side Access.
(54) New York—Staten Island Ferry—Whitehall Intermodal Terminal.
(55) New York Susquehanna and Western Commuter Rail.
(56) New Jersey Urban Core.
(57) Norfolk—Virginia Beach Corridor.
(58) Oklahoma City—MAPS Link.
(59) Orange County—Fullerton—Irvine Corridor.
(60) Orlando—I–4 Central Florida Light Rail System.
(61) Philadelphia—Schuykill Valley Metro.
(62) Phoenix—Fixed Guideway.
(63) Colorado—Roaring Fork Valley Rail.
(64) Pittsburgh Airborne Shuttle System.
(65) Pittsburgh—MLK Busway Extension.
(66) Portland—South-North Corridor.
(67) Portland—Westside-Hillsboro Corridor.
(68) Raleigh-Durham—Regional Transit Plan.
(69) Sacramento—Folsom Extension.
(70) Sacramento—Placer County Corridor.
(71) Sacramento—South Corridor.
(72) Salt Lake City—Light Rail (Airport to University of Utah).
(73) Salt Lake City—Ogden-Provo Commuter Rail.
(74) Salt Lake City—South LRT.
(75) San Diego—Mid-Coast LRT Corridor.
(76) San Diego—Mission Valley East Corridor.
(77) San Diego—Oceanside—Escondido Corridor.
(78) San Francisco—BART to San Francisco International Airport Extension.
(79) San Francisco—Bayshore Corridor.
(80) San Jose—Tasman Corridor Light Rail.
(81) San Juan—Tren Urbano.
(82) San Juan—Tren Urbano Extension to Minellas.
(83) Santa Cruz—Fixed Guideway.
(84) Seattle—Southworth High Speed Ferry.
(85) Seattle—Sound Move Corridor.
(86) South Boston—Piers Transitway.
(87) St. Louis—Cross County Corridor.
(88) Stockton—Altamont Commuter Rail.
(89) Tampa Bay—Regional Rail.
(90) Twin Cities—Northstar Commuter Rail (Northtown Hub, Anoka County—St. Cloud).
(91) Twin Cities—Transitways Corridors.
(92) Washington—Richmond Rail Corridor Improvements.
(93) Washington, D.C.—Dulles Corridor Extension.
(94) Washington, D.C.—Largo Extension.
(95) West Trenton Line (West Trenton-Newark).
(96) Westlake—Commuter Rail Link.

(b) ALTERNATIVES ANALYSIS AND PRELIMINARY ENGINEERING.—The following projects are authorized for alternatives analysis and preliminary engineering for fiscal years 1998 through

2003 under section 5309(m)(1)(B) of title 49, United States Code:

(1) Albuquerque—High Capacity Corridor.

(2) Atlanta—Georgia 400 Multimodal Corridor.

(3) Atlanta—MARTA Extension (S. DeKalb-Lindbergh).

(4) Atlanta—MARTA I–285 Transit Corridor.

(5) Atlanta—MARTA Marietta-Lawrenceville Corridor.

(6) Atlanta—MARTA South DeKalb Comprehensive Transit Program.

(7) Baltimore—Metropolitan Rail Corridor.

(8) Baltimore—People Mover.

(9) Bergen County Cross—County Light Rail.

(10) Birmingham Transit Corridor.

(11) Boston—Urban Ring.

(12) Charleston—Monobeam.

(13) Chicago—Cominsky Park Station.

(14) Chicago—Inner Circumferential Commuter Rail.

(15) Cumberland/Dauphin County Corridor 1 Commuter Rail.

(16) Dallas—DART LRT Extensions.

(17) Dallas—Las Colinas Corridor.

(18) Dayton—Regional Riverfront Corridor.

(19) El Paso—International Fixed Guideway (El Paso-Juarez).

(20) Fremont—South Bay Corridor.

(21) Georgetown Branch (Bethesda-Silver Spring).

(22) Houston—Advanced Transit Program.

(23) Jacksonville—Fixed Guideway Corridor.

(24) Kenosha-Racine—Milwaukee Rail Extension.

(25) Knoxville—Electric Transit.

(26) Lorain—Cleveland Commuter Rail.

(27) Los Angeles—MOS–4 East Side Extension (II).

(28) Los Angeles—MOS–4 San Fernando Valley East-West.

(29) Los Angeles—LOSSAN (Del Mar-San Diego).

(30) Maine High Speed Ferry Service.

(31) Maryland Route 5 Corridor.

(32) Memphis—Regional Rail Plan.

(33) Miami—Kendall Corridor.

(34) Miami—Northeast Corridor.

(35) Miami—Palmetto Metrorail.

(36) New Jersey Trans-Hudson Midtown Corridor.

(37) New Orleans—Airport—CBD Commuter Rail.

(38) New Orleans—Desire Streetcar.

(39) New York—Astoria—East Elmhurst Extension.

(40) New York—Broadway—Lafayette & Bleecker St Transfer.

(41) New York—Brooklyn—Manhattan Access.

(42) New York—Lower Manhattan Access.

(43) New York—Manhattan East Side Link.

(44) New York—Midtown West Intermodal Terminal.

(45) New York—Nassau Hub.

(46) New York—North Shore Railroad.

(47) New York—Queens West Light Rail Link.

(48) New York—St. George's Ferry Intermodal Terminal.

(49) Newburgh—LRT System.

(50) North Front Range Corridor.

(51) Northeast Indianapolis Corridor.

(52) Oakland Airport—BART Connector.

(53) Philadelphia—Broad Street Line Extension.

(54) Philadelphia—Cross County Metro.

(55) Philadelphia—Lower Marion Township.

(56) Pinellas County—Mobility Initiative Project.

(57) Pittsburgh—Stage II Light Rail Reconstruction.

(58) Redlands—San Bernardino Transportation Corridor.

(59) Riverside—Perris rail passenger service.

(60) Salt Lake City—Draper Light Rail Extension.

(61) Salt Lake City—West Jordan Light Rail Extension.

(62) San Francisco—CalTrain Extension to Hollister.

(63) Scranton—Laurel Line Intermodal Corridor.

(64) SEATAC—Personal Rapid Transit.

(65) Toledo—CBD to Zoo.

(66) Union Township Station (Raritan Valley Line).

(67) Washington County Corridor (Hastings-St. Paul).

(68) Washington, D.C.—Georgetown-Ft. Lincoln.

(69) Williamsburg—Newport News-Hampton LRT.

(70) Cincinnati/N. Kentucky—Northeast Corridor.

(71) Northeast Ohio—commuter rail.

(c) EFFECT OF AUTHORIZATION.—

(1) IN GENERAL.—Projects authorized by subsection (a) for final design and construction are also authorized for alternatives analysis and preliminary engineering.

(2) FIXED GUIDEWAY AUTHORIZATION.—The project authorized by subsection (a)(3) includes an additional 28 rapid rail cars and project scope changes from amounts authorized by the Intermodal Surface Transportation Efficiency Act of 1991.

(3) INTERMODAL CENTER AUTHORIZATION.—Notwithstanding any other provision of law, the Huntington, West Virginia Intermodal Facility project is eligible for funding under section 5309(m)(1)(C) of title 49, United States Code.

(d) NEW JERSEY URBAN CORE PROJECT.—

(1) ALLOCATIONS.—Section 3031(a) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122) is amended by adding at the end the following:

''(3) ALLOCATIONS.—

''(A) RAIL CONNECTION BETWEEN PENN STATION NEWARK AND BROAD STREET STATION, NEWARK.—Of the amounts made available for the New Jersey Urban Core Project under section 5309(m)(1)(B) of title 49, United States Code, for fiscal years 1998 through 2003, the Secretary shall set aside 10 percent, but not more than $5,000,000, per fiscal year for preliminary engineering, design, and construction of the rail connection between Penn Station, Newark and Broad Street Station, Newark.

''(B) NEWARK—NEWARK INTERNATIONAL AIRPORT—ELIZABETH TRANSIT LINK.—Of the amounts made available for the New Jersey Urban Core Project under section 5309(m)(1)(B) of title 49, United States Code, for fiscal years 1998 through 2003, the Secretary, after making the set aside under subparagraph (A), shall set aside 10 percent, but not more than $5,000,000, per fiscal year for preliminary engineering, design, and construction of the Newark—Newark International Airport—Elizabeth Transit Link, including construction of the auxiliary New Jersey Transit station, described in subsection (d).

''(C) LIGHT RAIL CONNECTION AND ALIGNMENT WITHIN AND SERVING THE CITY OF ELIZABETH.—Of amounts made available for the New Jersey Urban Core Project under section 5309(m)(1)(B) of title 49, United States Code, for fiscal years 1998 through 2003, the Secretary, after making the set-aside under subparagraphs (A) and (B), shall set aside 10 percent but not more than $5,000,000 per fiscal year for preliminary engineering, design, and construction of the light rail connection and alignment within and serving the city of Elizabeth as described in subsection (d).''.

(2) CONFORMING AMENDMENT.—Section 3031(c) of such Act is amended—

(A) by striking ''section 3(i) of the Federal Transit Act (relating to criteria for new starts)'' and inserting ''section 5309(e) of title 49, United States Code,''; and

(B) by striking ''; except'' and all that follows through ''such element''.

(3) ELEMENTS OF NEW JERSEY URBAN CORE PROJECT.—Section 3031(d) of such Act is amended—

(A) by inserting after ''Secaucus Transfer'' the following: ''(including relocation and construction of the Bergen County and Pascack Valley Rail Lines and the relocation of the Main/Bergen Connection with construction of a rail station and associated components to and at the contiguous New Jersey Meadowlands Sports Complex)'';

(B) by striking '', Newark-Newark International Airport-Elizabeth Transit Link'' and inserting the following: ''(including a connection from the Vince Lombardi Station to Saddlebrook), Newark-Newark International Airport-Elizabeth Transit Link (including construction of an auxiliary New Jersey Light Rail Transit station directly connected to and integrated with the Amtrak Northeast Corridor Station at Newark International Airport, providing access from the Newark-Newark International Airport-Elizabeth Light Rail Transit Link to the Newark International Airport)''; and

(C) by inserting after ''New York Penn Station Concourse,'' the following: ''the restoration of commuter rail service in Lakewood to Freehold to Matawan or Jamesburg, New Jersey, as described in section 3035(p) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2131), a light rail extension of the Newark-Newark International Airport-Elizabeth Light Rail Transit Link from Elizabeth, New Jersey, to the towns of Cranford, Westfield, Fanwood, and Plainfield in Union County, New Jersey, and any appropriate light rail connections and alignments within the city of Elizabeth to be determined by the city of Elizabeth and the New Jersey Department of Transportation (and which shall include connecting midtown Elizabeth to Route 1 Park and Ride, the Elizabeth Car House Museum, Division Street, Singer Place, Ferry Terminal, Jersey Gardens Mall, Elizabeth Port to Lot D at Newark Airport) and any appropriate fixed guideway system in Passaic County,''.

SEC. 333. PROJECTS FOR BUS AND BUS-RELATED FACILITIES.

Of the amounts made available to carry out section 5309(m)(1)(C) for each of fiscal years 1999 and 2000, the Secretary shall make funds available for the following projects in not less than the amounts specified for the fiscal year:

Project	*FY 1999 (in millions)*	*FY 2000 (in millions)*
1. Albuquerque, NM buses	*1.250*	*1.250*
2. Alexandria, VA bus maintenance facility	*1.000*	*1.000*
3. Alexandria, VA King Street Station access	*1.100*	*0.000*
4. Altoona, PA Metro Transit Authority buses and transit system improvements	*0.842*	*0.842*
5. Altoona, PA Metro Transit Authority Logan Valley Mall Suburban Transfer Center	*0.080*	*0.000*
6. DAltoona, PA Metro Transit Authority Transit Center improvements	*0.424*	*0.000*
7. Arkansas Highway and Transit Department buses	*0.200*	*0.000*
8. DArmstrong County-Mid County, PA bus facilities and buses	*0.150*	*0.150*
9. DAtlanta, GA MARTA buses	*9.000*	*13.500*
10. Austin, TX buses	*1.250*	*1.250*
11. Babylon, NY Intermodal Center	*1.250*	*1.250*

Project	FY 1999 (in millions)	FY 2000 (in millions)
12. Birmingham-Jefferson County, AL buses	1.250	1.250
13. Boulder/Denver, CO RTD buses	0.625	0.625
14. Bradford County, Endless Mountain Transportation Authority buses	1.000	0.000
15. Brookhaven Town, NY elderly and disabled buses and vans	0.225	0.000
16. Brooklyn-Staten Island, NY Mobility Enhancement buses	0.800	0.000
17. Broward County, FL buses	1.000	0.000
18. Buffalo, NY Auditorium Intermodal Center	2.000	2.000
19. Buffalo, NY Crossroads Intermodal Station	1.000	0.000
20. Cambria County, PA bus facilities and buses	0.575	0.575
21. Centre Area, PA Transportation Authority buses	1.250	1.250
22. Chambersburg, PA Transit Authority buses	0.300	0.000
23. DChambersburg, PA Transit Authority Intermodal Center	1.000	0.000
24. Chatham, GA Downtown Transfer Center, Multimodal Circulator and Southside Transit Center	1.250	1.250
25. Chester County, PA Paoli Transportation Center	1.000	1.000
26. Clark County, NV Regional Transportation Commission buses	1.250	1.250
27. Cleveland, OH Triskett Garage bus maintenance facility	0.625	0.625
28. Crawford Area, PA Transportation buses	0.500	0.000
29. Culver City, CA CityBus buses	1.250	1.250
30. Davis, CA Unitrans transit maintenance facility	0.625	0.625
31. Dayton, OH Multimodal Transportation Center	0.625	0.625
32. Daytona, FL Intermodal Center	2.500	2.500
33. Duluth, MN Transit Authority community circulation vehicles	1.000	1.000
34. Duluth, MN Transit Authority intelligent transportation systems	0.500	0.500
35. Duluth, MN Transit Authority Transit Hub	0.500	0.500
36. Dutchess County, NY Loop System buses	0.521	0.521
37. East Hampton, NY elderly and disabled buses and vans	0.100	0.000
38. Erie, PA Metropolitan Transit Authority buses	1.000	1.000
39. Everett, WA Multimodal Transportation Center	1.950	1.950
40. Fayette County, PA Intermodal Facilities and buses	1.270	1.270
41. Fayetteville, AR University of Arkansas Transit System buses	0.500	0.000
42. Fort Dodge, IA Intermodal Facility (Phase II)	0.885	0.885
43. Gary, IN Transit Consortium buses	1.250	1.250
44. Grant County, WA buses and vans	0.600	0.000
45. Greensboro, NC Multimodal Center	3.340	3.339
46. Greensboro, NC Transit Authority buses	1.500	1.500
47. Greensboro, NC Transit Authority small buses and vans	0.321	0.000
48. Hartford, CT Transportation Access Project	0.800	0.000
49. Healdsburg, CA Intermodal Facility	1.000	1.000
50. Honolulu, HI bus facility and buses	2.250	2.250
51. Hot Springs, AR Transportation Depot and Plaza	0.560	0.560
52. Humboldt, CA Intermodal Facility	1.000	0.000
53. Huntington, WV Intermodal Facility	8.000	12.000
54. Illinois statewide buses and bus-related equipment	6.800	8.200
55. Indianapolis, IN buses	5.000	5.000
56. Iowa/Illinois Transit Consortium bus safety and security	1.000	1.000
57. Ithaca, NY TCAT bus technology improvements	1.250	1.250
58. Lackawanna County, PA Transit System buses	0.600	0.600
59. Lakeland, FL Citrus Connection transit vehicles and related equipment	1.250	1.250
60. Lane County, OR Bus Rapid Transit	4.400	4.400
61. Lansing, MI CATA bus technology improvements	0.600	0.000
62. Little Rock, AR Central Arkansas Transit buses	0.300	0.000
63. Livermore, CA automatic vehicle locator	1.000	1.000
64. Long Island, NY CNG transit vehicles and facilities	1.250	1.250
65. Los Angeles County, CA Foothill Transit buses	1.625	1.625
66. Los Angeles County, CA MTOC buses	1.000	1.000
67. Los Angeles, CA San Fernando Valley smart shuttle buses	0.300	0.000
68. Los Angeles, CA Union Station Gateway Intermodal Transit Center	1.250	1.250
69. Louisiana statewide bus facilities and buses	8.000	12.000
70. Maryland statewide bus facilities and buses	7.000	11.500
71. Mercer County, PA buses	0.750	0.000
72. Miami Beach, FL Electric Shuttle Service	0.750	0.750
73. Miami-Dade, FL buses	1.750	1.750
74. Michigan statewide buses	10.000	13.500
75. Milwaukee County, WI buses	4.000	6.000
76. Mineola/Hicksville, NY LIRR Intermodal Centers	1.250	1.250
77. Mobile, AL GM&O Intermodal Facility	0.750	0.000
78. Modesto, CA bus maintenance facility	0.625	0.625
79. Monroe County, PA Transportation Authority buses	1.000	0.000
80. Monterey, CA Monterey-Salinas buses	0.625	0.625
81. Morango Basin, CA Transit Authority bus facility	0.650	0.000
82. New Haven, CT bus facility	2.250	2.250
83. New Jersey Transit jitney shuttle buses	1.750	1.750
84. Newark, NJ Morris & Essex Station access and buses	1.250	1.250
85. Northstar Corridor, MN Intermodal Facilities and buses	6.000	10.000
86. Norwalk, CA transit facility	0.500	0.500
87. Norwich, CT buses	2.250	2.250
88. Ogden, UT Intermodal Center	0.800	0.800
89. Oklahoma statewide bus facilities and buses	5.000	5.000
90. Orlando, FL Downtown Intermodal Facility	2.500	2.500
91. Palm Springs, CA fuel cell buses	1.000	1.000
92. Perris, CA bus maintenance facility	1.250	1.250
93. Philadelphia, PA Frankford Transportation Center	5.000	5.000
94. Philadelphia, PA Intermodal 30th Street Station	1.250	1.250
95. Portland, OR Tri-Met buses	1.750	1.750
96. Pritchard, AL bus transfer facility	0.500	0.000
97. Reading, PA BARTA Intermodal Transportation Facility	1.750	1.750

Project	FY 1999 (in millions)	FY 2000 (in millions)
98. Red Rose, PA Transit Bus Terminal	1.000	0.000
99. Richmond, VA GRTC bus maintenance facility	1.250	1.250
100. Riverhead, NY elderly and disabled buses and vans	0.125	0.000
101. Robinson, PA Towne Center Intermodal Facility	1.500	1.500
102. Rome, NY Intermodal Center	0.400	0.000
103. Sacramento, CA CNG buses	1.000	0.000
104. San Francisco, CA Islais Creek Maintenance Facility	1.250	1.250
105. San Juan, Puerto Rico Intermodal access	0.600	0.600
106. Santa Clarita, CA facilities and buses	1.250	1.250
107. Santa Cruz, CA bus facility	0.625	0.625
108. Santa Rosa/Cotati, CA Intermodal Transportation Facilities	0.750	0.750
109. Seattle, WA Intermodal Transportation Terminal	1.250	1.250
110. Shelter Island, NY elderly and disabled buses and vans	0.100	0.000
111. Smithtown, NY elderly and disabled buses and vans	0.125	0.000
112. Somerset County, PA bus facilities and buses	0.175	0.175
113. South Amboy, NJ Regional Intermodal Transportation Initiative	1.250	1.250
114. South Bend, IN Urban Intermodal Transportation Facility	1.250	1.250
115. South Carolina statewide Virtual Transit Enterprise	1.220	1.220
116. South Dakota statewide bus facilities and buses	1.500	1.500
117. Southampton, NY elderly and disabled buses and vans	0.125	0.000
118. Southold, NY elderly and disabled buses and vans	0.100	0.000
119. Springfield, MA Union Station	1.250	1.250
120. St. Louis, MO Bistate Intermodal Center	1.250	1.250
121. Stapleton, CO Intermodal Center	1.250	1.250
122. Suffolk County, NY elderly and disabled buses and vans	0.100	0.000
123. Texas statewide small urban and rural buses	4.000	4.500
124. Towamencin Township, PA Intermodal Bus Transportation Center	1.500	1.500
125. Tuscaloosa, AL Intermodal Center	1.000	0.000
126. Tuscon, AZ Intermodal Center	1.250	1.250
127. Ukiah, CA Transportation Center	0.500	0.000
128. Utah Transit Authority, UT Intermodal Facilities	1.500	1.500
129. Utah Transit Authority/Park City Transit, UT buses	6.500	6.500
130. Utica, NY Union Station	2.100	2.100
131. Utica and Rome, NY bus facilities and buses	0.500	0.000
132. Washington County, PA Intermodal Facilities	0.630	0.630
133. Washington, D.C. Intermodal Transportation Center	2.500	2.500
134. Washoe County, NV transit improvements	1.250	1.250
135. Waterbury, CT bus facility	2.250	2.250
136. West Virginia statewide Intermodal Facility and buses	5.000	5.000
137. Westchester County, NY Bee-Line transit system fareboxes	0.979	0.979
138. Westchester County, NY Bee-Line transit system shuttle buses	1.000	1.000
139. Westchester County, NY DOT articulated buses	1.250	1.250
140. Westmoreland County, PA Intermodal Facility	0.200	0.200
141. Wilkes-Barre, PA Intermodal Facility	1.250	1.250
142. Williamsport, PA buses	1.200	1.200
143. Windsor, CA Intermodal Facility	0.750	0.750
144. Wisconsin statewide bus facilities and buses	8.000	12.000
145. Woodland Hills, CA Warner Center Transportation Hub	0.325	0.625
146. Worcester, MA Union Station Intermodal Transportation Center	2.500	2.500
147. Lynchburg, VA buses	0.200	0.000
148. Harrisonburg, VA buses	0.200	0.000
149. Roanoke, VA buses	0.200	0.000

SEC. 334. PROJECT MANAGEMENT OVERSIGHT.

(a) STUDY.—The Comptroller General shall conduct a study of the Secretary of Transportation's implementation of project management oversight under section 5327 of title 49, United States Code.

(b) CONTENTS.—The study shall include the following:

(1) A listing of the amounts made available under section 5327(c)(1) of title 49, United States Code, for project management oversight in each of fiscal years 1992 through 1997 and a description of the activities funded using such amounts.

(2) A description of the major capital projects subject to project management oversight, including the grant amounts for such projects.

(3) A description of the contracts entered into for project management oversight, including the scope of work and dollar amounts of such contracts.

(4) A determination of whether the project management oversight activities conducted by the Secretary are authorized under section 5327.

(5) A description of any cost savings or program improvements resulting from project management oversight.

(6) Recommendations regarding any changes that would improve the project management oversight function.

(c) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study.

SEC. 335. PRIVATIZATION.

(a) STUDY.—Not later than 3 months after the date of the enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academy of Sciences to conduct a study of the effect of privatization or contracting out mass transportation operation and administrative functions on cost, availability and level of service, efficiency, safety, quality of services provided to transit-dependent populations, and employer-employee relations.

(b) TERMS OF AGREEMENT.—The agreement entered into in subsection (a) shall provide that—

(1) the Transportation Research Board, in conducting the study, consider the number of grant recipients that have privatized or contracted out services, the size of the population served by such grant recipients, the basis for decisions regarding privatization or contracting out, and the extent to which contracting out was affected by the integration and coordination of resources of transit agencies and other Federal agencies and programs; and

(2) the panel conducting the study shall include representatives of transit agencies, employees of transit agencies, private contractors, academic and policy analysts, and other interested persons.

(c) REPORT.—Not later than 24 months after the date of entry into the agreement under subsection (a), the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study.

(d) FUNDING.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section $200,000 for fiscal year 1998, subject to the obligation limitation set forth in section 329(b).

(e) CONTRACTUAL OBLIGATION.—Entry into an agreement to carry out this section that is financed with amounts made available under subsection (c) is a contractual obligation of the United States to pay the Government's share of the cost of the study.

SEC. 336. SCHOOL TRANSPORTATION SAFETY.

(a) STUDY.—Not later than 3 months after the date of the enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academy of Sciences to conduct a study of the safety issues attendant to transportation of school children to and from school and school-related activities by various transportation modes.

(b) TERMS OF AGREEMENT.—The agreement entered into in subsection (a) shall provide that—

(1) the Transportation Research Board, in conducting the study, consider—

(A) in consultation with the National Transportation Safety Board, the Bureau of Transportation Statistics, and other relevant entities, available crash injury data, and if unavailable or insufficient, recommend a new data collection regimen and implementation guidelines; and

(B) vehicle design and driver training requirements, routing, and operational factors that affect safety and other factors that the Secretary considers appropriate; and

(2) the panel conducting the study shall include representatives of highway safety organizations, school transportation, mass transportation operators, employee organizations, bicycling organizations, academic and policy analysts, and other interested parties.

(c) REPORT.—Not later than 12 months after the date of entry into the agreement under subsection (a), the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study.

(d) FUNDING.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section $200,000 for fiscal year 1998, subject to the obligation limitation set forth in section 329(b).

(e) CONTRACTUAL OBLIGATION.—Entry into an agreement to carry out this section that is financed with amounts made available under subsection (c) is a contractual obligation of the United States to pay the Government's share of the cost of the study.

SEC. 337. URBANIZED AREA FORMULA STUDY.

(a) STUDY.—The Secretary shall conduct a study to determine whether the current formula for apportioning funds to urbanized areas accurately reflects the transit needs of the urbanized areas and if not whether any changes should be made either to the formula or through some other mechanism to reflect the fact that some urbanized areas with a population between 50,000 and 200,000 have transit systems that carry more passengers per mile or hour than the average of those transit systems in urbanized areas with a population over 200,000.

(b) REPORT.—Not later than December 31, 1999, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the study conducted under this section together with any proposed changes to the method for apportioning funds to urbanized areas with a population over 50,000.

SEC. 338. COORDINATED TRANSPORTATION SERVICES.

(a) STUDY.—The Comptroller General shall conduct a study of Federal departments and agencies (other than the Department of Transportation) that receive Federal financial assistance for non-emergency transportation services.

(b) CONTENTS.—In conducting the study, the Comptroller General shall—

(1) identify each Federal department and agency (other than the Department of Transportation) that has received Federal financial assistance for non-emergency transportation services in any of the 3 fiscal years preceding the date of the enactment of this Act;

(2) identify the amount of such assistance received by each Federal department and agency in such fiscal years; and

(3) identify the projects and activities funded using such financial assistance.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study and any recommendations for enhanced coordination between the Department of Transportation and other Federal departments and agencies that provide funding for non-emergency transportation.

SEC. 339. FINAL ASSEMBLY OF BUSES.

(a) STUDY.—The Comptroller General shall conduct a study to review monitoring by the Federal Transit Administration of preaward and post-delivery audits for compliance with the requirements for final assembly of buses of section 5323(j) of title 49, United States Code.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study.

TITLE IV—MOTOR CARRIER SAFETY

SEC. 401. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 402. STATE GRANTS.

(a) OBJECTIVE AND DEFINITIONS.—Section 31101 is amended—

(1) by striking

"§ 31101. Definitions"

and inserting the following:

"§ 31101. Objective and definitions";

(2) in paragraph (1)(A)—

(A) by inserting "or gross vehicle weight" after "rating"; and

(B) by striking "10,000 pounds" and inserting "10,001 pounds, whichever is greater";

(3) in paragraph (1)(C) by inserting "and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103" after "title";

(4) by striking "In this subchapter—" and inserting the following:

"(b) DEFINITIONS.—In this subchapter the following definitions apply:"; and

(5) by inserting after the section heading the following:

"(a) OBJECTIVE.—The objective of this subchapter is to ensure that the Secretary, States, and other political jurisdictions establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient transportation system by—

"(1) promoting safe for-hire and private transportation, including transportation of passengers and hazardous materials, to reduce the number and severity of commercial motor vehicle crashes;

"(2) developing and enforcing effective, compatible, and cost-beneficial motor carrier, commercial motor vehicle, and driver safety regulations and practices, including enforcement of State and local traffic safety laws and regulations;

"(3) assessing and improving statewide program performance by setting program outcome goals, improving problem identification and countermeasures planning, designing appropriate performance standards, measures, and benchmarks, improving performance information, and monitoring program effectiveness;

"(4) ensuring that drivers of commercial motor vehicles and enforcement personnel obtain adequate training in safe operational practices and regulatory requirements; and

"(5) advancing promising technologies and encouraging adoption of safe operational practices.".

(b) PERFORMANCE-BASED GRANTS AND HAZARDOUS MATERIALS TRANSPORTATION SAFETY.—Section 31102 is amended—

(1) in subsection (a)—

(A) by inserting "improving motor carrier safety and" after "programs for"; and

(B) by inserting ", hazardous material transportation safety," after "commercial motor vehicle safety"; and

(2) in the first sentence of paragraph (b)(1)—

(A) by striking "adopt and assume responsibility for enforcing" and inserting "assume responsibility for improving motor carrier safety and to adopt and enforce"; and

(B) by inserting ", hazardous material transportation safety," after "commercial motor vehicle safety".

(c) CONTENTS OF STATE PLANS.—Section 31102(b)(1) is amended—

(1) in subparagraph (J) by inserting "(1)" after "(c)";

(2) by striking subparagraphs (K), (L), (M), and (N) and inserting the following:

"(K) ensures consistent, effective, and reasonable sanctions;

"(L) ensures that the State agency will coordinate the plan, data collection, and information systems with State highway safety programs under title 23;

"(M) ensures participation in motor carrier, commercial motor vehicle, and driver information systems by all appropriate jurisdictions receiving funding under this section;

"(N) implements performance-based activities by fiscal year 2003;";

(3) in subparagraph (O)—

(A) by inserting after "activities" the following: "in support of national priorities and performance goals, including";

(B) by striking "to remove" in clause (i) and inserting "activities aimed at removing";

(C) by striking "to provide" in clause (ii) and inserting "activities aimed at providing"; and

(D) by inserting "and" after the semicolon at the end of clause (ii); and

(E) by striking clauses (iii) and (iv) and inserting the following:

"(iii) interdiction activities affecting the transportation of controlled substances by commercial motor vehicle drivers and training on appropriate strategies for carrying out those interdiction activities;";

(4) by striking subparagraph (P) and inserting the following:

"(P) provides that the State will establish a program to ensure the proper and timely correction of commercial motor vehicle safety violations noted during an inspection carried out with funds authorized under section 31104;";

(5) by striking the period at the end of subparagraph (Q) and inserting "; and"; and

(6) by adding at the end the following:

"(R) ensures that roadside inspections will be conducted only at a distance that is adequate to protect the safety of drivers and enforcement personnel.".

(d) UNITED STATES GOVERNMENT'S SHARE OF COSTS.—The first sentence of section 31103 is amended by inserting "improve commercial motor vehicle safety and" before "enforce".

(e) AVAILABILITY OF AMOUNTS.—Section 31104(a) of such title is amended to read as follows:

"(a) IN GENERAL.—The following amounts are made available from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to incur obligations to carry out section 31102:

"(1) Not more than $78,000,000 for fiscal year 1998.

"(2) Not more than $110,000,000 for fiscal year 1999.

"(3) Not more than $130,000,000 for each of fiscal years 2000 through 2003."

(f) CONFORMING AMENDMENT.—Section 31104(b) is amended by striking "(1)" and by striking paragraph (2).

(g) ALLOCATION CRITERIA AND ELIGIBILITY.—Section 31104 is further amended—

(1) by striking subsections (f) and (g) and inserting the following:

"(f) ALLOCATION CRITERIA AND ELIGIBILITY.—

"(1) IN GENERAL.—On October 1 of each fiscal year or as soon after that date as practicable and after making the deduction under subsection (e), the Secretary shall allocate amounts made available to carry out section 31102 for such fiscal year among the States with plans approved under section 31102. Such allocation shall be made under such criteria as the Secretary prescribes by regulation.

''(2) HIGH-PRIORITY ACTIVITIES AND PROJECTS.—The Secretary may designate up to 5 percent of amounts available for allocation under paragraph (1) to reimburse—

''(A) States for carrying out high priority activities and projects that improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations, including activities and projects that are national in scope, increase public awareness and education, or demonstrate new technologies; and

''(B) local governments and other persons that use trained and qualified officers and employees, for carrying out activities and projects described in subparagraph (A) in coordination with State motor vehicle safety agencies.'';

(2) by redesignating subsection (h) as subsection (g);

(3) by striking subsection (i);

(4) by redesignating subsection (j) as subsection (h); and

(5) in the first sentence of subsection (h), as so redesignated, by striking ''tolerance''.

(h) CONFORMING AMENDMENT.—The table of sections for chapter 311 is amended by striking the item relating to section 31101 and inserting the following:

''31101. Objective and definitions.''.

SEC. 403. INFORMATION SYSTEMS.

(a) IN GENERAL.—Section 31106 is amended to read as follows:

''§ 31106. Information systems

''(a) INFORMATION SYSTEMS AND DATA ANALYSIS.—

''(1) IN GENERAL.—Subject to the provisions of this section, the Secretary shall establish and operate motor carrier, commercial motor vehicle, and driver information systems and data analysis programs to support safety activities required under this title.

''(2) COORDINATION INTO NETWORK.—In cooperation with the States, the information systems under this section shall be coordinated into a network providing identification of motor carriers and drivers, commercial motor vehicle registration and license tracking, and motor carrier, commercial motor vehicle, and driver safety performance data.

''(3) DATA ANALYSIS CAPACITY AND PROGRAMS.—The Secretary shall develop and maintain under this section data analysis capacity and programs that provide the means to—

''(A) identify and collect necessary motor carrier, commercial motor vehicle, and driver data;

''(B) evaluate the safety fitness of motor carriers, commercial motor vehicles, and drivers;

''(C) develop strategies to mitigate safety problems and to measure the effectiveness of such strategies and related programs;

''(D) determine the cost-effectiveness of Federal and State safety and enforcement programs and other countermeasures; and

''(E) adapt, improve, and incorporate other information and information systems as the Secretary determines appropriate.

''(4) STANDARDS.—To implement this section, the Secretary may prescribe technical and operational standards to ensure—

''(A) uniform, timely, and accurate information collection and reporting by the States and other entities;

''(B) uniform Federal, State, and local policies and procedures; and

''(C) the reliability and availability of the information to the Secretary, States, and others as the Secretary determines appropriate.

''(b) PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—

''(1) INFORMATION CLEARINGHOUSE.—The Secretary shall include, as part of the information systems authorized by this section, a program to establish and maintain a clearinghouse and repository of information related to State registration and licensing of commercial motor vehicles and the motor carriers operating the vehicles. The clearinghouse and repository shall include information on the safety fitness of each motor carrier and registrant and other information the Secretary considers appropriate, including information on motor carrier, commercial motor vehicle, and driver safety performance.

''(2) DESIGN.—The program shall link Federal safety information systems with State registration and licensing systems and shall be designed to enable a State to—

''(A) determine the safety fitness of a motor carrier or registrant when licensing or registering the motor carrier or commercial motor vehicle or while the license or registration is in effect; and

''(B) decide, in cooperation with the Secretary, whether and what types of sanctions or operating limitations to impose on the motor carrier or registrant to ensure safety.

''(3) CONDITIONS FOR PARTICIPATION.—The Secretary shall require States, as a condition of participation in the program, to—

''(A) comply with the technical and operational standards prescribed by the Secretary under subsection (a)(4); and

''(B) possess or seek authority to impose commercial motor vehicle registration sanctions or operating limitations on the basis of a Federal safety fitness determination.

''(4) FUNDING.—Of the amounts made available under section 31107, not more than $6,000,000 in each of fiscal years 1998 through 2003 may be used to carry out this subsection.

''(c) COMMERCIAL MOTOR VEHICLE DRIVER SAFETY PROGRAM.—In coordination with the information system under section 31309, the Secretary is authorized to establish a program to improve commercial motor vehicle driver safety. The objectives of the program shall include—

''(1) enhancing the exchange of driver licensing information among the States and among the States, the Federal Government, and foreign countries;

''(2) providing information to the judicial system on commercial motor vehicle drivers;

''(3) evaluating any aspect of driver performance that the Secretary determines appropriate; and

''(4) developing appropriate strategies and countermeasures to improve driver safety.

''(d) COOPERATIVE AGREEMENTS, GRANTS, AND CONTRACTS.—The Secretary may carry out this section either independently or in cooperation with other Federal departments, agencies, and instrumentalities, or by making grants to, and entering into contracts and cooperative agreements with, States, local governments, associations, institutions, corporations, and other persons.

''(e) INFORMATION AVAILABILITY AND PRIVACY PROTECTION.—

''(1) AVAILABILITY OF INFORMATION.—The Secretary shall make data collected in systems and through programs under this section available to the public to the maximum extent permissible under the Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552).

''(2) REVIEW OF DATA.—The Secretary shall allow individuals and motor carriers to whom the data pertains to review periodically such data and to request corrections or clarifications.

''(3) STATE AND LOCAL OFFICIALS.—State and local safety and enforcement officials shall have access to data made available under this subsection to the same extent as Federal safety and enforcement officials.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 31107 is amended to read as follows:

''§ 31107. Authorization of appropriations for information systems

''(a) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out sections 31106 and 31309 of this title—

''(1) $7,000,000 for fiscal year 1998;

''(2) $15,000,000 for fiscal year 1999; and

''(3) $20,000,000 for each of fiscal years 2000 through 2003.

The amounts made available under this subsection shall remain available until expended.

''(b) CONTRACT AUTHORITY.—Approval by the Secretary of a grant with funds made available under this section imposes upon the United States Government a contractual obligation for payment of the Government's share of costs incurred in carrying out the objectives of the grant.''.

(c) SUBCHAPTER HEADING.—The heading for subchapter I of chapter 311 is amended by inserting after ''GRANTS'' the following: ''AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS''.

(d) CONFORMING AMENDMENTS.—The table of sections for chapter 311 is amended—

(1) by striking

''SUBCHAPTER I—STATE GRANTS''

and inserting

''SUBCHAPTER I—STATE GRANTS AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS'';

(2) by striking the item relating to section 31106 and inserting the following:

''31106. Information systems.''; and

(3) by striking the item relating to section 31107 and inserting the following:

''31107. Authorization of appropriations for information systems.''.

SEC. 404. AUTOMOBILE TRANSPORTER DEFINED.

Section 31111(a) is amended—

(1) by striking ''section—'' and inserting ''section, the following definitions apply:'';

(2) by inserting after ''(1)'' the following: ''MAXI-CUBE VEHICLE.—The term'';

(3) by inserting after ''(2)'' the following: ''TRUCK TRACTOR.—The term'';

(4) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(5) by inserting before paragraph (2), as so redesignated, the following:

''(1) AUTOMOBILE TRANSPORTER.—The term 'automobile transporter' means any vehicle combination designed and used specifically for the transport of assembled highway vehicles.''.

SEC. 405. INSPECTIONS AND REPORTS.

(a) GENERAL POWERS OF THE SECRETARY.—Section 31133(a)(1) is amended by inserting ''and make contracts for'' after ''conduct''.

(b) REPORTS AND RECORDS.—Section 504(c) is amended by inserting ''(and, in the case of a motor carrier, a contractor)'' before the second comma.

SEC. 406. EXEMPTIONS AND PILOT PROGRAMS.

(a) IN GENERAL.—Section 31315 is amended to read as follows:

''§ 31315. Exemptions and pilot programs

''(a) EXEMPTIONS.—

''(1) IN GENERAL.—Upon receipt of a request pursuant to paragraph (3), the Secretary of Transportation may grant to a person or class of persons an exemption from a regulation prescribed under this chapter or section 31136 if the Secretary finds such exemption would likely achieve a level of safety equal to or greater than the level that would be achieved absent such exemption. An exemption may be granted for no longer than 2 years from its approval date and may be renewed upon application to the Secretary.

''(2) AUTHORITY TO REVOKE EXEMPTION.—The Secretary shall immediately revoke an exemption if the person fails to comply with the terms and conditions of such exemption or if continuation of the exemption would not be consistent with the goals and objectives of this chapter or section 31136, as the case may be.

''(3) REQUESTS FOR EXEMPTION.—Not later than 180 days after the date of the enactment of this section and after notice and an opportunity for public comment, the Secretary shall specify by regulation the procedures by which a person may request an exemption. Such regulations shall, at a minimum, require the person to provide the following information for each exemption request:

''(A) The provisions from which the person requests exemption.

''(B) The time period during which the exemption would apply.

''(C) An analysis of the safety impacts the exemption may cause.

''(D) The specific countermeasures the person would undertake, if the exemption were granted, to ensure an equal or greater level of safety than would be achieved absent the exemption.

''(4) NOTICE AND COMMENT.—

''(A) UPON RECEIPT OF A REQUEST.—Upon receipt of an exemption request, the Secretary shall publish in the Federal Register a notice explaining the request that has been filed and shall give the public an opportunity to inspect the safety analysis and any other relevant information known to the Secretary and to comment on the request. This subparagraph does not require the release of information protected by law from public disclosure.

''(B) UPON GRANTING A REQUEST.—Upon granting a request for exemption, the Secretary shall publish in the Federal Register the name of the person granted the exemption, the provisions from which the person will be exempt, the effective period, and all terms and conditions of the exemption.

''(C) UPON DENYING A REQUEST.—Upon denying a request for exemption, the Secretary shall publish in the Federal Register the name of the person denied the exemption and the reasons for such denial.

''(5) APPLICATIONS TO BE DEALT WITH PROMPTLY.—The Secretary shall grant or deny an exemption request after a thorough review of its safety implications, but in no case later than 180 days after the filing date of such request, or the Secretary shall publish in the Federal Register the reason for the delay in the decision and an estimate of when the decision will be made.

''(6) TERMS AND CONDITIONS.—The Secretary shall establish terms and conditions for each exemption to ensure that it will likely achieve a level of safety equal to or greater than the level that would be achieved absent such exemption. The Secretary shall monitor the implementation of the exemption to ensure compliance with its terms and conditions.

''(7) NOTIFICATION OF STATE COMPLIANCE AND ENFORCEMENT PERSONNEL.—Before granting a request for exemption, the Secretary shall notify State safety compliance and enforcement personnel, including roadside inspectors, and the public that a person will be operating pursuant to an exemption and any terms and conditions that will apply to the exemption.

''(b) PILOT PROGRAMS.—

''(1) IN GENERAL.—The Secretary may conduct pilot programs to evaluate innovative approaches to motor carrier, vehicle, and driver safety. Such pilot programs may include exemptions from a regulation prescribed under this chapter or section 31136 if the pilot program contains, at a minimum, the elements described in paragraph (2). The Secretary shall publish in the Federal Register a detailed description of the program and the exemptions to be considered and provide notice and an opportunity for public comment before the effective date of any exemptions.

''(2) PROGRAM ELEMENTS.—In proposing a pilot program and before granting exemptions for purposes of a pilot program, the Secretary shall include, at a minimum, the following elements in each pilot program plan:

''(A) A program scheduled life of not more than 3 years.

''(B) A scientifically valid methodology and study design, including a specific data collection and analysis plan, that identifies appropriate control groups for comparison.

''(C) The fewest participants necessary to yield statistically valid findings.

''(D) Observance of appropriate ethical protocols for the use of human subjects in field experiments.

''(E) An oversight plan to ensure that participants comply with the terms and conditions of participation.

''(F) Adequate countermeasures to protect the health and safety of study participants and the general public.

''(G) A plan to inform State partners and the public about the pilot program and to identify approved participants to safety compliance and enforcement personnel and to the public.

''(3) AUTHORITY TO REVOKE PARTICIPATION.—The Secretary shall immediately revoke participation in a pilot program of a motor carrier, vehicle, or driver for failure to comply with the terms and conditions of the pilot program or if continued participation would not be consistent with the goals and objectives of this chapter or section 31136, as the case may be.

''(4) AUTHORITY TO TERMINATE PROGRAM.—The Secretary shall immediately terminate a pilot program if its continuation would not be consistent with the goals and objectives of this chapter or section 31136, as the case may be.

''(5) REPORT TO CONGRESS.—At the conclusion of each pilot program, the Secretary shall promptly report to Congress the findings, conclusions, and recommendations of the program, including suggested amendments to law or regulation that would enhance motor carrier, vehicle, and driver safety and improve compliance with national safety standards.

''(c) PREEMPTION OF STATE RULES.—During the time period that an exemption or pilot program is in effect under this section, no State shall enforce any law or regulation that conflicts with or is inconsistent with an exemption or pilot program with respect to a person exercising the exemption or participating in the pilot program.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 313 is amended by striking the item relating to section 31315 and inserting the following:

''31315. Exemptions and pilot programs.''.

(c) CONFORMING AMENDMENT.—Section 31136(e) is amended to read as follows:

''(e) EXEMPTIONS.—The Secretary may grant exemptions from any regulation prescribed under this section in accordance with section 31315.''.

(d) PROTECTION OF EXISTING EXEMPTIONS.—The amendments made by subsections (a) and (c) of this section shall not apply to or otherwise affect an exemption or waiver in effect on the day before the date of the enactment of this Act under section 31315 or 31136(e) of title 49, United States Code.

SEC. 407. SAFETY REGULATION.

(a) COMMERCIAL MOTOR VEHICLE DEFINED.—Section 31132(1) is amended—

(1) in subparagraph (A)—

(A) by inserting ''or gross vehicle weight'' after ''rating''; and

(B) by inserting '', whichever is greater'' after ''pounds''; and

(2) in subparagraph (B)—

(A) by inserting ''or livery'' after ''taxicab''; and

(B) by striking ''6 passengers'' and inserting ''8 passengers, including the driver,''.

(b) REPEAL OF REVIEW PANEL.—Section 31134, and the item relating to such section in the table of sections for chapter 311, are repealed.

(c) REPEAL OF SUBMISSION TO REVIEW PANEL.—Section 31140, and the item relating to such section in the table of sections for chapter 311, are repealed.

(d) REVIEW PROCEDURE.—Section 31141 is amended—

(1) by striking subsections (b) and (c) and inserting the following:

''(b) SUBMISSION OF REGULATION.—A State that enacts a State law or issues a regulation on commercial motor vehicle safety shall submit a copy of the law or regulation to the Secretary of Transportation immediately after the enactment or issuance.

''(c) REVIEW AND DECISIONS BY SECRETARY.—

''(1) REVIEW.—The Secretary shall review State laws and regulations on commercial motor vehicle safety. The Secretary shall decide whether the State law or regulation—

''(A) has the same effect as a regulation prescribed by the Secretary under section 31136;

''(B) is less stringent than such regulation; or

''(C) is additional to or more stringent than such regulation.

''(2) REGULATIONS WITH SAME EFFECT.—If the Secretary decides a State law or regulation has the same effect as a regulation prescribed by the Secretary under section 31136 of this title, the State law or regulation may be enforced.

''(3) LESS STRINGENT REGULATIONS.—If the Secretary decides a State law or regulation is less stringent than a regulation prescribed by the Secretary under section 31136 of this title, the State law or regulation may not be enforced.

''(4) ADDITIONAL OR MORE STRINGENT REGULATIONS.—If the Secretary decides a State law or regulation is additional to or more stringent than a regulation prescribed by the Secretary under section 31136 of this title, the State law or regulation may be enforced unless the Secretary also decides that—

''(A) the State law or regulation has no safety benefit;

''(B) the State law or regulation is incompatible with the regulation prescribed by the Secretary; or

''(C) enforcement of the State law or regulation would cause an unreasonable burden on interstate commerce.

''(5) CONSIDERATION OF EFFECT ON INTERSTATE COMMERCE.—In deciding under paragraph (4) whether a State law or regulation will cause an unreasonable burden on interstate commerce, the Secretary may consider the effect on interstate commerce of implementation of that law or regulation with the implementation of all similar laws and regulations of other States.'';

(2) by striking subsection (e); and

(3) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.

(e) INSPECTION OF SAFETY EQUIPMENT.—Section 31142(a) is amended by striking ''part 393 of title 49, Code of Federal Regulations'' and inserting ''the regulations issued under section 31136''.

(f) PROTECTION OF STATES PARTICIPATING IN STATE GROUPS.—Section 31142(c)(1)(C) is amended—

(1) by inserting after ''from'' the following: ''participating in the activities of a voluntary group of States''; and

(2) by striking ''that meets'' and all that follows through ''1984''.

(g) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of implementation of the amendments made by subsection (a)(2) of this section.

SEC. 408. IMPROVED INTERSTATE SCHOOL BUS SAFETY.

(a) APPLICABILITY OF FEDERAL MOTOR CARRIER SAFETY REGULATIONS TO INTERSTATE SCHOOL BUS OPERATIONS.—Section 31136 is amended by adding at the end the following:

''(g) APPLICABILITY TO SCHOOL TRANSPORTATION OPERATIONS OF LOCAL EDUCATION AGENCIES.—Not later than 6 months after the date of the enactment of this subsection, the Secretary shall issue regulations making the relevant commercial motor carrier safety regulations issued under subsection (a) applicable to all interstate school transportation operations by local educational agencies (as defined in section 14101 of the Elementary and Secondary Education Act of 1965).''.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the

status of compliance by private for-hire motor carriers and local educational agencies in meeting the requirements of section 31136 of title 49, United States Code, and any activities of the Secretary or the States to enforce such requirements.

SEC. 409. REPEAL OF CERTAIN OBSOLETE MISCELLANEOUS AUTHORITIES.

Subchapter IV of chapter 311 (including sections 31161 and 31162), and the items relating to such subchapter and sections in the table of sections for chapter 311, are repealed.

SEC. 410. COMMERCIAL VEHICLE OPERATORS.

(a) COMMERCIAL MOTOR VEHICLE DEFINED.—Section 31301(4) is amended—

(1) in subparagraph (A)—

(A) by inserting ''or gross vehicle weight'' after ''rating'' the first 2 places it appears; and

(B) by inserting '', whichever is greater,'' after ''pounds'' the first place it appears; and

(2) in subparagraph (C)(ii) by inserting ''is'' before ''transporting'' each place it appears.

(b) PROHIBITION ON CMV OPERATION WITHOUT CDL.—

(1) IN GENERAL.—Section 31302 is amended to read as follows:

''§ 31302. Driver's license requirement

''An individual may operate a commercial motor vehicle only if the individual has a valid commercial driver's license. An individual operating a commercial motor vehicle may have only one driver's license at any time.''.

(2) CONFORMING AMENDMENT.—The item relating to section 31302 in the table of sections for chapter 313 is amended to read as follows:

''31302. Driver's license requirement.''.

(c) UNIQUE IDENTIFIERS IN CDLS.—

(1) IN GENERAL.—Section 31308(2) is amended by inserting before the semicolon ''and each license issued after January 1, 2000, include unique identifiers to minimize fraud and duplication''.

(2) DEADLINE FOR ISSUANCE OF REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue regulations to carry out the amendment made by paragraph (1).

(d) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Section 31309 is amended—

(1) in subsection (a) by striking ''make an agreement under subsection (b) of this section for the operation of, or establish under subsection (c) of this section,'' and inserting ''maintain'';

(2) by inserting after the first sentence of subsection (a) the following: ''The system shall be coordinated with activities carried out under section 31106.'';

(3) by striking subsections (b) and (c);

(4) in subsection (d)(1)—

(A) by striking ''and'' at the end of subparagraph (E);

(B) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(C) by adding at the end the following:

''(G) information on all fines, penalties, convictions, and failure to appear for a hearing or trial incurred by the operator with respect to operation of a motor vehicle for a period of not less than 3 years beginning on the date of the imposition of such a fine or penalty or the date of such a conviction or failure to appear.'';

(5) by striking subsection (d)(2) and inserting the following:

''(2) The information system under this section must accommodate any unique identifiers required to minimize fraud or duplication of a commercial driver's license under section 31308(2).'';

(6) by striking subsection (e) and inserting the following:

''(e) AVAILABILITY OF INFORMATION.—Information in the information system shall be made available and subject to review and correction in accordance with section 31106(e).'';

(7) in subsection (f) by striking ''If the Secretary establishes an information system under this section, the'' and inserting ''The'';

(8) by striking ''shall'' in the first sentence of subsection (f) and inserting ''may''; and

(9) by redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

(e) REPEAL OF OBSOLETE GRANT PROGRAMS.—Sections 31312 and 31313, and the items relating to such sections in the table of sections for chapter 313, are repealed.

(f) UPDATING AMENDMENTS.—Section 31314 is amended—

(1) by striking ''(2), (5), and (6)'' each place it appears in subsections (a) and (b) and inserting ''(3), and (5)'';

(2) in subsection (c) by striking ''(1) Amounts'' and all that follows through ''(2) Amounts'' and inserting ''Amounts'';

(3) by striking subsection (d); and

(4) by redesignating subsection (e) as subsection (d).

SEC. 411. INTERIM BORDER SAFETY IMPROVEMENT PROGRAM.

(a) PROGRAM.—The Secretary shall carry out a program to improve commercial motor vehicle safety in the vicinity of borders between the United States and Canada and the United States and Mexico.

(b) GRANT AND OTHER AUTHORITY.—The Secretary may expend funds made available to carry out this section—

(1) for making grants to border States, local governments, organizations, and other persons to carry out activities described in subsection (c);

(2) for personnel of the Department of Transportation to conduct such activities; and

(3) for entry into contracts for the conduct of such activities.

(c) USE OF FUNDS.—Activities for which funds may be expended under this section include—

(1) employment by the Department of Transportation or a border State of additional personnel to enforce commercial motor vehicle safety regulations described in subsection (a);

(2) training of personnel to enforce such regulations;

(3) development of data bases and communication systems to improve commercial motor vehicle safety; and

(4) education and outreach initiatives.

(d) CRITERIA.—In selecting activities and projects for funding under this section, the Secretary shall consider current levels of enforcement by border States, cross border traffic patterns (including volume of commercial motor vehicle traffic), location of inspection facilities, and such other factors as the Secretary determines will result in the greatest safety improvement and benefit to border States and the Nation.

(e) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share payable under a grant made under this section for—

(A) any activity described in paragraph (2), (3), or (4) of subsection (c) shall be 80 percent; and

(B) any activity described in subsection (c)(1) shall be—

(i) 80 percent for the first 2 years that a State receives a grant under this section for such activity;

(ii) 50 percent for the third and fourth years that a State receives a grant under this section for such activity; and

(iii) 25 percent for the fifth and sixth years that a State receives a grant under this section for such activity.

(2) IN-KIND CONTRIBUTIONS.—In determining the non-Federal costs under paragraph (1), the Secretary shall include in-kind contributions by the grant recipient, of which up to $2,500,000 may be used to upgrade earthquake simulation facilities as required to carry out the program.

(f) MAINTENANCE OF EFFORT.—A grant may not be made to a State under this section for an activity described in subsection (c)(1) in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for employment of personnel to enforce commercial motor vehicle safety regulations in the vicinity of the border at or above the average level of such expenditures in the State's 2 fiscal years preceding the date of the enactment of this section.

(g) FUNDING.—Of amounts made available to carry out the coordinated border infrastructure and safety program under section 116 of this Act, $20,000,000 for fiscal year 1998 and $15,000,000 for each of fiscal years 1999 through 2003 shall be available to carry out this section.

(h) BORDER STATE DEFINED.—In this section, the term ''border State'' means any State that has a boundary in common with Canada or Mexico.

SEC. 412. VEHICLE WEIGHT ENFORCEMENT.

(a) STUDY.—The Secretary shall conduct a study of State laws and regulations pertaining to penalties for violation of State commercial motor vehicle weight laws.

(b) PURPOSE.—The purpose of the study shall be to determine the effectiveness of State penalties as a deterrent to illegally overweight trucking operations. The study shall evaluate fine structures, innovative roadside enforcement techniques, a State's ability to penalize shippers and carriers as well as drivers, and shall examine the effectiveness of administrative and judicial procedures utilized to enforce vehicle weight laws.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with any legislative recommendations of the Secretary.

(d) FUNDING.—From amounts made available under subparagraphs (F) through (I) of section 127(a)(3) of this Act, the Secretary may use not to exceed $300,000 to carry out this section.

SEC. 413. PARTICIPATION IN INTERNATIONAL REGISTRATION PLAN AND INTERNATIONAL FUEL TAX AGREEMENT.

Sections 31702, 31703, and 31708, and the items relating to such sections in the table of sections for chapter 317, are repealed.

SEC. 414. TELEPHONE HOTLINE FOR REPORTING SAFETY VIOLATIONS.

(a) IN GENERAL.—For a period of not less than 2 years beginning on or before the 90th day following the date of the enactment of this Act, the Secretary shall establish, maintain, and promote the use of a nationwide toll-free telephone system to be used by drivers of commercial motor vehicles and others to report potential violations of Federal motor carrier safety regulations and any laws or regulations relating to the safe operation of commercial motor vehicles and to report potentially improper inspections, audits, and enforcement activities.

(b) MONITORING.—The Secretary shall monitor reports received by the telephone system and shall consider nonfrivolous information provided by such reports in setting priorities for motor carrier safety audits and other enforcement activities.

(c) PROTECTION OF PERSONS REPORTING VIOLATIONS.—

(1) PROHIBITION.—A person reporting a potential violation to the telephone system while acting in good faith may not be discharged, disciplined, or discriminated against regarding pay, terms, or privileges of employment because of the reporting of such violation.

(2) APPLICABILITY OF SECTION 31105 OF TITLE 49.—For purposes of section 31105 of title 49, United States Code, a violation or alleged violation of paragraph (1) shall be treated as a violation of section 31105(a) of such title.

(d) FUNDING.—From amounts set aside under section 104(a) of title 23, United States Code, the Secretary may use not to exceed $300,000 for each of fiscal years 1998 through 2003 to carry out this section.

SEC. 415. INSULIN TREATED DIABETES MELLITUS.

(a) DETERMINATION.—Not later than 18 months after the date of the enactment of this

Act, the Secretary shall determine whether a practicable and cost-effective screening, operating, and monitoring protocol could likely be developed for insulin treated diabetes mellitus individuals who want to operate commercial motor vehicles in interstate commerce that would ensure a level of safety equal to or greater than that achieved with the current prohibition on individuals with insulin treated diabetes mellitus driving such vehicles.

(b) COMPILATION AND EVALUATION.—Prior to making the determination in subsection (a), the Secretary shall compile and evaluate research and other information on the effects of insulin treated diabetes mellitus on driving performance. In preparing the compilation and evaluation, the Secretary shall, at a minimum—

(1) consult with States that have developed and are implementing a screening process to identify individuals with insulin treated diabetes mellitus who may obtain waivers to drive commercial motor vehicles in intrastate commerce;

(2) evaluate the Department's policy and actions to permit certain insulin treated diabetes mellitus individuals who meet selection criteria and who successfully comply with the approved monitoring protocol to operate in other modes of transportation;

(3) analyze available data on the safety performance of diabetic drivers of motor vehicles;

(4) assess the relevance of intrastate driving and experiences of other modes of transportation to interstate commercial motor vehicle operations; and

(5) consult with interested groups knowledgeable about diabetes and related issues.

(c) REPORT TO CONGRESS.—If the Secretary determines that no protocol described in subsection (a) could likely be developed, the Secretary shall report to Congress the basis for such determination.

(d) INITIATION OF RULEMAKING.—If the Secretary determines that a protocol described in subsection (a) could likely be developed, the Secretary shall report to Congress a description of the elements of such protocol and shall promptly initiate a rulemaking proceeding to implement such protocol.

SEC. 416. PERFORMANCE-BASED CDL TESTING.

(a) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall complete a review of the procedures established and implemented by States under section 31305 of title 49, United States Code, to determine if the current system for testing is an accurate measure and reflection of an individual's knowledge and skills as an operator of a commercial motor vehicle and to identify methods to improve testing and licensing standards, including identifying the benefits and costs of a graduated licensing system.

(b) REGULATIONS.—Not later than 1 year after the date of completion of the review under subsection (a), the Secretary shall issue regulations under section 31305 reflecting the results of the review.

SEC. 417. POSTACCIDENT ALCOHOL TESTING.

(a) STUDY.—The Secretary shall conduct a study of the feasibility of utilizing qualified emergency responders and law enforcement officers for conducting postaccident alcohol testing of commercial motor vehicle operators under section 31306 of title 49, United States Code, as a method of obtaining more timely information and reducing the burdens that employers may encounter in meeting the testing requirements of such section.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the study conducted under subsection (a) with recommendations regarding the utilization of emergency responders and law enforcement officers in conducting testing described in subsection (a).

SEC. 418. DRIVER FATIGUE.

(a) TECHNOLOGIES TO REDUCE FATIGUE OF COMMERCIAL MOTOR VEHICLE OPERATORS.—

(1) DEVELOPMENT OF TECHNOLOGIES.—As part of the activities of the Secretary relating to the fatigue of commercial motor vehicle operators, the Secretary shall encourage the research, development, and demonstration of technologies that may aid in reducing such fatigue.

(2) IDENTIFICATION OF TECHNOLOGIES.—In identifying technologies pursuant to paragraph (1), the Secretary shall take into account—

(A) the degree to which the technology will be cost efficient;

(B) the degree to which the technology can be effectively used in diverse climatic regions of the Nation; and

(C) the degree to which the application of the technology will further emissions reductions, energy conservation, and other transportation goals.

(3) FUNDING.—The Secretary may use amounts made available under subparagraphs (F) through (I) of section 127(a)(3) of this Act to carry out this subsection.

(b) NONSEDATING ANTIHISTAMINES.—The Secretary shall review available information on the effects of antihistamines on driver fatigue, awareness, and performance and shall consider encouraging the use of nonsedating antihistamines as a means of reducing the adverse effects of the use of other antihistamines by drivers.

SEC. 419. SAFETY FITNESS.

(a) IN GENERAL.—Section 31144 is amended to read as follows:

"§31144. Safety fitness of owners and operators

''(a) IN GENERAL.—The Secretary shall—

''(1) determine whether an owner or operator is fit to operate safely commercial motor vehicles;

''(2) periodically update such safety fitness determinations;

''(3) make such safety fitness determinations readily available to the public; and

''(4) prescribe by regulation penalties for violations of this section consistent with section 521.

''(b) PROCEDURE.—The Secretary shall maintain by regulation a procedure for determining whether an owner or operator is fit to operate safely commercial motor vehicles. The procedure shall include, at a minimum, the following elements:

''(1) Specific initial and continuing requirements with which an owner or operator must comply to demonstrate safety fitness.

''(2) A methodology the Secretary will use to determine whether an owner or operator is fit.

''(3) Specific time frames within which the Secretary will determine whether an owner or operator is fit.

''(c) PROHIBITED TRANSPORTATION.—

''(1) IN GENERAL.—Except as provided in sections 521(b)(5)(A) and 5113 and this subsection, an owner or operator who the Secretary determines is not fit may not operate commercial motor vehicles in interstate commerce beginning on the 61st day after the date of such fitness determination and until the Secretary determines such owner or operator is fit.

''(2) OWNERS OR OPERATORS TRANSPORTING PASSENGERS.—With regard to owners or operators of commercial motor vehicles designed or used to transport passengers, an owner or operator who the Secretary determines is not fit may not operate in interstate commerce beginning on the 46th day after the date of such fitness determination and until the Secretary determines such owner or operator is fit.

''(3) OWNERS OR OPERATORS TRANSPORTING HAZARDOUS MATERIAL.—With regard to owners or operators of commercial motor vehicles designed or used to transport hazardous material for which placarding of a motor vehicle is required under regulations prescribed under chapter 51, an owner or operator who the Secretary determines is not fit may not operate in interstate commerce beginning on the 46th day after the date of such fitness determination and until the Secretary determines such owner or operator is fit.

''(4) SECRETARY'S DISCRETION.—Except for owners or operators described in paragraphs (2) and (3), the Secretary may allow an owner or operator who is not fit to continue operating for an additional 60 days after the 61st day after the date of the Secretary's fitness determination, if the Secretary determines that such owner or operator is making a good faith effort to become fit.

''(d) REVIEW OF FITNESS DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 45 days after an unfit owner or operator requests a review, the Secretary shall review such owner's or operator's compliance with those requirements with which the owner or operator failed to comply and resulted in the Secretary determining that the owner or operator was not fit.

''(2) OWNERS OR OPERATORS TRANSPORTING PASSENGERS.—Not later than 30 days after an unfit owner or operator of commercial motor vehicles designed or used to transport passengers requests a review, the Secretary shall review such owner's or operator's compliance with those requirements with which the owner or operator failed to comply and resulted in the Secretary determining that the owner or operator was not fit.

''(3) OWNERS OR OPERATORS TRANSPORTING HAZARDOUS MATERIAL.—Not later than 30 days after an unfit owner or operator of commercial motor vehicles designed or used to transport hazardous material for which placarding of a motor vehicle is required under regulations prescribed under chapter 51, the Secretary shall review such owner's or operator's compliance with those requirements with which the owner or operator failed to comply and resulted in the Secretary determining that the owner or operator was not fit.

''(e) PROHIBITED GOVERNMENT USE.—A department, agency, or instrumentality of the United States Government may not use to provide any transportation service an owner or operator who the Secretary has determined is not fit until the Secretary determines such owner or operator is fit.''.

(b) CONFORMING AMENDMENT.—Section 5113 is amended by striking subsections (a), (b), (c), and (d) and inserting the following:

''See section 31144.''.

SEC. 420. HAZARDOUS MATERIALS TRANSPORTATION REGULATION AND FARM SERVICE VEHICLES.

(a) EXCEPTIONS.—Section 5117(d)(2) is amended—

(1) by striking ''do not prohibit'';

(2) in subparagraph (A)—

(A) by inserting ''do not prohibit'' before ''or regulate''; and

(B) by striking ''or'' the last place it appears;

(3) in subparagraph (B) by inserting ''do not prohibit'' before ''transportation'';

(4) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

(5) by adding at the end the following:

''(C) do not prohibit a State from providing an exception from requirements relating to placarding, shipping papers, and emergency telephone numbers for the private motor carriage in intrastate transportation of an agricultural production material from a source of supply to a farm, from a farm to another farm, from a field to another field on a farm, or from the farm back to the source of supply.

In granting any exception under subparagraph (C), a State must certify to the Secretary that such exception is in the public interest, the need for such exception, and that the State shall monitor the exception and take such measures necessary to ensure that safety is not compromised.''.

(b) AGRICULTURAL PRODUCTION MATERIAL DEFINED.—Section 5117 is amended by adding at the end the following:

''(f) AGRICULTURAL PRODUCTION MATERIAL DEFINED.—In this section, the term 'agricultural production material' means—

''(1) ammonium nitrate fertilizer in a quantity that does not exceed 16,094 pounds;

''(2) a pesticide in a quantity that does not exceed 502 gallons for liquids and 5,070 pounds for solids; and

''(3) a diluted solution of water and pesticides or fertilizer in a quantity that does not exceed 3,500 gallons.''.

SEC. 421. TRUCK TRAILER CONSPICUITY.

(a) ISSUANCE OF FINAL RULE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall issue a final rule regarding the conspicuity of trailers manufactured before December 1, 1993.

(b) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum, the following:

(1) The cost-effectiveness of any requirement to retrofit trailers manufactured before December 1, 1993.

(2) The extent to which motor carriers have voluntarily taken steps to increase equipment visibility.

(3) Regulatory flexibility to accommodate differing trailer designs and configurations, such as tank trucks.

SEC. 422. DOT IMPLEMENTATION PLAN.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this section, the Secretary shall develop and submit to Congress a plan for implementing authority (if subsequently provided by law) to—

(1) investigate and bring civil actions to enforce chapter 5 of title 49, United States Code, or a regulation or order of the Secretary under such chapter, when violated by shippers, freight forwarders, brokers, consignees, or persons (other than rail carriers, motor carriers, motor carriers of migrant workers, or motor private carriers); and

(2) assess civil or criminal penalties against a person who knowingly aids, abets, counsels, commands, induces, or procures a violation of a regulation or an order of the Secretary under chapter 311 or section 31502 of such title to the same extent as a motor carrier or driver who commits such a violation.

(b) CONTENTS OF IMPLEMENTATION PLAN.—In developing the implementation plan, the Secretary, at a minimum, shall consider—

(1) in what circumstances the Secretary would exercise the new authority;

(2) how the Secretary would determine that shippers, freight forwarders, brokers, consignees, or other persons committed violations described in subsection (a), including what types of evidence would be conclusive;

(3) what procedures would be necessary during investigations to ensure the confidentiality of shipper contract terms prior to the Secretary's findings of violations;

(4) what impact the exercise of the new authority would have on the Secretary's resources, including whether additional investigative or legal resources would be necessary and whether the staff would need specialized education or training to exercise properly such authority;

(5) to what extent the Secretary would conduct educational activities for persons who would be subject to the new authority; and

(6) any other information that would assist the Congress in determining whether to provide the Secretary the new authority.

TITLE V—PROGRAMMATIC REFORMS AND STREAMLINING

SEC. 501. PROJECT APPROVAL AND OVERSIGHT.

(a) IN GENERAL.—Section 106 is amended by striking the section heading and all that follows through the period at the end of subsection (d) and inserting the following:

''§ 106. Project approval and oversight

''(a) IN GENERAL.—

''(1) SUBMISSION OF PLANS, SPECIFICATIONS, AND ESTIMATES.—Except as otherwise provided in this section, each State highway department shall submit to the Secretary for approval such plans, specifications, and estimates for each proposed project as the Secretary may require.

''(2) PROJECT AGREEMENT.—The Secretary shall act upon the plans, specifications, and estimates as soon as practicable after the date of their submission and shall enter into a formal project agreement with the State highway department formalizing the conditions of the project approval.

''(3) CONTRACTUAL OBLIGATION.—The execution of the project agreement shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto.

''(4) GUIDANCE.—In taking action under this subsection, the Secretary shall be guided by the provisions of section 109.

''(b) PROJECT AGREEMENT.—

''(1) PROVISION OF STATE FUNDS.—The project agreement shall make provision for State funds required for the State's pro rata share of the cost of construction of the project and for the maintenance of the project after completion of construction.

''(2) REPRESENTATIONS OF STATE.—The Secretary may rely upon representations made by the State highway department with respect to the arrangements or agreements made by the State highway department and appropriate local officials if a part of the project is to be constructed at the expense of, or in cooperation with, local subdivisions of the State.

''(c) SPECIAL RULES FOR PROJECT OVERSIGHT.—

''(1) NHS PROJECTS.—

''(A) GENERAL AUTHORITY.—Except as otherwise provided in subsection (d), the Secretary may discharge to the State any of the Secretary's responsibilities under this title for design, plans, specifications, estimates, contract awards, and inspection of projects on the National Highway System.

''(B) AGREEMENT.—The Secretary and the State shall reach agreement as to the extent the State may assume the Secretary's responsibilities under this subsection. The Secretary may not assume any greater responsibility than the Secretary is permitted under this title on September 30, 1997, except upon agreement by the Secretary and the State.

''(2) NON-INTERSTATE SYSTEM PROJECTS.—For all projects under this title that are not on the National Highway System, the State shall assume the Secretary's responsibility under this title for design, plans, specifications, estimates, contract awards, and inspection of projects. For projects that are on the National Highway System but not on the Interstate System, the State shall assume the Secretary's responsibility under this title for design, plans, specifications, estimates, contract awards, and inspections of projects unless the State or the Secretary determines that such assumption is not appropriate.

''(d) SECRETARY'S RESPONSIBILITIES.—Nothing in this section, section 133, and section 149 shall affect or discharge any responsibility or obligation of the Secretary under any Federal law, other than this title. Any responsibility or obligation of the Secretary under sections 113 and 114 of this title and section 5333 of title 49, United States Code, shall not be affected and may not be discharged under this section, section 133, or section 149.''.

(b) REPEAL OF OBSOLETE PROVISIONS.—Sections 105, 110, and 117, and the items relating to such sections in the table of sections for chapter 1, are repealed.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 1 is amended by striking the item relating to section 106 and inserting:

''106. Project approval and oversight.''.

SEC. 502. ENVIRONMENTAL STREAMLINING.

(a) COORDINATED ENVIRONMENTAL REVIEW PROCESS.—

(1) DEVELOPMENT AND IMPLEMENTATION.—The Secretary shall develop and implement a coordinated environmental review process for highway construction projects that require—

(A) the preparation of an environmental impact statement or environmental assessment under the National Environmental Policy Act of 1969, except that the Secretary may decide not to apply this section to the preparation of an environmental assessment under such Act; or

(B) the conduct of any other environmental review, analysis, opinion, or issuance of an environmental permit, license, or approval by operation of Federal law.

(2) MEMORANDUM OF UNDERSTANDING.—The coordinated environmental review process for each project shall ensure that, whenever practicable (as set forth in this section), all environmental reviews, analyses, opinions, and any permits, licenses, or approvals that must be issued or made by any Federal agency for the concerned highway project shall be conducted concurrently and completed within a cooperatively determined time period. Such process for a project or class of projects may be incorporated into a memorandum of understanding between the Department of Transportation and all other Federal agencies (and, where appropriate, State agencies). In establishing such time period and any time periods for review within such period the Department and all such agencies shall take into account their respective resources and statutory commitments.

(b) ELEMENTS OF COORDINATED ENVIRONMENTAL REVIEW PROCESS.—For each highway project, the coordinated environmental review process established under this section shall provide, at a minimum, for the following elements:

(1) AGENCY IDENTIFICATION.—The Secretary shall, at the earliest possible time, identify all potential Federal agencies that—

(A) have jurisdiction by law over environmental-related issues that may be affected by the project and the analysis of which would be part of any environmental document required by the National Environmental Policy Act of 1969; or

(B) may be required by Federal law to independently—

(i) conduct an environmental-related review or analysis; or

(ii) determine whether to issue a permit, license, or approval or render an opinion on the environmental impact of the project.

(2) TIME LIMITATIONS AND CONCURRENT REVIEW.—The Secretary and the head of each Federal agency identified under paragraph (1)—

(A)(i) shall jointly develop and establish time periods for review for—

(I) all Federal agency comments with respect to any environmental review documents required by the National Environmental Policy Act of 1969 for the project; and

(II) all other independent Federal agency environmental analyses, reviews, opinions, and decisions on any permits, licenses, and approvals that must be issued or made for the project;

whereby each such Federal agency's review shall be undertaken and completed within such established time periods for review; or

(ii) may enter into an agreement to establish such time periods for review with respect to a class of projects; and

(B) shall ensure, in establishing such time periods for review, that the conduct of any such analysis, review, opinion, and decision is undertaken concurrently with all other environmental reviews for the project, including those required by the National Environmental Policy Act of 1969; except that such review may not be concurrent if the affected Federal agency can demonstrate that such concurrent review would result in a significant adverse impact to the environment or substantively alter the operation of Federal law or would not be possible without information developed as part of the environmental review process.

(3) FACTORS TO BE CONSIDERED.—Time periods for review established under this section shall be

consistent with those established by the Council on Environmental Quality under the provisions of sections 1501.8 and 1506.10 of title 40, Code of Federal Regulations.

(4) EXTENSIONS.—The Secretary shall extend any time periods for review under this section if, upon good cause shown, the Secretary and any Federal agency concerned determine that additional time for analysis and review is needed as a result of new information which has been discovered that could not reasonably have been anticipated when such agency's time periods for review were established. Any memorandum of understanding shall be modified to incorporate any mutually agreed upon extensions.

(c) DISPUTE RESOLUTION.—When the Secretary determines that a Federal agency which is subject to a time period for its environmental review or analysis under this section has failed to complete such review, analysis, opinion, or decision on issuing any permit, license, or approval within the established time period or within any agreed upon extension to such time period, then the Secretary may close the record. If the Secretary finds after timely compliance with this section, that an environmental issue related to the highway project that an affected Federal agency has jurisdiction over by operation of Federal law has not been resolved, then the Secretary and the head of such agency shall resolve the matter within 30 days of the finding by the Secretary.

(d) ACCEPTANCE OF PURPOSE AND NEED.—For any environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969 or the conduct of any other environmental review, analysis, opinion, or issuance of an environmental permit, license, or approval that requires an analysis of purpose and need, the agency conducting such review with respect to the highway project shall give due consideration to the project purpose and need as defined by the Secretary and the project applicant.

(e) PARTICIPATION OF STATE AGENCIES.—For any project eligible for assistance under chapter 1 of title 23, United States Code, a State, by operation of State law, may require that all State agencies that have jurisdiction by State or Federal law over environmental-related issues that may be affected by the project or must issue any environmental-related reviews, analyses, opinions, or determinations on issuing any permits, licenses, or approvals for the project be subject to the coordinated environmental review process provided for in this section unless the Secretary determines that a State's participation would not be in the public interest. For a State to require State agencies to participate in the review process, all affected agencies of such State shall be subject to the review process.

(f) ASSISTANCE TO AFFECTED FEDERAL AGENCIES.—The Secretary may approve a request by a State to provide funds made available under chapter 1 of title 23, United States Code, to the State for the project subject to the review process established by this section to affected Federal agencies to provide the resources necessary to meet any time limits established by this section. Such requests shall only be approved for the additional amounts that the Secretary determines are necessary for such affected Federal agencies to meet the time limits for environmental review where such time limits are less than the customary time necessary for such review.

(g) FEDERAL AGENCY DEFINED.—For the purposes of this section, the term ''Federal agency'' means any Federal agency or any State agency carrying out affected responsibilities required by operation of Federal law.

(h) JUDICIAL REVIEW AND SAVINGS CLAUSE.—

(1) JUDICIAL REVIEW.—Nothing in this section shall affect the reviewability of any final Federal agency action in a district court of the United States or in the court of any State.

(2) SAVINGS CLAUSE.—Nothing in this section shall be construed to affect the applicability of the National Environmental Policy Act of 1969 or any other Federal environmental statute or affect the responsibility of any Federal officer to comply with or enforce any such statute.

(i) STATE ENVIRONMENTAL REVIEW DELEGATION PILOT DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Secretary, in cooperation with the Council on Environmental Quality, shall establish and implement a State environmental review pilot demonstration program. Such program shall permit the Secretary, in cooperation with the Council on Environmental Quality, to develop criteria for States to select up to 8 States for participation in the program. A State interested in participation in the program shall submit to the Secretary an application for participation.

(2) DELEGATION OF AUTHORITY.—For each State selected to participate in the pilot program, the Secretary shall delegate and the State shall accept all of the responsibilities for conducting the Federal environmental review process required by the National Environmental Policy Act of 1969 in the manner required if the projects were undertaken by the Secretary.

(3) CERTIFICATION.—A State that is selected to participate in the pilot program shall, prior to assuming any responsibilities for the Secretary under this subsection, submit to the Secretary and the Secretary, in cooperation with the Council on Environmental Quality, shall approve a certification that shall, at a minimum—

(A) be in a form acceptable to the Secretary;

(B) be executed by the Chief Executive Officer of the recipient of assistance under this section (hereinafter in this section referred to as the ''certifying officer'');

(C) specify that the certifying officer consents to assume the status of a responsible Federal officer under the National Environmental Policy Act of 1969 (and any applicable regulations issued by the Secretary or the Council on Environmental Quality implementing such Act) for the affected project;

(D) accept jurisdiction of the Federal courts for the purpose of enforcement of the State's responsibilities for the project; and

(E) agree that the Secretary's approval of such certification shall constitute the Secretary's responsibilities under the National Environmental Policy Act of 1969 and any other related provisions of law that the Secretary may specify for the affected project.

(4) OVERSIGHT.—For each State selected to participate in the pilot program, the Secretary shall, in cooperation with the Council on Environmental Quality, conduct quarterly audits in the first year of such participation, and annual audits every year thereafter, to ensure that each selected State is complying with all elements of the certification provided for in this subsection and all requirements delegated pursuant to this subsection.

(5) TERMINATION.—The Secretary, in cooperation with the Council on Environmental Quality, may immediately terminate the participation of any State if the Secretary, in cooperation with the Council on Environmental Quality, finds that such State is not complying with any responsibility or duty set forth in this subsection or that the State's continued participation in the program would result in any adverse impact on the environment.

(6) PERIOD OF APPLICABILITY.—The pilot program shall remain in effect for 3 years. The pilot program shall apply to all projects initiated within such 3-year period, and any such project shall be subject to the provisions of this subsection until the review of the project is completed under this subsection.

(7) REPORT TO CONGRESS.—The Secretary and Council on Environmental Quality shall transmit to Congress annual reports on the pilot program.

SEC. 503. MAJOR INVESTMENT STUDY INTEGRATION.

The Secretary shall eliminate the major investment study set forth in section 450.318 of title 23, Code of Federal Regulations, as a separate requirement and promulgate regulations to integrate such requirement, as appropriate, as part of each analysis undertaken pursuant to the National Environmental Policy Act of 1969 for a project receiving assistance with funds made available under this Act (including any amendments made by this Act).

SEC. 504. FINANCIAL PLAN.

The Secretary shall require each recipient of Federal financial assistance for a highway or transit project with an estimated total cost of $1,000,000,000 or more to submit to the Secretary an annual financial plan. Such plan shall be based on detailed annual estimates of the cost to complete the remaining elements of the project and on reasonable assumptions, as determined by the Secretary, of future increases in the cost to complete the project.

SEC. 505. UNIFORM TRANSFERABILITY OF FEDERAL-AID HIGHWAY FUNDS.

(a) IN GENERAL.—Chapter 1 is amended by inserting after section 109 the following:

''§ 110. Uniform transferability of Federal-aid highway funds

''(a) GENERAL RULE.—Notwithstanding any other provision of law but subject to subsections (b) and (c), if at least 50 percent of a State's apportionment under section 104 or 144 for a fiscal year or at least 50 percent of the funds set-aside under section 133(d) from the State's apportionment section 104(b)(3) may not be transferred to any other apportionment of the State under section 104 or 144 for such fiscal year, then the State may transfer not to exceed 50 percent of such apportionment or set aside to any other apportionment of such State under section 104 or 144 for such fiscal year.

''(b) APPLICATION TO CERTAIN SET-ASIDES.—This section shall not apply to funds subject to the last sentence of section 133(d)(1) and funds subject to sections 104(f) and 133(d)(3). The maximum amount that a State may transfer under this section of the State's set-aside under section 133(d)(2) for a fiscal year may not exceed 50 percent of (1) the amount of such set-aside, less (2) the amount of the State's set-aside under section 133(d)(3) for fiscal year 1996.

''(c) APPLICATION TO CERTAIN CMAQ FUNDS.—The maximum amount that a State may transfer under this section of the State's apportionment under section 104(b)(2) for a fiscal year may not exceed 50 percent of (1) the amount of such apportionment, less (2) the amount of the State's apportionment under section 104(b)(2) for fiscal year 1997. Any such funds apportioned under section 104(b)(2) and transferred under this section may only be obligated in geographic areas eligible for the obligation of funds apportioned under section 104(b)(2).''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 1 is amended by inserting after the item relating to section 109 the following:

''110. Uniform transferability of Federal-aid highway funds.''.

SEC. 506. DISCRETIONARY GRANT SELECTION CRITERIA AND PROCESS.

(a) ESTABLISHMENT OF CRITERIA.—The Secretary shall establish criteria for all discretionary programs funded from the Highway Trust Fund (including the Mass Transit Account). To the extent practicable, such criteria shall conform to the Executive Order No. 12893 (relating to infrastructure investment). In formulating such criteria, the Secretary shall provide that, if 2 or more applications for a discretionary grant are otherwise equal, then the grant shall be awarded to the application from a State that has a Highway Trust Fund (other than the Mass Transit Account) return of less than 90 percent.

(b) SELECTION PROCESS.—

(1) LIMITATION ON ACCEPTANCE OF APPLICATION.—Before accepting application for grants under any discretionary program for which

funds are authorized to be appropriated from the Highway Trust Fund (including the Mass Transit Account) by this Act (including the amendments made by this Act), the Secretary shall publish the criteria established under subsection (a). Such publication shall identify all statutory criteria and any criteria established by regulation that will apply to such program.

(2) EXPLANATION.—At least 14 days before making a grant under a discretionary program described in paragraph (1), the Secretary shall transmit to the respective committees of the House of Representatives and the Senate having jurisdiction over such program, and shall publish, an explanation of how projects will be selected based on the criteria established for such program under subsection (a).

(c) MINIMUM PROGRAMS.—At a minimum the criteria established under subsection (a) and the process established by subsection (b) shall apply to the following programs:

(1) The high cost Interstate System reconstruction and improvement program.

(2) The research program under title VI of this Act.

(3) The national corridor planning and development program.

(4) The coordinated border infrastructure and safety program.

(5) The construction of ferry boats and ferry terminal facilities.

(6) The scenic byway program.

(7) The discretionary bridge program.

(8) New fixed guideway systems and extensions to existing fixed guideway systems under section 5309 of title 49, United States Code.

(9) Transit research and planning.

SEC. 507. ELIMINATION OF REGIONAL OFFICE RESPONSIBILITIES.

(a) IN GENERAL.—The Secretary shall eliminate any programmatic responsibility of the regional offices of the Federal Highway Administration as part of the Administration's efforts to restructure its field organization, including elimination of regional offices, creation of technical resource centers, and maximum delegation of authority to its State offices.

(b) REPORT TO CONGRESS.—The Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a detailed implementation plan not later than September 30, 1998, and thereafter provide periodic progress reports to such Committees.

(c) IMPLEMENTATION.—The Secretary shall begin implementation of the plan transmitted under subsection (b) not later than December 31, 1998.

SEC. 508. AUTHORITY FOR CONGRESS TO MAKE MIDCOURSE CORRECTIONS TO THE HIGHWAY AND TRANSIT PROGRAMS.

The Secretary shall not apportion or allocate, prior to August 1, 2001, any funds authorized to be appropriated or made available for fiscal year 2001 under title 23, United States Code (other than sections 125 and 157 and amounts necessary for the administration of the Federal Highway Administration under section 104(a)), title I and VI of this Act (other than section 127(b)), section 31104(a) of title 49, United States Code, section 5338 of title 49, United States Code (other than amounts necessary for the administration of the Federal Transit Administration), and title III of this Act, unless a law has been enacted making midcourse corrections to the Federal-aid highway and transit programs authorized by this Act (including amendments made by this Act) which would, at a minimum—

(1) approve a funding distribution for and any modifications to the high-cost interstate reconstruction and improvement program;

(2) approve a proposed system of performance bonuses to States pursuant to the bonus program established under section 123 of this Act;

(3) approve a cost estimate for States as part of the Appalachian development highway system program;

(4) make any other appropriate programmatic changes and recommendations made to the Committee on Transportation and Infrastructure of the House of Representatives and the Committees on Environment and Public Works and Banking, Housing, and Urban Affairs of the Senate;

(5) approve projects under the capital program for final design and construction of a new fixed guideway system or extension of an existing fixed guideway system; and

(6) include a certification that such law meets the requirements of this section.

TITLE VI—TRANSPORTATION RESEARCH

SEC. 601. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 602. APPLICABILITY OF TITLE 23.

Funds made available by subparagraphs (F) through (I) of section 127(a)(3) of this Act shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable for a project or activity carried out using such funds shall be determined by the Secretary (unless otherwise expressly provided by this Act) and such funds shall remain available until expended.

SEC. 603. TRANSFERS OF FUNDS.

The Secretary may transfer not to exceed 10 percent of the amounts made available by each of subparagraphs (F) through (I) of section 127(a)(3) of this Act to the amounts made available by any other of such subparagraphs.

Subtitle A—Surface Transportation Research, Technology, and Education

PART I—HIGHWAY RESEARCH

SEC. 611. RESEARCH.

(a) RESEARCH.—Section 307(a) is amended—

(1) in paragraph (1) by striking subparagraph (C); and

(2) by striking paragraph (3) and inserting the following:

''(3) AMOUNTS DEPOSITED BY COOPERATING ORGANIZATIONS AND PERSONS.—There shall be available to the Secretary for carrying out this subsection such funds as may be deposited by any cooperating organization or person in a special account of the Treasury of the United States established for such purpose.''.

(b) LONG-TERM PAVEMENT PERFORMANCE.—Section 307(b)(2) is amended to read as follows:

''(2) LONG-TERM PAVEMENT PERFORMANCE.—

''(A) IN GENERAL.—As part of the highway research program under subsection (a), the Secretary shall carry out a long-term pavement performance program to continue to completion the long-term pavement performance tests initiated under the strategic highway research program.

''(B) GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—In carrying out subparagraph (A), the Secretary shall make grants and enter into cooperative agreements and contracts for the following purposes:

''(i) To continue the monitoring, material-testing, and evaluation of the highway test sections established under the long-term pavement performance program.

''(ii) To carry out analyses of the data collected under the program.

''(iii) To prepare the products required to fulfill the original objectives of the program and to meet future pavement technology needs.''.

(c) ADVANCED RESEARCH.—Section 307(b)(4) is amended to read as follows:

''(4) ADVANCED RESEARCH.—

''(A) IN GENERAL.—The highway research program under subsection (a) shall include an advanced research program that addresses longer-term, higher-risk research that shows potential benefits for improving the durability, efficiency, environmental impact, productivity, and safety (including bicycle and pedestrian safety) of highway and intermodal transportation systems. In carrying out this program, the Secretary shall strive to develop partnerships with the public and private sectors.

''(B) RESEARCH AREAS.—In carrying out the advanced research program under subparagraph (A), the Secretary may make grants and enter into cooperative agreements and contracts in such areas as the Secretary determines appropriate, including the following:

''(i) Characterization of materials used in highway infrastructure, including analytical techniques, microstructure modeling, and the deterioration processes.

''(ii) Diagnostics for evaluation of the condition of bridge and pavement structures to enable assessment of failure risks.

''(iii) Design and construction details for composite structures.

''(iv) Safety technology based problems in the areas of pedestrian and bicycle safety, roadside hazards, and composite materials for roadside safety hardware.

''(v) Particulate matter source apportionment, control strategy synthesis evaluation, and model development.

''(vi) Data acquisition techniques for system condition and performance monitoring.

''(vii) Prediction of the response of current and future travelers to new technologies.''.

(d) SUPPORTING INFRASTRUCTURE.—Section 307(b)(5) is amended—

(1) by striking subparagraph (C); and

(2) by redesignating subparagraph (D) as subparagraph (C).

(e) REPEALS.—Section 307 is amended—

(1) by striking subsections (c), (d), and (e); and

(2) by redesignating subsections (f), (g), and (h) as subsections (c), (d), and (e), respectively.

(f) SEISMIC RESEARCH PROGRAM.—Section 307(c), as so redesignated, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT.—The Secretary shall establish a program to study the vulnerability of the Federal-aid highway system and other surface transportation systems to seismic activity and to develop and implement cost-effective methods to reduce such vulnerability.'';

(2) by striking paragraph (4) and inserting the following:

''(4) FUNDING.—Of the amounts made available to carry out this section, the Secretary shall expend not more than $2,000,000 for each of fiscal years 1998 through 2003 to carry out this subsection, of which up to $2,500,000 may be used to upgrade earthquake simulation facilities as required to carry out the program.''; and

(3) by striking paragraph (5).

(g) BIENNIAL REPORT.—Section 307(e), as so redesignated, is amended—

(1) by striking ''The Secretary'' and inserting ''BIENNIAL REPORT.—The Secretary''; and

(2) by inserting after ''highway needs'' the following: '', as well as the backlog of current highway needs,''.

(h) RECYCLED MATERIALS RESEARCH PROGRAM.—Section 307 is further amended by adding at the end the following:

''(f) RECYCLED MATERIALS RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a program of research to determine—

''(A) the performance of asphalt pavement containing tire-derived carbonous asphalt modifiers under various climate and use conditions; and

''(B) the degree to which asphalt pavement containing tire-derived carbonous asphalt modifiers can be recycled.

''(2) DATE OF COMPLETION.—The Secretary shall complete the research program under this subsection not later than 3 years after the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998.''.

(i) CONFORMING AMENDMENTS.—Chapter 3 is amended—

*(1) in the heading to section 307 by striking ''**and planning**''; and*

(2) in the table of sections for such chapter by striking the item relating to section 307 and inserting the following:

''307. Research.''.

SEC. 612. STATE PLANNING AND RESEARCH.

(a) IN GENERAL.—Chapter 3 is amended by inserting after section 312 the following:

''§ 313. State planning and research

''(a) GENERAL RULE.—Two percent of the sums apportioned for each fiscal year beginning after September 30, 1997, under section 104 (other than sections 104(f) and 104(h)) and under section 144 shall be available for expenditure by the State, in consultation with the Secretary, only for the following purposes:

''(1) Engineering and economic surveys and investigations.

''(2) The planning of future highway programs and local public transportation systems and the planning of the financing of such programs and systems, including statewide planning under section 135.

''(3) Development and implementation of management systems under section 303.

''(4) Studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof.

''(5) Research, development, and technology transfer activities necessary in connection with the planning, design, construction, management, and maintenance of highway, public transportation, and intermodal transportation systems and study, research, and training on the engineering standards and construction materials for such systems, including the evaluation and accreditation of inspection and testing and the regulation and taxation of their use.

''(b) MINIMUM EXPENDITURES ON RESEARCH, DEVELOPMENT, AND TECHNOLOGY TRANSFER ACTIVITIES.—Not less than 25 percent of the funds which are apportioned to a State for a fiscal year and are subject to subsection (a) shall be expended by the State for research, development, and technology transfer activities described in subsection (a) relating to highway, public transportation, and intermodal transportation systems unless the State certifies to the Secretary for such fiscal year that total expenditures by the State for transportation planning under sections 134 and 135 will exceed 75 percent of the amount of such funds and the Secretary accepts such certification. Funds used for research provided under this subsection are not subject to an assessment under the Small Business Research and Development Enhancement Act of 1992 (Public Law 102–564).

''(c) FEDERAL SHARE.—The Federal share payable on account of any project financed with funds which are subject to subsection (a) shall be 80 percent unless the Secretary determines that the interests of the Federal-aid highway program would be best served by decreasing or eliminating the non-Federal share.

''(d) ADMINISTRATION OF SUMS.—Funds which are subject to subsection (a) shall be combined and administered by the Secretary as a single fund which shall be available for obligation for the same period as funds apportioned under section 104(b)(1).''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 3 is amended by inserting after the item relating to section 312 the following:

''313. State planning and research.''.

(c) HIGHWAY NOISE RESEARCH CENTER.—

(1) IN GENERAL.—The Secretary, in cooperation with a university with an ongoing program relating to noise control and acoustics research, shall carry out research on methods to reduce highway noise.

(2) FUNDING.—Of the amounts made available for each of fiscal years 1999 through 2003 by section 127(a)(3)(H) of this Act, $1,000,000 per fiscal year shall be available to carry out this subsection.

SEC. 613. INTERNATIONAL HIGHWAY TRANSPORTATION OUTREACH PROGRAM.

(a) ACTIVITIES.—Section 325(a) is amended—

(1) by inserting after ''expertise'' the following: '', goods, and services'';

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(4) by adding at the end the following:

''(6) gathering and disseminating information on foreign transportation markets and industries.''.

(b) FUNDS.—Section 325(c) is amended to read as follows:

''(c) FUNDS.—Funds available to carry out this section shall include funds deposited by any cooperating organization or person in a special account for such purpose with the Secretary of the Treasury. The funds deposited in the special account and other funds available to carry out this section shall be available to cover the cost of any activity eligible under this section, including the cost of promotional materials, travel, reception and representation expenses, and salaries and benefits. Reimbursements for salaries and benefits of Department of Transportation employees providing services under this section shall be credited to the special account.''.

(c) ELIGIBILITY.—Section 325 is amended by adding at the end the following:

''(d) ELIGIBLE USE OF STATE PLANNING AND RESEARCH FUNDS.—A State, in coordination with the Secretary, may obligate funds made available to carry out section 313 for any activity authorized under subsection (a).''.

PART II—TRANSPORTATION EDUCATION, PROFESSIONAL TRAINING, AND TECHNOLOGY DEPLOYMENT

SEC. 621. NATIONAL HIGHWAY INSTITUTE.

Section 321 is amended by striking subsection (f) and redesignating subsection (g) as subsection (f).

SEC. 622. NATIONAL TECHNOLOGY DEPLOYMENT INITIATIVE.

(a) IN GENERAL.—Chapter 3 is further amended by inserting after section 321 the following:

''§ 322. National technology deployment initiative

''(a) IN GENERAL.—The Secretary shall develop and implement a national technology deployment initiative to expand adoption by the surface transportation community of innovative technologies to improve the safety, efficiency, reliability, service life, and sustainability of transportation systems and to reduce environmental impact.

''(b) INTEGRATION WITH OTHER PROGRAMS.—The Secretary shall integrate activities undertaken pursuant to this section with the efforts of the Department to disseminate the results of research sponsored by the Department and to facilitate technology transfer.

''(c) LEVERAGING OF FEDERAL RESOURCES.—In selecting projects to be carried out under this section, the Secretary shall give preference to projects that leverage Federal funds with other significant public or private resources.

''(d) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary may carry out this section either independently or in cooperation with other Federal departments, agencies, and instrumentalities or by making grants to, or entering into contracts, cooperative agreements, or other transactions with any State or local agency, authority, association, institution, corporation (for-profit or nonprofit), organization, or person.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 3 is amended by inserting after the item relating to section 321 the following:

''322. National technology deployment initiative.''.

SEC. 623. EDUCATION AND TRAINING PROGRAMS.

(a) LOCAL TECHNICAL ASSISTANCE PROGRAM.—Section 326(a) is amended—

(1) by striking ''AUTHORITY'' and inserting ''LOCAL TECHNICAL ASSISTANCE PROGRAM''; and

(2) by striking ''transportation assistance program'' and inserting ''local technical assistance program''.

(b) RESEARCH FELLOWSHIPS.—Section 326 is further amended—

(1) by striking subsection (c);

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) RESEARCH FELLOWSHIPS.—

''(1) GENERAL AUTHORITY.—The Secretary may, acting either independently or in cooperation with other Federal departments, agencies, and instrumentalities, make grants for research fellowships for any purpose for which research is authorized by this section.

''(2) DWIGHT DAVID EISENHOWER TRANSPORTATION FELLOWSHIP PROGRAM.—The Secretary shall establish and implement a transportation research fellowship program for the purpose of attracting qualified students to the field of transportation. Such program shall be known as the 'Dwight David Eisenhower Transportation Fellowship Program'.''.

(c) CONFORMING AMENDMENTS.—Chapter 3 is amended—

*(1) in the heading to section 326 by striking ''**program**'' and inserting ''**programs**''; and*

(2) in the table of sections for such chapter by striking the item relating to section 326 and inserting the following:

''326. Education and training programs.''.

SEC. 624. UNIVERSITY TRANSPORTATION RESEARCH.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is amended by adding at the end the following:

''§ 5505. University transportation research

''(a) REGIONAL CENTERS.—The Secretary of Transportation shall make grants to nonprofit institutions of higher learning to establish and operate 1 university transportation center in each of the 10 United States Government regions that comprise the Standard Federal Regional Boundary System.

''(b) OTHER CENTERS.—The Secretary shall make grants to nonprofit institutions of higher learning to establish and operate 10 university transportation centers, in addition to the centers receiving grants under subsection (a), to address transportation management and research and development, with special attention to increasing the number of highly skilled individuals entering the field of transportation.

''(c) SELECTION OF GRANT RECIPIENTS.—

''(1) APPLICATIONS.—In order to be eligible to receive a grant under this section, a nonprofit institution of higher learning shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

''(2) SELECTION CRITERIA.—The Secretary shall select each recipient of a grant under this section through a competitive process on the basis of the following:

''(A) For regional centers, the location of the center within the Federal region to be served.

''(B) The demonstrated research and extension resources available to the recipient to carry out this section.

''(C) The capability of the recipient to provide leadership in making national and regional contributions to the solution of immediate and long-range transportation problems.

''(D) The recipient's establishment of a surface transportation program encompassing several modes of transportation.

''(E) The recipient's demonstrated commitment of at least $200,000 in regularly budgeted institutional amounts each year to support ongoing

transportation research and education programs.

''(F) The recipient's demonstrated ability to disseminate results of transportation research and education programs through a statewide or regionwide continuing education program.

''(G) The strategic plan the recipient proposes to carry out under the grant.

''(d) OBJECTIVES.—Each university transportation center receiving a grant under this section shall conduct the following programs and activities:

''(1) Basic and applied research, the products of which are judged by peers or other experts in the field to advance the body of knowledge in transportation.

''(2) An education program that includes multidisciplinary course work and participation in research.

''(3) An ongoing program of technology transfer that makes research results available to potential users in a form that can be implemented, utilized, or otherwise applied.

''(e) MAINTENANCE OF EFFORT.—In order to be eligible to receive a grant under this section, a recipient shall enter into an agreement with the Secretary to ensure that the recipient will maintain total expenditures from all other sources to establish and operate a university transportation center and related research activities at a level at least equal to the average level of such expenditures in its 2 fiscal years prior to award of a grant under this section.

''(f) FEDERAL SHARE.—The Federal share of the costs of activities carried out using a grant made under this section is 50 percent of costs. The non-Federal share may include funds provided to a recipient under section 5307 or 5311 of this title or section 313, 322, or 326(a) of title 23, United States Code.

''(g) PROGRAM COORDINATION.—

''(1) COORDINATION.—The Secretary shall coordinate the research, education, training, and technology transfer activities that grant recipients carry out under this section, disseminate the results of the research, and establish and operate a clearinghouse.

''(2) ANNUAL REVIEW AND EVALUATION.—At least annually, the Secretary shall review and evaluate programs the grant recipients carry out.

''(3) FUNDING LIMITATION.—The Secretary may use not more than 1 percent of amounts made available from Government sources to carry out this subsection.

''(h) LIMITATION ON AVAILABILITY OF FUNDS.—Funds made available to carry out this program shall remain available for obligation for a period of 2 years after the last day of the fiscal year for which such funds are authorized.

''(i) SPECIAL RULE FOR FISCAL YEARS 1998 and 1999.—

''(1) IN GENERAL.—In carrying out subsections (a) and (b) in fiscal years 1998 and 1999, the Secretary shall make grants to each university transportation center and university research institute that received a grant in fiscal year 1997 under section 5316 or 5317 of this title, as in effect on the day before the date of the enactment of this section.

''(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of this section, grants made pursuant to paragraph (1) in fiscal years 1998 and 1999 shall be subject to the same terms and conditions as the fiscal year 1997 grants referred to in paragraph (1); except that the university research institutes at San Jose State University, North Carolina A&T State University, and the University of South Florida shall each receive $1,000,000 in grants under paragraph (1) in each of fiscal years 1998 and 1999.

''(j) UNIVERSITY RESEARCH INSTITUTES.—Any university research institute that received a grant under section 5316 of this title, as in effect on the day before the date of the enactment of this section, shall be eligible to receive grants made available to university transportation centers under this section.

''(k) APPLICATIONS THAT MAY BE CONSIDERED.—In selecting grant recipients under subsection (b), the Secretary shall consider at a minimum applications submitted by the following:

''(1) Any university transportation center or university research institute described in subsection (i)(1).

''(2) The University of Denver and Mississippi State University.

''(3) The University of Arizona.

''(4) The University of Central Florida.

''(5) Carnegie Mellon and Lehigh Universities.

''(6) University of Southern California and California State University at Long Beach.

''(7) Pace University.

''(8) A consortium of historically black colleges in Alabama.

''(9) Lawson State Community College.

''(10) A consortium consisting of the University of Wisconsin, the University of Illinois, and Purdue University.

''(11) The University of New Hampshire.

''(12) A consortium consisting of George Mason University, along with the University of Virginia and Virginia Tech University.

''(13) The University of Tennessee.

''(14) The Alabama Transportation Institute.

''(15) A consortium consisting of Columbia University, City University of New York, Manhattan College, and New Jersey Institute of Technology.

''(16) Maritime College of the State University of New York.

''(17) University of New Orleans.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 55 of title 49, United States Code, is amended by inserting after the item relating to section 5504 the following:

''5505. University transportation research.''.

(c) APPALACHIAN TRANSPORTATION INSTITUTE.—

(1) GRANTS.—The Secretary shall make grants under section 5505 of title 49, United States Code, to Marshall University, West Virginia, on behalf of a consortium which also may include West Virginia University Institute of Technology, the College of West Virginia, and Bluefield State College to establish and operate an Appalachian Transportation Institute. Such institute shall conduct research, training, technology transfer, and other transportation related activities in the development and enhancement of transportation systems in the Appalachian region, including the Appalachian Development Highway System.

(2) FUNDING.—Of amounts made available to carry out such section 5505, $2,000,000 shall be available for each of fiscal years 1998 through 2003 to carry out paragraph (1).

(3) FEDERAL SHARE.—The Federal share payable for the costs of the institute referred to in paragraph (1) shall be 80 percent; except that the non-Federal interest shall receive credit for the reasonable cost associated with the establishment and administration of the institute referred to in paragraph (1).

(d) ITS INSTITUTE.—

(1) GRANTS.—The Secretary shall make grants under section 5505 of title 49, United States Code, to the University of Minnesota to continue to operate and expand the ITS Institute. The ITS Institute shall continue to conduct research, education, and development activities that focus on transportation management, enhanced safety, human factors, and reduced environmental effects. The ITS Institute shall develop new or expanded programs to address emerging issues of ITS related to transportation policy, intermodalism, sustainable community development, and transportation telematics.

(2) FUNDING.—Of amounts made available to carry out such section 5505, $2,000,000 shall be available for each of fiscal years 1998 through 2003 to carry out paragraph (1).

(3) FEDERAL SHARE.—The Federal share payable for the costs of the institute referred to in paragraph (1) shall be 80 percent; except that the non-Federal interest shall receive credit for the reasonable cost associated with the establishment and administration of the institute referred to in paragraph (1).

SEC. 625. FUNDING ALLOCATIONS.

Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(G) of this Act—

(1) not to exceed $8,000,000 per fiscal year shall be available for the National Highway Institute under section 321 of title 23, United States Code;

(2) not to exceed $10,000,000 per fiscal year shall be available for the local technical assistance program under section 326(a) of such title;

(3) not to exceed $2,000,000 per fiscal year shall be available for the Dwight D. Eisenhower Transportation Fellowship Program under section 326(b) of such title;

(4) not to exceed $14,000,000 for each of fiscal years 1998 and 1999 and $19,000,000 for each of fiscal years 2000 through 2003 shall be available for the national technology deployment initiative program under section 322 of such title; and

(5) not to exceed $17,750,000 per fiscal year shall be available for university transportation centers under section 5505 of title 49, United States Code.

PART III—BUREAU OF TRANSPORTATION STATISTICS AND MISCELLANEOUS PROGRAMS

SEC. 631. BUREAU OF TRANSPORTATION STATISTICS.

(a) IN GENERAL.—Section 111 of title 49, United States Code, is amended—

(1) by striking the second sentence of subsection (b)(4);

(2) in subsection (c)(1)—

(A) in subparagraph (J) by striking ''and'' at the end;

(B) in subparagraph (K) by striking the period and inserting ''; and'' ; and

(C) by adding at the end the following:

''(L) transportation-related variables influencing global competitiveness.'';

(3) in subsection (c)(2)—

(A) by striking ''national transportation system'' in the first sentence and inserting ''Nation's transportation systems'';

(B) by striking subparagraph (A) and inserting the following:

''(A) be coordinated with efforts to measure outputs and outcomes of the Department of Transportation and the Nation's transportation systems under the Government Performance and Results Act of 1993 (107 Stat. 285 et seq.);''; and

(C) in subparagraph (C) by inserting '', made relevant to the States and metropolitan planning organizations,'' after ''accuracy'';

(4) in subsection (c)(3) by adding at the end the following: ''The Bureau shall review and report to the Secretary of Transportation on the sources and reliability of the statistics proposed by the heads of the operating administrations of the Department to measure outputs and outcomes as required by the Government Performance and Results Act of 1993 (107 Stat. 285 et seq.), and shall undertake such other reviews as may be requested by the Secretary.'';

(5) in subsection (c) by adding at the end the following:

''(7) SUPPORTING TRANSPORTATION DECISIONMAKING.—Ensuring that the statistics compiled under paragraph (1) are relevant for transportation decisions by Federal, State, and local governments, transportation-related associations, private businesses, and consumers.'';

(6) by redesignating subsections (d), (e), and (f) as subsections (h), (i) and (j), respectively;

(7) by striking subsection (g); and

(8) by inserting after subsection (c) the following:

''(d) INTERMODAL TRANSPORTATION DATA BASE.—The Director shall establish and maintain an intermodal transportation data base. The data base shall be suitable for analyses conducted by the Federal Government, the States,

and metropolitan planning organizations. The data base shall include, at a minimum—

''(1) information on the volumes and patterns of movement of goods, including local, interregional, and international movements, by all modes of transportation and intermodal combinations, and by relevant classification;

''(2) information on the volumes and patterns of movement of people, including local, interregional, and international movements, by all modes of transportation and intermodal combinations, and by relevant classification; and

''(3) information on the location and connectivity of transportation facilities and services and a national accounting of expenditures and capital stocks on each mode of transportation and intermodal combinations.

''(e) NATIONAL TRANSPORTATION LIBRARY.—The Director shall establish and maintain a national transportation library containing a collection of statistical and other information needed for transportation decisionmaking at the Federal, State, and local levels.

''(f) NATIONAL TRANSPORTATION ATLAS DATA BASE.—The Director shall develop and maintain geographic data bases depicting transportation networks; flows of people, goods, vehicles, and craft over those networks; and social, economic, and environmental conditions affecting or affected by those networks. These data bases shall be able to support intermodal network analysis.

''(g) RESEARCH AND DEVELOPMENT GRANTS.—The Secretary may make grants to, or enter into cooperative agreements or contracts with, public and nonprofit private entities to support the programs and activities of the Bureau.'';

(9) by striking subsection (i), as so redesignated, and inserting the following:

''(i) PROHIBITION ON CERTAIN DISCLOSURES.—

''(1) INFORMATION OBTAINED UNDER LONG-TERM DATA COLLECTION PROGRAM.—An officer or employee of the Bureau may not—

''(A) make any publication in which the data furnished by an individual or organization under paragraph (c)(2) can be identified;

''(B) use the information furnished under the provisions of subsection (c)(2) for a nonstatistical purpose; or

''(C) permit anyone other than the individuals authorized by the Director to examine individual reports furnished under subsection (c)(2).

''(2) COPIES OF REPORTS.—No department, bureau, agency, officer, or employee of the United States, except the Director in carrying out the purpose of this section, shall require, for any reason, copies of reports which have been filed under subsection (c)(2) with the Bureau or retained by any individual respondent. Copies of such reports which have been so retained or filed with the Bureau or any of its employees, contractors, or agents shall be immune from legal process, and shall not, without the consent of the individual concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding. This paragraph shall only apply to information that permits information concerning an individual or organization to be reasonable inferred by direct or indirect means.

''(3) COLLECTION OF DATA FOR NONSTATISTICAL PURPOSES.—In a case in which the Bureau is authorized by statute to collect data or information for nonstatistical purposes, the Director shall clearly distinguish the collection of such data or information by rule, and on the collection instrument, to inform a respondent requested or required to supply the data or information of the nonstatistical purposes.''; and

(10) by adding at the end the following:

''(k) DATA PRODUCT SALES PROCEEDS.—Notwithstanding section 3302 of title 31, United States Code, funds received by the Bureau from the sale of data products may be credited to the Highway Trust Fund (other than the Mass Transit Account) and shall be available for the purpose of reimbursing the Bureau for such expenses.

''(l) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $31,000,000 for each of fiscal years 1998 through 2003 to carry out this section, except that amounts for activities under subsection (g) may not exceed $500,000 in any fiscal year. Amounts made available under this subsection shall remain available for a period of 3 fiscal years.

''(2) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.''.

(b) CONFORMING AMENDMENT.—Section 5503 of title 49, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

SEC. 632. TRANSPORTATION TECHNOLOGY INNOVATION AND DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out a transportation technology innovation and demonstration program in accordance with the requirements of this section.

(b) CONTENTS OF PROGRAM.—

(1) USE OF CONCRETE PAVEMENT.—

(A) IN GENERAL.—The Secretary shall conduct research on improved methods of using concrete pavement in the construction, reconstruction, and repair of Federal-aid highways.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $10,000,000 per fiscal year shall be available to carry out this paragraph.

(2) MOTOR VEHICLE SAFETY WARNING SYSTEM.—

(A) IN GENERAL.—The Secretary shall expand and continue the study authorized by section 358(c) of the National Highway System Designation Act of 1995 (23 U.S.C. 401 note; 109 Stat. 625) relating to the development of a motor vehicle safety warning system and shall conduct tests of such system.

(B) GRANTS.—In carrying out this paragraph, the Secretary may make grants to State and local governments.

(C) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2000 by section 127(a)(3)(H) of this Act, $700,000 per fiscal year shall be available to carry out this paragraph.

(3) STEEL BRIDGE CONSTRUCTION.—

(A) IN GENERAL.—The Secretary shall make grants for research and construction to improve and demonstrate the use of steel bridge construction.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $10,000,000 per fiscal year shall be available to carry out this paragraph.

(C) FEDERAL SHARE.—The Federal share payable on account of construction activities carried out using a grant made under this paragraph shall be 80 percent of the cost of such activities.

(4) USE OF ASPHALT PAVEMENT.—

(A) IN GENERAL.—The Secretary shall conduct research on improved methods of using asphalt pavement in the construction, reconstruction, and repair of Federal-aid highways.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $10,000,000 per fiscal year shall be available to carry out this paragraph.

(5) USE OF HAZARDOUS MATERIALS MONITORING SYSTEMS.—

(A) IN GENERAL.—The Secretary shall conduct research on improved methods of deploying and integrating existing ITS projects to include hazardous materials monitoring systems across various modes of transportation.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(I) of this Act, $1,500,000 per fiscal year shall be available to carry out this paragraph.

(6) MOTOR CARRIER ADVANCED SENSOR CONTROL SYSTEM.—

(A) IN GENERAL.—The Secretary shall conduct research on the deployment of a system of advanced sensors and signal processors in trucks and tractor trailers to determine axle and wheel alignment, monitor collision alarm, check tire pressure and tire balance conditions, measure and detect load distribution in the vehicle, and monitor and adjust automatic braking systems.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(I) of this Act, $700,000 per fiscal year shall be available to carry out this paragraph.

(7) OUTREACH AND TECHNOLOGY TRANSFER ACTIVITIES.—

(A) IN GENERAL.—The Secretary shall continue to support the Urban Consortium's ITS outreach and technology transfer activities.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $500,000 per fiscal year shall be available to carry out this paragraph.

(8) TRANSPORTATION ECONOMIC AND LAND USE SYSTEM.—

(A) IN GENERAL.—The Secretary shall continue development and deployment through the New Jersey Institute of Technology to metropolitan planning organizations of the Transportation Economic and Land Use System.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $1,000,000 per fiscal year shall be available to carry out this paragraph.

(9) GREAT LAKES ITS IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall make grants to the State of Wisconsin to continue ITS activities in the corridor serving the Greater Milwaukee, Wisconsin, Chicago, Illinois, and Gary, Indiana, areas initiated under the Intermodal Surface Transportation Efficiency Act of 1991.

(B) FUNDING.—Of the amounts allocated for each of fiscal years 1998 through 2003 under section 657(a) of this Act, $2,000,000 per fiscal year shall be available to carry out this paragraph.

(10) NORTHEAST ITS IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall make grants to the States to continue ITS activities in the Interstate Route I–95 corridor in the northeastern United States initiated under the Intermodal Surface Transportation Efficiency Act of 1991.

(B) FUNDING.—Of the amounts allocated for each of fiscal years 1998 through 2003 under section 657(a) of this Act, $5,000,000 per fiscal year shall be available to carry out this paragraph.

(11) COMPOSITE MATERIALS.—

(A) IN GENERAL.—The Secretary shall conduct research in the use of composite materials for guardrails and bridge decking.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(F) of this Act, $700,000 per fiscal year shall be available to carry out this paragraph.

(12) INTELLIGENT TRANSPORTATION INFRASTRUCTURE.—

(A) IN GENERAL.—The Secretary shall carry out a program to advance the deployment of an operational intelligent transportation infrastructure system for the measurement of various transportation system activities to aid in the transportation planning and analysis while making a significant contribution to the ITS program under this title. This program shall be located in the 2 largest metropolitan areas in the State of Pennsylvania.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $1,700,000 per fiscal year shall be available to carry out this paragraph.

(C) FEDERAL SHARE.—The Federal share payable on account of the program carried out under this paragraph shall be 80 percent of the cost of such program.

(13) CORROSION CONTROL AND PREVENTION.—

(A) IN GENERAL.—The Secretary shall make a grant to conduct a study on the costs and benefits of corrosion control and prevention. The study shall be conducted in conjunction with an interdisciplinary team of experts from the fields of metallurgy, chemistry, economics, and others, as appropriate. Not later than September 30, 2001, the Secretary shall submit to Congress a report on the study results, together with any recommendations.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1999 and 2000 by section 127(a)(3)(H) of this Act, $500,000 per fiscal year shall be available to carry out this paragraph.

(14) RECYCLED MATERIALS.—

(A) IN GENERAL.—The Secretary shall make grants to the University of New Hampshire to continue research on the use of recycled materials in the construction of transportation projects.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1999 through 2003 by section 127(a)(3)(F) of this Act, $1,000,000 per fiscal year shall be available to carry out this paragraph.

(15) TRANSLINK.—

(A) IN GENERAL.—The Secretary shall make grants to the Texas Transportation Institute to continue the Translink Research program.

(B) FUNDING.—Of the amounts allocated for each of fiscal years 1999 through 2001 under section 657(a) of this Act, $1,300,000 per fiscal year shall be available to carry out this paragraph.

(16) FUNDAMENTAL PROPERTIES OF ASPHALTS AND MODIFIED ASPHALTS.—

(A) IN GENERAL.—The Secretary shall continue to carry out section 6016 of the Intermodal Surface Transportation Efficiency Act of 1991. Additional areas of the program under such section shall be asphalt-water interaction studies and asphalt-aggregate thin film behavior studies.

(B) FUNDING.—Of the amounts made available for each of fiscal years 1999 through 2003 by section 127(a)(3)(F) of this Act, $3,000,000 per fiscal year shall be available to carry out this paragraph.

(17) NATIONAL CENTER FOR TRANSPORTATION MANAGEMENT, RESEARCH, AND DEVELOPMENT.—

(A) IN GENERAL.—The Secretary shall make grants to design, develop, and implement research, training, and technology transfer activities to increase the number of highly skilled minority individuals and women entering the transportation workforce. The grant recipient shall be an institution with a predominantly minority student population, a dedicated graduate degree program in transportation studies, and a demonstrated record for at least 5 years in pursuing the objectives for which grants are authorized by this subparagraph.

(B) FUNDING.—Of the amounts made available by section 127(a)(3)(H) of this Act, $1,000,000 shall be available to carry out this paragraph for fiscal year 2000, $1,250,000 for fiscal year 2001, $1,500,000 for fiscal year 2002, and $1,750,000 for fiscal year 2003.

(18) INFRASTRUCTURE TECHNOLOGY INSTITUTE.—

(A) IN GENERAL.—The Secretary shall make grants to study techniques to evaluate and monitor infrastructure conditions, to improve information systems for infrastructure construction and management, and to study advanced materials and automated processes for constructing and rehabilitating public works facilities. The recipient shall be an institution with a demonstrated record for at least 5 years in pursuing the objectives for which grants are authorized by this subparagraph.

(B) FUNDING.—Of the amounts made available for each of fiscal years 2000 through 2003 by section 127(a)(3)(H) of this Act, $3,000,000 per fiscal year shall be available to carry out this paragraph.

Subtitle B—Intelligent Transportation Systems

SEC. 651. DEFINITIONS.

As used in this subtitle, the following definitions apply:

(1) INTELLIGENT TRANSPORTATION SYSTEMS; ITS.—The terms ''intelligent transportation systems'' and ''ITS'' mean electronics, communications, or information processing used singly or in combination to improve the efficiency and safety of surface transportation systems.

(2) INTELLIGENT TRANSPORTATION INFRASTRUCTURE.—The term ''intelligent transportation infrastructure'' means fully integrated public sector ITS components, as defined by the Secretary.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(4) STATE.—The term ''State'' has the meaning given such term under section 101 of title 23, United States Code.

SEC. 652. SCOPE OF PROGRAM.

(a) SCOPE.—Subject to the provisions of this subtitle, the Secretary shall conduct an ongoing ITS program to research, develop, and operationally test intelligent transportation systems and advance nationwide deployment of such systems as a component of the Nation's surface transportation systems.

(b) GOALS.—The goals of the ITS program include—

(1) enhancement of surface transportation efficiency to enable existing facilities to meet a significant portion of future transportation needs and to reduce regulatory, financial, and other transaction costs to public agencies and system users;

(2) enhancement of safe operation of motor vehicles, including motorcycles, and nonmotorized vehicles on the Nation's surface transportation systems, with a particular emphasis on decreasing the number and severity of collisions;

(3) protection and enhancement of the natural environment and communities affected by surface transportation, with particular emphasis on assisting States to attain air quality goals established pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.);

(4) accommodation of the needs of all users of the Nation's surface transportation systems, including the operators of commercial vehicles, passenger vehicles, and motorcycles;

(5) improvement of public access to employment, goods, and services;

(6) development of a technology base and necessary standards and protocols for intelligent transportation systems;

(7) improvement of the Nation's ability to respond to emergencies and natural disasters and enhancement of national defense mobility; and

(8) promotion of the access and use of data collected from projects conducted under the program by public and private organizations.

SEC. 653. GENERAL AUTHORITIES AND REQUIREMENTS.

(a) COOPERATION AND CONSULTATION REQUIREMENTS.—

(1) COOPERATION WITH GOVERNMENTAL, PRIVATE, AND EDUCATIONAL ENTITIES.—The Secretary shall carry out the ITS program in cooperation with State and local governments and other public entities, the United States private sector, and colleges and universities, including historically black colleges and universities and other minority institutions of higher education.

(2) CONSULTATION WITH FEDERAL OFFICIALS.—In carrying out the ITS program, the Secretary, as appropriate, shall consult with the Secretary of Commerce, the Secretary of the Treasury, the Administrator of the Environmental Protection Agency, the Director of the National Science Foundation, and the heads of other Federal departments and agencies.

(b) STANDARDS.—

(1) DEVELOPMENT OF NATIONAL ITS ARCHITECTURE.—The Secretary shall develop, implement, and maintain a national ITS architecture and standards and protocols to promote the widespread use and evaluation of ITS technology as a component of the Nation's surface transportation systems.

(2) INTEROPERABILITY AMONG ITS TECHNOLOGIES.—The national ITS architecture shall promote interoperability among ITS technologies implemented throughout the States.

(3) USE OF SERVICES OF STANDARDS-SETTING ORGANIZATIONS.—In carrying out this subsection, the Secretary may use the services of standards-setting organizations.

(4) ESTABLISHMENT OF DEDICATED SHORT-RANGE VEHICLE TO WAYSIDE WIRELESS STANDARD.—In carrying out this subsection, the Secretary, in consultation with the Secretary of Commerce, the Secretary of Defense, and the Federal Communications Commission, shall take such actions as may be necessary to secure the necessary spectrum for the near-term establishment of a dedicated short-range vehicle to wayside wireless standard.

(c) EVALUATIONS.—

(1) GUIDELINES AND REQUIREMENTS.—The Secretary shall issue guidelines and requirements for the evaluation of field and related operational tests carried out under section 655 of this Act.

(2) OBJECTIVITY AND INDEPENDENCE.—The guidelines and requirements issued under paragraph (1) shall include provisions to ensure the objectivity and independence of the evaluator and to avoid any real or apparent conflict of interest or potential influence on the outcome by parties to the tests or any other formal evaluation conducted under this subtitle.

(d) INFORMATION CLEARINGHOUSE.—

(1) ESTABLISHMENT.—The Secretary shall establish and maintain a repository for technical and safety data collected as a result of federally-sponsored projects under this subtitle and shall make, upon request, such information (except for proprietary information and data) readily available to all users of the repository at an appropriate cost.

(2) DELEGATION OF AUTHORITY.—The Secretary may delegate the responsibility of the Secretary under this subsection, with continuing oversight by the Secretary, to an appropriate entity that is not within the Department of Transportation. Any entity to which such responsibility is delegated shall be eligible for Federal assistance under this subtitle.

(e) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Secretary may utilize 1 or more advisory committees in carrying out this subtitle.

(2) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Any advisory committee utilized under this subsection shall be subject to the Federal Advisory Committee Act (5 U.S.C. App., 86 Stat. 770).

(3) FUNDING.—Funding provided for an advisory committee utilized under this subsection shall be available from moneys appropriated for advisory committees as specified in relevant appropriations Acts and from funds allocated for research, development, and implementation activities in connection with the ITS program.

(f) CONFORMITY WITH STANDARDS.—

(1) IN GENERAL.—The Secretary shall ensure that ITS projects carried out using funds made available out of the Highway Trust Fund conform to the national ITS architecture and standards and protocols developed under subsection (b).

(2) EXCEPTION.—Paragraph (1) shall not apply to projects carried out using funds authorized for specific research objectives in the National ITS Program Plan under section 654 of this Act.

(g) LIFE-CYCLE COST ANALYSIS.—The Secretary shall require an analysis of the life-cycle costs of each project carried out using funds made available under this subtitle, and each project authorized in section 656 of this Act, for operations and maintenance of ITS elements,

where the total initial capital costs of the such elements exceed $3,000,000.

(h) PROCUREMENT METHODS.—

(1) TECHNICAL ASSISTANCE.—The Secretary shall develop appropriate technical assistance and guidance to assist State and local agencies in evaluating and selecting appropriate methods of procurement for its projects carried out using funds made available from the Highway Trust Fund, including innovative and nontraditional methods of procurement.

(2) ITS SOFTWARE.—To the maximum extent practicable, contracting officials shall use as a critical evaluation criterion the Software Engineering Institute's Capability Maturity Model, or another similar recognized standard risk assessment methodology, to reduce the cost, schedule, and performance risks associated with the development, management, and integration of ITS software.

SEC. 654. NATIONAL ITS PROGRAM PLAN.

(a) NATIONAL ITS PROGRAM PLAN.—

(1) UPDATES.—The Secretary shall maintain and update, as necessary, the National ITS Program Plan developed by the Department of Transportation and the Intelligent Transportation Society of America.

(2) SCOPE.—The National ITS Program Plan shall—

(A) specify the goals, objectives, and milestones for the deployment of intelligent transportation infrastructure in the context of major metropolitan areas, smaller metropolitan and rural areas, and commercial vehicle information systems and networks;

(B) specify how specific programs and projects relate to the goals, objectives, and milestones referred to in subparagraph (A), including consideration of the 5-, 10-, and 20-year timeframes for the goals and objectives;

(C) establish a course of action necessary to achieve the program's goals and objectives;

(D) provide for the evolutionary development of standards and protocols to promote and ensure interoperability in the implementation of ITS technologies; and

(E) establish a cooperative process with State and local governments for determining desired surface transportation system performance levels and developing plans for national incorporation of specific ITS capabilities into surface transportation systems.

(b) IMPLEMENTATION REPORTS.—Not later than 1 year after the date of the enactment of this Act, and biennially thereafter, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on implementation of the National ITS Program Plan.

SEC. 655. TECHNICAL ASSISTANCE, PLANNING, RESEARCH, AND OPERATIONAL TESTS.

(a) TECHNICAL ASSISTANCE, TRAINING, AND INFORMATION.—The Secretary may provide technical assistance, training, and information to State and local governments seeking to implement, operate, maintain, and evaluate ITS technologies and services.

(b) TRANSPORTATION PLANNING.—The Secretary may provide funding to support adequate consideration of transportation system management and operations, including ITS, within metropolitan and statewide transportation planning processes.

(c) RESEARCH AND OPERATIONAL TESTS.—The Secretary may provide funding for research and operational tests relating to ITS.

(d) DEMONSTRATION AND EVALUATION OF INTELLIGENT VEHICLE HIGHWAY SYSTEMS.—The Secretary may conduct research and development activities for the purpose of demonstrating integrated intelligent vehicle highway systems and roadway safety systems. Such research shall include state-of-the-art systems and shall integrate collision avoidance, in-vehicle information, and other safety related systems (including infrastructure-based systems). Development work shall incorporate human factors research findings.

SEC. 656. ITS DEPLOYMENT.

(a) INTELLIGENT TRANSPORTATION INFRASTRUCTURE DEPLOYMENT INCENTIVES PROGRAM.—The Secretary shall conduct a program to promote the deployment of regionally integrated, intermodal intelligent transportation systems and, through financial and technical assistance under this subtitle, shall assist in the development and implementation of such systems.

(b) GOALS.—In accordance with the National ITS Program Plan under section 654 of this Act, the Secretary shall provide incentives for the deployment of integrated applications of intermodal, intelligent transportation infrastructure and system technologies to—

(1) stimulate sufficient deployment to validate and accelerate the establishment of national ITS standards and protocols;

(2) realize the benefits of regionally integrated, intermodal deployment of intelligent transportation infrastructure and commercial vehicle operations, including electronic border crossing applications; and

(3) motivate innovative approaches to overcoming non-technical constraints or impediments to deployment.

(c) PROJECT SELECTION.—In order to be eligible for funding under this section, a project shall—

(1) contribute to national deployment goals and objectives outlined in the National ITS Program Plan under section 654 of this Act;

(2) demonstrate a strong commitment to cooperation among agencies, jurisdictions, and the private sector, as evidenced by signed memorandums of understanding that clearly define the responsibilities and relation of all parties to a partnership arrangement, including institutional relationships and financial agreements needed to support deployment, and commitment to the criteria provided in paragraphs (3) through (7);

(3) demonstrate commitment to a comprehensive plan of fully integrated ITS deployment in accordance with the national ITS architecture and standards and protocols established under section 653(b) of this Act;

(4) be part of approved plans and programs developed under applicable statewide and metropolitan transportation planning processes and applicable State air quality implementation plans, as appropriate, at the time Federal funds are sought;

(5) minimize the relative percentage and amount of Federal contributions under this section to total project costs;

(6) ensure continued, long-term operations and maintenance without continued reliance on Federal funding under this subtitle, along with documented evidence of fiscal capacity and commitment from anticipated public and private sources;

(7) demonstrate technical capacity for effective operations and maintenance or commitment to acquiring necessary skills; and

(8) identify the impacts on bicycle and pedestrian transportation and safety and evaluate options to mitigate any adverse impacts on bicycle and pedestrian transportation and safety.

(d) FUNDING LIMITATIONS.—

(1) PROJECTS IN METROPOLITAN AREAS.—Funding under this section for intelligent transportation infrastructure projects in metropolitan areas shall be limited to activities primarily necessary to integrate intelligent transportation infrastructure elements either deployed or to be deployed with other sources of funds.

(2) OTHER PROJECTS.—For commercial vehicle projects and projects outside metropolitan areas, funding provided under this subtitle may also be used for installation of intelligent transportation infrastructure elements.

(3) FISCAL YEAR LIMITATIONS.—Of the amounts made available to carry out this section in a fiscal year—

(A) not more than $15,000,000 may be used for projects in a metropolitan area;

(B) not more than $2,000,000 may be used for a project in a rural area;

(C) not more than $5,000,000 may be used for a commercial vehicle information system and network project; and

(D) not more than $35,000,000 may be used for projects in a State.

(4) PRIORITIES.—In providing funding for projects under this section, the Secretary shall allocate—

(A) not less than 25 percent of the funds made available to carry out this section to eligible State and local entities for the implementation of commercial vehicle information systems and networks, and international border crossing improvements, in support of public sector commercial vehicle operations nationwide; and

(B) not less than 10 percent of such funds for other intelligent transportation infrastructure deployment activities outside of metropolitan areas.

SEC. 657. FUNDING ALLOCATIONS.

(a) INTELLIGENT TRANSPORTATION INFRASTRUCTURE DEPLOYMENT INCENTIVES PROGRAM.—

(1) ALLOCATION.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(I) of this Act, $75,000,000 per fiscal year shall be available to carry out section 656 of this Act.

(2) USE OF UNALLOCATED AMOUNTS.—In addition to amounts made available by subsection (b), any amounts made available under paragraph (1) and not allocated by the Secretary for carrying out section 656 of this Act may be used by the Secretary for carrying out other activities authorized under this subtitle.

(b) ITS RESEARCH AND PROGRAM SUPPORT ACTIVITIES.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(I) of this Act, $100,000,000 per fiscal year shall be available to carry out multi-year research and technology development initiatives under this subtitle (other than projects under section 656 of this Act).

(c) FEDERAL SHARE PAYABLE.—

(1) INTELLIGENT TRANSPORTATION INFRASTRUCTURE DEPLOYMENT INCENTIVES PROGRAM.—For activities funded with amounts allocated under subsection (a), the Federal share payable from such amounts shall not exceed 50 percent of the costs of the activities, and the total Federal share payable from all eligible sources (including subsection (a)) shall not exceed 80 percent of the costs of the activities.

(2) OTHER PROGRAMS.—For activities funded with amounts allocated under subsection (b), unless the Secretary determines otherwise, the Federal share payable on account of such activities shall not exceed 80 percent of the costs of the activities.

(3) LONG-RANGE ACTIVITIES.—For long-range activities undertaken in partnership with private entities for the purposes of section 655(d) of this Act, the Federal share payable from funds allocated under this subtitle on account of such activities shall not exceed 50 percent of the costs of the activities, and the total Federal share payable from all eligible sources (including subsection (a)) shall not exceed 80 percent of the costs of the activities.

(4) PARTICIPATION OF OTHER PUBLIC AND PRIVATE SOURCES.—The Secretary shall seek maximum participation in the funding of activities under this subtitle from other public and private sources, and shall minimize the use of funds provided under this subtitle for the construction or long-term acquisition of buildings and grounds.

(d) ADVANCED TRAFFIC MONITORING AND RESPONSE CENTER.—

(1) IN GENERAL.—The Secretary shall make grants to the Pennsylvania Transportation Institute, in conjunction with the Pennsylvania

Turnpike Commission, to establish an advanced traffic monitoring and emergency response center at Letterkenny Army Depot in Chambersburg, Pennsylvania. The center shall help develop and coordinate traffic monitoring and ITS systems on the entire Pennsylvania Turnpike system and I–81, coordinate emergency response with State and local governments in the Central Pennsylvania Region, and conduct research.

(2) FUNDING.—Of the amounts made available for each of fiscal years 1998 through 2003 by section 127(a)(3)(H) of this Act, $1,667,000 per fiscal year shall be available to carry out this subsection.

SEC. 658. GLOBAL POSITIONING SATELLITE DATA.

(a) MORATORIUM.—Before the last day of the 2-year period beginning on the date of enactment of this Act or the 90th day after a study has been submitted under subsection (c), whichever is later, records produced by global positioning satellite systems shall not be subpoenaed or otherwise used by the Secretary in enforcement cases to verify compliance with hours-of-service requirements for employees of motor carriers.

(b) EXCEPTIONS TO MORATORIUM.—Notwithstanding subsection (a), the Secretary may use such records in a case in which any of the following conditions exist:

(1) Global positioning satellite systems are a motor carrier's primary method of maintaining or verifying records of duty status.

(2) State or Federal safety officials are investigating the cause of a fatal crash involving a motor carrier.

(3) A motor carrier has an unacceptable safety profile as determined by the Secretary and the Secretary gives approval for an examination of the global positioning satellite records.

In carrying out this subsection, the Secretary may seek access to data from an information technology provider only if access to such data cannot be obtained from the motor carrier.

(c) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall contract with an entity that is independent of the Department of Transportation to conduct a study to identify, examine, and evaluate current and future issues and policies related to government access to data produced by electronic systems for motor carriers. The entity shall have demonstrated knowledge about the motor carrier industry, motor carrier safety regulations, and the electronic information industry.

(2) INSPECTOR GENERAL.—The Office of the Inspector General of the Department of Transportation shall approve the statement of work of the entity referred to in paragraph (1) and approve the contract award under paragraph (1). In carrying out its responsibilities under this paragraph, the Office of the Inspector General shall perform such overview and validation or verification of data as may be necessary to ensure that the study to be conducted under paragraph (1) meets the requirements of paragraph (1).

(3) DEADLINE.—The study to be conducted under paragraph (1) shall be completed not later than 2 years after the date of the enactment of this Act. A report containing the results of the study shall be submitted to the Secretary and Congress.

(4) FUNDING.—Of amounts made available under section 127(a)(3)(H), $100,000 for fiscal year 1998, $200,000 for fiscal year 1999, and $200,000 for fiscal year 2000 shall be available to carry out this subsection.

SEC. 659. REPEAL.

Part B of title VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2189–2195) is repealed.

TITLE VII—TRUTH IN BUDGETING

SEC. 701. BUDGETARY TREATMENT OF HIGHWAY TRUST FUND.

Notwithstanding any other provision of law (except the Line Item Veto Act of 1996), the receipts and disbursements of the Highway Trust Fund established by section 9503 of the Internal Revenue Code of 1986—

(1) shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(A) the budget of the United States Government as submitted by the President,

(B) the congressional budget (including allocations of budget authority and outlays provided therein), or

(C) the Balanced Budget and Emergency Deficit Control Act of 1985; and

(2) shall be exempt from any general budget limitation imposed by statute on expenditures and net lending (budget outlays) of the United States Government.

SEC. 702. APPLICABILITY.

This title shall apply to fiscal years beginning after September 30, 1997.

TITLE VIII—RECREATIONAL BOATING SAFETY PROGRAM

SEC. 801. SHORT TITLE.

This title may be cited as the ''Recreational Boating Safety Improvement Act of 1998''.

SEC. 802. AMENDMENTS RELATING TO RECREATIONAL BOATING SAFETY PROGRAM.

(a) IN GENERAL.—Section 13106 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''(1)'' and all that follows through the first sentence and inserting the following: ''Except as provided in subsection (c) and subject to such amounts as are provided in appropriations laws, the Secretary may expend for each fiscal year the amount transferred for such fiscal year to the Boat Safety Account under section 9503(c)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(4)).''; and

(B) by striking paragraph (2); and

(2) by striking subsection (c) and inserting the following:

''(c)(1) Of the amount transferred for each fiscal year to the Boat Safety Account under section 9503(c)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(4))—

''(A) up to two percent is available to the Secretary to pay the costs of investigations, personnel, and activities related to administering State recreational boating safety programs;

''(B) up to two percent is available to the Secretary to ensure compliance with chapter 43 of this title; and

''(C) up to three percent is available to the Secretary to establish, operate, and maintain aids to navigation that promote primarily recreational boating safety.

''(2) Amounts made available by this subsection shall remain available until expended.''.

(b) COMPREHENSIVE SURVEYS.—Section 13103(c) of title 46, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) The Secretary shall use amounts allocated under this subsection to conduct and report to the Congress the findings of a comprehensive survey of recreational boating in the United States, by not later than December 1 of 1999 and of every fifth year thereafter. The amount expended for each survey may not exceed 50 percent of the amounts allocated under this subsection for the fiscal year in which the survey is conducted.''.

(c) REQUIREMENT TO USE STATE PROGRAM ASSISTANCE FOR CERTAIN PUBLIC ACCESS FACILITIES.—Section 13106 of title 46, United States Code, is amended by adding at the end the following:

''(d)(1) The Secretary shall require that of the amount appropriated for a fiscal year to which this subsection applies that is allocated and distributed under this chapter for State recreational boating safety programs, the amount described in paragraph (2) shall be available only for use pursuant to subsection (b)(4) for public access facilities for transient nontrailerable recreational vessels.

''(2) The amount referred to in paragraph (1) is equal to five percent of the portion of sums appropriated for the fiscal year to carry out this chapter that is in excess of $35,000,000.

''(3) This subsection applies to any fiscal year for which the total amount appropriated to carry out this chapter exceeds $35,000,000.''.

(d) EFFECTIVE DATE.—This section shall take effect October 1, 1998.

TITLE IX—RAILROADS

SEC. 901. HIGH-SPEED RAIL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 26104 of title 49, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (h); and

(2) by inserting after subsection (c) the following new subsections:

''(d) FISCAL YEAR 1998.—(1) There are authorized to be appropriated to the Secretary $10,000,000 for fiscal year 1998, for carrying out section 26101 (including payment of administrative expenses related thereto).

''(2) There are authorized to be appropriated to the Secretary $25,000,000 for fiscal year 1998, for carrying out section 26102 (including payment of administrative expenses related thereto).

''(e) FISCAL YEAR 1999.—(1) There are authorized to be appropriated to the Secretary $10,000,000 for fiscal year 1999, for carrying out section 26101 (including payment of administrative expenses related thereto).

''(2) There are authorized to be appropriated to the Secretary $25,000,000 for fiscal year 1999, for carrying out section 26102 (including payment of administrative expenses related thereto).

''(f) FISCAL YEAR 2000.—(1) There are authorized to be appropriated to the Secretary $10,000,000 for fiscal year 2000, for carrying out section 26101 (including payment of administrative expenses related thereto).

''(2) There are authorized to be appropriated to the Secretary $25,000,000 for fiscal year 2000, for carrying out section 26102 (including payment of administrative expenses related thereto).

''(g) FISCAL YEAR 2001.—(1) There are authorized to be appropriated to the Secretary $10,000,000 for fiscal year 2001, for carrying out section 26101 (including payment of administrative expenses related thereto).

''(2) There are authorized to be appropriated to the Secretary $25,000,000 for fiscal year 2001, for carrying out section 26102 (including payment of administrative expenses related thereto).''.

(b) DEFINITION.—Section 26105(2) of title 49, United States Code, is amended to read as follows:

''(2) the term 'high-speed rail' means all forms of nonhighway ground transportation that run on rails or electromagnetic guideways providing transportation service which is—

''(A) reasonably expected to reach sustained speeds of more than 125 miles per hour; and

''(B) made available to members of the general public as passengers,

but does not include rapid transit operations within an urban area that are not connected to the general rail system of transportation;''.

SEC. 902. LIGHT DENSITY RAIL LINE PILOT PROJECTS.

(a) AMENDMENT.—Part B of subtitle V of title 49, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 223—LIGHT DENSITY RAIL LINE PILOT PROJECTS

''Sec.

''22301. Light density rail line pilot projects.

''§ 22301. Light density rail line pilot projects

''(a) GRANTS.—The Secretary of Transportation may make grants to States that have State rail plans described in section 22102 (1) and (2), to fund pilot projects that demonstrate the relationship of light density railroad services

to the statutory responsibilities of the Secretary, including those under title 23.

''(b) LIMITATIONS.—Grants under this section may be made only for pilot projects for making capital improvements to, and rehabilitating, publicly and privately owned rail line structures, and may not be used for providing operating assistance.

''(c) PRIVATE OWNER CONTRIBUTIONS.—Grants made under this section for projects on privately owned rail line structures shall include contributions by the owner of the rail line structures, based on the benefit to those structures, as determined by the Secretary.

''(d) STUDY.—The Secretary shall conduct a study of the pilot projects carried out with grant assistance under this section to determine the public interest benefits associated with the light density railroad networks in the States and their contribution to a multimodal transportation system. Not later than March 31, 2003, the Secretary shall report to Congress any recommendations the Secretary considers appropriate regarding the eligibility of light density rail networks for Federal infrastructure financing.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $25,000,000 for each of the fiscal years 1998, 1999, 2000, 2001, 2002, and 2003. Such funds shall remain available until expended.''.

(b) TABLE OF CHAPTERS.—The table of chapters of subtitle V of title 49, United States Code, is amended by inserting after the item relating to chapter 221 the following new item:

''223. LIGHT DENSITY RAIL LINE PILOT PROJECTS ..... 22301''.

SEC. 903. MIAMI-ORLANDO-TAMPA CORRIDOR PROJECT.

There are authorized to be appropriated to the Secretary of Transportation $200,000,000, to be made available to the Florida Department of Transportation to reimburse the Florida Overland Express project in the Miami-Orlando-Tampa corridor for capital costs of that project. The Florida Department of Transportation shall deposit funds received under this section into a separate account which shall, to the extent not yet required for the purposes of this section, be invested in United States Treasury securities. Funds authorized under this section shall not be counted in calculating the allocation to the State of Florida under section 111.

SEC. 904. ALASKA RAILROAD.

(a) GRANTS.—The Secretary may make grants to the Alaska Railroad for capital rehabilitation of and improvements to its passenger services.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,250,000 for each of fiscal years 1998 through 2003.

SEC. 905. RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.

There is authorized to be appropriated to carry out section 104(d)(2) of title 23, United States Code, $5,250,000 for each of fiscal years 1998 through 2003.

SEC. 906. RAILROAD REHABILITATION AND IMPROVEMENT FINANCING.

(a) AMENDMENTS.—Title V of the Railroad Revitalization and Regulatory Reform Act of 1976 is amended—

(1) by striking sections 501 through 504 and inserting the following new sections:

''SEC. 501. DEFINITIONS.

''For purposes of this title:

''(1)(A) The term 'cost' means the estimated long-term cost to the Government of a direct loan or loan guarantee, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

''(B) The cost of a direct loan shall be the net present value, at the time when the direct loan is disbursed, of the following cash flows:

''(i) Loan disbursements.

''(ii) Repayments of principal.

''(iii) Payments of interest and other payments by or to the Government over the life of the loan after adjusting for estimated defaults, prepayments, fees, penalties, and other recoveries.

''(C) The cost of a loan guarantee shall be the net present value when a guaranteed loan is disbursed, of the following cash flows:

''(i) Estimated payments by the Government to cover defaults and delinquencies, interest subsidies, or other payments.

''(ii) Estimated payments to the Government, including origination and other fees, penalties, and recoveries.

''(D) Any Government action that alters the estimated net present value of an outstanding direct loan or loan guarantee (except modifications within the terms of existing contracts or through other existing authorities) shall be counted as a change in the cost of that direct loan or loan guarantee. The calculation of such changes shall be based on the estimated present value of the direct loan or loan guarantee at the time of modification.

''(E) In estimating net present values, the discount rate shall be the average interest rate on marketable Treasury securities of similar maturity to the direct loan or loan guarantee for which the estimate is being made.

''(2) The term 'direct loan' means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of such funds. The term includes the purchase of, or participation in, a loan made by another lender. The term does not include the acquisition of a federally guaranteed loan in satisfaction of default claims.

''(3) The term 'direct loan obligation' means a binding agreement by the Secretary to make a direct loan when specified conditions are fulfilled by the borrower.

''(4) The term 'intermodal' means of or relating to the connection between rail service and other modes of transportation, including all parts of facilities at which such connection is made.

''(5) The term 'loan guarantee' means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any debt obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

''(6) The term 'loan guarantee commitment' means a binding agreement by the Secretary to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

''SEC. 502. DIRECT LOANS AND LOAN GUARANTEES.

''(a) GENERAL AUTHORITY.—The Secretary may provide direct loans and loan guarantees to State and local governments, government sponsored authorities and corporations, railroads, and joint ventures that include at least 1 railroad.

''(b) ELIGIBLE PURPOSES.—

''(1) IN GENERAL.—Direct loans and loan guarantees under this section shall be used to—

''(A) acquire, improve, or rehabilitate intermodal or rail equipment or facilities, including track, components of track, bridges, yards, buildings, and shops;

''(B) refinance outstanding debt incurred for the purposes described in subparagraph (A); or

''(C) develop or establish new intermodal or railroad facilities.

''(2) OPERATING EXPENSES NOT ELIGIBLE.—Direct loans and loan guarantees under this section shall not be used for railroad operating expenses.

''(c) PRIORITY PROJECTS.—In granting applications for direct loans or guaranteed loans under this section, the Secretary shall give priority to projects that—

''(1) enhance public safety;

''(2) enhance the environment;

''(3) promote economic development;

''(4) enable United States companies to be more competitive in international markets;

''(5) are endorsed by the plans prepared under section 135 of title 23, United States Code, by the State or States in which they are located; or

''(6) preserve rail or intermodal service to small communities or rural areas.

''(d) EXTENT OF AUTHORITY.—The aggregate unpaid principal amounts of obligations under direct loans and loan guarantees made under this section shall not exceed $5,000,000,000 at any one time. Of this amount, not less than $1,000,000,000 shall be available solely for projects primarily benefiting freight railroads other than Class I carriers.

''(e) RATES OF INTEREST.—

''(1) DIRECT LOANS.—The Secretary shall require interest to be paid on a direct loan made under this section at a rate not less than that necessary to recover the cost of making the loan.

''(2) LOAN GUARANTEES.—The Secretary shall not make a loan guarantee under this section if the interest rate for the loan exceeds that which the Secretary determines to be reasonable, taking into consideration the prevailing interest rates and customary fees incurred under similar obligations in the private capital market.

''(f) INFRASTRUCTURE PARTNERS.—

''(1) AUTHORITY OF SECRETARY.—In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source to fund in whole or in part credit risk premiums with respect to the loan that is the subject of the application. In no event shall the aggregate of appropriations of budget authority and credit risk premiums described in this paragraph with respect to a direct loan or loan guarantee be less than the cost of that direct loan or loan guarantee.

''(2) CREDIT RISK PREMIUM AMOUNT.—The Secretary shall determine the amount required for credit risk premiums under this subsection on the basis of—

''(A) the circumstances of the applicant, including the amount of collateral offered;

''(B) the proposed schedule of loan disbursements;

''(C) historical data on the repayment history of similar borrowers;

''(D) consultation with the Congressional Budget Office; and

''(E) any other factors the Secretary considers relevant.

''(3) PAYMENT OF PREMIUMS.—Credit risk premiums under this subsection shall be paid to the Secretary before the disbursement of loan amounts.

''(4) COHORTS OF LOANS.—In order to maintain sufficient balances of credit risk premiums to adequately protect the Federal Government from risk of default, while minimizing the length of time the Government retains possession of those balances, the Secretary shall establish cohorts of loans. When all obligations attached to a cohort of loans have been satisfied, credit risk premiums paid for the cohort, and interest accrued thereon, which were not used to mitigate losses shall be returned to the original source on a pro rata basis.

''(g) PREREQUISITES FOR ASSISTANCE.—The Secretary shall not make a direct loan or loan guarantee under this section unless the Secretary has made a finding in writing that—

''(1) repayment of the obligation is required to be made within a term of not more than 25 years from the date of its execution;

''(2) the direct loan or loan guarantee is justified by the present and probable future demand for rail services or intermodal facilities;

''(3) the applicant has given reasonable assurances that the facilities or equipment to be acquired, rehabilitated, improved, developed, or

established with the proceeds of the obligation will be economically and efficiently utilized;

''(4) the obligation can reasonably be repaid, using an appropriate combination of credit risk premiums and collateral offered by the applicant to protect the Federal Government; and

''(5) the purposes of the direct loan or loan guarantee are consistent with subsection (b).

''(h) CONDITIONS OF ASSISTANCE.—The Secretary shall, before granting assistance under this section, require the applicant to agree to such terms and conditions as are sufficient, in the judgment of the Secretary, to ensure that, as long as any principal or interest is due and payable on such obligation, the applicant, and any railroad or railroad partner for whose benefit the assistance is intended—

''(1) will not use any funds or assets from railroad or intermodal operations for purposes not related to such operations, if such use would impair the ability of the applicant, railroad, or railroad partner to provide rail or intermodal services in an efficient and economic manner, or would adversely affect the ability of the applicant, railroad, or railroad partner to perform any obligation entered into by the applicant under this section;

''(2) will, consistent with its capital resources, maintain its capital program, equipment, facilities, and operations on a continuing basis; and

''(3) will not make any discretionary dividend payments that unreasonably conflict with the purposes stated in subsection (b).

''SEC. 503. ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.

''(a) APPLICATIONS.—The Secretary shall prescribe the form and contents required of applications for assistance under section 502, to enable the Secretary to determine the eligibility of the applicant's proposal, and shall establish terms and conditions for direct loans and loan guarantees made under that section.

''(c) ASSIGNMENT OF LOAN GUARANTEES.—The holder of a loan guarantee made under section 502 may assign the loan guarantee in whole or in part, subject to such requirements as the Secretary may prescribe.

''(d) MODIFICATIONS.—The Secretary may approve the modification of any term or condition of a direct loan, loan guarantee, direct loan obligation, or loan guarantee commitment, including the rate of interest, time of payment of interest or principal, or security requirements, if the Secretary finds in writing that—

''(1) the modification is equitable and is in the overall best interests of the United States; and

''(2) consent has been obtained from the applicant and, in the case of a loan guarantee or loan guarantee commitment, the holder of the obligation.

''(e) COMPLIANCE.—The Secretary shall assure compliance, by an applicant, any other party to the loan, and any railroad or railroad partner for whose benefit assistance is intended, with the provisions of this title, regulations issued hereunder, and the terms and conditions of the direct loan or loan guarantee, including through regular periodic inspections.

''(f) COMMERCIAL VALIDITY.—For purposes of claims by any party other than the Secretary, a loan guarantee or loan guarantee commitment shall be conclusive evidence that the underlying obligation is in compliance with the provisions of this title, and that such obligation has been approved and is legal as to principal, interest, and other terms. Such a guarantee or commitment shall be valid and incontestable in the hands of a holder thereof, including the original lender or any other holder, as of the date when the Secretary granted the application therefor, except as to fraud or material misrepresentation by such holder.

''(g) DEFAULT.—The Secretary shall prescribe regulations setting forth procedures in the event of default on a loan made or guaranteed under section 502. The Secretary shall ensure that each loan guarantee made under that section contains terms and conditions that provide that—

''(1) if a payment of principal or interest under the loan is in default for more than 30 days, the Secretary shall pay to the holder of the obligation, or the holder's agent, the amount of unpaid guaranteed interest;

''(2) if the default has continued for more than 90 days, the Secretary shall pay to the holder of the obligation, or the holder's agent, 90 percent of the unpaid guaranteed principal;

''(3) after final resolution of the default, through liquidation or otherwise, the Secretary shall pay to the holder of the obligation, or the holder's agent, any remaining amounts guaranteed but which were not recovered through the default's resolution;

''(4) the Secretary shall not be required to make any payment under paragraphs (1) through (3) if the Secretary finds, before the expiration of the periods described in such paragraphs, that the default has been remedied; and

''(5) the holder of the obligation shall not receive payment or be entitled to retain payment in a total amount which, together with all other recoveries (including any recovery based upon a security interest in equipment or facilities) exceeds the actual loss of such holder.

''(h) RIGHTS OF THE SECRETARY.—

''(1) SUBROGATION.—If the Secretary makes payment to a holder, or a holder's agent, under subsection (g) in connection with a loan guarantee made under section 502, the Secretary shall be subrogated to all of the rights of the holder with respect to the obligor under the loan.

''(2) DISPOSITION OF PROPERTY.—The Secretary may complete, recondition, reconstruct, renovate, repair, maintain, operate, charter, rent, sell, or otherwise dispose of any property or other interests obtained pursuant to this section. The Secretary shall not be subject to any Federal or State regulatory requirements when carrying out this paragraph.

''(i) ACTION AGAINST OBLIGOR.—The Secretary may bring a civil action in an appropriate Federal court in the name of the United States in the event of a default on a direct loan made under section 502, or in the name of the United States or of the holder of the obligation in the event of a default on a loan guaranteed under section 502. The holder of a guarantee shall make available to the Secretary all records and evidence necessary to prosecute the civil action. The Secretary may accept property in full or partial satisfaction of any sums owed as a result of a default. If the Secretary receives, through the sale or other disposition of such property, an amount greater than the aggregate of—

''(1) the amount paid to the holder of a guarantee under subsection (g) of this section; and

''(2) any other cost to the United States of remedying the default,

the Secretary shall pay such excess to the obligor.

''(j) BREACH OF CONDITIONS.—The Attorney General shall commence a civil action in an appropriate Federal court to enjoin any activity which the Secretary finds is in violation of this title, regulations issued hereunder, or any conditions which were duly agreed to, and to secure any other appropriate relief.

''(k) ATTACHMENT.—No attachment or execution may be issued against the Secretary, or any property in the control of the Secretary, prior to the entry of final judgment to such effect in any State, Federal, or other court.

''(l) INVESTIGATION CHARGE.—The Secretary may charge and collect from each applicant a reasonable charge for appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings. Such charge shall not aggregate more than one-half of 1 percent of the principal amount of the obligation.'';

(2) by striking sections 505 through 515 (other than 511(c)), 517, and 518;

(3) in section 511(c) by striking ''this section'' and inserting ''section 502'';

(4) by moving subsection (c) of section 511 (as amended by paragraph (3) of this section) from section 511 to section 503 (as inserted by paragraph (1) of this section), inserting it after subsection (a), and redesignating it as subsection (b); and

(5) by redesignating section 516 as section 504.

(b) TECHNICAL AND CONFORMING PROVISIONS.—

(1) TABLE OF CONTENTS.—The table of contents of title V of the Railroad Revitalization and Regulatory Reform Act of 1976 is amended by striking the items relating to sections 502 through 518 and inserting the following:

''Sec. 502. Direct loans and loan guarantees.
''Sec. 503. Administration of direct loans and loan guarantees.
''Sec. 504. Employee protection.''.

(2) SAVINGS PROVISION.—A transaction entered into under the authority of title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.) before the date of the enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.

(3) REPEAL.—Section 211(i) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721(i)) is repealed.

TITLE X—CONDITIONS FOR IMPLEMENTATION OF FUNDING

SEC. 1001. CONDITIONS FOR IMPLEMENTATION OF FUNDING.

(a) PURPOSE.—The purpose of this section is to ensure that all additional spending provided by this Act above the levels assumed for those programs under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 in the baseline projections contained in the Congressional Budget Office document entitled ''Revised Baseline Budget Projections for Fiscal Years 1999–2008,'' dated March 3, 1998, except that for programs with discretionary outlays the projections shall assume obligation authority at the 1998 enacted level and that the programs shall be adjusted for the transfer of general fund programs to the trust fund, is fully offset through mandatory and discretionary offsets set forth in this Act.

(b) DUTY IMPOSED ON SECRETARY.—The Secretary of Transportation shall not apportion, allocate, or obligate any funds authorized or provided by this Act unless it contains a section stating that the conditions set forth in subsection (c) have been met.

(c) ENUMERATION OF SPECIFIC CONDITIONS.—The conditions referred to in subsection (b) are that this Act shall contain provisions that offset any increase in outlays from the Highway Trust Fund caused by this Act above the levels assumed for those programs under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 in the baseline projections contained in the Congressional Budget Office document entitled ''Revised Baseline Budget Projections for Fiscal Years 1999–2008,'' dated March 3, 1998, except that for programs with discretionary outlays the projections shall assume obligation authority at the 1998 enacted level and that the programs shall be adjusted for the transfer of general fund programs to the trust fund, by reducing mandatory and discretionary spending.

SEC. 1002. SENSE OF CONGRESS WITH RESPECT TO VETERANS PROGRAMS.

It is the sense of the Congress that provisions referred to in section 1001(c) that are to be contained in this Act to offset increases described in that section in outlays from the Highway Trust Fund should not include any provision making a change in programs or benefits administered by the Secretary of Veterans Affairs.

TITLE XI—EXTENSION AND MODIFICATION OF HIGHWAY-RELATED TAXES AND TRUST FUND

Sec. 1101. Short title; amendment of 1986 Code.

Sec. 1102. Extension of highway-related taxes and trust fund.
Sec. 1103. Modifications to Highway Trust Fund.
Sec. 1104. Provisions relating to Aquatic Resources Trust Fund.
Sec. 1105. Repeal of excise tax on tires.
Sec. 1106. Repeal of 4.3 cent excise tax on diesel fuel and gasoline used in trains.
Sec. 1107. Delay in effective date of new requirement for approved diesel or kerosene terminals.
Sec. 1108. Simplified fuel tax refund procedures.
Sec. 1109. Repeal of National Recreational Trails Trust Fund.

SEC. 1101. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This title may be cited as the "Surface Transportation Revenue Act of 1998".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 1102. EXTENSION OF HIGHWAY-RELATED TAXES AND TRUST FUND.

(a) EXTENSION OF TAXES.—

(1) IN GENERAL.—The following provisions are each amended by striking "1999" each place it appears and inserting "2005":

(A) Section 4041(a)(1)(C)(iii)(I) (relating to rate of tax on certain buses).

(B) Section 4041(a)(2)(B) (relating to rate of tax on special motor fuels), as amended by section 907(a)(1) of the Taxpayer Relief Act of 1997.

(C) Section 4041(m)(1)(A) (relating to certain alcohol fuels), as amended by section 907(b) of the Taxpayer Relief Act of 1997.

(D) Section 4051(c) (relating to termination).

(E) Section 4081(d)(1) (relating to termination).

(F) Section 4481(e) (relating to period tax in effect).

(G) Section 4482(c)(4) (relating to taxable period).

(H) Section 4482(d) (relating to special rule for taxable period in which termination date occurs).

(2) TAX ON TIRES EXTENDED ONLY THROUGH SEPTEMBER 30, 2000.—Section 4071(d) (relating to termination) is amended by striking "1999" and inserting "2000".

(3) OTHER PROVISIONS.—

(A) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) (relating to floor stocks refunds) is amended—

(i) by striking "1999" each place it appears and inserting "2005", and

(ii) by striking "2000" each place it appears and inserting "2006".

(B) INSTALLMENT PAYMENTS OF HIGHWAY USE TAX.—Section 6156(e)(2) (relating to installment payments of highway use tax on use of highway motor vehicles) is amended by striking "1999" and inserting "2005".

(b) EXTENSION OF CERTAIN EXEMPTIONS.—The following provisions are each amended by striking "1999" and inserting "2005":

(1) Section 4221(a) (relating to certain tax-free sales).

(2) Section 4483(g) (relating to termination of exemptions for highway use tax).

(c) EXTENSION OF DEPOSITS INTO, AND CERTAIN TRANSFERS FROM, TRUST FUND.—

(1) IN GENERAL.—Subsection (b), and paragraphs (2) and (3) of subsection (c), of section 9503 (relating to the Highway Trust Fund) are each amended—

(A) by striking "1999" each place it appears (other than in subsection (b)(4)) and inserting "2005", and

(B) by striking "2000" each place it appears and inserting "2006".

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (4)(A)(i) and (5)(A) of section 9503(c) are each amended by striking "1998" and inserting "2003".

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–11(b)) is amended—

(i) by striking "1997" and inserting "2003", and

(ii) by striking "1998" each place it appears and inserting "2004".

(3) CONFORMING AMENDMENT.—The heading for paragraph (3) of section 9503(c) is amended to read as follows:

"(3) FLOOR STOCKS REFUNDS.—".

(d) EXTENSION AND EXPANSION OF EXPENDITURES FROM TRUST FUND.—

(1) HIGHWAY ACCOUNT.—

(A) EXTENSION OF EXPENDITURE AUTHORITY.—Paragraph (1) of section 9503(c) is amended by striking "1998" and inserting "2003".

(B) EXPANSION OF PURPOSES.—Paragraph (1) of section 9503(c) is amended—

(i) by striking "or" at the end of subparagraph (C), and

(ii) by striking "1991." in subparagraph (D) and all that follows through the end of paragraph (1) and inserting "1991, or

"(E) authorized to be paid out of the Highway Trust Fund under the Building Efficient Surface Transportation and Equity Act of 1998.

In determining the authorizations under the Acts referred to in the preceding subparagraphs, such Acts shall be applied as in effect on the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998.".

(2) MASS TRANSIT ACCOUNT.—

(A) EXTENSION OF EXPENDITURE AUTHORITY.—Paragraph (3) of section 9503(e) is amended by striking "1998" and inserting "2003".

(B) EXPANSION OF PURPOSES.—Paragraph (3) of section 9503(e) is amended—

(i) by striking "or" at the end of subparagraph (A),

(ii) by adding "or" at the end of subparagraph (B), and

(iii) by striking all that follows subparagraph (B) and inserting:

"(C) the Building Efficient Surface Transportation and Equity Act of 1998,

as such sections and Acts are in effect on the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998.".

(e) TECHNICAL CORRECTION RELATING TO TRANSFERS TO MASS TRANSIT ACCOUNT.—

(1) IN GENERAL.—Section 9503(e)(2) is amended by striking the last sentence and inserting the following: "For purposes of the preceding sentence, the term 'mass transit portion' means, for any fuel with respect to which tax was imposed under section 4041 or 4081 and otherwise deposited into the Highway Trust Fund, the amount determined at the rate of—

"(A) except as otherwise provided in this sentence, 2.86 cents per gallon,

"(B) 1.43 cents per gallon in the case of any partially exempt methanol or ethanol fuel (as defined in section 4041(m)) none of the alcohol in which consists of ethanol,

"(C) 1.86 cents per gallon in the case of liquefied natural gas,

"(D) 2.13 cents per gallon in the case of liquefied petroleum gas, and

"(E) 9.71 cents per MCF (determined at standard temperature and pressure) in the case of compressed natural gas.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the amendment made by section 901(b) of the Taxpayer Relief Act of 1997.

SEC. 1103. MODIFICATIONS TO HIGHWAY TRUST FUND.

(a) DETERMINATION OF TRUST FUND BALANCES AFTER SEPTEMBER 30, 1998.—

(1) IN GENERAL.—Section 9503 (relating to Highway Trust Fund) is amended by adding at the end the following new subsection:

"(f) DETERMINATION OF TRUST FUND BALANCES AFTER SEPTEMBER 30, 1998.—For purposes of determining the balances of the Highway Trust Fund and the Mass Transit Account after September 30, 1998—

"(1) the opening balance of the Highway Trust Fund (other than the Mass Transit Account) on October 1, 1998, shall be $8,000,000,000,

"(2) the opening balance of the Mass Transit Account on such date shall be $5,500,000,000, and

"(3) no interest on any obligation held by such Fund shall be credited to such Fund if such interest accrues after September 30, 1998.

The Secretary shall cancel obligations held by the Highway Trust Fund to reflect the reduction in the balances under this subsection.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 1998.

(b) REPEAL OF LIMITATION ON EXPENDITURES ADDED BY TAXPAYER RELIEF ACT OF 1997.—

(1) IN GENERAL.—Subsection (c) of section 9503 (relating to expenditures from Highway Trust Fund) is amended by striking paragraph (7).

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the amendments made by section 901 of the Taxpayer Relief Act of 1997.

(c) LIMITATION ON EXPENDITURE AUTHORITY.—Subsection (b) of section 9503 (relating to transfers to Highway Trust Fund) is amended by adding at the end the following new paragraph:

"(6) LIMITATION ON TRANSFERS TO HIGHWAY TRUST FUND.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), no amount may be appropriated to the Highway Trust Fund on and after the date of any expenditure from the Highway Trust Fund which is not permitted by this section. The determination of whether an expenditure is so permitted shall be made without regard to—

"(i) any provision of law which is not contained or referenced in this title or in a revenue Act, and

"(ii) whether such provision of law is a subsequently enacted provision or directly or indirectly seeks to waive the application of this paragraph.

"(B) EXCEPTION FOR PRIOR OBLIGATIONS.—Subparagraph (A) shall not apply to any expenditure to liquidate any contract entered into (or for any amount otherwise obligated) before October 1, 2003, in accordance with the provisions of this section.".

(d) MODIFICATION OF MASS TRANSIT ACCOUNT RULES ON ADJUSTMENTS OF APPORTIONMENTS.—Paragraph (4) of section 9503(e) is amended to read as follows:

"(4) LIMITATION.—Rules similar to the rules of subsection (d) shall apply to the Mass Transit Account.".

SEC. 1104. PROVISIONS RELATING TO AQUATIC RESOURCES TRUST FUND.

(a) INCREASED TRANSFERS.—

(1)(A) Effective with respect to taxes imposed after September 30, 1999, and before October 1, 2000, subparagraph (D) of section 9503(b)(4) is amended by striking "11.5 cents" and inserting "14.9 cents".

(B) Effective with respect to taxes imposed after September 30, 2000, paragraph (4) of section 9503(b) is amended by striking subparagraph (D) and by redesignating subparagraphs (E), (F), and (G) as subparagraphs (D), (E), and (F), respectively.

(2) Subparagraph (A) of section 9503(c)(4), as amended by section 1102(c)(2)(A), is amended to read as follows:

"(A) TRANSFERS TO BOAT SAFETY ACCOUNT.—

"(i) IN GENERAL.—The Secretary shall pay from time to time from the Highway Trust Fund into the Boat Safety Account in the Aquatic Resources Trust Fund amounts (as determined by the Secretary) equivalent to one-half of the motorboat fuel taxes received after September 30, 1998, and before October 1, 2003.

"(ii) LIMIT ON AMOUNT IN FUND.—No amount shall be transferred under this subparagraph during any fiscal year if the Secretary determines that such transfer would result in increasing the unobligated balance in the Boat Safety Account to a sum in excess of one-half of the total amount received as motorboat fuel taxes during the preceding fiscal year.".

(b) EXTENSION AND EXPANSION OF EXPENDITURE AUTHORITY FROM BOAT SAFETY ACCOUNT.—Section 9504(c) (relating to expenditures from Boat Safety Account) is amended—

(1) by striking "1998" and inserting "2003", and

(2) by striking "October 1, 1988" and inserting "the date of the enactment of the Building Efficient Surface Transportation and Equity Act of 1998".

(c) LIMITATION ON EXPENDITURE AUTHORITY.—Section 9504 (relating to Aquatic Resources Trust Fund) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

"(d) LIMITATION ON TRANSFERS TO AQUATIC RESOURCES TRUST FUND.—

"(1) IN GENERAL.—Except as provided in paragraph (2), no amount may be appropriated or paid to any Account in the Aquatic Resources Trust Fund on and after the date of any expenditure from any such Account which is not permitted by this section. The determination of whether an expenditure is so permitted shall be made without regard to—

"(A) any provision of law which is not contained or referenced in this title or in a revenue Act, and

"(B) whether such provision of law is a subsequently enacted provision or directly or indirectly seeks to waive the application of this subsection.

"(2) EXCEPTION FOR PRIOR OBLIGATIONS.—Paragraph (1) shall not apply to any expenditure to liquidate any contract entered into (or for any amount otherwise obligated) before October 1, 2003, in accordance with the provisions of this section.".

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this section, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) INCREASED TRANSFERS.—The amendment made by subsection (a)(2) shall take effect on October 1, 1998.

SEC. 1105. REPEAL OF EXCISE TAX ON TIRES.

(a) IN GENERAL.—Subchapter A of chapter 32 (relating to automotive and related items) is amended by striking part II.

(b) CONFORMING AMENDMENTS.—

(1) Section 4051 is amended by striking subsection (d).

(2) Section 4218 is amended—

(A) by striking "(other than a tire taxable under section 4071)" in subsection (a),

(B) by striking subsection (b), and

(C) by redesignating subsection (c) as subsection (b).

(3)(A) The third sentence of section 4221(a) is amended to read as follows: "Paragraphs (4) and (5) shall not apply to the tax imposed by section 4051 on and after October 1, 2005."

(B) Subsection (e) of section 4221 is amended—

(i) by striking paragraphs (2) and (3),

(ii) by striking so much of such subsection as precedes the text of paragraph (1) and inserting:

"(e) RECIPROCITY REQUIRED IN CASE OF CIVIL AIRCRAFT.—", and

(iii) by moving such text 2 ems to the left.

(4) Paragraph (1) of section 4223(b) is amended by striking "section 4218(c)" and inserting "section 4218(b)".

(5)(A) Paragraph (1) of section 6412(a) is amended—

(i) by striking "TIRES AND TAXABLE" in the heading and inserting "TAXABLE", and

(ii) by striking "4071 or".

(B) Subsection (c) of section 6412 is amended by striking "sections 4071 and" and inserting "section".

(6)(A) Paragraph (1) of section 6416(b) is amended—

(i) by striking "or (C)" in subparagraph (A), and

(ii) by striking subparagraph (C).

(B) Paragraph (2) of section 6416(b) is amended by adding "or" at the end of subparagraph (D), by striking subparagraph (E), and by redesignating subparagraph (F) as subparagraph (E).

(C) Subsection (b) of section 6416 is amended by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

(D) Subsection (d) of section 4216 is amended by striking "section 6416(b)(5)" and inserting "section 6416(b)(4)".

(7) Paragraph (1) of section 9503(b) is amended by striking subparagraphs (C) and (D) and by redesignating subparagraphs (E) and (F) as subparagraphs (C) and (D), respectively.

(8) Paragraph (5) of section 9503(b) is amended by striking "and (E)" and inserting "and (C)".

(9) The table of parts for subchapter A of chapter 32 is amended by striking the item relating to part II.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000; except that the amendment made by subsection (b)(6) shall not apply to amounts received in the Treasury with respect to taxes imposed before such date.

SEC. 1106. REPEAL OF 4.3 CENT EXCISE TAX ON DIESEL FUEL AND GASOLINE USED IN TRAINS.

(a) DIESEL FUEL.—

(1) IN GENERAL.—Clause (ii) of section 4041(a)(1)(C) (relating to rate of tax) is amended to read as follows:

"(ii) RATE OF TAX ON TRAINS.—In the case of any sale for use, or use, of diesel fuel in a train, the rate of tax imposed by this paragraph shall be—

"(I) 5.55 cents per gallon after September 30, 1995, and before October 1, 1999,

"(II) 4.3 cents per gallon after September 30, 1999, and before October 1, 2000, and

"(III) zero after September 30, 2000.".

(2) CONFORMING AMENDMENT.—Subparagraph (B) of section 6427(l)(3) is amended to read as follows:

"(B) so much of the rate specified in section 4081(a)(2)(A) as does not exceed—

"(i) 5.55 cents per gallon after September 30, 1995, and before October 1, 1999,

"(ii) 4.3 cents per gallon after September 30, 1999, and before October 1, 2000, and

"(iii) zero after September 30, 2000.".

(b) GASOLINE.—Subparagraph (B) of section 6421(f)(3) is amended to read as follows:

"(B) so much of the rate specified in section 4081(a)(2)(A) as does not exceed—

"(i) 5.55 cents per gallon after September 30, 1995, and before October 1, 1999,

"(ii) 4.3 cents per gallon after September 30, 1999, and before October 1, 2000, and

"(iii) zero after September 30, 2000.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 1107. DELAY IN EFFECTIVE DATE OF NEW REQUIREMENT FOR APPROVED DIESEL OR KEROSENE TERMINALS.

Subsection (f) of section 1032 of the Taxpayer Relief Act of 1997 is amended to read as follows:

"(f) EFFECTIVE DATES.—

"(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on July 1, 1998.

"(2) The amendment made by subsection (d) shall take effect on July 1, 2000.".

SEC. 1108. SIMPLIFIED FUEL TAX REFUND PROCEDURES.

(a) IN GENERAL.—Subparagraph (A) of section 6427(i)(2) is amended to read as follows:

"(A) IN GENERAL.—If, at the close of any quarter of the taxable year of any person, at least $750 is payable in the aggregate under subsections (a), (b), (d), (h), (l), and (q) of this section and section 6421 to such person with respect to fuel used—

"(i) during such quarter, or

"(ii) any prior quarter during such taxable year for which no other claim has been filed,

a claim may be filed under this section with respect to such fuel.".

(b) CONFORMING AMENDMENTS.—

(1) Subsection (i) of section 6427 is amended by striking paragraph (4) and by redesignating paragraph (5) as paragraph (4).

(2) Paragraph (2) of section 6427(k) is amended to read as follows:

"(2) EXCEPTION.—Paragraph (1) shall not apply to a payment of a claim filed under paragraph (2), (3), or (4) of subsection (i).".

(3) Paragraph (2) of section 6421(d) is amended to read as follows:

"(2) EXCEPTION.—

"For payments per quarter based on aggregate amounts payable under this section and section 6427, see section 6427(i)(2).".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1998.

SEC. 1109. REPEAL OF NATIONAL RECREATIONAL TRAILS TRUST FUND.

(a) IN GENERAL.—Section 9511 (relating to National Recreational Trails Trust Fund) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 9503(c) is amended by striking paragraph (6).

(2) The table of sections for subchapter A of chapter 98 is amended by striking the item relating to section 9511.

The CHAIRMAN. No amendment to the committee amendment in the nature of a substitute is in order except those printed in Part II of the report. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to consider amendment number 1 printed in Part II of the House report 105–476.

AMENDMENT NO. 1 OFFERED BY MR. SHUSTER

Mr. SHUSTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part II, amendment numbered 1 offered by Mr. SHUSTER:

In section 109(b)—

(1) redesignate paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(2) insert before paragraph (2) (as so redesignated) the following:

(1) by striking ''that was designated as a nonattainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) during any part of fiscal year 1994'' and inserting the following: ''that is or was designated as a nonattainment area for ozone, carbon monoxide, or particulate matter under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) and classified pursuant to section 181(a), 186(a), 188(a), or 188(b) of the Clean Air Act (42 U.S.C. 7511(a), 7512(a), 7513(a), or 7513(b)) or is or was designated as a nonattainment area under such section 107(d) after December 31, 1997,'';

In section 109 of the bill—

(1) redesignate subsection (c) as subsection (d); and

(2) insert after subsection (b) the following:

(c) PUBLIC-PRIVATE PARTNERSHIPS.—Section 149 is amended by adding at the end the following:

''(e) PARTNERSHIPS WITH NONGOVERNMENTAL ENTITIES.—

''(1) IN GENERAL.—Notwithstanding any other provision of this title and in accordance with this subsection, a metropolitan planning organization, State transportation department, or other project sponsor may enter into an agreement with any public, private, or nonprofit entity to cooperatively implement any project carried out under this section.

''(2) FORMS OF PARTICIPATION BY ENTITIES.—Participation by an entity under paragraph (1) may consist of—

''(A) ownership or operation of any land, facility, vehicle, or other physical asset associated with the project;

''(B) cost sharing of any eligible project expense; and

''(C) any other form of participation approved by the Secretary.

''(3) ALLOCATION OF ENTITIES.—A State may allocate funds apportioned under section 104(b)(2) to an entity described in paragraph (1).

''(4) ALTERNATIVE FUEL PROJECTS.—In the case of a project that will provide for the use of alternative fuels by privately owned vehicles or vehicle fleets, activities eligible for funding under this subsection—

''(A) may include the costs of vehicle refueling infrastructure, including infrastructure that would support the development, production, and use of innovative water-phased hydrocarbon fuel emulsion technologies, and other capital investments associated with the project;

''(B) shall include only the incremental cost of an alternative fueled vehicle compared to a conventionally fueled vehicle that would otherwise be borne by a private party; and

''(C) shall apply other governmental financial purchase contributions in the calculation of net incremental cost.

''(5) PROHIBITION ON FEDERAL PARTICIPATION WITH RESPECT TO REQUIRED ACTIVITIES.—A Federal participation payment under this subsection may not be made to an entity to fund an obligation imposed under the Clean Air Act (42 U.S.C. 7401 et seq.) or any other Federal law.

''(6) WATER-PHASED HYDROCARBON FUEL EMULSION.—In this subsection, the term 'water-phased hydrocarbon fuel emulsion' consists of a hydrocarbon base and water in an amount not less than 20 percent by volume of the total water-phased fuel emulsion.''.

In the matter proposed to be inserted as section 206(e)(1)(K) of title 23, United States Code, by section 114(a) of the bill, insert ''of 1969'' after ''National Environmental Policy Act''.

In the last sentence of section 111(d) of the bill, strike ''fiscal year 1998, 1999, 2000, 2001, 2002, or 2003, as the case may be'' and insert ''the fiscal year beginning after September 30, 1997''.

In section 117(b) of the bill—

(1) strike ''and'' at the end of paragraph (1);

(2) redesignate paragraph (2) as paragraph (3); and

(3) insert after paragraph (1) the following:

(2) in subsection (d)—

(A) by inserting ''INDIAN RESERVATION ROADS.—'' after ''(d)'';

(B) by inserting ''(1) FOR FISCAL YEARS ENDING BEFORE OCTOBER 1, 1999.—'' before ''On October'';

(C) by inserting after ''each fiscal year'' the following: ''ending before October 1, 1999'';

(D) by adding at the end the following:

''(2) FISCAL YEAR 2000 AND THEREAFTER.—

''(A) IN GENERAL.—All funds authorized to be appropriated for Indian reservation roads shall be allocated among Indian tribes for fiscal year 2000 and each subsequent fiscal year in accordance with a formula established by the Secretary of the Interior under a negotiated rulemaking procedure under subchapter III of chapter 5 of title 5.

''(B) REGULATIONS.—Notwithstanding sections 563(a) and 565(a) of title 5, the Secretary of the Interior shall issue regulations governing the Indian reservation roads program, and establishing the funding formula for fiscal year 2000 and each subsequent fiscal year under this paragraph, in accordance with a negotiated rulemaking procedure under subchapter III of chapter 5 of title 5. The regulations shall be issued in final form not later than April 1, 1999, and shall take effect not later than October 1, 1999.

''(C) NEGOTIATED RULEMAKING COMMITTEE.—In establishing a negotiated rulemaking committee to carry out subparagraph (B), the Secretary of the Interior shall—

''(i) apply the procedures under subchapter III of chapter 5 of title 5 in a manner that reflects the unique government-to-government relationship between the Indian tribes and the United States; and

''(ii) ensure that the membership of the committee includes only representatives of the Federal Government and of geographically diverse small, medium, and large Indian tribes.

''(D) BASIS FOR FUNDING FORMULA.—The funding formula established for fiscal year 2000 and each subsequent fiscal year under this paragraph shall be based on factors that reflect—

''(i) the relative needs of the Indian tribes, and reservation or tribal communities, for transportation assistance; and

''(ii) the relative administrative capacities of, and challenges faced by, various Indian tribes, including the cost of road construction in each Bureau of Indian Affairs area, geographic isolation and difficulty in maintaining all-weather access to employment, commerce, health, safety, and educational resources.''; and

(E) by indenting paragraph (1), as designated by subparagraph (B) of this paragraph, and aligning paragraph (1) with paragraph (2), as added by subparagraph (D) of this paragraph; and

In section 117(d) of the bill—

(1) strike ''and'' at the end of paragraph (3);

(2) strike the period at the end of paragraph (4) and insert ''; and''; and

(3) add at the end the following:

(5) by adding at the end the following:

''(k) SET-ASIDE FOR ADMINISTRATIVE EXPENSES OF INDIAN TRIBES.—

''(1) IN GENERAL.—Up to 1 percent of the funds made available for Indian reservation roads for each fiscal year shall be set aside by the Secretary of the Interior for transportation-related administrative expenses of Indian tribal governments.

''(2) DISTRIBUTION.—The Secretary of the Interior shall make available to each Indian tribal government with an approved application under paragraph (3) an equal percentage of any sum set aside pursuant to paragraph (1).

''(3) APPLICATIONS.—To receive funds under this paragraph, an Indian tribal government must submit to the Secretary of the Interior for approval an application in accordance with the requirements of the Indian Self-Determination and Education Assistance Act. The Secretary of the Interior shall approve any such application that demonstrates that the applicant has the capability to carry out transportation planning activities or is in the process of establishing such a capability.

''(l) APPROVAL OF INDIAN RESERVATION ROAD PROJECTS BY THE SECRETARY.—

''(1) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary shall establish a pilot program (hereinafter in this subsection referred to as the 'program') for the purposes described in paragraph (2) and shall carry out such program in each of fiscal years 1999 through 2003.

''(2) PURPOSE.—The purpose of the program shall be to permit an Indian tribal government to apply directly to the Secretary for authorization to conduct projects on Indian reservation roads using amounts allocated to the Indian tribal government under the Indian reservation roads program.

''(3) TREATMENT AS STATES.—Except as otherwise provided by the Secretary, an Indian tribal government submitting an application to the Secretary under the program shall be subject to the same requirements as a State applying for approval of a Federal-aid highway project.

''(4) SELECTION OF PARTICIPANTS.—

''(A) APPLICATIONS.—An Indian tribal government seeking to participate in the program shall submit to the Secretary an application which is in such form and contains such information as the Secretary may require.

''(B) MAXIMUM NUMBER OF PARTICIPANTS.—The Secretary shall select not more than 10 Indian tribal governments to participate in the program.

''(5) TECHNICAL ASSISTANCE.—The Secretary, in cooperation with the Secretary of the Interior, shall provide technical assistance to Indian tribal governments participating in the program.

''(6) TRANSITIONAL ASSISTANCE.—Upon request of the Secretary, the Secretary of the Interior shall provide to the Secretary such assistance as may be necessary for implementation of the program.

''(7) REPORT.—Not later than September 30, 2001, the Secretary shall transmit to Congress a report on the results of the program. In developing such report, the Secretary shall solicit the comments of Indian tribal governments participating in the program.''.

In section 120 of the bill—

(1) redesignate subsections (a), (b), and (c), as subsections (b), (c), and (d), respectively; and

(2) insert before subsection (b) (as so redesignated) the following:

(a) INCREASED FEDERAL SHARE FOR CERTAIN SAFETY PROJECTS.—The first sentence of section 120(c) is amended by inserting ''and transit vehicles'' after ''emergency vehicles''.

In the matter proposed to be inserted after the second sentence of paragraph (1) of section 135(f) of title 23, United States Code, by section 125(d)(1) of the bill, strike ''elected'' each place it appears.

In section 127(b) of the bill, strike ''Section 104'' and all that follows through the first colon and insert the following:

(1) IN GENERAL.—Section 104 is amended by redesignating subsection (j) as subsection (k), and by inserting after subsection (i) the following:

At the end of section 127(b) of the bill, insert the following:

(2) DIVISION OR SEGMENTATION OF PROJECTS.—Section 145 is amended—

(A) by inserting ''(a) PROTECTION OF STATE SOVEREIGNTY.—'' before ''The authorization''; and

(B) by adding at the end the following:

''(b) DIVISION OR SEGMENTATION OF PROJECTS.—

''(1) IN GENERAL.—A State carrying out a project with funds made available by section 104(j) of this title or section 1103, 1104, 1105, 1106, 1107, or 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 or section 149(b) or 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 may divide or segment the project if such division or segmentation meets the standards established by the Secretary for division or segmentation (as the case may be) of projects under the National Environmental Policy Act of 1969.

''(2) AUTHORITY OF STATES TO CONSTRUCT WITHOUT FEDERAL ASSISTANCE.—Any portion of any project divided or segmented under this section may be constructed without Federal assistance.''.

In the table contained in section 127(c) of the bill—

(1) in item 3 strike ''0.750'' and insert ''1.000'';

(2) in item 5 strike ''2 miles south of Biwabik'' and insert ''CR–535'';

(3) in item 6 strike ''7.000'' and insert ''6.000'';

(4) in item 8 after ''$2,000,000'' insert the following: ''for the S. 277th St./UP project in Auburn/Kent, $2,000,000 for the S. 180th St. project in Tukwila, $1,000,000 for the 8th St. E/B SNF project in Pierce Co., and $1,500,000 for the Shaw Rd. extension and Puyallup'';

(5) in item 11 strike ''Construct'' and all that follows through ''Los''and insert ''Upgrade access to Sylmar/San Fernando Metrolink Station and Westfield Village, Los Angeles'';

(6) in item 19 strike ''15.000'' and insert ''8.150'';

(7) in item 32—

(A) strike ''to establish'' and insert a comma;

(B) strike ''and center''; and

(C) insert ''Bayonne,'' before ''Elizabeth'';

(8) in item 43—

(A) strike ''Missouri'' and insert ''West Virginia'';

(B) strike ''Construct'' and all that follows through ''St. Louis'' and insert ''Construct I–73/74 Corridor, including an interchange with US–460, Mercer County''; and

(C) strike ''1.200'' and insert ''15.000'';

(9) in item 74 strike ''1.520'' and insert ''1.920'';

(10) in item 80 strike ''Bibb'' and insert ''Perry'';

(11) in item 90 strike ''5.290'' and insert ''3.385'';

(12) in item 95—

(A) strike ''work'' and insert ''construction''; and

(B) strike ''I–65'' and insert ''city of Huntsville'';

(13) in item 104 strike ''5.000'' and insert ''19.200'';

(14) in item 108 strike ''Design'' and all that follows through ''bypass,'' and insert ''Preliminary engineering and right-of-way acquisition for 'Intertown South' route of US 31 bypass, Emmet County;

(15) in item 129—

(A) strike ''209'' and insert ''290''; and

(B) strike ''16.000'' and insert ''18.000;

(16) in item 133 strike ''Kaumualili'' and insert ''Kaumualii'';

(17) in item 135—

(A) strike ''Illinois'' and insert ''West Virginia'';

(B) strike ''Construct'' and all that follows through ''Chicago'' and insert ''Construct Shawnee Parkway between junction with I–73/74 corridor and I–77''; and

(C) strike ''1.000'' and insert ''5.000'';

(18) in item 142 strike ''to Bowstring River'' and insert ''and Highway 1'';

(19) in item 143 strike ''0.500'' and insert ''4.500'';

(20) in item 148 strike ''I–69'' and insert ''I–96'';

(21) in item 162 strike ''Bro'' and insert ''Brownsville'';

(22) in item 194 strike ''Construct'' and all that follows through ''replacement)'' and insert ''Replacement and renovation of Carlton Bridge, Bath/Woolwich'';

(23) in item 196 strike ''Tutilla Island'' and insert ''Tutuila/Manua Islands'';

(24) in item 208—

(A) strike ''on'' and insert ''an''; and

(B) strike ''1.600'' and insert ''1.200'';

(25) in item 216 strike ''8.000'' and insert ''14.000'';

(26) in item 227 strike ''14.000'' and insert ''19.000'';

(27) in item 237 insert ''on Telegraph Road'' after ''boulevard'';

(28) strike item 244 and insert the following:

244. Indiana ..... Upgrade 93rd Avenue in Merrillville 5.900

(29) in item 248 strike ''3.000'' and insert ''4.000'';

(30) in item 254 strike ''Angelese'' and insert ''Angeles'';

(31) in item 258 strike ''0.170'' and insert ''0.400'';

(32) in item 262 insert '', San Ysidro'' after ''Yard'';

(33) strike item 286 and insert the following:

286. Indiana ..... Construct Marina Access Road in East Chicago 1.000

(34) in item 300 strike ''7.000'' and insert ''8.000'';

(35) in item 303 strike ''13.000'' and insert ''12.000'';

(36) in item 342—

(A) strike ''Construct'' and insert ''Reconstruct'';

(B) strike ''to'' and insert ''at''; and

(C) strike ''8.000'' and insert ''15.000'';

(37) in item 381 strike ''Construct'' and all that follows through ''Westfield'' and insert ''Design, engineer, and right-of-way acquisition of the Great River Bridge, Westfield'';

(38) in item 391 strike ''Kapkowsk'' and insert ''Kapowski'';

(39) in item 394 strike ''10.310'' and insert ''2.000'';

(40) in item 415 after ''College'' insert '', including a new interchange on S.R. 0029'';

(41) in item 444—

(A) after ''Project'' insert ''in Passaic County''; and

(B) after ''for the Route'' the last place it appears insert ''46/Union Blvd. Interchange reconstruction project'';

(42) in item 447 strike ''Destrehan Ave. and Lapalco Blvd.'' and insert ''Barataria Blvd. and US Hwy. 90'';

(43) in item 474 strike ''9.500'' and insert ''7.500'';

(44) in item 478 insert ''in Murfreesboro'' after ''River'';

(45) in item 482 strike ''Kawahihee'' and insert ''Kawaihae'';

(46) in item 484 strike ''Upgrade'' and insert ''Operational improvements on'';

(47) in item 497 strike ''40'' and insert ''45'';

(48) in item 535 strike ''2.000'' and insert ''4.500'';

(49) in item 544 strike ''3.500'' and insert ''1.900'';

(50) in item 558 strike ''4.000'' and insert ''5.000'';

(51) in item 564 strike ''0.250'' and insert ''0.500'';

(52) in item 596 strike ''1.000'' and insert ''0.500'';

(53) in item 610 strike ''Upgrade'' and all that follows through ''Hill'' and insert ''Alternative transportation systems'';

(54) in item 613 strike ''Upgrade'' and insert ''Operational improvements on'';

(55) in item 615 strike ''Construct'' and all that follows through ''Los Angeles'' and insert ''Upgrade CA Rt. 2 Southern Freeway terminus and transportation efficiency improvements to Glendale Blvd. in Los Angeles'';

(56) in item 619—

(A) strike ''George'' and insert ''Georgia''; and

(B) strike ''4.000'' and insert ''5.000'';

(57) in item 625—

(A) strike ''Ohio'' and insert ''West Virginia'';

(B) ''Construct'' and all that follows through ''Lorain'' and insert ''Construct I–73/74 Corridor including connectors with WV Rt. 44 and Co. Rt. 13 (Gilbert Creek), Mingo County''; and

(C) strike ''2.400'' and insert ''10.000'';

(58) in item 636 strike ''2.000'' and insert ''2.197'';

(59) strike item 662 and insert the following:

662.	Louisiana	Construct the Zachary Taylor Parkway project	1.000

(60) in item 717 strike ''0.750'' and insert ''1.000'';

(61) in item 735 strike ''the airport'' and insert ''Commerce Blvd.'';

(62) strike item 738 and insert the following:

738.	North Carolina.	Upgrade US–158 in Warren and Halifax Counties	3.000

(63) in item 759 strike ''Williamsport'' and insert ''Lycoming County'';

(64) in item 831 strike ''23.500'' and insert ''1.500'';

(65) in item 846 strike ''14.750'' and insert ''12.000'';

(66) in item 847 insert ''Construct'' before ''Ontario'';

(67) in item 857 strike ''10.000'' and insert ''15.000'';

(68) in item 884 strike ''I–15'' and insert ''I–10'';

(69) in item 859 strike ''4.300'' and insert ''2.000'';

(70) in item 872 strike ''5.000'' and insert ''5.250'';

(71) in item 887 strike ''Hourma'' and insert ''Houma'';

(72) in item 913 strike ''Engineering'' and all that follows through ''construction of'' and insert ''Engineer, acquire right-of-way, and construct'';

(73) in item 926 strike ''Construct'' and insert ''Acquire right-of-way and construct'';

(74) in item 939 insert after ''FM521'' insert ''and dedicate $630,000 to the acquisition of right-of-way in Brazoria County'';

(75) in item 961 strike ''County'';

(76) in item 971 strike ''12.000'' and insert ''7.000''.

(77) in item 993 strike ''1.500'' and insert ''23.500'';

(78) in item 1033 strike ''12.000'' and insert ''11.000'';

(79) in item 1044 after ''Kentucky'' the first place it appears, insert ''and Indiana'';

(80) strike item 1049 and insert the following:

1049.	New York ..	Construct CR–3 at Southern State Parkway overpass between Long Island Expressway and Colonial Springs	1.400

(81) in item 1079 strike ''10.200'' and insert ''12.500'';

(82) in item 1103 strike ''Evergreen County'' and insert ''the city of Evergreen in Jefferson County'';

(83) in item 1125 strike ''I–80'' and insert ''I–180'';

(84) in item 1150—

(A) strike ''to Adirondack''; and

(B) strike ''14.000'' and insert ''14.200'';

(85) in item 1197 strike ''Conduct'' and all that follows through ''of'' and insert ''Construct'';

(86) in item 1206 insert after ''Michigan'' the second place it appears the following: ''by extending 36th Street, improving 48th Street, and constructing the I–96/Whitneyville Interchange'';

(87) in item 1213 strike ''4.800'' and insert ''5.410'';

(88) strike item 1238 and insert the following:

1238.	Alabama ...	Construct Eastern Black Warrior River Bridge and acquire right-of-way and construct an extension of the Black Warrior Parkway from US–82 to US–43 in Tuscaloosa County	23.000

(89) in item 1291 strike ''15.000'' and insert ''16.000'';

(90) in item 1353 strike ''in Hancock'' and insert ''from SR–235 in Hancock County to the Ontario Bypass in Richland County'';

(91) strike item 1362 and insert the following:

1362.	Pennsylvania.	Conduct preliminary engineering on the relocation of exits 4 and 5 on I–83 in York County	2.000

(92) in item 1368 strike ''6.000'' and insert ''5.000'';

(93) in item 1373 strike ''Reconstruct'' and all that follows through ''Yakima'' and insert the following: ''Reconstruct I–82/SR–24 intersection and add lanes on SR–24 to Keys Road'';

(94) in item 1379 strike ''US–127'' and insert ''US–231'';

(95) in item 1387 strike ''San Bernardino'' and insert ''Victorville/Apple Valley'';

(96) in item 1412 insert a slash after ''Office'';

(97) in item 1423 strike ''4.825'' and insert ''4.740'';

(98) in item 1443 strike ''Construct'' and all that follows through ''Road'' and insert the following: ''Conduct preliminary engineering, acquire right-of-way, and construct I–75/North Down River Road interchange'';

(99) in item 1444 strike ''CR–96'' and insert ''CR–82''; and

(100) after item 1467 insert the following:

1468.	Kansas	Construct Phase II improvements to US–59 from US–56 to Ottawa	10.000
1469.	Pennsylvania.	Rehabilitate Kenmawr Bridge, Swissvale	0.450
1470.	Pennsylvania.	Construct Steel Heritage Trail between Glenwood Bridge to Clairton via McKeesport	0.482
1471.	Illinois	Construct Technology Ave. between US Rt. 45 East to Willenborg St., Effingham	2.735
1472.	Pennsylvania.	Conduct preliminary engineering and design for US–219 bypass of Bradford ..	1.000
1473.	Texas	Construct relief route around Alice	0.250
1474.	Ohio	Upgrade State Rt. 18 between I–71 and I–77	2.400
1475.	Illinois	Upgrade St. Marie Township Rd., Jasper County	0.036

1476.	Illinois	Upgrade US 40 in Martinsville	0.094
1477.	Michigan	Repair 48th Ave., Menominee	0.270
1478.	Illinois	Undertake improvements to Campus Transportation System, Chicago	2.000
1479.	Maine	Construct I–95/Stillwater Avenue interchange	2.000
1480.	Maine	Improve Route 26	1.500
1481.	Maine	Improve Route 23	0.500
1482.	Massachusetts.	Construct Minuteman Commuter Bikeway—Charles River Bikeway connector, Cambridge and Watertown	0.750
1483.	Massachusetts.	Construct Cambridge Roadways Improvement project, Cambridge	3.000
1484.	Massachusetts.	Upgrade Sacramento Street underpass, Somerville	0.250
1485.	Massachusetts.	Reconstruct roadways, Somerville	3.000
1486.	Michigan	Construct improvements to 23 Mile Rd. between Mound Rd. and M–53, Macomb	3.000
1487.	Minnesota	Conduct study of potential for diversion of traffic from the I–35 corridor to commuter rail, Chisago County north of Forest Lake along I–35 corridor to Rush City	0.500
1488.	Minnesota	Construct Elk River bypass from 171st Ave. at Highway 10 to intersection of County Roads 12 and 13 at Highway 169	3.200
1489.	Minnesota	Construct grade separated interchange at south junction of TH 371/Brainerd bypass	1.000
1490.	New York	Construct Fordham University regional transportation facility	3.000
1491.	New York	Construct bike paths in the Riverdale section of the Bronx	0.500
1492.	New York	Construct Phase II of the City of Mount Vernon's New Haven Railroad Redevelopment	2.000
1493.	New York	Construct Bike Paths along the Bronx River in Bronx Park	0.500
1494.	New York	Rehabilitate transportation facilities in CO–OP City	1.000
1495.	New York	Construct sound barriers on both sides of Grand Central Parkway between 172nd St. to Chevy Chase Rd	1.940
1496.	New York	Construct sound barriers on east side of Clearview Expressway between 15th Rd. and Willets Point Blvd.	0.400
1497.	New York	Construct sound barriers on Grand Central Parkway between 244th St. and Douglaston Parkway	0.500
1498.	New York	Rehabilitate roads, Village of Great Neck	0.160
1499.	Tennessee	Construct pedestrian and bicycle pathway to connect with the Mississippi River Trail, and restore adjacent historic cobblestones on riverfront, Memphis	3.000
1500.	Texas	Expand Winters Freeway (US83/84) in Abilene between Southwest Drive and US 277	11.200

1501.	New York ..	Reconstruct Springfield Blvd. between the Long Island Rail main line south to Rockaway Blvd., Queens County	4.000
1502.	Pennsylvania.	Construct Frazier Township interchange on SR–28 in Allegheny	3.000
1503.	Minnesota	Reconstruct St. Louis CSAH 9 (Wallace Avenue) in Duluth	0.600
1504.	California	Reimburse costs associated with the relocation and protection work performed relating to pipelines, cables, and other facilities impacted by the construction of the Mid-Trench section of the Alameda Corrido project	5.350
1505.	Ohio	Construct grade separation at Dille Road in Euclid	5.000
1506.	Nevada	Widen I–15 from the California State line to Las Vegas	2.500
1507.	Nevada	Improve at-grade railroad crossings in Reno	2.500

At the end of section 133 of the bill, add the following:

(h) SURVEY OF STATE PRACTICES ON SPECIFIC SERVICE SIGNING.—

(1) STUDY.—The Secretary shall conduct a study to determine the practices in the States for specific service food signs described in sections 2G–5.7 and 2G–5.8 of the Manual on Uniform Traffic Control Devices for Streets and Highways. The study shall, at a minimum, examine—

(A) the practices of States for determining businesses eligible for inclusion on such signs;

(B) whether States allow businesses to be removed from such signs and the circumstances for such removal;

(C) the practices of States for erecting and maintaining such signs, including the time required for erecting such signs;

(D) whether States contract out the erection and maintenance of such signs; and

(E) a survey of States' practices on the issues identified in subparagraphs (A) through (D).

(2) REPORT.—Before the last day of the 1-year period beginning on the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study, including such recommendations and modifications to the Manual as the Secretary determines appropriate as a result of the study. Such modifications may be made as part of any revision to the Manual.

In section 136(a)(1) of the bill, redesignate subparagraphs (B), (C), (D), (E), and (F) as subparagraphs (C), (D), (E), (F), and (G), respectively, and strike subparagraph (A) and insert the following:

(A) by striking paragraph (5)(B)(iii)(I)(ff) and inserting the following:

''(ff) South Carolina State line to the Myrtle Beach Conway region to Georgetown, South Carolina, including a connection to Andrews following the route 41 corridor and to Manning following the U.S. Route 521 corridor; and'';

(B) by striking paragraph (5)(B)(iii)(II)(hh) and inserting the following:

''(hh) South Carolina State line to the Myrtle Beach Conway region to Georgetown, South Carolina.''.

In the matter proposed to be inserted as paragraph (34) of section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 by section 136(a)(1)(F) of the bill—

(1) insert after ''Alameda Corridor East'' the following: ''and Southwest Passage, California. The Alameda Corridor East is''; and

(2) insert after ''Bernardino.'' the following: ''The Southwest Passage shall follow I–10 from San Bernardino to the Arizona State line and I–8 from San Diego to the Arizona State line.''.

Strike the closing quotation marks and the final period at the end of the matter proposed to be inserted as paragraph (39) of section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 by section 136(a)(1)(F) of the bill and insert the following:

''(40) United States Route 277/United States Route 83 Corridor between I–44 in Wichita Falls, Texas, and I–20 in Abilene, Texas.''.

In section 140 of the bill—

(1) insert ''(a) CONTRACTING PROCEDURES.—'' before ''Section 112(b)(2)''; and

(2) insert at the end the following:

(b) SELECTION PROCESS.—Section 112 is further amended by adding at the end the following:

''(g) SELECTION PROCESS.—A State may procure, under a single contract, the services of a consultant to prepare any environmental impact assessments or analyses required, including environmental impact statements, as well as subsequent engineering and design work on the same project if the State has conducted a review that assesses the objectivity of any analysis, environmental assessment, or environmental impact statement prior to its submission to the Secretary.''.

After section 143 of the bill, insert the following:

SEC. 144. SUBSTITUTE PROJECT.

(a) APPROVAL OF PROJECT.—Notwithstanding any other provision of law, upon the request of the Mayor of the District of Columbia, the Secretary may approve substitute highway and transit projects under section 103(e)(4) of title 23, United States Code, as in effect on the day before the date of the enactment of this Act, in lieu of construction of the Barney Circle Freeway project in the District of Columbia, as identified in the 1991 Interstate Cost Estimate.

(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—Upon approval of any substitute project or projects under subsection (a)—

(1) the cost of construction of the Barney Circle Freeway Modification project shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

(2) substitute projects approved pursuant to this section shall be funded from interstate construction funds apportioned or allocated to the District of Columbia that are not expended and not subject to lapse on the date of the enactment of this Act.

(c) FEDERAL SHARE.—The Federal share payable on account of a project or activity approved under this section shall be 85 percent of the cost thereof; except that the exception set forth in section 120(b)(2) of title 23, United States Code, shall apply.

(d) LIMITATION ON ELIGIBILITY.—Any substitute project approved pursuant to subsection (a) (for which the Secretary finds that sufficient Federal funds are available) must be under contract for construction, or construction must have commenced, before the last day of the 4-year period beginning on the date of the enactment of this section. If the substitute project is not under contract for construction, or construction has not commenced, by such last day, the Secretary shall withdraw approval of the substitute project.

SEC. 145. USE OF HOV LANES BY ELECTRIC VEHICLES.

Section 102(a) is amended by adding at the end the following: ''Notwithstanding the preceding sentence, before September 30, 2003, a State may permit an electric vehicle with fewer than 2 occupants to operate in high occupancy vehicle lanes if the vehicle is certified and labeled as an Inherently Low Emission Vehicle pursuant to section 88.313–93 of title 40, Code of Federal Regulations, provided that such permission may be revoked by the State should the State determine it necessary.''.

Conform the table of contents of the bill accordingly.

At the end of section 202 of the bill, add the following:

(f) HIGHWAY SAFETY EDUCATION AND INFORMATION.—

(1) IN GENERAL.—For fiscal years 1999 and 2000, the Secretary shall allow any State to use funds apportioned to it under section 402 of title 23, United States Code to purchase television and radio time for the placement of highway safety public service messages.

(2) STUDY.—The Secretary shall conduct a study of the effectiveness of the public service messages and transmit a report on the results of the study together with the transmittal under section 508 of this Act.

At the end of section 207, add the following:

(c) EVALUATION AND ASSESSMENT OF ALTERNATIVES.—

(1) EVALUATION.—The Secretary shall evaluate the implementation of chapter 303 of title 49, United States Code, and the programs under sections 31106 and 31309 of such title and identify alternatives to improve the ability of the States to exchange information about unsafe drivers and to identify drivers with multiple licenses.

(2) TECHNOLOGY ASSESSMENT.—The Secretary, in conjunction with the American

Association of Motor Vehicle Administrators, shall conduct an assessment of available electronic technologies to improve access to and exchange of motor vehicle driving records. The assessment may consider alternative unique motor vehicle driver identifiers that would facilitate accurate matching of drivers and their records.

(3) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the evaluation and technology assessment, together with any recommendations for appropriate administrative and legislative actions.

In section 306(g) of the bill, strike ''amended—'' and all that follows through ''(2) by'' and insert ''amended by''.

In section 332(a) of the bill—

(1) in paragraph (43) after ''East-West'' insert ''Intermodal'';

(2) strike paragraph (58), relating to Oklahoma City—MAPS Link;

(3) in paragraph (90)—

(A) strike ''Commuter Rail'';

(B) after ''Northstar'' insert ''Corridor''; and

(C) strike the parenthetical phrase and insert the following: ''(Downtown, Minneapolis-Anoka County-St. Cloud)'';

(4) redesignate succeeding paragraphs accordingly; and

(5) add at the end the following:

(96) Pittsburgh North Shore-Central Business District Corridor.

(97) Pittsburgh—Stage II Light Rail.

(98) Boston—North-South Rail Link.

(99) Spokane—South Valley Corridor Light Rail.

(100) Miami—Palmetto Metrorail.

In section 332(b) of the bill—

(1) strike paragraph (35), relating to Miami—Palmetto Metrorail, and paragraph (57), relating to Pittsburgh—Stage II Light Rail Reconstruction;

(2) redesignate succeeding paragraphs accordingly; and

(3) add at the end the following:

(70) California—North Bay Commuter Rail.

In the table contained in section 333 of the bill—

(1) in item 7 strike ''0.000'' and insert ''0.200'';

(2) in item 41 strike ''0.000'' and insert ''0.500'';

(3) in item 62 strike ''0.000'' and insert ''0.300'';

(4) in item 65 strike ''1.625'' each place it appears and insert ''1.250'';

(5) strike item 66 and insert the following:

66. New York, NY West 72nd St. Intermodal Station	1.750	

(6) in item 73—

(A) strike ''1.750'' the first place it appears and insert ''2.250''; and

(B) strike ''1.750'' the second place it appears and insert ''2.750'';

(7) strike the line relating to item 77 (Mobile);

(8) strike the line relating to item 86 (Norwalk);

(9) in item 103—

(A) strike ''1.000'' and insert ''1.250''; and

(B) strike ''0.000'' and insert ''1.250'';

(10) in item 121 strike ''Stapleton, CO'' and insert ''Denver, CO Stapleton'';

(11) strike the line relating to item 126 (Tucson);

(12) in item 142 strike ''buses'' and insert ''Bus Facility'';

(13) after item 149 insert the following:

150. Allegheny County, PA buses	0.000	1.500

Redesignate the items in the table contained in section 333 of the bill accordingly.

In title III of the bill, insert after section 339 the following:

SEC. 340. CLEAN FUEL VEHICLES.

(a) STUDY.—The Comptroller General shall conduct a study of the various low and zero emission fuel technologies for transit vehicles, including compressed natural gas, liquified natural gas, biodiesel fuel, battery, alcohol based fuel, hybrid electric, fuel cell, and clean diesel to determine the status of the development and use of such technologies, the environmental benefits of such technologies under the Clean Air Act, and the cost of such technologies and any associated equipment.

(b) REPORT.—Not later than January 1, 2000, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate a report on the results of the study, together with recommendations for incentives to encourage the use of low and zero emission fuel technology for transit vehicles.

Conform the table of contents of the bill accordingly.

In title IV of the bill, insert after section 422 the following:

SEC. 423. ELECTRONIC DATA STUDY.

(a) IN GENERAL.—The Secretary shall contract with an entity that is independent of the Department of Transportation to conduct a study to identify, examine, and evaluate current and future issues and policies related to government access to data produced by electronic systems for motor carrier regulatory enforcement. The entity shall have demonstrated knowledge about the motor carrier industry, motor carrier safety regulations, and the electronic information industry.

(b) INSPECTOR GENERAL.—The Office of the Inspector General of the Department of Transportation shall approve the statement of work of the entity referred to in subsection (a) and approve the contract award under subsection (a). In carrying out its responsibilities under this subsection, the Office of the Inspector General shall perform such overview and validation or verification of data as may be necessary to ensure that the study to be conducted under subsection (a) meets the requirements of subsection (a).

(c) DEADLINE.—The study to be conducted under subsection (a) shall be completed not later than 2 years after the date of the enactment of this Act. A report containing the results of the study shall be submitted to the Secretary and Congress.

(d) FUNDING.—Of amounts made available under section 127(a)(3)(H), $100,000 for fiscal year 1998, $200,000 for fiscal year 1999, and $200,000 for fiscal year 2000 shall be available to carry out this subsection.

Conform the table of contents of the bill accordingly.

In section 508 of the bill—

(1) redesignate paragraphs (4), (5), and (6) as paragraphs (6), (7), and (8), respectively; and

(2) insert after paragraph (3) the following:

(4) determine whether to approve a revised formula for the distribution of funds under section 104(b)(2) of title 23, United States Code, for the congestion mitigation and air quality improvement program due to the designation of new nonattainment areas by the Environmental Protection Agency;

After section 603 of the bill, insert the following:

SEC. 604. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds authorized for carrying out this title or the amendments made by this title are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committee on Transportation and Infrastructure and the Committee on Science of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NOTICE OF REORGANIZATION.—The Secretary of Transportation shall provide notice to the Committee on Transportation and Infrastructure and the Committee on Science of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the Department of Transportation for which funds are authorized by this title or the amendments made by this title.

SEC. 605. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the Department of Transportation should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Department of Transportation posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Department of Transportation is unable to correct in time.

In section 611(c) of the bill, in the matter proposed to be inserted as section 307(b)(4)(A) of title 23, United States Code, insert '', consistent with the plan developed under section 5506 of title 49,'' after ''advanced research program''.

In section 611(c) of the bill, in the matter proposed to be inserted as section 307(b)(4)(B)(ii) of title 23, United States Code, strike ''assessment of failure risks'' and insert ''the assessment of risks of failure, including from seismic activity, vibration, and weather''.

In section 611(c) of the bill, in the matter proposed to be inserted as section 307(b)(4)(B)(v) of title 23, United States Code, strike ''Particulate'' and insert ''Environmental research, including particulate''.

In section 611(c) of the bill, in the matter proposed to be inserted as section 307(b)(4)(B)(vii) of title 23, United States Code, strike ''Prediction'' and insert ''Human factors, including prediction''.

Strike paragraphs (1) and (2) of section 611(d) of the bill and insert the following:

(1) by amending subparagraph (A) to read as follows:

''(A) Methods, materials, and testing to improve the durability of surface transportation infrastructure facilities and extend the life of bridge structures, including new and innovative technologies to reduce corrosion and tests simulating seismic activity, vibration, and weather.'';

(2) by striking subparagraph (C);

(3) by redesignating subparagraph (D) as subparagraph (C); and

(4) by adding after subparagraph (C), as so redesignated, the following new subparagraphs:

''(D) Research on the use of recycled materials, such as paper and plastic fiber reinforcement systems.

''(E) New innovative technologies to enhance and facilitate field construction and rehabilitation techniques for minimizing disruption during repair and maintenance of structures.

''(F) Expansion of knowledge of implementing life cycle cost assessment, including establishing the appropriate analysis period and discount rates, learning how to value and properly consider user costs, determining tradeoffs between reconstruction and rehabilitation, and establishing methodologies for balancing higher initial costs of new technologies and improved or advanced materials against lower maintenance costs.

''(G) Standardized estimates of useful life under various conditions for advanced materials of use in surface transportation. Such estimates shall be developed in conjunction with the National Institute of Standards and Technology and other appropriate organizations.''.

In section 611(e) of the bill, strike paragraphs (1) and (2) and insert the following:

(1) by striking subsections (c), (d), and (e) and inserting the following:

''(c) STUDY OF FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—

''(1) STUDY.—

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Building Efficient Surface Transportation and Equity Act of 1998, the Secretary shall make a grant to, or enter into a cooperative agreement or contract with, the Transportation Research Board of the National Academy of Sciences (referred to in this subsection as the ''Board'') to conduct a study to determine the goals, purposes, research agenda and projects, administrative structure, and fiscal needs for a new strategic highway research program to replace the program established under section 307(d) (as in effect on the day before the date of enactment of the Building Efficient Surface Transportation and Equity Act of 1998), or a similar effort.

''(B) CONSULTATION.—In conducting the study, the Board shall consult with the American Association of State Highway and Transportation Officials and such other entities as the Board determines to be necessary to the conduct of the study.

''(2) REPORT.—Not later than 2 years after making a grant or entering into a cooperative agreement or contract under subsection (a), the Board shall submit a final report on the results of the study to the Secretary, the Committee on Transportation and Infrastructure and the Committee on Science of the House of Representatives, and the Committee on Environment and Public Works of the Senate.''; and

(2) by redesignating subsections (f), (g), and (h) as subsections (d), (e), and (f).

In section 611(f) of the bill, strike ''307(c)'' and insert ''307(d)''.

In section 611(g) of the bill, strike ''307(e)'' and insert ''307(f)''.

In section 611(h) of the bill, in the matter proposed to be added at the end of section 307 of title 23, United States Code, redesignate subsection (f) as subsection (g).

At the end of section 611 of the bill, add the following new subsection:

(j) TECHNOLOGICAL INNOVATION.—Section 307 is amended by adding at the end the following new subsection:

''(h) TECHNOLOGICAL INNOVATION.—The programs and activities carried out under this section shall be consistent with the plan developed under section 5506 of title 49.''.

In section 612 of the bill, at the end of the matter proposed to be inserted as section 313 of title 23, United States Code, strike the closing quotation marks and the final period and insert the following:

''(e) ANNUAL REPORT.—Each State shall report annually to the Secretary on the level of its funding for research and development activities described in subsection (a)(5). A State may provide such information as part of another report that the State provides to the Secretary.''.

In section 623(b) of the bill, redesignate paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively.

In section 623(b) of the bill, insert before paragraph (2), as so redesignated, the following new paragraph:

(1) in subsection (a), by inserting '', including information obtained pursuant to section 307(b)(5)(F) and (G)'' after ''modern highway technology'';

In section 623(b)(3) of the bill, as so redesignated, insert '', and in paragraph (1) of that subsection, by inserting 'concrete,' after 'pavement,'' after ''as subsection (c)''.

In section 624 of the bill, in the matter proposed to be inserted as section 5505(c)(2) of title 49, United States Code, insert '', except as provided in subsection (i),'' after ''competitive process''.

In section 624 of the bill, in the matter proposed to be inserted as section 5505(g)(2) of title 49, United States Code, insert ''and consistent with the plan developed under section 5506'' after ''least annually''.

In section 624 of the bill, at the end of the matter proposed to be inserted as section 5505 of title 49, United States Code, strike the closing quotation marks and the final period and insert the following:

''(18) University of Maine.

''(19) Tennessee Technological University.

''(20) Middle Tennessee State University.

''(21) The University of Maryland.''.

After section 632 of the bill, insert the following (and conform the table of contents of the bill accordingly):

SEC. 633. TRANSPORTATION RESEARCH AND TECHNOLOGY DEVELOPMENT.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''§ 5506. Surface transportation research planning

''(a) IN GENERAL.—The Secretary of Transportation shall—

''(1) establish a strategic planning process, consistent with section 306 of title 5, United States Code, for the Department of Transportation to determine national transportation research and technology development priorities related to surface transportation;

''(2) coordinate Federal surface transportation research and technology development activities;

''(3) measure the results of those activities and how they impact the performance of the national surface transportation system; and

''(4) ensure that planning and reporting activities carried out under this subchapter are coordinated with all other surface transportation planning and reporting requirements.

''(b) IMPLEMENTATION.—The Secretary shall—

''(1) provide for the integrated planning, coordination, and consultation among the operating administrations, all other Federal agencies with responsibility for surface transportation research and technology development, State and local governments, institutions of higher education, industry, and other private and public sector organizations engaged in surface transportation-related research and development activities;

''(2) ensure that the Department's surface transportation research and technology development programs do not duplicate other Federal, State, or private sector research and development programs; and

''(3) provide for independent validation of the scientific and technical assumptions underlying the Department's surface transportation research and technology development plans.

''(c) SURFACE TRANSPORTATION RESEARCH AND TECHNOLOGY DEVELOPMENT STRATEGIC PLAN.—

''(1) DEVELOPMENT.—The Secretary shall develop an integrated surface transportation research and technology development strategic plan.

''(2) CONTENTS.—The plan shall include—

''(A) an identification of the general goals and objectives of the Department of Transportation for surface transportation research and development;

''(B) a description of the roles of the Department of Transportation and other Federal agencies in achieving the goals identified under subparagraph (A), in order to avoid unnecessary duplication of effort;

''(C) a description of the Department's overall strategy, and the role of each of the operating administrations in carrying out the plan over the next 5 years including a description of procedures for coordination of its efforts with the operating administrations and with other Federal agencies;

''(D) an assessment of how State and local research and technology development activities are contributing to the achievement of the goals identified under subparagraph (A);

''(E) details of the Department's surface transportation research and technology development programs, including performance goals, resources needed to achieve those goals, and performance indicators as described in section 1115(a) of title 31, United States Code, for the next 5 years for each area of research and technology development;

''(F) significant comments on the plan and its contents obtained from outside sources; and

''(G) responses to significant comments obtained from the National Research Council and other advisory bodies, and a description of any corrective actions taken pursuant thereto.

''(3) NATIONAL RESEARCH COUNCIL REVIEW.—The Secretary shall enter into an agreement for the review by the National Research Council of the details of each—

''(A) strategic plan or revision required under section 306 of title 5, United States Code;

''(B) performance plan required under section 1115 of title 31, United States Code; and

''(C) program performance report required under section 1116 of title 31, United States Code,

with respect to surface transportation research and technology development.

''(4) PERFORMANCE PLANS AND REPORTS.—In complying with sections 1115 and 1116 of title 31, United States Code, the Secretary shall include—

''(A) a summary of the results for the previous fiscal year of surface transportation research and technology development programs to which the Department of Transportation contributes, along with—

''(i) an analysis of the relationship between those results and the goals identified under paragraph (2)(A); and

''(ii) a description of the methodology used for assessing the results; and

''(B) a description of significant surface transportation research and technology development initiatives, if any, undertaken during the previous fiscal year which were not in the plan developed under paragraph (1), and any significant changes in the plan from the previous year's plan.

''(d) MERIT REVIEW AND PERFORMANCE MEASUREMENT.—The Secretary shall, within one year after the date of the enactment of this section, transmit to the Congress a report describing competitive merit review procedures for research and technology development, and performance measurement procedures for surface transportation research and technology development and demonstrations.

''(e) PROCUREMENT PROCEDURES.—The Secretary shall—

''(1) develop model procurement procedures that encourage the use of advanced technologies; and

''(2) develop model transactions for carrying out and coordinating Federal and State surface transportation research and technology development activities.

''(f) CONSISTENCY WITH GOVERNMENT PERFORMANCE AND RESULTS ACT OF 1993.—The plans and reports developed under this section shall be consistent with and incorporated as part of the plans developed under section 306 of title 5, United States Code, and sections 1115 and 1116 of title 31, United States Code.

''§ 5507. Surface transportation-environment cooperative research program

''(a) IN GENERAL.—The Secretary of Transportation shall establish and carry out a surface transportation and environment cooperative research program.

''(b) CONTENTS.—The program to be carried out under this section shall include research designed to—

''(1) develop more accurate models for evaluating transportation control measures and transportation system designs that are appropriate for use by State and local governments, including metropolitan planning organizations, in designing implementation plans to meet Federal, State, and local environmental requirements;

''(2) improve understanding of the factors that contribute to the demand for transportation, including transportation system design, demographic change, land use planning, and communications and other information technologies; and

''(3) develop indicators of economic, social, and environmental performance of transportation systems to facilitate analysis of potential alternatives.

''(c) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—In consultation with appropriate Federal agencies, the Secretary shall establish an advisory board to recommend environmental and energy conservation research, technology, and technology transfer activities related to surface transportation.

''(2) MEMBERSHIP.—The advisory board shall include—

''(A) representatives of State transportation and environmental agencies;

''(B) transportation and environmental scientists and engineers; and

''(C) representatives of metropolitan planning organizations, transit operating agencies, and environmental organizations.

''(d) NATIONAL ACADEMY OF SCIENCES.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such activities relating to the research, technology, and technology transfer activities described in subsection (b) as the Secretary determines to be appropriate.

''(e) FUNDING.—Funding for carrying out this section shall be derived from funds made available under section 127(a)(3)(F) of the Building Efficient Surface Transportation and Equity Act of 1998.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 55 of title 49, United States Code, is amended by inserting after the item relating to section 5505 the following:

''5506. Surface transportation research planning.

''5507. Surface transportation-environment cooperative research program.''.

In section 652(b)(4) of the bill, insert '', and including the handicapped'' after ''and motorcycles''.

In section 652(b)(7) of the bill, strike ''and'' at the end.

In section 652(b)(8) of the bill, strike the period and insert ''; and''.

At the end of section 652 of the bill, add the following new paragraph:

(9) the development of a workforce capable of developing, operating, and maintaining intelligent transportation systems.

In section 654 of the bill, amend subsection (b) to read as follows:

(b) REPORTING.—The plan described in subsection (a) shall be transmitted and updated as part of the plan developed under section 5506 of title 49, United States Code.

At the end of section 655(c) of the bill, add the following:

Such tests shall be designed for the collection of data to permit objective evaluation of the results of the tests and the derivation of cost-benefit information that is useful to others contemplating the deployment of similar systems.

In section 655(d) of the bill, strike ''work shall incorporate human factors research findings'' and insert ''work—

''(1) shall incorporate human factors research, which may include research in the science of the driving process, to improve the operational efficiency and safety of intelligent transportation systems;

''(2) may incorporate research on environmental, weather, and natural conditions that impact intelligent transportation systems, including the effects of cold climates; and

''(3) may incorporate materials or magnetics research''.

Strike section 658 of the bill and redesignate section 659 as section 658. Conform the table of contents of the bill accordingly.

After section 802 of the bill, insert the following:

SEC. 803. AMENDMENT OF NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Section 203 of the National Sea Grant College Program Act (33 U.S.C. 1122) is amended—

(1) by striking paragraph (5);

(2) by redesignating paragraphs (6) through (17) as paragraphs (5) through (16), respectively;

(3) by redesignating subparagraphs (C) through (F) of paragraph (7), as so redesignated, as subparagraphs (D) through (G), respectively; and

(4) by inserting after subparagraph (B) of paragraph (7), as so redesignated, the following:

''(C) Lake Champlain (to the extent that such resources have hydrological, biological, physical, or geological characteristics and problems similar or related to those of the Great Lakes);''.

Conform the table of contents of the bill accordingly.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. SHUSTER

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that my amendment be modified with the modification that I have placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. Shuster to the Shuster amendment number 1, printed in Part II of House Report 105–476:

Modify the manager's amendment to correct the following errors:

(1) on page 15, paragraph (26), strike ''227'' and insert ''277''.

(2) on page 25, in item 1504, strike ''Corrido'' and insert ''Corridor''.

(3) on page 25, insert the following two new items at the end of the table:

1508 New York.	Reconstruct Flushing Avenue between Humboldt Street and Cypress Avenue, and between Porter Street and Cypress Avenue.	5.000
1509 New York.	Reconstruct Flushing Avenue between Wycoff Avenue and Gates Street.	3.000

(4) on page 25, insert the following paragraph after the table:

(101) In the table contained in section 127(c) of the bill:

(A) in item 241, strike ''32.000'' and insert ''24.000''.

(B) in item 248, strike ''intermodal center at Stapleton'' and insert ''Broadway Viaduct''.

(C) in item 257, strike ''lande'' and insert ''lanes''.

(D) in item 708, strike ''3.000'' and insert ''6.000''.

(E) in item 398, strike ''Little Blue Expressway'' and insert ''the Eastern Jackson Co. Expressway''.

(F) in item 398, strike ''3.000'' and insert ''6.000''.

(G) in item 312, strike ''8.000'' and insert ''4.000''.

(H) strike item 205 (relating to the Missouri Connector).

(I) in item 774, strike ''2.230'' and insert ''4.000''.

(J) in item 1081, strike ''4.000'' and insert ''2.000''.

(K) in item 1221, strike ''7.500'' and insert ''1.770''.

(L) in item 1337, strike ''1.770'' and insert ''2.330''.

(M) in item 1384, strike ''2.000'' and insert ''7.500''.

(5) on page 34, in paragraph (5), insert ''1.750'' in the third column (relating to fiscal year 2000).

(6) on page 34, insert after paragraph (13) the following:

(14) strike the line relating to item 24 (Chatham, GA).

Mr. SHUSTER (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the modification offered by the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 405, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SHUSTER asked and was given permission to revise and extend his remarks.)

Mr. Chairman, this is a manager's amendment, technical in nature. It has been cleared both on our side and with the minority.

I rise in support of the committee amendment to H.R. 2400.

The Committee amendment contains issues worked out in cooperation with other committees that had jurisdictional claims over H.R. 2400—the Science Committee, the Resources Committee and the Commerce Committee.

I am pleased that we were able to include several provisions that were worked out on a bipartisan basis with those committees.

I particularly want to thank Chairman YOUNG of the Resources Committee, Chairman BLILEY of the Commerce Committee and Chairman SENSENBRENNER of the Science Committee for their cooperation in expediting the consideration of BESTEA.

The amendment also contains several noncontroversial issues and project description changes.

All provisions in the committee amendment have been worked out in a bipartisan manner and are acceptable to the Democratic members.

There are several Members who had urged that certain provisions be included that we were unable to work out in the short time available. We will continue to work with those Members to resolve their issues when we go to conference with the other body.

I am including a full summary of the committee amendment for the RECORD.

I urge my colleagues to adopt the amendment.

SUMMARY OF COMMITTEE AMENDMENT TO H.R. 2400

TITLE I—HIGHWAYS

Provides that newly-designated nonattainment areas are eligible for CMAQ funding (but not part of the CMAQ formula).

Provides that the Secretary of the Interior develop a new formula for the distribution of Indian Reservation Road funds by fiscal year 2000.

Establishes a pilot program to allow Indian tribes to directly administer their Indian Reservation Road funds.

Adds transit vehicles signal prioritization projects to Federal share provisions under section 120(c) of title 23.

Makes clarifying amendment to section 125(d)(1) of the bill regarding provisions relating to cooperation of local officials in developing State transportation plan.

Clarifies that States can continue to divide or segment projects, in accordance with current regulations regarding division of segmenting of projects, in carrying out high priority projects designated by Congress.

Makes various corrections and additions to high priority projects as designated in section 127(c) of the bill.

Directs the Secretary to conduct a study on practices of States relating to service food signs.

Amends current, and adds additional, High Priority Corridors.

Clarifies that States can procure under a single contract environmental and engineering and design work if the State reviews the objectivity of the analysis.

Allows the District of Columbia to construct a substitute project in lieu of Barney Circle Freeway project.

Allows States to permit electric vehicles with fewer than two occupants to operate on high occupancy vehicle lanes.

Makes technical and conforming changes.

TITLE II—HIGHWAY SAFETY

Allows States for two years to use section 402 funds to purchase television and radio time for highway safety public services messages and requires a study on the effectiveness of the messages.

TITLE III—TRANSIT

Amends sec. 306 to restore current law with regard to false claims made under the transit title.

Amends sec. 332 to alter project descriptions of new start transit projects.

Amends sec. 333 to alter project descriptions and funding levels of bus and bus facility projects.

Directs the Comptroller General to study the various clean fuel technologies for transit vehicles and make recommendations regarding incentives to encourage the use of such technologies.

TITLE IV—MOTOR CARRIER SAFETY

Adds new section 423 to direct the Secretary to contract with an independent entity to conduct a study on government access to electronic data for motor carrier regulatory enforcement (amended and relocated from Title VI).

TITLE V—PROGRAMMATIC REFORMS AND STREAMLINING

Provides that a revised formula for distribution of CMAQ funds shall be considered for mid-course corrections bill.

TITLE VI—TRANSPORTATION RESEARCH

The Manager's Amendment contains several provisions developed in cooperation with the Committee on Science:

Section 604 requires notice to Congress if the Department of Transportation reprograms research funds or reorganizes programs authorized by Title 6 of BESTEA.

Section 605 contains a sense of Congress regarding the year 2000 computer problem.

Requires a study on future research requirements for highway pavement.

Section 633 establishes a planning process, consistent with the Government Performance and Results Act, at the Department of Transportation to oversee surface transportation research.

Establishes a surface transportation-environment cooperative research program.

Makes some additional minor technical changes to the research title of BESTEA.

TITLE VIII—RECREATIONAL BOATING SAFETY PROGRAM

Amends National Sea Grant College Program Act relating to research funds for Lake Champlain.

Mr. Chairman, I yield to my good friend, the gentleman from Minnesota (Mr. OBERSTAR).

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Chairman, first, I want to thank Chairmen SHUSTER and PETRI and Ranking Member RAHALL for the cooperative manner in which we developed this amendment. Through their willingness to address Member concerns, we were able to agree on a significant number of Member requests. We have developed a good package that further strengthens BESTEA. I want to highlight a few of the provisions.

First, the manager's amendment includes provisions that will provide CMAQ funding for newly-designated non-attainment communities. Because the EPA is currently reviewing the criteria for non-attainment, it is important that our bill clarify that if the new criteria lead to designation of additional non-attainment areas, those areas would qualify for funding.

Also, the amendment ensures continued CMAQ funding for communities that progress from non-attainment to maintenance status.

At the request of our friends on the Science Committee, this amendment adds several provisions from their surface transportation research bill, H.R. 860. For example, the provisions clarify the Department of Transportation's responsibility to develop a strategic planning process for surface transportation research and technology development activities. I want to note that these provisions are designed to be consistent with the Government Performance and Results Act requirements and not a separate effort.

Also, the Science Committee provisions establish a cooperative research program to develop better tools for State and local governments to use when evaluating the complex economic, social, and environmental impacts various transportation alternatives have on communities.

The amendment includes a number of additional provisions to continue fine tuning BESTEA. These include limited changes to Member highway and transit project requests and we will continue to address their concerns about these very important projects.

I again thank Chairman SHUSTER and PETRI, Ranking Member RAHALL, and all the Members of the Committee who worked with us to improve BESTEA and I urge adoption of the en bloc amendment.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The amendment, as modified, was agreed to.

The CHAIRMAN. It is now in order to consider amendment number 2 printed in Part II of House Report 105–476.

AMENDMENT NO. 2 OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part II, amendment numbered 2 offered by Mr. DAVIS of Illinois:

In section 330(j), strike ''$42,000,000'' and insert ''$150,000,000''.

The CHAIRMAN. Pursuant to House Resolution 405, the gentleman from Illinois (Mr. DAVIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. DAVIS).

□ 1645

Mr. DAVIS of Illinois. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am pleased to offer this amendment which seeks to expand and improve the Access to Jobs Grant program. This amendment would increase funding for this program by $108 million per year. The Access to Jobs legislation assists welfare recipients and low-income individuals to commute from where they live to where

jobs are located. This increase in moneys is designated to address the fact that in too many cases, in both urban and rural areas, welfare recipients and low-income individuals are isolated from the jobs they want and need.

Last year Congress enacted legislation to move people from welfare to work. We imposed strict time limits and other restrictions that will result in the termination of benefits for an estimated 2 million people by the year 2002. One of the greatest obstacles many current welfare recipients face in getting work is literally getting to the jobs.

Welfare recipients and low-income individuals often live, almost by definition, in impoverished communities devoid of job opportunities. Ninety-four percent of welfare recipients do not have cars, low wage earners often do not have cars. They are dependent on public transportation to get to areas with jobs. If the public transit is inadequate, the jobs become inaccessible. People cannot move from welfare to work if the people on welfare cannot get to work.

Currently, two-thirds of all new jobs are being created in the suburbs. Many suburban communities report severe labor shortages because they cannot find enough workers looking for entry-level jobs. This amendment helps to ensure that those welfare recipients who want jobs will not be denied because they do not have access to transportation to get to and from work.

Too many welfare recipients and low-income individuals are isolated from potential job opportunities because existing public transportation systems are either inadequate or nonexistent. The Community Transportation Association of America has found that 40 percent of all rural communities have no public transportation whatsoever. When transit is present, it often does not operate at night or on weekends, times when many low-wage or entry-level jobs are performed. By filling the gaps in transit services, we can give people the chance to get to the jobs they seek.

For example, in Chicago an innovative Suburban Jobs Links program is doing just that. Buses carry workers from the cities to their jobs in neighboring suburbs. An increase in funding for this program would allow it to expand and help other communities. If only one out of three welfare families are successful in getting to a job and are able to work, then America wins and this program will have paid big dividends. Therefore, I urge its immediate adoption.

Mr. Chairman, I reserve the balance of my time.

Mr. PETRI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois (Mr. DAVIS).

Mr. Chairman, it is interesting that in the course of the discussion of the rule of this bill, in the course, a lot of people came to the floor of the House of Representatives in the course of the last few weeks, as well, saying that the scope of this bill is too large, that an increase of over 40 percent in transportation funds over 6 years is a budget buster. And yet the amendment we have before us indicates that the bill is not large enough, and the hope of the gentleman in offering this amendment is that we add some additional hundred plus million dollars to the bill to meet a particular need, that despite the fact that we do include a $42 million Access to Jobs pilot program in the bill, and in addition in this bill there is some $20 billion, $20 billion in formula funds for over 6 years that can be used for the needs of people who want to go from welfare to work and to meet their transportation needs.

Mr. Chairman, it seems to me that we have mass transit and many other transit operations of a particular nature already in existence around the United States, we do not need to pile on a lot of money that will ultimately be used for administration rather than help real people find real jobs. We are willing to experiment in this bill with a pilot program, but I think before we know what we are talking about we should not start throwing additional money at it.

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I really want to commend the gentleman from Illinois (Mr. DAVIS) for this amendment because I am from a very rural district that has 26 counties, 3 of which are among the highest welfare counties in the State of Missouri, and after numerous meetings with my welfare recipients the biggest stumbling block they have to getting a job is, like the gentleman says, transportation, and they might have to drive an hour and a half, 2 hours to get to a job and they have no means of transportation because we do not have the funds in Missouri, particularly in my district, to beef up our very minimal transportation systems. And certainly they are not presently in use for this particular purpose.

So I just want to ask my colleagues to really think about this because if we truly want our welfare recipients to lead productive, independent lives, then we really need to also put our money where our mouths are and help make a real job a reality for these folks. So I will happily support the amendment offered by the gentleman from Illinois (Mr. DAVIS).

Mr. PETRI. Mr. Chairman, I yield such time as he might consume to the gentleman from Indiana (Mr. PEASE), a member of the committee.

Mr. PEASE. Mr. Chairman, with the greatest personal respect for my colleagues from Illinois and Missouri, I oppose the gentleman from Illinois' amendment to increase funding for this program from the $42 million included in the bill to approximately $150 million per year.

While I agree that providing transportation for welfare recipients to get to jobs is critical, I question whether increasing the funding for the pilot program contained in this bill is the best approach to achieving this worthy result.

This pilot program promotes new and innovative approaches to providing transportation and makes funding available to nontraditional transit grant recipients in addition to public transit agencies. There is concern among some in the transit community that a new program that is large and proscriptive is not only unnecessary but would take flexibility and control away from transit agencies whose very mission it is to provide access to jobs.

There also are significant transportation resources for access to jobs activities under a number of federally funded social services programs already in place. These include the Department of Health and Human Services Temporary Assistance for Needy Families, the Department of Labor's Welfare to Work program comprising $3 billion over 2 years and the Department of Housing and Urban Development's Bridges to Work program.

Should the pilot program contained in this bill prove to be successful in conjunction with these many other programs of Federal agencies, we can then reevaluate whether to increase the funding in future transportation legislation. But I believe at the moment it is premature to raise the funding level to the amount proposed in the amendment, and I urge a ''no'' vote.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Chairman, I rise today to strongly support the amendment by my colleague from Illinois. Mr. Chairman, today I had lunch with the CEO of United Airlines, Jerry Greenwald, who sits on the President's Welfare to Work Task Force. I want to commend United for employing 500 former welfare recipients with the goal of 2,000 by the year 2000. This is a success story.

But he told me what many of us already know, that the most serious barriers for former welfare workers entering the work force are, one, child care, and transportation. Through reverse commuter programs, transit vouchers and van pools many of these people can get to work.

Mr. Chairman, let us put our money where our mouth is and get welfare to work going. Increase this budget and support this amendment.

Mr. PETRI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have no further requests for time. I recognize the other side is entitled to close debate on their amendment, so I just would proceed to conclude by saying that while I understand the gentleman's interest in this

program, we have included funds in this bill for this program.

A lot of Members have expressed concern in debate, and a lot of others who have looked at this bill, that we are already spending more than we feel is prudent. To increase spending beyond what the committee has asked for is something that I think is highly problematic.

I would think that this would be an interesting test to see whether Congress would like to stay within the parameters of this bill or feels that the committee sort of undershot and we should be spending even more than we have been asked for in this bill. I think it best to plan and see that we walk before we run. We do have $42 million in this bill plus $20 billion that is eligible if State and local transit authorities feel these needs are needs that need to be addressed. We do not need to add another $100 million dollars to a bill that is already quite generous in the transportation area.

Mr. Chairman, I urge a ''no'' vote.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. PETRI. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I just want to specify that the chairman does understand that this is an authorization, these are not contract authority dollars?

Mr. PETRI. Mr. Chairman, I understand it is an authorization, but we had the senior member of the committee from my State and others in the authorization committee, appropriation committee, which would have to actually appropriate money, saying that this was taking away from priorities that they felt were important. Now we are adding to their burden, I think.

But I would be interested to see how they vote on this amendment because if they really are concerned and consistent, this would receive a ''no'' vote, not a ''yes'' vote from those gentlemen.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I rise in support of the excellent amendment of the gentleman from Illinois (Mr. DAVIS).

The simple fact of the matter is that lack of transportation is frequently a barrier to employment whether one resides in an urban or rural environment. This amendment would raise the general fund authorization contained in the bill for the welfare to work program.

I know that from a rural perspective these programs hold great promise. In my home State of West Virginia we have undertaken four welfare to work pilot programs already, including in Greenbrier and Wayne Counties which I have the honor of representing. This amendment is about access to jobs, about access to training, about access to a better life for many Americans, and I urge my colleagues to accept it.

Mr. PETRI. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FOX).

Mr. FOX of Pennsylvania. Mr. Chairman, I rise today in support of the Davis amendment to BESTEA. This would further build upon the committee's commitment to encouraging access to jobs and moving people from welfare to work.

I commend the gentleman for offering this amendment which enhances an already strong portion of the underlying bill. I was pleased to see the Senate also acted, through the efforts of the Senators from Pennsylvania, Illinois and New York, to include a strong commitment to moving people from welfare to work.

The gentleman from Illinois shows a great commitment and vision in offering his amendment as he recognizes the need for a national approach to this problem. Few people on welfare own cars and few can afford other transportation means to get to jobs and job training. BESTEA and the gentleman's perfecting amendment further our belief in empowering people with the jobs and training they need to achieve self-sufficiency. I strongly urge support for the Davis amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

□ 1700

Mr. PASCRELL. Mr. Chairman, I rise in strong support of the Davis amendment. First of all, we must go to the appropriations. There are checks and balances. That is something we have to do. This is a general fund authorization.

Second of all, we have spoken in the last 4 years about welfare reform. It is time for us to put our money where our mouth is. The argument that this bill is a pilot program and cannot increase too quickly, forget about it. We have told people in 5 years they have to be off welfare, by the year 2002. We do not have that much time.

Let us have bipartisan agreement that we are going to get people to jobs that exist. There are 2 million people out there that are going to be removed from welfare to work over the next 5 years, and only 6 percent of them have cars.

Now, what are you going to do about that? This amendment goes right to the heart of that situation. This is getting people to work. This is what we want, work, not welfare.

Mr. DAVIS of Illinois. Mr. Chairman, I yield one minute to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I would like to thank the distinguished gentleman from Illinois for offering this amendment and for yielding me time.

Mr. Chairman, last year we passed a welfare-to-work bill, knowing that that bill was not the sound bill it should be for those who are moving from welfare to work. This amendment that my friend has put on the floor is one that will help us to move this generation of welfare recipients to work.

One in 20 welfare recipients in this country own a car. That is a frightening statistic. When one considers that when we passed welfare reform we placed strict time limits on the welfare recipients, we can ill-afford to not pass this amendment. I urge all Members to pass the Davis amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I would ask the gentleman from Wisconsin (Mr. PETRI) if he would yield 1 minute to the gentleman from Iowa (Mr. BOSWELL).

Mr. PETRI. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Chairman, I think it comes down to this: Do we really want people to go off of welfare and on to workfare? As probably some Members know, some of us in the States got into that a little bit ahead of even the national level.

I am like the gentlewoman from Missouri (Mrs. EMERSON). I have 27 counties, and we have no mass transportation. One thing we discovered is if we are serious about getting people from welfare to work, they have got to have child care and they have got to have transportation, or it is not going to work. It simply is not going to work.

So I encourage support of the amendment of the gentleman from Illinois, Mr. Davis. It is something we have to do if we are going to get this job done. I think we all want very much to get this job done, to get people to work.

Mr. DAVIS of Illinois. Mr. Chairman, I would ask the gentleman from Wisconsin (Mr. PETRI) if he would yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. PETRI. Mr. Chairman, I am delighted to yield 1 minute to my esteemed colleague, the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from Wisconsin, who contributes so much to the educational issues, and I thank the author of this amendment.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Illinois (Mr. DAVIS). I introduced legislation earlier this year which incorporates this same concept, and I frankly would have put more money into this if we had been able to. But I commend the gentleman from Illinois (Mr. DAVIS) and the leadership of the minority side for supporting this.

Here is why this is such a good idea. If one out of every 300 families on welfare in America, one out of every 300, gets a job as a result of this program, as a result of being moved from where they live to where the jobs are, this pays for itself as a result of people leaving the welfare rolls and paying taxes.

In other words, the success level for this to be budget-neutral is very, very low. It is a great idea.

In my area, United Parcel Company is helping to do a similar thing, where

they are moving welfare recipients from Camden, New Jersey, to a UPS terminal at the Philadelphia airport. It works, the Davis amendment works, and I urge my colleagues to support it.

Mr. PETRI. Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 2 minutes, the balance of my time, to the distinguished ranking member, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, this is a reality check amendment. If you voted for welfare reform, then look in the mirror and say, did I really mean it? Was I serious about that? If you were, then you really ought to be serious about providing the means for people to get from where they are to where the jobs are.

We made a start on it in this legislation with a pilot program of $42 million. I think it is well-crafted, I think it is a good initiative, but it is woefully inadequate in dollars to do the job that needs to be done.

A study of 43 large metropolitan areas found that communities with the longest job commute times had the highest rates of unemployment. In Cleveland, inner-city residents can reach only about 8 to 15 percent of entry level jobs in a reasonable time with current public transportation. There are many other similar examples.

Mr. Chairman, I want to emphasize, this is a general fund authorization. It does not require offsets. It is under the caps for the budget hawks.

The Committee on Appropriations will decide among the many priorities that they have to contend with which of the funds will go to this program and which to other programs. It will not come out of contract authority dollars. It is reasonable and fair. It is far less than the Senate is providing in their version of this legislation.

Mr. Chairman, finally, I want to say in Chicago, and the gentleman from Pennsylvania (Chairman SHUSTER) and I were there a year ago to look at their transportation, we saw their effective welfare-to-work program. It was a pilot, if you will. It was the spark of imagination for the program we have in this basic legislation.

But, fundamentally, I drew this idea from my daughter and I who works for Jubilee Jobs in Northeast-Northwest Washington, in the Adams Morgan area. Trying to place people in work who are coming out of the welfare shelters, who are coming out, dropouts from the welfare system, she cannot get them to their jobs because they cannot afford transportation. If you cannot match the person with the job through a means of transport, then you have failed.

Let us not fail. Let us pass this amendment.

Mr. GUTIERREZ. Mr. Chairman, I rise today in support of this vital amendment that will enable thousands of people in my community to obtain access to employment opportunities they may otherwise be denied.

The additional $108 million that this amendment will provide for welfare-to-work programs is crucial if our nation is to ensure that our current prosperity benefits all people in America.

Back in my hometown of Chicago, less than 10 percent of welfare recipients own or have access to an automobile.

That's right less than 10 percent.

At the same time, job growth in the Chicago metropolitan area is greatest in areas that are accessible only by car.

Obviously, this poses a significant obstacle to the people who need employment most.

A serious mismatch exists in Chicago and countless other urban areas in our nation between job growth and the location of low-income communities.

The lack of affordable housing in many growing suburbs ensures that low-income people, the people who would fill the myriad service jobs that are being created in new suburban strip malls and office parks, can't live where job creation is most dynamic.

So we must address this problem.

We must take action to get people to where the jobs are.

Failure to do so means we are cutting off from jobs and financial security the very people who we have mandated to work under new welfare reform regulations.

So we cannot fail in this task and we cannot fail to pass this important amendment that is fundamental to building a fairer economy that includes all Americans.

I urge my colleagues to support this amendment. America can only work if we enable all our people access to jobs.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DAVIS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PETRI. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 405, further proceedings on the amendment will be postponed.

It is now in order to consider Amendment No. 3 printed in part II of House Report 105–476.

AMENDMENT NO. 3 OFFERED BY MRS. ROUKEMA

Mrs. ROUKEMA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mrs. Roukema:

Strike subsection (b) of section 102 and insert the following:

(b) AFFIRMATIVE ACTION ENCOURAGED; DISCRIMINATION OR PREFERENTIAL TREATMENT PROHIBITED.—

(1) AFFIRMATIVE ACTION ENCOURAGED.—It is the policy of the United States—

(A) to expand the applicant pool for transportation contracts in order to increase competition;

(B) to encourage participation by businesses owned by women and minorities in bidding for transportation contracts;

(C) to recruit qualified women and minorities into the applicant pool for transportation contracts; and

(D) to encourage transportation contractors—

(i) to request businesses owned by women and minorities to bid for transportation contracts; and

(ii) to include qualified women and minorities into an applicant pool for transportation contracts;

so long as such expansion, encouragement, recruitment, request, or inclusion does not involve granting a preference, based in whole or in part on race, color, national origin, or sex, in selecting any person for the relevant contract.

(2) PROHIBITION AGAINST DISCRIMINATION OR PREFERENTIAL TREATMENT.—Notwithstanding any other provision of law, no governmental entity shall, in connection with a transportation contract—

(A) intentionally discriminate against, or grant a preference to, any person or group based in whole or in part on race, color, national origin, or sex; or

(B) require or encourage a contractor or subcontractor to discriminate intentionally against, or grant a preference to, any person or group based in whole or in part on race, color, national origin, or sex.

(3) DEFINITIONS.—As used in this subsection—

(A) the term ''transportation contract'' means any contract or subcontract in connection with any project paid for in whole or in part with funds derived from amounts authorized to be appropriated by this Act; and

(B) the term ''preference'' means an advantage of any kind, and includes a quota, set-aside, numerical goal, timetable, or other numerical objective.

The CHAIRMAN. Pursuant to House Resolution 405, the gentlewoman from New Jersey (Mrs. Roukema) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment, as has been submitted and printed, would end the Disadvantaged Business Enterprise Program under BESTEA.

The amendment reaffirms, and I want to be very clear about this, reaffirms our encouragement of affirmative action through expansion of the applicant pool and active recruitment, and I stress active recruitment, of qualified women and minorities.

At the same time, this amendment makes it clear that such encouragement and recruitment does not involve granting a preference or fulfilling a quota or a set-aside.

In other words, and I want my colleagues to understand this, in other words, we are reforming affirmative action as we know it today. That is, it should go back to its initial roots of nondiscrimination.

We are not suggesting that there is no discrimination. In other words, we are reforming affirmative action as we know it while protecting the civil rights of all people.

Now, the preference program, DBE as it is known, the preference program at the heart of this issue is a provision of BESTEA, and it states that, and we should be clear about this, because there is misinformation being spread around. It states that not less than 10 percent shall be expended with small businesses owned and controlled by

''socially and economically disadvantaged individuals.''

This is a floor set by the Department of Transportation that must be met. If it is not met, then the administration can and does sanction.

The bill itself says, ''Not less than 10 percent of the amounts authorized shall be expended'' to small businesses controlled by socially and economically disadvantaged. It is a clear quota.

At a hearing held recently this past year in the Committee on the Judiciary, Mr. Chairman, we heard that this preference resulted in many subcontractors being denied a transportation contract, despite having by far the lowest bid. To represent only one subcontractor, Malcolm Drilling, Inc., he testified that they were discriminated against merely because the general contractor did not use enough minority or women-owned subcontractors.

As a result, the contract was awarded to the next lowest bidder at a bid of $3 million more. This was just one relatively small contract. So the Federal dollars at work cost the taxpayers $3 million more in this specific case.

There are many other instances. I will not go into them now, but I do want them to be included in the RECORD, a company in Wyoming to the tune of $345,000, and another one in Iowa and so on. These qualified under the 10 percent set-aside for disadvantaged business enterprises.

This is a waste, a clear waste, of taxpayer dollars. Competitive bidding is intended to save money. Not requiring at least a 10 percent set-aside has made the point of competitive bidding moot, if not some would say a joke.

Governments have been imposing quotas, preferences and set-asides in the goal of eliminating discrimination, but instead the actual real world has resulted in reverse discrimination.

Now, my amendment explicitly reaffirms the original concept of our Affirmative Action Program that through vigorous and systematic outreach, recruitment and marketing efforts among qualified women and minorities, we would be reaching those who are out of the loop, so-to-speak. The amendment explicitly reaffirms and requires outreach programs.

The amendment also seeks to restore the color-blind principle to Federal law by prohibiting the Federal Government from granting any preference to any person based on whose qualifications were either race, color or national origin or sex-based.

When affirmative action, and this I thought was very interesting in doing my research for this amendment, going back to the Kennedy Administration's Executive order that established this principle in 1963. It was specifically applied through the Civil Rights Act of 1964. The goals were promotion and assurance of equal opportunity without regard to race, creed, color or national origin, encouragement of positive measures towards equal opportunity for all qualified people, and expansion and strengthening of efforts to promote full equality of employment opportunity.

□ 1715

That, to me, is a reflection of exactly what we have here in my amendment. That was the original Kennedy initiative.

Before opponents of my amendment raise their voices, let me also add for clarity, here, that this legislation absolutely maintains this Nation's existing antidiscrimination laws. If it did not, I would not be proposing it here on the floor today. But it maintains existing civil rights laws which are there as a remedy for individuals who are victims of discrimination. Further, it is consistent with civil rights laws that prohibit any discrimination.

Mr. Chairman, I want Members to know that over time I have been a strong supporter of affirmative action. However, over the course of the years I have watched the implementation of affirmative action amount to the use of discriminatory quotas, set-asides, preferences, and timetables based on sex and race. This is evidence, I believe, of the law of unintended consequences.

That is why we should be reforming comprehensively affirmative action. But we have been unable to get that to the floor, a total reform. Indeed, I had fervently hoped that by this time in our session the Committee on the Judiciary would have reported that. In the absence of an overall reform, I thought this was the best vehicle to bring the issue before the public. It is very precise in this bill, as I have outlined it.

I know, of course, that discrimination exists today in America. There is no denying it. But we cannot attack discrimination with a different style of discrimination. Discrimination, that is, the reverse discrimination that I see, is the consequence of these set-asides and quotas. Discrimination in the name of equal treatment is, in my opinion, an oxymoron.

Mr. Chairman, affirmative action did its job in its day, but the day it became more quotas than opportunity is the day that, in my opinion, it became part of the problem and not part of the solution.

Equal opportunity has always been at the core of the American spirit. It is time that we return to that core, and apply it equally for all people in our society, while protecting the civil rights of those who need continued protecting, and assure that the law is applied equally to all people.

Mr. Chairman, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Chairman, I am opposed to the amendment, and request the time in opposition.

The CHAIRMAN. The gentlewoman from California (Mrs. TAUSCHER) is recognized for 30 minutes.

Mrs. TAUSCHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SHUSTER).

(Mr. SHUSTER asked and was given permission to revise and extend his remarks.)

Mr. SHUSTER. Mr. Chairman, I thank the gentlewoman for yielding to me.

Mr. Chairman, in accordance with the agreement we made in the committee with negotiating a delicately-balanced compromise in this bill, we agreed, and the bipartisan leadership of our committee, to oppose all amendments that the bipartisan leadership did not agree to.

I, therefore, must reluctantly state my opposition to this amendment.

Mr. Chairman, I am sympathetic to my colleague's position opposing continuation of the DBE requirement in BESTEA.

However, I have made an agreement to oppose any DBE reforms in exchange for a balanced, bipartisan bill that provides maximum funding for America's transportation needs.

There have been a number of court challenges to the DBE program including a decision by the Supreme Court that casts doubt on the constitutionality of the program.

I have been concerned that attempts to repeal the DBE requirement could backfire—resulting in findings that could potentially strengthen claims that the program is constitutional.

I believe the best approach is to allow the courts to resolve the issue.

I am pleased that we have included language in BESTEA, similar to language included in the Senate-passed bill, that would prohibit DOT from withholding funds from grant recipients where a Federal court has issued a final order finding the DBE requirement unconstitutional. This provision should ensure that transit agencies, such as Houston Metro, that are under such orders, do not have their Federal funds withheld.

BESTEA also requires a GAO study that would examine whether there is continued evidence of discrimination against small businesses owned and controlled by socially and economically disadvantaged individuals. I believe that this study will lay the groundwork for future reforms.

For these reasons, I must reluctantly oppose the gentlelady's amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the Roukema amendment. The amendment offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) would recklessly end an important program that has successfully increased the participation of minority-owned businesses in the Federal-aid highway and transit programs.

Let us be clear, the DBE program does not involve set-asides, preferences, or quotas. Indeed, the DBE program requires States to establish their own voluntary DBE goals and make a good-faith effort to achieve these goals. The DBE goals can be waived if there are not sufficient minority contractors available to meet the targets. In addition, the Department of Transportation has never punished a State for failing to meet its voluntary goals.

The Disadvantaged Business Enterprise program ensures that small businesses that are owned and controlled by socially and economically disadvantaged individuals will have a fair opportunity to compete for federally-funded highway and transit contracts.

Prior to enactment of the DBE program in 1982, minority-owned businesses participated in only about 2 percent of all contracts in the Federal-aid highway program. Following enactment of DBE, minority participation has risen to roughly 9 percent of all contracts.

Since 1987, women-owned businesses have also benefited greatly from the DBE program. According to Federal Highway Administration figures, contracts to women-owned businesses have increased from 2.6 percent in fiscal year 1986 to 6.7 percent in fiscal year 1996. Nevertheless, while women own one-third of all construction firms, they still only get 19 percent of business receipts.

The Disadvantaged Business Enterprise program has been instrumental in promoting equal opportunity for all citizens to fully participate in our national economy. Now is not the time to turn back this effort.

Mr. Chairman, I reserve the balance of my time.

Mrs. ROUKEMA. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. CHARLES CANADY), chairman of the Subcommittee on the Constitution of the Committee on the Judiciary.

Mr. CANADY of Florida. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, I rise in strong support of the amendment of the gentlewoman from New Jersey (Mrs. ROUKEMA).

The ideal of equality under the law for all Americans is an ideal supported by the overwhelming majority of the American people. That ideal is at the heart of the American experience. We all know that in our history as Americans we have not fully lived up to that ideal, but we also know that future generations of Americans will judge us by how well we ground the laws of the land on that fundamental principle.

The amendment now before this House is solidly based on the ideal of equality under the law. Like the historic Civil Rights Act of 1964, this amendment recognizes that each American has the right to be treated by our government not as a member of a particular race or gender group, but as an individual citizen, equal in the eyes of the law.

The amendment is based on the conviction that it is morally wrong for the United States government to give some Americans benefits because of their race or gender, while denying other Americans opportunities because they belong to the wrong groups.

Let us be clear about it, despite the denials that we hear, under the transportation program, that is exactly what is happening every day. Contracts and subcontracts are awarded because of the race or gender of the people who are receiving those contracts or subcontracts. That is an undeniable fact.

Race and gender preferences undermine the dignity of all Americans. To some Americans, the system of preferences says, your government will deny you a job or some other opportunity because you are the wrong gender or ethnic background. To other Americans, the system of preferences says, you will not be expected to compete as an equal, but will be measured by a lower standard than individuals of another gender or race.

Both messages are hurtful, both messages are demeaning, both messages are demoralizing, and both messages are contrary to the basic American principle of respect for the individual.

We will never overcome discrimination by practicing discrimination. The way to mend affirmative action is by eliminating the divisive system of preferences based on race and gender, and reaffirming the original concept of affirmative action through vigorous and systematic outreach, recruitment, and marketing efforts.

Preferential policies are a dead end. As the Federal Government classifies, sorts, and divides Americans by their race and gender, it sends a powerful and perverse message to the American people that we should judge one another on the basis of race and gender. That is exactly the wrong message for us to be sending. That is a message which only reinforces prejudice and discrimination in our society.

President Clinton has quite rightly called on Americans to transform the problem of prejudice into the promise of unity. He has spoken of our primary allegiance to the values America stands for, calling for us to build one America.

The system of race and gender preferences stands as a massive impediment to a united America, in which all Americans are treated as individuals who are equal in the eyes of the law. Congress can demonstrate its allegiance to fundamental American values by adopting this amendment, and ending the use of race and gender preferences in the transportation program.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise to oppose this amendment. I want the record to be clear. This is a proposal that has been worked out. It is the same language that is in the Senate bill. It was an agreement within the committee. Clearly, this is meant to be corrective action.

If it was true that we no longer needed the DBE program, I would be the first person to want to give it up. All of my political career I have had to come to the forefront to try to defend and make opportunities; not to be better than anyone else, and certainly not to lower standards, but to make opportunities for those women and those minorities who do not get them without a program.

It is unconscionable that we would stand to deny people who can work hard, people that just do not look like white men, and defend their ability as Americans, as citizens, as persons who work just as hard, to get a simple opportunity.

This is a sad day to see that we still have people who are willing to deny people who work hard, who take on the same responsibility, are not asking for anything, they are only asking for an opportunity. I oppose this amendment.

Mrs. ROUKEMA. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, the bill provides in section 102, ''Not less than 10 percent of the amounts authorized to be appropriated under titles I, III, and VI of this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.''

The underlying statute defines, at 15 U.S.C. 637, ''The contractor shall presume that socially and economically disadvantaged individuals include black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and other minorities. * * *'' This bill sets aside a quota on the basis of race.

The facts are uncontrovertible: race determines who gets contracts under this statute, and it is wrong. We cannot do good by doing bad. We cannot lift some people up on the basis of their race without putting other people down on the basis of their race. It is inherently unfair.

In the new biography of Jackie Robinson, there is a very touching quotation of a letter.

I quote: ''Late in his career he wrote an eloquently spare letter to a white New Orleans journalist who had abused him in print: 'I wish you could comprehend how unfair and un-American it is for the accident of birth to make such a difference to you.'''

Are there other ways of taking care of the fact that we do not start life equally? Of course there are. The amendment of the gentlewoman from New Jersey (Mrs. ROUKEMA) does that: Take a look at somebody's actual effort to try to overcome the obstacles that they have been presented with; give a preference on the basis of someone who has never had a contract before; take account of the individual. But do not judge on the basis of their race.

How can we explain to somebody that it is fair that ''You would have had had this contract, but your skin is the wrong color''?

Mr. Chairman, it was not that long ago that this issue was brought to the Supreme Court on the fundamental question of whether it was acceptable

for the units of government in our country to use race. In 1954 the Supreme Court said it was not.

In Brown vs. The Board of Education, the Supreme Court reversed the horror of Plessy versus Ferguson, in which the Supreme Court had said separate but equal was okay. And in striking down Plessy versus Ferguson, the Supreme Court of the United States said it is stigmatizing, it is inherently wrong, for the government to make distinctions on the basis of race.

□ 1730

Justice Douglas, nobody's right-wing conservative, himself put it this way in 1974: ''There is no constitutional right for any race to be preferred. There is no superior person by constitutional standards. A * * * [person] * * * who is white is entitled to no advantage by reason of that fact; nor is he subject to any disability, no matter what his race or color. Whatever his race, he had a constitutional right to have his application considered on its individual merits in a racially neutral manner.''

We have a chance today to do what is right. But we cannot do right by doing wrong. We have other means provided in this amendment to help those who are disadvantaged, but let us today put an end to the use of race by government, let us never again look at someone and say, ''You have something that another may not because of the color of your skin.''

Mrs. TAUSCHER. Mr. Chairman, I yield 2½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentlewoman from California (Mrs. TAUSCHER) for yielding me this time.

Mr. Chairman, shame on the gentleman from California (Mr. CAMPBELL), my good friend and fellow law professor, for racializing this issue. Not once, not once did the gentleman allude to anything but race. This issue does not involve race. This issue involves race and sex. My good friend and colleague puts a woman's face on an antiwoman amendment.

Mr. CAMPBELL. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. Mr. Chairman, the gentleman from California would not yield to me, and I will not yield to the gentleman one moment or one word.

Mr. Chairman, I warn my colleagues, hundreds of thousands of women's faces are trained on us now, particularly the faces of women small business owners. They are taking names and they are counting votes and they want to know which side my colleagues are on.

Mr. Chairman, I want my colleagues to listen to them. Roberta Verdun, president, Summit Graphics, North Brunswick, New Jersey:

> Without the DBE program, I would not have opportunities to bid against the big businesses out here.

Deborah Ayars, A-TECH Engineering, Vineland, New Jersey:

> Without the DBE provisions of ISTEA, the ever-larger majority firms would let none of the work out of their firms. The DBE program is one of the most successful programs the government has developed.''

Elaine Martin, MarCon, Inc., Nampa, Indiana:

> I was low bidder on a job in 1987 where the owner told the estimator to give the job to a larger, male-owned firm that had a higher bid than mine. The estimator told the owner that the job had DBE goals and as low bidder, I should be given the opportunity to perform. In the 10 years since that one $100,000 job that I would have lost without the DOT DBE program, my company has grown from $200,000 to $3 million annually.''

Finally, Joanna Pierson, Joanna Trucking, Inc., Sioux City, Iowa:

> My company is very good at what it does, but that does not mean anything. What does mean something is that I am a ''foolish female,'' ''stupid woman,'' I'm sure you've heard them all. To get rid of this program means putting me and other women like me out of business along with 25 of my employees.

Mr. Chairman, these are the voices of women small business owners. This amendment would end the program for socially and economically disadvantaged white men who also qualify for DBE.

Mr. Chairman, they will not be counting quotas in this bill, because there are none, but votes to see which side my colleagues were on when this amendment came up for vote.

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume only to say I am sorry the gentlewoman from the District of Columbia (Ms. NORTON) totally misunderstands my amendment.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Chairman, I rise today to address a very tough issue for women, with friends on both sides of this amendment.

I know as a woman that special and very difficult challenges confront businesswomen trying to launch enterprises in fields that have traditionally been male-dominated. That is a fact of life for businesswomen, despite that fact women continue today to form businesses at twice the rate of men.

Mr. Chairman, I also know there are serious constitutional questions involved whenever the government tries to guarantee outcomes, because that government action usually amounts to a quota and consequent legal challenges.

The truth is, Mr. Chairman, that when women are given an equal playing field we have proven that we can succeed. Women now employ more individuals than all the Fortune 500 companies in the world combined, and we want to be able to say we have achieved those successes because of our brains, not our gender.

Quotas have the perverse effect of undermining the credibility of minority businesses because people believe that they got that contract on some basis other than merit. For women, that would set our movement back.

The Roukema amendment clearly states that it is the policy of the United States to recruit qualified women and minorities into the applicant pool for transportation contracts. This approach will move us beyond divisive government-sanctioned preferences and discrimination to a system of equality under the law, while continuing the original intent of affirmative action to reach out to those who are disadvantaged.

Mr. Chairman, my bottom line is this: I want my party and this Congress to embrace public policy that lets women know they are welcome, even encouraged, to enter and compete for business. My party and this Congress should be about expanding opportunities for women. Toward that end, I believe the gentlewoman from New Jersey has struck the proper balanced approach that is pro-woman, pro-minority opportunity, pro-affirmative action.

Nobody in this body can question the long and positive record of the gentlewoman from New Jersey (Mrs. ROUKEMA) on women's rights and opportunities. I urge my colleagues to support her balanced approach to affirmative action in the Roukema amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. POSHARD).

Mr. POSHARD. Mr. Chairman, I rise in opposition to the Roukema amendment and strongly urge my colleagues to vote against it. The gentlewoman from New Jersey (Mrs. ROUKEMA) seeks to discontinue the Disadvantaged Business Enterprises program, which has the goal of providing at least 10 percent of transportation contracts to small businesses owned by socially and economically disadvantaged individuals.

For almost 20 years, the DBE program has enjoyed great success and provided critical opportunities for qualified women and people of color to compete for and perform Federal construction contracts. This is a good program and it deserves our continued support.

Mr. Chairman, although I dearly wish that it were not the case, the fact is that women and minority-owned firms remain underrepresented in the field of construction. The DBE program has been instrumental in increasing the percentage of contracts awarded to these firms which are participating more than ever in the construction and maintenance of our Nation's highways. Now is not the time to dismantle the successful program which has helped so many and can continue to help even more.

The DBE program does not impose quotas or set-asides but relies instead on flexible targets and allows States and local governments to set their own goals based upon the particular circumstances of their local markets. Ending this program would create turmoil in the firms which have relied upon it, resulting in failing businesses and thousands of jobs lost.

Mr. Chairman, I hope my colleagues will recognize the critical role that the DBE program can continue to play in the promotion of equal opportunities for all business owners and join me in opposing the Roukema amendment.

Mrs. ROUKEMA. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COX).

Mr. COX of California. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from New Jersey (Mrs. ROUKEMA). I congratulate her for bringing to the floor such a useful way to improve ISTEA, our transportation bill, so that it promotes affirmative action and so that it outlaws discrimination.

First, let us focus on what this amendment really does. It would declare the policy of the Federal Government in favor of affirmative action. That means encouraging bidding by minority-owned and women-owned businesses, expanding the applicant pool, recruiting qualified women and minorities into the applicant pool, and encouraging contractors to do the same. That is what affirmative action is all about.

In 1964, in the other body, the Democratic floor manager of the 1964 Civil Rights Act, Hubert Humphrey, told a critic of the 1964 Civil Rights Act, a critic of affirmative action, ''If you can find anything in this legislation that would require people to hire on the basis of percentages or quotas, I will start eating the pages one after another.'' He knew that quotas are the enemy of affirmative action.

Mr. Chairman, I heard a Member in defense of this discrimination provision say that it is a voluntary program, but the law says, as it is proposed to be passed on the floor, 10 percent. That is a quota. It has nothing to do with disadvantaged people. The definition of ''disadvantaged'' in the bill says if a company has sales of $16 million, year after year after year, they are disadvantaged. As the Federal court said when it struck down a provision just like this as unconstitutional, under this standard the Sultan of Brunei could qualify.

Mr. Chairman, let us not cheat those who are really disadvantaged. Let us do something for them with affirmative action. Let us get rid of discrimination and let us make it illegal. Let us vote for the amendment offered by the gentlewoman from New Jersey.

Mrs. TAUSCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR), the Democratic whip.

Mr. BONIOR. Mr. Chairman, there is an unfortunate pattern that has developed here. We have had almost an impossible scenario of trying to get colleagues on this side of the aisle to support the minimum wage bill. Just a few minutes ago, my colleagues on this side of the aisle stood up to oppose an amendment that would help facilitate the transportation of people on welfare so they could get to work and reach for their dreams. And now we have an amendment that would destroy a program that has helped create $1.4 billion worth of the economy, putting 62,000 people to work.

This program that we are talking about is based on a simple premise of equal opportunity. It requires all contractors bidding for Federal highway projects to do so on an equal footing, regardless of gender or of race. It also establishes a goal, a goal that says 10 percent of Federal highway projects should be awarded to companies owned by individuals who for decades, for decades were effectively shut out from this industry.

Mr. Chairman, this 10 percent goal is not mandatory. It is not a set-aside. It is not a quota. It is a goal. It is a worthy goal. It is a goal encouraging all Americans to work hard and to pursue their dreams.

This is a success story. This side of the aisle talks about appealing to women. They have to address that problem because they do not get very many votes from women in this country. Well, just as the gentlewoman from the District of Columbia (Ms. NORTON) said, this is a key vote and the American people and women in this country will be watching to see who stands with them when it comes to getting a fair share of the pie.

The CHAIRMAN. The gentlewoman from California (Mrs. TAUSCHER) has 20 minutes remaining, and the gentlewoman from New Jersey (Mrs. ROUKEMA) has 10 minutes remaining.

Mrs. ROUKEMA. Mr. Chairman, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, we set goals in many of our initiatives, whether it be Goals 2000 or in the Clean Water Act. Goals do not guarantee giveaways, they generate participation.

The DBE's goal is to provide opportunity to all Americans. Let us talk about what the DBE is and is not. It is not a quota. It is not a set-aside. It is not a guarantee of contracts or dollars. And if it was, I would not support it. What it is is an opportunity for all Americans to participate in building the Nation's infrastructure and future.

The Roukema amendment would, in fact, eliminate opportunity for all Americans to be part of a program they pay for. It would eliminate talented and competent women, African-Americans and Hispanic Americans from simply having an opportunity to compete, to compete in the bidding process.

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But the Roukema amendment not only denies opportunity to all Americans, it actually promotes the interests of the privileged few. This is not the Roukema amendment, it is the general contractors' amendment. The contractors and others are willing to accept the votes of women, Hispanic Americans and African Americans in this Congress to pass this bill, but want to lock us out of the benefits. If this Congress cannot accept the simple goal of equality of opportunity for all Americans, what a sad day it will be.

When my colleagues on the other side of the aisle talk about privilege, they are referring to the privilege that has been enjoyed by the majority for a long period of time with very few benefits to anyone in the minority. Let us promote participation, not prohibit it, by defeating this amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I thank the gentlewoman for yielding me the time.

I rise in strong opposition to this amendment. The Department of Transportation DBE program has provided over 20,000 firms with contracts worth over $2 billion in 1996 alone. As a result, tens of thousands of jobs have been created, providing economic development in cities, rural areas and in communities desperately in need of hope and opportunity. This important program has provided opportunity for women and minorities working in nontraditional fields like construction and deserves our support.

As the ranking member of the Committee on Small Business, I can tell my colleagues that this program is effective, valuable, and most importantly, it is fair. I must remind my colleagues that this is not a quota program; it is not a set-aside. It is an economic development program that is goal-based and focused on outcomes. It uses competitive bidding that includes white males, minorities and women business owners competing for transportation contracts. This program enjoys bipartisan support in this body, including the chairman of the Committee on Transportation and Infrastructure and the subcommittee of jurisdiction.

Recently the other body overwhelmingly rejected a similar amendment to destroy this valuable and necessary program. This amendment threatens to undermine a bill that will help us meet the goal of rebuilding this Nation's infrastructure and providing for our transportation needs.

Mr. Chairman, many of my colleagues engage in rhetoric about empowerment and opportunity. Well, this program is all about opportunity and empowerment. By providing opportunity in the transportation bidding process, small local firms are creating jobs, teaching skills and reaching the tax base and helping communities literally rebuild themselves.

I strongly urge my colleagues to oppose this amendment.

Mrs. ROUKEMA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. FOWLER).

Mrs. FOWLER. Mr. Chairman, I rise in support of the Roukema amendment. It is time to stop dividing our country along race and gender lines.

Initiatives like the Disadvantaged Business Enterprise Program harm our society, both by lowering standards and by leaving the beneficiaries of the program in doubt of their own ability. The DBE program reinforces negative stereotypes because it is based on the implicit assumption that members of certain groups cannot measure up to an objective standard and must be given special treatment in order to succeed.

Some contend that there are really no quotas or set-asides in Federal law. Well, I encourage anyone who believes that to read the bill. The language is an explicit 10 percent set-aside. The Roukema amendment eliminates the set-aside, but it does not prohibit the Federal Government from making affirmative efforts targeted at minorities and women to increase the size of the applicant pool for transportation contracts.

The Department of Transportation can still educate and mentor these firms in their effort to learn how to compete for contracts. In the end, though, all candidates must be judged by the same standard and requirements.

We all strongly support equal opportunity. We should create a level playing field, but we should never guarantee the final score.

I encourage my colleagues to prohibit discrimination and preferential treatment when awarding transportation contracts by supporting the Roukema amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I rise in opposition to an amendment to eliminate the Department of Transportation's Disadvantage Business Enterprise program. The DBE program ensures that small business concerns which are owned and controlled by socially and economically disadvantaged individuals will have a fair opportunity to compete for federally-funded highway and transit contracts.

Much has happened since the Department's first efforts to bring fundamental fairness to contracting with federal transportation construction dollars. Minority and women owned small and disadvantaged business participation in federally assisted highway construction contracting stood at a mere 1.9 percent in 1978 and rose to 14.8 percent in 1996.

In 1985 on the 4th day of this very month my Mayor Harold Washington, the Mayor of the great city of Chicago ordered city agencies to award 30 percent of their contracts to companies owned by minority group members and women. He had to threaten to impose financial penalties on contractors who try to avoid this minority goal. He suffered death threats and humiliation from the media from his actions. However because of his actions minority businesses were able to break an inefficient, archaic system that favored a handful of contractors and prevented minorities and women from obtaining city business.

There is good reason for concern that without a federal program in place, minority participation will decline substantially. When DBE programs end, many prime contractors return to the same exclusionary practices that denied minorities and women the chance to compete for business before the DBE program was created and will completely destroy what Mayor Harold Washington and the city of Chicago worked for. Why must we continue to allow certain members of this Congress to hinder a person's efforts to overcome poverty and adversity and other such obstacles to achieving excellence.

Mr. Chairman, I am told truth is proper and beautiful in all times and in all places. Well now is the time, and the place. Let us be truthful to the all American business people and give them the right and responsibility to access the roads to prosperity. Vote no to the Roukema amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Mr. Chairman, I rise with my colleagues and friends to oppose this amendment. This amendment is anti-small business. When I chaired the Michigan Small Business Committee in the House, we heard over and over again the concerns of small businesses about coming particularly into the field of transportation and competing with the large firms. The majority of small businesses today are being opened by women and minority firms. This gives the opportunity not for a guarantee, not for a quota, but for the opportunity to get started in a multibillion-dollar business.

This is a transportation package that will provide jobs and billions of dollars in contracts. What we are asking, what the committee reported out was the opportunity to make sure that small and disadvantaged businesses have the opportunity to get started in this business. We are talking about those who do not have a long track record and relationships over years and years being able to be given a chance as a small business to get that first contract so then they can go on to get the second and the third and get bigger and bigger.

I urge a no vote on this amendment. It is anti-small business.

Mrs. ROUKEMA. Mr. Chairman, I include for the RECORD a letter of a small businessman in New Jersey, who indicates the discrimination he endured and was denied equal opportunity.

I also include for the RECORD the letter of Ward Connerly of the American Civil Rights Coalition in support of my amendment.

GEOD CORPORATION,
Newfoundland, NJ, April 1, 1998.

Hon. MARGE ROUKEMA,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ROUKEMA: I urge you to please support congresswoman Roukema's amendment H.R. 2400, the Intermodal Surface Transportation Efficiency Act (ISTEA). This amendment will end the racially divisive policy of imposing race preference quotas on every transportation related public works project. These race/gender preference programs have had a devastating negative impact on my small business. I am the owner of a 35 person land surveying firm located in New Jersey. My firm has been repeatedly denied opportunities to bid or submit my company's qualifications on public works projects due to my white male ownership status. Time and time again my prospective clients have said ''sorry John we know your company does good work but we have to meet the required quota percentage's in order to be selected, all our subcontractors have to be MBE, WBE or DBE firms''.

Through the Freedom of Information Act, I obtained lists of executed contracts by both New York and New Jersey Department's of Transportation for the last 3 years: 95, 96 & 97. Incredibly more than 80% of subconsultants on all contracts were D/M/WBE firms. In my industry—Land Surveying, 95% of the survey firms used as subconsultants were D/M/WBE's. My firm has been denied an equal opportunity to provide our services on public works projects due to Affirmative Action's race and gender preference programs.

I urge you to please support Congresswoman Roukema's amendment H.R. 2400.

Sincerely,

JOHN F. EMILIUS, *President.*

AMERICAN CIVIL RIGHTS COALITION,
Sacramento, CA, March 30, 1998.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR SPEAKER GINGRICH: Tomorrow the House Rules Committee will decide to whether or not to make in order an amendment from Representative Marge Roukema to the Intermodal Surface Transportation Efficiency Act (ISTEA) bill to eliminate provisions inserted by the Senate that contain racial preferences and set asides. I would ask that you do everything in your power to ensure that this amendment is made in order.

As you noted on ABC's ''This Week'' last September we should have competitive bidding in federal contracts, not quotas or set asides. The Supreme Court agreed in the Adarand decision, ruling that programs granting racial preferences and set asides are unconstitutional unless they can meet a specific and compelling state interest. Aside from being ineffective, using discriminatory federal policies as a method of redressing past discrimination is counterproductive. Discrimination is wrong, no matter where it occurs. As public servants, we have an obligation to protect people's civil rights, whether it is through your authority as House Speaker or mine as a university regent.

What some people in our nation have forgotten is that civil rights are individual rights. As you know, our constitution guarantees the rights of individuals, not groups. When government confers benefits on groups of people on the basis of race, ethnicity or gender, it injects a bit of poison into the body politic.

Please let me know if I or the American Civil Rights Coalition can be of any help to you as you consider action on this important issue.

Sincerely,

WARD CONNERLY, *Chairman.*

Mrs. ROUKEMA. Mr. Chairman, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Chairman, I thank the gentlewoman from California for yielding me the time.

Inherently unfair? I have heard that said several times today. I thought I would not have too many surprises when I came here, but today I have been surprised. Equal pay for equal work, have my colleagues ever heard that question raised? I, too, chaired, in our Senate the Committee on Small Business for a number of years. I can tell my colleagues, there is some inequities out there. If they do not believe that, come and see me after we have got through here. I have got some swampland for sale.

I do not understand why we have to debate this issue and try to not be seemingly aware that there is some inequities. Why would we want to do this? It is permissive. It is a goal. We have the opportunity to do what is right. I hope that we will defeat this amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT), ranking member of the Subcommittee on the Constitution.

Mr. SCOTT. Mr. Chairman, we know exactly what will happen if this amendment is passed. Similar legislation was passed before and the result is always the same. Opportunities for minorities and women will disappear. For example, in Michigan, when they eliminated their program, minority businesses were totally shut out of billions of dollars of State contracting dollars.

Mr. Chairman, we do not live in a color-blind world. According to a study by the Department of Transportation, a white-owned construction firm will likely receive 50 times more bonding authority than an identically situated black-owned firm.

In addition, we know that minorities and women are discriminated against in access to capital and are still excluded from many business opportunities and social circles where many important business decisions take place. That is why white males who represent one-third of the population already get over 90 percent of the contracts.

This amendment does nothing to deal with that vile discrimination. We can dress up this amendment by describing it in glowing rhetorical terms, but we know what it will do. It will devastate the future opportunities for minorities and women. Therefore, Mr. Chairman, I ask for a no vote on this amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Chairman, I adamantly oppose the Roukema amendment to strike provisions of BESTEA that continue the Transportation Department's Disadvantaged Business Enterprises Program. I represent the part of Houston which is currently embroiled in a lawsuit regarding this exact program. In fact, the citizens of Houston overwhelmingly supported a referendum to continue the DBE program as recently as this spring. Houston is not in a vacuum. This is an issue that has captured the attention of cities nationwide. The DBE program is fair and it is constitutional. It does not include any set-asides or any quotas. Rather, it is a goal-setting economic development program. It uses a competitive bidding process, which includes qualified minority and women-owned businesses vying for transportation dollars. There is a need for the DBE program. Minority and women owned businesses are still underrepresented in the construction industry.

The Senate recognized the validity of the program when it defeated Senator MCCONNELL's efforts to eliminate the program. The Roukema amendment will have a devastating effect on the opportunities for DBEs to participate in federally funded highway and transit projects. I urge my colleagues to oppose the Roukema amendment to eliminate the DBE included in BESTEA.

Mrs. TAUSCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have heard the debate on the House floor and I hear a lot of talk about free enterprise and free markets. I would like to point out that it was President Ronald Reagan that signed this bill into law. The fact of the matter is that if we look at the system we have in place today, what we have in place is very simple. We have socialism for white contractors and free enterprise for everybody else.

Let us look at the whole idea of what goes behind this. If we have got some idea that we want to have a poor black entrepreneur in Boston or California or, yes, New Jersey bid on one of these contracts, if we want a woman to feel that she can compete, how are they going to do it? We have an entire tax system that allows you to depreciate all of your equipment as a contractor.

You cannot walk in and start a new construction company and be able to bid on any of these Federal contracts and be able to effectively compete. If you start up with all the capital requirements that are necessary to bid on these big jobs, there is no way that unless you are already in the club you can get in the club.

So what we do is we pretend, by a lot of rhetoric, that if we take a program that has no quotas, that has no timetables, that just says that if there is a qualified minority or a qualified woman that wants to bid on a contract, we ought to provide her or him or that individual with a competitive environment in order to get it. It has not lessened the quality of the workmanship of our highway program throughout the Nation. In fact, it has strengthened it.

What we are doing, make no mistake about it, is we are saying this is for white boys only. That is all this amendment is about. It is trying to say, we are going to put up a wall between women and minorities and the work and the taxes that they pay in order to be able to build our highway system.

Let us be honest with the system we have got. Let us encourage minorities and our women to go out and get competitive, get business contracts, start their own companies and employ the people of our country.

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Mrs. ROUKEMA. Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Chairman, I thank the gentlewoman for yielding.

We are hearing a lot of things today about what is happening and what is not happening. One of the things that is important for us to understand is what affirmative action originally meant. If we go back to what President Kennedy said when he issued the original affirmative action executive order, it involved this provision. It said, ''The contractor will take affirmative action to assure that applicants are employed and that employees are treated during employment without regard to their race, creed, color, or national origin.''

Without regard to their race, creed, color, or national origin. That is the principle of nondiscrimination. That is the principle of affirmative action as it was originally embodied in the policy of this land, and that is the policy of this amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for yielding to me.

The Roukema amendment turns back the clock and destroys the very viable constitutional DBE program. I rise in vigorous opposition.

Mr. Chairman, I am rising today to speak against the Roukema Amendment that would abolish the Department of Transportation's Disadvantaged Business Enterprise Program. For almost two decades, the DOT's DBE Program has been providing equal opportunities for women and minorities competing for highway and transit contracts. By reaching out to women and minority-owned firms and fostering business relationships, the program has countered the effects of discrimination and good old boy networks which have been road blocks for many legitimately competitive minority-owned businesses.

The fact remains that as a result of continued discrimination, women and minority-owned firms remain underrepresented in the construction field, even today. Now is not the time to discontinue DOT's equal opportunity program. It is still an essential tool in paving the road to equal opportunity for many ''so-called'' disadvantaged businesses. This program does not impose quotas or set-asides of any kind on those seeking to receive a government contract, it merely gives the government a reachable goal to achieve and a standard to measure in regards to women and minority participation in our vast federal economic apparatus.

Furthermore, the Adarand decision has put forth a clear groundwork of which affirmative action programmatic agendas genuinely produce diversity without unfairly harming others and which do not. The law is clear, affirmative action is neither illegal nor inappropriate. It is frankly a necessary means in trying to achieve true multi-cultural and multi-gender diversity amongst those people this government chooses to do business with. The DBE program is about creating points of access and opportunity for those groups who would otherwise not have them. We have mended affirmative action to meet the needs of our changing world and its law, but we can not end it. Opportunity is as essential to success in this world as air is in our lungs; give people a fair chance to maximize their potential. Vote down the Roukema Amendment. This amendment is bad for Texas and bad for Houston. This is not reverse discrimination.

Mrs. TAUSCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, this highway bill will spend over $200 billion of taxpayers' money. The fact is that well over half of those taxpayers are women and minorities.

It is only a matter of basic fairness that groups comprising a majority of American taxpayers should have a realistic chance to compete for 10 percent of the highway programs paid for by their tax dollars. It was that very fundamental issue of fairness that caused 58 Democrats and Republicans in the other body to vote ''no'' on this unfair amendment.

The DBE program is not a quota. I oppose quotas. But what is good for America and good for our highway program is that when we are spending billions of American taxpayer dollars we should at least make it a goal to not exclude women and minorities from these programs. That is the right thing to do.

Mr. Chairman, I have heard a few Members today talk about reverse discrimination in the highway business. Well, I have a suggestion for them: Go across this country and visit highway contractors and come back to me and tell me if they really think there are too many Hispanics and African-Americans and women owning and managing highway contractor firms. And while they are at it, take a look at those States who had gotten rid of goals and see what has happened. Then they and I can talk about real discrimination.

Mr. Chairman, I have reservations about this bill, quite frankly. To all of those supporting this actively, I would suggest that the passage of this amendment would be seen as an insult by the vast majority of Hispanics, African-Americans, and women in this House voting, at least right now, planning on voting for this bill.

If they want to see the wheels fall off this highway bill today, simply pass this amendment, sit back and watch. This amendment is not about quotas. It is not about reverse discrimination. It is about simple fairness. Vote ''no'' on this amendment.

Mrs. ROUKEMA. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. EHRLICH).

Mr. EHRLICH. Mr. Chairman, I felt compelled to come over here just to congratulate the gentlewoman for not indulging in threats and for not being politically correct and for doing the right thing and for having the guts to stand up and speak her mind. And I congratulate the gentleman from California for his usual articulate manner with respect to this issue.

Mr. Chairman, we know what quotas do. And quota language is in the bill. It is a fact. And the gentleman from Florida talked about the history of quotas in this country, and facts are dangerous. Facts are particularly dangerous on this floor. Quotas lead to taxpayers getting the short run, and we all know it. Low bidders are subject to reverse discrimination, as the gentlewoman originally stated.

The American people lose in the process, and the American people are divided again in the process. If there is anything we can least afford in these days and times is to again divide the American public.

Civil rights should mean and always mean equal rights. That is what it used to mean before PC came about. I truly congratulate the gentlewoman from New Jersey, whom I am very proud to serve with on the Committee on Banking for doing the right thing for all of the American people.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. Brown).

Ms. BROWN of Florida. Mr. Chairman, today I rise in opposition to this amendment. The vote on this amendment is a no-brainer. Even though today might be April Fools, in 14 days it will be tax time; and on this day, every single person will contribute their share to the pot.

This pot reminds me of my grandmother's sweet potato pie. We all contribute to that pot every year. So when it comes time to cut it up, we should all get a piece. That includes women and minorities. Women and minorities contribute their share to the Federal Government, so why should they be excluded from getting part of the goods and services?

The DBE program is simply one tool to make sure that we are on a level playing field when it comes to competing. Vote ''no'' on this amendment.

Mrs. ROUKEMA. Mr. Chairman, may I ask how much time is remaining on each side, please?

The CHAIRMAN (Mr. HASTINGS of Washington). The gentlewoman from New Jersey (Mrs. ROUKEMA) has 6 minutes remaining, and the gentlewoman from California (Mrs. TAUSCHER) has 7½ minutes remaining.

Mrs. ROUKEMA. Mr. Chairman, and I will have the right to close?

The CHAIRMAN. The gentlewoman from California (Mrs. TAUSCHER) has the right to close.

Mrs. ROUKEMA. Mr. Chairman, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank my friend from California for yielding me the time.

I rise in strong opposition to this amendment. The program under consideration here is not a perfect program, but we are not a perfect Union either. One of the ways that we are imperfect is that people have not had real economic opportunity. They have been shut out. If we leave this program in place, people will have the chance to be included and participate.

But perhaps even more importantly than what this program does for people is we should oppose the amendment for what it says to people. Do we really believe and are we really prepared to say that enough has been done, that women and people of color and people that have been left out of this process have enough now, that we have gone as far as we can go and have done all that we can do to rectify decades of discrimination in this country?

I think the answer to that question is ''absolutely not.'' We have a long way to go. The approval of this amendment would be a step in the wrong direction. The defeat of this amendment is a step in the right direction. I urge its defeat.

Mr. Chairman, I rise to oppose the amendment offered by my colleague from New Jersey, which would end the Transportation Department's efforts to give disadvantaged businesses the opportunity to bid for transportation contracts.

The current law promotes economic growth and advances social justice through the Disadvantaged Business program, by giving disadvantaged businesses the chance to compete for up to 10% of federal transportation spending, which would be as much as $20 billion over the next five years. Many small businesses have been unable to participate in federal transportation contracting in the past, including companies owned by minorities, women, people with disabilities, and others. These companies deserve a chance to get started in the process, to get their first contract, and to begin growing and hiring more workers. This is the best way to create jobs and promote justice.

The Roukema Amendment would undercut the goals of growing the economy and ensuring justice. This proposal would cut out many of these disadvantaged businesses that deserve a chance to get their foot in the door. The Roukema Amendemnt embraces the rhetoric of affirmative action, but it would abolish the current practice of affirmatively reaching out to help disadvantaged businesses get a fair start.

This amendment eliminates a law which guarantees that the government works to include people who have been excluded from a program which builds our economy and builds small businesses. This disadvantaged business law is the only approach that works. It works to build the best roads in the world, and it works to give minorities, women, people with disabilities, and other disadvantaged Americans a chance to compete for contracts. When

they win these bids, these companies create jobs for disadvantaged citizens across our country, at the same time they are helping to build the highest-quality highways for our people. It is a grave mistake to think that we can do without it.

For these reasons, I strongly oppose the Roukema Amendment and urge my colleague to vote against it.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-McDONALD. Mr. Chairman, I thank my colleague from California for yielding to me.

A distinguished Member of this House once wrote that ''In politics we have no permanent friends, no permanent enemies, just permanent interests.'' It gives me no great pleasure to rise in opposition to one of my Women Caucus colleagues, but I do have permanent interests, and that is the economically disadvantaged.

As the co-chair of the Women-owned Business of the Women's Caucus, I held a hearing the top of the year because women were complaining that, though we have mandated about 5 percent of the procurement contracts, they have only gotten 1.8 percent of the contracts.

This is what DBE is all about. It allows women and others, irrespective of their race, the opportunity to apply for contracts if they qualify. The DBE program is not a set-aside, it is not quotas, it is simply giving them an opportunity to qualify for contracts for those who are economically disadvantaged.

The disadvantaged business enterprise provisions of BESTEA are sound and were passed out by the full committee with bipartisan support. I join the Senate in saying ''no'' on the Roukema amendment and ''yes'' for moving an agenda for women-owned businesses.

Mrs. ROUKEMA. Mr. Chairman, I yield 1½ minutes to our colleague, the gentleman from Indiana (Mr. MCINTOSH).

Mr. McINTOSH. Mr. Chairman, I want to thank the gentlewoman from New Jersey (Mrs. ROUKEMA) for bringing this amendment to the floor, and I wholeheartedly support it.

Let us be very clear. The Supreme Court has stated that the current set-aside program is unconstitutional because it violates the 14th amendment guarantee that all Americans will be treated equally regardless of race, color, or gender. By setting aside a certain number of contracts to be allocated on those bases, current law flies in the face of our constitutional mandate that all Americans be treated equal under the law.

Now, President Clinton has suggested that we need to mend, not end, affirmative action to bring it in compliance with the Supreme Court rulings and to bring it in compliance with our notion that has been since the founding of our country that every person is of equal dignity.

I think the Roukema amendment does exactly that. It removes the unconstitutional provision that sets up a quota and says that certain contracts will not be awarded based on merit, based on free competition, not based on what color your skin is or whether you are a woman, not a man. That is wrong and needs to be removed from law.

What her amendment does, which is absolutely necessary, is puts into place an effective affirmative action program that says we are going to reach out to disadvantaged contractors, reach out to minorities, reach out to women and make available to them every opportunity to compete on a free and equal basis.

I heartily encourage my fellow colleagues to vote for the Roukema amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Chairman, we have to recognize that there is still disparity out there. And if we do not recognize it, we do not see it.

For them to stand up there and talk in terms of being in favor of affirmative action, in favor of trying to do the right thing reminds me of the slave owner who basically said, you are better off in slavery because we will be able to take care of you. It is appalling in terms of the comments that I hear when I stand up here before my colleagues.

It is not a quota. We need to recognize the fact that there is preferential treatment that is occurring out there and that is discrimination that is happening, and we need to see how we can best respond to that. And this program is one of the programs that has been proven to make sure that the individuals have an opportunity to be able to participate.

My colleagues cannot tell me that women are having a fair deal out there, because they are not; and for my colleagues to stand up there to say that they are is contrary to what is actually happening. It is contrary to what the statistics will show and tell us. I would ask that my colleagues consider what has been done too.

To say that it is contrary to the Supreme Court decision, I would ask my colleagues to also consider the Adarand decision, because this particular decision does not deal with this particular item, and it is a safe item, and we should continue to support it.

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume.

I am afraid the gentleman from Texas is the only one that I know of who interprets the Adarand decision that way.

Mr. Chairman, what is the balance of my time?

The CHAIRMAN. Each side has 4½ minutes remaining. The gentlewoman from California (Mrs. TAUSCHER) has the right to close.

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume.

I would simply say that I think our colleagues have been listening to this debate, but in no way are we denying affirmative action. We are really mending it and bringing it up to date because it has resulted in unintended consequences. And my amendment carefully protects outreach, as well as the civil rights and anti-discrimination elements of affirmative action and literally goes back to our original intention. As we know now, the courts are clearly coming to terms with this. And if we do not act upon it, the courts certainly will.

Mr. Chairman, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, it is amazing the fundamental ignorance that goes behind this amendment and particularly to people who have responded in debate tonight.

First of all, it is very obvious that they do not know that there are no quotas in this bill. There are no quotas in this bill. They feel that there are. They feel that there are some set-asides. There are no set-asides in this bill, only goals. They do not understand, obviously, that this bill is not all for minorities and women. It is for disadvantaged. Anyone can be disadvantaged. Even some white males have been disadvantaged.

So this is a spurious argument that they are using here today. It is not even based on fact. If they are trying to bring to the floor a bill which one of our colleagues from Florida has been trying to tack onto everything that has come through this House, then do it. But this is no way to do it. They are doing it on a bill that is going to benefit a lot of people in this particular body.

So if that is what they are doing to try to kill the transportation bill, then kill it. But kill it in such a way that is noble and noteworthy and not cloaked behind something that is not true.

I say to each of my colleagues to vote against this bill. This is a terrible bill, and they know it. They have got one of their moderates to present it, but it is presented under the wrong title.

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Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Chairman, despite an overwhelming bipartisan defeat in the Senate, unfortunately we have before us another attempt to gut a program that gives women and minorities the chance to compete for Federal highway dollars.

The Disadvantaged Business Enterprise program works. It puts women and minorities to work. It gives them the chance to compete in an industry that has traditionally shut them out.

It is not a quota. It is not a set-aside. If it were, do we really think that Ronald Reagan's administration would have created this program? I think a not.

The highway bill offers so much to so many. It is wrong to turn back the clock on women and minority-owned businesses. Let us not put a tollgate on the road to opportunity for these aspiring entrepreneurs.

We can further refine this program. As the President has said, mend it, do not end it. But this amendment goes too far. I urge a ''no'' vote and, frankly, a return to the kind of bipartisan spirit that has allowed us to begin to make some progress against the legacy of discrimination. This program should be reaffirmed and not eliminated.

Mrs. ROUKEMA. Mr. Chairman, I just want to set the record straight. Nobody sought me out as a moderate, dirty word, moderate to do this amendment. I have been advocating this procedure for more than a year. In addition, the Senate proposal was not this proposal at all, the one that was defeated. It was a far more complicated one. It created a whole new program. It was not my amendment that was defeated.

Mr. Chairman, I yield the balance of my time to Speaker GINGRICH.

The CHAIRMAN. The gentleman from Georgia, the Speaker of the House, is recognized for 3½ minutes.

Mr. GINGRICH. Mr. Chairman, I hope that everybody who is listening carefully to this debate has listened to our good friends over here, because they are now caught in an inherent contradiction. They say to us they are against quotas. Member after Member got up and said, ''I am against quotas.'' They say to us there is nothing in this program that is a quota. They say to us, ''We are against the government discriminating.'' They say there is nothing in this program that requires the government to discriminate.

I want to thank the gentlewoman from New Jersey (Mrs. ROUKEMA), for having the courage to stand up here and to offer a very, very important amendment. Notice what it says. It says it is for affirmative action. Affirmative action: ''to expand the applicant pool for transportation contracts in order to increase competition; to encourage participation by businesses owned by women and minorities in bidding for transportation contracts.''

Affirmative action: ''to recruit qualified women and minorities into the applicant pool for transportation contracts.'' And it goes on to say, an affirmative action ''to encourage transportation contractors to request businesses owned by women and minorities to bid for transportation contracts'' and affirmative action ''to include qualified women and minorities into an applicant pool for transportation contracts.'' Everything we are told our friends over here believe in.

But here is what it then goes on to say. It then says, but it cannot involve granting a preference. This is the nub of this thing. Should an American citizen be discriminated against? Should an American citizen be discriminated for by their own government? Should the Government of the United States say to you, well, you were the lowest competitive bidder, but you did not fit the preference this week.

Let me point out, in California, when this broke down, when Senator CAMPBELL at that time first got involved in this fight, it was because it was Asian women who were being discriminated against at law school and could not get in because the quota was filled. And it was Asian women who were being discriminated against, not white males, not the old boy network. They frankly were not studying enough. But Asian women.

So let us go ahead. What does the gentlewoman from New Jersey (Mrs. ROUKEMA) do? She says it is a ''prohibition against discrimination or preferential treatment.'' We have been told by our friends over here they do not have any preferential treatment. There is no quota.

All right. What would the gentlewoman from New Jersey (Mrs. ROUKEMA) do? She says no governmental entity, the very government of our own country, no governmental entity shall, in connection with a transportation contract, in other words, in giving out the money of the American people, the Government of the United States shall not, one, ''intentionally discriminate against, or grant a preference to, any person or group based in whole or in part on race, color, national origin, or sex,'' which by the way is what Hubert Humphrey said in 1964 was the essence of the Civil Rights Act.

So what does this say? We are not going to ask you to tell us that you are black. We are not going to ask you to tell us you are white. We are not going to ask you to tell us that you are Asian. We are not going to ask you to tell us you are Hispanic.

We are going to ask you to tell us what will you charge for this contract. And the lowest competitive bidder should get the contract. Why should the lowest competitive bidder be told, well, you know, you would build the best highway, you would do the best job for the taxpayer. You went to school and you learned how to do it and you worked hard and you founded your own little company, and, you know, you would have gotten the contract, but this week you do not fit.

Oh, it is not a quota anymore. I am not sure what you all would call it. A preference, a ripe banana, a kumquat. I mean, what is this year's code word? What is the newest phrase? Because you cannot defend quotas. You know you cannot get up here and say, yep, I want to make sure my political friends that give to my campaign get a quota. Yep, I want to make sure that my friends get their contract, even if they are not the lowest bidder. Yep, in fact they could be the highest bidder, but if they fit the right quota; you cannot say that anymore.

So my colleagues come down here and misdescribe what she does. What she does is very straightforward. It is right here, and my colleagues cannot refute it. She says the Government of the United States will not discriminate.

When I was an Army brat growing up from Pennsylvania to Kansas to France to Germany, and I arrived in Georgia in 1960, we had government-imposed segregation. It was totally wrong. I have lived in an integrated system called the United States Army, and I go into an integrated system called military dependent schools.

But to set up a new system of discrimination, to set up a new approach by which the Government of the United States cheats the people of this country, no longer gives away the contract to the lowest competitive bidder, but picks out a political winner.

So we say to our children, do not go and study engineering, study how to fill out the application. Do not go and study business, fill out how to make sure you are in the right quota.

We saw it happen in San Francisco when people began to apply as firemen and had new ancestors who happened to fit the quotas.

So I want to commend the gentlewoman from New Jersey. This is the right step. It is very simple. The Government of the United States should not discriminate against any American. The taxpayers of the United States should expect that the lowest competitive bidder will get the grant.

I urge a ''yes'' vote for the Roukema amendment.

Mrs. TAUSCHER. Mr. Speaker, I have here a letter from the President of the United States sent by fax this morning from Dakar where he says,

> The DBE program is not a quota. The existing statute explicitly provides the Secretary of Transportation may waive the 10 percent goal for any reason and that this benchmark is not to be imposed on any State or locality.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Minnesota (Mr. OBERSTAR), ranking member of the committee.

The CHAIRMAN. The gentleman from Minnesota is recognized for 2 minutes.

Mr. OBERSTAR. Mr. Chairman, when all else fails, read the language of the legislation. The inherent contradiction that our esteemed Speaker talked about is in the amendment itself, not in the arguments on this side. The inherent contradiction is that the amendment goes on for line after line talking about all the good things it wants to do. Then in the end it defines preference in the last four lines as an advantage of any kind, a quota, set-aside, numerical goal, timetable, other numerical objective. Does it also mean outreach? They want to protect outreach? They do not do that in this legislation.

The DBE program has worked wonderfully for the 6 years of ISTEA. The 10 percent goal is a national target. State and local recipients of DOT funds set their own goals for DOT participation and construction projects based on the availability of disadvantaged businesses in their markets. There is no absolute requirement that a particular goal be met.

In fact, it is very acceptable business practice to set goals. Goals are a standard tool of good management worldwide. But by prohibiting goals, the amendment prevents States and localities from measuring progress against discrimination. That is what this is all about, progress against discrimination.

I have heard all sorts of conversation today from the advocates of this amendment about freedom, freedom to choose, freedom to move, mobility. Let me just say, Mr. Chairman, rich and poor alike have the freedom to leap under a bridge. Only the poor wind up under the bridge. Do not stuff people under a bridge with this amendment. Let us defeat this amendment. Let us stand up for what is good in America and give poor, minorities, women, an opportunity to bid on this great highway program, this $270 billion program of ours that moves America forward into the next century.

Mr. DELAY. Mr. Chairman, I rise in support of this amendment.

BESTEA is a terrific bill. I salute Chairman Shuster and his committee for the many hours of hard work they put in on this bill over the last year.

I thank the committee for including a very important provision which will exempt from federal DBE requirements any transit authorities that are under court order preventing them from complying with these requirements.

This is a step in the right direction, but it doesn't quite go far enough.

It is time to completely put an end to discrimination in the awarding of transportation contracts.

Mr. Chairman, race-based discrimination is wrong. And gender-based discrimination is wrong. And it is wrong regardless of whether the victim is male, female, black, or white.

The DBE program is a federally-mandated quota program that commands highway and transit contractors to discriminate based on race and gender.

A federal court in Texas recognized that this kind of discrimination is wrong when it ordered the city of Houston's metro transit authority to cease awarding contracts based on race and gender.

Houston METRO complied with this court order, and as a result, it went 18 months without its share of federal funding.

The BESTEA bill prevents this kind of thing from happening again. It guarantees that transit agencies will not lose their funding when a court orders them not to discriminate. That's great. I support that.

If we pass this amendment, we will take an even bigger step in rooting out discrimination. Getting rid of the DBE program will ensure that agencies continue to receive funding if they refuse to discriminate—even without a court order.

I urge my colleagues to stomp out government-enforced discrimination. I urge them to vote yes on this amendment.

Mr. TOWNS. Mr. Chairman, I rise in strong opposition to the Roukema Amendment to the Building Efficient Surface Transportation and Equity Act to eliminate the Disadvantaged Business Enterprise Program. I strongly support the DBE Program which was first signed into law by President Reagan in 1983. The goal of the DBE Program is to eradicate the lingering effects of discrimination in the construction industry, and provide equal opportunities for minority and women-owned business to compete for federal highway and construction contracts.

Although the playing field is still far from level, we have made progress since the inception of the DBE Program. The percentage of women and minority-owned firms participating in the construction of America's highways has increased. By reaching out to minority and women-owned firms and forging business relationships, this program has been successful in countering the effects of ''good old boys'' network. Despite the success of the DBE program, non-DBE firms still get over 85% of federal highway and construction contracts. If we eliminate this program now, we will reverse modest gains for women and minorities in the construction industry.

Make no mistake, when Members say that they want to eliminate this program in order to ensure fair competition for all firms, including those owned by minorities and women, they are deliberately misleading the American people. If they do not believe that discrimination exists in the construction industry, they are blind. If they do not believe that majority-owned firms, advantaged by a network good old boys, have a historical advantage, they are either blind or naive, or both. If they say that elimination of the DBE Program will not result in a sharp decline in the percentage of minority and women-owned firms participating in federal construction projects, they are insincere.

Mr. Chairman, both the Reagan and Bush administrations supported the Disadvantaged Business Enterprise Program. The President, under the stewardship of Transportation Secretary Rodney Slater, has urged Congress to continue its support for the DBE Program. The DBE program does not impose quotas or set-asides. Instead, it simply sets a national goal that 10% of highway and transit funds be used for services rendered by disadvantaged businesses. However, the goals are flexible. The program allows state and local governments to set their own goals based on the numbers of disadvantaged businesses in their markets. And a state can waive the goal if it cannot find a qualified disadvantaged business.

The DBE program is consistent with President Clinton's ''mend it, don't end it'' policy on affirmative action, and the Supreme Court's Adarand decisions which allowed the use of affirmative action programs by the federal government to meet a ''compelling government interest'' to combat the ''lingering effects of discrimination.''

I urge my colleagues to follow the lead of the House authorizing Committee, which recommends that this program be continued. I urge you to follow the Senate's lead, which voted overwhelmingly to retain it. And finally, I urge my colleagues to follow the lead of the two past Presidents and our current President, all of whom support this valuable program. I urge the rejection of this amendment.

Mr. DIXON. Mr. Chairman, I rise in strong opposition to the Roukema amendment. How ironic that the GOP—who recently led the effort that resulted in renaming Washington National Airport to the Ronald Reagan National Airport—now seeks to eliminate a vital program which President Reagan himself signed into law. The Department of Transportation's Disadvantaged Business Enterprise (DBE) Program is about providing opportunities—an ideal our Republican colleagues often champion as one of their goals. It is not about quotas, set asides, unqualified businesses receiving preferential treatment, nor about violations of Supreme Court rulings.

The DBE program was created by Section 105 (f) of the Surface Transportation Act of 1982 (P.L. 97–424) in order to increase the share of qualified, ''socially and economically disadvantaged'' businesses in the transportation construction industry. Under the program, state Departments of Transportation and state and local mass transit agencies must establish a goal of awarding 10 percent of all funds spent on federal-aid highway projects to certified firms owned by ''socially and economically disadvantaged individuals.'' However, if a state agency or prime contractor is unable to find enough qualified subcontractors to reach the goals, they are allowed to apply for a waiver to lower the goal. There are no penalties or sanctions for failure to meet a goal.

The Roukema amendment would gut DOT's ability to address a problem that still plagues our nation: the paucity of minority and women-owned firms who receive transportation dollars. For those who naively believe that American has fully realized her dream of a color-blind society, a society in which there no longer exists a need to ensure an equitable playing field in the economic marketplace for disadvantaged persons, I submit that they are mistaken. Discrimination is alive and well and manifesting itself through the difficulties minorities and women continue to face in securing access to contracts and capital.

Consider that minorities make up 20 percent of the population, yet represent only 9 percent of all construction firms and 5 percent of all construction receipts. Women own one-third of all firms, but receive only 19 percent of the business receipts. White-owned construction firms receive 50 times more loan dollars than black-owned firms with identical equity.

Without goals, women- and minority-owned businesses have been shut out of transportation construction projects. In 1989 in Michigan, within nine months of terminating the state DBE program, no minority businesses received contracts. Seven years later, in 1996, DBEs still had received no more than 1.1 percent of state highway contract dollars.

These disturbing statistics further underscore the reality that America has yet to reach the honorable state of a truly color-blind society, and that in order to ensure absolute parity in the contracting process, we must legislate fairness through programs such as the one before us today. Think about the following example: since the inclusion of women in the DBE program in 1987, women have enhanced their procurement dollars by approximately 175 percent. In FY 1994, the DBE program generated nearly $87 million in contracting opportunities for women-owned businesses. These contracting opportunities resulted in the creation of 62,000 new jobs. When racial/ethnic minority-owned firms are added, the DBE program in FY 94 generated $3.4 billion and

resulted in the creation of approximately 146,000 new jobs.

This program does not set aside a specific amount of money for any one population group, nor does it guarantee that a specific number of businesses will receive contracts. And let me reiterate: there are no penalties for not meeting the 10 percent goal. This amendment is strongly opposed by the Administration, and the Senate recently defeated a similar amendment by a vote of 58 to 37. I share the view of Transportation Secretary Rodney E. Slater who has said that ''[r]emoval of the DBE program from H.R. 2400 would be a serious blow to our efforts to assure fundamental fairness to the citizens of this country.'' I urge defeat of this amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, a distinguished Member of this House once wrote that ''in politics, we have no permanent enemies, just permanent interests.'' It gives me no great pleasure to rise in opposition to one of my Women's Caucus colleagues, but I do have permanent interests—the economically disadvantaged. The Disadvantaged Business Enterprise provisions of BESTEA are sound and were passed out of the full Committee with bi-partisan support. The DBE programs in this bill do not include set asides or quotas. These DBE programs use a competitive bidding process to include minority and women-owned businesses.

As Co-Chair of the Women's Caucus Women-Owned Businesses Legislative Task Force, I held a hearing on the lack of procurement opportunities for women-owned businesses because women were complaining that they did not have access to federal contracts.

The Disadvantaged Business Enterprise program is fair, flexible and complies with the Supreme Court's ''strict scrutiny'' standard. It serves as the model program for federal agencies aspiring to extend contracting opportunities for women and minority-owned firms who receive disproportionately fewer contracts and subcontracts than their qualifications and ability warrant.

It sets the goal of 10 percent of highway and transit funds be used for services rendered by disadvantaged businesses. State and local governments then set their own goals based on the numbers of disadvantaged businesses in their local markets. And if a prime contractor cannot find a qualified disadvantaged business, the state can waive the goal entirely.

Any individual owning a business may demonstrate that she or he is socially and economically disadvantaged, even if that individual is not a woman or minority. In fact, businesses owned by white males have qualified for DBE status.

Since the inclusion of women in the DBE program in 1987 under President Ronald Reagan, women have enhanced their procurement dollars by approximately 175 percent. The participation of women and minority-owned small and disadvantaged businesses in federally assisted highway construction contracting has grown from a mere 1.9 percent in 1978 to 14.8 percent in 1996.

In fiscal year 1996, 6.7 percent of contracts were awarded to women-owned businesses under the DBE program, generating $1.4 billion for women-owned businesses and producing 62,000 new jobs in highway and transit industries.

Between 1987 and 1996, women-owned businesses in the field of construction grew by 171 percent. During that same time period, contracts to women-owned businesses increased from 2.6 percent to 6.7 percent in 1996.

As of 1996, there were more than one million women-owned businesses in the state of California—that is a 77.7 percent growth since 1987 when Ronald Reagan signed into law the inclusion of women in the DBE program. In California, women-owned businesses received less than 4 percent of the DBE dollars.

We need the DBE program. White-owned construction firms received 50 times as many loan dollars as black-owned firms with identical equity. At least 492 firms have grown from subcontractors to prime contractors after entering the DBE program.

The Senate voted 58 to 37 to defeat an amendment to replace the DBE program. I urge the House to follow their bipartisan lead and maintain this fair, effective and constitutional program.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from New Jersey (Mrs. ROUKEMA).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. ROUKEMA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to House Resolution 405, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on Amendment No. 2 offered by the gentleman from Illinois (Mr. DAVIS) which will be taken immediately after this vote.

The vote was taken by electronic device, and there were—ayes 194, noes 225, answered ''present'' 1, not voting 11, as follows:

[Roll No. 93]

AYES—194

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Roukema
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—225

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Forbes
Ford
Fox
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kleczka
Klink
Kucinich
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (OR)
Smith, Adam
Snyder
Souder
Spratt
Stabenow

Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Watt (NC)
Watts (OK)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

ANSWERED ''PRESENT''—1

Radanovich

NOT VOTING—11

Cannon
Gonzalez
Hutchinson
Jefferson
Klug
LaFalce
Payne
Rangel
Ros-Lehtinen
Royce
Waters

☐ 1844

Mr. Martinez and Mr. McDade changed their vote from ''aye'' to ''no.''

Messrs. Dan Schaefer of Colorado, Young of Alaska, Snowbarger and Whitfield changed their vote from ''no'' to ''aye.''

Mr. Radanovich changed his vote from ''no'' to ''present.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. DAVIS OF ILLINOIS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 175, not voting 13, as follows:

[Roll No. 94]

AYES—242

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bartlett
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Calvert
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Kucinich
LaHood
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Pelosi
Peterson (MN)
Pickett
Pombo
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Redmond
Reyes
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Souder
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Watt (NC)
Waxman
Weldon (PA)
Weller
Weygand
Wise
Woolsey
Wynn
Yates

NOES—175

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Everett
Ewing
Foley
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Knollenberg
Kolbe
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Oxley
Packard
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Riggs
Riley
Rogan
Rohrabacher
Roukema
Ryun
Salmon
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shuster
Snowbarger
Solomon
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Wamp
Watkins
Watts (OK)
Weldon (FL)
Wexler
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Cannon
Gonzalez
Jefferson
Klug
LaFalce
Payne
Rangel
Ros-Lehtinen
Royce
Scarborough
Smith (MI)
Spratt
Waters

☐ 1853

Mr. EWING and Mr. FOLEY changed their vote from ''aye'' to ''no.''

Mr. ORTIZ changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 4 printed in part II of House Report 105–476.

AMENDMENT NO. 4 OFFERED BY MR. GRAHAM

Mr. GRAHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. GRAHAM:

(a) HIGHWAY PROJECT AUTHORIZATION.—

(1) In section 102(8), strike all after the parenthetical and insert ''$596,000,000 for fiscal year 1998, $816,000,000 for fiscal year 1999, $885,000,000 for fiscal year 2000, $885,000,000 for fiscal year 2001, $885,000,000 for fiscal year 2002 and $885,000,000 for fiscal year 2003.''

(2) In section 103(b), strike the ''and'' and all that follows after paragraph (7) and insert ''and'' after paragraph (6).

(3) Strike sections 127(b) and 127(c) and redesignate sections of the bill accordingly.

(b) TRANSIT PROJECT AUTHORIZATIONS.—

(1) In section 328(a) in the matter proposed to be inserted as section 5338(b)(1) of title 49, strike all that follows after ''to carry out section 5309'' through the end of such subsection and insert ''(1) $878,000,000 for fiscal year 1998, (2) $964,800,000 for fiscal year 1999, and (3) $1,045,200,000 for fiscal years 2000 through 2003.''

(2) In section 329(a) strike ''shall not exceed'' through the end of such subsection and insert ''(1) $800,000,000 for fiscal year 1998; (2) $856,000,000 for fiscal year 1999; and (3) $1,045,200,000 for fiscal year 2000–2003.''

(3) Strike sections 332 and 333 and redesignate sections of the bill accordingly.

The CHAIRMAN. Pursuant to House Resolution 405, the gentleman from South Carolina (Mr. GRAHAM) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. GRAHAM).

☐ 1900

Mr. GRAHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. LARGENT).

Mr. LARGENT. Mr. Chairman, I would like to speak in support of this amendment that would strike out all of the special projects in the current bill before this committee.

I want to say that I am opposed to the bill itself for three principal reasons: One, it is bad process; two, it is

bad precedent; and three, it is a bad product.

Let me speak about bad process first. I would ask the question, is it right that the campaign committee chairmen are consulted before the special road projects are given to Members who live or represent politically sensitive districts where they have tough races coming up in November?

Is it right to dangle millions of dollars in front of Members for no specific projects, just a blank check?

Is it right to award the States of Committee on Transportation and Infrastructure Members an average of $253 million, versus $54 million if there is not a Member on the Committee on Transportation and Infrastructure from one's State?

It is bad precedent because this bill exceeds the budget caps put in place last summer by $26 billion, that is with a capital B, billions of dollars. What happens when we use the budget caps as a defense when anybody else wants to raise spending in any other level? Are we going to say, no, we cannot do that because of the budget caps? We cannot do it if we pass this bill.

What happens when we begin building deficits as a result of this fiscal insanity? We will raise taxes. It is bad precedent.

It is a bad product. What do I mean by that? Is it responsible to increase the total funding for infrastructure by 42 percent, which is what this bill does? The Balanced Budget Agreement, which we voted on, again, last summer, calls for a 20 percent increase in infrastructure funding. How much is enough?

What happens when the Senate does not agree with the offsets? What are we going to do then?

Do we really think a high-priority project is a transportation museum in Pennsylvania, an Appalachian Transportation Institute at Marshall University, or $800,000 for a train station? Are these really high-priority projects?

The chairman of this committee is a zealous advocate for roads. I appreciate that and respect him for it. But I believe he has crossed the center line. The House's own rules say it shall not be in order for any bill to contain any provision for any specific road.

The rule was never waived until 1982. Then, in 1982, it was waived: ten special projects, at a cost of $386 million; in 1987, 152 for $1.3 billion; in 1991, 539 projects, for $6.2 billion; this year, 1,450 projects for $9.3 billion.

Support the amendment of the gentleman from South Carolina to strike these projects.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

THE CHAIRMAN. The gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 10 minutes.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that I may yield 5 of my minutes to the distinguished gentleman from Minnesota (Mr. OBERSTAR), to control blocks of time.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) will control half the time in opposition.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the principle of Members of Congress being able to recommend to our committee specific projects, and our committee in turn being able to vet those projects and determine ones which are worthy.

It is very important to emphasize that only 5 percent of the total funding in this bill is dedicated to high-priority congressional projects. That means, and let me be even more specific, 88 percent of the decisions being made as to where the highways and transit systems are being built will be made by the States: by governors and by the legislatures and the departments of transportation. Seven percent of the money goes downtown, to be made by the Secretary of Transportation.

The decisions to build highways and transit systems are not decisions made by angels up in heaven. These are decisions made in the political process. Governors decide where it is best to put highways. State legislators decide.

There is nothing wrong with Members of Congress, who are the ones that have to cast the tough votes to create the programs, having some say. To have a 5 percent say does not seem unreasonable.

In fact, I would point out that if indeed this amendment were to pass, and $18 billion less were to be available, then we would be violating the principle of spending gas tax dollars for improvements to infrastructure. We would be back in the same old game we were in previously, where the American people were being flim-flammed. They were paying their gas taxes at the pump, but the money was building up in the Trust Fund, and this would increase the balance in the Trust Fund.

Conversely, if we strike the projects but do not strike the money, then there is no saving. We would be back keeping faith with the people in terms of saying that the money paid by the gas tax would be available to be spent, and that is all, only the revenue coming in the gas tax; honesty in budgeting, that is all. Then we would be saying the money can be spent, but zero decisions would be made by Members of Congress, and all of the decisions would be made by those governors and legislators and the Secretary of Transportation downtown.

I think it is not reasonable to believe that somehow there is a non-political, pure process back in the State Houses, as compared to the decisions that are made here. In fact, if a Member of Congress does not know what is important to his district, then I do not think he is going to be a Member of Congress very long.

Let me say, I do not agree with some of the projects that have been submitted. But that is not my decision to make. In fact, I would respectfully suggest it is a bit arrogant for someone to say that we know better what is important for Members' congressional districts than they know.

Indeed, we have a vetting process. The vetting process is a 14-point vetting process, which includes recommendation by the Secretary of Transportation in the State, which includes recommendation by the mayors.

Indeed, what I find so mystifying is my good friend, the gentleman from South Carolina (Mr. GRAHAM), submitted four projects to us. I have the letter right here from him, saying that the South Carolina Route 72 project is vital and would provide additional traffic capacity resulting in safe and efficient roadways in three counties, a letter asking for the project.

And my good friend, the gentleman from Oklahoma (Mr. LARGENT), signed a letter asking for projects. In fact, I do have a letter from the Governor of Oklahoma received just yesterday saying, ''On behalf of all Oklahomans, I want to express our appreciation for the successful committee action on the bill to do so much to restore Federal funding dollars and to move the vital Interstate 40 crosstown project forward.''

That is the project which was requested by two members of the Oklahoma delegation who took this floor or took a press conference last week to attack our integrity, suggesting that we were offering projects in exchange for votes. At the time I challenged somebody to come forward and to name one Member of Congress to whom I said, I will give you a project in exchange for your vote, or conversely, threatened, you will not get a project if you do not vote for it. None has come forward? Why, because it never happened.

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Chairman, this is also worth pointing out, that this was an open process, with 4 full days of hearing, 170 Members of Congress testifying in public, supported by hundreds of local mayors and officials from across the United States, pointing out the merits of these particular projects.

Mr. GRAHAM. Mr. Chairman, speaking of angels and governors, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I would like to speak in support of the Graham amendment. I believe that what we have here is a violation of the Balanced Budget Agreement. I think the committee, by the way, did a good job on this legislation. They just went too far. They went about $26 billion too far, and that is money which we do not presently have.

About $18 billion of that can be found in these special demonstration

projects. I disagree with the Chairman on this. I believe the special demonstration projects are wrong. I believe they are pork. I believe these decisions should be made by the States and by the officials who live in the States, who are qualified to make decisions about where their highways should go.

How are we going to pay for this? I ask Members to ask themselves that before they support this legislation. We are going to pay for it because education is going to suffer, defense is going to suffer, housing may suffer, the environment may suffer. Maybe we will not balance the budget. Alan Greenspan will tell us that interest rates will go up 2 percent if we do not get a balanced budget.

I think these are extraordinarily important issues. I hope before anybody here votes, whether they have demonstration projects or not, they will consider the enormity of what we are doing. This has just gone too far, and it is too bad, because an extraordinary amount of good work was done here.

However, the bottom line is, all of us should unite to support this amendment and take this $18 billion off the table.

Mr. OBERSTAR. Mr. Chairman, I yield 2½ minutes to the gentleman from West Virginia (Mr. RAHALL), a ranking member of the Committee on Transportation and Infrastructure, and an architect of this legislation.

Mr. RAHALL. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, let us get some facts on the table. The gentleman from Pennsylvania (Chairman SHUSTER) has laid out very well how funds for highways are apportioned under this bill. Eighty-eight percent would be distributed to the States by formula through apportionments, by going to States. Basically, this money goes to governors and State legislators. Seven percent would stay here in Washington for administration of the Federal Highway Administration.

Let us get it straight, only 5 percent, the remaining 5 percent of the highway funds in BESTEA, are for these projects that are deemed to be high-priority projects by Members of this body. That is the same as in the current law, ISTEA. The bottom line is that governors and State legislators get to spend 88 percent of the highway dollars, while House Members get to direct only 5 percent.

Yet some in the media, and I think perhaps the sponsors of this amendment, ought to look at these facts, instead of paying attention to those in the editorial pages in some of the national newspapers or those in the media who would portray this as pork and something evil. Let us look at the facts. They ignore the fact that 88 percent of these dollars are going directly to the State governors and State legislators for their disbursements.

Are these individuals angels? Let us get real. The last time I checked, governors were elected like we are elected, politicians. They have to run for election. I do not know of any governor that has been appointed from some holier-than-thou source to serve. So these guys are politicians. Get real.

I would submit that Members of this body, Democrat and Republican alike, know his or her district better than any State governor who has to make those decisions on a Statewide basis. If anybody in this body does not know his or her district better than the governor of their State, I doubt if they are going to be here very long.

These projects are worthwhile. They have been through a rigorous vetting process. They have answered a series of 14 tough questions that we instituted back when we started reauthorizing ISTEA. They have been part of the transportation plan of every State.

We have reviewed the requests. We have held public hearings. There has been nothing secretive about the process, there has been nothing dishonest about the process, there has been nothing corrupt about the process; some of the words being thrown around here.

So the proof is in the pudding. This legislation has passed the muster. It has passed the muster with the Surface Transportation Policy Project, a liberal group comprised of environmentalists, in line with the Conference of Mayors and League of Cities. The Surface Transportation Policy Project has endorsed this legislation, and they have said that these projects are worthwhile.

I would urge rejection of this amendment.

□ 1515

Mr. GRAHAM. Mr. Chairman, I yield myself 5 seconds, just to say that Citizens Against Government Waste and the National Taxpayers Union support my amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, I rise in support of this amendment. I would like for the American public to know what was left on a voice mail in my office by the Committee on Transportation and Infrastructure:

''Matt, this is Darryl Wilson with the Transportation Committee. I'm calling about the BESTEA bill, which is the transportation measure that is moving through the committee. We have a deal for you on the funding levels for that. I originally spoke to your office last September and we said there was $10 million in this bill for your boss. Well, we are upping that by $5 million, so now you have $15 million. I just want to know where your boss wants to spend that money.''

Mr. Chairman, I want to tell my colleagues that if we apply this logic that we get to dole out 5 percent of the transportation funds, then we should apply the same logic elsewhere. Let us dole out 5 percent of the Defense Department funds in our district. Let us dole out 5 percent of the funds for Medicare in our district, for Medicaid, for food stamps, where the Congressman could surely know how to control that.

Mr. Chairman, this is a corrupt process that is used to extend the political careers and situations of Members of this body. It ought to stop. I support this amendment.

Mr. GRAHAM. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, when we came here and became a majority, we said we were going to change things. We were going to be different. We were going to balance the budget, which we finally did now for the first time in 30 years. And now we are getting ready to break that commitment by $26 billion, $18 billion of it in special pork projects.

That is, in my mind, business as usual. What has changed? It is wrong, and I urge my colleagues to support this amendment. That is the right thing to do.

Mr. GRAHAM. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I thank the gentleman from South Carolina (Mr. GRAHAM) for yielding me this time. I rise in strong support of the gentleman's amendment, and I want to make the point that the people get this issue back home.

The editorial in the Mesa Tribune today: ''Pork barrel bribery. Transit bill is out of whack.'' The editorial in yesterday's Wall Street Journal: ''Highway robbery.'' Today's front page Arizona Republic: ''Pork deal raw.''

The answer is this bill breaks every promise we made when we got here. We came here and said we would not do business as usual, but this bill has us spending money the same way money used to be spent. It is pure and simple bribery.

Mr. Chairman, if we allow Members of Congress to control how the money is spent in this bill, why not allow Members of Congress to control how the money is spent in every bill? This is the kind of project where it is pork by definition because of the way the support was built.

The truth is these decisions need to be made on merit. They need to be based on the real need for these transportation projects. They should not be such that one State with a powerful committee chairman gets hundreds of millions of dollars more, even billions of dollars more than another State which has no Member on the committee. That is the way Washington used to work and under this bill, it is sadly the way this bill still works.

Mr. GRAHAM. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. INGLIS).

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman from South Carolina (Mr. GRAHAM) for yielding me this time.

Mr. Chairman, this is probably the most embarrassing night that I have ever spent in this Congress, to realize that we came here to change things and we are not. We are participating in the big old trough that has characterized this place in the past, and it is a terrible embarrassment to be part of the new majority and to stand here and have to support this amendment that would take care of that trough that we are seeing.

Mr. Chairman, there are 31 States who will be cheated as a result of this bill and the demonstration projects in it. Not an opinion; it is a mathematical fact. If a Member is from South Carolina and votes for this bill, they are cheating the State of South Carolina. So it is for 30 other States. Unless Members happen to have the big dig going on in their State or are from Pennsylvania, they are being cheated in this bill.

Demonstration projects cheat their State, and in return they are getting a press release. So they get a press release and their State gets cheated. That is a lousy deal for their State and it is a lousy deal for America.

Mr. Chairman, I urge my colleagues to vote for this amendment and fix this lousy bill.

Mr. GRAHAM. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I too am very embarrassed for this House. We came here in the Class of 1994 in particular claiming that we were willing to trade about anything to balance the budget and cut taxes. Tonight we are the people busting the budget. We are the people with the proposal billions of dollars higher than the United States Senate.

I am embarrassed at what is before us. I see media reports in Indiana of Members of Congress who are getting money that is going to be allocated to their county commissioners. That was not a carefully scrutinized thing. It is up to the county commissioners now to decide whether they have potholes on their roads. Any Member of Congress can have such a thing.

It was not a carefully scrutinized process. Everybody here, whether it was direct or indirect, knew that if they supported this bill they would have access to certain funds. We all advocate different projects at different times within the context of the balanced budget. This busts the budget. This is contrary to what we ran on. By the time we get done with this, the House and the Senate and the President, we are going to have spent the supposed surplus and undermined everything we claimed to have come here to do, and I am embarrassed for this body tonight.

Mr. GRAHAM. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from South Carolina is recognized for 2½ minutes.

Mr. GRAHAM. Mr. Chairman, I would say to the gentleman from Pennsylvania (Chairman SHUSTER), listen up. You have used my name, and that is okay. You talked about a letter I wrote, and that is okay. Last year your committee called me and said there was $7 million for projects in my district. I submitted a list of projects after talking with the highway commissioner in the Third Congressional District, and I appreciated the $7 million.

Two weeks ago I got a call from your committee, unsolicited, that said I now have $15 million. I said no. You told me I had by 5 o'clock two weeks ago to take the money or lose it, and I said no. And the reason I said no is because the bill you put together spends $26 billion more than we can afford to spend.

What you are doing is, you are allowing this House to slip down a slippery slope because your committee wants to take more of the balanced budget pie than we gave it. And the next chairman and the next worthy cause is going to do that.

You are going to make us take it out of somebody else's hide, because you have an amendment in this package that requires this bill to be offset. So we have to go to somebody else in this government and say, ''Give us $26 billion because we overspent on highways, but we are not going to give a dime ourselves.''

Mr. Chairman, my amendment says give up the demonstration projects and we reduce the amount we have to offset by 69 percent. But we are not going to do that. We are going to go to other people in the government and say, ''Give it up. But not us, buddy.''

Mr. Chairman, we reduce spending by 8 percent if we do away with the demonstration projects. All of them are probably worthwhile. I am not up here shaming anybody. Let us assume all 1,467 of them are worthwhile. Look what has happened since the last time we did this. Look how the number of projects has grown. Look how much money. We have tripled the number of projects and increased the spending by a third.

I am not here to shame anyone and say that their project is not worthwhile. I am here to say we cannot afford it. Families cannot afford a lot of things they would like. But not us. Somebody in this government is going to pay for this bill, but it will not be us. We will not give one penny. We are going to take every penny we can get and put it in the ground, in the asphalt, and somebody else is going to have to give it up.

Mr. Chairman, that is what is wrong with this country. That is why we cannot lead. The gentleman has taken the balanced budget agreement and has made a sham out of it and we all should be ashamed.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Minnesota is recognized for 2 minutes.

Mr. OBERSTAR. Mr. Chairman, I just wish to observe that it is inappropriate for a Member to address directly another Member, and that all remarks should be addressed to the Chair in proper debate.

Mr. Chairman, when all else fails, try the facts. The facts that are this committee went through a very appropriate process of asking all Members about projects that are priorities and important in their district, priorities that their State has not addressed. Point 8 of our 14-point questionnaire: ''Is the project included in the metropolitan and/or State transportation improvement plan or the State long-range plan? Is it scheduled for funding?'' And on through a very objective analysis of each project.

That is a fair way to do it. Who said that all wisdom resides in the State? A statement was made earlier in this debate, decisions should be made by the States, who know what the needs and priorities are in their State. Well, the States will have the choice to match the required 20 percent or not to match it, to start projects under construction or not to start those projects. Those are decisions that are left to the States.

But let me tell my colleagues what kind of wisdom there is in State government. There was a stretch of highway in my district on which, over 15 years, 57 people have died. Where did that appear on the State priority list? Nowhere, until I got involved in it and brought them together, and now we are going to address long-term and immediate needs on Highway 8, and there are not going to be any more deaths if I have my way and if we have the funding that is in this legislation.

All of this talk about we are spending over the amount. Listen, we give up $9 billion of the Highway Trust Fund, taxes already paid by drivers in America who have been carrying for 30 years the burden of government on their back, and we give up the future interest, $13 billion dollars. We paid for it. The drivers of America paid for this bill over and over and over again, and now it is time to get their due and let us invest in America. We know what projects are good and important for our districts every bit as well as those governors do.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from South Carolina (Mr. GRAHAM).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GRAHAM. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 405, further proceedings on the amendment offered by the gentleman from South Carolina (Mr. GRAHAM) will be postponed.

It is now in order to consider amendment No. 5 offered by the gentleman from South Carolina (Mr. SPRATT) printed in Part II of report 105–476.

AMENDMENT NO. 5 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Part II amendment No. 5 in the nature of a substitute offered by Mr. SPRATT:

Strike all after the enacting clause and insert the following:

SECTION 1. TWO-MONTH EXTENSION OF TRANSPORTATION PROGRAMS.

Notwithstanding any other provision of law, there is authorized to be appropriated out of the Highway Trust Fund such sums as may be necessary to continue funding for an additional two months each of the programs for which an extension was provided under the Surface Transportation Extension Act of 1997 (111 Stat. 2552 et seq.) at the same monthly rate for which funds were provided for each such program under such Act.

The CHAIRMAN. Pursuant to House Resolution 405, the gentleman from South Carolina (Mr. SPRATT) and a Member opposed will each control 10 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am for spending more on highways and mass transit, but we have a process for deciding how much more and which priorities we will pare back or preclude to make room for more spending on highways so that we can keep the budget in balance.

The purpose of this amendment is basic and simple. It is just to let this process work. What it calls for is regular order, nothing more. Let us pass a budget resolution. Let us go through the 302(B) allocation process. Let us identify $26 billion in offsets, or whatever the amount may be, and then let us come back to this floor and pass this bill.

Mr. Chairman, I feel compelled to offer this amendment because I am the ranking member of the Committee on the Budget, and this bill does not just skirt or evade the budget process, it is a frontal assault upon it. It violates the Balanced Budget Agreement of 1997, which we only voted for a few months ago, and trumpeted by all of us who voted for it, by authorizing $40 billion more for contracting authority than the BBA provides and $26 billion in outlays over the next 5 years above and beyond the BBA.

Mr. Chairman, it radically departs from the appropriations process by letting the transportation conferees decide some $26 billion in offsets to pay for their increases. All of these offsets are outside their jurisdiction. It violates the Congressional Budget Act by being brought to the floor ahead of the budget resolution. It violates the Budget Enforcement Act of 1990 by providing $9.3 billion in mandatory spending for demonstration projects without identifying $9.3 billion in offsets. And it dismantles the budget structure that we built up so painstakingly over the last 15 years, which has brought us to a balanced budget, by taking transportation off budget, removing it from any strictures whatsoever.

To those who say there is not the time to do this process, this amendment provides an answer.

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It extends the Surface Transportation Extension Act for another 2 months. This act was temporary in the first place. It runs out on May 1. It will have to be extended because it is highly unlikely that we will have a conference report by then and, in any event, States will not get any more budget authority under BESTEA than they will get under this because the levels for 1998 are the same.

What we are proposing here once again, Mr. Chairman, is budget discipline, the budget process that we built up over time. In the end, I am sure transportation will get more. They have demonstrated that Members from all parts of the country and all places on the spectrum support more spending. But we will do it in a regular order procedure, and we will do it in a process so we can determine exactly which priorities will have to be displaced to give transportation more.

Mr. Chairman, I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 10 minutes.

Mr. SHUSTER. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. OBERSTAR), and I ask unanimous consent that he may control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SPRATT. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. SHAYS), and I ask unanimous consent that he may control and allocate the time.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

This is a terrible amendment because particularly for the Northern States, it will destroy the opportunity to have funding as they prepare for the winter season. It is wrong to pass another short-term extension. Now that the May 1 deadline is before us, it is irresponsible to impose additional short-term extensions.

An extension is going to interrupt the State's critical summer contracting season. It is going to force the Northern tier States to virtually lose an entire construction season. There will be insufficient funds available for the States to have the certainty to go forward with critical projects.

This amendment will delay any implementation of BESTEA until the last quarter of fiscal 1998 and will put out additional funds, get this, additional funds under the unfair Senate-imposed formula that was included in the short-term bill that is now before us.

Many more States will receive more apportionments and obligation authority than they would receive for the entire year under BESTEA. This will preclude a full formula change for this year. Donor States will have to wait another year for the formula, the fair formula, which we have in this bill, to take, fully take effect.

This will completely upset the minimum allocation program and apportion more funds that are not subject to any equity adjustment.

Members' projects will not be able to begin. They will lose a whole season before these projects can be implemented. BESTEA simply spends the new gas tax revenues coming into the Highway Trust Fund over the next 6 years. That is what the people who pay these taxes expect. Rather than upset the budget process, BESTEA, in fact, restores honesty and fairness to the budget process.

In sum, this amendment will wreak additional havoc with the States, virtually every State, but most particularly the Northern tier States. It is unfair and unnecessary.

I urge my colleagues to oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SHAYS. Mr. Chairman, I yield myself such time as I may consume. First, I want to thank both the ranking member and chairman. They believe in what they are doing. We happen to disagree. But in every instance that I have dealt with them they have always been gentlemen. I just think they are wrong.

Mr. Chairman, I totally disagree with the arguments outlined by my chairman from the Committee on Transportation and Infrastructure. This amendment extends the temporary ISTEA bill for 2 months. We anticipate that we will be able to pass a full bill before then. But what we are being asked to do in this legislation is to spend and allocate $217 billion without having the offsets to pay for the new money. I think that is wrong.

Mr. Chairman, I yield 1½ minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me the time.

This is a good amendment. Let me use an analogy. Take a hot summer day and there is a picnic and there are sandwiches and potato chips and cookies there. And somebody comes along with ice tea, and it is 95 degrees out and that ice tea looks awfully good, and they fill your glass. That is absolutely wonderful. But they make a mistake and they fill it too much, and it spills on the sandwiches and on the potato chips and the cookies, and it ruins them. That is what is happening here.

This is good legislation. This is good ISTEA. To the extent that this Committee on Transportation and Infrastructure, to their great credit, put together a formula and put together the numbers that we handled in the budget agreement, they did a wonderful job. But they went too far. They went too far by about $26 billion.

What this amendment is doing is saying let us wait for 2 months so we can see how much money we are really going to have to be able to spend on transportation, which we all agree should be done. We have heard all manner of examples all afternoon of how we should spend money on transportation. That is absolutely correct. But the bottom line is that the glass has overflowed here and we have $26 billion too much in it.

I just spoke a moment ago on the demonstration projects. I think that is poor public policy. Beyond that, we are looking at that additional money. Where is it going to come from? We are about to vote blindly for a piece of legislation in which we are not at all sure what the offsets are. Let me remind Members of what we just went through with about $2.5 billion, which we could not find offsets. What are we going to go through on $26 billion? Who is going to suffer on that?

As I stated earlier, will education suffer? Will the environment suffer? Will housing suffer? Will defense suffer? Will the balanced budget suffer? Any of these things could suffer. The Spratt amendment makes all the sense in the world. The 2-month month delay will not hurt anything, and it will let us do what is the most important thing we are going to do this year, balance our budget. Support the Spratt amendment.

Mr. OBERSTAR. Mr. Chairman, I yield 2½ minutes to the gentleman from West Virginia (Mr. RAHALL), ranking member of the Subcommittee on Surface Transportation.

Mr. RAHALL. Mr. Chairman, I thank the gentleman from Minnesota for yielding the time to me.

I commend the gentleman from South Carolina, the ranking member on our Committee on the Budget, for the work that he does on that committee. He is proposing an amendment here that would allow the normal congressional budget process to work its will prior to enactment of BESTEA. Unfortunately, highway construction seasons across our country do not necessarily allow themselves, because of the seasons through which they go, to follow our normal budget processes in Congress.

The other body decided to proceed full steam ahead with this legislation prior to consideration of their budget resolution. And I think our House leadership made the appropriate decision in consultation with our House budget chairman, to proceed forthwith on this legislation at this time. We are facing a May 1 deadline.

After May 1, the States will lose their ability to obligate spending authority and in many States much more, so in our Northern States and other States, this will truly wreak havoc in their transportation planning decisions.

Not only will it wreak havoc in the States, but there could very well be a problem with the FHWA here in Washington. There are staffing problems to consider. We do not want to face any type of a government shutdown at FHWA, which would truly be devastating to our road mapping processes and transportation decisions across this country.

There is no way to plan if the States are faced with a cutoff of obligational authority come May 1. It is truly a drop-dead date. We do not have the luxury of trying to comply with the budget process or time frames that have been set up here in this Congress.

We are talking about spending what the American taxpayers and the American motorists in particular have already paid at the gas pump and that is why we must proceed here forthwith without waited for any budget resolutions. It is no way to plan America's future. It is no way to plan for the safety on our Nation's highways.

If we are to delay this process and find come May 1, or a couple of weeks thereafter if we face a slippage that the States do not have the definitive schedule upon which to base the letting of contracts within their borders. So I would submit that while the chairman of, the ranking member of our Committee on the Budget has noble goals in mind, this is perhaps a back-door effort used by some on the other side of the aisle to truly kill this bill.

I would urge defeat.

The CHAIRMAN. The Chair would remind Members that the gentleman from South Carolina (Mr. SPRATT) has 2 minutes remaining, the gentleman from Minnesota (Mr. OBERSTAR) has 2½ minutes remaining, the gentleman from Pennsylvania (Mr. SHUSTER) has 2½ minutes remaining, and the gentleman from Connecticut (Mr. SHAYS) has 3 minutes remaining.

The gentleman from Pennsylvania (Mr. SHUSTER) has the right to close.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Chairman, this vote is not just about bridges and highways. We are all for them. It is a vote about priorities, a vote about fiscal discipline and a promise we made to America just last year. Unfortunately, as the majority leader put it the other day, the leadership of the House is more concerned about haste rather than substance.

As a result, we may unravel the first balanced budget in a generation. This is no way to write a budget. The cart is way before the horse. If we approve this bill we are going to have to make substantial cuts in the budget. Where do we get the $26 billion from; defense? From senior citizen housing, again, another day? From our kids health care? From education or maybe our seaports or airports, as we did the other day?

Those of us on the Committee on the Budget and the Committee on Appropriations already knew we were going to have to shave billions of dollars from the Federal budget just based on last year's budget deal. Now we will have to find billions of dollars more to cut.

Mr. Chairman, it boils down for us today to a question of courage. Let us be responsible about spending. Let us set our budget priorities in the manner they should be set and let us show the American people we have the courage to live within our means.

Mr. SHUSTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. PETRI), distinguished chairman of our subcommittee.

Mr. PETRI. Mr. Chairman, I would just like to make several points. First of all, I have watched one-minutes sometimes and hear the spin people are trying to give to this Congress. Some Members are saying we are a do-nothing Congress. And then Members are stepping forward and saying we should not do something.

We are trying to meet a major need of our country by passing this bill at an appropriate time, as asked by the national Governors who wanted us, if we possibly can, to get this done so that they can go forward with their construction seasons and plans this summer by May 1. If we had some assurances that the budgeteers would act in a reasonable and timely way, that is one thing. But knowing how these things work around here, they are not going to, I do not think.

We do not have any assurance that we will have a budget resolution passed and ready to guide Congress by May 1 or thereby. We will be lucky, last year I think it slipped into June or July. So that means if we waited for this process, we are into September or October and Congress will be gone.

This is saying we do not want to address the needs of the country. We do not want to deal with the donor State question in this Congress. That is what it is saying. They want to be a do-nothing Congress, not a do-something Congress. I think that is just plain wrong.

I have some suggestions for our budget friends as they say where we can find this money. We are giving up $9 billion, writing it off the debt of the United States. No scoring for that. We are lowered, by the budget resolution, the caps, by about $9 billion below what we are actually spending. That mistake could be corrected. That is not really an increase in spending, when we just continue in constant levels, yet they score us with cuts. We are giving up $14 billion of interest over the life of this bill. That is not being scored either.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, this amendment is not about roads. We desperately need roads. My State of Arizona is a growing State and it has great need for roads. But I rise in support of the Spratt amendment. It is a matter of process. This amendment sets the cart right. The bill, as it currently is proceeding before Congress, has the cart before the horse, simply put.

As a matter of budget discipline, we cannot pass this bill at this time without grave consequences. Alan Greenspan, Chairman of the Federal Reserve, came before the Committee on the Budget, of which, and the gentleman from South Carolina (Mr. SPRATT) are members and said, whatever you do in this Congress, you must not break the caps. He did not say you must not break them by a large amount. He said you must not break the caps. The signal you will send to this economy is dynamic. If you break the caps at all, you will destroy the discipline you have established.

This amendment will allow us the time to get the budget figures in mid month, to look at where we are and to do the process in an orderly fashion. The bill, in its current form, spends $26 billion above the budget caps. We have to find offsets that are nowhere in this current legislation.

It includes demonstration projects which, as we can see by the debate, are highly controversial. We need to identify those offsets and to proceed in a regular order. And if this bill were so correct and so fitting within the current figures, why does it spend $30 billion more than we authorized just 10 months ago in the balanced budget agreement? I support the amendment.

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. SABO).

Mr. SHAYS. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. SABO).

The CHAIRMAN. The gentleman from Minnesota (Mr. SABO) is recognized for 1 minute.

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Mr. SABO. Mr. Chairman, I thank the gentleman for yielding me the time.

As someone who voted for the gas tax to reduce the deficit in both 1990 and 1993, I have to say to my friends on the Republican side, if Democrats had brought a bill to the floor with mandatory spending and no offsets, or spending and no offsets, they would have laughed us off the floor. We never tried it. We did not try it. I cannot believe this process.

Why do we not deal with it honestly? There are people who prefer spending transportation money to other expenditures. That is a legitimate decision. But let us deal with the reality of the spending cuts that we then have to make. Let us be honest. This is not money from heaven. There are tradeoffs. Let us understand those tradeoffs. Let us pay some attention to the process that we are breaking here today.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the distinguished gentleman from South Carolina offers a very appealing and even compelling, rational, thoughtful argument. It is a neatly constructed syllogism which I appreciate. The horse should be before the cart, in very plain terms, the horse being the budget.

We did that last year. We had the debate on the budget resolution. We had the Shuster-Oberstar amendment, which asked Members to make choices, to prioritize, to decide where they wanted to pin dollars on their values. We came within two votes of prevailing because we offered something that was very reasonable and very responsible. We had an across-the-board minuscule cut.

Everybody is going to have a little cut. Little bit less in taxes, little bit less in defense, little bit less on domestic discretionary. And we exempted the mandatory programs and the entitlements. And we should have won.

I think that the reason that we are not doing it that way this year, I say to my good friend, the gentleman from South Carolina (Mr. SPRATT), is there some way up there in the White House and in the clouds above Mount GINGRICH who are afraid that we will win, that we will win that battle, that our values will prevail; and, so, they did not want to have it that way.

Now, this 3-month extension, that is a nice idea, buy a little time. Let me tell my colleagues what that buys. In my State we have two seasons, winter and road construction. And this is going to put us right through road construction into winter again, and it is going to do that for a whole northern tier of the United States. I do not think that makes a whole lot of sense.

We have had the debate. We have had all the numbers spelled out here. I think the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Pennsylvania (Mr. SHUSTER) have spelled it out; and I said it myself, look, we gave up $9 billion of taxes paid by the driving public of America that are in the Trust Fund. Commitments made, not delivered on. That is going to go off there into the ether somewhere to reduce that $3 trillion debt.

I hope everyone feels good about that. It is not going to build any roads.

Then we yield another $15 billion out into the future in interest on the dollars coming into the Trust Fund. I hope my colleagues feel awfully good about that, because that is not going to build any roads either.

This bill builds roads and bridges and transit systems and keeps America mobile and productive, and we ought to defeat this amendment.

The CHAIRMAN (Mr. HASTINGS of Washington). The gentleman from South Carolina (Mr. SPRATT) has 30 seconds remaining. The gentleman from Connecticut (Mr. SHAYS) has 1½ minutes remaining. And the gentleman from Pennsylvania (Mr. SHUSTER) has 1 minute remaining and the right to close.

Mr. SHAYS. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland (Mr. HOYER).

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland (Mr. HOYER) also.

The CHAIRMAN. The gentleman from Maryland is recognized for 1 minute.

Mr. HOYER. Mr. Chairman, from 1981 to 1992, we increased the debt of America by 437 percent. We did so doing good things the wrong way.

Yesterday, we passed a $2.9 billion bill and the majority demanded offsets before it passed. Today, we add $26 billion to the deficit, with offsets unknown. We should have, my friends, the discipline to pass a budget prior to adding $26 billion in spending before the caps.

My colleagues, we have come a long way in balancing the budget. Let us not fail now. Let us show the discipline to say, yes, we want these things; yes, we want to invest in the infrastructure of America; but let us determine how we are going to pay for it before we do it. That 437 percent increase in the debt was because we did not answer that question first.

Mr. SHAYS. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. MINGE), who was my partner in trying to put forward a balanced budget amendment.

Mr. MINGE. Mr. Chairman, I would just like to briefly say that all of us support transportation. We think it is vital in our country; it is important; it is our infrastructure. At the same time, all of us are sensitive to the practical needs of the States.

I think the important thing to recognize is that the bill reported out of Committee does not increase the spending in 1998 above the budget agreement. We do not have to worry about ruining the States' ability to construct roads in 1998 or let contracts. That is not what is at issue here. That is a red herring.

Mr. SHAYS. Mr. Chairman, I yield myself the balance of my time.

We spent 11 years trying to get our country's financial house in order. We are so close. And now we are spending the surplus we do not even have. We gave the Committee on Transportation and Infrastructure $20 billion above last year's agreement. We are giving them another $26 to $33 billion this year. We do not even have offsets.

For me, this is an amazing time. I salute my colleagues on the other side who have done this in a bipartisan way. But we spent 30 years having deficits in a bipartisan way. I thought we had ended that.

Mr. SHUSTER. Mr. Chairman, I yield myself the balance of my time.

A 2-month short-term extension is terrible policy for our State transportation departments, for the people

across America. This will destroy the construction season for many if not all of the States. There will be insufficient funding for the States to have certainty to proceed with projects. And, indeed, this will extend the unfair Senate-imposed formulas which we are living with now. And most importantly in that regard, the donor States will have to wait another year for the formula changes to take place; and Member projects will be delayed for another year.

Now, my good friend on the other side said, ''This is not money from heaven.'' How true that is. This is not money from heaven. This is money from the gas tax paid by the American people at the pump, and we do not spend one penny more than the revenue coming in.

Defeat this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from South Carolina (Mr. SPRATT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 405, further proceedings on the amendment offered by the gentleman from South Carolina (Mr. SPRATT) will be postponed.

It is now in order to consider Amendment No. 6 printed in Part II of House Report 105–476.

AMENDMENT NO. 6 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. KASICH

Mr. KASICH. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Part II amendment No. 6 in the nature of a substitute offered by Mr. KASICH:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Transportation Empowerment Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) that objective has been attained and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing fuels used in the States and then distributing the proceeds to the States based on the Federal Government's perceptions of what is best for the States;

(7) the Federal Government has used the Federal gasoline tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this Act are—

(1) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national transportation systems that are not within the direct purview of the Federal Government;

(2) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(3) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public lands;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(4) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of State and Federal transportation facilities; and

(5) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

SEC. 3. CONTINUATION OF FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) FUNDING.—For the purpose of carrying out title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund:

(A) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program under section 119 of title 23, United States Code, $5,100,000,000 for fiscal year 1999, $5,300,000,000 for fiscal year 2000, $5,400,000,000 for fiscal year 2001, $5,600,000,000 for fiscal year 2002, and $5,700,000,000 for fiscal year 2003.

(B) INTERSTATE AND INDIAN RESERVATION BRIDGE PROGRAM.—For the Interstate and Indian reservation bridge program under section 144 of that title $1,217,000,000 for fiscal year 1999, $1,251,000,000 for fiscal year 2000, $1,286,000,000 for fiscal year 2001, $1,321,000,000 for fiscal year 2002, and $1,360,000,000 for fiscal year 2003.

(C) FEDERAL LANDS HIGHWAYS PROGRAM.—

(i) INDIAN RESERVATION ROADS.—For Indian reservation roads under section 204 of that title $202,000,000 for fiscal year 1999, $208,000,000 for fiscal year 2000, $214,000,000 for fiscal year 2001, $220,000,000 for fiscal year 2002, and $225,000,000 for fiscal year 2003.

(ii) PUBLIC LANDS HIGHWAYS.—For public lands highways under section 204 of that title $182,000,000 for fiscal year 1999, $187,000,000 for fiscal year 2000, $192,000,000 for fiscal year 2001, $197,000,000 for fiscal year 2002, and $201,000,000 for fiscal year 2003.

(iii) PARKWAYS AND PARK ROADS.—For parkways and park roads under section 204 of that title $89,000,000 for fiscal year 1999, $91,000,000 for fiscal year 2000, $94,000,000 for fiscal year 2001, $97,000,000 for fiscal year 2002, and $99,000,000 for fiscal year 2003.

(iv) HIGHWAY SAFETY PROGRAMS.—For highway safety programs under section 402 of that title $171,000,000 for each of fiscal years 1999 through 2003.

(v) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For highway safety research and development under section 403 of that title $44,000,000 for each of fiscal years 1999 through 2003.

(2) TRANSFERABILITY OF FUNDS.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) TRANSFERABILITY OF FUNDS.—

''(1) IN GENERAL.—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

''(2) ENFORCEMENT.—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.''.

(3) FEDERAL-AID SYSTEM.—Section 103(a) of title 23, United States Code, is amended by striking ''systems are the Interstate System and the National Highway System'' and inserting ''system is the Interstate System''.

(4) INTERSTATE MAINTENANCE PROGRAM.—

(A) FUNDING.—Section 104(b)(5) of title 23, United States Code, is amended by striking subparagraph (B) and inserting the following:

''(B) INTERSTATE MAINTENANCE.—For each of fiscal years 1999 through 2003, for the Interstate maintenance program under section 119, 1 percent to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and the remaining 99 percent apportioned as follows:

''(i)(I) For each State with an average population density of 20 persons or fewer per square mile, and each State with a population of 1,500,000 persons or fewer and with a land area of 10,000 square miles or less, the greater of—

''(aa) a percentage share of apportionments equal to the percentage listed for the State in subclause (II); or

''(bb) a share determined under clause (ii).

''(II) The percentage referred to in subclause (I)(aa) is as follows:

''States:	Percentage:
Alabama	2.02
Alaska	1.24
Arizona	1.68
Arkansas	1.32
California	9.81
Colorado	1.23
Connecticut	1.00
Delaware	0.40
District of Columbia	0.13
Florida	4.77
Georgia	3.60
Hawaii	0.55
Idaho	0.70
Illinois	3.71
Indiana	2.63
Iowa	1.13

Kansas	1.10
Kentucky	1.91
Louisiana	1.63
Maine	0.50
Maryland	1.64
Massachusetts	1.68
Michigan	3.34
Minnesota	1.56
Mississippi	1.23
Missouri	2.45
Montana	0.95
Nebraska	0.73
Nevada	0.67
New Hampshire	0.48
New Jersey	2.28
New Mexico	1.05
New York	4.27
North Carolina	2.83
North Dakota	0.63
Ohio	3.77
Oklahoma	1.55
Oregon	1.23
Pennsylvania	4.12
Puerto Rico	0.50
Rhode Island	0.55
South Carolina	1.63
South Dakota	0.70
Tennessee	2.30
Texas	7.21
Utah	0.71
Vermont	0.43
Virginia	2.61
Washington	1.75
West Virginia	0.76
Wisconsin	1.91
Wyoming	0.66.

''(ii) For each State not described in clause (i), a share of the apportionments remaining determined in accordance with the following formula:

''(I) ⅓ in the ratio that the total rural lane miles in each State bears to the total rural lane miles in all States with an average population density greater than 20 persons per square mile and all States with a population of more than 1,500,000 persons and with a land area of more than 10,000 square miles.

''(II) ⅓ in the ratio that the total rural vehicle miles traveled in each State bears to the total rural vehicle miles traveled in all States described in subclause (I).

''(III) ⅔ in the ratio that the total urban lane miles in each State bears to the total urban lane miles in all States described in subclause (I).

''(IV) ⅔ in the ratio that the total urban vehicle miles traveled in each State bears to the total urban vehicle miles traveled in all States described in subclause (I).

''(V) ⅔ in the ratio that the total diesel fuel used in each State bears to the total diesel fuel used in all States described in subclause (I).''.

(B) CONFORMING AMENDMENTS.—Section 119(f) of title 23, United States Code, is amended—

(i) in paragraph (1), by striking ''If'' and inserting ''For each of fiscal years 1991 through 1997, if''; and

(ii) in paragraph (2)(B), by inserting ''through fiscal year 1997'' after ''thereafter''.

(5) INTERSTATE BRIDGE PROGRAM.—Section 144 of title 23, United States Code, is amended—

(A) in subsection (d)—

(i) by inserting ''on the Federal-aid system as described in subsection (c)(3)'' after ''highway bridge'' each place it appears; and

(ii) by inserting ''on the Federal-aid system as described in subsection (c)(3)'' after ''highway bridges'' each place it appears;

(B) in the second sentence of subsection (e)—

(i) in paragraph (1), by adding ''and'' at the end;

(ii) in paragraph (2), by striking the comma at the end and inserting a period; and

(iii) by striking paragraphs (3) and (4);

(C) in the first sentence of subsection (l), by inserting ''on the Federal-aid system as described in subsection (c)(3)'' after ''any bridge'';

(D) in subsection (m), by inserting ''on the Federal-aid system as described in subsection (c)(3)'' after ''any bridge''; and

(E) in the first sentence of subsection (n), by inserting ''for each of fiscal years 1991 through 1997,'' after ''of law,''.

(6) NATIONAL DEFENSE HIGHWAYS.—Section 311 of title 23, United States Code, is amended—

(A) in the first sentence, by striking ''under subsection (a) of section 104 of this title'' and inserting ''to carry out this section''; and

(B) by striking the second sentence.

(7) TERMINATION OF MINIMUM ALLOCATION.—Section 157 of title 23, United States Code, is amended—

(A) in subsection (a)(4), by striking ''fiscal year 1992 and each fiscal year thereafter'' and inserting ''each of fiscal years 1992 through 1997''; and

(B) in subsection (e), by striking ''the fiscal years ending on or after September 30, 1983'' and inserting ''fiscal years 1983 through 1997''.

(8) MOTOR CARRIER SAFETY GRANTS.—Section 31104 of title 49, United States Code, is amended—

(A) in subsection (a), by adding at the end the following:

''(6) not more than $90,000,000 for each of fiscal years 1999 through 2003.''; and

(B) in subsection (g)(1)—

(i) in subparagraph (B), by striking ''1993–1997'' and inserting ''1993 through 2003'';

(ii) in subparagraph (C), by striking ''1993–1997'' and inserting ''1993 through 2003''; and

(iii) in subparagraph (D), by striking ''1996, and 1997'' and inserting ''1996 through 2003''.

(b) EXTENSION OF HIGHWAY-RELATED TAXES AND HIGHWAY TRUST FUND.—

(1) EXTENSION OF TAXES.—The following provisions of the Internal Revenue Code of 1986 are each amended by striking ''1999'' each place it appears and inserting ''2004'':

(A) Section 4041(a)(1)(C)(iii)(I) (relating to rate of tax on certain buses).

(B) Section 4041(a)(2)(B) (relating to rate of tax on special motor fuels), as amended by section 907(a)(1) of the Taxpayer Relief Act of 1997.

(C) Section 4041(m)(1)(A) (relating to certain alcohol fuels), as amended by section 907(b) of the Taxpayer Relief Act of 1997.

(D) Section 4051(c) (relating to termination).

(E) Section 4071(d) (relating to termination).

(F) Section 4081(d)(1) (relating to termination).

(G) Section 4481(e) (relating to period tax in effect).

(H) Section 4482(c)(4) (relating to taxable period).

(I) Section 4482(d) (relating to special rule for taxable period in which termination date occurs).

(2) OTHER PROVISIONS.—

(A) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of such Code (relating to floor stocks refunds) is amended—

(i) by striking ''1999'' each place it appears and inserting ''2004'', and

(ii) by striking ''2000'' each place it appears and inserting ''2005''.

(B) INSTALLMENT PAYMENTS OF HIGHWAY USE TAX.—Section 6156(e)(2) of such Code (relating to installment payments of highway use tax on use of highway motor vehicles) is amended by striking ''1999'' and inserting ''2004''.

(3) EXTENSION OF CERTAIN EXEMPTIONS.—The following provisions of such Code are each amended by striking ''1999'' and inserting ''2004'':

(A) Section 4221(a) (relating to certain tax-free sales).

(B) Section 4483(g) (relating to termination of exemptions for highway use tax).

(4) EXTENSION OF DEPOSITS INTO, AND CERTAIN TRANSFERS FROM, TRUST FUND.—

(A) IN GENERAL.—Subsection (b), and paragraphs (2) and (3) of subsection (c), of section 9503 of such Code (relating to the Highway Trust Fund) are each amended—

(i) by striking ''1999'' each place it appears (other than in subsection (b)(4)) and inserting ''2003'', and

(ii) by striking ''2000'' each place it appears and inserting ''2004''.

(B) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(i) IN GENERAL.—Paragraphs (4)(A)(i), (5)(A), and (6)(E) of section 9503(c) of such Code are each amended by striking ''1998'' and inserting ''2003''.

(ii) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–11(b)) is amended—

(I) by striking ''1997'' and inserting ''2003'', and

(II) by striking ''1998'' each place it appears and inserting ''2004''.

(C) CONFORMING AMENDMENT.—The heading for paragraph (3) of section 9503(c) of such Code is amended to read as follows:

''(3) FLOOR STOCKS REFUNDS.—''.

(5) EXTENSION AND EXPANSION OF EXPENDITURES FROM TRUST FUND.—

(A) EXTENSION OF EXPENDITURE AUTHORITY.—Paragraph (1) of section 9503(c) of such Code is amended by striking ''1998'' and inserting ''2003''.

(B) EXPANSION OF PURPOSES.—Paragraph (1) of section 9503(c) of such Code is amended—

(i) by striking ''or'' at the end of subparagraph (C), and

(ii) by striking ''1991.'' in subparagraph (D) and all that follows through the end of paragraph (1) and inserting ''1991, or

''(E) authorized to be paid out of the Highway Trust Fund under the Transportation Empowerment Act.

In determining the authorizations under the Acts referred to in the preceding subparagraphs, such Acts shall be applied as in effect on the date of the enactment of the Transportation Empowerment Act.''.

(c) TERMINATION OF TRANSFERS TO MASS TRANSIT ACCOUNT.—

(1) IN GENERAL.—Section 9503(e)(2) of such Code (relating to Mass Transit Account) is amended by striking ''2.85 cents'' and inserting ''2.85 cents (zero, on and after October 1, 1998)''.

(2) AUTHORIZATION TO EXPEND REMAINING BALANCES IN ACCOUNT.—Section 9503(e)(3) of such Code is amended by striking ''before October 1, 1998''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 1998.

SEC. 4. INFRASTRUCTURE SPECIAL ASSISTANCE FUND.

(a) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(f) ESTABLISHMENT OF INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

''(1) CREATION OF FUND.—There is established in the Highway Trust Fund a separate fund to be known as the 'Infrastructure Special Assistance Fund' consisting of such amounts as may be transferred or credited to the Infrastructure Special Assistance Fund as provided in this subsection or section 9602(b).

''(2) TRANSFERS TO INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—On the first day of

each fiscal year after 1998 and before 2003, the Secretary shall transfer $300,000,000 from the Highway Trust Fund to Infrastructure Special Assistance Fund.

''(3) EXPENDITURES FROM INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

''(A) TRANSITIONAL ASSISTANCE.—

''(i) IN GENERAL.—Except as provided in clause (iv), during fiscal years 1999 through 2002, the amount in the Infrastructure Special Assistance Fund shall be available to States for transportation-related program expenditures.

''(ii) STATE SHARE.—

''(I) IN GENERAL.—Except as provided in clause (v), each State is entitled to a share of the $1,200,000,000 specified in paragraph (2) upon enactment of legislation providing 1 of the 2 funding mechanisms described in clause (iii).

''(II) DETERMINATION OF STATE SHARE.—For purposes of subclause (I), each State's share shall be determined in the following manner:

''(aa) Multiply the percentage of the amounts appropriated in the latest fiscal year for which such data are available to the Highway Trust Fund under subsection (b) which is attributable to taxes paid by highway users in the State, by the amount specified in paragraph (2). If the result does not exceed $15,000,000, the State's share equals $15,000,000. If the result exceeds $15,000,000, the State's share is determined under item (bb).

''(bb) Multiply the percentage determined under item (aa), by the amount specified in clause (i) reduced by an amount equal to $15,000,000 times the number of States the share of which is determined under item (aa).

''(iii) LEGISLATIVE FUNDING MECHANISMS.—A funding mechanism is described in this clause as follows:

''(I) A funding mechanism which results in revenues for transportation-related projects in the State for fiscal year 2003 and each succeeding fiscal year which are equal to the excess of—

''(aa) the mean annual average of distributions from the Highway Trust Fund to the State for fiscal years 1992 through 1997; over

''(bb) the distributions from the Highway Trust Fund to the State for such fiscal year attributable to the core programs financing rate for such year.

''(II) A funding mechanism which results in an increase in the State rate of tax on motor fuels equal to the decrease in the rate of tax on such fuels under section 4081 for fiscal year 2003 and any succeeding fiscal year.

''(iv) DISTRIBUTION OF REMAINING AMOUNT.—If after September 30, 2002, a portion of the amount specified in paragraph (2) remains, the Secretary, in consultation with the Secretary of Transportation, shall, on October 1, 2002, apportion the portion among the States which received a share of such amount under clause (ii) and which are not described in clause (v) using the percentages determined under clause (ii)(II)(aa) for such States.

''(v) ENFORCEMENT OF FUNDING MECHANISM REQUIREMENT.—If a State, which enacted legislation providing for a funding mechanism described in clause (iii), terminates such mechanism before fiscal year 2003, the State's share determined under clauses (ii) and (iv) shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for fiscal year 2003.

''(B) ADDITIONAL EXPENDITURES FROM FUND.—

''(i) IN GENERAL.—Amounts in the Infrastructure Special Assistance Fund, in excess of the amount specified in paragraph (2), shall be available, as provided by appropriation Acts, to the States for any surface transportation (including mass transit and rail) purpose in such States, and the Secretary shall apportion such excess amounts among all States using the percentages determined under clause (ii)(II)(aa) for such States.

''(ii) ENFORCEMENT.—If the Secretary determines that a State has used amounts under clause (i) for a purpose which is not a surface transportation purpose as described in clause (i), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 1998.

SEC. 5. RETURN OF EXCESS TAX RECEIPTS TO STATES.

(a) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(g) RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.—

''(1) IN GENERAL.—On the first day of each of fiscal years 1999, 2000, 2001, and 2002, the Secretary, in consultation with the Secretary of Transportation, shall determine—

''(A) the excess highway receipts for such year, and

''(B) allocate such excess highway receipts among the States (as defined in section 101 of title 23, United States Code) in proportion to their respective shares of the amount described in paragraph (2)(A) in the latest fiscal year for which such data are available which is attributable to highway users in the State.

Amounts allocated to a State under this paragraph may be used only for surface transportation (including mass transit and rail) purposes.

''(2) EXCESS HIGHWAY TAX RECEIPTS.—For purposes of this subsection, the term 'excess highway tax receipts' means, with respect to any fiscal year, the excess of—

''(A) the aggregate amount which would be appropriated to the Highway Trust Fund if each of the rates specified in section 4081(a)(2)(A) were reduced by 4.3 cents, over

''(B) the sum of—

''(i) the aggregate amount which would be appropriated to the Highway Trust Fund if each of such rates equaled the core programs financing rate for such year, plus

''(ii) the aggregate of the amounts transferred from the Highway Trust Fund under paragraphs (4), (5), and (6) of subsection (c) for such year.

''(3) CORE PROGRAMS FINANCING RATE.—For purposes of this subsection, the term 'core programs financing rate' means—

''(A) after September 30, 1998, and before October 1, 1999, 12 cents per gallon,

''(B) after September 30, 1999, and before October 1, 2000, 7 cents per gallon,

''(C) after September 30, 2000, and before October 1, 2001, 4 cents per gallon, and

''(D) after September 30, 2001, 3 cents per gallon.

''(4) ENFORCEMENT.—If the Secretary determines that a State has used amounts under subparagraph (A) for a purpose which is not a surface transportation purpose as described in paragraph (1), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 1998.

SEC. 6. INTERSTATE SURFACE TRANSPORTATION COMPACTS.

(a) DEFINITIONS.—In this section:

(1) INFRASTRUCTURE BANK.—The term ''infrastructure bank'' means a surface transportation infrastructure bank established under an interstate compact under subsection (b)(5) and described in subsection (d).

(2) PARTICIPATING STATES.—The term ''participating States'' means the States that are parties to an interstate compact entered into under subsection (b).

(3) SURFACE TRANSPORTATION.—The term ''surface transportation'' includes mass transit and rail.

(4) SURFACE TRANSPORTATION PROJECT.—The term ''surface transportation project'' means a surface transportation project, program, or activity described in subsection (b).

(b) CONSENT OF CONGRESS.—In order to increase public investment, attract needed private investment, and promote an intermodal transportation network, Congress grants consent to States to enter into interstate compacts to—

(1) promote the continuity, quality, and safety of the Interstate System;

(2) develop programs to promote and fund surface transportation safety initiatives and establish surface transportation safety standards for the participating States;

(3) conduct long-term planning for surface transportation infrastructure in the participating States;

(4) develop design and construction standards for infrastructure described in paragraph (3) to be used by the participating States; and

(5) establish surface transportation infrastructure banks to promote regional or other multistate investment in infrastructure described in paragraph (3).

(c) FINANCING.—An interstate compact established by participating States under subsection (b) to carry out a surface transportation project may provide that, in order to carry out the compact, the participating States may—

(1) accept contributions from a unit of State or local government or a person;

(2) use any Federal or State funds made available for that type of surface transportation project;

(3) on such terms and conditions as the participating States consider advisable—

(A) borrow money on a short-term basis and issue notes for the borrowing; and

(B) issue bonds; and

(4) obtain financing by other means permitted under Federal or State law, including surface transportation infrastructure banks under subsection (d).

(d) INFRASTRUCTURE BANKS.—

(1) IN GENERAL.—An infrastructure bank may—

(A) make loans;

(B) under the joint or separate authority of the participating States with respect to the infrastructure bank, issue such debt as the infrastructure bank and the participating States determine appropriate; and

(C) provide other assistance to public or private entities constructing, or proposing to construct or initiate, surface transportation projects.

(2) FORMS OF ASSISTANCE.—

(A) IN GENERAL.—An infrastructure bank may make a loan or provide other assistance described in subparagraph (C) to a public or private entity in an amount equal to all or part of the construction cost, capital cost, or initiation cost of a surface transportation project.

(B) SUBORDINATION OF ASSISTANCE.—The amount of any loan or other assistance described in subparagraph (C) that is received for a surface transportation project under this section may be subordinated to any other debt financing for the surface transportation project.

(C) OTHER ASSISTANCE.—Other assistance referred to in subparagraphs (A) and (B) includes any use of funds for the purpose of—

(i) credit enhancement;

(ii) a capital reserve for bond or debt instrument financing;

(iii) bond or debt instrument financing issuance costs;

(iv) bond or debt issuance financing insurance;

(v) subsidization of interest rates;

(vi) letters of credit;

(vii) any credit instrument;

(viii) bond or debt financing instrument security; and

(ix) any other form of debt financing that relates to the qualifying surface transportation project.

(3) NO OBLIGATION OF UNITED STATES.—

(A) IN GENERAL.—The establishment under this section of an infrastructure bank does not constitute a commitment, guarantee, or obligation on the part of the United States to any third party with respect to any security or debt financing instrument issued by the bank. No third party shall have any right against the United States for payment solely by reason of the establishment.

(B) STATEMENT ON INSTRUMENT.—Any security or debt financing instrument issued by an infrastructure bank shall expressly state that the security or instrument does not constitute a commitment, guarantee, or obligation of the United States.

(e) EFFECTIVE DATE.—This section takes effect on October 1, 1998.

SEC. 7. FEDERAL-AID FACILITY PRIVATIZATION.

(a) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning provided in section 105 of title 5, United States Code.

(2) PRIVATIZATION.—The term ''privatization'' means the disposition or transfer of a transportation infrastructure asset, whether by sale, lease, or similar arrangement, from a State or local government to a private party.

(3) STATE OR LOCAL GOVERNMENT.—The term ''State or local government'' means the government of—

(A) any State;

(B) the District of Columbia;

(C) any commonwealth, territory, or possession of the United States;

(D) any county, municipality, city, town, township, local public authority, school district, special district, intrastate district, regional or interstate government entity, council of governments, or agency or instrumentality of a local government; or

(E) any federally recognized Indian tribe.

(4) TRANSPORTATION INFRASTRUCTURE ASSET.—

(A) IN GENERAL.—The term ''transportation infrastructure asset'' means any surface-transportation-related asset financed in whole or in part by the Federal Government, including a road, tunnel, bridge, or mass-transit-related or rail-related asset.

(B) EXCLUSION.—The term does not include any transportation-related asset on the Interstate System (as defined in section 101 of title 23, United States Code).

(b) PRIVATIZATION INITIATIVES BY STATE AND LOCAL GOVERNMENTS.—The head of each Executive agency shall—

(1) assist State and local governments in efforts to privatize the transportation infrastructure assets of the State and local governments; and

(2) subject to subsection (c), approve requests from State and local governments to privatize transportation infrastructure assets and waive or modify any condition relating to the original Federal program that funded the asset.

(c) CRITERIA.—The head of an Executive agency shall approve a request described in subsection (b)(2) if—

(1) the State or local government demonstrates that a market mechanism, legally enforceable agreement, or regulatory mechanism will ensure that the transportation infrastructure asset will continue to be used for the general objectives of the original Federal program that funded the asset (which shall not be considered to include every condition required for the recipient of Federal funds to have obtained the original Federal funds), so long as needed for those objectives; and

(2) the private party purchasing or leasing the transportation infrastructure asset agrees to comply with all applicable conditions of the original Federal program.

(d) LACK OF OBLIGATION TO REPAY FEDERAL FUNDS.—A State or local government shall have no obligation to repay to any agency of the Federal Government any Federal funds received by the State or local government in connection with a transportation infrastructure asset that is privatized under this section.

(e) USE OF PROCEEDS.—

(1) IN GENERAL.—Subject to paragraph (2), a State or local government may use proceeds from the privatization of a transportation infrastructure asset to the extent permitted under applicable conditions of the original Federal program.

(2) RECOVERY OF CERTAIN COSTS.—Notwithstanding any other provision of law, the State or local government shall be permitted to recover from the privatization of a transportation infrastructure asset—

(A) the capital investment in the transportation infrastructure asset made by the State or local government;

(B) an amount equal to the unreimbursed operating expenses in the transportation infrastructure asset paid by the State or local government; and

(C) a reasonable rate of return on the investment made under subparagraph (A) and expenses paid under subparagraph (B).

SEC. 8. REDUCTION IN MOTOR FUEL TAXES ON OCTOBER 1, 2002.

(a) REDUCTION IN TAX RATES.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 (relating to rates of tax) is amended—

(1) by striking ''18.3 cents'' and inserting ''7.3 cents'',

(2) by striking ''19.3 cents'' and inserting ''8.3 cents'', and

(3) by striking ''24.3 cents'' and inserting ''7.3 cents''.

(b) CONFORMING AMENDMENTS.—

(1) Clauses (ii) and (iii) of section 4041(a)(2)(B) of such Code are each amended by striking the number of cents specified therein and inserting ''4.3 cents''.

(2) Section 6427(b)(2)(A) of such Code is amended by striking ''7.4 cents'' and inserting ''0.1 cent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel removed after September 30, 2002.

(d) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2002, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale;

there shall be credited or refunded (without interest) to the person who paid such tax (in this subsection referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before April 1, 2003; and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on October 1, 2002—

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2003; and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 and sections 6206 and 6675 of such Code shall apply for purposes of this subsection.

SEC. 9. MASS TRANSPORTATION.

(a) IN GENERAL.—Section 5338 of title 49, United States Code, is amended to read as follows:

''§ 5338. Authorizations

''There are authorized to be appropriated to the Secretary of Transportation to carry out this chapter—

''(1) $868,000,000 for fiscal year 1999, of which—

''(A) $304,000,000 shall be used to carry out sections 5307 and 5309;

''(B) $95,000,000 shall be used to carry out section 5311; and

''(C) the amount remaining after allocation under subparagraphs (A) and (B) shall be used at the discretion of the Secretary, including for capital expenditure under this chapter;

''(2) $889,000,000 for fiscal year 2000, of which—

''(A) $212,000,000 shall be used to carry out sections 5307 and 5309;

''(B) $97,000,000 shall be used to carry out section 5311; and

''(C) the amount remaining after allocation under subparagraphs (A) and (B) shall be used at the discretion of the Secretary, including for capital expenditure under this chapter;

''(3) $916,000,000 for fiscal year 2001, of which—

''(A) $119,000,000 shall be used to carry out sections 5307 and 5309;

''(B) $100,000,000 shall be used to carry out section 5311; and

''(C) the amount remaining after allocation under subparagraphs (A) and (B) shall be used at the discretion of the Secretary, including for capital expenditure under this chapter;

''(4) $941,000,000 for fiscal year 2002, of which—

''(A) $27,000,000 shall be used to carry out sections 5307 and 5309;

''(B) $103,000,000 shall be used to carry out section 5311; and

''(C) the amount remaining after allocation under subparagraphs (A) and (B) shall be used at the discretion of the Secretary, including for capital expenditure under this chapter; and

''(5) $961,000,000 for fiscal year 2003, of which—

''(A) $0 shall be used to carry out sections 5307 and 5309;

''(B) $105,000,000 shall be used to carry out section 5311; and

''(C) the amount remaining after allocation under subparagraphs (A) and (B) shall be

used at the discretion of the Secretary, including for capital expenditure under this chapter.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 1998.

SEC. 10. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, after consultation with the appropriate committees of Congress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to titles 23 and 49, United States Code, and such technical and conforming amendments to other laws, as are necessary to bring those titles and other laws into conformity with the policy embodied in this Act and the amendments made by this Act.

SEC. 11. EFFECTIVE DATE CONTINGENT UPON CERTIFICATION OF DEFICIT NEUTRALITY.

(a) PURPOSE.—The purpose of this section is to ensure that—

(1) this Act will become effective only if the Director of the Office of Management and Budget certifies that this Act is deficit neutral;

(2) discretionary spending limits are reduced to capture the savings realized in devolving transportation functions to the State level; and

(3) the tax reduction made by this Act is not scored under pay-as-you-go and thereby inadvertently trigger a sequestration.

(b) EFFECTIVE DATE CONTINGENCY.—Notwithstanding any other provision of this Act, this Act and the amendments made by this Act shall take effect only if—

(1) the Director of the Office of Management and Budget (referred to in this section as the ''Director'') submits the report as required in subsection (c); and

(2) the report contains a certification by the Director that the reduction in discretionary outlays resulting from the enactment of this Act (assuming appropriation amounts described in paragraph (2)(B)) is at least as great as the sum of the net reduction in receipts and direct spending provided in this Act for each fiscal year through 2003.

(c) OMB ESTIMATES AND REPORT.—

(1) REQUIREMENTS.—Not later than 7 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date of enactment of this Act, the Director shall—

(A) estimate the net change in receipts and in direct spending resulting from the enactment of this Act for each fiscal year through 2003;

(B) estimate the net change in discretionary outlays resulting from the reduction in budget authority under this Act for each fiscal year through 2003;

(C) determine, based on those estimates, whether the reduction in discretionary outlays resulting from the enactment of this Act (assuming appropriation amounts described in paragraph (2)(B)) is at least as great as the sum of the net reduction in receipts and direct spending provided in this Act for each fiscal year through 2003; and

(D) submit to the Congress a report setting forth the estimates and determination.

(2) APPLICABLE ASSUMPTIONS AND GUIDELINES.—

(A) REVENUE AND DIRECT SPENDING ESTIMATES.—The revenue and direct spending estimates required under paragraph (1)(A) shall be predicated on the same economic and technical assumptions and scorekeeping guidelines that would be used for estimates made pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

(B) OUTLAY ESTIMATES.—The outlay estimates required under paragraph (1)(B) shall be determined by comparing the estimated amounts of discretionary outlays that would flow from the new budget authority authorized in this Act on the assumption that subsequent appropriation Acts will provide amounts consistent with this Act (and that obligation limitations set forth in such appropriation Acts, if any, equal the corresponding levels of contract authority provided in this Act) and the corresponding amounts of discretionary outlays assumed in House Concurrent Resolution 84 (105th Congress) and House Report 105–116.

(d) CONFORMING ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—Upon compliance with the requirements specified in subsection (b), the Director shall adjust the adjusted discretionary spending limits for each fiscal year under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) by the estimated reductions in discretionary outlays under subsection (c)(1)(B).

(e) PAYGO INTERACTION.—Upon compliance with the requirements specified in subsection (b), no changes in receipts or direct spending estimated to result from the enactment of this Act shall be counted for the purposes of section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

The CHAIRMAN. Pursuant to House Resolution 405, the gentleman from Ohio (Mr. KASICH) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Chairman, I yield myself 6 minutes.

Well, the first thing I want to do is just point out to the House and to my colleagues on the floor tonight who may study government, I think it is very interesting and think even a cause for optimism to recognize the fact that the gentleman from Pennsylvania (Mr. SHUSTER) and I have been locked in a titanic struggle now for the course of the last several years; and I think what we can conclude from this is that it has been possible for two people to be able to take opposite positions based firmly on their principles and yet at the same time to be able to maintain a good relationship and never to make the fight personal.

I hope that in some small way maybe down the road this debate will serve as somewhat of a model to those that engage at times on this floor in very heated debates based on very firmly held principles. So I think this is a very bright day for the House of Representatives from the standpoint of how, in fact, we conduct our debates.

Let me start and talk to those who are actually watching this now and let me just start with a quote that was uttered on January 3, 1956.

''If we are to solve our mounting traffic problem, the whole interstate system must be authorized as one project to be completed approximately within the specified time of 10 years.

In 1956, those words were uttered by Dwight David Eisenhower. And, in fact, the legislation that passed the United States Congress authorized the Interstate Highway System Program for a period of 12 years, to be ended at the period at the end of 12 years. And, of course, that would have meant the program would have been ended in 1968. And here we are going into the next century, and the program still continues.

What I wanted to propose today is what I believe will ultimately happen in this country. And I must tell my colleagues, I am disappointed that our Republicans who want to turn power, money, and influence back to people in local communities and to the States have not actually adopted this proposal. I call it the turn-back proposal. What it does, and I do not want anybody back in the offices to be confused about precisely the way this works, what we would do over the period of the next 4 years is to wrap up the projects that are currently under contract and then to begin to block grant money back to the States, their money back to the States.

At the end of 4 years, we would essentially repeal the entire Federal gas tax program, except for 3 cents. We would leave 2 cents still coming to Washington for purposes of maintaining the interstate system, and we would also leave one additional penny in Washington to help those States that have unique transportation needs.

At the same time, what we would argue is that we would repeal this whole Federal program; and we would essentially say to the States, they tax themselves at the pump, they pave their own roads, they make their own decisions, and they use their own regulatory authority to decide how they are going to do things.

In a nutshell, what we are suggesting is rather than the States tax themselves at the pump and send their money to Washington so that we can then send it back, what we are suggesting is they never send the money to Washington in the first place. Because we all know what happens when we send our money to Washington expecting it to come back. It never comes back the way we want, and it never comes back in the amount we want.

So what we are suggesting going into the next century is that they get to keep their money at home, they get to make their decisions based on what their transportation needs are, that the Federal Government will only have the responsibility for maintaining the current interstate system and helping those States that are in trouble.

And how do they come out? At the end of the day, bingo, 32 States in America would benefit from this program. If they live in Texas, if they live in California, if they live in Florida, if they live in Ohio, they will get to tax themselves, keep their own money, and we will also not have these onerous Federal regulations that the State Department of Transportation argues costs as much as 20 percent on each project.

There would be six States that would break even. But that would not be true, because when we cut the Federal regulations, the States would be far ahead.

There would also be 12 States that would have special needs. That is why we would keep that extra penny in Washington to help those States.

But when we take a view at the United States of America, 38 States are going to be clear winners under this program. What does that mean for us?

□ 2000

It means that we will have more money at home without sending it to Washington so we can all figure out what is best. We will be able to tax ourselves to the limit that we want to meet the highway needs that we have.

At the end of the day, we will not only have more money to spend on our own roads, but we will not have all the Federal bureaucrats that sit around day and night trying to figure out all those silly regulations that drive the cost up of the projects, and we will be ahead. If we want to look towards the future that is the way it ought to go.

We had a big debate today. Is a 43 percent increase in highway funding justified? We had another debate today about these special projects. We would not have that debate anymore if we just turned the program back to where we lived.

To my Republican colleagues, we want to turn welfare back to people where they live. We want to turn education back to where they live. We wanted to turn public housing back to where they live. You know what, I think we can turn concrete back to where they live, because they will, not only have more money, and they will not only be able to pave more roads, but they will be able to use their own local judgment to decide what their needs really are.

I would urge my Republican colleagues and many of my Democratic colleagues to come to the floor and vote for the future. Vote for the future where we can be in control of our own destiny in so many ways.

This fits the idea that really Washington does not know best. But who really knows best are the people that get up and go to work and earn a living and pay the taxes. They ought to be the ones that decide what our real needs are. We ought not to ask them to send their money here so when they get it back they are always disappointed. Let us just call the whole thing off, and let us pass the Kasich amendment.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 15 minutes.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that 7½ minutes be allotted to the gentleman from Minnesota (Mr. OBERSTAR) and that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this amendment. Interestingly enough, while this would simply turn things back to the States, ironically there is a greater need for us to have a coordinated, tied-together national transportation system than ever. Why? Because more people and more goods are moving interstate than ever before. I think it is important.

I think it is important to recognize that 64 percent of all truck traffic travels interstate now. I think it is important to recognize, as I mentioned earlier today, a great example, Oklahoma City, where two interstates intersect, 60 percent of the license plates are out of State license plates.

Indeed, there is a greater need to have this tied together than ever before. Our bill not only does that, but it also gives flexibilities to the States and the cities by saying that 50 percent of the funding in each category can be flexibly moved about to other categories.

Beyond that, understand, this amendment keeps the 4.3 cents here in Washington and does not spend it. So we are back to the same old game, the shell game of taxing the American people for gas taxes; and, yet, keeping that money here and not spending it.

Beyond that, this amendment has not been scored by the Congressional Budget Office. This amendment exempts the pay-go provisions of the bill for which we have been criticized.

So for all of these reasons, it is very important that we reject this amendment. It is very important, also, to recognize that, of the money that comes to Washington now, only 1 percent stays here down at the Department of Transportation for administrative purposes, 88 percent goes back to the States to be spent, 5 percent goes to the Secretary of Transportation to be sent back to the States for high cost discretionary projects, 5 percent goes back to the States through the congressional projects, and only 1 percent stays in Washington.

Further, State regulations, which in many cases are as onerous, if not more onerous, than Federal regulations, would obviously stay in place. Indeed, we have no assurance whatsoever that, if we turn this back to the States, that the States would pass and increase their gas taxes.

Indeed, I am told that, on the average, each State would have to pass the State gas tax increasing it by 15 cents per gallon. So what assurance do we have? No, this is simply destroying what must be a national program which is to tie our country together from a transportation point of view. For those reasons, I say we should defeat this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KASICH. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, let us make no mistake about it. Under this proposal, first of all, it is deficit-neutral. Secondly, for those who have been struggling to repeal the 4.3 cent gas tax, we would take that to the Committee on Ways and Means and, in fact, repeal the 4.3 cents. Make no mistake about it.

In addition to it, let me just suggest one thing. I believe our Governors of our States are actually capable of being able to coordinate the transportation needs of our Nation. We believe that they can do this as Republicans and conservatives for a whole variety of functions. We absolutely believe they can get it right in highways. In fact, if we pass this amendment, they will have more money and less Federal regulations in order to get the job done.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Chairman, I have got a news flash for the American people, and that is the American two-party system we have loved for so long. It is clear with today's goings on it is dead and gone.

The Republicans and the Democrats have been replaced by one big mammoth party called the ''republicrats'', and they have one interest, and that is business as usual.

My support for the Kasich amendment is typified by this story. It appears there was a young boy who wrote a letter to God asking for $10 because he wanted to buy something. The post office did not know where else to send it, so they sent it to the White House.

The President got a kick out of that. He put a dollar in the mail back to the boy. The boy quickly wrote another letter back to God. He said, God, thank you so much for the money that you sent me, but it went by way of Washington, D.C., and they took out $9 and only gave me $1. Could you please send it to me directly next time?

I think that is what we are after. We just want to make sure that the money stays in the States, and we cut out the Federal middleman, and all of the money goes to transportation, the needs appropriated by the citizens of the States we live in.

Mr. SHUSTER. Mr. Chairman, I yield myself 15 seconds to simply make the point that this amendment does not repeal the 4.3 cents. It keeps that money here in Washington. Secondly, all 50 Governors support our bill. Those are facts.

Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, may I inquire what the distribution of time is at this point.

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 7½ minutes.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. RAHALL), ranking member on the Subcommittee on Surface Transportation.

Mr. RAHALL. Mr. Chairman, I thank the gentleman from Minnesota, the ranking member, for yielding to me.

Mr. Chairman, the previous speaker had just spoken of the formation of two

parties today. He said ''republicrats'', I believe is what he called those of us working for the future of America by these investments we are making today. I would suggest perhaps the other party that he did not refer to should be called the ''RWWK'', the ''right wing whacko kids'' for some of the philosophy they have been espousing here today.

I commend the gentleman from Ohio for his tenacity. I do not agree with his amendment, but certainly his tenacity is to be commended. He has testified before our committee before. This is not his first time of putting this proposal forward.

I would also note that I have been waiting for this day for a long, long time. I want to see a rollcall vote taken on the gentleman from Ohio's amendment, because I think we need to clear once and for all where things stand on this particular issue.

This amendment is, indeed, a thinly veiled attempt to turn back almost all highway responsibilities to our States, to devolve the Federal responsibility. So it just pertains to interstates and roads within our national parks, our public lands, and Indian reservations. That is it. There would be no other Federal highway-related responsibilities.

Under the gentleman's amendment, to accomplish this goal, the Federal motor fuels tax would be reduced to a little more than 7 cents per gallon and ultimately phased down to 3 cents a gallon.

The obvious problem with his approach is that it does nothing, it does nothing to address the existing shortfall and spending to address our deficient highway infrastructure. In fact, it would worsen that shortfall.

Considering the 18.3 cents per gallon Federal gas tax that is reserved for transportation investments, that is simply to maintain our status quo. Simply to maintain that status quo, many States are going to have to then increase their State gasoline taxes by at least 15 cents per gallon under this turn-back proposal, devolution, States opt out, or whatever description they want to give it.

If my colleagues believe that the majority of our State Governors in their legislative bodies are prepared to take this type of action of increasing their State gasoline taxes to make up for this shortfall, if we believe State Governors and legislators are going to do that, then welcome to la-la land.

There are numerous other problems with this approach as well. The fundamental problem, however, is that it simply throws crumbs at our crumbling infrastructure. That is all this approach does.

There is a Federal responsibility, in my opinion, a pressing need on the Federal level to improve our roads, highways, and bridges. It goes to more than just our interstate system.

Every day our people cross State lines on a noninterstate highway or roadway. These principal arterial routes, along with our interstates, are part of the national highway system. Interstates play only a small part of that national highway system we designated in 1995. I urge that we continue this Federal responsibility to maintaining our interstates and national highway systems. Vote no on this amendment.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COX).

Mr. COX of California. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, everything that was just said makes a great deal of sense provided that we stipulate that the Federal Government is the low-cost provider, that the most efficient way to get the most roads, the most bridges, and the most transportation is to send the money to Washington first where the freight charges can be deducted or where it can be run through the bureaucracy here and then shipped pack to the States.

If we think that Washington is the best way to do it, getting the Washington bureaucracy involved is the most efficient way to do it, then, by all means, keep sending our gas taxes to Washington, D.C., even after the Interstate Highway Program was all finished, which it was in 1991.

If we think the Washington bureaucracy is the low-cost provider, then, by all means, vote for the status quo. If we think Washington knows best, send all our money back here. But if we want more transportation, more highways, more bridges, more infrastructure, more transit, then take the full dollar of gas tax and spend it at home.

This program guarantees us a full 90 percent of what we send to Washington. It is time to get 100 percent. That is what this amendment will do.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, since the founding of this Republic, the Federal Government has been integrally involved with developing an infrastructure system: railroads, freeways, airports, ports, and inland waterways. And it has provided us a national system that has made this country great. But today, it is fraying at the edges.

This proposal, the turn-back proposal, I think is appropriately named, because just when we are on the verge of getting it right under the ISTEA formula, we would be turning back to States that have varied, highly restricted constitutional provisions on how they can spend the money. They would be turning their back on many of the environmental priorities, transit priorities, and the strong national system that we have for bicycles. We would be turning our back on many of these areas.

Onerous Federal regulations that the gentleman from Ohio refers to strikes me as somewhat humorous. I am not running for President, but I have been in 30 American communities over the last year talking about ISTEA and transportation. I tell my colleagues to a certainty, in community after community, it was the ISTEA structure that enabled for the first time cities and regions to have a voice that were ignored by State transportation commissions in State after State.

This is not a vote for the future. It is a turning our back on the partnerships that can make America great.

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Mr. KASICH. Mr. Chairman, I have always liked righteous indignation.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding this time to me. I rise in support of the Kasich substitute. Frankly, I am disappointed today that we see before us a bill that so fundamentally, so clearly violates the principles of fiscal responsibility, flies in the face of the balanced budget agreement that so many of us in this body worked so hard to achieve. Should we not be concerned about the fact that we are going to be spending $33 billion more than the balanced budget agreement? That is $33 billion more.

Mr. Chairman, I think it is hypocritical for this Congress to brag about its historic balanced budget agreement on the one hand and then move to trash that agreement. There is no way that I think any of us here can justify this shameful exercise in fiscal irresponsibility.

Now I know the legislation says that there is going to be offsets to it, but do we not have a responsibility to first determine where those offsets ought to come from, where we are going to get the money to spend for this, before we go about authorizing it? Are we going to take it out of defense? Are we going to take it out of programs in law enforcement? Tax relief for American citizens? War on drugs? Where are we going to take it from?

I think we should think about those things before we pass this legislation.

Congress has an established process for appropriating money. The authorizing committee approves the spending, the Committee on Appropriations appropriates the money. That is a frequently contentious process, but it is a democratic process and we ought to keep it.

Vote ''aye'' on this amendment.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I have the highest regard for the chairman of the Committee on the Budget, who will make a great President of the United States one day, but I am going to tell my colleagues his amendment predicts that there is no politics played in the local

level in the State of Ohio or any other State. I can point the gentleman to half a billion dollars of road projects within spitting distance of the State capital that we share in Columbus, Ohio. I can also point the gentleman to roads in my area of the State where for 26 years there have been promises made, where young people die every day and improvements never come.

Mr. Chairman, the gentleman's amendment takes the decision out of the hands of 435 Members of this House who are elected by 600,000 people and gives it to 50 men and women across this country who are elected by millions. H.R. 2400, BESTEA, makes sure that local decision-making is preserved. Ohio receives $300 million more per year than it received under ISTEA. This bill is a good bill, and it needs to be passed.

Mr. SHUSTER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. MCHALE).

Mr. MCHALE. Mr. Chairman I oppose the ''turn your back'' amendment. The Kasich amendment would lower the gasoline tax by virtually eliminating Federal support for our Nation's highways.

Last week my wife Kathy bought a gallon of gasoline in my district for 99 cents. We may have among the cheaper gasoline in the Western World. Mr. Chairman, we do not need cheaper gas, we need better safer highways.

A few minutes ago my friend and colleague, the gentleman from Oklahoma (Mr. LARGENT) attacked the proposed redevelopment of the industrial waterfront in Allentown, Pennsylvania. The gentleman from Oklahoma has never visited the site; I live 2 miles away. The gentleman from Oklahoma has never spoken to the low-income families who live in the area; I have many times.

The ISTEA funding in this bill will provide roads and access ramps to reclaim and restore a brownfield site located in the heart of one of Pennsylvania's largest cities. There could be, I pledge to the gentleman from Oklahoma (Mr. LARGENT) and others, there could be no more honorable investment of public funds.

What a meaningless victory if we preserve the budget but abandon our cities. What a callous misjudgment if we protect our wallets but abandon our people.

I urge a ''no'' vote on the Kasich amendment.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. SMITH) one of my cosponsors.

Mr. SMITH of Michigan. Mr. Chairman, the first question it seems like we should ask ourselves: How do we most efficiently and most effectively get bridges and roads repaired in this country? One problem with the money coming to Washington and then going back to the States is there is too many strings attached when it goes back to the States.

Gabriel Roth, in his book ''Roads in a Market Economy,'' estimates that the Federal regulations that go back with that money increase the cost of roads and bridges by 50 percent. Other road economists estimate that it is 40 percent. Talking about politics played, we use this money as blackmail. We say to States, ''Unless you do things our way, we're not going to give you the road money. Unless you do your environmental regulations our way, you don't get your road money.''

If we want to get rid of the politics, if we want to have more efficient construction and utilization to build a road and bridge system in this country that is badly in need of repair, then let us let the money stay in the States in the first place instead of running it through the Washington bureaucracy.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 2½ minutes.

Mr. OBERSTAR. Mr. Chairman, I am just delighted that the gentleman from Ohio (Mr. KASICH), the author of this amendment, was not in the Eisenhower Cabinet or in the Bureau of Roads, as it was known in those days, because goodness knows we would never have had a Highway Trust Fund, we would have never had an interstate highway program; he would have just let the States go on and fumble as they had been doing. He would take us back to a time that none of us here could possibly imagine, a time when some States started roads, others did not, they built it up to a certain point and then it stopped. Bridges were started and then stopped.

If we follow the gentleman's logic all the way through, we would have bridges that go halfway across a river because one State would want to build it and the other State would not or would run out of money, or we would have roads that go up to a State's border and the other State would say, ''Well, we don't think we want to build a road there.''

I mean, he would have us in chaos, he would have us back in 14th century England when the rule was that the owner of a castle had to repair the road in front of their castle so that the carriages riding along would not be stuck in the potholes, and if they did, then they had to pull them out. He would set us back, not forward.

This is a vote for the past, not a vote for the future. This is a vote for a chimerical view of transportation in America, one that exists solely in the mind of its author but does not exist in reality.

If we are going to be a Nation, and if my colleagues believe in the Constitution that said a responsibility of the Congress shall be to build post roads, that it shall have authority over interstate and foreign commerce, then it is our duty to promote interstate and foreign commerce, and the way to do it is through transportation, and we do that.

This legislation that we bring to the floor today continues the greatest movement of, mobility of people and goods, the greatest thrust for economic growth that this country or any country has undertaken. Our transportation network has given America the thrust to be a world power.

Let us not retreat to the past. Let us vote for the future, for BESTEA, and vote down the Kasich amendment.

Mr. KASICH. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, a donor State is better off under Kasich. If my colleagues believe that States can do some things better than the Federal Government, vote for Kasich. If my colleagues want highways off budget, let us really take them off budget, keep the dollars at home and vote for Kasich.

There is or there should be a Federal role in the highway area, but this bill is so incredibly irresponsible. Forty-four percent over the last bill, $40 million over the budget; it demonstrates this Congress has lost all manner of self-control on this issue and does not deserve to have its hands on the dollars in this bill.

The gentleman from Pennsylvania said a moment ago, oh, this amendment is not scored. I could not help but laugh. Give me a break. This bill has been scored, and it is a $40 billion budget buster.

We are told 50 Governors support the bill. What Governor do we not see in this posture, with his hand out half the time? We had 40 of those Governors last year tell us to pass the same budget that now they are telling us to bust. That is ridiculous.

Last year when we passed the welfare reform bill we told people that there was no longer any need to keep Federal standards under how we took care of poor people. If that is the case, there is certainly no need to maintain Federal standards on concrete.

Vote for the Kasich amendment. It gets us out of the most irresponsible mess I have seen in this Congress in at least a week.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. PETRI) the distinguished chairman of the subcommittee.

Mr. PETRI. Mr. Chairman, I thank the gentleman for yielding this time to me, and I would just like to make a few points.

The Kasich amendment, hearing some of the people describe it, sounds like a pretty good idea: Keep the money in the States where it is generated and where it can be spent most efficiently, instead of sending it out to Washington and having all sorts of red tape added and then sending it back so we do not get as much investment for our infrastructure as we pay for.

Is that what the Kasich amendment does? No. Last time I checked, what was the Federal gas tax? 18.4 cents. How much does the Kasich amendment send back? 18.4 cents? No, 11 cents. What happens to the rest? Stays in

Washington, at least a lot of it, and is spent on other things.

So in my State, in Wisconsin, what is being said? This is saying we want to increase taxes at the State level because we will give them in Washington 11 cents, and in order to maintain the transportation investment in their infrastructure they will have to raise their gas taxes how much? 11 cents? No, 15 cents.

As my colleagues know, the Governors and a lot of experts watching what is happening in our national Federal system have been pointing out that people in Washington cut back on spending and it has to be picked up at the State and local level and higher taxes at the State and local level, and then we pat ourselves on the back for supposedly cutting burdens when all we are doing is shifting it to the State and local level.

The Governors have been criticized here on this floor, but I think they are elected too and are due our respect. They were out here just a few weeks ago pointing out that over the last 20 years the Federal percentage of investment in our Nation's transportation infrastructure have been gradually declining. We have been talking pretty big out here, but we have been transferring the budget responsibility, the need for raising the revenue to maintain our roads and bridges in the United States, from Washington back to the State and local units of government. This would radically accelerate that, and it would basically shortchange every State in the United States by about 4 cents.

Please vote ''no.''

Mr. KASICH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I thank the gentleman for yielding this time to me. I rise in strong support of this amendment.

I would like to remind my colleagues that in the 1950s when the Federal highway program started it was recognized that it was an improper function of the Federal Government. Therefore the Congress back then, they were still recognizing that the Constitution had some effect as well as the President; they had to come up for a reason for the highway projects, so they did it under national defense.

Of course today we do not debate that issue in that light, but I think we see the results of doing something that was not proper. Today it is very expensive, it is very bureaucratic, and we have seen tonight in the debate how it has become politicized.

So if we are looking for a fair way to build highways, a more efficient way to build highways, I think this is the answer. This is not going backwards, this is going forward. This would be the first time we could have a national highway system really controlled by the States where it is supposed to be. The States would have more money, not less money. They would have less regulation, not more regulation.

This is much better than block grants. This is returning responsibility to the States. I compliment the gentleman for bringing this to the floor.

□ 2030

The CHAIRMAN. The Chair will advise Members that the gentleman from Ohio (Mr. KASICH) has 1½ minutes remaining and the gentleman from Pennsylvania (Mr. SHUSTER) has 1¼ minutes remaining and the right to close.

Mr. KASICH. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Brookhaven, Mississippi (Mr. PARKER).

Mr. PARKER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in strong support of the Kasich amendment. Tim Penny, I saw him yesterday, and Tim made a statement to me which I find fascinating. He said he felt he owed an apology to some of the liberal Democratic chairmen for some of the bills that they had written. He thought there was a lot of pork in them, and he found out that, no, that was not really right; that this particular bill that has been brought forth puts the rest of them to shame. And I agree.

Now, if you think this bill is going to become law as it is, it is not. The Senate is not going to pass this bill, and I pray to God that the President of the United States vetoes it.

The interesting thing is this: Can you imagine the depths that we have sunk to when we have to depend on the other body and the President of the United States to show fiscal responsibility?

I predict that this vote will be one of the worst votes, if you vote for this bill, of any vote you have ever cast, if you are a conservative, a fiscal conservative and believe in fiscal responsibility. You will rue the day you voted for this.

Mr. KASICH. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me just make it clear: What we want to do is keep 3 cents in Washington to maintain the current interstate system. If you come from Montana, where you are losing in this bill, we are going to keep a penny here to help you and the other heavy transit States. We are going to repeal the 4.3 cents enacted in 1993 that every Republican voted against, and we are going to get rid of the rest of the gas tax and let the States levy their own taxes and manage their own roads with their own regulations.

I do not think that we are going to have any halfway built bridges that are going to end in the middle of a river. I think people are smarter than that. I know this, they are a lot smarter at home than they are right here in Washington.

Vote for the Kasich amendment.

Mr. SHUSTER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we hear about turning back to the States, but all 50 State Governors support BESTEA, not the amendments in front of us. Indeed, I have a letter from Governor Whitman of New Jersey in which she says turn back what hurt our State's ability to move people and goods throughout the Northeast corridor. That is the way it is across America. Why? Because more people are traveling interstate than ever before.

And do not be fooled by this pig in a poke. This does not turn back the 4.3 cents. This does not rescind the 4.3 cents. This amendment does nothing but keep the 4.3 cents, which amounts to about $6.5 billion a year, here in Washington, not to be spent on highways, but to be spent to mask and disguise the same old Ponzi scheme of using this money rather than building highways in America.

Indeed, my good friend from Ohio talks about the regulations here. Only 1 percent of the money stays in Washington for the Department of Transportation. But we Republicans control the Congress. If we want to change the regulations, then let us do it. And, indeed, we hope that we will control the White House a few years from now, and indeed it may well be the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, who will be the next President of the United States. And if he is the next President of the United States, I will join with him in changing these regulations.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. KASICH).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KASICH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 405, further proceedings on the amendment offered by the gentleman from Ohio (Mr. KASICH) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 405, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 4 offered by the gentleman from South Carolina (Mr. GRAHAM); Amendment No. 5 offered by the gentleman from South Carolina (Mr. SPRATT); and Amendment No. 6 offered by the gentleman from Ohio (Mr. KASICH).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series of votes.

AMENDMENT NO. 4 OFFERED BY MR. GRAHAM

The CHAIRMAN. The pending business is the vote on the amendment offered by the gentleman from South Carolina (Mr. GRAHAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 79, noes 337, answered ''present'' 2, not voting 12, as follows:

[Roll No. 95]

AYES—79

Archer
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Boehner
Bonilla
Burr
Campbell
Castle
Chabot
Christensen
Coburn
Condit
Cox
Cubin
Deal
Deutsch
Edwards
Ehrlich
Foley
Frelinghuysen
Goss
Graham
Gutknecht
Hall (TX)
Hayworth
Hill
Hilleary
Hobson
Hoekstra
Hunter
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kind (WI)
Kingston
Kolbe
Largent
Leach
Lewis (GA)
McCollum
Miller (FL)
Minge
Morella
Myrick
Nethercutt
Neumann
Pappas
Parker
Pomeroy
Porter
Rogan
Rohrabacher
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Skaggs
Smith (MI)
Souder
Stenholm
Stump
Taylor (NC)
Thomas
Thornberry
Wamp
Wexler
White
Wolf
Young (FL)

NOES—337

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Cardin
Carson
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefley
Hefner
Herger
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Nadler
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wise
Woolsey
Wynn
Young (AK)

ANSWERED ''PRESENT''—2

Lofgren
McCrery

NOT VOTING—12

Cannon
Gonzalez
Jefferson
Klug
McIntosh
Payne
Rangel
Ros-Lehtinen
Royce
Torres
Waters
Yates

□ 2059

Messrs. BURTON of Indiana, TAYLOR of Mississippi, MEEHAN, and BRADY changed their vote from ''aye'' to ''no.''

Mr. Deutsch changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 405, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 5 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SPRATT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from South Carolina (Mr. SPRATT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 106, noes 312, answered ''present'' 1, not voting 11, as follows:

[Roll No. 96]

AYES—106

Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Becerra
Bentsen
Berman
Boehner
Bonilla
Boyd
Brown (OH)
Burr
Campbell
Cardin
Castle
Chabot
Christensen
Clayton
Coburn
Condit
Cox
Crane
Davis (FL)
Deal
Deutsch
Dicks
Doggett
Dooley
Edwards
Eshoo
Etheridge
Fazio
Gillmor
Graham
Hall (TX)
Harman
Hastings (FL)
Hayworth
Hill
Hobson
Hoyer
Inglis
Jones
Kasich
Kennedy (RI)
Kind (WI)
Kingston
Kolbe
LaFalce
Largent
Lewis (GA)
Livingston
Lofgren
Luther
Maloney (NY)
Miller (FL)
Minge
Moran (VA)
Myrick
Nethercutt
Neumann
Obey
Parker
Paul
Peterson (MN)
Pomeroy
Porter
Portman
Price (NC)
Roemer
Rogan
Rohrabacher
Roybal-Allard
Sabo
Salmon
Sanchez
Sanford
Sawyer
Scarborough
Scott
Sessions
Shadegg
Shays
Sisisky
Skaggs
Smith, Adam
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Sununu
Tanner
Taylor (MS)
Thornberry
Thurman
Watt (NC)
Waxman
Wexler
Weygand
White
Whitfield
Wolf

NOES—312

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Carson
Chambliss
Chenoweth
Clay
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dingell
Dixon
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Evans
Everett
Ewing
Farr
Fattah
Fawell
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske

Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (WA)
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Maloney (CT)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Nadler
Neal
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Rogers
Rothman
Roukema
Rush
Ryun
Sanders
Sandlin
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Serrano
Shaw
Sherman
Shimkus
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Spence
Stabenow
Stokes
Strickland
Stump
Stupak
Talent
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thune
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wise
Woolsey
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

McCrery

NOT VOTING—11

Cannon
Gonzalez
Jefferson
Klug
Payne
Rangel
Ros-Lehtinen
Royce
Torres
Waters
Yates

□ 2110

Mr. KENNEDY of Massachusetts and Mr. DAVIS of Illinois changed their vote from ''aye'' to ''no.''

Mr. BERMAN and Mr. STARK changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. KASICH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. KASICH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of the substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 318, answered ''present'' 2, not voting 12, as follows:

[Roll No. 97]

AYES—98

Archer
Armey
Bachus
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bilbray
Bilirakis
Boehner
Bonilla
Boyd
Brady
Brown (OH)
Burr
Campbell
Canady
Chabot
Chenoweth
Christensen
Coburn
Condit
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Deutsch
Dooley
Dreier
Foley
Goodlatte
Goss
Graham
Hall (TX)
Harman
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hunter
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kind (WI)
Kingston
Kolbe
Largent
Linder
Livingston
Lucas
McCollum
McIntosh
Miller (CA)
Miller (FL)
Moran (VA)
Myrick
Neumann
Obey
Packard
Parker
Paul
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Rogan
Rohrabacher
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Sisisky
Smith (MI)
Souder
Stark
Stenholm
Stump
Taylor (NC)
Thornberry
Thurman
Wamp
Watkins
Wexler
White
Wolf
Young (FL)

NOES—318

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baesler
Baker
Baldacci
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Capps
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hefner
Hill
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Pallone
Pappas
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stearns
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thune
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wise
Woolsey
Wynn
Young (AK)

ANSWERED ''PRESENT''—2

Lofgren
McCrery

NOT VOTING—12

Cannon
Gonzalez
Jefferson
Klug
McCarthy (NY)
Payne
Rangel
Ros-Lehtinen
Royce
Torres
Waters
Yates

□ 2118

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

(Mr. OBERSTAR asked and was given permission to proceed out of order for 1 minute.)

EXPRESSIONS OF APPRECIATION

Mr. OBERSTAR. Mr. Chairman, I take this moment to express my deep appreciation to the staff on the Democratic side, David Heymsfeld, Sante Esposito, Ken House, Rosalyn Millman,

Ward McCarragher, Jim Zoia, Steve Dubois, and to Jack Schenendorf, staff director on the Republican side, for the splendid cooperation and the many hard hours of work that they have devoted to this legislation.

And to the gentleman from Pennsylvania (Mr. SHUSTER), Mr. Chairman, I would simply like to say that his 26 years of service in this body have been unfailingly devoted to advancing the cause of transportation, its safety, mobility, its economic growth and its impact on America. Some of our colleagues serving in this body are fortunate enough to get an amendment adopted. A rare few get a bill enacted into law. But a rare trailblazer makes an impact on the Nation that will outlive his service in this body.

Yours is that monumental service. The bill we are about to adopt by, I am confident, an overwhelming vote will be an everlasting tribute to the years of professional service you have given to the people of America and to the cause of transportation.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. SNOWBARGER) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, pursuant to House Resolution 405, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHUSTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 337, noes 80, answered ''present'' 3, not voting 10, as follows:

[Roll No. 98]

AYES—337

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Bartlett
Bass
Bateman
Becerra
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Capps
Carson
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crapo
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hefner
Hilleary
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (KS)
Murtha
Nadler
Neal
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Stabenow
Stearns
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wise
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—80

Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bentsen
Boehner
Bonilla
Brown (OH)
Burr
Campbell
Cardin
Castle
Chabot
Christensen
Coburn
Cox
Crane
Cubin
Davis (FL)
Deal
Deutsch
Dooley
Edwards
Fazio
Goss
Graham
Hall (TX)
Hastings (FL)
Hayworth
Herger
Hill
Hobson
Hoekstra
Hoyer
Hunter
Inglis
Johnson, Sam
Jones
Kasich
Kind (WI)
Kingston
Kolbe
LaFalce
Largent
Lewis (GA)
Miller (FL)
Minge
Moran (VA)
Morella
Myrick
Nethercutt
Obey
Parker
Paul
Pomeroy
Porter
Portman
Radanovich
Rohrabacher
Sabo
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Skaggs
Smith, Adam
Souder
Spratt
Stark
Stenholm
Stump
Thornberry
Wexler
White
Wolf

ANSWERED ''PRESENT''—3

Hefley
Lofgren
McCrery

NOT VOTING—10

Cannon
Gonzalez
Jefferson
Klug
Payne
Rangel
Ros-Lehtinen
Royce
Waters
Yates

□ 2144

The Clerk announced the following pair:

On this vote:

Ms. Ros-Lehtinen for, with Mr. Yates against.

So the bill was passed.

The result of the vote was announced as above recorded.

The motion to reconsider is laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of the bill, H.R. 2400, to reflect the actions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members