I came to the U.S. House as a freshman in 1978, in the election of 1978. I was sworn in in January of 1979, and the House was dark. Only in April of that year was television permitted in the House, and at the time there were many cries that it would permanently ruin the process. The Senate at that time refused to be televised.

Over a period of years, several things happened. We live in an electronic age. We live in an age where people use the Internet, they use television, they use radio, they surf the Net, they surf channels. And in that electronic age, Senators began to realize that, all of a sudden, the coverage which had historically been dominated by the Senate was shifting to the House because it was a more immediate, a more real, a more vivid institution.

I think today if someone were to come to the floor and say, let's repeal televising the House, let's close down C-SPAN, let's make it impossible to take televised debate off the floor of the House, people would look at them in wonderment. They would say, how could you think of that? Because the modern news is in large part an electronic news. It is a process of immediacy that is quite unusual.

Now we come to the question of committees. What is the purpose of holding a committee hearing? It is to learn the truth, to listen to opinions, to inform the Members and to inform the public.

We live in an age where murder trials are televised; we live in an age where television is virtually ubiquitous; we live in an age where people are pretty aware of and sensitive to the process of television. And what is the proposed change here? What is this dramatic, bold new breakthrough? It is to adopt the rules which are already in force in the Senate. That is right, exactly the same protections that already exist in the Senate.

Now, I have yet to hear any Senator suggest that the Senate should quit televising hearings. I have not heard a single Democrat or Republican suggest that there is anything wrong with any hearing on any topic, as long as it does not involve national security.

If it involves defamation of a person, if it involves something which could affect their livelihood, the committee in the House or the committee in the Senate has the right to close the hearing for good reason. If it involves national security, the committee has the right to exclude the media for good reason.

But the normal, standard set in the Senate is that a hearing is a hearing, and that this is the people's Congress, and, therefore, the people have a right to access; and in the modern era the most effective method of access is electronics, which means radio and television.

Now, what about the witnesses' rights? They are not changed at all. The witness arrives, accompanied by an attorney. The witness has all of the legal protections given them. The witness has every right to refuse to testify. The witness has every right to seek protection of the fifth amendment. The witness has every right to clarify. None of those protections for the witness are changed.

Our friends would suggest that there is somehow a magic difference between the same witness with the same attorney in the same hearing answering the same question, having it recorded by a newspaper in print and having it broadcast by radio or television.

☐ 2000

But I think that is to miss the entire revolution of our generation.

What is making the world different is the ability to have an electronic relationship that is real and vivid. At a time when the O.J. Simpson trial was available to every citizen; at a time when city councils are open to camera in Smyrna, Georgia; for example, every Monday night is city council night in Smyrna, and every citizen in Smyrna can watch, unless they are discussing a personnel decision that is sensitive. But to suggest that we should now retain a 1957 rule, at a time, by the way, when there was no television in the House; in Sam Rayburn's day, they did not have televised House proceedings. But now, in the modern era, I think it is wrong.

I would just pose this before any of my friends in the Democratic Party vote ''no.'' I do not believe one can find a single Democratic Senator who would seek to go back and bar cameras and microphones from a Senate hearing. I do not believe one can find a single Member who has served in the Senate who would seek to go back and bar television and radio from a hearing. If, in the last 40 years, it has done no damage to witnesses in the Senate, what is it we are afraid of that it would do in the House?

The time has come to open the committees, just as when I was a freshman we opened up the House Chamber. Just as C-SPAN was good for the House Chamber, I believe the same coverage in the committees will be good, and I urge every Member to vote for this change, to bring the full light of complete news media coverage into the hearings of the United States House.

Mr. GOSS. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, on that I demand the yeas and yeas.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this question are postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken later.

SURFACE TRANSPORTATION EXTENSION ACT OF 1997

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1519) to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

The Clerk read as follows:

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 ''Surface Transportation Extension Act of 1997''.

SEC. 2. ADVANCES.

(a) IN GENERAL.—The Secretary of Transportation (referred to in this Act as the ''Secretary'') shall apportion funds made available under section 1003(d) of the Intermodal Surface Transportation Efficiency Act of 1991 to each State in the ratio that—

(1) the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; bears to

(2) all States' total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) PROGRAMS.—Of the funds to be apportioned to each State under subsection (a), the Secretary shall ensure that the State is apportioned an amount of the funds, determined under paragraph (2), for the Interstate maintenance program, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, minimum allocation under section 157 of title 23, United States Code, Interstate reimbursement under section 160 of that title, the donor State bonus under section 1013(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1940), hold harmless under section 1015(a) of that Act (105 Stat. 1943), 90 percent of payments adjustments under section 1015(b) of that Act (105 Stat. 1944), section 1015(c) of that Act (105 Stat. 1944), an amount equal to the funds provided under sections 1103 through 1108 of that Act (105 Stat. 2027), and funding restoration under section 202 of the National Highway System Designation Act of 1995 (109 Stat. 571).

(2) IN GENERAL.—The amount that each State shall be apportioned under this subsection for each item referred to in paragraph (1) shall be determined by multiplying—

(A) the amount apportioned to the State under subsection (a); by

(B) the ratio that—

(i) the amount of funds apportioned for the item, or allocated under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027), to the State for fiscal year 1997; bears to

(ii) the total of the amount of funds apportioned for the items, and allocated under those sections, to the State for fiscal year 1997.

(3) USE OF FUNDS.—Amounts apportioned to a State under subsection (a) attributable to sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 shall be available to the State for projects eligible for assistance under chapter 1 of title 23, United States Code.

(4) ADMINISTRATION.—Funds authorized by the amendment made by subsection (d) shall be administered as if they had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code; except that the deduction under section 104(a) of title 23, United States Code, the set-asides under section 104(b)(1) of that title for the territories and under section 104(f)(1) of that title for metropolitan planning, and the expenditure required under section 104(d)(1) of that title shall not apply to those funds.

(c) REPAYMENT FROM FUTURE APPORTIONMENTS.—

(1) IN GENERAL.—The Secretary shall reduce the amount that would, but for this section, be apportioned to a State for programs under chapter 1 of title 23, United States Code, for fiscal year 1998 under a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act by the amount that is apportioned to each State under subsection (a) and section 5(f) for each such program.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds apportioned under subsection (a) for a program category for which funds are not authorized under a law described in paragraph (1) may be restored to the Federal-aid highway program.

(d) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) is amended by adding at the end the following:

''(d) ADVANCE AUTHORIZATIONS.—

''(1) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 1997 $5,500,000,000 for the period of November 16, 1997, through January 31, 1998.

''(2) SPECIAL RULE.—Funds apportioned under subsection (a) shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

''(e) AUTHORIZATION OF CONTRACT AUTHORITY.—

''(1) AUTHORIZATION.—Notwithstanding section 157(e) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 157 of title 23, United States Code, not to exceed $15,460,000 for the period of January 26, 1998, through January 31, 1998.

''(2) ALLOCATION.—The Secretary shall allocate the amounts authorized under paragraph (1) to each State in the ratio that—

''(A) the amount allocated to the State for fiscal year 1997 under section 157 of that title; bears to

''(B) the amounts allocated to all States for fiscal year 1997 under section 157 of that title.

''(f) CONTRACT AUTHORITY.—Funds authorized under subsections (d) and (e) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.''.

(e) LIMITATION ON OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), after the date of enactment of this Act, the Secretary shall allocate to each State an amount of obligation authority made available under the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105–66) that is—

(A) equal to the greater of—

(i) the State's unobligated balance, as of October 1, 1997, of Federal-aid highway apportionments subject to any limitation on obligations; or

(ii) 50 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program; but

(B) not greater than 75 percent of the State's total fiscal year 1997 obligation authority for funds apportioned for the Federal-aid highway program.

(2) LIMITATION ON AMOUNT.—The total of all allocations under paragraph (1) shall not exceed $9,786,275,000.

(3) TIME PERIOD FOR OBLIGATIONS OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998, until the earlier of the date of enactment of a multiyear law reauthorizing the Federal-aid highway program or July 1, 1998.

(B) REOBLIGATION.—Subparagraph (A) shall not preclude the reobligation of previously obligated funds.

(C) DISTRIBUTION OF REMAINING OBLIGATION AUTHORITY.—On the earlier of the date of enactment of a law described in subparagraph (A) or July 1, 1998, the Secretary shall distribute to each State any remaining amounts of obligation authority for Federal-aid highways and highway safety construction programs by allocation in accordance with section 310(a) of the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105–66).

(D) CONTRACT AUTHORITY.—No contract authority made available to the States prior to July 1, 1998, shall be obligated after that date until such time as a multiyear law reauthorizing the Federal-aid highway program has been enacted.

(4) TREATMENT OF OBLIGATIONS.—Any obligation of an allocation of obligation authority made under this subsection shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 1998 for the purposes of the matter under the heading ''(LIMITATION ON OBLIGATIONS)'' under the heading ''FEDERAL-AID HIGHWAYS'' in title I of the Department of Transportation and Related Agencies Appropriations Act, 1998 (Public Law 105–66).

SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.

(a) IN GENERAL.—In addition to any other authority of a State to transfer funds, for fiscal year 1998, a State may transfer any funds apportioned to the State for any program under section 104 (including amounts apportioned under section 104(b)(3) or set aside or suballocated under section 133(d)), 144, or 402 of title 23, United States Code, before, on, or after the date of enactment of this Act, granted to the State for any program under section 410 of that title before, on, or after such date of enactment, or allocated to the State for any program under chapter 311 of title 49, United States Code, before, on, or after such date of enactment, that are subject to any limitation on obligations, and that are not obligated, to any other of those programs.

(b) TREATMENT OF TRANSFERRED FUNDS.—Any funds transferred to another program under subsection (a) shall be subject to the provisions of the program to which the funds are transferred, except that funds transferred to a program under section 133 (other than subsections (d)(1) and (d)(2)) of title 23, United States Code, shall not be subject to section 133(d) of that title.

(c) RESTORATION OF APPORTIONMENTS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act, the Secretary shall restore any funds that a State transferred under subsection (a) for any project not eligible for the funds but for this section to the program category from which the funds were transferred.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds transferred under subsection (a) from a program category for which funds are not authorized may be restored to the Federal-aid highway, highway safety, and motor carrier safety programs.

(3) LIMITATION ON STATUTORY CONSTRUCTION.—No provision of law, except a statute enacted after the date of enactment of this Act that expressly limits the application of this subsection, shall impair the authority of the Secretary to restore funds pursuant to this subsection.

(d) GUIDANCE.—The Secretary may issue guidance for use in carrying out this section.

SEC. 4. ADMINISTRATIVE EXPENSES.

(a) EXPENSES OF FEDERAL HIGHWAY ADMINISTRATION.—

(1) AUTHORITY TO BORROW.—

(A) FROM UNOBLIGATED FUNDS AVAILABLE FOR DISCRETIONARY ALLOCATIONS.—If unobligated balances of funds deducted by the Secretary under section 104(a) of title 23, United States Code, for administrative and research expenses of the Federal-aid highway program are insufficient to pay those expenses for fiscal year 1998, the Secretary may borrow to pay those expenses not to exceed $60,000,000 from unobligated funds available to the Secretary for discretionary allocations.

(B) REQUIREMENT TO REIMBURSE.—Funds borrowed under subparagraph (A) shall be reimbursed from amounts made available to the Secretary under section 104(a) of title 23, United States Code, as soon as practicable after the date of enactment of a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act.

(2) AUTHORIZATION OF CONTRACT AUTHORITY.—

(A) IN GENERAL.—In addition to funds made available under paragraph (1), there shall be available from the Highway Trust Fund (other than the Mass Transit Account) for administrative and research expenses of the Federal-aid highway program $158,500,000 for fiscal year 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(3) USE OF CERTAIN ADMINISTRATIVE FUNDS.—Section 104(i)(1) of title 23, United States Code, is amended by inserting '', and for the period of October 1, 1997, through March 31, 1998,'' after ''1997''.

(b) BUREAU OF TRANSPORTATION STATISTICS.—Section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2172) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Chapter I''; and

(2) in the first sentence of subsection (b)—

(A) by striking ''1996, and'' and inserting ''1996,''; and

(B) by inserting before the period at the end the following: '', and $12,500,000 for the period of October 1, 1997, through March 31, 1998''.

SEC. 5. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) FEDERAL LANDS HIGHWAYS.—Section 1003(a)(6) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) is amended—

(1) in subparagraph (A)—

(A) by striking ''1992 and'' and inserting ''1992,''; and

(B) by inserting before the period at the end the following: '', and $95,500,000 for the period of October 1, 1997, through March 31, 1998'';

(2) in subparagraph (B)—

(A) by striking ''1995, and'' and inserting ''1995,''; and

(B) by inserting before the period at the end the following: ''and $86,000,000 for the period of October 1, 1997, through March 31, 1998''; and

(3) in subparagraph (C)—

(A) by striking ''1995, and'' and inserting ''1995,''; and

(B) by inserting before the period at the end the following: '', and $42,000,000 for the period of October 1, 1997, through March 31, 1998''.

(b) NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) (as amended by section 2(d)) is amended by adding at the end the following:

''(e) NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 104(h) of title 23, United States Code, is amended by inserting 'and $7,500,000 for the period of October 1, 1997, through March 31, 1998' after '1997'.''.

(c) CERTAIN ALLOCATED PROGRAMS.—

(1) HIGHWAY USE TAX EVASION.—Section 1040(f)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1992) is amended in the first sentence by inserting before the period at the end the following: ''and $2,500,000 for the period of October 1, 1997, through March 31, 1998''.

(2) SCENIC BYWAYS PROGRAM.—Section 1047(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1998) is amended in the first sentence—

(A) by striking ''1994, and'' and inserting ''1994,''; and

(B) by inserting before the period at the end the following: '', and $7,000,000 for the period of October 1, 1997, through March 31, 1998''.

(d) INTELLIGENT TRANSPORTATION SYSTEMS.—Section 6058(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2194) is amended—

(1) by striking ''1992 and'' and inserting ''1992,''; and

(2) by inserting before the period at the end the following: '', and $47,000,000 for the period of October 1, 1997, through March 31, 1998''.

(e) SURFACE TRANSPORTATION RESEARCH.—

(1) OPERATION LIFESAVER.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the operation lifesaver program under section 104(d)(1) of title 23, United States Code, $150,000 for the period of October 1, 1997, through March 31, 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(2) DWIGHT DAVID EISENHOWER TRANSPORTATION FELLOWSHIP PROGRAM.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the Dwight David Eisenhower Transportation Fellowship Program under section 307(a)(1)(C)(ii) of title 23, United States Code, $1,000,000 for the period of October 1, 1997, through March 31, 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(3) NATIONAL HIGHWAY INSTITUTE.—Section 321(f) of title 23, United States Code, is amended by adding at the end the following: ''There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $2,500,000 for the period of October 1, 1997, through March 31, 1998, and such funds shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.''.

(4) EDUCATION AND TRAINING PROGRAM.—Section 326(c) of title 23, United States Code, is amended by adding at the end the following: ''There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $3,000,000 for the period of October 1, 1997, through March 31, 1998, and such funds shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.''.

(f) METROPOLITAN PLANNING.—

(1) AUTHORIZATION OF CONTRACT AUTHORITY.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 134 of title 23, United States Code, $78,500,000 for the period of October 1, 1997, through March 31, 1998.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(2) DISTRIBUTION OF FUNDS.—The Secretary shall distribute funds authorized under paragraph (1) to the States in accordance with section 104(f)(2) of title 23, United States Code.

(g) TERRITORIES.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918) (as amended by subsection (b)) is amended by adding at the end the following:

''(f) TERRITORIES.—

''(1) IN GENERAL.—In lieu of the amounts deducted under section 104(b)(1) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands $15,000,000 for the period of January 26, 1998, through January 31, 1998.

''(2) CONTRACT AUTHORITY.—Funds authorized under this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.''.

SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) NHTSA HIGHWAY SAFETY PROGRAMS.—Section 2005(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2079) is amended—

(1) by striking ''1996, and'' and inserting ''1996,''; and

(2) by inserting before the period at the end the following: '', and $83,000,000 for the period of October 1, 1997, through March 31, 1998''; and

(b) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.—Section 410 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by striking ''5'' and inserting ''6''; and

(B) in paragraph (3), by striking ''and fifth'' and inserting ''fifth, and sixth'';

(2) in subsection (d)(2)(B), by striking ''two'' and inserting ''3''; and

(3) in the first sentence of subsection (j)—

(A) by striking ''1997, and'' and inserting ''1997,''; and

(B) by inserting before the period at the end the following '', and $12,500,000 for the period of October 1, 1997, through March 31, 1998''.

(c) NATIONAL DRIVER REGISTER.—Section 30308(a) of title 49, United States Code, is amended—

(1) by striking ''1994, and'' and inserting ''1994,''; and

(2) by inserting after ''1997,'' the following: ''and $1,855,000 for the period of October 1, 1997, through March 31, 1998,''.

SEC. 7. EXTENSION OF MOTOR CARRIER SAFETY PROGRAM.

Section 31104(a) of title 49, United States Code, is amended—

(1) in paragraphs (1) through (5), by striking ''not more'' each place it appears and inserting ''Not more''; and

(2) by adding at the end the following:

''(6) Not more than $45,000,000 for the period of October 1, 1997, through March 31, 1998.''.

SEC. 8. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

Title III of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2087–2140) is amended by adding at the end the following:

''SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS FOR THE PERIOD OF OCTOBER 1, 1997, THROUGH MARCH 31, 1998.

''(a) ALLOCATING AMOUNTS.—Section 5309(m)(1) of title 49, United States Code, is amended by inserting ', and for the period of October 1, 1997, through March 31, 1998' after '1997'.

''(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.—Section 5337 of title 49, United States Code, is amended—

''(1) in subsection (a), by inserting 'and for the period of October 1, 1997, through March 31, 1998,' after '1997,'; and

''(2) by adding at the end the following:

'' '(e) SPECIAL RULE FOR OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—The Secretary shall determine the amount that each urbanized area is to be apportioned for fixed guideway modernization under this section on a pro rata basis to reflect the partial fiscal year 1998 funding made available by section 5338(b)(1)(F).'.

''(c) AUTHORIZATIONS.—Section 5338 of title 49, United States Code, is amended—

''(1) in subsection (a)—

''(A) in paragraph (1), by adding at the end the following:

'' '(F) $1,328,400,000 for the period of October 1, 1997, through March 31, 1998.'; and

''(B) in paragraph (2), by adding at the end the following:

'' '(F) $369,000,000 for the period of October 1, 1997, through March 31, 1998.';

''(2) in subsection (b)(1), by adding at the end the following:

'' '(F) $1,131,600,000 for the period of October 1, 1997, through March 31, 1998.';

''(3) in subsection (c), by inserting 'and not more than $1,500,000 for the period of October 1, 1997, through March 31, 1998,' after '1997,';

''(4) in subsection (e), by inserting 'and not more than $3,000,000 is available from the Fund (except the Account) for the Secretary for the period of October 1, 1997, through March 31, 1998,' after '1997,';

''(5) in subsection (h)(3), by inserting 'and $3,000,000 is available for section 5317 for the period of October 1, 1997, through March 31, 1998' after '1997';

''(6) in subsection (j)(5)—

''(A) in subparagraph (B), by striking 'and' at the end;

''(B) in subparagraph (C), by striking the period at the end and inserting '; and'; and

''(C) by adding at the end the following:

'''(D) the lesser of $1,500,000 or an amount that the Secretary determines is necessary is available to carry out section 5318 for the period of October 1, 1997, through March 31, 1998.';

''(7) in subsection (k), by striking 'or (e)' and inserting '(e), or (m)'; and

''(8) by adding at the end the following:

'''(m) SECTION 5316 FOR THE PERIOD OF OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—Not more than the following amounts may be appropriated to the Secretary from the Fund (except the Account) for the period of October 1, 1997, through March 31, 1998:

'''(1) $125,000 to carry out section 5316(a).

'''(2) $1,500,000 to carry out section 5316(b).

'''(3) $500,000 to carry out section 5316(c).

'''(4) $500,000 to carry out section 5316(d).

'''(5) $500,000 to carry out section 5316(e).'.''.

SEC. 9. EXTENSION OF TRUST FUNDS FUNDED BY HIGHWAY-RELATED TAXES.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 (relating to Highway Trust Fund) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''1997'' and inserting ''1998''; and

(ii) by striking the last sentence and inserting the following new flush sentence: ''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 this sentence.'';

(B) in paragraph (4)(A), by striking ''1997'' and inserting ''1998'';

(C) in paragraph (5)(A), by striking ''1997'' and inserting ''1998''; and

(D) in paragraph (6)(E), by striking ''1997'' and inserting ''1998''; and

(2) in subsection (e)(3)—

(A) by striking ''1997'' and inserting ''1998'', and

(B) by striking all that follows ''the enactment of'' and inserting ''the last sentence of subsection (c)(1).''

(b) AQUATIC RESOURCES TRUST FUND.—Section 9504(c) of the Internal Revenue Code of 1986 (relating to expenditures from Boat Safety Account) is amended by striking ''April 1, 1998'' and inserting ''October 1, 1998''.

(c) NATIONAL RECREATIONAL TRAILS TRUST FUND.—Section 9511(c) of the Internal Revenue Code of 1986 (relating to expenditures from Trust Fund) is amended by striking ''1997'' and inserting ''1998''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Minnesota [Mr. OBERSTAR] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER].

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

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

Mr. Speaker, I am very pleased to report to the House that we have concluded our negotiations with the Senate and indeed, essentially the 6-month extension of ISTEA, which passed this House unanimously, as a fundamental basis upon which we now come back to the House with this Senate bill, this compromise bill, which is a 6-month extension of ISTEA, provides for approximately $10 billion in funding that is available from the old ISTEA, plus $5.5 billion in new funds to be distributed in such a fashion that each State will get approximately 50 percent of its 1997 obligational ceiling, which means that we do not deal with the formula issue. That could well be a nuclear war that will take place next spring, but that is fine. That is when it should take place.

This bill is simply a short-term extension which follows the strong view of the House, which is the long-term battle for the future funding of transportation infrastructure in America is a battle that should be fought within the context of the budget resolution next spring. So on a bipartisan basis, we bring this before the body under suspension of the rules and urge its passage.

S. 1519 represents a compromise between the House and the Senate which is the result of difficult negotiations between the two bodies over the past several days. Many hard decisions had to be made in order to ensure that State programs will continue to operate until we can resolve outstanding funding and policy issues after the budget debate next year.

The bill provides $5.5 billion in new budget authority as advances to States, equivalent to 3 months of funding. Funds are distributed in a manner similar to the House bill, based on the fiscal year 1997 distribution of obligational authority.

All advances of new budget authority will be subtracted from each State's ultimate distribution of funding for fiscal year 1998 in the ISTEA reauthorization.

S. 1519 distributes $9.8 billion in obligation authority to the States. Each State receives the higher of 50 percent of its fiscal year 1997 allotment of obligation authority or the total of its unobligated balances—but only in an amount up to 75 percent of its 1997 obligation authority.

This distribution was a concession on the part of the House, but I would note that it is, in fact, the distribution that would have been made by the Federal Highway Administration if no short-term extension were enacted.

The bill imposes a hard deadline on obligations of May 1, 1998. States may obligate Federal funds after that date only when a multi-year reauthorization of surface transportation programs has been enacted.

Because States will have to rely in part on unobligated balances, States are given flexibility to transfer both unobligated funds and new funds from any program category to another program category. However, those funds are required to be paid back once a multi-year reauthorization is enacted.

The bill ensures that a formula change effective for 1998 can be implemented for new budget authority for all States and for obligation authority for virtually all States.

Sufficient funding is provided for nearly a full year of Federal Highway Administration operations, and allocated programs continued in both the House and Senate reauthorization bills are funded at 50 percent of their 1997 levels.

For the transit program, S. 1519 includes provisions as in the House bill providing funding at 50 percent of fiscal year 1997 levels. Formula grant programs are funded at $1.3 billion and discretionary grants are funded at $1.1 billion.

Safety programs and motor carrier safety programs are also funded as in the House bill—with $83 million for the section 402 safety program, $12 million for the Section 410 Drunk Driving Program, and $45 million for motor carrier safety being provided.

I want to recognize the contributions of many groups who have worked diligently toward passing this short term extension.

I particularly want to recognize the Governors—acting both individually and under the auspices of the National Governors' Association—who have played a critical role in our efforts to see a meaningful ISTEA extension.

The Governors have also been prominent advocates for long-term increases in Federal investment in surface transportation programs. NGA passed a resolution this summer calling on Congress to enact legislation that permanently provides that all dedicated transportation user fees and and interest be distributed automatically and annually without restriction.

The Governors also organized a coalition called TRUST, ''Transportation Revenues Used Solely for Transportation,'' made up of State and local government officials, business groups and labor organizations, to push for increased Federal investment in transportation.

The fact that NGA and the National Conference of State Legislatures, the U.S. Conference of Mayors, and the National League of Cities continue to be so vocal on the subject of transportation dollars is a testament to the importance of surface transportation to communities across America as well as the responsibility State and local officials feel to meet infrastructure needs.

I expect that these organizations will continue to be politically energized on this subject as we revisit the program funding levels in the 1998 budget resolution.

Finally, I want to commend my colleagues on the Transportation and Infrastructure Committee—ranking Democrat JIM OBERSTAR, TOM PETRI, chairman of the Surface Transportation Subcommittee, and NICK RAHALL who is the ranking Democrat on the subcommittee.

The Transportation Committee has had a full year seeking to secure adequate transportation resources, developing BESTEA—the Building Efficient Surface Transportation and Equity Act—and now passing this short term extension. And we have our work cut out for us next year as we attempt to finalize a multi-year reauthorization that provides the necessary resources to meet our transportation needs.

Our Senate counterparts, Senator JOHN CHAFEE, Senator JOHN WARNER, and Senator MAX BAUCUS also deserve to be commended for their efforts during these last days of the session to provide the tools necessary for the

States to advance critical transportation projects until Congress completes work on a long-term ISTEA reauthorization.

I urge the House to approve S. 1519.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Pennsylvania [Mr. SHUSTER] and I are of one mind and of one accord on this legislation, as are the chairman of the subcommittee, the gentleman from Wisconsin [Mr. PETRI], and the ranking Democrat on our side, the gentleman from West Virginia [Mr. RAHALL], whom I commend for their unflagging commitment to ensuring that our Nation's surface transportation programs continue with the least possible disruption.

In a spirit of compromise, I think we have shown remarkable creativity and flexibility in working with our colleagues across the way in the other body in crafting an interim measure that will ensure that the States' critical surface transportation projects, highway, motor carrier safety, transit capital needs, transportation research programs, can continue unabated until we deal with the permanent law next spring. We have had a very good discussion with Senators CHAFEE, BAUCUS, WARNER, and BOND, and I commend them for their cooperation in working with us in a constructive fashion to come up with a product that has been the result of extensive and even difficult negotiations.

The key is that we produced a compromise that recognizes that adjourning for the year without a stopgap measure would be an abdication of our responsibility to the Nation. I just want to emphasize for all of our colleagues and all of those who may be listening that this body acted responsibly.

This committee, under the leadership of our chairman, the gentleman from Pennsylvania [Mr. SHUSTER] moved legislation in proper time to deal with the Nation's transportation needs. We moved the 6-month extension bill well ahead of the other body. We were willing to work with them to draft what we thought was an answer, in a neutral fashion, for the need to move ahead with the Nation's transportation funding, but on an interim basis until we come back next spring to deal with the 6-year bill.

Clearly, this is a compromise. It includes the important elements that we need to ensure that critical construction, capital acquisition and safety programs continue. The bill allows States unlimited flexibility to use their unobligated balances according to their most pressing needs. I want to emphasize that this flexibility is only temporary, that any transferred funds, any funds moved out of one category into another, will be repaid in full to their original categories.

I also want to emphasize that this bill is only half of what we provided in the House bill. I want to make it abundantly clear that this is only an interim measure. In no way should anyone consider that this prejudges the ultimate multiyear reauthorization of surface transportation programs which we will take up in due course next year. The distribution of funding and the obligational authority in this bill cannot be construed in any way to constitute a statement by Congress about the funding formulas that we will consider next year, or that in any way it would constitute a precedent for next year's reauthorization.

The bill fully preserves our ability to adjust the distribution of remaining fiscal year 1998 funds, ensuring that States will receive their full and their equitable shares. It should not be construed in any way to indicate which existing programs will or will not continue, nor at what funding levels they will continue. This is simply a short-term measure to tide these programs and projects over while we continue to develop the fully funded multiyear bill.

I just want to remind our colleagues, this is not the time to launch into a full-scale reauthorization of the surface transportation programs. We have crafted a bill on which we are in agreement and which we will bring forward at the appropriate time next year. We do good work in our committee. This is an interim step toward completing that good work.

I want to extend my congratulations to our chairman, the gentleman from Pennsylvania [Mr. SHUSTER], for his leadership in moving this legislation along, and had this body been of good mind and good spirit 48 hours ago, this would have been done. However, we do all good things in due course.

Again, I congratulate our chairman and thank him for his splendid cooperation.

Mr. SHUSTER. Mr. Speaker, I certainly want to thank my good friend from Minnesota [Mr. OBERSTAR] for the leadership he has provided to make this a bipartisan legislation.

Mr. RAHALL. Mr. Speaker, I rise as the ranking Democrat on the bipartisan Subcommittee on Surface Transportation, which is ably chaired by the distinguished gentleman from Wisconsin TOM PETRI.

In conjunction with our full committee chairman BUD SHUSTER and ranking member JIM OBERSTAR, we are now in the position to consider the pending measure.

This bill provides the States with some ability to continue to obligate federal highway funds until Congress reauthorizes the federal aid to highway program which expired on September 30th.

Since that time, no new contract authority associated with federal highway dollars has been available to the States.

Under this legislation, which represents a compromise with the Senate, $5.5 billion in new contract authority would be provided to the States.

This amount, coupled with the unobligated balances associated with prior year contract authority currently in existence, provides the States with $9.8 billion in federal highway fund obligational authority subject to a May 1, 1988, expiration.

This legislation should be viewed as an interim measure made necessary because Congress did not enact a long-term highway bill this session.

The reasons for incomplete action on the long-term bill are varied.

For our part, the simple fact of the matter is that the bipartisan leadership of the House Committee on Transportation and Infrastructure intends to keep faith with the American motorist and with our responsibilities to address a crumbling transportation infrastructure in this country.

We do not believe that motor fuel taxes paid by the American people, which are deposited in the Highway Trust Fund for the express purpose of making transportation improvements, should then sit idle in that Trust Fund and be held hostage to the whims of the budgeteers.

Earlier this year, a grave injustice was done to transportation when the Administration and the Republican leadership of the Congress agreed upon a 5-year budget plan.

Simply put, highway spending was not sufficiently provided for placing us in a situation where the surplus in the Highway Trust Fund will continue to grow while highway construction needs remain unmet.

We on the Transportation and Infrastructure Committee feel compelled to fashion a long-term reauthorization of the existing highway law, ISTEA, that provides highway spending levels which more closely track receipts into the Highway Trust Fund.

Because this was not possible this year, we are moving forward with a short-term bill so that we may seek more justice in highway spending next year when the Congress will once again consider a budget resolution.

With that, I urge the adoption of the pending measure.

Mr. PETRI. Mr. Speaker, I am pleased that the House is considering this important piece of legislation before it adjourns for the year.

This bill will ensure that key surface transportation programs, including the highway, transit, and highway safety programs, continue to receive funding while a multi-year reauthorization is being crafted by the Congress.

At one point in time this fall, it appeared that there was a good chance that the other body would not even consider an extension.

Fortunately, upon further reflection, they reached the same conclusion that we had reached—that it just isn't good transportation policy to allow these programs to wither on the vine or to allow the Federal Highway Administration to shut down due to lack of funds.

I want to comment briefly on the formula for distributing highway funds.

This bill distributes $9.7 billion in obligation limitation to the States based primarily on the level of unobligated balances each state had at the beginning of the year. This is the distribution method insisted upon by the Senate.

This method is generally less favorable to the ''Donor'' states than the method included in BESTEA—the bill considered by my subcommittee in September—and the short term extension passed by the House on October 1.

In fact, 21 ''Donor'' States receive a lower percentage than they did under the House passed bill. Many of these States receive a trust fund return on their obligation authority that is below 80 percent. The House accepted this method of distributing the obligation limitation in return for several concessions on the

part of the Senate that we considered important in helping us proceed with the longer term bill next year—including preserving the budget baseline and providing additional contract authority to the States so that they would not be dependent exclusively on balances of unobligated funds.

I hope this serves as a forewarning to the ''Donor'' States that they need to be vigilant as we continue to develop a final formula for a multi-year bill.

Chairman SHUSTER and I remain committed to modernizing the ISTEA formulas. Current formulas clearly are indefensible and have the perverse effect of reducing overall support for a strong Federal highway program. I urge the House to approve S. 1519.

Mr. SHUSTER. Mr. Speaker, I have no further requests for time, and if the gentleman is prepared to yield back his time, I will do the same.

Mr. OBERSTAR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. SHUSTER] that the House suspend the rules and pass the Senate bill, S. 1519.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. 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 S. 1519, the Senate bill just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AUTHORIZING ACQUISITION OF CERTAIN REAL PROPERTY FOR LIBRARY OF CONGRESS

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2979) to authorize acquisition of certain real property for the Library of Congress, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2979

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

SECTION 1. ACQUISITION OF FACILITY IN CULPEPER, VIRGINIA.

(a) ACQUISITION.—The Architect of the Capitol may acquire on behalf of the United States Government by transfer of title, without reimbursement or transfer of funds, the following property:

(1) Three parcels totaling approximately 41 acres, more or less, located in Culpeper County, Virginia, and identified as Culpeper County Tax Parcel Numbers 51–80B, 51–80C, and 51–80D, further described as real estate (consisting of 15.949 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskeep and Jean H. Inskeep, his wife, dated October 1, 1964, and recorded October 7, 1964, in the Clerk's Office, Circuit Court of Culpeper County, Virginia, in Deed Book 177, page 431, and real estate (consisting of 20.498 acres and consisting of 4.502 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskeep and Jean H. Inskeep, his wife, dated November 11, 1974, and recorded November 12, 1974, in the Clerk's Office, Circuit Court of Culpeper County, Virginia, in Deed Book 247, page 246.

(2) Improvements to such real property.

(b) USES.—Effective on the date on which the Architect of the Capitol acquires the property under subsection (a) such property shall be available to the Librarian of Congress for use as a national audiovisual conservation center.

SEC. 2 LIBRARY BUILDINGS AND GROUNDS.

Section 11 of the Act entitled ''An Act relating the policing of the buildings of the Library of Congress'' approved August 4, 1950 (2 U.S.C. 167(j)), is amended by adding at the end the following new subsection:

''(d) For the purposes of this Act, the term 'Library of Congress buildings and grounds' shall include the following property:

''(1) Three parcels totaling approximately 41 acres, more or less, located in Culpeper County, Virginia, and identified as Culpeper County Tax Parcel Numbers 51–80B, 51–80C, and 51–80D, further described as real estate (consisting of 15.949 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskeep and Jean H. Inskeep, his wife, dated October 1, 1964, and recorded October 7, 1964, the the Clerk's Office, Circuit Court of Culpeper County, Virginia, in Deed Book 177, page 431; and real estate (consisting of 20.498 acres and consisting of 4.502 acres) conveyed to Federal Reserve Bank of Richmond by deed from Russell H. Inskeep and Jean H. Inskeep, his wife, dated November 11, 1974, and recorded November 12, 1974, in the Clerk's Office, Circuit Court of Culpeper County, Virginia, in Deed Book 247, page 246.

''(2) Improvements to such real property.''.

SEC. 3. ACCEPTANCE OF TRANSFERRED GIFT OR TRUST FUNDS.

Gifts or trust funds given to the Library or the Library of Congress Trust Fund Board for the structural and mechanical work and refurbishment of Library buildings and grounds specified in section 1 shall be transferred to the Architect of the Capitol to be spent in accordance with the provisions of the first section of the Act of June 29, 1922 (2 U.S.C. 141).

SEC. 4. FUND FOR TRANSFERRED FUNDS

There is established in the Treasury of the United States a fund consisting of those gift or trust funds transferred to the Architect of the Capitol under section 3. Upon prior approval of the Committee on House Oversight of the House of Representatives and Committee on Rules and Administration of the Senate, amounts in the fund shall be available to the Architect of the Capitol, subject to appropriation, to remain available until expended, for the structural and mechanical work and refurbishment of Library buildings and grounds. Such funds shall be available for expenditure in fiscal year 1998, subject to the prior approval of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the provisions of this Act shall take effect on the date of the enactment of this Act.

(b) SPECIAL RULE FOR INCLUSION OF PROPERTY WITHIN LIBRARY BUILDINGS AND GROUNDS.—The amendment made by section 2 shall take effect upon the acquisition by the Architect of the Capitol of the property described in section 1.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. THOMAS] and the gentlewoman from Michigan [Ms. KILPATRICK] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2979 is an attempt at the end of this Congress, in working with the Senate, and the Senate has a bill they are attempting to move on the other side which would authorize the Architect of the Capitol to acquire on behalf of the United States Government a gift of property located in Culpeper, Virginia.

This property is unique in terms of the uses that the Librarian will make of it. As my colleagues may know, in the early 20th century, the then new technology captured the American experience on film and in various forms of audio retention.

□ 2015

Unfortunately, in the late 19th and early 20th century, the technology produced a product which, over time, can become highly volatile. Many of these early film archives are currently preserved on military bases, much as you would munitions.

Our goal was to seek a facility which would allow the Librarian not only to preserve these artifacts but, in the process of preserving them, make them available for those who might wish to utilize the Library's resources, as they do with books and other artifacts that the Library of Congress now holds.

Since, for example, the acetate film is located on military bases, pretty obviously we cannot just use any building. We are very, very fortunate in having in Culpeper, Virginia, a facility which has been made available which, with relatively minor changes beyond the already wonderful facility that it is, will allow us to accomplish this long-desired goal of the Librarian.

In addition to that, the funds for this facility are a gift. We have some benefactors who are willing to provide the funds that will not only allow us to purchase the Culpeper facility, but funds that will allow us to begin to do the kinds of things that we need to do to it to make it an even more enhanced repository.

So what this bill does is allow us to acquire the property. It provides for the transfer of gifts to the Library trust fund controlled by the authorizing committees, the Committee on House Oversight and the Committee on Rules in the Senate, for appropriated funds controlled by the appropriations committees.

We have incorporated in the bill an amendment that was requested on the Senate side by the minority, agreed to