

Law 94-241 for use by Federal agencies or the Commonwealth to address immigration, labor or law enforcement activities. The report shall include but not be limited to—

(1) pertinent immigration information provided by the Immigration and Naturalization Service, including the number of non-United States citizen contract workers in the CNMI, based on data the Immigration and Naturalization Service may require of the Commonwealth of the Northern Mariana Islands on a semiannual basis, or more often if deemed necessary by the Immigration and Naturalization Service,

(2) the treatment and conditions of non-United States citizen contract workers, including foreign government interference with workers' ability to assert their rights under United States law,

(3) the effect of laws of the Northern Mariana Islands on Federal interests,

(4) the adequacy of detention facilities in the Northern Mariana Islands,

(5) the accuracy and reliability of the computerized alien identification and tracking system and its compatibility with the system of the Immigration and Naturalization Service, and

(6) the reasons why Federal agencies are unable or unwilling to fully and effectively enforce Federal laws applicable within the Commonwealth of the Northern Mariana Islands unless such activities are funded by the Secretary of the Interior.

#### SEC. 4. IMMIGRATION COOPERATION.

The Commonwealth of the Northern Mariana Islands and the Immigration and Naturalization Service shall cooperate in the identification and, if necessary, exclusion or deportation from the Commonwealth of the Northern Mariana Islands of persons who represent security or law enforcement risks to the Commonwealth of the Northern Mariana Islands or the United States.

#### SEC. 5. CLARIFICATION OF LOCAL EMPLOYMENT IN THE MARIANAS.

(a) Section 8103(i) of title 46 of the United States Code is amended by renumbering paragraph (3) as paragraph (4) and by adding a new paragraph (3) as follows:

“(3) Notwithstanding any other provision of this subsection, any alien allowed to be employed under the immigration laws of the Commonwealth of the Northern Mariana Islands (CNMI) may serve as an unlicensed seaman on a fishing, fish processing, or fish tender vessel that is operated exclusively from a port within the CNMI and within the navigable waters and exclusive economic zone of the United States surrounding the CNMI. Pursuant to 46 U.S.C. 8704, such persons are deemed to be employed in the United States and are considered to have the permission of the Attorney General of the United States to accept such employment: *Provided*, That paragraph (2) of this subsection shall not apply to persons allowed to be employed under this paragraph.”

(b) Section 8103(1)(1) of title 46 of the United States Code is amended by deleting “paragraph (3) of this subsection” and inserting in lieu thereof “paragraph (4) of this subsection”.

#### SEC. 6. CLARIFICATION OF OWNERSHIP OF SUBMERGED LANDS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Public Law 93-435 (88 Stat. 1210), as amended, is further amended by—

(a) striking “Guam, the Virgin Islands” in section 1 and inserting in lieu thereof “Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands” each place the words appear;

(b) striking “Guam, American Samoa” in section 2 and inserting in lieu thereof “Guam, the Commonwealth of the Northern Mariana Islands, American Samoa”; and

(c) striking “Guam, the Virgin Islands” in section 2 and inserting in lieu thereof “Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands.”

With respect to the Commonwealth of the Northern Mariana Islands, references to “the date of enactment of this Act” or “date of enactment of this subsection” contained in Public Law 93-435, as amended, shall mean the date of enactment of this section.

#### SEC. 7. ANNUAL STATE OF THE ISLANDS REPORT.

The Secretary of the Interior shall submit to the Congress, annually, a “State of the Islands” report on American Samoa, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia that includes basic economic development information, data on direct and indirect Federal assistance, local revenues and expenditures, employment and unemployment, the adequacy of essential infrastructure and maintenance thereof, and an assessment of local financial management and administrative capabilities, and Federal efforts to improve those capabilities.

#### SEC. 8. TECHNICAL CORRECTION.

Section 501 of Public Law 95-134 (91 Stat. 1159, 1164), as amended, is further amended by deleting “the Trust Territory of the Pacific Islands,” and inserting in lieu thereof “the Republic of Palau, the Republic of the Marshall Islands, the Federated States of Micronesia.”

### DISTRICT OF COLUMBIA TRANSPORTATION PROJECTS

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 144, S. 1023.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1023) to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I am pleased that the Senate is considering legislation today to allow the District of Columbia to move forward with transportation projects that are critically needed for the entire metropolitan Washington region.

I want to make clear to my colleagues that this legislation is consistent with the temporary match waivers that Congress has provided in 1975, 1982, and 1991. Under previous matching share waivers, 39 States have utilized this flexibility.

The legislation before the Senate is again a temporary waiver of the local matching share required before a State, or in this case the District of Columbia, can obligate Federal highway dollars. It is not a complete forgiveness of their financial obligation to provide a 20 percent match of these Federal dollars.

This legislation requires the District to repay these matching requirements

by the end of fiscal year 1996—September 30. If the District fails to comply, their 1997 Federal highway apportionments will be reduced.

The legislation also requires that these Federal funds are to be used to maintain and upgrade National Highway System routes in the District, and other projects which the Secretary of Transportation determines to be important to the entire region.

Any other project the District decides to move forward with must be matched with local funds. In other words, this bill only temporarily waives the local match for those projects important to maintaining the District's most heavily traveled roads.

Mr. President, during the committee's consideration a provision was added to require the Department of Transportation to report to the Congress on those projects funded in 1995. This provision gives us further assurance that the District will properly use these funds on those most regionally significant projects. The committee has made clear that following a review of the use of the 1995 apportionments, if these funds were not allocated to worthy projects, then the committee will reconsider the waiver for fiscal year 1996.

These are the same roads which serve as the gateways to our Nation's Capital and are the major commuter arteries for the metropolitan region.

These are the same roads which contribute to the functioning of the Federal Government and serve the thousands of tourists from our States who travel here each year.

Mr. President, it is important to emphasize that this legislation is necessary to reduce congestion which plagues the entire region. The projects to benefit from this legislation are ones that compliment the transportation priorities of Virginia and Maryland, such as the 14th Street Bridge and Pennsylvania Avenue.

Also, I ask unanimous consent to have printed in the RECORD a copy of a letter from Virginia Secretary of Transportation Martinez placing Governor Allen's administration solidly in support of this legislation, and a letter in support from the distinguished Representative from the District of Columbia, Ms. NORTON.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF VIRGINIA,  
OFFICE OF THE GOVERNOR,

July 7, 1995.

Hon. JOHN WARNER,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC

DEAR SENATOR WARNER: This letter is to provide the Commonwealth of Virginia's position on the proposed legislation to authorize the U.S. Secretary of Transportation to increase the federal share of certain highway projects in the District of Columbia for fiscal years 1995 and 1996. This legislation would in effect provide a temporary waiver of the local match for highway projects in Washington, D.C.

It is important for the economic health of Northern Virginia and the region to continue the development of critical transportation improvements. The regional projects that Virginia is working with the District include the 14th Street Bridge improvements and certain Intelligent Transportation System (ITS) projects.

Virginia supports this measure to allow the needed transportation projects to move forward this construction season and not delay much needed projects. If we can provide any additional information, please do not hesitate to call me.

Sincerely,

ROBERT E. MARTÍNEZ.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 17, 1995.

Hon. ROBERT DOLE,

Majority Leader of the Senate, Washington, DC.

DEAR SENATOR DOLE: On July 11, the Senate Environment and Public Works Committee passed legislation, introduced by Senator John Warner, that would waive the local match of federal highway funds for the District of Columbia for FY 1995 and FY 1996. I write now to seek your assistance in getting this legislation through the Senate.

Without swift passage of this legislation in both chambers, before August 1, \$82 million in FY 1995 apportioned monies and a similar amount in FY 1996 will be unavailable. It is essential to the economic health of the District and the region to repair the gateway streets used by regional commuters and 20 million visitors annually.

No new highway projects are planned this fiscal year in the District; nor have any bids been solicited over the past 18 months because the District's fiscal crisis has left the city unable to meet the matching funds requirement for federal monies. As you know, this federal money does not linger in the government bureaucracy but gets flushed right into the private sector when a city bids from private sector contractors to work on the projects.

The waiver in the Warner bill is based on precedents from P.L. 94-30 in 1975, P.L. 97-424 in 1982 and P.L. 102-240 in 1991. With the waiver, vital District projects to improve the major gateways into the city could proceed, aiding more tourists and commuters than D.C. residents, and providing desperately needed jobs and economic development for the city.

Please help.

Best personal regards.

Sincerely,

ELEANOR HOLMES NORTON.

Mr. WARNER. Mr. President, on a related matter, I would like to share with the Senate my longstanding interest in preserving the historic integrity of Constitution Avenue. This panoramic avenue has witnessed many landmark events in our Nation's history. It links the Lincoln Monument to the U.S. Capitol with many of the principal U.S. Government offices, national museums, and the National Gallery of Art gracing this historic avenue.

Unfortunately it has fallen into a serious state of disrepair. It has become a corridor overburdened with mobile street vendors.

Formerly known as B Street, it was renamed Constitution Avenue in 1913 and hosted President Franklin Roosevelt's inaugural parades. President Roosevelt was the first President to break with tradition and host his inaugural parade along Constitution Ave-

nue rather than the formerly used routing along Pennsylvania Avenue.

Today I believe that the historic beauty of Constitution Avenue is marred by an increasing number of vendor vehicles permanently located along this corridor. These vendors create gridlock, as they scramble to park, during peak usage of this vital corridor. They distract from the intrinsic beauty and historic tradition of this corridor. Cannot the users and visitors to this great capitol city have one avenue free of commercial buildings and commercial vehicles?

I have shared these views with the Mayor of the District of Columbia, and I will continue to work for these goals.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the bill be considered and deemed read a third time, passed, and that the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

So the bill (S. 1023), was deemed read for a third time and passed, as follows:

S. 1023

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Emergency Highway Relief Act".

#### SEC. 2. DISTRICT OF COLUMBIA EMERGENCY HIGHWAY RELIEF.

(a) TEMPORARY WAIVER OF NON-FEDERAL SHARE.—Notwithstanding any other law, during fiscal years 1995 and 1996, the Federal share of the costs of a project within the District of Columbia described in subsection (b) shall be a percentage requested by the District of Columbia, but not to exceed 100 percent of the costs of the project.

(b) ELIGIBLE PROJECTS.—A project referred to in subsection (a) is a project—

(1) for which the United States—

(A) is obligated to pay under title 23, United States Code, on the date of enactment of this Act; or

(B) becomes obligated to pay under title 23, United States Code, during any portion of the period beginning on the date of enactment of this Act and ending on September 30, 1996; and

(2) that is—

(A) for a route proposed for inclusion in the National Highway System; or

(B) of regional significance (as determined by the Secretary of Transportation); with respect to which the Mayor of the District of Columbia certifies that sufficient funds are not available to pay the full non-Federal share of the costs of the project.

(c) REPAYMENT.—

(1) OBLIGATION TO REPAY.—Not later than September 30, 1996, the District of Columbia shall repay to the United States, with respect to each project for which an increased Federal share is paid under subsection (a), an amount equal to the difference between—

(A) the amount of the costs of the project paid by the United States under subsection (a); and

(B) the amount of the costs of the project that would have been paid by the United States but for subsection (a).

(2) DEPOSIT OF REPAID FUNDS.—A repayment made under paragraph (1) with respect to a project shall be—

(A) deposited in the Highway Trust Fund established by section 9503 of the Internal Revenue Code of 1986; and

(B) credited to the appropriate account of the District of Columbia for the category of the project.

(3) FAILURE TO REPAY.—

(A) DEDUCTIONS.—If the District of Columbia fails to make a repayment required under paragraph (1) with respect to a project, the Secretary of Transportation shall deduct an amount equal to the amount of the failed repayment from funds appropriated or allocated for the category of the project for fiscal year 1997 to the District of Columbia under title 23, United States Code.

(B) REAPPORTIONMENT.—Any amount deducted under subparagraph (A) shall be reapportioned for fiscal year 1997 in accordance with title 23, United States Code, to a State other than the District of Columbia.

#### SEC. 3. REPORT TO CONGRESS.

Not later than November 1, 1995, and November 1, 1996, the Secretary of Transportation shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(1) each project within the District of Columbia for which an increased Federal share has been paid under section 2;

(2) any specific cause of delay in the rate of obligation of Federal funds made available under section 2; and

(3) any other information that the Secretary of Transportation determines is relevant.

#### ORDERS FOR FRIDAY, JULY 21, 1995

Mr. HATFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9 a.m. on Friday, July 21, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, that the time for the two leaders be reserved for their use later in the day, and that the Senate then immediately begin consideration of H.R. 1817, the military construction appropriations bill.

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

#### PROGRAM

Mr. HATFIELD. Mr. President, for the information of all Senators, under the previous order, the Senate will resume consideration of the MILCON appropriations bill at 9 a.m. tomorrow. Also, under the unanimous consent agreement entered into earlier this evening, the Senate will resume consideration of the rescissions bill at 10:20 tomorrow morning. Under that agreement, there will be approximately 40 minutes of debate remaining on the bill. Following that debate, at approximately 11 a.m. the Senate will proceed to vote on a motion to table the first Wellstone amendment. That vote may be followed by an immediate vote on the motion to table the second Wellstone amendment to be followed by a vote on passage of the rescissions bill.

All Senators should, therefore, be aware that rollcall votes will occur throughout Friday's session of the Senate.