

H.R. 3013: Mr. HEFNER, Mr. RICHARDSON, Mr. STENHOLM, Mr. PAYNE of Virginia, and Mr. PARKER.

H.R. 3031: Mr. DOOLITTLE.

H.R. 3064: Mr. RIDGE, Mr. GOODLING, and Mr. MURPHY.

H.R. 3119: Mr. TRAFICANT.

H.R. 3173: Mr. TAUZIN.

H.R. 3320: Mrs. BYRNE and Mr. DORNAN.

H.R. 3347: Mr. ROMERO-BARCELO and Mr. BECERRA.

H.R. 3433: Mr. LANCASTER, Mr. SAWYER, Mr. BARLOW, Ms. BROWN of Florida, Mr. GUTIERREZ, Mr. GONZALEZ, and Mr. DICKS.

H.R. 3486: Mr. DARDEN and Mr. SHAW.

H.R. 3766: Mr. CONDIT, Mrs. MEYERS of Kansas, Mr. GLICKMAN, Mr. SLATTERY, Mr. MICA, Mr. MILLER of Florida, Mr. SAM JOHNSON, Mr. PAXON, Mr. DREIER, Mr. DUNCAN, Mr. HYDE, Mr. BUYER, Mr. GILMAN, Mr. BACHUS of Alabama, Ms. SLAUGHTER, Mr. SCHAEFER, Mr. DELAY, Mr. LIGHTFOOT, Ms. ROS-LEHTINEN, Mr. DORNAN, Mr. LINDER, Mr. INGLIS of South Carolina, Mr. PETRI, Mr. GALLEGLY, Mr. BOEHNER, Mr. NUSSLE, Mr. COX, Mr. BAKER of California, Mr. TALENT, Mr. WALKER, Mr. GINGRICH, Mr. MCINNIS, Mr. GOODLING, Mrs. FOWLER, Mr. SENSENBRENNER, Mr. KLUG, Mr. HOBSON, Mr. CLINGER, Mr. HASTERT, Mr. BURTON of Indiana, Mr. POMBO, Mr. WELDON, Mr. BEREUTER, Mr. HERGER, Mr. EMERSON, Mr. SOLOMON, Mr. HAYES, Mr. BREWSTER, Mr. BROWDER, Mr. SPRATT, Mr. SARPALUS, Mr. HOAGLAND, Mr. DOOLEY, Ms. DANNER, Mr. CALVERT, Mr. CANADY, Mr. KYL, Mr. SMITH of Oregon, Mr. STUMP, Mr. SMITH of Michigan, Mr. GOODLATTE, Mr. GOSS, Mr. SMITH of Texas, Mr. ALLARD, Mr. ROTH, Mrs. ROUKEMA, Mr. GRAMS, Mr. RIDGE, Mr. EWING, Mr. HOKE, Mr. HANCOCK, Mr. MICHEL, Mr. PORTER, Mr. QUILLEN, Mr. ROHRBACHER, Mr. DOOLITTLE, Mr. MCHUGH, Mr. ROSE, Mr. KASICH, Mr. HORN, Mr. COLLINS of Georgia, Mr. EVERETT, Mr. ROWLAND, Mr. BATEMAN, Mr. CALLAHAN, Mr. YOUNG of Florida, Mr. BARRETT of Nebraska, Mr. INHOFE, Mr. PARKER, Mr. MONTGOMERY, Mr. PETE GEREN of Texas, Mr. McMILLAN, Mr. UPTON, Mr. BLILEY, Mr. STENHOLM, Mr. CRAPO, Mr. PORTMAN, Mr. ZIMMER, Mr. SCHIFF, Mr. LIVINGSTON, Mr. THOMAS of Wyoming, Mr. WOLF, Mr. COOPER, Mr. ARCHER, Mr. BUNNING, Mr. CRANE, Mr. CUNNINGHAM, Ms. DUNN, Mr. GALLO, Mr. HEFLEY, Mr. LEACH, Mr. LEWIS of California, Mr. MCCANDLESS, Mr. PACKARD, Mr. QUINN, Mr. REGULA, Mr. ROGERS, Mr. SAXTON, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. FIELDS of Texas, Mr. TANNER, Mr. BAKER of Louisiana, Mr. TAYLOR of Mississippi, Mr. KINGSTON, Mr. HUNTER, Mr. HUTTO, Mrs. THURMAN, Mr. MOLLOHAN, Mr. CLEMENT, Ms. LONG, Mr. PENNY, Mr. ABERCROMBIE, Mr. PAYNE of Virginia, Mr. COSTELLO, Mr. GILCREST, Mr. COBLE, Mr. SANTORUM, Mr. KNOLLENBERG, Mr. MCKEON, Mr. COMBEST, Mr. ARMEY, Mr. CASTLE, Mr. HOEKSTRA, Mr. BALLENGER, Mr. CAMP, Mr. GRANDY, Mr. SHUSTER, Mr. DICKEY, Mr. HUTCHINSON, Mr. TRAFICANT, Mr. RAVENEL, Mr. FRANKS of New Jersey, Mr. HOUGHTON, Mr. LEWIS of Florida, Ms. MOLINARI, Mr. HALL of Texas, Mr. SISISKY, Mr. GILLMOR, Mr. SKELTON, Mr. STEARNS, Mrs. VUCANOVICH, Mr. YOUNG of Alaska, Mr. CLAY, Mr. BARLOW, Mr. DARDEN, Mr. DE LA GARZA, Mr. DURBIN, Ms. KAPTUR, and Ms. SNOWE.

H.R. 3900: Mr. MEEHAN, Ms. NORTON, and Mr. OLVER.

H.R. 3943: Mr. GRAMS.

H.R. 3973: Mr. BATEMAN and Mr. ABERCROMBIE.

H.R. 4040: Mr. CARDIN, Ms. HARMAN, Mr. GENE GREEN of Texas, Mr. SYNAR, Mr. ROMERO-BARCELO, Mr. ANDREWS of New Jersey, Mr. ANDREWS of Texas, and Mr. COYNE.

H.R. 4109: Mr. FALEOMAVAEGA.

H.R. 4256: Ms. ESHOO, Mr. BERMAN, Ms. WOOLSEY, Mr. BECERRA, Mr. FAZIO, Mr. BEIL-ENSON, Mr. MILLER of California, Mr. WAXMAN, and Ms. PELOSI.

H.R. 4271: Mr. CLYBURN, Mr. MANTON, and Mrs. THURMAN.

H.R. 4281: Mr. SOLOMON, Mrs. LLOYD, and Mr. SHAYS.

H.R. 4288: Mr. FALEOMAVAEGA, and Ms. VELAZQUEZ.

H.R. 4306: Mr. INSLEE.

H.R. 4386: Mr. HALL of Ohio.

H.R. 4402: Mr. SWETT, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Mr. EVANS, Mr. LAFALCE, and Mr. PORTER.

H.R. 4412: Mr. GRANDY.

H.R. 4417: Mr. DELLUMS

H.R. 4441: Mr. LIPINSKI and Mr. JOHNSON of South Dakota.

H.R. 4451: Ms. DANNER and Mr. FRANK of Massachusetts.

H.J. Res. 131: Mr. LEWIS of Florida, and Mr. BURTON of Indiana.

H.J. Res. 199: Mr. NEAL of Massachusetts, Mr. KILDEE, Mr. MCKEON, Mr. KLECZKA, Mr. CUNNINGHAM, Mr. PAXON, Mr. DIXON, Mr. CLINGER, Mr. GOODLING, Mr. SMITH of Texas, Mr. LEVY, Mr. PAYNE of New Jersey, Mr. YOUNG of Florida, Mr. STEARNS, Mr. KLING, Mr. HOYER, and Mr. PARKER.

H.J. Res. 297: Mr. YATES, Mr. SKEEN, Mr. NEAL of North Carolina, and Mr. HAMILTON.

H.J. Res. 334: Mr. DOOLITTLE, Mr. GEKAS, Mr. GONZALEZ, Mr. HYDE, Mr. JEFFERSON, Mr. KENNEDY, Mr. MAZZOLI, Mrs. MYERS of Kansas, Mr. MILLER of California, Ms. MOLINARI, Mr. MURTHA, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. RAVENEL, Mr. RICHARDSON, Mrs. ROUKEMA, Mr. STOKES, Mr. SWETT, Mr. TORRICELLI, Ms. WATERS, Mr. WAXMAN, Mr. WHEAT, and Mr. YATES.

H.J. Res. 351: Mr. EMERSON, Mr. FALEOMAVAEGA, Mr. GENE GREEN of Texas, Mr. GREENWOOD, Mr. HILLIARD, Mr. LIPINSKI, and Mr. SMITH of Texas.

H.J. Res. 355: Mr. EMERSON, Mr. DELLUMS, Mr. WATT, Mr. SCOTT, Mr. LANCASTER, Mr. FROST, Mr. PALLONE, Mr. McNULTY, Mr. LIPINSKI, Mr. HILLIARD, Mr. LAFALCE, Ms. DELAURO, Mr. ACKERMAN, Mr. LANTOS, Mr. FARR, Mr. FISH, Mr. HANSEN, Mr. RICHARDSON, Mrs. CLAYTON, Mr. EVANS, Mr. BERMAN, Mrs. LLOYD, Mr. DE LA GARZA, Mr. DEUTSCH, Mr. UNDERWOOD, Mr. PAYNE of New Jersey, Mr. MURTHA, Mr. BONIOR, Mr. SKEEN, Mr. YATES, Mr. LIVINGSTON, Mr. REED, Mr. RAVENEL, Mr. MONTGOMERY, Mr. WYNN, Mr. FIELDS of Louisiana, Mr. MURPHY, Mr. FINGERHUT, and Mr. REGULA.

H. Con. Res. 35: Mr. BARCA of Wisconsin, Mr. TORRICELLI, Mr. HOCHBRUECKNER, Mr. SCHUMER, and Mr. PASTOR.

H. Con. Res. 52: Mr. DURBIN.

H. Con. Res. 84: Mr. DIAZ-BALART.

H. Con. Res. 239: Mr. LEVIN, Mr. BONILLA, Mr. MOORHEAD, and Mr. FINGERHUT.

H. Con. Res. 245: Mr. MOORHEAD and Mrs. THURMAN.

H. Res. 234: Mr. WILLIAMS.

### WEDNESDAY, MAY 25, 1994 (56)

#### ¶56.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. GEPHARDT, who laid before the House the following communication:

WASHINGTON, DC,

May 25, 1994.

I hereby designate the Honorable RICHARD A. GEPHARDT to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,

*Speaker of the House of Representatives.*

#### ¶56.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GEPHARDT, announced he had examined and approved the Journal of the proceedings of Tuesday, May 24, 1994.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶56.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3255. A letter from the Comptroller of the Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3256. A letter from the Comptroller of the Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3257. A letter from the Clerk, U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 1994, through March 31, 1994, pursuant to 2 U.S.C. 104a (H. Doc. No. 103-261); to the Committee on House Administration and ordered to be printed.

3258. A letter from the Secretary of the Interior, transmitting a report on certain Small Reclamation Projects Act [SRPA] program applications; to the Committee on Natural Resources.

3259. A letter from the Administrator, Federal Highway Administration, transmitting a status report on fundamental properties of petroleum asphalts and modified asphalts used in highway construction, pursuant to Public Law 102-240, section 6016(e) (105 Stat. 2183); to the Committee on Public Works and Transportation.

3260. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1986 to impose certain fees to fund environmental insurance resolution reform, and for other purposes; to the Committee on Ways and Means.

3261. A letter from the Secretary of Energy, transmitting a draft of proposed legislation to amend the Energy Policy and Conservation Act to manage the strategic petroleum reserve more effectively and for other purposes; jointly, to the Committees on Energy and Commerce, Natural Resources, and Banking, Finance and Urban Affairs.

#### ¶56.4 COMMITTEE ELECTION—MINORITY

Mr. MICHEL, by unanimous consent, submitted the following resolution (H. Res. 442):

*Resolved*, That Representative Frank D. Lucas of Oklahoma be and is hereby elected to the following standing committees of the House of Representatives:

The Committee on Agriculture;

The Committee on Government Operations.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

#### ¶56.5 BLIND INDIVIDUALS ELIGIBILITY TO SERVE AS JURORS

On motion of Mr. STARK, by unanimous consent, the Committee on the District of Columbia was discharged from further consideration of the bill (H.R. 4205) to amend title 11, D.C. Code, to clarify that blind individuals are eligible to serve as jurors in the Superior Court of the District of Columbia.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

56.6 FORMER SPOUSES OF JUDGES EQUITY

On motion of Mr. STARK, by unanimous consent, the Committee on the District of Columbia was discharged from further consideration of the bill (H.R. 3676) to amend the District of Columbia Spouse Equity Act of 1988 to provide for coverage of the former spouses of judges of the District of Columbia.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

56.7 PROVIDING FOR THE CONSIDERATION OF H.R. 4385

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 440):

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4385) to amend title 23, United States Code, to designate the National Highway System, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Public Works and Transportation now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Except as otherwise provided in this resolution, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment printed in the report may be offered only in the order printed, may be offered only by a Member designated in the report, shall be considered as 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 except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. It shall be in order at any time for the chairman of the Committee on Public Works and Transportation or a des-

ignee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution or germane modifications of any such amendment. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. All points of order against such amendments en bloc are waived. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

56.8 NATIONAL HIGHWAY SYSTEM DESIGNATION

The SPEAKER pro tempore, Mr. MONTGOMERY, pursuant to House Resolution 440 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4385) to amend title 23, United States Code, to designate the National Highway System, and for other purposes.

The SPEAKER pro tempore, Mr. MONTGOMERY, by unanimous consent, designated Mr. FIELDS of Louisiana as Chairman of the Committee of the Whole; and after some time spent therein,

56.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CLEMENT:

Page 128, line 8, strike "(a) EAST-WEST TRANSAMERICA CORRIDOR.—"

Page 128, strike line 22 and all that follows through line 2 on page 129.

It was decided in the { Yeas ..... 64  
negative ..... } Nays ..... 364

56.10 [Roll No. 199] AYES—64

- |              |              |               |
|--------------|--------------|---------------|
| Allard       | Evans        | Nussle        |
| Andrews (ME) | Cejdenson    | Pallone       |
| Archer       | Gordon       | Penny         |
| Army         | Grams        | Peterson (MN) |
| Bacchus (FL) | Hayes        | Porter        |
| Bartlett     | Hefley       | Quillen       |
| Barton       | Herger       | Rohrabacher   |
| Bilirakis    | Inglis       | Royce         |
| Bliley       | Inslee       | Sangmeister   |
| Bonilla      | Johnson (CT) | Slaughter     |
| Brewster     | Kanjorski    | Smith (TX)    |
| Carr         | Kennedy      | Solomon       |
| Clement      | Kreidler     | Stearns       |
| Coble        | Lambert      | Stenholm      |
| Combest      | Leach        | Sundquist     |
| Cooper       | Lipinski     | Tanner        |
| Costello     | Lloyd        | Tauzin        |
| Cramer       | Margolies-   | Taylor (NC)   |
| Crane        | Mezvinsky    | Thomas (WY)   |
| Dooley       | Murphy       | Walker        |
| Duncan       | Myers        | Weldon        |
| Edwards (TX) | Neal (MA)    |               |

NOES—364

- |              |              |                |
|--------------|--------------|----------------|
| Abercrombie  | DeLay        | Hogland        |
| Ackerman     | Dellums      | Hobson         |
| Andrews (NJ) | Derrick      | Hochbrueckner  |
| Andrews (TX) | Deutsch      | Hoekstra       |
| Applegate    | Diaz-Balart  | Hoke           |
| Bachus (AL)  | Dickey       | Holden         |
| Baesler      | Dicks        | Houghton       |
| Baker (CA)   | Dingell      | Hoyer          |
| Baker (LA)   | Dixon        | Huffington     |
| Ballenger    | Doolittle    | Hughes         |
| Barca        | Dornan       | Hunter         |
| Barcia       | Dreier       | Hutchinson     |
| Barlow       | Dunn         | Hutto          |
| Barrett (NE) | Durbin       | Hyde           |
| Barrett (WI) | Edwards (CA) | Inhofe         |
| Bateman      | Ehlers       | Istook         |
| Becerra      | Emerson      | Jacobs         |
| Beilenson    | Engel        | Jefferson      |
| Bentley      | English      | Johnson (GA)   |
| Bereuter     | Eshoo        | Johnson (SD)   |
| Berman       | Everett      | Johnson, E. B. |
| Bevill       | Ewing        | Johnson, Sam   |
| Bilbray      | Farr         | Kaptur         |
| Bishop       | Fawell       | Kasich         |
| Blute        | Fazio        | Kennelly       |
| Boehlert     | Fields (LA)  | Kildee         |
| Boehner      | Fields (TX)  | Kim            |
| Bonior       | Filner       | King           |
| Borski       | Fingerhut    | Kingston       |
| Boucher      | Fish         | Klecza         |
| Brooks       | Flake        | Klein          |
| Browder      | Foglietta    | Klink          |
| Brown (CA)   | Ford (TN)    | Klug           |
| Brown (FL)   | Fowler       | Knollenberg    |
| Brown (OH)   | Frank (MA)   | Kolbe          |
| Bryant       | Franks (CT)  | Kopetski       |
| Bunning      | Franks (NJ)  | Kyl            |
| Burton       | Frost        | LaFalce        |
| Buyer        | Furse        | Lancaster      |
| Byrne        | Gallegly     | Lantos         |
| Callahan     | Gallo        | LaRocco        |
| Calvert      | Gekas        | Laughlin       |
| Camp         | Gephardt     | Lazio          |
| Canady       | Geren        | Lehman         |
| Cantwell     | Gibbons      | Levin          |
| Cardin       | Gilchrest    | Levy           |
| Castle       | Gillmor      | Lewis (CA)     |
| Chapman      | Gilman       | Lewis (FL)     |
| Clay         | Gingrich     | Lewis (GA)     |
| Clayton      | Glickman     | Lightfoot      |
| Clinger      | Gonzalez     | Linder         |
| Clyburn      | Goodlatte    | Livingston     |
| Coleman      | Goodling     | Long           |
| Collins (GA) | Goss         | Lowey          |
| Collins (IL) | Green        | Lucas          |
| Collins (MI) | Greenwood    | Machtley       |
| Condit       | Gunderson    | Maloney        |
| Conyers      | Gutierrez    | Mann           |
| Coppersmith  | Hall (OH)    | Manton         |
| Cox          | Hall (TX)    | Manzullo       |
| Coyne        | Hamburg      | Markey         |
| Crapo        | Hamilton     | Martinez       |
| Cunningham   | Hancock      | Matsui         |
| Danner       | Hansen       | Mazzoli        |
| Darden       | Harman       | McCandless     |
| de la Garza  | Hastert      | McCloskey      |
| de Lugo (VI) | Hastings     | McCollum       |
| Deal         | Hefner       | McCrery        |
| DeFazio      | Hilliard     | McCurdy        |
| DeLauro      | Hinchee      | McDade         |

McDermott	Pryce (OH)	Snowe
McHale	Quinn	Spence
McHugh	Rahall	Spratt
McInnis	Ramstad	Stark
McKeon	Rangel	Stokes
McKinney	Ravenel	Strickland
McNulty	Reed	Studds
Meehan	Regula	Stump
Meek	Reynolds	Stupak
Menendez	Richardson	Swett
Meyers	Ridge	Swift
Mfume	Roberts	Synar
Mica	Roemer	Talent
Michel	Rogers	Taylor (MS)
Miller (CA)	Romero-Barcelo	Tejeda
Miller (FL)	(PR)	Thomas (CA)
Mineta	Ros-Lehtinen	Thompson
Minge	Rose	Thornton
Mink	Rostenkowski	Thurman
Moakley	Roth	Torkildsen
Molinari	Roukema	Torres
Mollohan	Rowland	Torricelli
Montgomery	Roybal-Allard	Towns
Moorhead	Rush	Trafigant
Moran	Sabo	Tucker
Morella	Sanders	Unsoeld
Murtha	Santorum	Upton
Nadler	Sarpalius	Valentine
Neal (NC)	Sawyer	Velazquez
Norton (DC)	Saxton	Vento
Oberstar	Schaefer	Visclosky
Obey	Schenk	Volkmer
Olver	Schiff	Vucanovich
Orton	Schroeder	Walsh
Owens	Schumer	Waters
Oxley	Scott	Watt
Packard	Sensenbrenner	Waxman
Parker	Serrano	Wheat
Pastor	Sharp	Whitten
Paxon	Shaw	Williams
Payne (NJ)	Shays	Wilson
Payne (VA)	Shepherd	Wise
Pelosi	Shuster	Wolf
Peterson (FL)	Sisisky	Woolsey
Petri	Skaggs	Wyden
Pickett	Skeen	Wynn
Pickle	Skelton	Yates
Pombo	Slaterry	Young (AK)
Pomeroy	Smith (IA)	Young (FL)
Portman	Smith (MI)	Zeliff
Poshard	Smith (NJ)	Zimmer
Price (NC)	Smith (OR)	

## NOT VOTING—10

Blackwell	Grandy	Ortiz
Faleomavaega	Horn	Underwood (GU)
(AS)	Johnston	Washington
Ford (MI)	McMillan	

So the amendment was not agreed to. After some further time,

The SPEAKER pro tempore, Mr. SKAGGS, assumed the Chair.

When Mr. HASTINGS, Acting Chairman, pursuant to House Resolution 440, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “National Highway System Designation Act of 1994”.

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.  
Sec. 2. Secretary defined.

**TITLE I—NATIONAL HIGHWAY SYSTEM DESIGNATION AND OTHER PROVISIONS**

- Sec. 101. National Highway System designation.  
Sec. 102. Congestion mitigation and air quality improvement program.  
Sec. 103. Quality improvement.  
Sec. 104. Contracting for engineering and design services.

- Sec. 105. Highway safety promotion program.  
Sec. 106. Project eligibility.  
Sec. 107. Wisconsin substitute project.  
Sec. 108. Use of recycled paving material.  
Sec. 109. Work zone safety.  
Sec. 110. Corrected projects.  
Sec. 111. Rescissions.  
Sec. 112. Additional projects.  
Sec. 113. Study of radio and microwave technology for commercial and other motor vehicles.  
Sec. 114. Foothill/Eastern Transportation Corridor Agency.  
Sec. 115. Railway-highway crossings project.  
Sec. 116. New River Parkway, West Virginia.  
Sec. 117. National recreational trails.  
Sec. 118. Coal Heritage.  
Sec. 119. Limitations on funding of operating assistance.  
Sec. 120. Intercity bus transportation.  
Sec. 121. Repeals of existing projects.  
Sec. 122. Miscellaneous transit projects.  
Sec. 123. Multiyear contract for metro rail project.  
Sec. 124. Metric system signing.  
Sec. 125. Metropolitan planning.  
Sec. 126. Statewide planning.  
Sec. 127. High priority corridor feasibility study.  
Sec. 128. Reevaluation.  
Sec. 129. Funding.  
Sec. 130. Nondivisible loans.  
Sec. 131. Commercial motor vehicle accidents.

**TITLE II—TECHNICAL CORRECTIONS TO ISTEA AND RELATED LAWS**

- Sec. 201. Definitions.  
Sec. 202. References to Dwight D. Eisenhower System of Interstate and Defense Highways.  
Sec. 203. Federal-Aid Systems.  
Sec. 204. Apportionment.  
Sec. 205. Programs of projects.  
Sec. 206. Advance acquisition of rights-of-way.  
Sec. 207. Standards.  
Sec. 208. Letting of contracts.  
Sec. 209. Prevailing rate of wage.  
Sec. 210. Construction.  
Sec. 211. Advance construction.  
Sec. 212. Maintenance.  
Sec. 213. Certification acceptance.  
Sec. 214. Availability of funds.  
Sec. 215. Federal share.  
Sec. 216. Payment to States for construction.  
Sec. 217. Relocation of utility facilities.  
Sec. 218. Advances to States.  
Sec. 219. Emergency relief.  
Sec. 220. Applicability of axle weight limitations.  
Sec. 221. Toll roads.  
Sec. 222. Rail-highway crossings.  
Sec. 223. Surface transportation program.  
Sec. 224. Metropolitan planning.  
Sec. 225. Statewide planning.  
Sec. 226. Control of junkyards.  
Sec. 227. Nondiscrimination.  
Sec. 228. Enforcement of requirements.  
Sec. 229. Availability of rights-of-way.  
Sec. 230. Highway bridge program.  
Sec. 231. Great River Road.  
Sec. 232. Hazard elimination program.  
Sec. 233. Use of safety belts and motorcycle helmets.  
Sec. 234. National maximum speed limit.  
Sec. 235. Minimum allocation.  
Sec. 236. National minimum drinking age.  
Sec. 237. Revocation of drivers' licenses of individuals convicted of drug offenses.  
Sec. 238. Reimbursement for segments of Interstate System constructed without Federal assistance.  
Sec. 239. Federal lands highway program.  
Sec. 240. Bicycle transportation and pedestrian walkway.

- Sec. 241. State Highway Department.  
Sec. 242. Management systems.  
Sec. 243. State planning and research.  
Sec. 244. Appropriation for highway purposes of Federal lands.  
Sec. 245. International highway transportation outreach program.  
Sec. 246. Highway safety programs.  
Sec. 247. National Highway Safety Advisory Committee.  
Sec. 248. Alcohol-impaired driving countermeasures.  
Sec. 249. Public transit facilities.  
Sec. 250. Roadside barrier technology.  
Sec. 251. Pensacola, Florida.  
Sec. 252. High cost bridge projects.  
Sec. 253. Congestion relief projects.  
Sec. 254. High priority corridors on National Highway System.  
Sec. 255. High priority corridor projects.  
Sec. 256. Rural access projects.  
Sec. 257. Urban access and mobility projects.  
Sec. 258. Innovative projects.  
Sec. 259. Intermodal projects.  
Sec. 260. Miscellaneous Intermodal Surface Transportation Efficiency Act amendments.  
Sec. 261. Disadvantaged business enterprise program.  
Sec. 262. Amendments to Surface Transportation and Uniform Relocation Assistance Act of 1987.  
Sec. 263. Freeway service patrols.  
Sec. 264. Pan American Highway.  
Sec. 265. Section 3 program amendments.  
Sec. 266. Metropolitan planning.  
Sec. 267. Formula grant program.  
Sec. 268. Mass transit account block grants.  
Sec. 269. Grants for research and training.  
Sec. 270. General provisions.  
Sec. 271. Period of availability and reapportionment of section 16 funds.  
Sec. 272. Rural transit program.  
Sec. 273. Nondiscrimination.  
Sec. 274. Authorizations.  
Sec. 275. Project management oversight.  
Sec. 276. Planning and research program.  
Sec. 277. Needs survey and transferability study.  
Sec. 278. State responsibility for rail fixed guideway system.  
Sec. 279. National Transit Institute.  
Sec. 280. Increased Federal share.  
Sec. 281. Performance reports on mass transit systems.  
Sec. 282. Cross reference to Federal Transit Act.  
Sec. 283. Participation in International Registration Plan and International Fuel Tax Agreement.  
Sec. 284. Intelligent vehicle-highway systems.  
Sec. 285. Title 49, United States Code, amendments.  
Sec. 286. Surface Transportation Assistance Act of 1982 amendments.  
Sec. 287. Commercial Motor Vehicle Safety Act of 1986 amendments.  
Sec. 288. Cleveland Harbor, Ohio.  
Sec. 289. Other Intermodal Surface Transportation Efficiency Act technical amendments.

**SEC. 2. SECRETARY DEFINED.**

In this Act, the term “Secretary” means the Secretary of Transportation.

**TITLE I—NATIONAL HIGHWAY SYSTEM DESIGNATION AND OTHER PROVISIONS**  
**SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.**

(a) DESIGNATION; MODIFICATIONS.—Section 103 of title 23, United States Code, is amended by inserting after subsection (b) the following:

“(c) INITIAL DESIGNATION OF NHS.—The National Highway System as submitted by the Secretary of Transportation on the map entitled ‘Official Submission, National Highway System, Federal Highway Administra-

tion', and dated May 10, 1994, is hereby designated within the United States, including the District of Columbia and the Commonwealth of Puerto Rico.

“(d) MODIFICATIONS TO THE NHS.—

“(1) PROPOSED MODIFICATIONS.—The Secretary may submit for approval to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives proposed modifications to the National Highway System. The Secretary may only propose a modification under this subsection if the Secretary determines that such modification meets the criteria and requirements of subsection (b). Proposed modifications may include new segments and deletion of existing segments of the National Highway System.

“(2) APPROVAL OF CONGRESS REQUIRED.—A modification to the National Highway System may only take effect if a law has been enacted approving such modification.

“(3) REQUIRED SUBMISSION.—Not later than 2 years after the date of the enactment of the National Highway System Designation Act of 1994, the Secretary shall submit under paragraph (1) proposed modifications to the National Highway System. Such modifications shall include a list and description of additions to the National Highway System consisting of—

“(A) connections to major ports, airports, international border crossings, public transportation and transit facilities, interstate bus terminals, rail and other intermodal transportation facilities; and

“(B) any congressional high priority corridor or any segment thereof established by section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2037) which was not identified on the National Highway System designated by subsection (c), subject to the completion of feasibility studies.”.

(b) PROPOSED NTS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a proposal for a comprehensive National Transportation System using the National Highway System as the backbone for establishing the National Transportation System. In developing such proposal, the Secretary shall consult with and consider the views of States and metropolitan planning organizations.

#### SEC. 102. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) APPORTIONMENT FORMULA.—Section 104(b)(2) of title 23, United States Code, is amended—

(1) by inserting “in fiscal year 1994” after “State” each place it appears;

(2) by inserting “in fiscal year 1994” after “States” the first place it appears;

(3) in subparagraph (A) by inserting “in fiscal year 1994” after “Act”;

(4) in subparagraph (B) by inserting “in fiscal year 1994” after “subpart”;

(5) in subparagraph (C) by inserting “in fiscal year 1994” after “subpart”;

(6) in subparagraph (D) by inserting “in fiscal year 1994” after “subpart”;

(7) in subparagraph (E) by inserting “in fiscal year 1994” after “subpart”;

(8) by inserting “in fiscal year 1994” after “carbon monoxide”; and

(9) by inserting “in fiscal year 1994” after “relative populations”.

(b) ELIGIBLE PROJECTS.—Section 149(b) of such title is amended by inserting before “of a national ambient” each place it appears “or maintenance”.

(c) STATES WITHOUT A NONATTAINMENT AREA.—Section 149(c) of such title is amended by inserting “in fiscal year 1994” after “Act”.

#### SEC. 103. QUALITY IMPROVEMENT.

(a) LIFE-CYCLE COST ANALYSIS.—Section 106 of title 23, United States Code, is amended by adding at the end the following:

“(e) LIFE-CYCLE COST ANALYSIS.—

“(1) ESTABLISHMENT.—The Secretary shall establish a program to require States to conduct an analysis of the life-cycle costs of all projects on the National Highway System.

“(2) ANALYSIS OF LIFE-CYCLE COSTS DEFINED.—In this subsection, the term ‘analysis of life-cycle costs’ means a process for evaluating the total economic worth of one or more projects by analyzing both initial costs as well as discounted future costs, such as maintenance, reconstruction, rehabilitation, restoring, and resurfacing costs, over the life of the project or projects.”.

(b) VALUE ENGINEERING.—Section 106 of such title is amended by adding at the end the following:

“(f) VALUE ENGINEERING FOR NHS.—

“(1) REQUIREMENT.—The Secretary shall establish a program to require States to carry out a value engineering analysis for all projects on the National Highway System.

“(2) VALUE ENGINEERING DEFINED.—For purposes of this subsection, the term ‘value engineering analysis’ means a systematic process of review and analysis of a project or activity during its design phase by a multidisciplinary team of persons not originally involved in the project or activity in order to provide suggestions for reducing the total cost of the project or activity and providing a project or activity of equal or better quality. Such suggestions may include a combination or elimination of inefficient or expensive parts of the original proposed design for the project or activity and total redesign of the proposed project or activity using different technologies, materials, or methods so as to accomplish the original purpose of the project or activity.”.

(c) GUARANTEE AND WARRANTY CLAUSES.—Section 112 of such title is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) GUARANTEE AND WARRANTY CLAUSES.—The Secretary shall, by regulation, permit a State highway department, in accordance with standards developed by the Secretary in such regulations, to include a clause in a contract for the construction of any Federal-aid highway project requiring the contractor to warrant the materials and work performed in accordance with the contractor’s obligations and responsibilities under the terms of the contract. The warranty or guarantee clause shall be reasonably related to the materials and work performed and in accordance with the contractor’s obligations and responsibilities under the terms of the contract, and shall not be construed to require the contractor to perform maintenance.”.

(d) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding for developing standards under section 112(f) of title 23, United States Code, as added by subsection (c) of this section.

#### SEC. 104. CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.

(a) PERMANENT PROGRAM.—Section 112(b)(2) of title 23, United States Code, is amended by adding at the end the following new subparagraphs:

“(C) PERFORMANCE AND AUDITS.—Any contract or subcontract awarded in accordance with subparagraph (A), whether funded in whole or in part with Federal-aid highway funds, shall be performed and audited in compliance with cost principles contained in the Federal acquisition regulations of part 31 of title 48 of the Code of Federal Regulations.

“(D) INDIRECT COST RATES.—Instead of performing its own audits, a recipient of funds under a contract or subcontract awarded in accordance with subparagraph (A) shall accept indirect cost rates established in accordance with the Federal acquisition regulations for 1-year applicable accounting periods by a cognizant government agency or independent certified public accountant if such rates are not currently under dispute. Once a firm’s indirect cost rates are accepted, the recipient of such funds shall apply such rates for the purposes of contract estimation, negotiation, administration, reporting, and contract payment and shall not be limited by administrative or de facto ceilings in accordance with section 15.901(c) of such title 48. A recipient of such funds requesting or using the cost and rate data described in this subparagraph shall notify any affected firm before such request or use. Such data shall be confidential and shall not be accessible or provided, in whole or in part, to any other firm or to any government agency which is not part of the group of agencies sharing cost data under this subparagraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.

“(E) STATE OPTION.—Subparagraphs (C) and (D) shall take effect 2 years after the date of the enactment of this subparagraph with respect to all States; except that if a State, during such 2-year period, adopts by statute an alternative process intended to promote engineering and design quality and ensure maximum competition by professional companies of all sizes providing engineering and design services, such subparagraphs shall not apply with respect to such State.”.

(b) REPEAL OF PILOT PROGRAM.—Section 1092 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 112 note; 105 Stat. 2024) is repealed.

#### SEC. 105. HIGHWAY SAFETY PROMOTION PROGRAM.

(a) IN GENERAL.—Chapter 3 of title 23, United States Code, is amended by inserting after section 312 the following new section:

##### “§ 313. Highway safety promotion program

“(a) ESTABLISHMENT.—The Secretary shall carry out education, research, development, and technology transfer activities to promote the safe operation and maintenance of commercial motor vehicles in interstate commerce.

“(b) GRANTS.—To carry out the purposes of this section, the Secretary shall make grants to, and enter into cooperative agreements with—

“(1) a not-for-profit membership organization that has been engaged exclusively in truck-related research and education since 1985; and

“(2) not-for-profit organizations engaged in commercial motor vehicle safety research.

“(c) FEDERAL SHARE.—The Federal share of the costs of activities carried out under this section shall be 100 percent.

“(d) FUNDING.—Out of administrative funds deducted under section 104(a) of this title for each of fiscal years 1995 through 1997, the Secretary shall make available—

“(1) for making grants and entering into cooperative agreements under subsection (b)(1) \$1,000,000; and

“(2) for making grants and entering into cooperative agreements under subsection (b)(2) \$500,000.

Such funds shall remain available until expended.

“(e) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant under this section shall be deemed a contractual obligation of the United States for payment of the Federal share of the grant.

“(f) ANNUAL REPORT.—Annually, beginning on January 1, 1996, the Secretary shall transmit to Congress a report which provides information on the progress and activities of the programs conducted under this section.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of such title is amended by inserting after the item relating to section 312 the following:

“313. Highway safety promotion program.”.

**SEC. 106. PROJECT ELIGIBILITY.**

Section 108(b) of the Federal-Aid Highway Act of 1956 (23 U.S.C. 101 note) is amended—

(1) by striking “(1)” before “such costs may be further”; and

(2) by striking “, and (2) the amount of such costs shall not include the portion of the project between High Street and Causeway Street”.

**SEC. 107. WISCONSIN SUBSTITUTE PROJECT.**

(a) FEDERAL ASSISTANCE.—Subsection (b) of section 1045 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1994) is amended to read as follows:

“(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—

“(1) GENERAL RULE.—Upon approval of any substitute project or projects under subsection (a)—

“(A) the costs of construction of the eligible transitway project for which such project or projects are substituted shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

“(B) a sum equal to the amount that would have been apportioned to the State of Wisconsin on October 1, 1994, under section 104(b)(5)(A) of title 23, United States Code, if the Secretary had not approved such project or projects shall be available to the Secretary from the Highway Trust Fund to incur obligations for the Federal share of the costs of such substitute project or projects.

“(2) AVAILABILITY.—Amounts made available under paragraph (1)(B) shall be available for obligation on and after October 1, 1994. Amounts made available under paragraph (1)(B) shall remain available until expended and shall be subject to any limitation on obligations for Federal-aid highways established by law.

“(3) APPLICABILITY OF TITLE 23 U.S.C.—Amounts made available under paragraph (1)(B) 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 carried out with such funds shall be determined in accordance with section 103(e)(4)(D) of such title.”.

(b) CONFORMING AMENDMENTS.—

(1) SUBSECTION (c).—The second sentence of subsection (c) of section 1045 of such Act is amended by striking “the authority of section 103(e)(4) of title 23, United States Code,” and inserting “section 21(a)(2) of the Federal Transit Act”.

(2) SUBSECTION (d)(1).—Subsection (d)(1) of section 1045 of such Act is amended by striking “project for” and all that follows through the period at the end thereof and inserting “transit project.”.

(3) SUBSECTION (d).—Subsection (d) of section 1045 of such Act is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(c) REDUCTION OF INTERSTATE CONSTRUCTION AUTHORIZATION.—Section 108(b) of the Federal-Aid Highway Act of 1956 is amended by striking “\$1,800,000,000 for the fiscal year ending September 30, 1996” and inserting “\$1,800,000,000, reduced by the amount made available under section 1045(b)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, for the fiscal year ending September 30, 1996”.

**SEC. 108. USE OF RECYCLED PAVING MATERIAL.**

(a) DOT GUIDANCE.—Section 1038(c)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note) is amended by striking “an interest in the use of such asphalt” and inserting the following: “concern in fulfilling the minimum utilization requirements of subsection (d)(1). Such technology transfer activities and training programs shall be initiated without delay and shall include all eligible uses of recycled rubber, alternative applications, and other materials and shall focus on achieving the best performance results for all eligible uses. Not later than 90 days after the date of the enactment of this sentence, the Secretary shall transmit to Congress a report detailing the plans to implement this subsection.

(b) STATE CERTIFICATION.—Section 1038(d)(1) of such Act is amended—

(1) by striking “established by this section.” and inserting “, other materials, and alternative applications established by this section. Each State shall also annually certify its progress in its waste tire abatement program under paragraph (7).”; and

(2) by striking “1995” the first place it appears and inserting “1996”;

(3) in subparagraph (A) by striking “1994” and inserting “1995”;

(4) in subparagraph (B) by striking “1995” and inserting “1996”;

(5) in subparagraph (B) by inserting “and” after the semicolon at the end;

(6) in subparagraph (C), by striking “1996; and” and inserting “1997.”; and

(7) by striking subparagraph (D).

(c) OTHER MATERIALS.—Section 1038(d)(2) of such Act is amended by striking the period at the end and inserting the following: “; except that, of that amount, no more than ½ may be met with the use of asphalt containing reclaimed asphalt in fiscal years 1996 and 1997. For the purposes of this paragraph, cold in-place recycling technology shall be allowable.”.

(d) PENALTY.—Section 1038(d)(4) of such Act is amended—

(1) by inserting before “The” the following: “(A) WITHHOLDING.—”;

(2) by indenting subparagraph (A), as designated by paragraph (1) of this subsection, and moving such paragraph 2 ems to the right;

(3) by inserting before “utilization requirement” the following: “by which such State does not satisfy the”; and

(4) by adding at the end the following:

“(B) ESCROW ACCOUNT.—Apportionments withheld from a State by the Secretary under this subsection shall be placed in escrow for 2 years pending satisfaction of the minimum utilization requirement of paragraph (1) and pending satisfaction of the requirement for which the apportionments were originally withheld. Pending satisfaction of such requirements, the withheld apportionment shall be returned to the State.

“(C) SUNSET PROVISION.—If a State which has apportionments withheld under this paragraph has not satisfied current minimum utilization requirements of paragraph (1) within 2 years and has not fulfilled the previous requirements for which such apportionments were withheld, then the apportionments held in the escrow account shall be returned to the Highway Trust Fund.”.

(e) INDIVIDUAL STATE REDUCTION.—Section 1038(d)(7) of such Act is amended—

(1) by striking “prior to disposal”; and

(2) by adding at the end the following: “The Secretary, in consultation with the Administrator, shall exempt from the requirements of paragraph (1), any State that has implemented a documented waste tire abatement program if such program will result in the elimination of tire stockpiles by 1997.”.

(f) ALTERNATIVE APPLICATION.—Section 1038(d) of such Act is further amended by adding at the end the following:

“(8) ALTERNATIVE APPLICATIONS.—

“(A) IN GENERAL.—A State may for any year meet up to ½ of the minimum utilization requirement established by paragraph (1) (excluding any deduction a State may take pursuant to subsection (c)) by using an equivalent amount of recycled rubber for alternative applications, other than making asphalt pavement, if—

“(i) the State certifies that the alternative application does not present a threat to safety, human health, or the environment; and

“(ii) it is demonstrated that such alternative applications provide equal or enhanced engineering benefits.

“(B) GUIDELINES.—The Secretary, in consultation with the Administrator, shall issue guidelines with respect to compliance with alternative applications under the conditions set forth in clauses (i) and (ii).”.

(g) DEFINITIONS.—Section 1038(e) of such Act is amended—

(1) by striking “and” at the end of paragraph (1);

(2) in paragraph (2) by inserting before “taken” the following: “(other than tire buffings defined as a byproduct of the re-treading industry) or any products produced from the processing of whole scrap tires or tire materials”;

(3) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(4) by adding at the end the following:

“(3) the term ‘alternative applications’ means uses of recycled rubber in such civil engineering applications such as noise and safety barriers, other safety hardware, fences, soil retaining walls, slope stabilization measures, subgrade insulation, and lightweight fill, where the product or material containing recycled rubber provides a benefit to the highway construction and is left in place as a result of the highway construction; such term does not apply to products or materials, such as traffic cones or vehicles, which are used only temporarily in construction of the highway;

“(4) the term ‘Administrator’ means the Administrator of the Environmental Protection Agency; and

“(5) the term ‘State’ has the meaning such term has under section 101 of title 23, United States Code.”.

**SEC. 109. WORK ZONE SAFETY.**

Section 1051 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 401 note) is amended—

(1) by inserting “technologies and services,” after “appurtenances.”;

(2) by inserting “training,” after “traffic control plans.”; and

(3) by adding at the end the following new sentence: “The Secretary shall annually review, and provide to State and local governments, information and recommendations concerning safety practices that can enhance safety at highway construction sites, including information relating to new safety technologies, services, traffic control plans, training, and work zone-related bidding practices. The Secretary is directed to develop within the program a process for assuring that, for each project, there will be a person trained and certified who will have the responsibility and authority for assuring that the provisions of the traffic control plan and other safety aspects of the work zone are effectively administered.”.

**SEC. 110. CORRECTED PROJECTS.**

(a) IN GENERAL.—The purpose of this section is to provide assistance for certain highway projects in order to correct errors and omissions in the Intermodal Surface Transportation Efficiency Act of 1991.

(b) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the projects

described in this subsection. There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 1995 to carry out each such project the amount listed for each such project:

City/State	Projects	Amount in millions
1. North Minnesota .....	Construction and reconstruction of Forest Highway 11 connecting Aurora-Hoyt Lakes and Silver Bay, MN .....	8.5
2. Philadelphia, Pennsylvania ....	Reconstruction of the Old Delaware Avenue Service Road ...	1.6

(c) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(d) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(e) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) 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 section.

(f) APPLICABILITY OF TITLE 23.—Funds authorized by 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 shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

**SEC. 111. RESCISSIONS.**

(a) RESCISSIONS.—Effective October 1, 1994, the following unobligated balances on September 30, 1994, of funds made available for the following provisions are hereby rescinded:

(1) \$78,993.92 made available by section 131(c) of the Surface Transportation Assistance Act of 1982.

(2) \$26,500,000 made available by section 404(a)(2) of the Surface Transportation Assistance Act of 1982.

(3) \$1,500,000 made available by section 106(a)(1) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(4) \$942,249 made available for section 149(a)(66) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(5) \$376,194.94 made available for section 149(a)(111)(C) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(6) \$36,979.05 made available for section 149(a)(111)(J) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(7) \$34,281.53 made available for section 149(a)(111)(K) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(8) \$258,131.85 made available for section 149(a)(111)(L) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(9) \$446,768 made available for section 149(a)(92) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(10) \$2,058,323 made available for section 149(a)(94) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(11) \$52,834 made available for section 149(a)(95) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(12) \$427,340 made available for section 149(a)(99) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(13) \$3,559,837 made available for section 149(a)(35) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(14) \$797,800 made available for section 149(a)(100) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(15) \$55.43 made available by section 149(c)(3) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(16) \$49,700,000 made available by section 1012(b)(6) of the Intermodal Surface Transportation Efficiency Act of 1991.

(17) \$29,300,000 made available by section 1003(a)(7) of the Intermodal Surface Transportation Efficiency Act of 1991.

(18) \$150,000,000 made available by section 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991.

(19) \$1,500,000 made available by section 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991.

(20) \$10,800,000 made available by section 21(a)(1) of the Federal Transit Act.

(b) REDUCTIONS IN AUTHORIZED AMOUNTS.—Section 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1986) is amended—

(1) by striking “\$100,000,000” the second place it appears and inserting “\$50,000,000”; and

(2) by striking “\$125,000,000” each place it appears and inserting “\$62,500,000”.

**SEC. 112. ADDITIONAL PROJECTS.**

(a) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the projects described in this subsection. There is authorized to be appropriated for fiscal years 1995, 1996, and 1997 to carry out each such project the amounts listed for each such project:

State	Project name	Authorization in millions from highway trust fund (other than mass transit account)	Authorization in millions from general fund of the Treasury
1. Alabama .....	Birmingham Northern Beltline .....		2.900
2. Alabama .....	Black Warrior River Bridge Study .....		0.100
3. Alabama .....	I-759 Extension .....		20.000
4. Alabama .....	AL182/1-10 Evacuation Connector Improvements .....		4.000
5. Alabama .....	Patton Island Bridge Construction .....	9.000	
6. Alabama .....	Montgomery Outer Loop Beltway .....		3.000
7. Arizona .....	Gila River Crossing .....	6.000	
8. Arizona .....	US93 Upgrade: Kingman to Lake Mead .....		3.000
9. Arizona .....	Veterans Memorial Overpass .....		5.000
10. Arkansas .....	US71 Upgrade: Alma to Louisiana Border .....		3.000
11. Arkansas .....	US71 Upgrade: I-40 to Fayetteville .....	3.500	7.000
13. Arkansas .....	Lake Bull Shoals Bridge .....	0.400	
14. Arkansas .....	Van Buren Regional Intermodal Facility .....	0.100	
15. Arkansas .....	US63 Bypass Upgrade, Jonesboro .....		5.000
16. Arkansas .....	Conway Bypass Study and Design .....		3.000
17. California .....	CA84/I-580 Interchange Construction .....	4.000	
18. California .....	CA4 Freeway Expansion, Pittsburg .....		2.000
19. California .....	Galena Street Improvements/I-15 Interchange Construction .....		2.000
20. California .....	CA56 Extension: I-5 to I-15 .....		3.000
21. California .....	Stocker Street/La Cienega Interchange .....		7.100
22. California .....	South Lake Tahoe Loop Road Reconfiguration .....		2.000
23. California .....	Bristol Street Improvement Project .....		3.000
24. California .....	CA30 Extension/Gap Closure .....	2.000	5.000
25. California .....	CA87 Corridor Construction .....	7.000	
26. California .....	CA113 Railroad Grade Separation .....		5.240
27. California .....	Third Feather River Bridge .....	1.500	

State	Project name	Authoriza- tion in millions from high- way trust fund (other than mass transit ac- count)	Authoriza- tion in millions from gen- eral fund of the Treasury
28. California	I-5/Highway 99W Interchange	0.500	
29. California	CA113/I-5 Interchange and Improvements		0.500
30. California	CA905 Congestion Mitigation	4.000	5.000
31. California	CA119/US101/Rice Avenue Interchange Upgrade		1.000
32. California	Humboldt Bay Port Access Enhancement	10.000	
33. California	CA7 Improvements: CA98 to I-8		2.000
34. California	Ontario Airport Ground Access	4.000	
35. California	CA71 Planning and Design, Riverside County		2.000
36. California	CA57 Interchange, Brea		0.950
37. California	CA41 Expansion		3.000
38. California	I-15 Widening: Victorville to Barstow	2.000	14.000
39. California	I-15 Access, George Air Force Base		1.000
40. California	Arden-Garden Connector		6.000
41. California	CA126 Improvements: I-5 to McBean Parkway	4.000	
42. California	CA138-Avenue P-8 Improvements: CA14 to 50th St, E		2.000
43. California	CA4 Upgrade	19.000	
44. California	Mare Island Access Study		1.000
45. California	CA237—Maude Avenue/Middlefield Road Interchange	13.500	
46. California	I-205 Widening: I-580 to I-5		3.000
47. California	I-710/Firestone Boulevard Interchange		5.800
48. California	CA58 Upgrade, Bakersfield	2.000	2.500
49. California	CA178 Crosstown Corridor: CA 178 to CA99	2.000	2.500
50. California	I-5 Capacity Enhancement		9.400
51. California	Alameda Corridor	4.000	5.000
52. California	Arbor Vitae Street Expansion		4.000
53. California	Pacific Coast Highway Palisades Bluff Stabilization		5.000
54. California	US101—Sonoma County Congestion Relief		4.000
55. California	US101—Marin County HOV Lanes		1.000
56. Colorado	Powers Boulevard Corridor		1.000
57. Colorado	120th Avenue Improvements	5.500	
58. Connecticut	Regional Transportation Center Improvements, Norwich		6.000
59. Connecticut	Hartford Riverfront Access		3.000
60. Connecticut	Seaview Avenue Reconstruction		2.000
61. District of Columbia	Constitution Avenue Rehabilitation	3.000	
62. District of Columbia	Independence Avenue Rehabilitation	0.590	
63. District of Columbia	First Street Rehabilitation	0.260	
64. Florida	Fuller—Warren Bridge	2.000	19.000
65. Florida	Jacksonville Airport Access Road		2.000
66. Florida	Midpoint Bridge and Corridor	2.000	5.000
67. Florida	FL7/US441 Widening		5.000
68. Florida	I-4/Greenway Interchange	4.000	2.000
69. Florida	US301/University Parkway Intersection Upgrade		2.000
70. Florida	Palm Beach Port Road Relocations	0.265	5.000
71. Florida	Eller Drive/I-595 Improvements	2.600	
72. Florida	Northeast Dade Bike Path	1.135	
73. Georgia	GA61 Connector with I-20		7.200
74. Georgia	Appalachian Scenic Parkway		4.000
75. Georgia	GA92 Corridor Upgrade, Cherokee County	1.700	20.000
76. Georgia	GA9 Widening, Roswell	8.300	
77. Georgia	Sidney-Lanier Bridge Reconstruction	4.000	6.000
78. Georgia	University Center Pedestrian Corridor, Atlanta		12.960
79. Hawaii	Kuakini Street Improvements		1.500
80. Illinois	Sauget Road Extension	3.100	0.818
81. Illinois	West Boulevard Extension	0.900	
82. Illinois	IL159 Relocation, Edwardsville		6.000
83. Illinois	US67/IL267 Improvements		4.000
84. Illinois	Centennial Bridge Improvements		1.000
85. Illinois	Business Loop 55 Widening: I-55 to Clearwater Ave	5.000	
86. Illinois	Central Avenue Bypass, Chicago	15.000	
87. Illinois	US20 Improvements: East Dubuque to Galena		2.000
88. Illinois	Peoria—Chicago Highway	3.000	2.000
89. Illinois	Springfield Veterans Parkway	2.000	2.000
90. Illinois	Grand View Drive Improvements		3.000
91. Illinois	Heartland Riverfront Project		2.000
92. Illinois	US67: Macomb to Jacksonville		1.000
93. Illinois	Brush Creek Connector	3.000	
94. Illinois	Richton Road Improvements, Crete	1.720	
95. Illinois	Steger Roadway Improvements, Steger	0.720	
96. Illinois	Polk Avenue Extension, Richton Park	0.336	
97. Illinois	Minooka Street Improvements, Minooka	0.334	
98. Illinois	Rathje Road Improvements, Peotone	0.320	

State	Project name	Authoriza- tion in millions from high- way trust fund (other than mass transit ac- count)	Authoriza- tion in millions from gen- eral fund of the Treasury
99. Illinois	Main Street Improvements, Ottawa	0.312	
100. Illinois	Otter Creek Road Improvements, Streator	0.270	
101. Indiana	96th Street Upgrade	2.000	5.000
102. Indiana	Hoosier Heartland Corridor: Ft. Wayne to Lafayette		3.000
103. Indiana	I-265 Extension		10.000
104. Indiana	US231 Reconstruction		10.000
105. Indiana	Evansville—Bloomington Corridor		5.000
106. Indiana	Lafayette Rail Relocation	5.000	18.500
107. Indiana	Six Points Road Interchange		1.500
108. Indiana	City of Columbus "Front Door"		8.000
109. Indiana	IN67 Improvements		1.000
110. Indiana	East Chicago Marine Access Road		4.834
111. Indiana	Lake Shore Drive Extension Study		0.600
112. Iowa	I-29 Corridor Improvements, Sioux City		2.000
113. Iowa	IA330: Marshalltown to Des Moines		6.000
114. Iowa	Burlington Iowa Southern Arterial Connector	0.880	
115. Iowa	US 63: Bremer County to Minnesota Border		3.000
116. Iowa	IA5 Relocation		10.000
117. Kentucky	US231 Relocation	5.000	
118. Kentucky	US27 Improvements	1.000	3.000
119. Kentucky	KY114 Widening: Salyersville to US23	1.000	5.000
120. Louisiana	I-10/I-12 Baton Rouge Bypass		1.000
121. Louisiana	I-210/Nelson Access Road	3.000	
122. Louisiana	I-10: St. Charles Parish Line to Tulane Avenue	2.000	3.000
123. Maryland	MD5/MD373 Interchange		10.000
124. Maryland	MD235 Improvements		5.000
125. Maryland	MD237 Improvements	3.882	
126. Maryland	Beltway Advanced Traffic Monitoring		3.000
127. Massachusetts	Lincoln Square, Southbridge Street Gateways	2.400	
128. Massachusetts	I-90/MA146 Reconstruction	1.600	
129. Massachusetts	Franklin County Bikeway		2.250
130. Michigan	US23 Expansion	3.000	
131. Michigan	Bay City Road Interchange		3.000
132. Michigan	M-59 Corridor		20.000
133. Michigan	Highway Safety Improvements		20.000
134. Michigan	Ambassador Bridge Facilities	10.000	
135. Michigan	Monroe Rail Consolidation		10.000
136. Michigan	Detroit Airport Access Road		5.000
137. Michigan	US31 Improvements: Holland to Grand Haven	1.200	
138. Michigan	M-6: Grand Rapids South Beltline Construction	6.800	4.000
139. Michigan	M-102/Grand River Interchange Redesign		4.000
140. Michigan	McClellan Avenue		2.300
141. Michigan	US31 Upgrade, Berrien County	2.000	5.000
142. Minnesota	TH610-Crosstown Expressway	1.000	3.000
143. Minnesota	Trunk Highway 33 Improvements	9.680	
144. Minnesota	34th Street Corridor		2.000
145. Minnesota	TH212 Construction		3.000
146. Minnesota	77th Street Improvements	5.000	10.000
147. Minnesota	Wabasha Street Bridge Replacement	9.000	11.000
148. Mississippi	Norrell Road Interchange	3.000	
149. Missouri	Lindbergh Boulevard Relocation		5.000
150. Missouri	St. Joseph Loop Expressway	8.300	
151. Missouri	Chouteau Bridge Replacement		9.000
152. Missouri	Cape Girardeau Bridge Replacement	6.250	5.000
153. Missouri	MO21 Upgrade		13.400
154. Missouri	MO Highway M Relocation	3.000	
155. Missouri	I-255/MO231 Intersection		1.600
156. Missouri	Hannibal Bridge Replacement	1.000	2.000
157. Montana	MT323 Upgrade		5.000
158. Montana	Belgrade/I-90 Interchange	2.110	
159. Nebraska	Niobrara, NE/Springfield, SD Bridge		3.000
160. Nebraska	27th Street and Highway 2 Pedestrian Bridge		0.413
161. Nebraska	South and East Beltway Study, Lincoln		0.400
162. Nevada	Spring Mountain I-15 Interchange		5.000
163. Nevada	I-80/Sparks Road Pyramid Interchange	1.000	4.000
164. New Hampshire	Second Nashua River Crossing	3.000	1.500
165. New Hampshire	Manchester Airport Access Road Construction	5.000	
166. New Jersey	I-287 Improvements: I-78 to US22	4.000	
167. New Jersey	NJ21/McCarter Highway Improvements	5.000	
168. New Jersey	NJ17/NJ4 Interchange, Paramus		3.000
169. New Mexico	Santa Fe Relief Route		5.000

State	Project name	Authoriza- tion in millions from high- way trust fund (other than mass transit ac- count)	Authoriza- tion in millions from gen- eral fund of the Treasury
170. New Mexico	Sunport Boulevard East Corridor		1.400
171. New Mexico	US70/Las Cruces Frontage Road System		3.000
172. New York	Utica-Rome Expressway	6.250	5.000
173. New York	Westchester/Putnam Intelligent Vehicle Highway Systems		2.000
174. New York	NY60 Reconstruction, Ellicott		3.000
175. New York	Quay Street Extension, Niagara Falls		2.240
176. New York	Delaware Street Reconstruction, Tonawanda		2.100
177. New York	Williams Road Widening, Wheatfield		1.060
178. New York	Lockport Corridor Study, Erie and Niagara Counties		0.800
179. New York	Rochester-Brockport Access Study		0.800
180. New York	NY531 Extension Study: Ogden to Sweden		0.400
181. New York	Jericho Turnpike Improvements: New York City to Herricks Road	4.000	2.000
182. New York	New York Thruway Upgrade		5.000
183. New York	US9 Reconstruction, Plattsburgh		1.750
184. New York	International Bridge Feasibility Study		.250
185. New York	New York Intermodal Facilities Study	1.000	
186. New York	NY277 Reconstruction, Cheektowaga	4.000	
187. New York	Main Street Bascule Bridge		2.000
188. New York	Bronx/North Manhattan Intelligent Vehicle Highway System		6.480
189. New York	Latta Road Improvements, Monroe County	6.000	
190. New York	Baldwinsville Bypass		5.000
191. North Carolina	US220 Construction		3.000
192. North Carolina	US17 Bridge Replacement		5.000
193. North Carolina	Charlotte Beltway East Segment		2.000
194. North Carolina	US64 Improvements		6.185
194A. North Carolina	Peace St. Crossing in Thomasville		2.415
194B. North Carolina	Unity St. Crossing in Thomasville		1.400
195. North Carolina	US74 Improvements		10.000
196. North Carolina	US19/23 Upgrade		1.000
197. North Carolina	Southern Charlotte Outer Loop		5.000
198. Ohio	Lorain Central Corridor		5.000
199. Ohio	US23-Fostoria Bypass		3.000
200. Ohio	US22/US33-Lancaster Bypass	1.000	5.800
201. Ohio	Boston Road Interchange		1.000
202. Ohio	Cleveland Gateway Project		1.000
203. Ohio	New Intermodal Terminal, Fearing Boulevard		5.000
204. Ohio	US30: OH235 to US68		4.000
205. Ohio	Alum Creek Drive Improvements	2.000	4.000
206. Ohio	US30 Widening: Wooster to Riceland	3.400	10.000
207. Ohio	Mt. Vernon to I-71 Connector Study	1.600	
208. Ohio	OH43 Improvements		3.920
209. Ohio	Cuyahoga River Bridge, Cleveland		4.320
210. Ohio	Cleveland Pedestrian Walkway		1.440
211. Ohio	Pomeroy to Ravenswood Access Improvements		8.900
212. Ohio	Youngstown-Hubbard Expressway	10.000	
212A. Ohio	Trotwood Connector in Montgomery Co., Ohio	.750	
213. Oklahoma	I-44 Widening: Arkansas River to Yale Avenue	6.250	5.000
214. Oregon	Jordon Cove Road Safety Improvements	0.529	
215. Oregon	Salem Bypass Improvements		4.471
216. Oregon	Columbia Slough Intermodal Projects		5.000
217. Pennsylvania	Philadelphia Traffic Signal Controllers	1.800	
218. Pennsylvania	Philadelphia Bicycle Network	0.472	
219. Pennsylvania	Tioga Marine Terminal	8.000	
220. Pennsylvania	US15 Upgrade—Tioga County	5.952	
221. Pennsylvania	US 219 Truck Route—Osterhout Street	2.880	
222. Pennsylvania	PA948 Improvements, Forest County	1.168	
223. Pennsylvania	Pennsylvania Pier 98, Philadelphia		1.000
224. Pennsylvania	PA2001 Improvements, Pike County	4.800	0.300
225. Pennsylvania	PA14 Improvements, Bradford County		4.800
226. Pennsylvania	PA3011 Improvements, Scranton		3.500
227. Pennsylvania	PA1069 Widening, Athens	0.200	1.400
228. Pennsylvania	US219 Improvements, Cambria County	10.000	
229. Pennsylvania	PA56 Improvements: Johnstown to Cessna	8.000	
230. Pennsylvania	US 22—Section B07 Reconstruction		8.000
231. Pennsylvania	US219 Improvements: Carrolltown to I-80	1.000	2.000
232. Rhode Island	Davisville Bridges		5.000
233. South Carolina	US17 Bridges	2.485	1.515
234. South Carolina	US301 Improvements	1.515	
235. South Dakota	Vermillion Bridge		4.600
236. Tennessee	Harding Place Extension	5.000	
237. Tennessee	Gay Street Bridge Rehabilitation	5.760	

State	Project name	Authoriza- tion in millions from high- way trust fund (other than mass transit ac- count)	Authoriza- tion in millions from gen- eral fund of the Treasury
238. Tennessee	Foothills Parkway—Missing Link	.490	10.000
239. Tennessee	Old Nashville Highway Bridge		4.000
240. Tennessee	Murfreesboro Alternative Transportation System		1.000
241. Tennessee	I-81 Interchange Construction	1.200	
242. Tennessee	Memphis Outer Loop Beltway		2.000
243. Texas	TX121 Upgrade Study	2.500	
244. Texas	Border Highway Extension		10.000
245. Texas	NASA Road 1 Upgrade	4.500	15.000
246. Texas	US59 Upgrade, Ft. Bend County	0.500	
247. Texas	US67 Widening	5.416	
248. Texas	Loop 12 Widening		2.200
249. Texas	TX36 Improvements	5.000	
250. Texas	Brownsville Navigation District Access		1.680
251. Texas	Brownsville 6th & 7th Streets Improvements		1.600
252. Utah	US89 Upgrade	4.000	
253. Utah	I-15/University Avenue Interchange		3.000
254. Utah	20th East Highway Project	6.000	
255. Utah	I-15 Corridor Improvements, Salt Lake County		6.000
256. Virgin Islands	Christiansted Bypass	5.000	
257. Virginia	Coleman Bridge Expansion		2.000
258. Virginia	I-95/Outer Connector/VA627 Interchange		2.000
259. Virginia	Coalfields Expressway	5.000	
260. Virginia	VA123 Philadelphia, Northern Virginia	10.000	
261. Virginia	Fairfax County Parkway/Franconia-Springfield Parkway		5.000
262. Virginia	I-81 to I-40 "I-83" Connector		5.000
263. Virginia	Pimmers Point Connector		4.400
264. Virginia	S. Battlefield Boulevard/VA168		5.000
265. Virginia	14th Street Bridge Lane Addition	5.000	7.000
266. Washington	I-5/196th Street Interchange	3.336	
267. Washington	WA305 Improvements		0.672
268. Washington	Port Angeles Multi-Model Center		6.400
269. Washington	WA18 Improvements: 312th Way to Maple Valley	4.000	1.000
270. Washington	I-405/Northeast 8th Street Interchange		1.000
271. Washington	US12 Improvements		9.000
272. Washington	US395 Improvements		9.000
273. Washington	Chelan/Douglas Transportation Center		2.000
274. Washington	Mill Plain Extension		5.000
275. West Virginia	Fairmont Riverside Expressway	10.000	
276. West Virginia	New River Parkway	14.400	
277. Wisconsin	Janesville River Street Realignment	3.454	
278. Wisconsin	Main Street Bridge Replacement, Racine		2.000
279. Wisconsin	CTH P Improvements	0.480	
280. Wisconsin	WI29 Upgrade	10.000	
281. Wisconsin	Oshkosh Rail Relocation	6.000	
282. Wisconsin	US10 Upgrade: Anderson Road to CTH U	4.000	
283. Wisconsin	US41 Upgrade: Kaukauna to CTH F		3.000

(b) ALLOCATION PERCENTAGES FOR HTF FUNDS.—65.86 percent of the amount allocated by subsection (a) from the Highway Trust Fund for each project authorized by subsection (a) shall be available for obligation in fiscal year 1995. 17.07 percent of such amount shall be available for obligation in each of fiscal years 1996 and 1997.

(c) APPROPRIATIONS CAP.—Of the amounts authorized to be appropriated from the general fund of the Treasury by subsection (a), not more than \$300,000,000 may be appropriated in any single fiscal year.

(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) 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 section.

(g) APPLICABILITY OF TITLE 23.—Funds authorized by this section from the Highway Trust Fund 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 this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

**SEC. 113. STUDY OF RADIO AND MICROWAVE TECHNOLOGY FOR COMMERCIAL AND OTHER MOTOR VEHICLES.**

(a) IN GENERAL.—Section 6057 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2194) is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

“(b) STUDY OF RADIO AND MICROWAVE TECHNOLOGY FOR COMMERCIAL AND OTHER MOTOR VEHICLES.—

“(1) IN GENERAL.—The Secretary shall conduct a research study to develop and evaluate radio and microwave technology for furtherance of safety in commercial and other motor vehicles.

“(2) EQUIPMENT.—Equipment developed under the study to be conducted under paragraph (1) shall be directed toward, but not limited to, warning drivers of obstructions in

a highway or limited visibility conditions caused by snow, rain, fog, or dust.

“(3) SAFETY APPLICATIONS.—In conducting the study under paragraph (1), the Secretary shall determine whether the technology described in paragraph (1) has other safety applications consistent with the goals of this Act.”.

(b) FUNDING.—Such section is further amended by adding at the end the following new subsection:

“(d) FUNDING.—Of the funds made available in fiscal year 1995 to carry out section 6058(b), \$500,000 shall be used to conduct the study under subsection (b).”.

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in the section heading by inserting “and other” after “commercial”; and

(2) in the heading to subsection (a) by inserting “OF SAFETY TECHNOLOGY FOR COMMERCIAL MOTOR VEHICLES” after “STUDY”.

**SEC. 114. FOOTHILL/EASTERN TRANSPORTATION CORRIDOR AGENCY.**

(a) FEDERAL LINE OF CREDIT.—For the purpose of carrying out a demonstration of the construction of public toll roads in Orange County, California, authorized by section 129(d) of title 23, United States Code, there is authorized to be appropriated \$10,000,000 for the Secretary to enter into an agreement to make a line of credit available, with a principal amount not to exceed \$120,000,000 to the public entity or entities with the statutory authority to construct such facilities.

(b) EFFECTIVE PERIOD.—The line of credit under this section shall be available for draws during the period beginning on the date of completion of construction and ending on the last day of the tenth calendar year following the date construction of the facilities is completed.

(c) PURPOSES.—The line of credit under this section shall be available to pay the costs of extraordinary repair and replacement of the facilities, unexpected Federal or State environmental restrictions, operation and maintenance expenses of the facilities, and debt service on tax-exempt or taxable obligations financing the facilities.

(d) LIMITATIONS.—

(1) CAPITAL EXPENDITURES.—With respect to capital expenditures, draws on the line of credit under this section shall only be made if and to the extent proceeds from the sale of the obligations issued by the public entity or entities which otherwise would be available for such purposes are exhausted, or are otherwise unavailable for the payment of such capital expenditures.

(2) EXPENSES.—With respect to expenses, including operation and maintenance expenses and debt service, a draw on the line of credit under this section shall only be made if revenues from toll operations and capitalized interest are insufficient (or are otherwise unavailable) for such purposes.

(3) PER YEAR.—No more than 10 percent of the total principal amount of the line of credit under this section shall be available for draws in any one year.

(4) THIRD PARTY CREDITOR RIGHTS.—No third party creditor of the public entity or entities shall have any right against the Federal Government with respect to draws on the line of credit under this section.

(5) AVAILABILITY FOR PARTICULAR COSTS.—There is no guaranteed availability of proceeds of the line of credit under this section for the payment of any particular cost of the public entity or entities which might be financed under this section.

(e) INTEREST RATE AND REPAYMENT PERIOD.—Any draws (except for operation and maintenance expenses) on the line of credit under this section shall accrue interest at the 30-year United States Treasury bond rate beginning on the date such draws are made

and shall be repaid in not more than 30 years; except that any draws under the line of credit for operation and maintenance expenses shall accrue interest at the 3-year United States Treasury note rate beginning on the date such draws are made and shall be repaid in not more than 3 years.

**SEC. 115. RAILWAY-HIGHWAY CROSSINGS PROJECT.**

Of the funds appropriated by Public Law 103-122 for railroad-highway crossings projects, \$20,000,000 shall be made available for costs, not to exceed 80 percent, of a project to reduce rail-highway conflicts on M-59 near Pontiac, Michigan, and a project on Bristol Road near Flint, Michigan. From the \$20,000,000 made available under the preceding sentence, \$500,000 shall be made available to improve and upgrade Maple Road at Bishop Airport, Michigan.

**SEC. 116. NEW RIVER PARKWAY, WEST VIRGINIA.**

(a) PRIORITY CONSIDERATION.—

(1) COMPLETION OF STUDIES.—The Secretary shall require, as a matter of the highest priority, the completion of all remaining studies associated with the project authorized by section 149(a)(69) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 191).

(2) SCHEDULE.—Notwithstanding any other provision of law, the Secretary is authorized and directed to establish a schedule—

(A) for the completion by other Federal agencies of any reviews required by law of such studies; and

(B) by which the reconciliation of any discrepancies among reviewing Federal agencies must be met.

(3) DEADLINE.—The schedule referred to in paragraph (2) shall provide for the project referred to in paragraph (1) to proceed to construction before December 31, 1995.

(b) VISITORS CENTER.—

(1) GRANTS.—The Secretary shall make grants to the Secretary of the Interior, acting through the Director of the National Park Service, for the planning, design, and construction of a visitors center, and such other related facilities as may be determined to be necessary, to facilitate visitor understanding and enjoyment of scenic, historic, cultural, and recreational resources accessible by the New River Parkway, West Virginia, and any related buildings as may be determined to be necessary for the administration of the parkway.

(2) SITE.—The visitors center, related facilities, and buildings referred to in paragraph (1) shall be located at a suitable location on a site for which title is held by the United States in the vicinity of the intersection of the New River Parkway and Interstate Route 64 or along the New River Parkway itself.

(3) CONSULTATION.—The Director of the National Park Service shall consult with the New River Parkway Authority and the State of West Virginia in the planning, design, and construction of the visitors center, related facilities, and buildings referred to in paragraph (1).

(4) FUNDING.—Of the amounts made available pursuant to section 1003(a)(6)(C) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) \$1,300,000 for fiscal year 1995 and \$1,200,000 for fiscal year 1996 shall be made available for the purposes of carrying out this subsection. Such funds shall remain available until expended.

**SEC. 117. NATIONAL RECREATIONAL TRAILS.**

(a) STATE ELIGIBILITY.—Section 1302(c) of the Intermodal Surface Transportation Act of 1991 (33 U.S.C. 1261(c)) is amended—

(1) by striking “Act” each place it appears and inserting “part”;

(2) in paragraph (2) by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(3) by adding at the end the following:

“(3) SIXTH YEAR PROVISION.—On and after the date that is 5 years after the date of the enactment of this part, a State shall be eligible to receive moneys under this part in a fiscal year only if the State agrees to expend from non-Federal sources for carrying out projects under this part an amount equal to 20 percent of the amount received by the State under this part in such fiscal year.”.

(b) ADMINISTRATIVE COSTS.—Section 1302(d)(1) of such Act (33 U.S.C. 1261(d)(1)) is amended—

(1) in subparagraph (C) by striking “national surveys” and inserting “a 1-time national survey”;

(2) by striking “and” at the end of subparagraph (C);

(3) by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

“(D) contracting for services with other land management agencies; and”; and

(4) by adding the end the following:

“The 3 percent limitation in the preceding sentence shall not apply to expenditures to pay the cost of conducting the 1-time national survey described in subparagraph (C).”.

(c) ENVIRONMENTAL MITIGATION.—

(1) IN GENERAL.—Section 1302(e) of such Act (33 U.S.C. 1261(e)) is amended by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively, and by inserting after paragraph (4) the following:

“(5) ENVIRONMENTAL MITIGATION.—

“(A) REQUIREMENT.—To the extent practicable and consistent with other requirements of this section, in complying with paragraph (4), a State shall give priority to project proposals which provide for the redesign, reconstruction, nonroutine maintenance, or relocation of trails in order to mitigate and minimize the impact to the natural environment.

“(B) COMPLIANCE.—The State shall receive guidance for determining compliance with subparagraph (A) from the recreational trail advisory board satisfying the requirements of subsection (c)(2)(A).”.

(2) CONFORMING AMENDMENT.—Section 1302(e)(4) of such Act (33 U.S.C. 1261(e)(4)) is amended by striking “paragraphs (6) and (8)(B)” and inserting paragraphs “(7) and (9)(B)”.

(d) EXCLUSIONS.—Section 1302(e)(7) of such Act, as redesignated by subsection (c), is amended—

(1) by striking “(7) SMALL STATE EXCLUSION.—Any State” and inserting the following:

“(7) EXCLUSIONS.—

“(A) SMALL STATE.—Any State”;

(2) by moving the text of subparagraph (A), as so designated, 2 ems to the right; and

(3) by adding at the end the following:

“(B) BEST INTEREST OF A STATE.—Any State which determines based on trail needs identified in its State Comprehensive Outdoor Recreation Plan that it is in the best interest of the State to be exempt from the requirements of paragraph (4) may apply to the Secretary for such an exemption. Before approving or disapproving an application for such an exemption, the Secretary shall publish in the Federal Register notice of receipt of the application and provide an opportunity for public comment on the application.”.

(e) RETURN OF MONEYS NOT EXPENDED.—Section 1302(e)(9) of such Act, as redesignated by subsection (c), is amended—

(1) by inserting “the State” before “may be exempted”; and

(2) by striking “and expended or committed” and all that follows before the period.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1302 of such Act (16 U.S.C. 1261) is amended by adding at the end the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section and section 1303 \$6,000,000 for fiscal year 1995.

“(2) APPLICABILITY OF TITLE 23.—Funds authorized by paragraph (1) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of activities conducted with such funds shall be as provided in this section, such funds shall not be subject to any obligation limitation other than subsection (d)(3), and such funds shall remain available until expended.

“(3) TREATMENT.—Funds authorized by paragraph (1) shall be treated as if such funds were part of the National Recreational Trails Trust Fund for purposes of making allocations to the States under subsection (d).”

(g) ADVISORY COMMITTEE.—Section 1303 of such Act (16 U.S.C. 1262) is amended—

(1) in subsection (b) by striking “11 members” and inserting “12 members”;

(2) in subsection (b) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively, and by inserting after paragraph (1) the following:

“(2) 1 member appointed by the Secretary representing individuals with disabilities.”

**SEC. 118. COAL HERITAGE.**

(a) GRANTS.—The Secretary shall make grants to the State of West Virginia for the purpose of erecting signs or other informational devices depicting Coal Heritage along public roads identified as “Heritage Tour Routes” and “Tour Route Connectors” on the map entitled “Alternative Concept C” in the the study entitled “A Coal Mining Heritage Study: Southern West Virginia” (1993, United States Department of the Interior, National Park Service) and along additional public roads which provide access to the interpretive sites and areas identified on such map. Such signs or devices shall be devised by the West Virginia Division of Culture and History with the concurrence of the West Virginia Division of Highways and shall be subject to public comment.

(b) TECHNICAL ASSISTANCE.—With respect to areas along the roads referred to in subsection (a) which are administered by Federal, State, local, or nonprofit entities, the Secretary may, pursuant to cooperative agreements with such entities and in consultation with the State of West Virginia, provide technical assistance in the development of interpretive devices and information in order to contribute to public appreciation of the historical, cultural, natural, scenic, and recreational sites along such roads.

(c) FUNDING.—Of amounts made available pursuant to section 1047(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1998), there shall be available \$1,000,000 per fiscal year for each of fiscal years 1995 and 1996 for the purposes of carrying out this section. Such sums shall remain available until expended.

**SEC. 119. LIMITATIONS ON FUNDING OF OPERATING ASSISTANCE.**

Section 9(k)(2) of the Federal Transit Act (49 U.S.C. App. 1607a(k)(3)) is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as redesignated by paragraph (1), by inserting “INCREASE.—” before “Beginning”;

(3) in subparagraph (F), as redesignated by paragraph (1)—

(A) by inserting “CONSUMER PRICE INDEX DEFINED.—” before “As”; and

(B) by striking “(B)” and inserting “(E)”;

(4) by moving subparagraphs (E) and (F), as redesignated by paragraph (1), 4 ems to the right; and

(5) by striking “(2)” and subparagraph (A) and inserting the following:

“(2) LIMITATIONS ON FUNDING OF OPERATING ASSISTANCE.—

“(A) IN GENERAL.—The amount of funds apportioned under this section which may be used for operating assistance shall not exceed 80 percent of the amount of funds apportioned in fiscal year 1982 under paragraphs (1)(A), (2)(A), and (3)(A) of section 5(a) of this Act to an urbanized area with a population of 1,000,000 or more, 90 percent of funds so apportioned to an urbanized area with a population of 200,000 or more and less than 1,000,000 population; and 95 percent of funds so apportioned to an urbanized area of less than 200,000 population. Notwithstanding the preceding sentence, an urbanized area that first became an urbanized area under the 1980 census or thereafter may use each fiscal year for operating assistance not to exceed an amount equal to ⅔ of its apportionment during the first full year it received funds under this section.

“(B) SPECIAL RULE FOR CERTAIN URBANIZED AREAS WITH REDUCED POPULATIONS.—If an urbanized area had a population under the 1980 decennial census of the United States of more than 1,000,000 and has a population under the 1990 decennial census of less than 1,000,000, the maximum percentage of funds which may be used for operating assistance for purposes of subparagraph (A) shall be 90 percent of the amount of funds apportioned in fiscal year 1982 under such paragraphs (1)(A), (2)(A), and (3)(A) to such area.

“(C) SPECIAL RULE FOR URBANIZED AREAS OF LESS THAN 200,000.—If an urbanized area had a population under the 1990 decennial census of the United States of less than 200,000, 100 percent of the funds apportioned to such area under this section for each of fiscal years 1995, 1996, and 1997 may be used for operating assistance, notwithstanding any limitation otherwise imposed on operating assistance.

“(D) OFFSET.—The amount of funds apportioned under this section to each urbanized area with a population of 200,000 or more in each of fiscal years 1995, 1996, and 1997 which may be used for operating assistance but for this subparagraph shall be reduced by the amount determined by multiplying—

“(i) the aggregate amount of increases of operating assistance under subparagraph (C) in such fiscal year; by

“(ii) the quotient determined by dividing—

“(I) the amount of funds apportioned under this section to such area in such fiscal year which may be used for operating assistance but for this subparagraph; by

“(II) the aggregate amount of funds apportioned to all urbanized areas with a population of 200,000 or more under this section in such fiscal year but for this subparagraph which may be used for operating assistance.”

**SEC. 120. INTERCITY BUS TRANSPORTATION.**

(a) BASIC PROGRAM.—Section 18(i)(1) of the Federal Transit Act (49 U.S.C. App. 1614(i)(1)) is amended—

(1) by striking “and” before “15 percent”;

(2) by inserting “, and 7.5 percent of such amounts in fiscal year 1995” after “1994”; and

(3) by inserting after “demonstration projects,” the following: “the purchase of accessibility devices.”

(b) DISCRETIONARY PROGRAM.—Section 3 of such Act (49 U.S.C. App. 1602) is amended by adding at the end the following new subsection:

“(o) INTERCITY BUS TRANSPORTATION.—Of the amounts made available by subsection (k)(1)(C) in each fiscal year beginning after September 30, 1994, the Secretary shall make

to operators of intercity bus transportation systems capital grants to support such systems, including the purchase of accessibility devices, an amount equal to 7.5 percent of the amounts made available under section 18 in such fiscal year. The Federal grant for any project under this subsection shall be 80 percent of the net project cost; except that the Federal grant for the purchase of accessibility devices under this subsection shall be 90 percent of the net project cost.”

**SEC. 121. REPEALS OF EXISTING PROJECTS.**

(a) LONG BEACH METRO LINK FIXED RAIL PROJECT.—Section 3035(o) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2131) is repealed.

(b) HONOLULU RAPID TRANSIT PROJECT.—Section 3035(w) of such Act (105 Stat. 2136) is repealed.

**SEC. 122. MISCELLANEOUS TRANSIT PROJECTS.**

(a) PORTLAND WESTSIDE LIGHT RAIL PROJECT.—Section 3035(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2129) is amended—

(1) by inserting “(1) IN GENERAL.—” after “WESTSIDE LIGHT RAIL PROJECT.—”;

(2) by striking the last sentence;

(3) by indenting paragraph (1) and moving it 2 ems to the right; and

(4) by adding at the end the following:

“(2) AMENDMENT.—

“(A) NEGOTIATION.—Within 90 days after the date of the enactment of this paragraph, the Secretary shall negotiate and sign an amendment to the Westside Light Rail Project multiyear grant agreement authorized under paragraph (1) with the Tri-County Metropolitan Transportation District of Oregon to carry out the final design and construction of the locally preferred alternative for the Hillsboro extension, systems related costs as authorized in Public Law 102-240, and acquisition of low floor light rail vehicles, as set forth in Public Law 102-388.

“(B) ADVANCE CONSTRUCTION; CONTINGENT COMMITMENT.—The amendment negotiated under this paragraph shall provide for the use of advance construction authority under section 3(l) of the Federal Transit Act and for the use of contingent commitment authority under section 3(a)(4)(C) of the Federal Transit Act for the activities set forth in subparagraph (A) for an amount equivalent to the Federal share authorized under section 3 of the Federal Transit Act for each specific activity; except that the Federal share of the cost of the final design and construction of the Hillsboro extension shall not exceed ⅓.

“(C) SPECIAL RULE FOR ADVANCE CONSTRUCTION.—In the event that the Tri-County Metropolitan Transportation District of Oregon uses advance construction authority under this paragraph, the Secretary shall convert that authority into a grant and shall reimburse the Tri-County Metropolitan Transportation District of Oregon from funds made available under section 3 of the Federal Transit Act in fiscal years 1998 and 1999 for the Federal share of the amounts expended (plus any eligible financing costs).

“(D) INTEGRATED PROJECT FINANCING PLAN.—The amendment negotiated under this paragraph shall also include an integrated project financing plan to permit the interchangeable use of Federal funds for activities set forth in paragraph (1) and subparagraph (A) to maintain the entire project construction schedule.

“(3) TREATMENT AS A SINGLE PROJECT.—The Hillsboro extension to the Westside Light Rail Project shall be considered by the Federal Transit Administration as a single project extending from downtown Portland, Oregon, to downtown Hillsboro, Oregon, for the purposes of project review, evaluation, and approval of construction under section 3(i) of the Federal Transit Act and for the

purpose of preparing a report under section 3(j) of such Act."

(b) NEW JERSEY URBAN CORE PROJECT.—Section 3031(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122–2123) is amended—

(1) by inserting after "Hudson River Waterfront Transportation System" the following: "(including corridor connections to and within the city of Bayonne)"; and

(2) by inserting after "Concourse," the following: "the West Shore Line,".

(c) NORTH BAY FERRY SERVICE.—Section 3035(c) of such Act (105 Stat. 2129) is amended by striking "\$8,000,000" and all that follows through "1993" and inserting "\$17,000,000".

(d) STATEN ISLAND-MIDTOWN MANHATTAN FERRY SERVICE.—Section 3035(d) of such Act is amended by striking "\$1,000,000" and all that follows through "1993" and inserting "\$12,000,000".

(e) CENTRAL AREA CIRCULATOR PROJECT.—Section 3035(e) of such Act is amended by striking the last sentence.

(f) SALT LAKE CITY LIGHT RAIL PROJECT.—Section 3035(f) of such Act is amended by inserting after "including" the following: "related high-occupancy vehicle lane, intermodal corridor design,".

(g) LOS ANGELES-SAN DIEGO RAIL CORRIDOR IMPROVEMENT PROJECT.—Section 3035(g) of such Act is amended by striking "not less than" and all that follows through "1994" and inserting "\$20,000,000".

(h) ADDITIONAL TRACKAGE RIGHTS AND RIGHT-OF-WAY PURCHASE FOR GILROY SERVICE.—Section 3035(h) of such Act is amended—

(1) by striking "July 1, 1994" and inserting "September 30, 1996"; and

(2) by striking "August 1, 1994," and inserting "October 31, 1996,".

(i) DALLAS LIGHT RAIL PROJECT.—

(1) MULTIYEAR GRANT AGREEMENT.—Section 3035(i) of such Act is amended—

(A) by striking "6.4 miles" and inserting "9.6 miles";

(B) by striking "10 stations" and inserting "not to exceed 14 stations";

(C) by striking "such light rail line" and inserting "the program of interrelated projects identified in section 3(a)(8)(C)(vii) of the Federal Transit Act"; and

(D) by striking "of such elements" and inserting "element of such program of interrelated projects".

(2) PROGRAM OF INTERRELATED PROJECTS.—Section 3(a)(8)(C)(vii) of the Federal Transit Act (49 U.S.C. App. 1602(a)(8)(C)(vii)) is amended by striking "Camp Wisdom" and inserting "Interstate Route 20, L.B.J. Freeway".

(j) SOUTH BOSTON.—Section 3035(j) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2130–2131) is amended—

(1) by striking "\$278,000,000" each place it appears and inserting "\$323,000,000";

(2) by inserting "the second place it appears" after "striking"—; and

(3) by adding at the end the following: "Funds made available for the South Boston Piers Transitway in fiscal year 1994 for alternatives analysis may also be used for construction.".

(k) KANSAS CITY LIGHT RAIL LINE.—Section 3035(k) of such Act is amended by striking "\$1,500,000 in fiscal year 1992, and \$4,400,000 in fiscal year 1993" and inserting "\$5,900,000".

(l) DOWNTOWN ORLANDO CIRCULATOR PROJECT.—Section 3035(l) of such Act is amended—

(1) by striking "No later than April 30, 1992, the" and inserting "The";

(2) by striking "\$5,000,000" and inserting "\$12,000,000"; and

(3) by striking "for" the second place it appears and all that follows through the period at the end and inserting "and the completion

of final design, construction, land and equipment acquisition, and related activities for the Downtown Orlando Circulator project.".

(m) DETROIT LIGHT RAIL PROJECT.—Section 3035(m) of such Act is amended by striking "not less than" the first place it appears and all that follows through "1993," and inserting "\$20,000,000".

(n) LAKEWOOD-FREEHOLD-MATTAWAN OR JAMESBURG RAIL PROJECT.—Section 3035(p) of such Act is amended by striking "\$1,800,000" and all that follows through "1994" and inserting "\$7,800,000".

(o) CHARLOTTE LIGHT RAIL STUDY.—Section 3035(r) of such Act is amended by striking "\$125,000" and all that follows through "1993" and inserting "\$500,000".

(p) SAN DIEGO MID COAST FIXED GUIDEWAY PROJECT.—Section 3035(u) of such Act is amended—

(1) in the subsection heading by striking "LIGHT RAIL" and inserting "FIXED GUIDEWAY";

(2) by striking "No later than April 30, 1992, the" and inserting "The";

(3) by striking "\$2,000,000" and all that follows through "right-of-way," and inserting "\$42,000,000"; and

(4) by striking "Light Rail" and inserting "Fixed Guideway".

(q) RAILTRAN COMMUTER RAIL PROJECT.—Section 3035(x) of such Act is amended—

(1) by striking "No later than April 30, 1992, the" and inserting "The"; and

(2) by striking "\$2,480,000" and all that follows through "1993" and inserting "\$8,680,000".

(r) EUREKA SPRINGS, ARKANSAS.—Section 3035(z) of such Act is amended by striking the first sentence and inserting the following: "From funds provided under section 3(k)(1)(c) of the Federal Transit Act, the Secretary shall make available \$63,600 to Eureka Springs Transit for the purchase of an alternative fueled vehicle, which is accessible to and usable by individuals with disabilities.".

(s) BALTIMORE-CENTRAL LIGHT RAIL EXTENSION.—Section 3035(nn) of such Act is amended—

(1) in paragraph (1) by striking "as follows: "(A) Not less than \$30,000,000 for fiscal year 1993.

"(B) Not less than \$30,000,000 for fiscal year 1994."

and inserting "and shall be \$60,000,000."; and (2) in paragraph (2) by striking "as follows" and all that follows through the period at the end of subparagraph (C) and inserting "totaling \$160,000,000".

(t) JACKSONVILLE AUTOMATED SKYWAY EXPRESS EXTENSION.—Section 3035(vv) of such Act is amended to read as follows:

"(vv) JACKSONVILLE AUTOMATED SKYWAY EXPRESS EXTENSION.—Not later than December 31, 1994, the Secretary shall negotiate and sign an agreement which modifies the full funding agreement signed on September 27, 1991, with the Jacksonville Transportation Authority for phase 1-B of the north segment of the Automated Skyway Express project to make available \$15,000,000 in already appropriated funds and \$35,000,000 under section 3(k)(1)(B) of the Federal Transit Act to carry out construction of the locally preferred alternative for an operable segment of a not to exceed 1.8 mile extension to such project.".

(u) DULLES CORRIDOR RAIL PROJECT.—Section 3035(aaa) of such Act is amended—

(1) by striking "No later than April 30, 1992, the" and inserting "The";

(2) by striking "\$8,000,000" and inserting "\$16,000,000"; and

(3) by striking "the completion" and all that follows through "engineering for".

(v) CENTRAL PUGET SOUND REGIONAL TRANSIT PROJECT.—Section 3035(bbb) of such Act is amended to read as follows:

"(bbb) CENTRAL PUGET SOUND REGIONAL TRANSIT PROJECT.—From funds provided

under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$300,000,000 for the Central Puget Sound Regional Transit Project."

(w) CANAL STREET CORRIDOR LIGHT RAIL.—Section 3035(fff) of such Act is amended—

(1) by striking "No later than April 30, 1992, the" and inserting "The"; and

(2) by striking "negotiate" and all that follows through "includes" and inserting "make available"; and

(3) by striking "\$4,800,000" and all that follows through "statement for" and inserting "\$44,800,000 to construct".

(x) ADDITIONAL PROJECTS.—

(1) SANTA CRUZ BUS FACILITY CONSOLIDATION.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$4,120,000 for the Santa Cruz Bus Facility Consolidation project.

(2) SANTA CRUZ FIXED GUIDEWAY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$4,750,000 for the Santa Cruz Fixed Guideway project.

(3) SAN FRANCISCO FERRY BUILDING RENOVATION.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$1,250,000 for the San Francisco Ferry Building Renovation project.

(4) AC TRANSIT BUS IMPROVEMENTS.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$10,000,000 to the Alameda County Transit District for the purchase of buses.

(5) DENVER SOUTHWEST CORRIDOR LIGHT RAIL.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$13,000,000 for the Denver Southwest Corridor Light Rail project.

(6) GRIFFIN LINE TRANSITWAY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$4,900,000 for the Griffin Line Transitway project.

(7) TAMPA TO LAKELAND COMMUTER RAIL.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$16,300,000 for the Tampa to Lakeland Commuter Rail project.

(8) RAVENSWOOD RAPID TRANSIT LINE.—From funds provided under section 3(k)(1)(A) of the Federal Transit Act, and before the formula distribution of funds under such section, the Secretary shall make available \$20,000,000 to the Chicago Transit Authority for the reconstruction of track on the Ravenswood Rapid Transit line between Kimball Terminal and Clark Junction and between Armitage Avenue and Tower 18.

(9) FITCHBURG INTERMODAL FACILITY.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$2,250,000 for the Fitchburg Intermodal Facility.

(10) EAST-WEST TRANSITWAY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,000,000 for the East-West Transitway project in Montgomery County, Maryland.

(11) MINNEAPOLIS.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$20,000,000 for the Minnesota Central Corridor Light Rail project.

(12) HOBOKEN TERMINAL FACILITY IMPROVEMENTS.—From funds provided under section 3(k)(1)(A) of the Federal Transit Act, and before the formula distribution of funds under such section, the Secretary shall make available \$8,000,000 to rehabilitate the Hoboken Terminal and Yard Complex in Hoboken, New Jersey.

(13) WEST 72D STREET TRANSIT STATION.—From funds provided under section 3(k)(1)(A) of the Federal Transit Act, and before the formula distribution of funds under such section, the Secretary shall make available \$9,500,000 to refurbish and expand the West 72d Street Transit Station in New York, New York.

(14) TREN URBANO LIGHT RAIL LINE.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$40,000,000 for the Tren Urbano Light Rail project in Puerto Rico.

(15) MEMPHIS RIVERFRONT LOOP.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,900,000 for the Memphis Riverfront Loop Light Rail project.

(16) DART NORTH CENTRAL LIGHT RAIL EXTENSION.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$18,628,000 for the DART North Central Light Rail Extension project.

(17) AUSTIN LIGHT RAIL PROJECT.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,000,000 for the Austin Light Rail project.

(18) EDMONDS MULTI-MODAL CENTER.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$400,000 for fixed guideway improvements in the vicinity of the Edmonds, Washington ferry terminal.

(19) MILWAUKEE BUS PURCHASE.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$10,000,000 to purchase transit buses in Milwaukee County, Wisconsin.

(20) TRI-STATE TRANSIT AUTHORITY PURCHASE.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$3,416,000 to the Tri-State Transit Authority in Huntington, West Virginia, for the purchase of transit vehicles, equipment, and related right-of-way facility costs.

(21) ALASKA MARINE TRANSPORTATION SYSTEM.—Notwithstanding section 3(a) of the Federal Transit Act, from funds provided under section 3(k)(1)(B), the Secretary shall make available \$20,000,000 to the State of Alaska for the Alaska Marine Transportation System project.

(22) LONG BEACH BUS PURCHASE.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$3,000,000 to the Long Beach Public Transportation Company for the purchase of buses and spare parts.

(23) PALM DESERT PEOPLE MOVER.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,000,000 for the Palm Desert People Mover Project.

(24) LOS ANGELES/BURBANK/GLENDALE/SAN FERNANDO VALLEY LIGHT RAIL/INTERMODAL CONNECTION.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$10,000,000 for the Los Angeles/Burbank/Glendale/San Fernando Valley Light Rail/Intermodal Connection project.

(25) ORANGE COUNTY TRANSITWAY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$15,000,000 for the Orange County Transitway Project, including the connector in Costa Mesa, California.

(26) GOLDEN EMPIRE TRANSIT LIGHT RAIL.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$2,000,000 for the Golden Empire Transit Light rail project.

(27) DELAWARE AREA RAPID TRANSIT BUS PURCHASE.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$5,000,000 to

the Delaware Area Rapid Transit District for the purchase of buses.

(28) TRI-COUNTY COMMUTER RAIL.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$20,000,000 for capital improvements to Tri-Rail Commuter Rail Service.

(29) SAFETY AND SECURITY PILOT PROJECT.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$2,750,000 for a safety and security pilot project in Champaign-Urbana, Rock Island, and Springfield, Illinois.

(30) METRA WISCONSIN CENTRAL COMMUTER RAIL LINE.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,000,000 for capital improvements to provide commuter rail service between Antioch, Illinois, and Chicago Union Station.

(31) CINCINNATI NORTHEAST/NORTHERN KENTUCKY RAIL LINE.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$6,000,000 for the Cincinnati Northeast/Northern Kentucky Rail Line project.

(32) WORCESTER INTERMODAL CENTER.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$20,000,000 for the Union Station Intermodal Center project.

(33) BOSTON COLLEGE ALTERNATIVE FUELS/ENVIRONMENTAL EFFICIENCY BUS DEMONSTRATION PROJECT.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$1,600,000 to Boston College for the alternative fuels/environmental efficiency bus demonstration project.

(34) SHADY GROVE TO FREDERICK CORRIDOR.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,000,000 to the State of Maryland for a corridor study of transit options in the Shady Grove to Frederick Corridor.

(35) BALTIMORE REGIONAL TRANSIT CORRIDOR STUDY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$10,000,000 to the State of Maryland for a study of transit corridors in the Baltimore and southern Maryland regions.

(36) WEST TRENTON LINE.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$10,000,000 to make capital improvements for the West Trenton Commuter Rail Line.

(37) WHITEHALL FERRY TERMINAL.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$20,000,000 for reconstruction of the Whitehall Ferry Terminal in New York, New York.

(38) BUFFALO CROSSROADS STATION.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$9,000,000 to the Niagara Frontier Transportation Authority for the Crossroads Station project.

(39) COLUMBUS NORTH CORRIDOR/OSU LINK.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$10,000,000 for the Columbus North Corridor/OSU Link project.

(40) BAYFRONT CENTRE INTERMODAL COMPLEX.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$8,000,000 for the Bayfront Centre Intermodal Complex project.

(41) ST. LOUIS METRO LINK EXTENSIONS.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$16,000,000 for the St. Clair extension to the St. Louis Metro Link light rail transit system, \$2,450,000 for the

Cross-County extension to such system, and \$3,450,000 for the St. Charles extension to such system.

(42) ALBANY MULTIMODAL TRANSPORTATION FACILITY.—From funds provided under section 3(k)(1)(C), the Secretary shall make available \$590,000 for the multimodal transportation facility in Albany, Oregon.

(43) MIAMI METRO RAIL NORTH CORRIDOR EXTENSION.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$15,000,000 for the northern extension of the Metrorail rapid transit system in Miami, Florida.

(44) VALPARAISO-CHICAGO COMMUTER CORRIDOR STUDY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$56,000 to determine the feasibility of restoring commuter rail service between Valparaiso, Indiana, and Chicago, Illinois.

(45) AREA TRANSPORTATION AUTHORITY OF NORTH CENTRAL PENNSYLVANIA.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$3,434,000 for construction of a bus maintenance facility in Elk County, satellite garage in Potter County, and CNG fueling equipment in DuBois for the Area Transportation Authority of North Central Pennsylvania.

(46) JOHNSTOWN, PENNSYLVANIA.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$2,700,000 for the purchase of buses and repair of a storage and repair facility and associated fuel storage tanks for the Cambria County Transit Authority, Pennsylvania.

(47) INDIANA COUNTY, PENNSYLVANIA.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$600,000 for the purchase of buses for the Indiana County Transit Authority, Pennsylvania.

(48) ALTOONA, PENNSYLVANIA.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$1,200,000 for the purchase of buses and spare parts, an electronic public information system and capital improvements to the Altoona Transportation Center to Altoona Metro Transit, Pennsylvania.

(49) DUBOIS/FALLS CREEK/SANDY TOWNSHIP, PENNSYLVANIA.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$480,000 for the purchase of buses and lift-equipped vans for the DuBois/Falls Creek/Sandy Township Area Transit Authority, Pennsylvania.

(50) TACOMA EASTERN RAIL.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$4,000,000 to the city of Tacoma, Washington, for the Tacoma Eastern Rail project from Tacoma to Ashford.

(51) PITTSBURGH BUSWAY.—From funds provided under section 3(k)(1)(B) of the Federal Transit Act, the Secretary shall make available \$5,036,000 for the Pittsburgh Busway project.

(52) ILLINOIS BUS PROJECTS.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$5,000,000 for the purchase of buses in Peoria, Champaign-Urbana, Rockford, PACE in the suburban area of Chicago, and other nonurbanized area systems in Illinois.

(53) SOUTHWEST BROOKLYN TRANSIT STATION AND TRACK IMPROVEMENT PROJECT.—From funds provided under section 3(k)(1)(A) of the Federal Transit Act, and before formula distribution of funds under such section, the Secretary shall make available \$4,000,000 to make station and track improvements in Southwest Brooklyn, New York.

(54) WISCONSIN BUS PROJECTS.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make

available \$2,600,000 for the purchase of buses, vans, and bus-related facilities to the State of Wisconsin.

(y) 1996 OLYMPIC AND PARA-OLYMPIC BUS GRANTS.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act in fiscal year 1995, the Secretary shall transfer \$16,000,000 to the program being carried out under section 9 of such Act to make available \$10,400,000 in capital and operating grants for the 1996 Olympic and Para-Olympic games and \$5,600,000 in capital and operating grants for the 1996 Para-Olympic games. The Federal share of such grants shall be 100 percent.

(z) CALSTART CONSORTIUM.—From funds provided under section 3(k)(1)(C) of the Federal Transit Act, the Secretary shall make available \$5,000,000 to the CALSTART Consortium to perform the services described in section 6071(c) of the Intermodal Surface Transportation Efficiency Act of 1991.

**SEC. 123. MULTIYEAR CONTRACT FOR METRO RAIL PROJECT.**

(a) IN GENERAL.—Section 3034 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2126-2129) is amended—

(1) in subsection (b)(3)(A) by striking “\$695,000,000” and inserting “\$720,000,000”;

(2) by adding at the end of subsection (e)(3) the following:

“(D) SCOPE.—The amended contract under subparagraph (A) shall provide Federal assistance for the design and construction of an interim operable segment of the East Side Extension, consisting of a line running generally east from Union Station of approximately 3.7 miles in length or in accordance with the East Side Extension locally preferred alternative, when approved by the Board of the Los Angeles County Metropolitan Transportation Authority.

“(E) FUNDING.—The \$25,000,000 increase in authorization provided for Minimum Operable Segment-3 under the National Highway System Designation Act of 1994 shall be made available by the Secretary for funding the scope of the East Side Extension described in subparagraph (D). These funds shall be in addition to the amounts provided for the East Side Extension in the contract executed in May 1993 pursuant to subsection (b) of this section.”.

(b) DEFINITIONS.—Section 3034(i)(3) of such Act is amended—

(1) by striking “7 stations” and inserting “12 stations”;

(2) by striking “11.6” and inserting “15.4”;

and

(3) by striking subparagraph (C) and inserting the following:

“(C) One line, known as the East Side Extension locally preferred alternative, running generally east from Union Station for approximately 6.8 miles to the Whittier/Atlantic Station, with 6 intermediate stations.”.

**SEC. 124. METRIC SYSTEM SIGNING.**

(a) PLACEMENT OF SIGNS.—Before September 30, 1997, the Secretary may not require the States to expend any Federal or State funds to construct, erect, or otherwise place any sign relating to any speed limit, distance, or other measurement on any highway for the purpose of having such sign establish such speed limit, distance, or other measurement using the metric system.

(b) MODIFICATION OF SIGNS.—Before September 30, 1997, the Secretary may not require the States to expend any Federal or State funds to modify any sign relating to any speed limit, any distance, or other measurement on any highway for the purpose of having such sign establish such speed limit, distance, or measurement using the metric system.

(c) DEFINITIONS.—For purposes of subsections (a) and (b), the following definitions apply:

(1) HIGHWAY.—The term “highway” has the meaning such term has under section 101 of title 23, United States Code.

(2) METRIC SYSTEM.—The term “metric system” has the meaning the term “metric system of measurement” has under section 4 of the Metric Conversion Act of 1975 (15 U.S.C. 205c).

**SEC. 125. METROPOLITAN PLANNING.**

Section 134(g)(2)(A) of title 23, United States Code, is amended by inserting after “transit,” the following: “airport, port, inland waterway.”.

**SEC. 126. STATEWIDE PLANNING.**

(a) INTEGRATED STATE TRANSPORTATION SYSTEM FACILITIES.—Section 135(e) of title 23, United States Code, is amended by inserting after the first sentence the following: “The plan shall, at a minimum, identify transportation facilities (including major roadways, transit, airport, port, inland waterway, and multimodal and intermodal facilities) that should function as an integrated State transportation system, giving emphasis to those facilities that serve important national and regional transportation functions.”.

(b) MEETING FUNDING NEEDS OF INTERNATIONAL BORDER CROSSING COMMUNITIES.—Such section is further amended by inserting after the first sentence the following: “The State plan must consider the special transportation requirements created by international motor vehicle border crossings if applicable to such State.”.

**SEC. 127. HIGH PRIORITY CORRIDOR FEASIBILITY STUDY.**

With amounts available to the Secretary under section 1105(h) of the Intermodal Surface Transportation Efficiency Act of 1991, the Secretary in cooperation with the States of Virginia and West Virginia shall conduct a study to determine the feasibility of establishing a route for the East-West Transamerica Corridor (designated pursuant to section 1105(c)(3) of such Act) from Beckley, West Virginia, utilizing a corridor entering Virginia near the city of Covington then moving south from the Allegheny Highlands to serve Roanoke and continuing east to Lynchburg. From there such route would continue across Virginia to the Hampton Roads-Norfolk area.

**SEC. 128. REEVALUATION.**

(a) INITIATION.—After completion of current construction on Interstate Route 10 and Gessner Road, Texas, the Secretary shall initiate a reevaluation in consultation with State and local officials of—

(1) a proposed exit ramp from the Sam Houston Tollway eastbound direct connector to the eastbound Interstate Route 10 frontage road between Beltway 8 and Gessner Road; and

(2) a proposed entrance ramp from the westbound Interstate Route 10 frontage road between Gessner Road and Beltway 8 to the westbound direct connector to the Sam Houston Tollway in Houston, Harris County, Texas.

(b) DEADLINE FOR DECISION.—The Secretary shall issue a decision on the proposed ramps referred to in subsection (a) within 6 months after completion of the construction referred to in subsection (a).

**SEC. 129. FUNDING.**

(a) STUDY.—The Secretary shall conduct a study of how the existing Federal-aid highway and transit funding is utilized by States and metropolitan planning organizations to address transportation needs.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report containing the results of the study conducted under this section.

**SEC. 130. NONDIVISIBLE LOADS.**

Not later than 30 days after the date of the enactment of this Act, the Secretary shall

institute a rulemaking proceeding to define the term “vehicles and loads which cannot be easily dismantled or divided” as used in section 127 of title 23, United States Code, including consideration of a commodity-specific definition of such term. The Secretary shall complete the proceeding required by this subsection not later than 270 days after the date of the enactment of this Act. The Secretary may apply such regulations to all vehicle loads operating on the National Highway System if the Secretary determines that it is in the public interest.

**SEC. 131. COMMERCIAL MOTOR VEHICLE ACCIDENTS.**

(a) STUDY.—The Secretary shall conduct a study of methods to reduce accidents on Federal-aid highways caused by drivers falling asleep while operating a commercial motor vehicle used to transport freight.

(b) REPORT.—Not later than 1 year 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 subsection (a).

**TITLE II—TECHNICAL CORRECTIONS TO ISTEA AND RELATED LAWS**

**SEC. 201. DEFINITIONS.**

Section 101(a) of title 23, United States Code, is amended by striking the 1st undesignated paragraph of such section that relates to public lands highways.

**SEC. 202. REFERENCES TO DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.**

(a) DECLARATION OF POLICY.—Section 2 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914-1915) is amended—

(1) in the 3d undesignated paragraph by striking “National System of” and inserting “Dwight D. Eisenhower System of”; and

(2) in the 7th undesignated paragraph by striking “Interstate and Defense Highway System” and inserting “Dwight D. Eisenhower System of Interstate and Defense Highways”.

(b) COMPLETION OF INTERSTATE SYSTEM.—Section 1001 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 104 note; 105 Stat. 1915-1916) is amended in each of subsections (a) and (b) by striking “National”.

(c) DEFINITION OF INTERSTATE SYSTEM IN TITLE 23.—The undesignated paragraph of section 101(a) of title 23, United States Code, relating to the Interstate System, is amended by striking “National”.

(d) CONFORMING AMENDMENT TO VEHICLE WEIGHT LIMITATIONS.—Section 127(a) of title 23, United States Code, is amended by striking “National” each place it appears and inserting “Dwight D. Eisenhower”.

(e) VEHICLE LENGTH RESTRICTION.—Section 411(j) of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2311(j)) is amended in each of paragraphs (1), (5)(D), and (6)(A) by striking “National” and inserting “Dwight D. Eisenhower”.

(f) LONGER COMBINATION VEHICLE DEFINED.—Section 4007(f) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2153) is amended by striking “National” and inserting “Dwight D. Eisenhower”.

(g) COMMEMORATION.—Section 6012 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 2180-2181) is amended—

(1) in the section heading by striking “national”; and

(2) in subsection (a) by striking “National”.

**SEC. 203. FEDERAL-AID SYSTEMS.**

(a) INTERSTATE SYSTEM.—Section 103(e)(1) of title 23, United States Code, is amended by striking the next to the last sentence.

(b) SUBSTITUTE PROJECTS.—Section 103(e)(4) of such title is amended—

(1) in the last sentence of subparagraph (B) by striking "projects on the Federal-aid secondary system" and inserting "surface transportation program projects";

(2) in subparagraph (G) by inserting "and" before "\$240,000,000"; and

(3) in subparagraph (J)(i) by inserting a comma after "October 1, 1991".

**SEC. 204. APPORTIONMENT.**

(a) SET-ASIDE.—Section 104(a) of title 23, United States Code, is amended—

(1) by striking "for the Federal-aid systems" and inserting "for this chapter"; and

(2) by striking "upon the Federal-aid systems" and inserting "under this chapter".

(b) CROSS REFERENCE TO INTERSTATE CONSTRUCTION PERIOD OF AVAILABILITY.—Section 104(b)(5)(A) of such title is amended by striking "118(b)(2)" and inserting "118(b)(1)".

(c) TECHNICAL AMENDMENT.—Section 104(b)(5)(B) of such title is amended by striking the comma following "1984" each place it appears.

(d) REPEAL OF URBAN SYSTEM APPORTIONMENT.—Section 104(b)(6) of such title is repealed.

(e) PLANNING SET-ASIDE.—Section 104(f)(3) of such title is amended by striking "(j)".

(f) TRANSFERABILITY AMONG SAFETY AND BRIDGE PROGRAMS.—Section 104(g) of such title is amended by striking "Not more than" and all that follows through "any other of such sections" the second place it appears and inserting the following: "Not more than 40 percent of the amount which is apportioned in any fiscal year to each State under section 144 or which is reserved for such fiscal year under section 133(d)(1) only for carrying out section 130 or 152 may be transferred from the apportionment under section 144 or one of the reservations under section 133(d)(1) to the apportionment or reservation under such other section if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve the transfer of 100 percent of the apportionment under section 144 or one of the reservations under section 133(d)(1) to the apportionment or reservation under such other section".

**SEC. 205. PROGRAMS OF PROJECTS.**

(a) REPEAL OF REQUIREMENT.—Section 105 of title 23, United States Code, and the item relating to such section in the analysis for chapter 1 of such title are each repealed.

(b) CONFORMING AMENDMENTS.—Section 106(a) of such title is amended—

(1) by striking ", as soon as practicable after program approval,"; and

(2) by striking "included in an approved program".

(c) PRIORITY FOR HIGH PRIORITY SEGMENTS OF CORRIDORS OF NATIONAL SIGNIFICANCE.—Section 1105(g)(7) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2036) is amended to read as follows:

"(7) PRIORITY FOR HIGH PRIORITY SEGMENTS OF CORRIDORS OF NATIONAL SIGNIFICANCE.—In selecting projects for inclusion in a plan or program under chapter 1 of title 23, United States Code, a State may give priority to high priority segments of corridors identified under subsection (c) of this section."

**SEC. 206. ADVANCE ACQUISITION OF RIGHTS-OF-WAY.**

(a) INTERSTATE SYSTEM.—Section 107(a)(2) of title 23, United States Code, is amended by striking "subsection (c)" and inserting "subsection (a)".

(b) APPORTIONED FUNDS.—Section 108(a) of such title is amended—

(1) by striking "on any Federal-aid highway" and inserting "for any project eligible for assistance under this chapter";

(2) by striking "on such highway" and inserting "on such project"; and

(3) by striking "a road" and inserting "the project".

(c) RIGHT-OF-WAY REVOLVING FUND FUNDS.—Section 108(c) of such title is amended—

(1) in paragraph (2) by striking "highways and passenger transit facilities on any Federal-aid system" and inserting "any project eligible for assistance under this chapter"; and

(2) in paragraph (3) by striking "such project for the actual construction" and all that follows through "Secretary" the last place it appears and inserting "actual construction of such project on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any funds apportioned under this chapter to the State in which such project is located and available for obligation for such projects and the State shall reimburse the Secretary".

(d) EARLY ACQUISITION.—Section 108(d)(2)(F) of such title is amended by striking "this Act" and inserting "this title".

**SEC. 207. STANDARDS.**

Section 109 of title 23, United States Code, is amended—

(1) in subsection (h) by striking "Federal-aid system" and inserting "Federal-aid highway"; and

(2) in subsection (q) by striking "under sections" and inserting "under section".

**SEC. 208. LETTING OF CONTRACTS.**

Section 112(g) of title 23, United States Code, relating to applicability to contracts for projects on the secondary system, as redesignated by section 103(c) of this Act, is repealed.

**SEC. 209. PREVAILING RATE OF WAGE.**

Section 113 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "highway projects on" and all that follows through "authorized under" and inserting "highway projects on Federal-aid highways authorized under";

(2) in subsection (a) by striking "upon the Federal-aid systems," and inserting "on Federal-aid highways,"; and

(3) in subsection (b) by striking "of the Federal-aid systems" and inserting "Federal-aid highway".

**SEC. 210. CONSTRUCTION.**

Section 114 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "highways or portions of highways located on a Federal-aid system" and inserting "Federal-aid highway or portion thereof";

(2) in subsection (b)(1) by striking "highways or portions of highways located on a Federal-aid system" and inserting "a Federal-aid highway or portion thereof"; and

(3) in subsection (b)(3) by striking "highways or portions of highways located on a Federal-aid system" and inserting "any Federal-aid highway or portion thereof".

**SEC. 211. ADVANCE CONSTRUCTION.**

Section 115 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking "PLANS, SPECIFICATIONS," and inserting "PROJECT APPROVAL"; and

(2) in subsection (c) by striking "134," and the second comma after "144".

**SEC. 212. MAINTENANCE.**

Section 116 of title 23, United States Code, is amended—

(1) by inserting "highway" before "project" the first place it appears in each of subsections (a) and (c);

(2) in subsection (a) by striking "no longer constitutes a part of a Federal-aid system"

and inserting "is no longer a Federal-aid highway"; and

(3) in subsection (b) by striking "the Federal-aid secondary system" and inserting "a Federal-aid highway".

**SEC. 213. CERTIFICATION ACCEPTANCE.**

Section 117 of title 23, United States Code, is amended—

(1) in subsection (e) by striking "2000(d)" and inserting "2000d"; and

(2) by striking subsection (f), relating to discharge of the Secretary's responsibilities with respect to the secondary system.

**SEC. 214. AVAILABILITY OF FUNDS.**

(a) PERIOD OF AVAILABILITY.—Section 118(b)(1) of title 23, United States Code, is amended—

(1) in the first sentence by striking "Interstate construction in a State" and inserting "completion of the Interstate System in a State"; and

(2) in the second sentence by inserting "for completion of the Interstate System" after "shall be allocated".

(b) SET-ASIDE FOR INTERSTATE CONSTRUCTION PROJECTS.—Section 118(c)(1) of such title is amended by striking the period at the end of the first sentence and all that follows through the period at the end of the second sentence and inserting "for obligation at the discretion of the Secretary for projects to complete the Interstate System."

(c) SET-ASIDE FOR 4R PROJECTS.—Section 118(c)(2) of such title is amended by inserting "of" after "\$64,000,000 for each".

**SEC. 215. FEDERAL SHARE.**

(a) INTERSTATE SYSTEM PROJECTS.—Section 120(a) of title 23, United States Code, is amended by inserting before "including a project" the following: "including a project the cost for which is included in the 1991 interstate cost estimate and".

(b) SAFETY PROJECTS.—Section 120(c) of such title is amended by striking "for all the Federal-aid systems".

(c) EMERGENCY RELIEF.—The first sentence of section 120(e) of such title is amended—

(1) by striking "system, including" and inserting ", including a highway on";

(2) by striking "on a project on such system";

(3) by striking "and (c)" and inserting "and (b)"; and

(4) by striking "90 days" and inserting "180 days".

(d) PLANNING PROJECTS.—Section 120 of such title is amended by adding at the end the following new subsection:

"(j) PLANNING PROJECTS.—The Federal share payable on account of any project to be carried out with funds set aside under section 104(f) of this title shall be 80 percent of the costs thereof unless the Secretary determines that the interest of the Federal-aid highway program would best be served by decreasing or eliminating the non-Federal share of such costs."

(e) CONFORMING AMENDMENT.—Section 208(2) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3338(2)) is amended by striking "section 120(a) of title 23, United States Code;".

**SEC. 216. PAYMENT TO STATES FOR CONSTRUCTION.**

Section 121 of title 23, United States Code, is amended—

(1) in subsection (b) by striking "After" and inserting "Except as otherwise provided in this title, after"; and

(2) in subsection (c) by striking "Federal-aid system" and inserting "Federal-aid highway".

**SEC. 217. RELOCATION OF UTILITY FACILITIES.**

Section 123(a) of title 23, United States Code, is amended—

(1) by striking "on any Federal-aid system" and inserting "eligible for assistance under this chapter"; and

(2) by striking the last sentence.

**SEC. 218. ADVANCES TO STATES.**

Section 124(a) of title 23, United States Code, is amended by striking "projects on any of the Federal-aid systems, including the Interstate System, he" and inserting "a project eligible for assistance under this title, the Secretary".

**SEC. 219. EMERGENCY RELIEF.**

(a) TECHNICAL AMENDMENT.—The first sentence of section 125(b) of title 23, United States Code, is amended by striking all preceding "Provided" and inserting the following: "The Secretary may expend funds from the emergency fund herein authorized for projects for repair or reconstruction on Federal-aid highways in accordance with the provisions of this chapter:"

(b) CONFORMING AMENDMENTS.—Section 125(b) of such title is further amended—

(1) by striking "authorized" in the second sentence and all that follows through the period at the end of such sentence and inserting "authorized on Federal-aid highways."; and

(2) by striking "the Disaster Relief and Emergency Assistance Act (Public Law 93-288)" and inserting "The Robert T. Stafford Disaster Relief and Emergency Assistance Act".

**SEC. 220. APPLICABILITY OF AXLE WEIGHT LIMITATIONS.**

(a) WISCONSIN STATE ROUTE 78 AND UNITED STATES ROUTE 51.—Section 127 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(f) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—If the 104-mile portion of Wisconsin State Route 78 and United States Route 51 between Interstate Route 94 near Portage, Wisconsin, and Wisconsin State Route 29 south of Wausau, Wisconsin, is designated as part of the Interstate System under section 139(a) of title 23, United States Code, the single axle, tandem axle, gross vehicle weight, and bridge formula limits set forth in subsection (a) shall not apply to the operation on such 104-mile portion of any vehicle which could legally operate on such 104-mile portion before the date of the enactment of this subsection."

(b) VEHICLE WEIGHT LIMITATIONS IN THE STATE OF OHIO.—

(1) REVIEW.—The Secretary of Transportation shall review the Federal and State commercial motor vehicle weight limitations applicable to Federal-aid highways in the State of Ohio.

(2) WAIVER AUTHORITY.—If the Secretary of Transportation determines, on the basis of the review conducted under paragraph (1), that it is in the public interest, the Secretary may waive application of the vehicle weight limitations of section 127(a) of title 23, United States Code, and of the State certification requirements of sections 141(b) and 141(c) of such title, in whole or in part, to highways on the Dwight D. Eisenhower System of Interstate and Defense Highways in the State of Ohio for short wheel-base vehicles for such period as the Secretary determines may be necessary to permit a reasonable period of depreciation for short wheel-base vehicles purchased before October 1, 1991.

(3) MORATORIUM ON WITHHOLDING OF FUNDS.—Until the Secretary of Transportation makes a determination relating to the public interest under paragraph (2), the Secretary shall not withhold funds under section 127(a) or 141(c) of title 23, United States Code, from apportionment to the State of Ohio for failure to comply with such section with respect to short wheel-base vehicles.

(c) TECHNICAL AMENDMENTS.—Section 127 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "118(b)(1)" and inserting "118(b)(2)"; and

(2) in subsection (d)(1)(E) by striking "July 5, 1991" and inserting "July 6, 1991".

**SEC. 221. TOLL ROADS.**

(a) USE OF REVENUES.—Section 129(a)(3) of title 23, United States Code, is amended by striking "all toll revenues received" and all that follows through the period at the end of the first sentence and inserting the following: "toll revenues received from operation of the toll facility will be used for financing and any other obligations in respect of the facility, for reserves, for reasonable return to investors financing the project (as determined by the State), and for the costs necessary for the proper operation and maintenance of the toll facility, including reconstruction, resurfacing, restoration, and rehabilitation."

(b) REFERENCE TO FEDERAL-AID HIGHWAYS.—The last sentence of section 129(a)(4) of such title is amended by striking "the Federal-aid system" and inserting "Federal-aid highways".

(c) LOANS.—Section 129(a)(7) of such title is amended—

(1) by inserting "or commit to loan" after "loan" the first place it appears;

(2) by striking "agency" each place it appears and inserting "entity";

(3) by inserting after "constructing" the first place it appears "or proposing to construct";

(4) by striking "all Federal environmental requirements have been complied with and permits obtained" and inserting "the National Environmental Policy Act of 1969 has been complied with";

(5) by inserting "to a private entity" after "Any such loan";

(6) by inserting after the fifth sentence the following new sentence: "Any such loan to a public entity shall bear interest at such rate as the State determines appropriate."; and

(7) by striking "the time the loan was obligated" and inserting "the date of the initial funding of the loan".

(d) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 129 of such title is amended—

(1) in the first sentence of subsection (b) by striking "the route of which" and all that follows through the period at the end of such sentence and inserting "the route of which has been classified as a public road and has not been designated as a route on the Interstate System."; and

(2) in subsection (c)(4) by striking "and" preceding "repair".

(e) PILOT PROGRAM.—Section 129(d) of such title is amended—

(1) in each of paragraphs (1) and (3) by striking "7" and inserting "9";

(2) in paragraph (3) by striking "State of Pennsylvania" each place it appears and inserting "States of Pennsylvania and West Virginia"; and

(3) in paragraph (3) by inserting "the" before "State of Georgia".

(f) TREATMENT OF CENTENNIAL BRIDGE, ROCK ISLAND, ILLINOIS, AGREEMENT.—For purposes of section 129(a)(6) of title 23, United States Code, the agreement concerning the Centennial Bridge, Rock Island, Illinois, entered into under the Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa", approved March 18, 1938 (52 Stat. 110), shall be treated as if such agreement had been entered into under section 129 of title 23, United States Code, as in effect on December 17, 1991, and may be modified accordingly.

(g) TREATMENT OF I-95 AND PENNSYLVANIA TURNPIKE.—For purposes of section 129 of title 23, United States Code, the project for

construction of an interchange between Interstate Route 95 and the Pennsylvania Turnpike shall be treated as a reconstruction project described in section 129(a)(1)(B) of such title.

**SEC. 222. RAIL-HIGHWAY CROSSINGS.**

Section 130 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "Except as provided in subsection (d) of" and inserting "Subject to";

(2) in subsection (a) by striking "entire" each place it appears;

(3) in subsection (a) by striking "except as provided in subsection (d) of" and inserting "subject to";

(4) in subsection (e) by striking "authorized for and";

(5) in subsection (e) by striking the last sentence;

(6) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(7) in subsection (f) as so redesignated by striking "railroad highway" and inserting "railroad-highway".

**SEC. 223. SURFACE TRANSPORTATION PROGRAM.**

(a) STATE CERTIFICATION.—Section 133 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "subsections (b) (3) and (4)" and inserting "subsections (b) (3) and (b) (4)";

(2) in subsection (d)(3)(B) by striking "tobe" and inserting "to be"; and

(3) in subsection (e)(2) by inserting after "each State" the following: "or the designated transportation authority of the State".

(b) TECHNICAL AMENDMENT.—Section 1007(b)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1930) is amended—

(1) by striking "104(b)(3)" and inserting "104(b)"; and

(2) by striking "to read as follows" and inserting "by inserting after paragraph (2) the following new paragraph".

**SEC. 224. METROPOLITAN PLANNING.**

(a) TECHNICAL AMENDMENTS.—Section 134 of title 23, United States Code, is amended—

(1) in each of subsections (b)(2), (b)(3), and (h)(4) by striking "the date of the enactment of this section" and inserting "December 18, 1991";

(2) in each of subsections (b)(3)(B) and (g)(2)(B) by striking "long-range" and inserting "long range";

(3) in subsection (f)(11) by inserting "passengers and" before "freight";

(4) in subsection (g)(5) by redesignating subparagraphs (i) and (ii) as subparagraphs (A) and (B); and

(5) in subsection (k) by striking "the Federal-Aid Highway Act of 1991" and inserting "this title".

(b) FACTORS TO BE CONSIDERED.—Section 134(f) of such title is amended by adding at the end the following new paragraphs:

"(16) Recreational travel and tourism.

"(17) Revitalization of the central urban core."

(c) TRANSFER OF FUNDS.—Section 134(k) of such title is amended by striking the last sentence.

(d) CONFORMING CHAPTER ANALYSIS AMENDMENT.—The analysis for chapter 1 of such title is amended by striking

"134. Transportation planning in certain urban areas." and inserting

"134. Metropolitan planning."

**SEC. 225. STATEWIDE PLANNING.**

Section 135 of title 23, United States Code, is amended—

(1) in subsection (c) by striking paragraph (1) and inserting the following new paragraph:

"(1) The transportation needs identified through use of the management systems required by section 303 of this title.";

(2) in subsection (c)(5) by inserting after "nonmetropolitan areas" the following: "including the identification of a rural priority local road and bridge system.";

(3) in subsection (c) by striking paragraph (15) and redesignating paragraphs (16) through (20) as paragraphs (15) through (19), respectively;

(4) in subsection (c)(18), as so redesignated, by striking "commercial motor vehicles" and inserting "passengers and freight";

(5) in subsection (d)(3) by striking "concerns" and inserting "transportation needs";

(6) in each of subsections (e) and (f)(1) by inserting "Indian tribal governments," after "private providers of transportation,"; and

(7) in subsection (h)—  
(A) by striking "United States Code," and inserting "other Federal laws, and";

(B) by striking "this Act" and inserting "this title"; and

(C) by striking "or section 8 of such Act," and inserting "of this title, or section 8 of the Federal Transit Act,".

**SEC. 226. CONTROL OF JUNKYARDS.**

(a) STRICTER STATE STANDARDS.—Section 136(l) of title 23, United States Code, is amended by striking "the Federal-aid highway systems" and inserting "Federal-aid highways".

(b) PRIMARY SYSTEM DEFINED.—Section 136 of such title is amended by adding at the end the following new subsection:

"(n) PRIMARY SYSTEM DEFINED.—For purposes of this section, the term 'primary system' means the Federal-aid primary system in existence on June 1, 1991, and any highway which is not on such system but which is on the National Highway System."

**SEC. 227. NONDISCRIMINATION.**

(a) STATE ASSURANCES.—Section 140(a) of title 23, United States Code, is amended by striking "any of the Federal-aid systems" and inserting "Federal-aid highways".

(b) TRAINING.—Section 140(b) of such title is amended—

(1) by striking "for the surface transportation program"; and

(2) by striking "the bridge program".

**SEC. 228. ENFORCEMENT OF REQUIREMENTS.**

Section 141(b) of title 23, United States Code, is amended by striking "the Federal-aid primary system" and all that follows through "including" and inserting "Federal-aid highways, including highways on".

**SEC. 229. AVAILABILITY OF RIGHTS-OF-WAY.**

Section 142 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking "the surface" and inserting "surface"; and

(2) in subsection (f) by striking "exists" and inserting "exists".

**SEC. 230. HIGHWAY BRIDGE PROGRAM.**

(a) SET-ASIDES.—Section 144(g) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking "103" and inserting "1003";

(2) in paragraph (3) by striking "OFF-SYSTEM BRIDGES" and inserting "BRIDGES NOT ON FEDERAL-AID HIGHWAYS";

(3) in paragraph (3) by striking ", other than those on a Federal-aid system" and inserting "that are functionally classified as local or rural minor collectors"; and

(4) in paragraph (3) by striking "bridges not on a Federal-aid system" and inserting "such bridges".

(b) CROSS REFERENCE.—Section 144(i) of such title is amended by striking "307(e)" and inserting "307(h)".

(c) CONTINUATION OF EXISTING BRIDGE APPORTIONMENT CRITERIA.—The criteria for apportionment of funds used by the Department of Transportation under section 144 of

title 23, United States Code, as in effect on September 30, 1991, shall remain in effect until September 30, 1997, or until changed by law, whichever occurs first.

**SEC. 231. GREAT RIVER ROAD.**

Section 148(a)(1) of title 23, United States Code, is amended by striking "centers of the State" and inserting "centers of the States".

**SEC. 232. HAZARD ELIMINATION PROGRAM.**

Section 152 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "authorized" and inserting "available"; and

(2) by striking subsections (d) and (e) and redesignating subsections (f), (g), and (h) as subsections (d), (e), and (f), respectively.

**SEC. 233. USE OF SAFETY BELTS AND MOTORCYCLE HELMETS.**

(a) REFERENCE TO DATE OF ENACTMENT.—Section 153 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "the date of the enactment of this section" and inserting "December 31, 1991"; and

(2) in subsection (i)(3) by striking "the date of the enactment of this section" and inserting "December 31, 1991,".

(b) ELIGIBILITY FOR GRANTS.—Section 153(f)(2) of such title is amended by striking "at all times" each place it appears.

(c) PENALTIES.—Section 153(h) of such title is amended—

(1) in paragraph (1) by striking "at any time in" and inserting "by the last day of";

(2) in paragraph (2) by inserting "by the last day of fiscal year 1995 or" after "If,";

(3) in paragraph (2) by striking "1994," and inserting "1995,"; and

(4) in paragraph (4)(A) by striking "under section 402" and inserting "by this subsection".

(d) DEFINITIONS.—Section 153(i) of such title is amended by adding at the end the following new paragraph:

"(5) STATE.—The term 'State' has the meaning such term has under chapter 4 of this title."

**SEC. 234. NATIONAL MAXIMUM SPEED LIMIT.**

(a) EXISTING PROGRAM.—Section 154(a)(1) of title 23, United States Code, is amended by striking "on the Interstate System" and all that follows through "or more" and inserting "described in clause (2) or (3) of this subsection".

(b) NEW PROGRAM.—Section 1029 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1968-1970) is amended—

(1) in subsection (c)(1)(A) by inserting "of a State" after "apportionments";

(2) in subsection (c)(1)(A) by striking "if a State" and inserting "to the apportionment of the State under section 402 of such title if the State";

(3) in subsection (c) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(4) by inserting after paragraph (1) of subsection (c) the following new paragraph:

"(2) LIMITATION ON USE OF FUNDS.—

"(A) GENERAL RULE.—A State must obligate at least 50 percent of its funds transferred pursuant to this subsection for a fiscal year for speed limit enforcement and public information and education.

"(B) WAIVER.—Upon request of a State, the Secretary may waive the requirement of subparagraph (A) for any fiscal year if in the preceding fiscal year the State was in compliance with the speed limit requirements established pursuant to paragraph (1)."

**SEC. 235. MINIMUM ALLOCATION.**

Section 157 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking "118(b)(2)" and inserting "118(b)(1)";

(2) in subsection (a)(3)(A) by striking "year 1989" and inserting "years 1989"; and

(3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

**SEC. 236. NATIONAL MINIMUM DRINKING AGE.**

Section 158 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "104(b)(5), and 104(b)(6)" each place it appears and inserting "104(b)(3), and 104(b)(5)";

(2) in subsection (b)(1)(A)(iii) by striking "104(b)(6)" and inserting "104(b)(3)";

(3) in subsection (b)(3)(B) by striking "104(b)(5)(B), or 104(b)(6)" and inserting "104(b)(3), or 104(b)(5)(B)"; and

(4) in each of subsections (b)(3) and (b)(4) by striking "118(b)" and inserting "118".

**SEC. 237. REVOCATION OF DRIVERS' LICENSES OF INDIVIDUALS CONVICTED OF DRUG OFFENSES.**

Section 159 of title 23, United States Code, is amended in each of subsections (b)(3) and (b)(4) by striking "118(b)" and inserting "118".

**SEC. 238. REIMBURSEMENT FOR SEGMENTS OF INTERSTATE SYSTEM CONSTRUCTED WITHOUT FEDERAL ASSISTANCE.**

Section 160 of title 23, United States Code, is amended—

(1) in subsection (b) by striking "The amount" and inserting "Subject to subsection (g), the amount"; and

(2) by adding at the end the following new subsection:

"(g) PUERTO RICO.—Notwithstanding any other provision of this section, Puerto Rico shall receive in a fiscal year 1/2 of 1 percent of the amounts appropriated pursuant to subsection (f) for such fiscal year. No State (including the District of Columbia) which has a reimbursement percentage in the table contained in subsection (c) of 0.50 shall have its reimbursement amount in fiscal years 1996 and 1997 reduced as a result of the enactment of the preceding sentence."

**SEC. 239. FEDERAL LANDS HIGHWAY PROGRAM.**

(a) PUBLIC LANDS HIGHWAYS ALLOCATION.—Section 202(b) of title 23, United States Code, is amended by striking "66 percent of the remainder" and inserting "the remaining 66 percent".

(b) AVAILABILITY OF FUNDS.—Section 203 of such title is amended by striking the comma preceding "forest development" each place it appears.

(c) PURPOSES FOR WHICH FUNDS MAY BE USED.—Section 204(b) of such title is amended—

(1) by striking "construction and improvement" each place it appears and inserting "planning, research, engineering, and construction"; and

(2) by striking "construction or improvement" and inserting "planning, research, engineering, or construction".

(d) APPROVAL OF INDIAN RESERVATION ROAD PROJECTS.—Section 204(c) of such title is amended by inserting "of" after "15 percent".

(e) INDIAN RESERVATION ROADS PLANNING.—The first sentence of section 204(j) of such title is amended to read as follows: "An Indian tribal government receiving funds under the Indian reservation roads program may use up to 10 percent of its annual allocation under such program for transportation planning activities pursuant to the provisions of the Indian Self-Determination and Education Assistance Act."

(f) OBLIGATION OF FUNDS.—Section 204 of such title is amended by adding at the end the following new subsection:

"(k) OBLIGATION OF FUNDS.—Notwithstanding any other provision of law, funds available for Federal lands highway programs shall be treated as obligated if—

"(1) the Secretary authorizes engineering and related work for a particular project; or

"(2) the Secretary approves plans, specifications, and estimates for procurement of

construction under section 106 or 117 of this title.”.

(g) SET-ASIDE FOR ADMINISTRATIVE EXPENSES OF INDIAN TRIBES.—Section 204 of such title is further amended by adding at the end the following:

“(1) 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.”.

(h) TRANSPORTATION ENHANCEMENT ACTIVITIES.—Section 204 of such title is further amended by adding at the end the following:

“(m) TRANSPORTATION ENHANCEMENT ACTIVITIES.—In making expenditures for transportation enhancement activities as required under section 133, a State shall consider any application submitted to the State by an Indian tribal government seeking assistance to conduct such activities.”.

(i) APPROVAL OF INDIAN RESERVATION ROAD PROJECTS BY THE SECRETARY.—Section 204 of such title is further amended by adding at the end the following:

“(n) 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 1995, 1996, and 1997.

“(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, 1997, 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.”.

(j) REFERENCE TO PARK ROADS.—Section 1003(a)(6)(C) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) is amended—

(1) by striking “HIGHWAYS” in the subparagraph heading and inserting “ROADS”; and

(2) by striking “highways” the place it appears preceding “\$69,000,000” and inserting “roads”.

(k) TECHNICAL AMENDMENT.—Section 1032(b)(2) (A) of such Act (105 Stat. 1974) is amended by striking “improvements” and inserting “improvement”.

**SEC. 240. BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAY.**

Section 217 of title 23, United States Code, is amended—

(1) in subsection (b) by inserting “pedestrian walkways and” before “bicycle transportation facilities”; and

(2) in subsection (f) by striking “and the Federal share” and all that follows through “80 percent”;

(3) by redesignating subsection (j) as subsection (k); and

(4) by inserting after subsection (i) the following new subsection:

“(j) INCLUSION OF PEDESTRIAN WALKWAYS AND BICYCLE TRANSPORTATION FACILITIES IN PLANNING.—

“(1) GENERAL RULE.—The Secretary may not approve under this chapter a highway project for new construction or reconstruction within the boundaries of a State along which a pedestrian walkway or bicycle transportation facility is required to be included under the State’s transportation improvement plan developed under section 135 unless such pedestrian walkway or bicycle transportation facility is part of such highway project.

“(2) EXCEPTION.—The Secretary does not have to approve a project for construction of a pedestrian walkway or bicycle transportation facility under paragraph (1)—

“(A) if the Secretary determines that such construction is not feasible or that use of the walkway or facility would pose a safety risk to pedestrians or bicyclists, as the case may be; or

“(B) the Secretary determines that there will be no substantial transportation or recreation benefit resulting from the project.”.

**SEC. 241. STATE HIGHWAY DEPARTMENT.**

Section 302(b) of title 23, United States Code, is amended by striking “on the Federal-aid secondary system, financed with secondary funds,” and inserting “not on the National Highway System”.

**SEC. 242. MANAGEMENT SYSTEMS.**

Section 303 of title 23, United States Code, is amended in each of subsections (a) and (b) by striking “1 year after the date of the enactment of this section” and inserting “December 18, 1992”.

**SEC. 243. STATE PLANNING AND RESEARCH.**

Section 307 of title 23, United States Code, is amended—

(1) in subsection (c)(1) by striking “104” and inserting “104(b)”;

(2) in subsection (e)(3)(C) by striking “climatic” and inserting “climatic”;

(3) in subsection (e)(13) by striking the quotation marks preceding “\$35,000,000”;

(4) in subsection (f)(2) by striking “section” the first place it appears and inserting “paragraph”;

(5) in the heading to subsection (f)(3) by inserting “EARTHQUAKE” after “NATIONAL”; and

(6) in subsection (f)(3) by inserting “Earthquake” after “National”.

**SEC. 244. APPROPRIATION FOR HIGHWAY PURPOSES OF FEDERAL LANDS.**

Section 317(d) of title 23, United States Code, is amended by striking “system” and inserting “highway”.

**SEC. 245. INTERNATIONAL HIGHWAY TRANSPORTATION OUTREACH PROGRAM.**

Section 325(a)(5) of title 23, United States Code, is amended by striking “the date of the enactment of this section” and inserting “December 18, 1991”.

**SEC. 246. HIGHWAY SAFETY PROGRAMS.**

(a) IN GENERAL.—Section 402 of title 23, United States Code, is amended to read as follows:

**“§ 402. Highway safety programs**

“(a) IN GENERAL.—Each State shall have a highway safety program approved by the Secretary which is designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom.

“(b) UNIFORM GUIDELINES.—

“(1) REQUIREMENT.—The State highway safety programs approved under this section shall be in accordance with uniform guidelines promulgated by the Secretary.

“(2) PERFORMANCE CRITERIA.—The uniform guidelines shall be expressed in terms of performance criteria.

“(3) PURPOSES.—The uniform guidelines shall include, at a minimum, criteria relating to—

“(A) reducing injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits;

“(B) encouraging the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles and increasing public awareness of the benefit of motor vehicles equipped with airbags;

“(C) reducing deaths and injuries resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance;

“(D) reducing deaths and injuries resulting from accidents involving motorcycles;

“(E) reducing injuries and deaths resulting from accidents involving school buses; and

“(F) improving law enforcement services in motor vehicle accident prevention, traffic supervision, and post-accident procedures.

“(4) EFFECTIVENESS DETERMINATION.—A State highway safety program relating to a guideline established pursuant to paragraph (3) shall be considered a most effective program for purposes of subsection (i) unless the Secretary determines, after a rulemaking process under subsection (i), that it should not be so considered and submits a report to Congress describing the reasons for the determination.

“(5) ADDITIONAL PURPOSES.—The uniform guidelines may include provisions to improve driver performance (including driver education, driver testing to determine proficiency to operate motor vehicles, driver examinations (both physical and mental) and driver licensing) and to improve pedestrian performance and bicycle safety. In addition the uniform guidelines may include provisions for an effective record system of accidents (including injuries and deaths resulting therefrom), accident investigations to determine the probable causes of accidents, injuries, and deaths, vehicle registration, operation, and inspection, highway design and maintenance (including lighting, markings, and surface treatment), traffic control, vehicle codes and laws, surveillance of traffic for detection and correction of high or potentially high accident locations, and emergency services.

“(6) APPLICABILITY TO FEDERALLY ADMINISTERED AREAS.—The uniform guidelines which are applicable to State highway safety pro-

grams shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations.

“(7) LIMITATION ON STATUTORY CONSTRUCTION.—Implementation of a highway safety program under this section shall not be construed to require the Secretary to require compliance with every uniform guideline, or with every element of every uniform guideline, in every State.

“(8) COOPERATION IN PROMULGATION.—Uniform guidelines promulgated by the Secretary to carry out this section shall be developed in cooperation with the States, their political subdivisions, appropriate Federal departments and agencies, and such other public and private organizations as the Secretary deems appropriate.

“(9) ASSISTANCE OF OTHER FEDERAL DEPARTMENTS.—The Secretary may make arrangements with other Federal departments and agencies for assistance in the preparation of uniform guidelines for the highway safety programs contemplated by this subsection and in the administration of such programs. Such departments and agencies are directed to cooperate in such preparation and administration, on a reimbursable basis.

“(C) REQUIREMENTS FOR APPROVAL.—

“(1) IN GENERAL.—The Secretary may not approve a State highway safety program under this section which does not—

“(A) provide that the Governor of the State shall be responsible for the administration of the program through a State highway safety agency which shall have adequate powers and be suitably equipped and organized to carry out, to the satisfaction of the Secretary, such program;

“(B) authorize political subdivisions of the State to carry out local highway safety programs within their jurisdictions as a part of the State highway safety program if such local highway safety programs are approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary under this section;

“(C) except as provided in paragraph (2), provide that at least 40 percent of all Federal funds apportioned under this section to the State for any fiscal year will be expended by the political subdivisions of the State, including Indian tribal governments, in carrying out local highway safety programs authorized in accordance with subparagraph (B); and

“(D) provide adequate and reasonable access for the safe and convenient movement of individuals with disabilities, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State.

“(2) WAIVER.—The Secretary may waive the requirement of paragraph (1)(C), in whole or in part, for a fiscal year for any State whenever the Secretary determines that there is an insufficient number of local highway safety programs to justify the expenditure in the State of such percentage of Federal funds during the fiscal year.

“(3) USE OF TECHNOLOGY FOR TRAFFIC ENFORCEMENT.—The Secretary may encourage States to use technologically advanced traffic enforcement devices (including the use of automatic speed detection devices such as photo-radar) by law enforcement officers.

“(d) DATA COLLECTION AND REPORTING PROGRAM.—

“(1) ESTABLISHMENT.—The Secretary shall establish a highway safety program for the collection and reporting of data on traffic-related deaths and injuries by the States. Under such program, the States shall collect and report to the Secretary such data as the Secretary may require.

“(2) PURPOSES.—The purposes of the program under this subsection are to ensure na-

tional uniform data on such deaths and injuries and to allow the Secretary to make determinations for use in developing programs to reduce such deaths and injuries and making recommendations to Congress concerning legislation necessary to implement such programs.

“(3) PROGRAM REQUIREMENTS.—The program under this subsection shall include information obtained by the Secretary under section 4004 of the Intermodal Surface Transportation Efficiency Act of 1991 and provide for annual reports to the Secretary on the efforts being made by the States in reducing deaths and injuries occurring at highway construction sites and the effectiveness and results of such efforts.

“(4) REPORTING CRITERIA.—The Secretary shall establish minimum reporting criteria for the program under this subsection. Such criteria shall include, but not be limited to, criteria on deaths and injuries resulting from police pursuits, school bus accidents, and speeding, on traffic-related deaths and injuries at highway construction sites and on the configuration of commercial motor vehicles involved in motor vehicle accidents.

“(e) USE OF FUNDS.—

“(1) FOR HIGHWAY SAFETY PROGRAMS.—Funds authorized to be appropriated to carry out this section shall be used to aid the States to conduct the highway safety programs approved in accordance with subsection (a), including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of traffic accidents and deaths and injuries resulting therefrom.

“(2) 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, and the remainder shall be apportioned among the several States under subsection (f).

“(3) LIMITATION.—Nothing in this section authorizes the appropriation or expenditure of funds—

“(A) for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines); or

“(B) for any purpose for which funds are authorized by section 403 of this title.

“(f) APPORTIONMENT OF FUNDS.—

“(1) FORMULA.—After the deduction under subsection (e)(2), the remainder of the funds authorized to be appropriated to carry out this section shall be apportioned 75 percent in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, and 25 percent in the ratio which the public road mileage in each State bears to the total public road mileage in all States.

“(2) MINIMUM PERCENTAGE.—The annual apportionment to each State shall not be less than 1/2 of 1 percent of the total apportionment; except that the apportionments to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not be less than 1/4 of 1 percent of the total apportionment.

“(3) APPROVED HIGHWAY SAFETY PROGRAM.—The Secretary shall not apportion any funds under this subsection to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section.

“(4) REDUCTION OF APPORTIONMENT.—Funds apportioned under this section to any State, that does not have a highway safety program approved by the Secretary or that is not implementing an approved program, shall be reduced by amounts equal to not less than 50 percent of the amounts that would otherwise

be apportioned to the State under this section, until such time as the Secretary approves such program or determines that the State is implementing an approved program, as appropriate. The Secretary shall consider the gravity of the State's failure to have or implement an approved program in determining the amount of the reduction.

“(5) APPORTIONMENT OF WITHHELD FUNDS.—

The Secretary shall promptly apportion to the State the funds withheld from its apportionment if the Secretary approves the State's highway safety program or determines that the State has begun implementing an approved program, as appropriate, prior to the end of the fiscal year for which the funds were withheld. If the Secretary determines that the State did not correct its failure within such period, the Secretary shall reapportion the withheld funds to the other States in accordance with the formula specified in this subsection not later than 30 days after such determination.

“(6) DETERMINATION OF PUBLIC ROAD MILEAGE.—

For the purposes of this subsection, the term a 'public road' means any road under the jurisdiction of, and maintained by, a public authority and open to public travel. As used in this subsection, public road mileage shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary.

“(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 highway funds, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to the Federal-aid systems, shall apply to the highway safety 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 (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 local highway safety 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 the provisions of chapter 1 of this title in carrying out this section, the term 'State highway department' as used in such provisions shall mean the Governor of a State for the purposes of this section.

“(h) APPLICATION IN INDIAN COUNTRY.—

“(1) IN GENERAL.—For the purpose of the 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 the

provisions of subsection (c)(1)(C), 95 percent of the funds transferred 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 provisions of subsection (c)(1)(D) shall be applicable to Indian tribes, except to those tribes with respect to which the Secretary determines that application of such provisions would not be practicable.

“(2) INDIAN COUNTRY DEFINED.—For the purpose of 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.

“(i) RULEMAKING PROCESS.—The Secretary may from time to time conduct a rulemaking process to determine those highway safety programs that are most effective in reducing traffic accidents, injuries, and deaths. Any rule under this subsection shall be promulgated taking into account consideration of the views of the States having a major role in establishing such programs. When a rule promulgated in accordance with this subsection takes effect, only those programs established by such rule as most effective in reducing traffic accidents, injuries, and deaths shall be eligible to receive Federal financial assistance under this section.”

(b) SECTION 2005.—Section 2005(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2079) is amended—

(1) by striking “and” the first place it appears and inserting a comma; and

(2) by striking “, 1994,” and inserting “and 1994, and \$146,000,000 for each of fiscal years”.

**SEC. 247. NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE.**

Section 404(d) of title 23, United States Code, is amended by striking “Commerce” and inserting “Transportation”.

**SEC. 248. ALCOHOL-IMPAIRED DRIVING COUNTER-MEASURES.**

(a) TECHNICAL AMENDMENT.—Section 410(d)(1)(E) of title 23, United States Code, is amended by striking “the date of enactment of this section” and inserting “December 18, 1991”.

(b) BASIC GRANT ELIGIBILITY.—Section 410(d)(3) of such title is amended—

(1) by inserting “(A)” after “(3)”; and

(2) by adding at the end the following:

“(B) A State shall be treated as having met the requirement of this paragraph if—

“(i) the State provides to the Secretary a written certification that the highest court of the State has issued a decision indicating that implementation of subparagraph (A) would constitute a violation of the constitution of the State; and

“(ii) the State demonstrates to the satisfaction of the Secretary—

“(I) that the alcohol fatal crash involvement rate in the State has decreased in each of the 3 most recent calendar years for which statistics for determining such rate are available; and

“(II) that the alcohol fatal crash involvement rate in the State has been lower than the average such rate for all States in each of such calendar years.”

**SEC. 249. PUBLIC TRANSIT FACILITIES.**

Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 is

amended by striking “this Act” each place it appears and inserting “the Department of Transportation and Related Agencies Appropriations Act, 1993”.

**SEC. 250. ROADSIDE BARRIER TECHNOLOGY.**

Section 1058 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note; 105 Stat. 2003) is amended—

(1) in subsection (a) by striking “median” and inserting “or temporary crashworthy”;

(2) in subsection (a) by inserting “crashworthy” after “Innovative”;

(3) in the heading of subsection (c) by inserting “CRASHWORTHY” after “INNOVATIVE”;

(4) in subsection (c) by inserting “crashworthy” after “innovative”;

(5) in subsection (c) by striking “median”;

(6) by inserting “or guiderail” after “guardrail”; and

(7) by inserting before the period at the end of subsection (c) “, and meets or surpasses the requirements of the National Cooperative Highway Research Program 350 for longitudinal barriers”.

**SEC. 251. PENSACOLA, FLORIDA.**

Section 1086(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2022) is amended by striking “Not later than 2 years after the date of the enactment of this Act,” and inserting “On or before June 18, 1995.”

**SEC. 252. HIGH COST BRIDGE PROJECTS.**

The table contained in section 1103(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027–2028) is amended—

(1) in item number 5, relating to Gloucester Point, Virginia, by inserting after “York River” the following: “and for repair, strengthening, and rehabilitation of the existing bridge”; and

(2) in item number 10, relating to Shakopee, Minnesota, by inserting “project, including the bypass of” after “replacement”.

**SEC. 253. CONGESTION RELIEF PROJECTS.**

The table contained in section 1104(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2029–2031) is amended—

(1) in item number 10, relating to San Diego, California, by striking “1 block of Cut and Cover Tunnel on Rt. 15” and inserting “bridge decking on Route 15”; and

(2) in item number 43, relating to West Virginia, by striking “Coal Fields” and inserting “Coalfields”.

**SEC. 254. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.**

(a) EAST-WEST TRANSAMERICA CORRIDOR.—Section 1105(c)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended by inserting before the period at the end the following: “, including (A) a Kentucky corridor centered on the cities of Paducah, Benton, Hopkinsville, Bowling Green, Columbia, Somerset, London, Hazard, Jenkins, and Pikeville, Kentucky, to Williamson, West Virginia, and (B) a West Virginia corridor from Williamson to the vicinity of Welch, West Virginia, sharing a common corridor with the I-73/74 corridor (referred to in item 12 of the table contained in subsection (f)), and from the vicinity of Welch to Beckley, West Virginia, as part of the Coalfields Expressway described in section 1069(v)”.

(b) INDIANAPOLIS TO HOUSTON CORRIDOR.—Section 1105(c)(18) of such Act (105 Stat. 2032) is amended by inserting before the period at the end the following: “, including a Kentucky corridor centered on the cities of Henderson, Sturgis, Smithland, Paducah, Bardwell, and Hickman, Kentucky”.

**SEC. 255. HIGH PRIORITY CORRIDOR PROJECTS.**

The table contained in section 1105(f) of the Intermodal Surface Transportation Effi-

ciency Act of 1991 (105 Stat. 2033–2035) is amended—

(1) in item 1, relating to Pennsylvania, by inserting after “For” the following: “the segment described in item 6 of this table and, after completion of such segment, for”; and

(2) in item number 26, relating to Indiana, Kentucky, Tennessee, by striking “Newberry” and inserting “Evansville”.

**SEC. 256. RURAL ACCESS PROJECTS.**

(a) PROJECT DESCRIPTIONS.—The table contained in section 1106(a)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2037–2042) is amended—

(1) in item number 34, relating to Illinois, by striking “Resurfacing” and all that follows through “Omaha” and inserting “Bel-Air Road improvement from south of Carmi to State Route 141 in southeastern White County”;

(2) in item number 52, relating to Bedford Springs, Pennsylvania, by striking “and Huntingdon” and inserting “Franklin, and Huntingdon”;

(3) in item number 61, relating to Lubbock, Texas, by striking “with” and inserting “with Interstate 10 through”;

(4) in item number 75, relating to Pennsylvania, by striking “Widen” and all that follows through “lanes” and inserting “Road improvements on a 14-mile segment of U.S. Route 15 in Lycoming County, Pennsylvania”;

(5) in item number 92, relating to Ohio, by striking “Minerva, Ohio” and insert “Lisbon, Ohio”;

(6) in item number 93, relating to New Mexico, by striking “Raton-Clayton Rd., Clayton, New Mexico” and inserting “U.S. Rt. 64/87 from Raton, New Mexico, through Clayton to the Texas-New Mexico State line”; and

(7) in item number 111, relating to Parker County, Texas (SH199)—

(A) by striking “Parker County” and inserting “Parker and Tarrant Counties”; and

(B) by striking “to four-” and inserting “in Tarrant County, to freeway standards and in Parker County to a 4-”.

(b) ADDITIONAL FUNDING.—Section 1106(a) of such Act is amended by adding at the end the following:

“(8) ADDITIONAL FUNDING.—In addition to funds otherwise made available by this subsection for the project described in item number 52 of the table contained in paragraph (2), there shall be available from the Highway Trust Fund (other than the Mass Transit Account) for carrying out such project \$5,000,000 for fiscal year 1995 and \$1,300,000 per fiscal year for each of fiscal years 1996 and 1997.”

**SEC. 257. URBAN ACCESS AND MOBILITY PROJECTS.**

The table contained in section 1106(b)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2043–2047) is amended—

(1) in item number 13, relating to Joliet, Illinois, by striking “and construction and interchange at Houbolt Road and I-80”; and

(2) in item number 36, relating to Compton, California, by striking “For a grade” and all that follows through “Corridor” and inserting “For grade separations and other improvements in the city of Compton, California”.

**SEC. 258. INNOVATIVE PROJECTS.**

The table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2048–2059) is amended—

(1) in item 20, relating to Holidaysburg, Pennsylvania—

(A) by striking “Holidaysburg,” the first place it appears; and

(B) by inserting “, or other projects in the counties of Bedford, Blair, Centre, Franklin, and Huntingdon as selected by the State of

Pennsylvania" after "Pennsylvania" the second place it appears;

(2) in item number 29, relating to Blacksburg, Virginia, by inserting "methods of facilitating public and private participation in" after "demonstrate";

(3) in item number 35, relating to Alabama, by striking "to bypass" and all that follows through "I-85" and inserting "beginning on U.S. Route 80 west of Montgomery, Alabama, and connecting to I-65 south of Montgomery and I-85 east of Montgomery";

(4) in item number 52, relating to Pennsylvania, by striking "off Interstate" and all that follows through "Pennsylvania" and inserting "and other highway projects within a 30-mile vicinity of Interstate Route 81 or Interstate Route 80 in northeastern Pennsylvania";

(5) in item number 61, relating to Mojave, California, by striking "Mojave" and inserting "Victorville" and by inserting "Mojave" after "reconstruct";

(6) in item number 76, relating to Tennessee—

(A) by inserting after "I-81" the following: "interchange at"; and

(B) by striking "Interchange" and inserting "or Kendrick Creek Road";

(7) in item number 100, relating to Arkansas, by striking "Thornton" and inserting "Little Rock";

(8) in item number 113, relating to Durham County, North Carolina, by inserting after "Route 147" the following: ", including the interchange at I-85"; and

(9) in item number 114, relating to Corpus Christi to Angleton, Texas, by striking "Construct new multi-lane freeway" and inserting "Construct a 4-lane divided highway".

**SEC. 259. INTERMODAL PROJECTS.**

The table contained in section 1108(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2060-2063) is amended—

(1) in item number 5, relating to Pennsylvania, by striking "Upgrading" and inserting "To study the need to upgrade" and by inserting "to a 4-lane limited access highway" after "Airport";

(2) in item number 9, relating to E. Haven/Wallingford, Connecticut—

(A) by striking "\$8.8" and inserting "\$7.5";

(B) by striking "\$2.4" and inserting "\$2.0"; and

(C) by striking "\$0.7" and inserting "\$0.6";

(3) in item 38, relating to Provo, Utah, strike "South" and all that follows through "Airport" and insert "East-West Connector from United States Highway 89-189, Provo, Utah"; and

(4) in item 51, relating to Long Beach, California, by inserting "(including a grade separation project for the Los Alamitos traffic circle at Lakewood Boulevard and Pacific Coast Highway)" after "Access".

**SEC. 260. MISCELLANEOUS INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT AMENDMENTS.**

(a) CROSS REFERENCE IN HIGHWAY USE TAX EVASION PROGRAM.—Section 1040(a) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note; 105 Stat. 1992) is amended by striking "(e)" and inserting "(f)".

(b) REPORT TO CONGRESS ON QUALITY IMPROVEMENT.—Section 1043(b) of such Act (105 Stat. 1993) is amended by inserting "General" after "Comptroller".

(c) COALFIELDS EXPRESSWAY.—Section 1069(v) of such Act (105 Stat. 2010) is amended by striking "97, 10, 16, and 93" and inserting "16, and 83".

(d) PERIOD OF AVAILABILITY OF FUNDS FOR MISCELLANEOUS PROJECTS.—Section 1069 of such Act is amended—

(1) by striking the last sentence of subsection (y); and

(2) by adding at the end the following new subsection:

"(ii) PERIOD OF AVAILABILITY.—Funds provided to carry out this section shall remain available until expended.".

(e) FINAL RULE FOR ROADSIDE BARRIERS AND SAFETY APPURTENANCES.—Section 1073(b) of such Act (105 Stat. 2012) is amended by striking "1 year" and inserting "2 years".

(f) INTERSTATE STUDY COMMISSION.—Section 1099 of such Act (105 Stat. 2026) is amended—

(1) by striking "bill" and inserting "Act";

(2) by striking "passage of this legislation" and inserting "the enactment of this Act";

(3) by inserting after "Columbia" the second place it appears the following: "appointed by the Governors of the States of Maryland and Virginia and the Mayor of the District of Columbia, respectively"; and

(4) by striking "appointed by the Governors and the Mayor" and inserting ", 1 each for Maryland, Virginia, and the District of Columbia appointed by the Governors and the Mayor, respectively".

(g) DRUG RECOGNITION EXPERT TRAINING PROGRAM.—Section 2006(b) of such Act (23 U.S.C. 403 note; 105 Stat. 2080) is amended by inserting "Federal" before "Advisory".

(h) APPLICABILITY OF OBLIGATION CEILING TO CERTAIN HIGHWAY SAFETY PROGRAMS.—Section 2009 of such Act (105 Stat. 2080) is amended—

(1) by striking "(a) IN GENERAL.—";

(2) by striking "211(b)" the first place it appears and inserting "211";

(3) by striking "102" and inserting "1002"; and

(4) by striking subsection (b).

**SEC. 261. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM.**

In administering section 1003(b) of the Intermodal Surface Transportation Efficiency Act of 1991, the limitation on annual gross receipts of a small business concern set forth in paragraph (2)(A) of such section shall be the only limitation on annual gross receipts which applies to small business concerns.

**SEC. 262. AMENDMENTS TO SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987.**

(a) SECTION 149.—Section 149(a)(69) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 191), relating to Burbank-Glendale-Pasadena Airport, California, is amended—

(1) in the first sentence by striking "highway";

(2) in the first sentence by striking "and construction of terminal and parking facilities at such airport"; and

(3) by striking "by making" in the second sentence and all that follows through the period at the end of such sentence and inserting: "by preparing a feasibility study and conducting preliminary engineering, design, and construction of a link between such airport and the commuter rail system that is being developed by the Los Angeles County Metropolitan Transportation Authority.".

(b) SECTION 317.—Section 317(b) of such Act (49 U.S.C. App. 1608 note; 101 Stat. 233) is amended—

(1) in paragraphs (2) and (3) by inserting "or cooperative agreement" after "contract" each place it appears; and

(2) by adding at the end the following new paragraph:

"(7) CONVERSION OF CONTRACTS.—The Secretary may convert existing contracts entered into under this subsection into cooperative agreements.".

**SEC. 263. FREEWAY SERVICE PATROLS.**

(a) GENERAL RULE.—Except to the extent that the Secretary shall find that it is not feasible, any funds expended in a fiscal year directly or indirectly for freeway service pa-

trols from amounts made available to a State under titles I and III of the Intermodal Surface Transportation Efficiency Act of 1991 shall be expended with privately owned or privately operated business concerns. The preceding sentence shall not apply to any publicly owned or operated freeway service patrol that was in operation before the date of the enactment of this Act.

(b) DEFINITION.—For purposes of this section, the term "freeway service patrol" means automotive road service vehicles and automotive towing vehicles operated in a continuous, dedicated service as part of an incident management program.

**SEC. 264. PAN AMERICAN HIGHWAY.**

(a) STUDY.—The Secretary shall conduct a study on the adequacy of and the need for improvements to the Pan American Highway.

(b) ELEMENTS.—The study to be conducted under subsection (a) shall at a minimum include the following elements:

(1) Findings on the benefits of constructing a highway at Darien Gap, Panama and Colombia.

(2) Recommendations for a self-financing arrangement for completion and maintenance of the Pan American Highway.

(3) Recommendations for establishing a Pan American highway authority to monitor financing, construction, maintenance, and operations of the Pan American Highway.

(4) Findings on the benefits to trade and prosperity of a more efficient Pan American Highway.

(5) Findings on the benefits to United States industry through the use of United States technology and equipment in construction of improvements to the Pan American Highway.

(6) Findings on environmental considerations, including environmental considerations relating to the Darien Gap.

(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.

**SEC. 265. SECTION 3 PROGRAM AMENDMENTS.**

(a) LETTERS OF INTENT.—Section 3(a)(4)(E) of the Federal Transit Act (49 U.S.C. App. 1602(a)(4)(E)) is amended—

(1) in the first sentence by striking "letters of intent" and all that follows through "shall not exceed the" and inserting "letters of intent, early systems work agreements, and full funding grant agreements shall not exceed the"; and

(2) in the second sentence by striking "new letters issued" and all that follows through "shall not exceed any" and inserting "new letters issued and contingent commitments included in early systems work agreements and full funding agreements shall not exceed any".

(b) ASSURED TIMETABLE FOR FINAL DESIGN STAGE.—Section 3(a)(6)(C) of the Federal Transit Act (49 U.S.C. App. 1602(a)(6)(C)) is amended by inserting before the period at the end the following: "or, if an environmental impact statement is not required for such project, the date of completion of an environmental assessment for such project or of a finding of no significant impact".

(c) OREGON LIGHT RAIL PROGRAM.—Section 3(a)(8)(C)(v) of such Act is amended—

(1) by striking "Westside" the first place it appears;

(2) by striking "and" following "101-584"; and

(3) by inserting before the period at the end the following "; and the locally preferred alternative for the South/North Corridor Project between Clackamas County, Oregon, Portland, Oregon, and Clark County, Washington".

(d) RAIL MODERNIZATION.—Section 3(h) of such Act is amended in paragraph (6) by

striking "paragraph" and inserting "subsection".

(e) NONAPPLICABILITY.—Section 3(i)(5)(C) of such Act is amended by striking "the Federal-Aid Highway Act of 1991" and inserting the following: "title 23, United States Code.".

(f) TRANSITIONAL PROVISION FOR PROGRAMS OF INTERRELATED PROJECTS.—Section 3011(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (49 U.S.C. App. 1602 note; 105 Stat. 2098) is amended by inserting after "interrelated projects" the following: "but excluding any project for which a timetable for project review or for Federal funding is provided for by a provision of law other than section 3(a)(6) of the Federal Transit Act and for which such timetable is different than the timetable established by such section".

(g) CONFORMING AMENDMENTS.—Section 3007 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2091) is amended—

(1) in paragraph (5)(B) by striking the comma which precedes the closing quotation marks and the semicolon; and

(2) in paragraph (6) by striking the comma which precedes the closing quotation marks and the final period.

#### SEC. 266. METROPOLITAN PLANNING.

(a) TECHNICAL AMENDMENTS.—Section 8 of the Federal Transit Act (49 U.S.C. App. 1607) is amended—

(1) in subsection (f)(5) by inserting "of title 23, United States Code" after "133";

(2) in subsection (f)(9) by striking "of this title" and inserting "of such title";

(3) in subsection (f)(11) by inserting "passengers and" before "freight";

(4) in subsection (g)(5) by redesignating subparagraphs (i) and (ii) as subparagraphs (A) and (B), respectively;

(5) in subsection (i)(3) by striking "this title and the Federal Transit Act" and inserting "title 23, United States Code, and this Act";

(6) in subsection (i)(4) by striking "or pursuant to the Federal Transit" and inserting "or pursuant to this";

(7) in subsection (i)(5) by inserting "of title 23, United States Code," after "section 134";

(8) in subsection (i)(5) by inserting "of such title" after "104(b)(3)";

(9) in subsection (i)(5) by inserting "of such title" after "133(d)(3)" each place it appears;

(10) in subsection (i)(5) by striking "the Federal Transit" the first 2 places it appears and inserting "this";

(11) in subsection (i)(5) by striking "section 8(o) of the Federal Transit Act" and inserting "subsection (o) of this section";

(12) in subsection (m)(1) by striking "or the Federal Transit" and inserting "or this";

(13) in each of subsections (p)(2) and (p)(4) by striking "section 8" the first place it appears and inserting "this section";

(14) in subsection (p)(2) by striking "section 8 of this Act" and inserting "this section";

(15) in subsection (p)(3) by striking "subparagraph (B)" and inserting "paragraph (2)"; and

(16) in subsection (p)(5) by striking "paragraph" and inserting "section".

(b) FACTORS TO BE CONSIDERED.—Section 8(f) of such Act is amended by adding at the end the following new paragraph:

"(16) Recreational travel and tourism.".

(c) LONG RANGE PLAN.—Section 8(g)(2)(B) of such Act is amended by striking "long-range" and inserting "long range".

(d) TRANSFER OF FUNDS.—Section 8(k) of such Act is amended by striking the last sentence.

(e) NONATTAINMENT AREA REQUIREMENTS.—Section 8(l) of such Act is amended by striking "transit" and inserting "highway".

#### SEC. 267. FORMULA GRANT PROGRAM.

(a) TRANSIT SECURITY SYSTEMS.—Section 9(e)(3) of the Federal Transit Act (49 U.S.C. App. 1607a(e)(3)) is amended by inserting before "and any other" in the last sentence the following: "employing law enforcement or security personnel in areas within or adjacent to such systems";.

(b) GRANDFATHER OF CERTAIN URBANIZED AREAS.—Section 9(s)(2) of such Act is amended by striking "fiscal year 1993," and inserting "each of fiscal years 1993 and 1994,".

(c) FERRYBOAT OPERATIONS.—For purposes of calculating apportionments under section 9 of the Federal Transit Act for fiscal years beginning after September 30, 1994, 50 percent of the ferryboat revenue vehicle miles and 50 percent of the ferryboat route miles attributable to service provided to the city of Avalon, California, for which the operator receives public assistance shall be included in the calculation of "fixed guideway vehicle revenue miles" and "fixed guideway route miles" attributable to the Los Angeles urbanized area under sections 9(b)(2) and 15 of such Act.

#### SEC. 268. MASS TRANSIT ACCOUNT BLOCK GRANTS.

Section 9B(a) of the Federal Transit Act (49 U.S.C. App. 1607a-2(a)) is amended by striking "subsections (b) and (c) of".

#### SEC. 269. GRANTS FOR RESEARCH AND TRAINING.

(a) NATIONAL CENTER.—Section 11(b)(10)(A) of the Federal Transit Act (49 U.S.C. 1607c(b)(10)(A)) is amended by striking "technology" and inserting "Technology".

(b) APPLICABILITY OF OBLIGATION CEILING TO FUNDING FOR UNIVERSITY TRANSPORTATION CENTERS.—Section 11(b)(12) of such Act is amended by striking "102" and inserting "1002".

(c) UNIVERSITY RESEARCH INSTITUTES.—Section 11(c) of such Act is amended—

(1) in the heading to paragraph (1) by striking "INSTITUTE FOR NATIONAL" and inserting "INTERNATIONAL INSTITUTE FOR";

(2) in paragraph (1) by striking "an institute for national" and inserting "an international institute for";

(3) in paragraph (3) by striking "through the Institute for Transportation Research and Education and" and inserting a comma;

(4) in paragraph (3) by inserting a comma after "South Florida";

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(6) by inserting after paragraph (5) the following:

"(6) INSTITUTE FOR TRANSPORTATION POLICY AND MANAGEMENT.—

"(A) GRANTS.—The Massachusetts State highway department shall make grants under this section jointly to the University of Massachusetts, Harvard University, and the Massachusetts Institute of Technology to establish and operate an interdisciplinary institute to carry out research and training on issues and operations in urban transportation policy and on strategies for the improvement of urban transportation management and to disseminate the findings thereof.

"(B) FUNDING.—The Massachusetts State highway department shall expend, from amounts made available to it for each of the fiscal years 1995 through 1997 under section 307(c) of title 23, United States Code, \$1,000,000 per fiscal year to carry out the purposes of this paragraph.";

(7) in paragraph (7), as redesignated by paragraph 5 of this subsection by striking "through the Institute for Transportation Research and Education".

#### SEC. 270. GENERAL PROVISIONS.

(a) CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.—Section 12(b) of the Federal Transit Act (49 U.S.C. App. 1608(b)) is amend-

ed by adding at the end the following new paragraph:

"(5) SPECIAL RULES FOR ENGINEERING AND DESIGN CONTRACTS.—

"(A) PERFORMANCE AND AUDITS.—Any contract or subcontract awarded in accordance with paragraph (4), whether funded in whole or in part with Federal transit funds, shall be performed and audited in compliance with cost principles contained in the Federal acquisition regulations of part 31 of title 48 of the Code of Federal Regulations.

"(B) INDIRECT COST RATES.—Instead of performing its own audits, a recipient of funds under a contract or subcontract awarded in accordance with paragraph (4) shall accept indirect cost rates established in accordance with the Federal acquisition regulations for 1-year applicable accounting periods by a cognizant government agency or independent certified public accountant if such rates are not currently under dispute. Once a firm's indirect cost rates are accepted, the recipient of such funds shall apply such rates for the purposes of contract estimation, negotiation, administration, reporting, and contract payment and shall not be limited by administrative or de facto ceilings in accordance with section 15.901(c) of such title 48. A recipient of such funds requesting or using the cost and rate data described in this subparagraph shall notify any affected firm before such request or use. Such data shall be confidential and shall not be accessible or provided, in whole or in part, to any other firm or to any government agency which is not part of the group of agencies sharing cost data under this subparagraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.

"(C) STATE OPTION.—Subparagraphs (A) and (B) shall take effect 2 years after the date of the enactment of this paragraph with respect to all States; except that if a State, during such 2-year period, adopts by statute an alternative process intended to promote engineering and design quality and ensure maximum competition by professional companies of all sizes providing engineering and design services, such subparagraphs shall not apply with respect to such State."

(b) RAIL TRACKAGE RIGHTS AGREEMENTS.—Section 12(c)(1) of such Act is amended by inserting "payments for the capital portions of rail trackage rights agreements," after "rights-of-way,".

(c) TECHNICAL AMENDMENT.—The first sentence of section 12(f)(1) of such Act is amended by striking "such State of local" and inserting "such State or local".

(d) TURNKEY SYSTEM PROJECT.—Section 12(l) of such Act is amended—

(1) in paragraph (1)(C) by striking "is" and inserting "may be"; and

(2) in paragraph (3) by striking "the date of the enactment of this Act" and inserting "the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991".

(e) SALE OF CAPITAL ASSETS.—Section 12 of such Act is further amended by adding at the end the following new subsection:

"(n) SALE OF CAPITAL ASSETS.—

"(1) IN GENERAL.—If a recipient of assistance under this Act determines that facilities and equipment and other assets (including land) acquired, in whole or in part, with such assistance are no longer needed for the purposes for which they were acquired, the Secretary shall authorize the sale of the assets with no further obligation to the Federal Government if the Secretary determines that—

"(A) there are no purposes eligible for assistance under this Act for which the asset should be used; and

“(B) the proceeds from the sale of the asset will be used by the recipient to procure items eligible for capital assistance under this Act.

“(2) RELATIONSHIP TO OTHER LAWS.—The provisions of this subsection shall be in addition to and not in lieu of any other provision of law governing use and disposition of facilities and equipment under an assistance agreement.”.

**SEC. 271. PERIOD OF AVAILABILITY AND RE-APPORTIONMENT OF SECTION 16 FUNDS.**

Section 16 of the Federal Transit Act (49 U.S.C. App. 1612) is amended—

(1) in subsection (b) by inserting “and” after the semicolon at the end of paragraph (1);

(2) in subsection (b) by striking “; and” at the end of paragraph (2) and inserting a period;

(3) in subsection (b) by striking paragraph (3) and inserting the following:

“Eligible capital expenses under this subsection may include, at the option of the recipient, the acquisition of transportation services under a contract, lease, or other arrangement.”;

(4) in subsection (c)(4) by striking “the enactment of the Federal Transit Act” and inserting “the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991”;

(5) by adding at the end of subsection (c) the following new paragraph:

“(5) PERIOD OF AVAILABILITY.—Sums apportioned under this subsection shall be available for obligation by the State for a period of 2 years following the close of the fiscal year for which the sums are apportioned and any amounts remaining unobligated at the end of such period shall be reapportioned among the States for the succeeding fiscal year.”;

(6) in subsection (e) by striking “handicapped and elderly individuals” and inserting “elderly persons and persons with disabilities”; and

(7) in subsection (e) by striking “such individuals” and inserting “such persons”.

**SEC. 272. RURAL TRANSIT PROGRAM.**

The second sentence of section 18(a) of the Federal Transit Act (49 U.S.C. App. 1614(a)) is amended by striking the final period.

**SEC. 273. NONDISCRIMINATION.**

Section 19 of the Federal Transit Act (49 U.S.C. App. 1615) is amended—

(1) by striking “(1)” each place it appears;

(2) by redesignating paragraphs (2), (3), (4) and (5) as subsections (b), (c), (d), and (e), respectively;

(3) in subsection (c) as so redesignated—

(A) by striking “(A)” and inserting “(1)”;

(B) by striking “(B)” and inserting “(2)”;

(C) by striking “paragraph (a)” and inserting “paragraph (1)”;

(D) by striking “(i)” and inserting “(A)”;

(E) by striking “(ii)” and inserting “(B)”;

(F) by striking “(iii)” and inserting “(C)”;

and

(G) by striking “(iv)” and inserting “(D)”;

and

(4) in subsection (d) as so redesignated by striking “(a)(3)(B)(ii)” and inserting “(c)(2)(B)”.

**SEC. 274. AUTHORIZATIONS.**

(a) FORMULA GRANT PROGRAM FROM TRUST FUND.—Section 21(a)(1) of the Federal Transit Act (49 U.S.C. App. 1617(a)(1)) is amended—

(1) by striking “8 9B,” and inserting “6, 8, 9B, 10,”; and

(2) by inserting “20,” after “18,”.

(b) FORMULA GRANT PROGRAM FROM GENERAL FUND.—Section 21(a)(2) of such Act is amended—

(1) by striking “8 9,” and inserting “6, 8, 9, 10,”; and

(2) by inserting “20,” after “18,”.

(c) SETASIDE FOR PLANNING, PROGRAMMING, AND RESEARCH.—Section 21(c) of such Act is amended—

(1) by inserting “beginning after September 30, 1992,” after “each fiscal year”;

(2) by striking “or appropriated” each place it appears;

(3) in paragraph (3) by striking “the State program under”; and

(4) in paragraph (4) by striking “the national program under”.

(d) OTHER SETASIDES.—Section 21(d) of such Act is amended by striking “or appropriated” each place it appears.

(e) COMPLETION OF INTERSTATE TRANSFER TRANSIT PROJECTS.—Section 21(e) of such Act is amended by striking “\$160,000,000” and all that follows through the period at the end and inserting “for fiscal years beginning after September 30, 1991, not to exceed \$324,843,000. Such sums shall remain available until expended.”.

**SEC. 275. PROJECT MANAGEMENT OVERSIGHT.**

Section 23 of the Federal Transit Act (49 U.S.C. App. 1619) is amended—

(1) in subsection (a) by striking “or 18” and inserting “and 18”; and

(2) in subsection (h) by striking “subsections (a) (1) through (5)” and inserting “subsection (a)”.

**SEC. 276. PLANNING AND RESEARCH PROGRAM.**

(a) STATE PROGRAM.—Section 26(a) of the Federal Transit Act (49 U.S.C. App. 1622(a)) is amended to read as follows:

“(a) ALLOCATION OF PLANNING FUNDS.—

“(1) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Fifty percent of the funds made available under sections 21(b)(3)(D) and 21(c)(3) shall be available for the transit cooperative research program to be administered as follows:

“(A) INDEPENDENT GOVERNING BOARD.—The Secretary shall establish an independent governing board for such program to recommend such transit research, development, and technology transfer activities as the Secretary deems appropriate.

“(B) 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 as the Secretary determines are appropriate.

“(2) STATE PLANNING AND RESEARCH.—The remaining 50 percent of funds made available under sections 21(b)(3)(D) and 21(c)(3) shall be apportioned to the States for grants and contracts consistent with the purposes of sections 6, 8, 10, 11, and 20 of this Act in the ratio which the population in urbanized areas in each State bears to the total population in urbanized areas in all the States, as shown by the latest available decennial census, except that no State shall receive less than 1/2 of 1 percent of the amount apportioned under this subsection. In any case in which a statewide transit agency is responsible under State law for the financing, construction, and operation, directly, by lease, contract, or otherwise, of statewide public transportation services, such agency shall be the recipient for receiving and dispensing funds under this paragraph.

“(3) ALLOCATION WITHIN A STATE.—A State may authorize a portion of its funds made available under paragraph (2) to be used to supplement funds available under paragraph (1), as the State deems appropriate.”.

(b) NATIONAL PROGRAM.—Section 26(b) of such Act is amended—

(1) in paragraph (1) by striking “section 21(c)(4)” and inserting “sections 21(b)(3)(E) and 21(c)(4)”;

(2) in paragraph (2) by inserting “annually” after “\$2,000,000”.

(c) PILOT PROJECT.—Section 26(c)(4) of such Act is amended by striking “the date of the

enactment of this Act” each place it appears and inserting “the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991”.

**SEC. 277. NEEDS SURVEY AND TRANSFERABILITY STUDY.**

Section 27(b) of the Federal Transit Act (49 U.S.C. App. 1623(b)) is amended—

(1) in paragraph (1) by striking “(3)”;

(2) in paragraph (2) by striking “such sections” and inserting “section 9(j) of this Act”; and

(3) in paragraph (2) by striking “With” and inserting “with”.

**SEC. 278. STATE RESPONSIBILITY FOR RAIL FIXED GUIDEWAY SYSTEM.**

Section 28 of the Federal Transit Act (49 U.S.C. App. 1624(b)) is amended—

(1) in the section heading by inserting “rail” before “fixed guideway”; and

(2) in subsection (b)(1) by inserting “rail” before “fixed guideway”.

**SEC. 279. NATIONAL TRANSIT INSTITUTE.**

Section 29 of the Federal Transit Act (49 U.S.C. App. 1625) is amended in the heading to subsection (b) by striking “FUNDING” and inserting “TRAINING OF STATE AND LOCAL GOVERNMENT TRANSPORTATION PERSONNEL”.

**SEC. 280. INCREASED FEDERAL SHARE.**

The Federal Transit Act (49 U.S.C. App. 1601-1625) is amended by adding at the end the following new section:

**“SEC. 30. INCREASED FEDERAL SHARE.**

“(a) STATES WITH LARGE AREAS OF INDIAN AND CERTAIN PUBLIC DOMAIN LANDS.—In the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments, exceeding 5 percent of the total area of all lands in the State, the Federal share which, but for this subsection, would be applicable for any construction project under this Act shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in the State is of its total area.

“(b) STATES WITH LARGE AREAS OF INDIAN AND PUBLIC DOMAIN LANDS AND NATIONAL FORESTS, PARKS, AND MONUMENTS.—In the case of any State containing nontaxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), national forests, and national parks and monuments, the Federal share which, but for this subsection, would be applicable for any construction project under this Act shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area.

“(c) MAXIMUM SHARE.—Notwithstanding subsections (a) and (b) of this section, the Federal share for any construction project under this Act shall not exceed 95 percent of the total cost of such project.

“(d) GRANT RECIPIENT AGREEMENT.—In any case where a grant recipient elects to have the Federal share provided in subsection (b) of this section, the grant recipient must enter into an agreement with the Secretary covering a period of not less than 1 year, requiring grant recipient to use solely for purposes eligible for assistance (other than operating assistance) under this Act (other than paying its share of projects approved under this Act) during the period covered by such agreement the difference between the grant recipient's share as provided in subsection (b) and what its share would be if it elected to pay the share provided in subsection (a) for all projects subject to such agreement.”.

**SEC. 281. PERFORMANCE REPORTS ON MASS TRANSIT SYSTEMS.**

Section 308(e)(1) of title 49, United States Code, is amended by striking “January of

each even-numbered year" and inserting "January 1994, January 1995, and January of each odd-numbered year thereafter".

SEC. 282. CROSS REFERENCE TO FEDERAL TRANSIT ACT.

Section 176 of the Clean Air Act (42 U.S.C. 7506) is amended in each of subsections (c)(2) and (d) by striking "Urban Mass Transportation" each place it appears and inserting "Federal Transit".

SEC. 283. PARTICIPATION IN INTERNATIONAL REGISTRATION PLAN AND INTERNATIONAL FUEL TAX AGREEMENT.

Section 4008(j) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2155) is amended by striking "102" in the second sentence and inserting "1002".

SEC. 284. INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.

(a) OPERATIONAL TESTING PROJECTS.—Section 6055(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2192-2193) is amended by inserting "and enter into cooperative agreements and contracts with" after "The Secretary may make grants to".

(b) FUNDING.—Section 6058 of such Act (105 Stat. 2194-2195) is amended—

(1) in the second sentence of subsection (d) by striking "projects undertaken pursuant to subsection (c) of this section" and inserting "activities undertaken with funds made available under subsection (b) and activities undertaken with funds subject to subsection (c)";

(2) in subsection (e) by striking "102" and inserting "1002"; and

(3) by adding at the end the following new subsection:

"(f) NONAPPLICABILITY OF OTHER REQUIREMENTS OF LAW.—A person (including a public agency) that does not receive assistance under title 23, United States Code, the Federal Transit Act, or any provision of this Act (other than the Intelligent Vehicle-Highway Systems Act of 1991) shall not be subject to any Federal design standard, law, or regulation applicable to persons receiving such assistance solely by reason of such person receiving assistance under this section."

SEC. 285. TITLE 49, UNITED STATES CODE, AMENDMENTS.

The analysis for chapter 1 of title 49, United States Code, is amended—

(1) by striking "Sec. 110. Saint Lawrence Seaway Development Corporation."; and

(2) by striking "Sec. 111." and inserting "111.".

SEC. 286. SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AMENDMENTS.

(a) MOTOR CARRIER SAFETY GRANT PROGRAM.—Section 402 of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2302) is amended—

(1) by moving each of subparagraphs (H) through (N) (including any clauses therein) 2 ems to the left;

(2) in subsection (b)(1)(N) by striking "give" and inserting "gives"; and

(3) in subsection (d) by striking "3" and inserting "5".

SEC. 287. COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986 AMENDMENTS.

(a) SECTION 12011.—Section 12011 of the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. App. 2710) is amended—

(1) in each of subsections (a) and (b) by striking "104(b)(5), and 104(b)(6)" and inserting "104(b)(3), and 104(b)(5)"; and

(2) in subsection (c)(1)(A)(ii) by striking "104(b)(6)" and inserting "104(b)(3)".

(b) SECTION NUMBER REDESIGNATION.—Such Act is further amended by redesignating the

second section 12020, relating to violation of out-of-service orders, as 12021.

SEC. 288. CLEVELAND HARBOR, OHIO.

Section 1079 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2018-2019) is amended—

(1) by striking the semicolon at the end of subsection (b) and inserting a period; and

(2) in subsection (d)—

(A) by striking "279.31 feet" and inserting "269.31 feet";

(B) by striking "127.28 feet" and inserting "137.28 feet";

(C) by striking the comma following "Grid System";

(D) by striking "33°-53'-08" east" the first place it appears and inserting "33°-53'-08" west";

(E) by striking "north-westerly" and inserting "northwesterly"; and

(F) by striking "174,764 square feet (4.012 acres)" and inserting "175,143 (4.020 acres)".

SEC. 289. OTHER INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT TECHNICAL AMENDMENTS.

(a) SOUTHERN FLORIDA COMMUTER RAIL.—Section 3014 of Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2108) is amended by striking "(49 U.S.C. 1607a)".

(b) ROAD TESTING OF LCV'S.—Section 4007(d)(1) of such Act (49 U.S.C. App. 2302 note) is amended by striking "on board" and inserting "onboard".

(c) NATIONAL COMMISSION ON INTERMODAL TRANSPORTATION.—Section 5005 of such Act (49 U.S.C. 301 note; 105 Stat. 2160-2162) is amended—

(1) in subsection (d)(1) by striking "11 members" and inserting "15 members";

(2) in subsection (d)(1)(A) by striking "3 members" and inserting "7 members"; and

(3) in subsection (i) by striking "1993" and inserting "1994".

(d) SECTION 6017.—Section 6017 of such Act (105 Stat. 2183) is amended by striking "502(a)" and inserting "5002(a)".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. SKAGGS, announced that the yeas had it.

Mr. RAHALL demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 412 affirmative ..... } Nays ..... 12

56.11 [Roll No. 200] AYES—412

- Abercrombie Bentley Bunning Ackerman Bereuter Burton Andrews (NJ) Berman Buyer Andrews (TX) Beville Byrne Applegate Bilbray Callahan Archer Billrakis Calvert Bacchus (FL) Bishop Camp Baesler Bliley Canady Baker (CA) Blute Cantwell Baker (LA) Boehlert Cardin Ballenger Bonilla Carr Barca Bonior Castle Barcia Borski Chapman Barlow Boucher Clay Barrett (NE) Brewster Clayton Barrett (WI) Brooks Clement Bartlett Browder Clinger Barton Brown (CA) Clyburn Bateman Brown (FL) Coble Becerra Brown (OH) Coleman Beilenson Bryant Collins (GA)

- Collins (IL) Hochbrueckner Montgomery Collins (MI) Hoekstra Moorhead Combest Holden Moran Condit Houghton Morella Conyers Hoyer Murphy Cooper Huffington Murtha Coppersmith Hughes Myers Costello Hunter Nadler Cox Hutchinson Neal (MA) Coyne Hutto Neal (NC) Cramer Hyde Nussle Crapo Inhofe Oberstar Cunningham Inslee Obey Danner Istook Olver Darden Jacobs Orton de la Garza Jefferson Owens Deal Johnson (CT) Oxley DeFazio Johnson (GA) Packard DeLauro Johnson (SD) Pallone DeLay Johnson, E. B. Parker Dellums Johnson, Sam Pastor Derrick Johnston Paxon Deutsch Kanjorski Payne (NJ) Diaz-Balart Kaptur Payne (VA) Dickey Kasich Pelosi Dicks Kennedy Peterson (FL) Dingell Kennelly Peterson (MN) Dixon Kildee Petri Dooley Kim Pickett Doolittle King Pickle Dornan Kingston Pombo Dreier Kleczka Pomeroy Duncan Klein Porter Dunn Klink Portman Durbin Klug Poshard Edwards (CA) Knollenberg Price (NC) Edwards (TX) Kolbe Pryce (OH) Ehlers Kopetski Quillen Emerson Kreidler Quinn Engel LaFalce Rahall English Lambert Ramstad Eshoo Lancaster Rangel Evans Lantos Ravenel Everett LaRocco Reed Ewing Laughlin Regula Farr Lazio Reynolds Fazio Leach Richardson Fields (LA) Lehman Ridge Fields (TX) Levin Roberts Filner Levy Roemer Fingerhut Lewis (CA) Rogers Fish Lewis (FL) Rohrbacher Flake Lewis (GA) Ros-Lehtinen Foglietta Lightfoot Rose Ford (MI) Linder Rostenkowski Ford (TN) Lipinski Roth Fowler Livingston Roukema Frank (MA) Lloyd Rowland Franks (CT) Long Roybal-Allard Franks (NJ) Lowey Royce Frost Lucas Rush Furse Machtley Sabo Gallegly Maloney Sanders Gallo Mann Sangmeister Gejdenson Manton Santorum Gekas Manzullo Sarpalus Gephardt Margolies-Sawyer Geren Mezvinsky Saxton Gibbons Markey Schaefer Gilchrest Martinez Schenk Gillmor Matsui Schiff Gilman Mazzoli Schroeder Gingrich McCandless Schumer Glickman McCloskey Scott Gonzalez McCollum Serrano Goodlatte McCrery Sharp Goodling McCurdy Shaw Gordon McDade Shays Goss McDermott Shepherd Grams McHale Shuster Green McHugh Sisisky Greenwood McInnis Skaggs Gunderson McKeon Skeen Gutierrez McKinney Skelton Hall (OH) McNulty Slattery Hall (TX) Meehan Slaughter Hamberg Meek Smith (MI) Hamilton Menendez Smith (MI) Hansen Meyers Smith (NJ) Harman Mfume Smith (OR) Hastert Mica Smith (TX) Hastings Michel Snowe Hayes Miller (CA) Spence Hefley Miller (FL) Spratt Hefner Mineta Stark Herger Minge Stearns Hilliard Mink Stenholm Hinchey Moakley Stokes Hoagland Molinari Strickland Hobson Mollohan Studts

Stupak	Torres	Waxman
Sundquist	Torricelli	Weldon
Swett	Towns	Wheat
Swift	Traficant	Whitten
Synar	Tucker	Williams
Talent	Unsold	Wilson
Tanner	Upton	Wise
Tauzin	Valentine	Wolf
Taylor (MS)	Velazquez	Woolsey
Taylor (NC)	Vento	Wyden
Tejeda	Visclosky	Wynn
Thomas (CA)	Volkmer	Yates
Thomas (WY)	Vucanovich	Young (AK)
Thompson	Walker	Young (FL)
Thornton	Walsh	Zeliff
Thurman	Waters	Zimmer
Torkildsen	Watt	

NOES—12

Allard	Fawell	Penny
Arney	Hancock	Sensenbrenner
Boehner	Inglis	Solomon
Crane	Kyl	Stump

NOT VOTING—9

Andrews (ME)	Grandy	McMillan
Bachus (AL)	Hoke	Ortiz
Blackwell	Horn	Washington

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk request the concurrence of the Senate in said bill.

56.12 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1933. An Act to authorize appropriations for the Martin Luther King, Jr. Federal Holiday Commission, to extend such Commission, and to support the planning and performance of national service opportunities in conjunction with the Federal legal holiday honoring the birthday of Martin Luther King, Jr.

The message also announced that from the Committee on Finance for matters solely within the Finance's Committee jurisdiction, including sections 209, 210, and 408 of the Senate amendment, Mr. MOYNIHAN, Mr. BAUCUS, and Mr. PACKWOOD, be appointed conferees, on the part of the Senate, on the bill (H.R. 3474) "An Act to reduce administrative requirements for insured depository institutions to the extent consistent with safe and sound banking practices, to facilitate the establishment of community development financial institutions, and for other purposes."

56.13 PROVIDING FOR CONSIDERATION OF A CERTAIN RESOLUTION

Mr. HALL of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 441):

*Resolved.* That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to a resolution reported on the legislative day of May 25, 1994, providing for consideration of the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

When said resolution was considered. After debate,

On motion of Mr. HALL of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. TORRES, announced that the nays had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 246  
Nays ..... 174

56.14 [Roll No. 201] YEAS—246

Abercrombie	Foglietta	McKinney
Ackerman	Ford (MI)	McNulty
Andrews (ME)	Ford (TN)	Meehan
Andrews (NJ)	Frank (MA)	Meek
Andrews (TX)	Frost	Menendez
Applegate	Furse	Mfume
Bachus (FL)	Gejdenson	Miller (CA)
Baessler	Gephardt	Mineta
Barca	Geren	Minge
Barcia	Gibbons	Mink
Barlow	Glickman	Moakley
Barrett (WI)	Gonzalez	Mollohan
Becerra	Gordon	Montgomery
Beilenson	Green	Moran
Berman	Gutierrez	Murphy
Bevill	Hall (OH)	Murtha
Bilbray	Hall (TX)	Nadler
Bishop	Hamburg	Neal (MA)
Bonior	Hamilton	Neal (NC)
Borski	Harman	Neal (CA)
Boucher	Hastings	Oberstar
Brewster	Hefner	Obey
Brooks	Hilliard	Orton
Browder	Hinchey	Owens
Brown (CA)	Hoagland	Pallone
Brown (FL)	Hochbrueckner	Parker
Brown (OH)	Holden	Pastor
Bryant	Hoyer	Payne (NJ)
Byrne	Hughes	Payne (VA)
Callahan	Hutto	Pelosi
Cantwell	Inslie	Penny
Cardin	Jacobs	Peterson (FL)
Carr	Jefferson	Peterson (MN)
Clay	Johnson (GA)	Pickett
Clayton	Johnson (SD)	Pickle
Clement	Johnson, E. B.	Pomeroy
Clyburn	Johnston	Poshard
Coleman	Kanjorski	Price (NC)
Collins (IL)	Kaptur	Rahall
Collins (MI)	Kennedy	Rangel
Conyers	Kennelly	Reed
Cooper	Kildee	Reynolds
Coppersmith	Klecza	Richardson
Costello	Klein	Roemer
Coyne	Klink	Rose
Cramer	Kopetski	Roland
Danner	Kreidler	Roybal-Allard
Darden	LaFalce	Sabo
de la Garza	Lambert	Sanders
Deal	Lancaster	Sangmeister
DeFazio	Lantos	Sawyer
DeLauro	LaRocco	Schenk
Dellums	Laughlin	Schroeder
Derrick	Lehman	Schumer
Deutsch	Levin	Scott
Dicks	Lewis (GA)	Serrano
Dingell	Lightfoot	Sharp
Dixon	Lipinski	Shepherd
Dooley	Livingston	Sisisky
Durbin	Long	Skaggs
Edwards (CA)	Lowey	Skelton
Edwards (TX)	Maloney	Slattery
Engel	Mann	Slaughter
English	Manton	Smith (IA)
Eshoo	Margolies-	Spratt
Evans	Mezvinsky	Stark
Everett	Markey	Stenholm
Farr	Martinez	Stokes
Fazio	Matsui	Strickland
Fields (LA)	Mazzoli	Studds
Filner	McCloskey	Stupak
Fingerhut	McDermott	Swett
Flake	McHale	Swift

Synar	Traficant	Wheat
Tanner	Tucker	Williams
Tauzin	Unsold	Wilson
Tejeda	Velazquez	Wise
Thompson	Vento	Woolsey
Thornton	Visclosky	Wyden
Thurman	Volkmer	Wynn
Torres	Waters	Yates
Torricelli	Watt	
Towns	Waxman	

NAYS—174

Allard	Gingrich	Nussle
Archer	Goodlatte	Oxley
Army	Goodling	Packard
Bachus (AL)	Goss	Paxon
Baker (CA)	Grams	Petri
Baker (LA)	Greenwood	Pombo
Ballenger	Gunderson	Porter
Barrett (NE)	Hancock	Portman
Bartlett	Hansen	Pryce (OH)
Barton	Hastert	Quillen
Bateman	Hayes	Quinn
Bentley	Hefley	Ramstad
Bereuter	Herger	Ravenel
Bilirakis	Hobson	Regula
Bliley	Hoekstra	Ridge
Blute	Hoke	Roberts
Boehlert	Huffington	Rogers
Boehner	Hunter	Rohrabacher
Bonilla	Hutchinson	Ros-Lehtinen
Bunning	Hyde	Roth
Burton	Inglis	Roukema
Buyer	Inhofe	Royce
Calvert	Istook	Santorum
Camp	Johnson (CT)	Saxton
Canady	Johnson, Sam	Schaefer
Castle	Kasich	Schiff
Clinger	Kim	Sensenbrenner
Coble	King	Shaw
Collins (GA)	Kingston	Shays
Combest	Klug	Shuster
Condit	Knollenberg	Skeen
Cox	Kolbe	Smith (MI)
Crane	Kyl	Smith (NJ)
Crapo	Lazio	Smith (OR)
Cunningham	Leach	Smith (TX)
DeLay	Levy	Snowe
Diaz-Balart	Lewis (CA)	Solomon
Dickey	Lewis (FL)	Spence
Doolittle	Linder	Stearns
Dornan	Lloyd	Stump
Dreier	Lucas	Sundquist
Duncan	Manzullo	Talent
Dunn	McCandless	Taylor (MS)
Ehlers	McCollum	Taylor (NC)
Emerson	McCrery	Thomas (CA)
Ewing	McDade	Thomas (WY)
Fawell	McHugh	Torkildsen
Fields (TX)	McInnis	Upton
Fish	McKeon	Valentine
Fowler	McMillan	Vucanovich
Franks (CT)	Meyers	Walker
Franks (NJ)	Mica	Walsh
Gallegly	Michel	Weldon
Gallo	Miller (FL)	Wolf
Gekas	Molinari	Young (AK)
Gilchrist	Moorhead	Young (FL)
Gillmor	Morella	Zeliff
Gilman	Myers	Zimmer

NOT VOTING—13

Blackwell	Machtley	Sarpalius
Chapman	McCurdy	Washington
Grandy	Ortiz	Whitten
Horn	Rostenkowski	
Houghton	Rush	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

56.15 PROVIDING FOR THE CONSIDERATION OF H.R. 4426

Mr. HALL of Ohio, by direction of the Committee on Rules, reported (Rept. No. 103-530) the resolution (H. Res. 443) providing for consideration of the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

When said resolution and report were referred to the House Calendar and ordered printed.

56.16 PROVIDING FOR THE CONSIDERATION OF H.R. 4426

Mr. HALL of Ohio, by direction of the Committee on Rules and pursuant to House Resolution 441, called up the following resolution (H. Res. 443):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995. All points of order against the bill and against its consideration are waived. General debate shall be confined to the bill and the amendment in the nature of a substitute recommended by the Committee on Appropriations and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the pending question shall be the adoption of the amendment in the nature of a substitute recommended by the Committee on Appropriations now printed in the bill. The committee amendment in the nature of a substitute shall be designated and shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. All points of order against the committee amendment in the nature of a substitute, and against provisions in the bill if so amended, are waived. If the committee amendment in the nature of a substitute is adopted, then the bill as so amended shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. No further amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as 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 except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by this resolution. The chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without inter-

vening motion except one motion to recommend with or without instructions.

When said resolution was considered.

After debate,

Mr. HALL of Ohio moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. TORRES, announced that the nays had it.

Mr. HALL of Ohio objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 233  
Nays ..... 191

56.17 [Roll No. 202] YEAS—233

Abercrombie  
Ackerman  
Andrews (ME)  
Applegate  
Bacchus (FL)  
Baesler  
Barca  
Barcia  
Barlow  
Barrett (WI)  
Becerra  
Beilenson  
Berman  
Bevill  
Billbray  
Bishop  
Bonior  
Borski  
Boucher  
Brewster  
Brooks  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Cantwell  
Cardin  
Carr  
Chapman  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Condit  
Cooper  
Coppersmith  
Costello  
Coyne  
Cramer  
Danner  
Darden  
Deal  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Dicks  
Dingell  
Dixon  
Dooley  
Durbin  
Edwards (CA)  
Edwards (TX)  
Engel  
English  
Eshoo  
Evans  
Farr  
Fazio  
Fields (LA)  
Filner  
Fingerhut

Flake  
Foglietta  
Ford (MI)  
Frank (MA)  
Frank (TX)  
Furse  
Gejdenson  
Gephardt  
Geren  
Gibbons  
Glickman  
Gonzalez  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hamburg  
Hamilton  
Harman  
Hastings  
Hefner  
Hilliard  
Hinchev  
Hoagland  
Holden  
Hoyer  
Inslee  
Jefferson  
Johnson (GA)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy  
Kennelly  
Kildee  
Klecza  
Klein  
Klink  
Kopetski  
Kreidler  
LaFalce  
Lambert  
Lancaster  
Lantos  
LaRocco  
Laughlin  
Lehman  
Levin  
Lewis (GA)  
Lipinski  
Long  
Lowey  
Maloney  
Mann  
Manton  
Margolies-  
Mezvinsky  
Markey  
Martinez  
Matsui  
Mazzoli  
McCloskey  
McCurdy  
McDermott  
McHale  
McKinney

Stupak  
Swett  
Swift  
Synar  
Tanner  
Taylor (MS)  
Tejeda  
Thompson  
Thornton  
Thurman

Torres  
Torrice  
Towns  
Traficant  
Unsoeld  
Velazquez  
Vento  
Visclosky  
Volkmer  
Waters

Watt  
Waxman  
Wheat  
Whitten  
Williams  
Wilson  
Woolsey  
Wyden  
Wynn  
Yates

NAYS—191

Allard  
Andrews (NJ)  
Archer  
Army  
Bachus (AL)  
Baker (CA)  
Baker (LA)  
Ballenger  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bentley  
Bereuter  
Bilirakis  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Clinger  
Coble  
Collins (GA)  
Combest  
Conyers  
Cox  
Crane  
Crapo  
Cunningham  
DeLay  
Diaz-Balart  
Oberstar  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Emerson  
Everett  
Ewing  
Fawell  
Fields (TX)  
Fish  
Ford (TN)  
Fowler  
Franks (CT)  
Franks (NJ)  
Gallego  
Gallo  
Gekas  
Gilchrist  
Gillmor  
Gilman  
Gingrich  
Goodlatte

Goodling  
Goss  
Grams  
Greenwood  
Gunderson  
Hall (TX)  
Hancock  
Hansen  
Hastert  
Hayes  
Hefley  
Herger  
Hobson  
Hochbrueckner  
Hoekstra  
Hoke  
Houghton  
Huffington  
Hughes  
Hunter  
Hutchinson  
Hutto  
Hyde  
Inglis  
Inhofe  
Istook  
Jacobs  
Johnson (CT)  
Johnson, Sam  
Kasich  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
Kyl  
Lazio  
Leach  
Levy  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Linder  
Livingston  
Lloyd  
Lucas  
Machtley  
Manzullo  
McCandless  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McKeon  
McMillan  
Meyers  
Mica  
Michel  
Miller (FL)  
Molinar  
Moorhead  
Morella

Myers  
Nussle  
Oxley  
Packard  
Paxon  
Petri  
Pickle  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quillen  
Quinn  
Ramstad  
Rangel  
Ravenel  
Regula  
Ridge  
Roberts  
Rogers  
Rohrbacher  
Ros-Lehtinen  
Roth  
Roukema  
Rowland  
Royce  
Santorum  
Saxton  
Schaefer  
Schiff  
Sensenbrenner  
Shaw  
Shays  
Shuster  
Skeen  
Slattery  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence  
Stearns  
Stump  
Sundquist  
Talent  
Tauzin  
Taylor (NC)  
Thomas (CA)  
Thomas (WY)  
Torkildsen  
Upton  
Valentine  
Vucanovich  
Walker  
Walsh  
Weldon  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOT VOTING—9

Andrews (TX)  
Blackwell  
de la Garza

Grandy  
Horn  
Ortiz

Tucker  
Washington  
Wise

So the previous question on the resolution was ordered.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. TORRES, announced that the yeas had it.

Mr. DREIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 244  
 Nays ..... 181

56.18 [Roll No. 203]  
 YEAS—244

- |              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Gordon         | Orton         |
| Ackerman     | Green          | Owens         |
| Andrews (ME) | Gutierrez      | Pallone       |
| Andrews (TX) | Hall (OH)      | Parker        |
| Applegate    | Hamburg        | Pastor        |
| Bacchus (FL) | Hamilton       | Payne (NJ)    |
| Baesler      | Harman         | Payne (VA)    |
| Barca        | Hastings       | Penosi        |
| Barlow       | Hayes          | Penny         |
| Barrett (WI) | Hefner         | Peterson (FL) |
| Becerra      | Hilliard       | Peterson (MN) |
| Beilenson    | Hinchey        | Pickett       |
| Berman       | Hoagland       | Pickle        |
| Bevill       | Hochbrueckner  | Pomeroy       |
| Bilbray      | Holden         | Poshard       |
| Bishop       | Hoyer          | Price (NC)    |
| Bonior       | Hughes         | Rangel        |
| Borski       | Inslee         | Reed          |
| Boucher      | Jefferson      | Reynolds      |
| Brewster     | Johnson (GA)   | Richardson    |
| Brooks       | Johnson (SD)   | Roemer        |
| Browder      | Johnson, E. B. | Rose          |
| Brown (CA)   | Johnston       | Rostenkowski  |
| Brown (FL)   | Kanjorski      | Roybal-Allard |
| Brown (OH)   | Kaptur         | Rush          |
| Bryant       | Kennedy        | Sabo          |
| Byrne        | Kennelly       | Sanders       |
| Cantwell     | Kildee         | Sangmeister   |
| Cardin       | Klecza         | Sarpalius     |
| Carr         | Klein          | Sawyer        |
| Chapman      | Klink          | Schenk        |
| Clay         | Kopetski       | Schroeder     |
| Clayton      | Kreidler       | Schumer       |
| Clement      | LaFalce        | Scott         |
| Clyburn      | Lambert        | Serrano       |
| Coleman      | Lancaster      | Sharp         |
| Collins (IL) | Lantos         | Shepherd      |
| Collins (MI) | LaRocco        | Sisisky       |
| Condit       | Laughlin       | Skaggs        |
| Conyers      | Lehman         | Skelton       |
| Cooper       | Levin          | Slattery      |
| Coppersmith  | Lewis (GA)     | Slaughter     |
| Costello     | Lipinski       | Smith (IA)    |
| Coyne        | Long           | Spratt        |
| Cramer       | Lowe           | Stark         |
| Danner       | Maloney        | Stenholm      |
| Darden       | Mann           | Stokes        |
| de la Garza  | Manton         | Strickland    |
| DeFazio      | Margolies-     | Studds        |
| DeLauro      | Mezvinsky      | Stupak        |
| Dellums      | Markey         | Swett         |
| Derrick      | Martinez       | Swift         |
| Deutsch      | Matsui         | Synar         |
| Dicks        | Mazzoli        | Tanner        |
| Dingell      | McCloskey      | Tauzin        |
| Dixon        | McCrery        | Tejeda        |
| Dooley       | McCurdy        | Thompson      |
| Durbin       | McDermott      | Thornton      |
| Edwards (CA) | McHale         | Thurman       |
| Edwards (TX) | McKinney       | Torres        |
| Engel        | McNulty        | Torricelli    |
| English      | Meehan         | Towns         |
| Eshoo        | Meek           | Trafigant     |
| Evans        | Menendez       | Tucker        |
| Farr         | Mfume          | Unsoeld       |
| Fazio        | Miller (CA)    | Valentine     |
| Fields (LA)  | Mineta         | Velazquez     |
| Filner       | Minge          | Vento         |
| Fingerhut    | Mink           | Visclosky     |
| Flake        | Moakley        | Volkmer       |
| Foglietta    | Mollohan       | Waters        |
| Ford (MI)    | Montgomery     | Watt          |
| Ford (TN)    | Moran          | Waxman        |
| Frank (MA)   | Murphy         | Wheat         |
| Frost        | Murtha         | Whitten       |
| Furse        | Nadler         | Wilson        |
| Gejdenson    | Neal (MA)      | Wise          |
| Gephardt     | Neal (NC)      | Woolsey       |
| Geren        | Oberstar       | Wyden         |
| Gibbons      | Obey           | Wynn          |
| Glickman     | Olver          | Yates         |
| Gonzalez     | Ortiz          |               |

NAYS—181

- |              |           |          |
|--------------|-----------|----------|
| Allard       | Barton    | Bunning  |
| Andrews (NJ) | Bateman   | Burton   |
| Archer       | Bentley   | Buyer    |
| Armey        | Bereuter  | Callahan |
| Bacchus (AL) | Bilirakis | Calvert  |
| Baker (CA)   | Bliley    | Camp     |
| Baker (LA)   | Blute     | Canady   |
| Ballenger    | Boehler   | Castle   |
| Barrett (NE) | Boehner   | Clinger  |
| Bartlett     | Bonilla   | Coble    |

- |              |              |               |
|--------------|--------------|---------------|
| Collins (GA) | Hutto        | Quillen       |
| Combest      | Hyde         | Quinn         |
| Cox          | Inglis       | Rahall        |
| Crane        | Inhofe       | Ramstad       |
| Crapo        | Istook       | Ravenel       |
| Cunningham   | Jacobs       | Regula        |
| Deal         | Johnson (CT) | Ridge         |
| DeLay        | Johnson, Sam | Roberts       |
| Diaz-Balart  | Kasich       | Rogers        |
| Dickey       | Kim          | Rohrabacher   |
| Doolittle    | King         | Ros-Lehtinen  |
| Dornan       | Kingston     | Roth          |
| Dreier       | Klug         | Roukema       |
| Duncan       | Knollenberg  | Royce         |
| Dunn         | Kolbe        | Santorum      |
| Ehlers       | Kyl          | Saxton        |
| Emerson      | Lazio        | Schaefer      |
| Everett      | Leach        | Schiff        |
| Ewing        | Levy         | Sensenbrenner |
| Fawell       | Lewis (CA)   | Shaw          |
| Fields (TX)  | Lewis (FL)   | Shays         |
| Fish         | Lightfoot    | Shuster       |
| Fowler       | Linder       | Skeen         |
| Franks (CT)  | Livingston   | Smith (MI)    |
| Franks (NJ)  | Lloyd        | Smith (NJ)    |
| Gallo        | Lucas        | Smith (OR)    |
| Gekas        | Machtley     | Smith (TX)    |
| Gilchrest    | Manzullo     | Snowe         |
| Gillmor      | McCandless   | Solomon       |
| Gilman       | McCollum     | Spence        |
| Gingrich     | McDade       | Stearns       |
| Goodlatte    | McHugh       | Stump         |
| Goodling     | McInnis      | Sundquist     |
| Goss         | McKeon       | Talent        |
| Grams        | McMillan     | Taylor (MS)   |
| Greenwood    | Meyers       | Taylor (NC)   |
| Gunderson    | Mica         | Thomas (CA)   |
| Hall (TX)    | Michel       | Thomas (WY)   |
| Hancock      | Miller (FL)  | Torkildsen    |
| Hansen       | Molinari     | Upton         |
| Hastert      | Moorhead     | Vucanovich    |
| Hefley       | Morella      | Walker        |
| Herger       | Myers        | Walsh         |
| Hobson       | Nussle       | Weldon        |
| Hoekstra     | Packard      | Wolf          |
| Hoke         | Paxon        | Young (AK)    |
| Houghton     | Petri        | Young (FL)    |
| Huffington   | Pombo        | Zeliff        |
| Hunter       | Porter       | Zimmer        |
| Hutchinson   | Portman      |               |
|              | Pryce (OH)   |               |

NOT VOTING—8

- |           |         |            |
|-----------|---------|------------|
| Barcia    | Horn    | Washington |
| Blackwell | Oxley   | Williams   |
| Grandy    | Rowland |            |

So the resolution was agreed to.  
 A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

56.19 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

56.20 FOREIGN AID APPROPRIATIONS

The SPEAKER pro tempore, Mr. TORRES, pursuant to House Resolution 443 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

The SPEAKER pro tempore, Mr. TORRES, by unanimous consent, designated Mr. RICHARDSON as Chairman of the Committee of the Whole; and after some time spent therein,

56.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by the Committee on Appropriations:

TITLE I—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL FINANCIAL INSTITUTIONS CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, \$23,009,101, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed \$743,923,914.

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States contribution to the Global Environment Facility (GEF), \$98,800,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$1,235,000,000, for the United States contribution to the replenishment, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FINANCE CORPORATION

For payment to the International Finance Corporation by the Secretary of the Treasury, \$68,743,028, for the United States share of the increase in subscriptions to capital stock, to remain available until expended: *Provided*, That of the amount appropriated under this heading not more than \$5,364,000 may be expended for the purchase of such stock in fiscal year 1995.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in share portion of the increase in capital stock, \$28,111,959, and for the United States share of the increases in the resources of the Fund for Special Operations, \$21,338,000, and for the United States share of the capital stock of the Inter-American Investment Corporation, \$190,000, to remain available until expended: *Provided*, That \$25,269,224 of the amount made available for the paid-in share portion of the increase in capital stock, and \$20,317,000 of the resources of the Fund for Special Operations shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$1,594,568,180.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the Fund to be administered by the Inter-American Development Bank, \$75,000,000 to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increases in

resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended (Public Law 89-369), \$167,960,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, \$124,229,309, for the United States contribution to the African Development Fund, to remain available until expended: *Provided*, That of the funds appropriated under this heading, \$20,000,000 shall be subject to the regular notification procedures of the Committees on Appropriations.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock, \$133,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$2,002,540.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$69,180,353, for the United States share of the paid-in share portion of the initial capital subscription, to remain available until expended: *Provided*, That during fiscal year 1995 the number of shares of stock purchased shall be not more than 600.

LIMITATION OF CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$161,420,824.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$366,000,000: *Provided*, That none of the funds appropriated under this heading shall be made available for the United Nations Fund for Science and Technology: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further*, That of the funds appropriated under this heading that are made available for the United Nations Children's Fund (UNICEF), 75 per centum shall be obligated and expended no later than thirty days after the date of enactment of this Act and 25 per centum shall be expended within thirty days from the start of UNICEF's fourth quarter of operations for 1995: *Provided further*, That none of the funds appropriated under this heading that are made available to the United Nations Population Fund (UNFPA) shall be made available for activities in the People's Republic of China: *Provided further*, That not more than \$40,000,000 of the funds appropriated under this heading may be made available to the UNFPA: *Provided further*, That not more than one-half of this amount may be provided to UNFPA before March 1, 1995, and that no later than

February 15, 1995, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount UNFPA is budgeting for the People's Republic of China in 1995: *Provided further*, That any amount UNFPA plans to spend in the People's Republic of China in 1995 above \$7,000,000, shall be deducted from the amount of funds provided to UNFPA after March 1, 1995 pursuant to the previous provisos: *Provided further*, That with respect to any funds appropriated under this heading that are made available to UNFPA, UNFPA shall be required to maintain such funds in a separate account and not commingle them with any other funds: *Provided further*, That notwithstanding the fifth proviso of this heading, if UNFPA decides not to initiate a new program in China after its current program ends in 1995, up to an additional \$20,000,000 of funds appropriated under this heading may be made available to UNFPA.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 1995, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT DEVELOPMENT ASSISTANCE FUND

For necessary expenses to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, \$811,000,000, to remain available until September 30, 1996.

POPULATION, DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of section 104(b), \$450,000,000, to remain available until September 30, 1996: *Provided*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961.

DEVELOPMENT FUND FOR AFRICA

For necessary expenses to carry out the provisions of chapter 10 of part I of the Foreign Assistance Act of 1961, \$790,000,000, to remain available until September 30, 1996: *Provided*, That none of the funds appropriated by this Act to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 shall be transferred to the Government of Zaire: *Provided further*, That funds appropriated under this heading which are made available for activities supported by the

Southern Africa Development Community shall be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

PRIVATE AND VOLUNTARY ORGANIZATIONS

None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 per centum of its total annual funding for international activities from sources other than the United States Government: *Provided*, That the requirements of the provisions of section 123(g) of the Foreign Assistance Act of 1961 and the provisions on private and voluntary organizations in title II of the "Foreign Assistance and Related Programs Appropriations Act, 1985" (as enacted in Public Law 98-473) shall be superseded by the provisions of this section.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, \$169,998,000 to remain available until expended.

DEBT RESTRUCTURING

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of modifying direct loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, \$7,000,000, to remain available until expended: *Provided*, That it is the sense of the Congress that a program should be developed to undertake direct buy backs of bilateral debt from eligible poor and lower-middle income countries with local currency offsets to fund development and environmental activities, provided that such a program would have no budgetary impact. The Administration should consider how creative use of the sale of impaired Third World debts might be used to lower debt overhangs and generate local currencies for development and environmental activities.

MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM ACCOUNT

For the subsidy cost of direct loans and loan guarantees, \$1,500,000, as authorized by section 108 of the Foreign Assistance Act of 1961, as amended: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses to carry out programs under this heading, \$500,000, all of which may be transferred to and merged with the appropriation for operating expenses of the Agency for International Development.

HOUSING GUARANTY PROGRAM ACCOUNT

For the subsidy cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of guaranteed loans authorized by sections 221 and 222 of the Foreign Assistance Act of 1961, \$19,300,000: *Provided*, That these funds are available to subsidize loan principal, 100 percent of which shall be guaranteed, pursuant to the authority of such sections: *Provided further*, That the President shall enter into commitments to guarantee such loans in the full amount provided under this heading, subject to the availability of qualified applicants for such guarantees. In addition, for administrative expenses to carry out guaranteed loan programs, \$8,000,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: *Provided further*, That commitments to guarantee loans under this heading

may be entered into notwithstanding the second and third sentences of section 222(a) and, with regard to programs for Eastern Europe and programs for the benefit of South Africans disadvantaged by apartheid, section 223(j) of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds appropriated under this heading shall be obligated except through the regular notification procedures of the Committees on Appropriations.

PAYMENT TO THE FOREIGN SERVICE  
RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, \$45,118,000.

OPERATING EXPENSES OF THE AGENCY FOR  
INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, \$517,500,000: *Provided*, That of this amount not more than \$900,000 may be made available to pay for printing costs.

OPERATING EXPENSES OF THE AGENCY FOR  
INTERNATIONAL DEVELOPMENT OFFICE OF IN-  
SPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, \$39,118,000, which sum shall be available for the Office of the Inspector General of the Agency for International Development.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, \$2,339,000,000, to remain available until September 30, 1996: *Provided*, That any funds appropriated under this heading that are made available for Israel shall be made available on a grant basis as a cash transfer and shall be disbursed within thirty days of enactment of this Act or by October 31, 1994, whichever is later: *Provided further*, That any funds appropriated under this heading that are made available for Egypt shall be provided on a grant basis, of which sum cash transfer assistance may be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That in exercising the authority to provide cash transfer assistance for Israel and Egypt, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to each such country: *Provided further*, That it is the sense of the Congress that the recommended levels of assistance for Egypt and Israel are based in great measure upon their continued participation in the Camp David Accords and upon the Egyptian-Israeli peace treaty: *Provided further*, That none of the funds appropriated under this heading shall be made available for Zaire.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of part I of the Foreign Assistance Act of 1961, up to \$19,600,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until expended.

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, \$360,000,000, to

remain available until expended, which shall be available, notwithstanding any other provision of law, for economic assistance for Eastern Europe and the Baltic States.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(c) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

ASSISTANCE FOR THE NEW INDEPENDENT  
STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapter 11 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the new independent states of the former Soviet Union and for related programs, \$900,000,000, to remain available until expended: *Provided*, That the provisions of 498B(j) of the Foreign Assistance Act of 1961 shall apply to funds appropriated by this paragraph.

(b) None of the funds appropriated under this heading shall be transferred to the Government of Russia—

(1) unless that Government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, negotiating repayment of commercial debt, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that Government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

(c) Funds may be furnished without regard to subsection (b) if the President determines that to do so is in the national interest.

(d) None of the funds appropriated under this heading shall be made available to any government of the new independent states of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other new independent state, such as those violations included in Principle Six of the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national interest of the United States: *Provided further*, That the restriction of this subsection shall not apply to the use of such funds for the provision of assistance for purposes of humanitarian, disaster and refugee relief: *Provided further*, That thirty days after the date of enactment of this Act, and then annually thereafter, the Secretary of State shall report to the Committees on Appropriations on steps taken by the governments of the new independent states concerning violations referred to in this subsection: *Provided further*, That in preparing this report the Secretary shall consult with the United States Representative to the Conference on Security and Cooperation in Europe.

(e) None of the funds appropriated under this heading for the new independent states of the former Soviet Union shall be made available for any state to enhance its mili-

tary capability: *Provided*, That this restriction does not apply to demilitarization, defense conversion or non-proliferation programs, or programs to support troop withdrawal including through the support of an officer resettlement program, and technical assistance for the housing sector.

(f) Funds appropriated under this heading shall be subject to the regular reprogramming procedures of the Committees on Appropriations.

(g) Funds appropriated under this heading may be made available for assistance for Mongolia.

(h) Funds made available in this Act for assistance to the New Independent States of the former Soviet Union shall be provided to the maximum extent feasible through the private sector, including private voluntary organizations and nongovernmental organizations functioning in the New Independent States.

INDEPENDENT AGENCIES

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the provisions of title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$16,905,000: *Provided*, That, when, with the permission of the President of the Foundation, funds made available to a grantee under this heading are invested pending disbursement, the resulting interest is not required to be deposited in the United States Treasury if the grantee uses the resulting interest for the purpose for which the grant was made: *Provided further*, That this provision applies with respect to both interest earned before and interest earned after the enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the dollar limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$30,960,000.

PEACE CORPS

For expenses necessary to carry out the provisions of the Peace Corps Act (75 Stat. 612), \$219,745,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 1996.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL

For necessary expenses to carry out the provisions of section 481 of the Foreign Assistance Act of 1961, \$100,000,000.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for Migration and the United Na-

tions High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$670,688,000: *Provided*, That not more than \$11,500,000 of the funds appropriated under this heading shall be available for the administrative expenses of the Office of Refugee Programs of the Department of State.

#### REFUGEE RESETTLEMENT ASSISTANCE

For necessary expenses for the targeted assistance program authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 and administered by the Office of Refugee Resettlement of the Department of Health and Human Services, in addition to amounts otherwise available for such purposes, \$12,000,000.

#### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 260(c)), \$50,000,000, to remain available until expended: *Provided*, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Migration and Refugee Assistance Act of 1962 which would limit the amount of funds which could be appropriated for this purpose.

#### ANTI-TERRORISM ASSISTANCE

For necessary expenses to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961, \$15,244,000.

#### NONPROLIFERATION AND DISARMAMENT FUND

For necessary expenses for a "Non-proliferation and Disarmament Fund", \$10,000,000, to remain available until expended, to promote bilateral and multilateral activities: *Provided*, That such funds may be used pursuant to the authorities contained in section 504 of the FREEDOM Support Act: *Provided further*, That such funds may also be used for such countries other than the new independent states of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

#### TITLE III—MILITARY ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$25,500,000: *Provided*, That up to \$300,000 of the funds appropriated under this heading may be made available for grant financed military education and training for any country whose annual per capita GNP exceeds \$2,349 on the condition that that country agrees to fund from its own resources the transportation cost and living allowances of its students: *Provided further*, That the civilian personnel for whom military education and training may be provided under this heading may also include members of national legislatures who are responsible for the oversight and management of the military: *Provided further*, That none of the funds appropriated under this heading shall be available for Indonesia and Zaire: *Provided further*, That none of the funds appropriated by this Act shall be used to facili-

tate the provision of IMET to Indonesia: *Provided further*, That a report is to be submitted to the Committees on Appropriations addressing how the proposed School of the Americas IMET program will contribute to the promotion of human rights, respect for civilian authority and the rule of law, the establishment of legitimate judicial mechanisms for the military, and achieving the goal of right sizing military forces.

For necessary expenses, for the military-to-military contact program of the Department of Defense, \$12,000,000, to be made available only for activities for East European countries and the Baltic States.

#### FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$3,149,279,000: *Provided*, That funds appropriated by this paragraph that are made available for Israel and Egypt shall be available only as grants: *Provided further*, That the funds appropriated by this paragraph that are made available for Israel shall be disbursed within thirty days of enactment of this Act or by October 31, 1994, whichever is later: *Provided further*, That funds made available under this paragraph shall be non-repayable notwithstanding any requirement in section 23 of the Arms Export Control Act.

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of direct loans authorized by section 23 of the Arms Export Control Act as follows: cost of direct loans, \$47,917,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed \$619,650,000: *Provided further*, That the rate of interest charged on such loans shall be not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities: *Provided further*, That the principal amount of direct loans for Greece and Turkey shall be made available according to a 7 to 10 ratio: *Provided further*, That 25 percent of the principal amount of direct loans for Turkey shall be withheld until the Secretary of State, in consultation with the Secretary of Defense, has submitted to the Committees on Appropriations a report addressing, among other things, the allegations of abuses against civilians by the Turkish armed forces and the situation in Cyprus, and a separate notification has been submitted at least 15 days prior to the obligation of such funds: *Provided further*, That 25 percent of the principal amount of direct loans for Greece shall be withheld until the Secretary of State has submitted to the Committees on Appropriations a report on the allegations of Greek violations of the United Nations sanctions against Serbia and of the United Nations Charter, and a separate notification has been submitted at least 15 days prior to the obligation of such funds.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): *Provided further*, That none of the funds appropriated under this heading shall

be available for Zaire, Sudan, Liberia, Guatemala, Peru, and Malawi: *Provided further*, That none of the funds appropriated under this heading may be made available for Colombia or Bolivia until the Secretary of State certifies that such funds will not be used by such country for purposes other than counter-narcotics activities: *Provided further*, That not more than \$100,000,000 of the funds made available under this heading shall be available for use in financing the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act to countries other than Israel and Egypt: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That, subject to the regular notification procedures of the Committees on Appropriations, funds made available under this heading for the cost of direct loans may also be used to supplement the funds available under this heading for necessary expenses for grants if countries specified under this heading as eligible for such direct loans decline to utilize such loans: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That the Department of Defense shall conduct during the current fiscal year nonreimbursable audits of private firms whose contracts are made directly with foreign governments and are financed with funds made available under this heading (as well as subcontractors thereunder) as requested by the Defense Security Assistance Agency: *Provided further*, That not more than \$22,150,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than \$335,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during the fiscal year 1994 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading, and no employee of the Defense Security Assistance Agency, may be used to facilitate the transport of aircraft to commercial arms sales shows.

#### PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$75,000,000.

#### TITLE IV—EXPORT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the cur-

rent fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon State as defined in article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of enactment of this Act.

#### SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$792,653,000 to remain available until September 30, 1996: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, and tied-aid grants, and total loan principal, any part of which is to be guaranteed, including insurance, of not to exceed \$19,000,000,000: *Provided further*, That such sums shall remain available until 2010 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 1995 and 1996: *Provided further*, That up to \$100,000,000 of funds appropriated by this paragraph shall remain available until expended and may be used for tied-aid grant purposes: *Provided further*, That none of the funds appropriated by this paragraph may be used for tied-aid credits or grants except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State, or any agency or national thereof.

#### ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$20,000 for official reception and representation expenses for members of the Board of Directors, \$44,550,000: *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION PROGRAM ACCOUNT

For the subsidy cost as defined in section 13201 of the Budget Enforcement Act of 1990, of direct and guaranteed loans authorized by section 234 of the Foreign Assistance Act of 1961, as follows: cost of direct and guaranteed loans, \$23,296,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$7,933,000: *Provided*, That the funds provided in this paragraph shall be available for and apply to costs, direct loan obligations and loan guaranty commitments incurred or made during the period from October 1, 1994 through September 30, 1996: *Provided further*, That such sums are to remain available through fiscal

year 2003 for the disbursement of direct and guaranteed loans obligated in fiscal year 1995, and through 2004 for the disbursement of direct and guaranteed loans obligated in fiscal year 1996.

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such noncredit expenditures and commitments within the limits of funds available to it and in accordance with law (including an amount for official reception and representation expenses which shall not exceed \$35,000) as may be necessary.

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$44,986,000.

#### TITLE V—GENERAL PROVISIONS

##### OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled "International Disaster Assistance", and "United States Emergency Refugee and Migration Assistance Fund", not more than 15 per centum of any appropriation item made available by this Act shall be obligated during the last month of availability.

##### PROHIBITION OF BILATERAL FUNDING FOR INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. None of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961.

##### LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed \$126,500 shall be for official residence expenses of the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

##### LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed \$5,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

##### LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed \$95,000 shall be available for representation allowances for the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$2,000 shall be available for entertainment expenses and not to exceed \$50,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed \$50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading "Trade and Development Agency", not

to exceed \$2,000 shall be available for representation and entertainment allowances.

##### PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for "International Organizations and Programs") pursuant to this Act, for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

##### PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, the Socialist Republic of Vietnam, Iran, Serbia, Sudan, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

##### MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose duly elected Head of Government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office.

##### TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, unless the President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

##### DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. (a) Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the headings under the "Agency for International Development" are, if deobligated, hereby continued available for the same period as the respective appropriations under such headings or until September 30, 1995, whichever is later, and for the same general purpose, and for countries within the same region as originally obligated: *Provided*, That the Appropriations Committees of both Houses of the Congress are notified fifteen days in advance of the deobligation and reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: *Provided*, That the authority of this subsection may not be used in fiscal year 1995.

##### AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for

obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, shall remain available until expended if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: *Provided further*, That the report required by section 653(a) of the Foreign Assistance Act of 1961 shall designate for each country, to the extent known at the time of submission of such report, those funds allocated for cash disbursement for balance of payment and economic policy reform purposes.

#### LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act: *Provided*, That this section and section 620(q) of the Foreign Assistance Act of 1961 shall not apply to funds made available in this Act or during the current fiscal year for Nicaragua, and for any narcotics-related assistance for Colombia, Bolivia, and Peru authorized by the Foreign Assistance Act of 1961 or the Arms Export Control Act.

#### COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

(c) None of the funds provided in this Act to the Agency for International Development, other than funds made available to carry out Caribbean Basin Initiative programs under the Tariff Schedules of the United States, section 1202 of title 19, United States Code, schedule 8, part I, subpart B, item 807.00, shall be obligated or expended—

(1) to assist directly feasibility studies or prefeasibility studies for, or project profiles of potential investment in, the manufacture, for export to the United States or to third country markets in direct competition with United States exports, of import-sensitive articles as defined by section 503(c)(1) (A) and (E) of the Tariff Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)); or

(2) to assist directly in the establishment of facilities specifically designed for the manufacture, for export to the United States or to third country markets in direct competition with United States exports, of import-sensitive articles as defined in section 503(c)(1) (A) and (E) of the Tariff Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)).

#### SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the Executive Branch with the necessary administrative flexibility, none of the funds made available under this Act for "Development Assistance Fund", "Population, Development Assistance", "Development Fund for Africa", "International organizations and programs", "Trade and Development Agency", "International narcotics control", "Assistance for Eastern Europe and the Baltic States", "Assistance for the New Independent States of the Former Soviet Union", "Economic Support Fund", "Peacekeeping operations", "Operating expenses of the Agency for International Development", "Operating expenses of the Agency for International Development Office of Inspector General", "Anti-terrorism assistance", "Foreign Military Financing Program", "International military education and training" (including the military-to-military contact program), "Inter-American Foundation", "African Development Foundation", "Peace Corps", or "Migration and refugee assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operation not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major de-

fense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 per centum in excess of the quantities justified to Congress unless the Committees on Appropriations are notified fifteen days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 20 per centum of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

Drawdowns made pursuant to section 506(a)(2) of the Foreign Assistance Act of 1961 shall be subject to the regular notification procedures of the Committees on Appropriations.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. (a) Notwithstanding any other provision of law or of this Act, none of the funds provided for "International Organizations and Programs" shall be available for the United States proportionate share, in accordance with section 307(c) of the Foreign Assistance Act of 1961, for any programs identified in section 307, or for Libya, Iran, or, at the discretion of the President, Communist countries listed in section 620(f) of the Foreign Assistance Act of 1961, as amended: *Provided*, That, subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of this section or any similar provision of law, shall remain available for obligation through September 30, 1996.

(b) The United States shall not make any voluntary or assessed contribution—

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood, during any period in which such membership is effective.

#### ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

SEC. 517. The Congress finds that progress on the peace process in the Middle East is vitally important to United States security interests in the region. The Congress recognizes that, in fulfilling its obligations under the Treaty of Peace Between the Arab Republic of Egypt and the State of Israel, done at Washington on March 26, 1979, Israel in-

curred severe economic burdens. Furthermore, the Congress recognizes that an economically and militarily secure Israel serves the security interests of the United States, for a secure Israel is an Israel which has the incentive and confidence to continue pursuing the peace process. Therefore, the Congress declares that it is the policy and the intention of the United States that the funds provided in annual appropriations for the Economic Support Fund which are allocated to Israel shall not be less than the annual debt repayment (interest and principal) from Israel to the United States Government in recognition that such a principle serves United States interests in the region.

PROHIBITION CONCERNING ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations. The Congress reaffirms its commitments to Population, Development Assistance and to the need for informed voluntary family planning.

REPORTING REQUIREMENT

SEC. 519. The President shall submit to the Committees on Appropriations the reports required by section 25(a)(1) of the Arms Export Control Act.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated in this Act shall be obligated or expended for Colombia, El Salvador, Guatemala, Haiti, Indonesia, Liberia, Nicaragua, Pakistan, Peru, Rwanda, Sudan, or Zaire except as provided through the regular notification procedures of the Committees on Appropriations: *Provided*, That this section shall not apply to funds appropriated by this Act to carry out the provisions of chapter 1 of part I of the Foreign Assistance Act of 1961 that are made available for El Salvador and Nicaragua.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the Appropriations Act account level and shall include all Appropriations and Authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development "program, project, and activity" shall also be considered to include central program level funding, either as (1) justified to the Congress, or (2) allocated by the executive branch in accordance with a report, to

be provided to the Committees on Appropriations within thirty days of enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

FAMILY PLANNING, CHILD SURVIVAL AND AIDS ACTIVITIES

SEC. 522. Up to \$8,000,000 of the funds made available by this Act for assistance for family planning, health, child survival, and AIDS, may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the Agency for International Development for the purpose of carrying out family planning activities, child survival activities and activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome in developing countries: *Provided*, That such individuals shall not be included within any personnel ceiling applicable to any United States Government agency during the period of detail or assignment: *Provided further*, That funds appropriated by this Act that are made available for child survival activities or activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: *Provided further*, That funds appropriated by this Act that are made available for family planning activities may be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, the Socialist Republic of Vietnam, Iran, Syria, North Korea, People's Republic of China, or Laos unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

RECIPROCAL LEASING

SEC. 524. Section 61(a) of the Arms Export Control Act is amended by striking out "1994" and inserting in lieu thereof "1995".

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 525. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (c) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

AUTHORIZATION REQUIREMENT

SEC. 526. Funds appropriated by this Act may be obligated and expended subject to section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

DEPLETED URANIUM

SEC. 527. None of the funds provided in this or any other Act may be made available to facilitate in any way the sale of M-833 anti-tank shells or any comparable antitank shells containing a depleted uranium pene-

trating component to any country other than (1) countries which are members of NATO, (2) countries which have been designated as a major non-NATO ally for purposes of section 1105 of the National Defense Authorization Act for Fiscal Year 1987 or, (3) Taiwan: *Provided*, That funds may be made available to facilitate the sale of such shells notwithstanding the limitations of this section if the President determines that to do so is in the national security interest of the United States.

OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES BY INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES EXECUTIVE DIRECTORS.—The Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution designated in subsection (b), and the Administrator of the Agency for International Development shall instruct the United States Executive Director of the International Fund for Agriculture Development, to use the voice and vote of the United States to oppose any loan or other use of the funds of the respective institution to or for a country for which the Secretary of State has made a determination under section 6(j) of the Export Administration Act of 1979.

(b) DEFINITION.—For purposes of this section, the term "international financial institution" includes—

(1) the International Bank for Reconstruction and Development, the International Development Association, and the International Monetary Fund; and

(2) wherever applicable, the Inter-American Development Bank, the Asian Development Bank, the African Development Fund, and the European Bank for Reconstruction and Development.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 529. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least fifteen days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 530. Notwithstanding any other provision of law, and subject to the regular notification requirements of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel and Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national secu-

rity reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

#### COMPETITIVE INSURANCE

SEC. 531. All Agency for International Development contracts and solicitations, and subcontracts entered into under such contracts, shall include a clause requiring that United States marine insurance companies have a fair opportunity to bid for marine insurance when such insurance is necessary or appropriate.

#### STINGERS IN THE PERSIAN GULF REGION

SEC. 532. Except as provided in section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, the United States may not sell or otherwise make available any Stingers to any country bordering the Persian Gulf under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961.

#### PROHIBITION ON LEVERAGING AND DIVERSION OF UNITED STATES ASSISTANCE

SEC. 533. (a) None of the funds appropriated by this Act may be provided to any foreign government (including any instrumentality or agency thereof), foreign person, or United States person in exchange for that foreign government or person undertaking any action which is, if carried out by the United States Government, a United States official or employee, expressly prohibited by a provision of United States law.

(b) For the purposes of this section the term "funds appropriated by this Act" includes only (1) assistance of any kind under the Foreign Assistance Act of 1961; and (2) credits, and guaranties under the Arms Export Control Act.

(c) Nothing in this section shall be construed to limit—

(1) the ability of the President, the Vice President, or any official or employee of the United States to make statements or otherwise express their views to any party on any subject;

(2) the ability of an official or employee of the United States to express the policies of the President; or

(3) the ability of an official or employee of the United States to communicate with any foreign country government, group or individual, either directly or through a third party, with respect to the prohibitions of this section including the reasons for such prohibitions, and the actions, terms, or conditions which might lead to the removal of the prohibitions of this section.

#### DEBT-FOR-DEVELOPMENT

SEC. 534. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under the heading "Agency for International Development" and any interest earned on such investment may be for the purpose for which the assistance was provided to that organization.

#### LOCATION OF STOCKPILES

SEC. 535. Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended by striking out "\$200,000,000 for stockpiles in Israel for fiscal year 1994" and inserting in lieu thereof "a total of \$200,000,000 for stockpiles in Israel for fiscal years 1994 and 1995, up to \$40,000,000 may be made available for stockpiles in the Republic of Korea, and up to \$10,000,000 may

be made available for stockpiles in Thailand for fiscal year 1995".

#### SEPARATE ACCOUNTS

SEC. 536. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I (including the Philippines Multilateral Assistance Initiative) or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated, and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities, or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The Agency for International Development shall take all appropriate steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) CONFORMING AMENDMENTS.—The provisions of this subsection shall supersede the tenth and eleventh provisos contained under the heading "Sub-Saharan Africa, Development Assistance" as included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 and sections 531(d) and 609 of the Foreign Assistance Act of 1961.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapters 1 or 10 of part I (including the Philippines Multilateral Assistance Initiative) or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory

Statement of the Committee of Conference accompanying House Joint Resolution 648 (H. Report No. 98-1159).

(3) NOTIFICATION.—At least fifteen days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

#### COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 537. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, and the European Bank for Reconstruction and Development.

#### COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 538. (a) DENIAL OF ASSISTANCE.—None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

(b) IMPORT SANCTIONS.—If the President considers that the taking of such action would promote the effectiveness of the economic sanctions of the United Nations and the United States imposed with respect to Iraq, and is consistent with the national interest, the President may prohibit, for such a period of time as he considers appropriate, the importation into the United States of any or all products of any foreign country that has not prohibited—

(1) the importation of products of Iraq into its customs territory, and

(2) the export of its products to Iraq.

## POW/MIA MILITARY DRAWDOWN

SEC. 539. (a) Notwithstanding any other provision of law, the President may direct the drawdown, without reimbursement by the recipient, of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value not to exceed \$15,000,000 in fiscal year 1995, as may be necessary to carry out subsection (b).

(b) Such defense articles, services and training may be provided to Cambodia and Laos, under subsection (a) as the President determines are necessary to support efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War, and to ensure the safety of United States Government personnel engaged in such cooperative efforts and to support United States Department of Defense-sponsored humanitarian projects associated with the POW/MIA efforts. Any aircraft shall be provided under this section only to Laos and only on a lease or loan basis, but may be provided at no cost notwithstanding section 61 of the Arms Export Control Act and may be maintained with defense articles, services and training provided under this section.

(c) The President shall, within sixty days of the end of any fiscal year in which the authority of subsection (a) is exercised, submit a report to the Congress which identifies the articles, services, and training drawn down under this section.

(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles, defense services, and military education and training provided under this section.

## MEDITERRANEAN EXCESS DEFENSE ARTICLES

SEC. 540. During fiscal year 1995, the provisions of section 573(e) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, shall be applicable, for the period specified therein, to excess defense articles made available under sections 516 and 519 of the Foreign Assistance Act of 1961.

## PRIORITY DELIVERY OF EQUIPMENT

SEC. 541. Notwithstanding any other provision of law, the delivery of excess defense articles that are to be transferred on a grant basis under section 516 of the Foreign Assistance Act to NATO allies and to major non-NATO allies on the southern and southeastern flank of NATO shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

## ISRAEL DRAWDOWN

SEC. 542. Section 599B(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (as amended by Public Law 102-145, as amended, and Public Law 102-391), is further amended—

(a) by striking out "fiscal year 1994" and inserting in lieu thereof "fiscal year 1995";

(b) by striking out "Appropriations Act, 1994" and inserting in lieu thereof "Appropriations Act, 1995"; and

(c) by striking out "\$700,000,000" and inserting in lieu thereof "\$775,000,000".

## CASH FLOW FINANCING

SEC. 543. For each country that has been approved for cash flow financing (as defined in section 25(d) of the Arms Export Control Act, as added by section 112(b) of Public Law 99-83) under the Foreign Military Financing Program, any Letter of Offer and Acceptance or other purchase agreement, or any amendment thereto, for a procurement in excess of

\$100,000,000 that is to be financed in whole or in part with funds made available under this Act shall be submitted through the regular notification procedures to the Committees on Appropriations.

## AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION

SEC. 544. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. The appropriate agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

## IMPACT ON JOBS IN THE UNITED STATES

SEC. 545. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(b) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(c) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

## AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

SEC. 546. (a) Congress finds as follows:

(1) The United Nations has imposed an embargo on the transfer of arms to any country on the territory of the former Yugoslavia.

(2) The federated states of Serbia and Montenegro have a large supply of military equipment and ammunition and the Serbian forces fighting the government of Bosnia-Herzegovina have more than one thousand battle tanks, armored vehicles, and artillery pieces.

(3) Because the United Nations arms embargo is serving to sustain the military advantage of the aggressor, the United Nations should exempt the government of Bosnia-Herzegovina from its embargo.

(b) Pursuant to a lifting of the United Nations arms embargo, or to a unilateral lifting of the arms embargo by the President of the United States, against Bosnia-Herzegovina, the President is authorized to transfer to the government of that nation, without reimbursement, defense articles from the stocks of the Department of Defense of an aggregate value not to exceed \$50,000,000 in fiscal year

1995: *Provided*, That the President certifies in a timely fashion to the Congress that—

(1) the transfer of such articles would assist that nation in self-defense and thereby promote the security and stability of the region; and

(2) United States allies are prepared to join in such a military assistance effort.

(c) Within 60 days of any transfer under the authority provided in subsection (b), and every 60 days thereafter, the President shall report in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate concerning the articles transferred and the disposition thereof.

(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles provided under this section.

(e) If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international law in the former Yugoslavia, the authority of section 552(c) of the Foreign Assistance Act of 1961, as amended, may be used to provide up to \$25,000,000 of commodities and services to the United Nations War Crimes Tribunal, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this subsection shall be in lieu of any determinations otherwise required under section 552(c).

## SPECIAL AUTHORITIES

SEC. 547. (a) Funds appropriated in title II of this Act that are made available for Haiti, Afghanistan, Lebanon, and Cambodia, and for victims of war, displaced children, displaced Burmese, humanitarian assistance for Romania, and humanitarian assistance for the peoples of Bosnia-Herzegovina, Croatia, and Kosovo, may be made available notwithstanding any other provision of law: *Provided*, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985: *Provided further*, That the President shall terminate assistance to any Cambodian organization that he determines is cooperating, tactically or strategically, with the Khmer Rouge in their military operations.

(b) Funds appropriated by this Act to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and energy programs aimed at reducing emissions of greenhouse gases with regard to the key countries in which deforestation and energy policy would make a significant contribution to global warming: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) During fiscal year 1995, the President may use up to \$50,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding the funding ceiling contained in subsection (a) of that section.

(d) The Agency for International Development may employ personal services contractors, notwithstanding any other provision of law, for the purpose of administering programs for the West Bank and Gaza.

## POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 548. (a) FINDINGS.—The Congress finds that—

(1) since 1948 the Arab countries have maintained a primary boycott against Israel, refusing to do business with Israel;

(2) since the early 1950s the Arab League has maintained a secondary and tertiary boycott against American and other companies that have commercial ties with Israel;

(3) the boycott seeks to coerce American firms by blacklisting those that do business with Israel and harm America's competitiveness;

(4) the United States has a longstanding policy opposing the Arab League boycott and United States law prohibits American firms from providing information to Arab countries to demonstrate compliance with the boycott;

(5) with real progress being made in the Middle East peace process and the serious confidence-building measures taken by the State of Israel an end to the Arab boycott of Israel and of American companies that have commercial ties with Israel is long overdue and would represent a significant confidence-building measure; and

(6) in the interest of Middle East peace and free commerce, the President must take more concrete steps to press the Arab states to end their practice of blacklisting and boycotting American companies that have trade ties with Israel.

(b) POLICY.—It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel and

(2) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel as a confidence-building measure;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress on the specific steps being taken by the President to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ANTI-NARCOTICS ACTIVITIES

SEC. 549. (a) Of the funds appropriated by this Act under the heading "Economic Support Fund", assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean in accordance with the provisions of section 534 of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act.

(b) Funds made available pursuant to this section may be made available notwithstanding the third sentence of section 534(e) of the Foreign Assistance Act of 1961. Funds made available pursuant to subsection (a)(1) for Bolivia, Colombia and Peru and subsection (a)(2) may be made available notwithstanding section 534(c) and the second sentence of section 534(e) of the Foreign Assistance Act of 1961.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 550. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1 and 10

of part I of the Foreign Assistance Act of 1961: *Provided*, That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: *Provided further*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 1995, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under titles I and II of the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 529 of this Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

#### EARMARKS

SEC. 551. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act or, with respect to a country with which the United States has an agreement providing the United States with base rights or base access in that country, if the President determines that the recipient for which funds are earmarked has significantly reduced its military or economic cooperation with the United States since enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991; however, before exercising the authority of this subsection with regard to a base rights or base access country which has significantly reduced its military or economic cooperation with the United States, the President shall consult with, and shall provide a written policy justification to the Committees on Appropriations: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that

the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided*, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

#### CEILINGS AND EARMARKS

SEC. 552. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs.

#### EXCESS DEFENSE ARTICLES

SEC. 553. The authority of section 519 of the Foreign Assistance Act of 1961, as amended, may be used in fiscal year 1994 to provide nonlethal excess defense articles to countries for which United States foreign assistance has been requested and for which receipt of such articles was separately justified for the fiscal year, without regard to the restrictions in subsection (a) of section 519.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 554. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of enactment of this Act by the Congress.

#### DISADVANTAGED ENTERPRISES

SEC. 555. (a) Except to the extent that the Administrator of the Agency for International Development determines otherwise, not less than 10 percent of the aggregate amount made available for the current fiscal year for the "Development Assistance Fund", "Population, Development Assistance", and the "Development Fund for Africa" shall be made available only for activities of United States organizations and individuals that are—

(1) business concerns owned and controlled by socially and economically disadvantaged individuals,

(2) historically black colleges and universities,

(3) colleges and universities having a student body in which more than 40 per centum of the students are Hispanic American, and

(4) private voluntary organizations which are controlled by individuals who are socially and economically disadvantaged.

(b)(1) In addition to other actions taken to carry out this section, the actions described in paragraphs (2) through (5) shall be taken with respect to development assistance and assistance for sub-Saharan Africa for the current fiscal year.

(2) Notwithstanding any other provision of law, in order to achieve the goals of this section, the Administrator—

(A) to the maximum extent practicable, shall utilize the authority of section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(B) to the maximum extent practicable, shall enter into contracts with small business concerns owned and controlled by socially and economically disadvantaged individuals, and organizations contained in paragraphs (2) through (4) of subsection (a)—

(i) using less than full and open competitive procedures under such terms and conditions as the Administrator deems appropriate, and

(ii) using an administrative system for justifications and approvals that, in the Administrator's discretion, may best achieve the purpose of this section; and

(C) shall issue regulations to require that any contract in excess of \$500,000 contain a provision requiring that no less than 10 per centum of the dollar value of the contract be subcontracted to entities described in subsection (a), except—

(i) to the extent the Administrator determines otherwise on a case-by-case or category-of-contract basis; and

(ii) This subparagraph does not apply to any prime contractor that is an entity described in subsection (a).

(3) Each person with contracting authority who is attached to the Agency's headquarters in Washington, as well as all Agency missions and regional offices, shall notify the Agency's Office of Small and Disadvantaged Business Utilization at least seven business days before advertising a contract in excess of \$100,000, except to the extent that the Administrator determines otherwise on a case-by-case or category-of-contract basis.

(4) The Administrator shall include, as part of the performance evaluation of any mission director of the agency, the mission director's efforts to carry out this section.

(5) The Administrator shall submit to the Congress annual reports on the implementation of this section. Each such report shall specify the number and dollar value or amount (as the case may be) of prime contracts, subcontracts, grants, and cooperative agreements awarded to entities described in subsection (a) during the preceding fiscal year.

(c) As used in this section, the term "socially and economically disadvantaged individuals" has the same meaning that term is given for purposes of section 8(d) of the Small Business Act, except that the term includes women.

USE OF AMERICAN RESOURCES

SEC. 556. To the maximum extent possible, assistance provided under this Act should make full use of American resources, including commodities, products, and services.

LIMITATIONS ON ASSISTANCE FOR NICARAGUA

Sec. 557. (a) Funds appropriated by this Act under the heading "Economic Support Fund" may only be made available to the Government of Nicaragua upon the notification, in writing, by the Secretary of State to the appropriate committees that he has determined that significant and tangible progress is being made by the Government of Nicaragua toward—

(1) the prosecution of any individual identified as part of a terrorist/kidnapping ring by the investigation of issues raised by the discovery, after the May 23 explosion in Managua, of weapons caches, false passports, identity papers and other documents, suggesting the existence of such a ring, including all government officials (including any members of the armed forces or security forces);

(2) the resolution of expropriation claims and the effective compensation of legitimate claims;

(3) the timely implementation of recommendations made by the Tripartite Commission as it undertakes to review and identify those responsible for gross human rights violations, including the expeditious prosecution of individuals identified by the commission in connection with such violations;

(4) the enactment into law of legislation to reform the Nicaraguan military and security forces in order to guarantee civilian control over the armed forces;

(5) the establishment of civilian control over the police, and the independence of the police from the military; and

(6) the effective reform of the Nicaraguan judicial system.

(b) The notification pursuant to subsection (a) above shall include a detailed listing of the tangible evidence that forms the basis for such determination.

(c) For purposes of this section, the term "appropriate committees" means the Committees on Foreign Relations and Appropriations of the Senate and Committees on Foreign Affairs and Appropriations of the House of Representatives.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 558. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

CONSULTING SERVICES

SEC. 559. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order pursuant to existing law.

PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

SEC. 560. None of the funds appropriated or made available pursuant to this Act shall be available to a private voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development, nor shall any of the funds appropriated by this Act be made available to any private voluntary organization which is not registered with the Agency for International Development.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 561. (a)(1) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(A) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961; or

(B) credits extended or guarantees issued under the Arms Export Control Act.

(2) LIMITATIONS.—

(A) The authority provided by paragraph (1) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(B) The authority provided by paragraph (1) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(C) The authority provided by paragraph (1) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(3) CONDITIONS.—The authority provided by paragraph (1) may be exercised only with respect to a country whose government—

(A) does not have an excessive level of military expenditures;

(B) has not repeatedly provided support for acts of international terrorism;

(C) is not failing to cooperate on international narcotics control matters; and

(D) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights.

(4) AVAILABILITY OF FUNDS.—The authority provided by paragraph (1) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

(5) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to paragraph (1) shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

GUARANTEES

SEC. 562. Section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control

Act of 1985 is amended by striking "1994" and inserting in lieu thereof "1994 and 1995" in both places that this appears.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 563. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after the date of enactment of this Act.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 564. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 565. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 583(a) of the Middle East Peace Facilitation Act of 1994 (part E of title V of Public Law 103-236) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 583(b)(2) of the Middle East Peace Facilitation Act or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President determines that it is in the national interest to do so and so reports to the Congress.

PROCUREMENT REDUCTION

SEC. 566. (a) Of the budgetary resources available to the Agency for International Development during fiscal year 1995, \$1,598,000 are permanently canceled.

(b) The Administrator of the Agency for International Development shall allocate the amount of budgetary resources canceled among the Agency's accounts available for procurement and procurement-related expenses. Amounts available for procurement and procurement-related expenses in each such account shall be reduced by the amount allocated to such account.

(c) For the purposes of this section, the definition of "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and close-out, as specified in section 403(a)(2) of title 41, United States Code.

IMPLEMENTATION OF WAPENHANS REPORT RECOMMENDATIONS

SEC. 567. Funds appropriated by title I of this Act under the headings "Contribution to the International Bank for Reconstruction and Development", "Contribution to the International Development Association", and "Contribution to the International Finance Corporation" shall not be available for payment to any such institution unless the Secretary of the Treasury (1) determines that the recommendations contained in the report entitled Report of the Portfolio Management Task Force (commonly referred to as the "Wapenhans Report") continue to be implemented, and (2) reports that determination to the Committee on Appropriations and the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

RESTRICTIONS ON ASSISTANCE TO RUSSIA

SEC. 568. (a) RESTRICTION.—None of the funds appropriated or otherwise made available by this Act may be obligated for assistance for the Government of Russia after December 31, 1994, unless it has been made known to the President that all armed forces of Russia and the Commonwealth of Independent States have been removed from all Baltic countries or that the status of those armed forces have been otherwise resolved by mutual agreement of the parties.

(b) EXEMPTION.—Subsection (a) does not apply to assistance that involves the provision of student exchange programs, food, clothing, medicine, or other humanitarian assistance or to housing assistance for officers of the armed forces of Russia or the Commonwealth of Independent States who are removed from the territory of Estonia, Latvia, and Lithuania.

(c) WAIVER.—Subsection (a) does not apply if after December 31, 1994, the President determines that the provision of funds to the Government of Russia is in the national interest.

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995".

It was decided in the affirmative { Yeas ..... 426 Nays ..... 1

56.22 [Roll No. 204] AYES—426

Table listing names of representatives and their affiliations for the 426 yeas vote.

Table listing names of representatives and their affiliations for the 1 nays vote.

Table listing names of representatives and their affiliations for the NOES-1 and NOT VOTING-11 votes.

So the committee amendment in the nature of a substitute was agreed to. After some further time,

56.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CALLAHAN:

Page 32, line 1, strike "\$900,000,000" and insert "\$552,000,000"; line 4, before the period insert ": Provided further, That none of the funds appropriated by this paragraph may be made available for programs in Russia, other than humanitarian assistance programs"; strike lines 5 through 19; line 20, strike "(d)" and insert "(b)"; page 33, line 16, strike "(e)" and insert "(c)"; page 34, line 1, strike "(f)" and insert "(d)"; line 4, strike "(g)" and insert "(e)"; and line 6, strike "(h)" and insert "(f)".

It was decided in the affirmative { Yeas ..... 144 negative ..... 286

56.24 [Roll No. 205] AYES—144

Table listing names of representatives and their affiliations for the 144 yeas and 286 nays votes.

McHugh  
McInnis  
McKeon  
Mfume  
Miller (FL)  
Molinar  
Moorhead  
Myers  
Nussle  
Packard  
Paxon  
Peterson (MN)  
Pombo  
Portman  
Poshard  
Pryce (OH)  
Quillen  
Quinn

Rahall  
Ramstad  
Ravenel  
Regula  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Sanders  
Santorum  
Sarpalius  
Schaefer  
Sensenbrenner  
Shuster  
Smith (OR)  
Smith (TX)

Snowe  
Solomon  
Spence  
Stearns  
Stenholm  
Stump  
Sundquist  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas (WY)  
Thurman  
Traficant  
Valentine  
Vucanovich  
Walker  
Young (FL)  
Zimmer

NOES—286

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (TX)  
Bacchus (FL)  
Baesler  
Barca  
Barlow  
Barrett (WI)  
Bartlett  
Bateman  
Becerra  
Beilenson  
Bentley  
Bereuter  
Berman  
Bevill  
Bilbray  
Bishop  
Bliley  
Boehkert  
Boehner  
Bonior  
Borski  
Boucher  
Brooks  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Calvert  
Cantwell  
Cardin  
Carr  
Castle  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Cooper  
Coppersmith  
Coyne  
Cramer  
Darden  
de la Garza  
de Lugo (VI)  
Deal  
DeLauro  
Dellums  
Derrick  
Deutsch  
Dicks  
Dingell  
Dixon  
Dooley  
Dreier  
Dunn  
Durbín  
Edwards (CA)  
Edwards (TX)  
Ehlers  
Emerson  
Engel  
English  
Eshoo  
Evans  
Farr  
Fazio  
Filner  
Fingerhut  
Fish  
Flake  
Foglietta

Ford (MI)  
Ford (TN)  
Frank (MA)  
Franks (NJ)  
Frost  
Furse  
Gallo  
Gejdenson  
Gephardt  
Gibbons  
Gilchrest  
Gilman  
Gingrich  
Glickman  
Gonzalez  
Gordon  
Green  
Greenwood  
Gunderson  
Gutierrez  
Hall (OH)  
Hamburg  
Hamilton  
Harman  
Hastings  
Hilliard  
Hinchev  
Hoagland  
Hochbrueckner  
Holden  
Houghton  
Hoyer  
Hughes  
Istook  
Jefferson  
Johnson (CT)  
Johnson (GA)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kennedy  
Kennelly  
Kildee  
King  
Kleczka  
Klein  
Knollenberg  
Kolbe  
Kopetski  
Kreidler  
LaFalce  
Lambert  
Lancaster  
Lantos  
LaRocco  
Lazio  
Leach  
Levin  
Levy  
Lewis (CA)  
Lewis (GA)  
Rowland  
Roybal-Allard  
Rush  
Sabó  
Sangmeister  
Sawyer  
Saxton  
Schenk  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Sharp  
Shaw  
Shays  
Shepherd  
Sisisky  
Skaggs

McCrery  
McCurdy  
McDade  
McDermott  
McHale  
McKinney  
McMillan  
McNulty  
Meehan  
Meek  
Menendez  
Meyers  
Mica  
Michel  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Mollohan  
Montgomery  
Moran  
Morella  
Murphy  
Murtha  
Nadler  
Neal (MA)  
Neal (NC)  
Norton (DC)  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Oxley  
Pallone  
Parker  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Penny  
Peterson (FL)  
Petri  
Pickett  
Pickle  
Pomeroy  
Porter  
Price (NC)  
Rangel  
Reed  
Reynolds  
Richardson  
Ridge  
Roberts  
Roemer  
Romero-Barcelo (PR)  
Rose  
Rostenkowski  
Rowland  
Roybal-Allard  
Rush  
Sabó  
Sangmeister  
Sawyer  
Saxton  
Schenk  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Sharp  
Shaw  
Shays  
Shepherd  
Sisisky  
Skaggs

Skeen  
Skelton  
Slattery  
Slaughter  
Smith (IA)  
Smith (MI)  
Smith (NJ)  
Spratt  
Stark  
Stokes  
Strickland  
Studds  
Stupak  
Sweet  
Swift  
Synar

Talent  
Tanner  
Tejeda  
Thomas (CA)  
Thompson  
Thornton  
Torkildsen  
Torres  
Towns  
Underwood (GU)  
Unsoeld  
Upton  
Velazquez  
Vento  
Visclosky  
Volkmer

Walsh  
Waters  
Watt  
Waxman  
Weldon  
Wheat  
Whitten  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Yates  
Zeliff

NOT VOTING—8

Blackwell  
Faleomavaega (AS)  
Grandy  
Horn  
Torricelli  
Tucker  
Washington  
Young (AK)

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. OBEY, assumed the Chair. When Mr. RICHARDSON, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

56.25 MESSAGE FROM THE PRESIDENT— NATIONAL EMERGENCY WITH RESPECT TO YUGOSLAVIA

The SPEAKER pro tempore, Mr. OBEY, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) is to continue in effect beyond May 30, 1994, to the Federal Register for publication.

The circumstances that led to the declaration on May 30, 1992, of a national emergency have not been resolved. The Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to support groups seizing and attempting to seize territory in the Republics of Croatia and Bosnia-Herzegovina by force and violence. The actions and policies of the Federal Republic of Yugoslavia (Serbia and Montenegro) pose a continuing unusual and extraordinary threat to the national security, vital foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to reduce its ability to support the continuing civil strife in the former Yugoslavia.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 25, 1994.

By unanimous consent, the message, together with the accompanying pa-

pers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 103-262).

56.26 RECESS—6:47 P.M.

The SPEAKER pro tempore, Mr. OBEY, pursuant to clause 12 of rule I, declared the House in recess at 6 o'clock and 47 minutes p.m., subject to the call of the Chair.

56.27 AFTER RECESS—7:30 P.M.

The SPEAKER pro tempore, Mr. FROST, called the House to order.

56.28 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 70. Concurrent resolution providing for a conditional recess or adjournment of the Senate on Wednesday, May 25, 1994, Thursday, May 26, 1994, Friday, May 27, 1994, or Saturday, May 28, 1994, until Tuesday, June 7, 1994, and a conditional adjournment of the House on Thursday, May 26, 1994, until Wednesday, June 8, 1994.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 24) "An Act to reauthorize the independent counsel law for an additional 5 years, and for other purposes."

56.29 FOREIGN AID APPROPRIATIONS

The SPEAKER pro tempore, Mr. FROST, pursuant to House Resolution 443 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

Mr. RICHARDSON, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

56.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BURTON:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

LIMITATION ON FUNDS FOR SOUTH AFRICAN ASSISTANCE PROGRAM

SEC. . Of the funds made available in this Act, the amount that may be used to support the South African Assistance Program shall not exceed the amount used for such purpose during fiscal year 1994.

It was decided in the { Yeas ..... 103  
negative ..... } Nays ..... 321

56.31 [Roll No. 206] AYES—103

Allard  
Andrews (NJ)  
Archer  
Armedy  
Baker (CA)  
Ballenger  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bilirakis  
Blute

Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Canady
Coble
Collins (GA)
Combust
Condit
Cox
Crane
Crapo
Cunningham
Danner
DeLay
Diaz-Balart
Doolittle
Dornan
Dreier
Duncan
Everett
Ewing
Fields (TX)
Fowler
Goodlatte
Grams
Hancock
Hansen
Hastert
Hefley
Herger
Hoekstra
Hoke
Hunter
Inglis
Inhofe
Istook
Johnson, Sam
Kim
Kingston
Kyl
Lewis (FL)
Linder
Machtley
Manzullo
McCandless
McCollum
McHugh
McInnis
McKeon
McMillan
Mica
Miller (FL)
Moorhead
Myers
Nussle
Packard
Paxon
Peterson (MN)
Petri

NOES—321

Abercrombie
Ackerman
Andrews (ME)
Andrews (TX)
Applegate
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bishop
Billey
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Calvert
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dickey
Dicks
Dingell
Dixon
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Ehlers
Emerson
Engel
English
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (TN)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Galleghy
Gallo
Gejdenson
Geren
Gephardt
Gillmor
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Green
Greenwood
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchev
Hoyne
Hoagland
Hobson
Hochbrueckner
Holden
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Hyde
Inslie
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kenny
Kildee
King
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey
Lucas
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCreary
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Mineta
Minge
Mink
Moakley

Molinari
Mollohan
Montgomery
Morella
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Romero-Barcelo (PR)
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skeltan
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Snowe
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Blackwell
Dooley
Faleomavaega (AS)
Ford (MI)
Grandy
Gunderson
Hall (TX)
Horn
McCurdy
McDade
Moran
Spence
Washington
Whitten

NOT VOTING—14

Blackwell
Dooley
Faleomavaega (AS)
Ford (MI)
Grandy
Gunderson
Hall (TX)
Horn
McCurdy
McDade
Moran
Spence
Washington
Whitten

So the amendment was not agreed to.
After some further time,

56.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BEILENSON:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

CERTAIN REDUCTIONS FOR ADDITIONAL POPULATION DEVELOPMENT ASSISTANCE FUNDING

SEC. 569. (a) REDUCTIONS.—Each amount appropriated or otherwise made available by this Act is hereby reduced by .75 percent.

(b) ADDITIONAL POPULATION DEVELOPMENT ASSISTANCE FUNDING.—The amount otherwise provided by title II for "Population, Development Assistance" is hereby increased by \$100,000,000.

It was decided in the Yeas ..... 54
negative ..... Nays ..... 371

56.33 [Roll No. 207]

AYES—54

Abercrombie
Allard
Beilenson
Boehlert
Bonior
Brown (CA)
Brown (OH)
Bryant
DeFazio
Derrick
Edwards (CA)
English
Eshoo
Farr
Fawell
Filner
Gilchrist
Gordon
Hamburg
Hoagland
Inslie
Jacobs
Kopetski
Kreidler
Lambert
Leach
Lloyd
McDermott
McKinney
Meyers
Miller (CA)
Minge
Mink
Moran
Morella
Neal (NC)
Pastor
Payne (VA)
Price (NC)
Rostenkowski
Sanders
Sawyer
Schroeder
Sharp
Skaggs
Slaughter
Stark
Strickland
Studds
Swift
Synar
Valentine
Velazquez
Waters

ACKERMAN
ANDREWS (ME)
ANDREWS (NJ)
ANDREWS (TX)
APPLEGATE
ARCHER
ARMEY
BACCHUS (FL)
BACHUS (AL)
BAESLER
BAKER (CA)
BAKER (LA)
BALLINGER
BARCA
BARLOW
BARRETT (NE)
BARRETT (WI)
BARTLETT
BARTON
BATEMAN
BECERRA
BENTLEY
BEREUTER
BERMAN
BEVILL
BILBRAY
BILIRAKIS
BISHOP
BILLEY
BLUTE
BOEHNER
BONILLA
BORSKI
BOUCHER
BREWSTER
BROOKS
BROWDER
BROWN (FL)
BUNNING
BURTON
BUYER
BYRNE
CALLAHAN
CALVERT
CAMP
CANADY
CANTWELL
CARDIN
CARR
CASTLE
CHAPMAN
CLAY
CLAYTON
CLEMENT
CLINGER
CLYBURN
COBLE
COLEMAN
COLLINS (GA)
COLLINS (IL)
COLLINS (MI)
COMBEST
CONDIT
CONYERS
COOPER
COPPERSMITH
COSTELLO
COYNE
COYNE
CRAMER
CRANE
CRAPO
CUNNINGHAM
DANNER
DARDEN
DE LA GARZA
DE LUGO (VI)
DEAL
DELAURO
DELLUMS
DEUTSCH
DIAZ-BALART
DICKEY
DICKS
DIXON
DOOLEY
DOOLITTLE
DORNAN
DREIER
DUNCAN
DUNN
DURBIN
EDWARDS (TX)
EHLERS
EMERSON
ENGEL
EVANS
EVERETT
EWING
FIELDS (LA)
FIELDS (TX)
FINGERHUT
FLAKE
FOGLIETTA
FORD (TN)
FOWLER
FRANK (MA)
FRANKS (CT)
FRANKS (NJ)
FROST
FURSE
GALLEGHY
GALLO
GEJDENSON
GEKAS
GEPHARDT
GEREN
GIBBONS
GILLMOR
GILMAN
GINGRICH
GLICKMAN
GONZALEZ
GOODLATTE
GOODLING
GOSS
GRAMS
GREEN
GREENWOOD
GUNDERSON
GUTIERREZ
HALL (OH)
HALL (TX)
HAMILTON
HANCOCK
HANSEN
HARMAN
HASTERT
HASTINGS
HAYES
HEFLEY
HEFNER
HERGER
HILLIARD
HINCHEY
HOBSON
HOCHBRUECKNER
HOEKSTRA
HOKE
HOLDEN
HOUGHTON
HOYER
HUFFINGTON
HUGHES
HUNTER
HUTCHINSON
HUTTO
HYDE
INGLIS
INHOFE
ISTOOK
JEFFERSON
JOHNSON (CT)
JOHNSON (GA)
JOHNSON (SD)
JOHNSON, E. B.
JOHNSTON
KANJORSKI
KAPTUR
KASICH
KENNEDY
KENNELLY
KILDEE
KLECKZA
KLEIN
KLING
KLINGSTON
KLECKZA
KLEIN
KLINK
KLUG
KNOLLENBERG
KOLBE
KOPETSKI
KREIDLER
LAFALCE
LAMBERT
LANCASTER
LANTOS
LAROCOCO
LAUGHLIN
LAZIO
LEACH
LEHMAN
LEVIN
LEVY
LEWIS (CA)
LEWIS (FL)
LEWIS (GA)
LIGHTFOOT
LINDER
LIPINSKI
LIVINGSTON
LONG
LOWEY
LUCAS
MALONEY
MANN
MANTON
MARGOLIES-MEZVINSKY
MARKEY
MARTINEZ
MATSUI
MAZZOLI
MCCLOSKEY
MCCRERY
MCDERMOTT
MCHALE
MCKINNEY
MCNULTY
MEEHAN
MEEK
MENENDEZ
MEYERS
MFUME
MICHEL
MILLER (CA)
MINETA
MINGE
MINK
MOAKLEY
MOLINARI
MOLLOHAN
MONTGOMERY
MORRELLA
MURPHY
MURTHA
NADLER
NEAL (MA)
NEAL (NC)
NORTON (DC)
OBERSTAR
OBEY
OLVER
ORTIZ
ORTON
OWENS
OXLEY
PALLONE
PARKER
PASTOR
PAYNE (NJ)
PAYNE (VA)
PELOSI
PENNY
PETERSON (FL)
PICKETT
PICKLE
POMEROY
PORTER
PORTMAN
POSHARD
PRICE (NC)
PRYCE (OH)
QUINN
RAHALL
RANGEL
RAVENEL
REED
REGULA
REYNOLDS
RICHARDSON
RIDGE
ROEMER
ROMERO-BARCELO (PR)
ROSE
ROUKEMA
ROWLAND
ROYBAL-ALLARD
RUSH
SABO
SANDERS
SANGMEISTER
SANTORUM
SARPALIUS
SAWYER
SAXTON
SCHENK
SCHIFF
SCHROEDER
SCHUMER
SCOTT
SERRANO
SHARP
SHAYS
SHEPHERD
SISISKY
SKAGGS
SKEEN
SKELTON
SLATTERY
SLAUGHTER
SMITH (IA)
SMITH (NJ)
SNOWE
SPRATT
STARK
STENHOLM
STOKES
STRICKLAND
STUDDS
STUPAK
SUNDQUIST
SWETT
SWIFT
SYNAR
TANNER
TAUZIN
TAYLOR (MS)
TEJEDA
THOMAS (CA)
THOMPSON
THORNTON
THURMAN
TORKILDSEN
TORRES
TORRICELLI
TOWNS
TRAFFICANT
TUCKER
UNDERWOOD (GU)
UNSOELD
UPTON
VALENTINE
VELAZQUEZ
VENTO
VICLOSKEY
VOLKMER
VUCANOVICH
WALSH
WATERS
WATT
WAXMAN
WHEAT
WILLIAMS
WILSON
WISE
WOOLSEY
WYDEN
WYNN
YATES

NOES—371

Lightfoot
Linder
Lipinski
Livingston
Long
Lowey
Lucas
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCreary
McCurdy
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Mica
Michel
Miller (FL)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nadler
Neal (MA)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Paxon
Payne (NJ)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo

Sangmeister	Spence	Unsoeld
Santorum	Spratt	Upton
Sarpalius	Stearns	Vento
Saxton	Stenholm	Visclosky
Schaefer	Stokes	Volkmer
Schenk	Stump	Vucanovich
Schiff	Stupak	Walker
Schumer	Sundquist	Walsh
Scott	Swett	Watt
Sensenbrenner	Talent	Waxman
Serrano	Tanner	Weldon
Shaw	Tauzin	Wheat
Shays	Taylor (MS)	Williams
Shepherd	Taylor (NC)	Wilson
Shuster	Tejeda	Wise
Sisisky	Thomas (CA)	Wolf
Skeen	Thomas (WY)	Woolsey
Skelton	Thompson	Wyden
Slattery	Thornton	Wynn
Smith (IA)	Thurman	Yates
Smith (MI)	Torkildsen	Young (AK)
Smith (NJ)	Torres	Young (FL)
Smith (OR)	Torricelli	Zeliff
Smith (TX)	Towns	Zimmer
Snowe	Traficant	
Solomon	Tucker	

NOT VOTING—13

Blackwell	Fish	Murphy
Dingell	Ford (MI)	Underwood (GU)
Faleomavaega	Grandy	Washington
(AS)	Horn	Whitten
Fazio	McDade	

So the amendment was not agreed to. After some further time,

The SPEAKER pro tempore, Mr. MCNULTY, assumed the Chair.

When Mr. RICHARDSON, Chairman, pursuant to House Resolution 443, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, \$23,009,101, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed \$743,923,914.

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States contribution to the Global Environment Facility (GEF), \$88,800,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the

Treasury, \$1,235,000,000, for the United States contribution to the replenishment, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FINANCE CORPORATION

For payment to the International Finance Corporation by the Secretary of the Treasury, \$68,743,028, for the United States share of the increase in subscriptions to capital stock, to remain available until expended: *Provided*, That of the amount appropriated under this heading not more than \$5,364,000 may be expended for the purchase of such stock in fiscal year 1995.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increase in capital stock, \$28,111,959, and for the United States share of the increases in the resources of the Fund for Special Operations, \$21,338,000, and for the United States share of the capital stock of the Inter-American Investment Corporation, \$190,000, to remain available until expended: *Provided*, That \$25,269,224 of the amount made available for the paid-in share portion of the increase in capital stock, and \$20,317,000 of the resources of the Fund for Special Operations shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$1,594,568,180.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the Fund to be administered by the Inter-American Development Bank, \$75,000,000 to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increases in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended (Public Law 89-369), \$167,960,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, \$124,229,309, for the United States contribution to the African Development Fund, to remain available until expended: *Provided*, That of the funds appropriated under this heading, \$20,000,000 shall be subject to the regular notification procedures of the Committees on Appropriations.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock, \$133,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$2,002,540.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$69,180,353, for the United States share of the paid-in share portion of the initial capital subscription, to remain available until expended: *Provided*, That during fiscal year 1995 the number of shares of stock purchased shall be not more than 600.

LIMITATION OF CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$161,420,824.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$366,000,000: *Provided*, That none of the funds appropriated under this heading shall be made available for the United Nations Fund for Science and Technology: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further*, That of the funds appropriated under this heading that are made available for the United Nations Children's Fund (UNICEF), 75 per centum shall be obligated and expended no later than thirty days after the date of enactment of this Act and 25 per centum shall be expended within thirty days from the start of UNICEF's fourth quarter of operations for 1995: *Provided further*, That none of the funds appropriated under this heading that are made available to the United Nations Population Fund (UNFPA) shall be made available for activities in the People's Republic of China: *Provided further*, That not more than \$40,000,000 of the funds appropriated under this heading may be made available to the UNFPA: *Provided further*, That not more than one-half of this amount may be provided to UNFPA before March 1, 1995, and that no later than February 15, 1995, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount UNFPA is budgeting for the People's Republic of China in 1995: *Provided further*, That any amount UNFPA plans to spend in the People's Republic of China in 1995 above \$7,000,000, shall be deducted from the amount of funds provided to UNFPA after March 1, 1995 pursuant to the previous provisos: *Provided further*, That with respect to any funds appropriated under this heading that are made available to UNFPA, UNFPA shall be required to maintain such funds in a separate account and not commingle them with any other funds: *Provided further*, That notwithstanding the fifth proviso of this heading, if UNFPA decides not to initiate a new program in China after its current program ends in 1995, up to an additional \$20,000,000 of funds appropriated under this heading may be made available to UNFPA.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 1995, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT  
DEVELOPMENT ASSISTANCE FUND

For necessary expenses to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, \$811,000,000, to remain available until September 30, 1996.

POPULATION, DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of section 104(b), \$450,000,000, to remain available until September 30, 1996: *Provided*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961.

DEVELOPMENT FUND FOR AFRICA

For necessary expenses to carry out the provisions of chapter 10 of part I of the Foreign Assistance Act of 1961, \$790,000,000, to remain available until September 30, 1996: *Provided*, That none of the funds appropriated by this Act to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 shall be transferred to the Government of Zaire: *Provided further*, That funds appropriated under this heading which are made available for activities supported by the Southern Africa Development Community shall be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

PRIVATE AND VOLUNTARY ORGANIZATIONS

None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 per centum of its total annual funding for international activities from sources other than the United States Government: *Provided*, That the requirements of the provisions of section 123(g) of the Foreign Assistance Act of 1961 and the provisions on private and voluntary organizations in title II of the "Foreign Assistance and Related Programs Appropriations Act, 1985" (as enacted in Public Law 98-473) shall be superseded by the provisions of this section.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, \$169,998,000 to remain available until expended.

DEBT RESTRUCTURING

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of modi-

fying direct loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, \$7,000,000, to remain available until expended: *Provided*, That it is the sense of the Congress that a program should be developed to undertake direct buy backs of bilateral debt from eligible poor and lower-middle income countries with local currency offsets to fund development and environmental activities, provided that such a program would have no budgetary impact. The Administration should consider how creative use of the sale of impaired Third World debts might be used to lower debt overhangs and generate local currencies for development and environmental activities.

MICRO AND SMALL ENTERPRISE DEVELOPMENT  
PROGRAM ACCOUNT

For the subsidy cost of direct loans and loan guarantees, \$1,500,000, as authorized by section 108 of the Foreign Assistance Act of 1961, as amended: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses to carry out programs under this heading, \$500,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development.

HOUSING GUARANTY PROGRAM ACCOUNT

For the subsidy cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of guaranteed loans authorized by sections 221 and 222 of the Foreign Assistance Act of 1961, \$19,300,000: *Provided*, That these funds are available to subsidize loan principal, 100 percent of which shall be guaranteed, pursuant to the authority of such sections: *Provided further*, That the President shall enter into commitments to guarantee such loans in the full amount provided under this heading, subject to the availability of qualified applicants for such guarantees. In addition, for administrative expenses to carry out guaranteed loan programs, \$8,000,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: *Provided further*, That commitments to guarantee loans under this heading may be entered into notwithstanding the second and third sentences of section 222(a) and, with regard to programs for Eastern Europe and programs for the benefit of South Africans disadvantaged by apartheid, section 223(j) of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds appropriated under this heading shall be obligated except through the regular notification procedures of the Committees on Appropriations.

PAYMENT TO THE FOREIGN SERVICE  
RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, \$45,118,000.

OPERATING EXPENSES OF THE AGENCY FOR  
INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, \$517,500,000: *Provided*, That of this amount not more than \$900,000 may be made available to pay for printing costs.

OPERATING EXPENSES OF THE AGENCY FOR  
INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, \$39,118,000, which sum shall be available for the Office of the Inspector General of the Agency for International Development.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, \$2,339,000,000, to remain available until September 30, 1996: *Provided*, That any funds appropriated under this heading that are made available for Israel shall be made available on a grant basis as a cash transfer and shall be disbursed within thirty days of enactment of this Act or by October 31, 1994, whichever is later: *Provided further*, That any funds appropriated under this heading that are made available for Egypt shall be provided on a grant basis, of which sum cash transfer assistance may be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That in exercising the authority to provide cash transfer assistance for Israel and Egypt, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to each such country: *Provided further*, That it is the sense of the Congress that the recommended levels of assistance for Egypt and Israel are based in great measure upon their continued participation in the Camp David Accords and upon the Egyptian-Israeli peace treaty: *Provided further*, That none of the funds appropriated under this heading shall be made available for Zaire.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of part I of the Foreign Assistance Act of 1961, up to \$19,600,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until expended.

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, \$360,000,000, to remain available until expended, which shall be available, notwithstanding any other provision of law, for economic assistance for Eastern Europe and the Baltic States.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(c) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

ASSISTANCE FOR THE NEW INDEPENDENT  
STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapter 11 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the new independent states of the former Soviet Union and for related programs, \$875,500,000,

to remain available until expended: *Provided*, That the provisions of 498B(j) of the Foreign Assistance Act of 1961 shall apply to funds appropriated by this paragraph.

(b) None of the funds appropriated under this heading shall be transferred to the Government of Russia—

(1) unless that Government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, negotiating repayment of commercial debt, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that Government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

(c) Funds may be furnished without regard to subsection (b) if the President determines that to do so is in the national interest.

(d) None of the funds appropriated under this heading shall be made available to any government of the new independent states of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other new independent state, such as those violations included in Principle Six of the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national interest of the United States: *Provided further*, That the restriction of this subsection shall not apply to the use of such funds for the provision of assistance for purposes of humanitarian, disaster and refugee relief: *Provided further*, That thirty days after the date of enactment of this Act, and then annually thereafter, the Secretary of State shall report to the Committees on Appropriations on steps taken by the governments of the new independent states concerning violations referred to in this subsection: *Provided further*, That in preparing this report the Secretary shall consult with the United States Representative to the Conference on Security and Cooperation in Europe.

(e) None of the funds appropriated under this heading for the new independent states of the former Soviet Union shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, defense conversion or non-proliferation programs, or programs to support troop withdrawal including through the support of an officer resettlement program, and technical assistance for the housing sector.

(f) Funds appropriated under this heading shall be subject to the regular reprogramming procedures of the Committees on Appropriations.

(g) Funds appropriated under this heading may be made available for assistance for Mongolia.

(h) Funds made available in this Act for assistance to the new independent states of the former Soviet Union shall be provided to the maximum extent feasible through the private sector, including private voluntary organizations and nongovernmental organizations functioning in the new independent states.

INDEPENDENT AGENCIES

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the provisions of title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$16,905,000: *Provided*, That, when, with the permission of the President of the Founda-

tion, funds made available to a grantee under this heading are invested pending disbursement, the resulting interest is not required to be deposited in the United States Treasury if the grantee uses the resulting interest for the purpose for which the grant was made: *Provided further*, That this provision applies with respect to both interest earned before and interest earned after the enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the dollar limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$30,960,000.

PEACE CORPS

For expenses necessary to carry out the provisions of the Peace Corps Act (75 Stat. 612), \$219,745,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 1996.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL

For necessary expenses to carry out the provisions of section 481 of the Foreign Assistance Act of 1961, \$115,000,000.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$670,688,000: *Provided*, That not more than \$11,500,000 of the funds appropriated under this heading shall be available for the administrative expenses of the Office of Refugee Programs of the Department of State.

REFUGEE RESETTLEMENT ASSISTANCE

For necessary expenses for the targeted assistance program authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 and administered by the Office of Refugee Resettlement of the Department of Health and Human Services, in addition to amounts otherwise available for such purposes, \$12,000,000.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 260(c)), \$50,000,000, to remain available until expended: *Provided*, That the funds made available under this

heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Migration and Refugee Assistance Act of 1962 which would limit the amount of funds which could be appropriated for this purpose.

ANTI-TERRORISM ASSISTANCE

For necessary expenses to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961, \$15,244,000.

NONPROLIFERATION AND DISARMAMENT FUND

For necessary expenses for a "Non-proliferation and Disarmament Fund", \$10,000,000, to remain available until expended, to promote bilateral and multilateral activities: *Provided*, That such funds may be used pursuant to the authorities contained in section 504 of the FREEDOM Support Act: *Provided further*, That such funds may also be used for such countries other than the new independent states of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$25,500,000: *Provided*, That up to \$300,000 of the funds appropriated under this heading may be made available for grant financed military education and training for any country whose annual per capita GNP exceeds \$2,349 on the condition that that country agrees to fund from its own resources the transportation cost and living allowances of its students: *Provided further*, That the civilian personnel for whom military education and training may be provided under this heading may also include members of national legislatures who are responsible for the oversight and management of the military: *Provided further*, That none of the funds appropriated under this heading shall be available for Indonesia and Zaire: *Provided further*, That none of the funds appropriated by this Act shall be used to facilitate the provision of IMET to Indonesia: *Provided further*, That a report is to be submitted to the Committees on Appropriations addressing how the proposed School of the Americas IMET program will contribute to the promotion of human rights, respect for civilian authority and the rule of law, the establishment of legitimate judicial mechanisms for the military, and achieving the goal of right sizing military forces.

For necessary expenses, for the military-to-military contact program of the Department of Defense, \$12,000,000, to be made available only for activities for East European countries and the Baltic States.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$3,149,279,000: *Provided*, That funds appropriated by this paragraph that are made available for Israel and Egypt shall be available only as grants: *Provided further*, That the funds appropriated by this paragraph that are made available for Israel shall be disbursed within thirty days of enactment of this Act or by October 31, 1994, whichever is later: *Provided further*, That funds made available under this paragraph shall be non-repayable notwithstanding any requirement in section 23 of the Arms Export Control Act.

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of direct loans authorized by section 23 of the Arms Export Control Act as follows: cost of direct loans, \$47,917,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed \$619,650,000: *Provided further*, That the rate of interest charged on such loans shall be not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities: *Provided further*, That the principal amount of direct loans for Greece and Turkey shall be made available according to a 7 to 10 ratio: *Provided further*, That 25 percent of the principal amount of direct loans for Turkey shall be withheld until the Secretary of State, in consultation with the Secretary of Defense, has submitted to the Committees on Appropriations a report addressing, among other things, the allegations of abuses against civilians by the Turkish armed forces and the situation in Cyprus, and a separate notification has been submitted at least 15 days prior to the obligation of such funds: *Provided further*, That 25 percent of the principal amount of direct loans for Greece shall be withheld until the Secretary of State has submitted to the Committees on Appropriations a report on the allegations of Greek violations of the United Nations sanctions against Serbia and of the United Nations Charter, and a separate notification has been submitted at least 15 days prior to the obligation of such funds.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): *Provided further*, That none of the funds appropriated under this heading shall be available for Zaire, Sudan, Liberia, Guatemala, Peru, and Malawi: *Provided further*, That none of the funds appropriated under this heading may be made available for Colombia or Bolivia until the Secretary of State certifies that such funds will be used by such country primarily for counter-narcotics activities: *Provided further*, That not more than \$100,000,000 of the funds made available under this heading shall be available for use in financing the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act to countries other than Israel and Egypt: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That, subject to the regular notification procedures of the Committees on Appropriations, funds made available under this heading for the cost of direct loans may also be used to supplement the funds available under this heading for necessary expenses for

grants if countries specified under this heading are eligible for such direct loans decline to utilize such loans: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That the Department of Defense shall conduct during the current fiscal year nonreimbursable audits of private firms whose contracts are made directly with foreign governments and are financed with funds made available under this heading (as well as subcontractors thereunder) as requested by the Defense Security Assistance Agency: *Provided further*, That not more than \$22,150,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than \$335,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during the fiscal year 1994 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading, and no employee of the Defense Security Assistance Agency, may be used to facilitate the transport of aircraft to commercial arms sales shows.

#### PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$75,000,000.

#### TITLE IV—EXPORT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon State as defined in article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of enactment of this Act.

##### SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$792,653,000 to remain available until September 30, 1996: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, and tied-aid grants, and total loan principal, any part of which is to be guaranteed, including insurance, of not to exceed \$19,000,000,000: *Provided further*, That such sums shall remain available until 2010 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 1995 and 1996: *Provided further*, That up to \$100,000,000 of funds appropriated by this paragraph shall remain available until ex-

ended and may be used for tied-aid grant purposes: *Provided further*, That none of the funds appropriated by this paragraph may be used for tied-aid credits or grants except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State, or any agency or national thereof.

#### ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$20,000 for official reception and representation expenses for members of the Board of Directors, \$44,550,000: *Provided*, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

##### PROGRAM ACCOUNT

For the subsidy cost as defined in section 13201 of the Budget Enforcement Act of 1990, of direct and guaranteed loans authorized by section 234 of the Foreign Assistance Act of 1961, as follows: cost of direct and guaranteed loans, \$23,296,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$7,933,000: *Provided*, That the funds provided in this paragraph shall be available for and apply to costs, direct loan obligations and loan guaranty commitments incurred or made during the period from October 1, 1994 through September 30, 1996: *Provided further*, That such sums are to remain available through fiscal year 2003 for the disbursement of direct and guaranteed loans obligated in fiscal year 1995, and through 2004 for the disbursement of direct and guaranteed loans obligated in fiscal year 1996.

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such noncredit expenditures and commitments within the limits of funds available to it and in accordance with law (including an amount for official reception and representation expenses which shall not exceed \$35,000) as may be necessary.

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$44,986,000.

#### TITLE V—GENERAL PROVISIONS

##### OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled "International Disaster Assistance", and "United States Emergency Refugee and Migration Assistance Fund", not more than 15 per centum of any appropriation item made available by this Act shall be obligated during the last month of availability.

PROHIBITION OF BILATERAL FUNDING FOR INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. None of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed \$126,500 shall be for official residence expenses of the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed \$5,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed \$95,000 shall be available for representation allowances for the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$2,000 shall be available for entertainment expenses and not to exceed \$50,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed \$50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed \$2,000 shall be available for representation and entertainment allowances.

PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for "International Organizations and Programs") pursuant to this Act, for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, the Socialist Republic of Vietnam, Iran, Serbia, Sudan, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose

duly elected Head of Government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office.

TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, unless the President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. (a) Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the headings under the "Agency for International Development" are, if deobligated, hereby continued available for the same period as the respective appropriations under such headings or until September 30, 1995, whichever is later, and for the same general purpose, and for countries within the same region as originally obligated: *Provided*, That the Appropriations Committees of both Houses of the Congress are notified fifteen days in advance of the deobligation and reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: *Provided*, That the authority of this subsection may not be used in fiscal year 1995.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1 and 8 of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, shall remain available until expended if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: *Provided further*, That the report required by section 653(a) of the Foreign Assistance Act of 1961 shall designate for each country, to the extent known at the time of submission of such report, those funds allocated for cash disbursement for balance of payment and economic policy reform purposes.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish as-

sistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act: *Provided*, That this section and section 620(q) of the Foreign Assistance Act of 1961 shall not apply to funds made available in this Act or during the current fiscal year for Nicaragua, and for any narcotics-related assistance for Colombia, Bolivia, and Peru authorized by the Foreign Assistance Act of 1961 or the Arms Export Control Act.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

(c) None of the funds provided in this Act to the Agency for International Development, other than funds made available to carry out Caribbean Basin Initiative programs under the Tariff Schedules of the United States, section 1202 of title 19, United States Code, schedule 8, part 1, subpart B, item 807.00, shall be obligated or expended—

(1) to procure directly feasibility studies or prefeasibility studies for, or project profiles of potential investment in, the manufacture, for export to the United States or to third country markets in direct competition with United States exports, of import-sensitive articles as defined by section 503(c)(1) (A) and (E) of the Tariff Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)); or

(2) to assist directly in the establishment of facilities specifically designed for the manufacture, for export to the United States or to third country markets in direct competition with United States exports, of import-sensitive articles as defined in section 503(c)(1) (A) and (E) of the Tariff Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)).

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive

Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the Executive Branch with the necessary administrative flexibility, none of the funds made available under this Act for "Development Assistance Fund", "Population, Development Assistance", "Development Fund for Africa", "International organizations and programs", "Trade and Development Agency", "International narcotics control", "Assistance for Eastern Europe and the Baltic States", "Assistance for the New Independent States of the Former Soviet Union", "Economic Support Fund", "Peacekeeping operations", "Operating expenses of the Agency for International Development", "Operating expenses of the Agency for International Development Office of Inspector General", "Anti-terrorism assistance", "Foreign Military Financing Program", "International military education and training" (including the military-to-military contact program), "Inter-American Foundation", "African Development Foundation", "Peace Corps", or "Migration and refugee assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operation not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 per centum in excess of the quantities justified to Congress unless the Committees on Appropriations are notified fifteen days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 20 per centum of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver:

*Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

Drawdowns made pursuant to section 506(a)(2) of the Foreign Assistance Act of 1961 shall be subject to the regular notification procedures of the Committees on Appropriations.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. (a) Notwithstanding any other provision of law or of this Act, none of the funds provided for "International Organizations and Programs" shall be available for the United States proportionate share, in accordance with section 307(c) of the Foreign Assistance Act of 1961, for any programs identified in section 307, or for Libya, Iran, or, at the discretion of the President, Communist countries listed in section 620(f) of the Foreign Assistance Act of 1961, as amended: *Provided*, That, subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of this section or any similar provision of law, shall remain available for obligation through September 30, 1996.

(b) The United States shall not make any voluntary or assessed contribution—

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood, during any period in which such membership is effective.

#### ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

SEC. 517. The Congress finds that progress on the peace process in the Middle East is vitally important to United States security interests in the region. The Congress recognizes that, in fulfilling its obligations under the Treaty of Peace Between the Arab Republic of Egypt and the State of Israel, done at Washington on March 26, 1979, Israel incurred severe economic burdens. Furthermore, the Congress recognizes that an economically and militarily secure Israel serves the security interests of the United States, for a secure Israel is an Israel which has the incentive and confidence to continue pursuing the peace process. Therefore, the Congress declares that it is the policy and the intention of the United States that the funds provided in annual appropriations for the Economic Support Fund which are allocated to Israel shall not be less than the annual debt repayment (interest and principal) from Israel to the United States Government in recognition that such a principle serves United States interests in the region.

#### PROHIBITION CONCERNING ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or

provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations. The Congress reaffirms its commitments to Population, Development Assistance and to the need for informed voluntary family planning.

#### REPORTING REQUIREMENT

SEC. 519. The President shall submit to the Committees on Appropriations the reports required by section 25(a)(1) of the Arms Export Control Act.

#### SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated in this Act shall be obligated or expended for Colombia, El Salvador, Guatemala, Haiti, Indonesia, Liberia, Nicaragua, Pakistan, Peru, Rwanda, Sudan, or Zaire except as provided through the regular notification procedures of the Committees on Appropriations: *Provided*, That this section shall not apply to funds appropriated by this Act to carry out the provisions of chapter 1 of part I of the Foreign Assistance Act of 1961 that are made available for El Salvador and Nicaragua.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the Appropriations Act account level and shall include all Appropriations and Authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development "program, project, and activity" shall also be considered to include central program level funding, either as (1) justified to the Congress, or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within thirty days of enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### FAMILY PLANNING, CHILD SURVIVAL AND AIDS ACTIVITIES

SEC. 522. Up to \$8,000,000 of the funds made available by this Act for assistance for family planning, health, child survival, and AIDS, may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the Agency for International Development for the purpose of carrying out family planning activities, child survival activities and activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome in developing countries: *Provided*, That such individuals shall not be included within any personnel ceiling applicable to any United States Government agency during the period of detail or assignment: *Provided further*, That funds appropriated by this Act that are made available for child sur-

vival activities or activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: *Provided further*, That funds appropriated by this Act that are made available for family planning activities may be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, the Socialist Republic of Vietnam, Iran, Syria, North Korea, People's Republic of China, or Laos unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

RECIPROCAL LEASING

SEC. 524. Section 61(a) of the Arms Export Control Act is amended by striking out "1994" and inserting in lieu thereof "1995".

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 525. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (c) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

AUTHORIZATION REQUIREMENT

SEC. 526. Funds appropriated by this Act may be obligated and expended subject to section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

DEPLETED URANIUM

SEC. 527. None of the funds provided in this or any other Act may be made available to facilitate in any way the sale of M-833 anti-tank shells or any comparable antitank shells containing a depleted uranium penetrating component to any country other than (1) countries which are members of NATO, (2) countries which have been designated as a major non-NATO ally for purposes of section 1105 of the National Defense Authorization Act for Fiscal Year 1987 or, (3) Taiwan: *Provided*, That funds may be made available to facilitate the sale of such shells notwithstanding the limitations of this section if the President determines that to do so is in the national security interest of the United States.

OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES BY INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES EXECUTIVE DIRECTORS.—The Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution designated in subsection (b), and the Administrator of the Agency for International Development shall instruct the United States Executive Director of the International Fund for Agriculture Development, to use the voice and vote of the United States to oppose any loan or other use of the funds of the respective institution to or for a country for which the Secretary of State has made a de-

termination under section 6(j) of the Export Administration Act of 1979.

(b) DEFINITION.—For purposes of this section, the term "international financial institution" includes—

(1) the International Bank for Reconstruction and Development, the International Development Association, and the International Monetary Fund; and

(2) wherever applicable, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the African Development Fund, and the European Bank for Reconstruction and Development.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 529. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least fifteen days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 530. Notwithstanding any other provision of law, and subject to the regular notification requirements of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel and Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

COMPETITIVE INSURANCE

SEC. 531. All Agency for International Development contracts and solicitations, and subcontracts entered into under such contracts, shall include a clause requiring that United States marine insurance companies have a fair opportunity to bid for marine insurance when such insurance is necessary or appropriate.

STINGERS IN THE PERSIAN GULF REGION

SEC. 532. Except as provided in section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, the United States may not sell or otherwise make available any Stingers to any country bordering the Persian Gulf under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961.

PROHIBITION ON LEVERAGING AND DIVERSION OF UNITED STATES ASSISTANCE

SEC. 533. (a) None of the funds appropriated by this Act may be provided to any foreign government (including any instrumentality or agency thereof), foreign person, or United

States person in exchange for that foreign government or person undertaking any action which is, if carried out by the United States Government, a United States official or employee, expressly prohibited by a provision of United States law.

(b) For the purposes of this section the term "funds appropriated by this Act" includes only (1) assistance of any kind under the Foreign Assistance Act of 1961; and (2) credits, and guaranties under the Arms Export Control Act.

(c) Nothing in this section shall be construed to limit—

(1) the ability of the President, the Vice President, or any official or employee of the United States to make statements or otherwise express their views to any party on any subject;

(2) the ability of an official or employee of the United States to express the policies of the President; or

(3) the ability of an official or employee of the United States to communicate with any foreign country government, group or individual, either directly or through a third party, with respect to the prohibitions of this section including the reasons for such prohibitions, and the actions, terms, or conditions which might lead to the removal of the prohibitions of this section.

DEBT-FOR-DEVELOPMENT

SEC. 534. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under the heading "Agency for International Development" and any interest earned on such investment may be for the purpose for which the assistance was provided to that organization.

LOCATION OF STOCKPILES

SEC. 535. Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended by striking out "\$200,000,000 for stockpiles in Israel for fiscal year 1994" and inserting in lieu thereof "a total of \$200,000,000 for stockpiles in Israel for fiscal years 1994 and 1995, up to \$40,000,000 may be made available for stockpiles in the Republic of Korea, and up to \$10,000,000 may be made available for stockpiles in Thailand for fiscal year 1995".

SEPARATE ACCOUNTS

SEC. 536. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I (including the Philippines Multilateral Assistance Initiative) or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated, and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities, or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The Agency for International Development shall take all appropriate steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) CONFORMING AMENDMENTS.—The provisions of this subsection shall supersede the tenth and eleventh provisos contained under the heading "Sub-Saharan Africa, Development Assistance" as included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 and sections 531(d) and 609 of the Foreign Assistance Act of 1961.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapters 1 or 10 of part I (including the Philippines Multilateral Assistance Initiative) or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (H. Report No. 98-1159).

(3) NOTIFICATION.—At least fifteen days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 537. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever

compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, and the European Bank for Reconstruction and Development.

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 538. (a) DENIAL OF ASSISTANCE.—None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

(b) IMPORT SANCTIONS.—If the President considers that the taking of such action would promote the effectiveness of the economic sanctions of the United Nations and the United States imposed with respect to Iraq, and is consistent with the national interest, the President may prohibit, for such a period of time as he considers appropriate, the importation into the United States of any or all products of any foreign country that has not prohibited—

(1) the importation of products of Iraq into its customs territory, and

(2) the export of its products to Iraq.

POW/MIA MILITARY DRAWDOWN

SEC. 539. (a) Notwithstanding any other provision of law, the President may direct the drawdown, without reimbursement by the recipient, of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value not to exceed \$15,000,000 in fiscal year 1995, as may be necessary to carry out subsection (b).

(b) Such defense articles, services and training may be provided to Cambodia and Laos, under subsection (a) as the President determines are necessary to support efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War, and to ensure the safety of United States Government personnel engaged in such cooperative efforts and to support United States Department of Defense-sponsored humanitarian projects associated with the POW/MIA efforts. Any aircraft shall be provided under this section only to Laos and only on a lease or loan basis, but may be provided at no cost notwithstanding section 61 of the Arms Export Control Act and may be maintained with defense articles, services and training provided under this section.

(c) The President shall, within sixty days of the end of any fiscal year in which the authority of subsection (a) is exercised, submit a report to the Congress which identifies the articles, services, and training drawn down under this section.

(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles, defense services, and military education and training provided under this section.

MEDITERRANEAN EXCESS DEFENSE ARTICLES

SEC. 540. During fiscal year 1995, the provisions of section 573(e) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, shall be applicable, for the period specified therein, to excess defense articles made available under sections 516 and 519 of the Foreign Assistance Act of 1961.

PRIORITY DELIVERY OF EQUIPMENT

SEC. 541. Notwithstanding any other provision of law, the delivery of excess defense articles that are to be transferred on a grant basis under section 516 of the Foreign Assistance Act to NATO allies and to major non-NATO allies on the southern and southeastern flank of NATO shall be given priority to the maximum extent feasible over the delivery of such excess defense articles to other countries.

ISRAEL DRAWDOWN

SEC. 542. Section 599B(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (as amended by Public Law 102-145, as amended, and Public Law 102-391), is further amended—

(a) by striking out "fiscal year 1994" and inserting in lieu thereof "fiscal year 1995";

(b) by striking out "Appropriations Act, 1994" and inserting in lieu thereof "Appropriations Act, 1995"; and

(c) by striking out "\$700,000,000" and inserting in lieu thereof "\$775,000,000".

CASH FLOW FINANCING

SEC. 543. For each country that has been approved for cash flow financing (as defined in section 25(d) of the Arms Export Control Act, as added by section 112(b) of Public Law 99-83) under the Foreign Military Financing Program, any Letter of Offer and Acceptance or other purchase agreement, or any amendment thereto, for a procurement in excess of \$100,000,000 that is to be financed in whole or in part with funds made available under this Act shall be submitted through the regular notification procedures to the Committees on Appropriations.

AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION

SEC. 544. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. The appropriate agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 545. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is

likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(b) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(c) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

#### AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

SEC. 546. (a) Congress finds as follows:

(1) The United Nations has imposed an embargo on the transfer of arms to any country on the territory of the former Yugoslavia.

(2) The federated states of Serbia and Montenegro have a large supply of military equipment and ammunition and the Serbian forces fighting the government of Bosnia-Herzegovina have more than one thousand battle tanks, armored vehicles, and artillery pieces.

(3) Because the United Nations arms embargo is serving to sustain the military advantage of the aggressor, the United Nations should exempt the government of Bosnia-Herzegovina from its embargo.

(b) Pursuant to a lifting of the United Nations arms embargo, or to a unilateral lifting of the arms embargo by the President of the United States, against Bosnia-Herzegovina, the President is authorized to transfer to the government of that nation, without reimbursement, defense articles from the stocks of the Department of Defense of an aggregate value not to exceed \$50,000,000 in fiscal year 1995: *Provided*, That the President certifies in a timely fashion to the Congress that—

(1) the transfer of such articles would assist that nation in self-defense and thereby promote the security and stability of the region; and

(2) United States allies are prepared to join in such a military assistance effort.

(c) Within 60 days of any transfer under the authority provided in subsection (b), and every 60 days thereafter, the President shall report in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate concerning the articles transferred and the disposition thereof.

(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles provided under this section.

(e) If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international law in the former Yugoslavia, the authority of section 552(c) of the Foreign Assistance Act of 1961, as amended, may be used to provide up to \$25,000,000 of commodities and services to the United Nations War Crimes Tribunal, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this subsection shall be in lieu of any determinations otherwise required under section 552(c).

#### SPECIAL AUTHORITIES

SEC. 547. (a) Funds appropriated in title II of this Act that are made available for Haiti, Afghanistan, Lebanon, and Cambodia, and for victims of war, displaced children, displaced Burmese, humanitarian assistance for Romania, and humanitarian assistance for the peoples of Bosnia-Herzegovina, Croatia, and Kosovo, may be made available notwithstanding any other provision of law: *Provided*, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985: *Provided further*, That the President shall terminate assistance to any Cambodian organization that he determines is cooperating, tactically or strategically, with the Khmer Rouge in their military operations.

(b) Funds appropriated by this Act to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and energy programs aimed at reducing emissions of greenhouse gases with regard to the key countries in which deforestation and energy policy would make a significant contribution to global warming: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) During fiscal year 1995, the President may use up to \$50,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding the funding ceiling contained in subsection (a) of that section.

(d) The Agency for International Development may employ personal services contractors, notwithstanding any other provision of law, for the purpose of administering programs for the West Bank and Gaza.

#### POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 548. (a) FINDINGS.—The Congress finds that—

(1) since 1948 the Arab countries have maintained a primary boycott against Israel, refusing to do business with Israel;

(2) since the early 1950s the Arab League has maintained a secondary and tertiary boycott against American and other companies that have commercial ties with Israel;

(3) the boycott seeks to coerce American firms by blacklisting those that do business with Israel and harm America's competitiveness;

(4) the United States has a longstanding policy opposing the Arab League boycott and United States law prohibits American firms from providing information to Arab countries to demonstrate compliance with the boycott;

(5) with real progress being made in the Middle East peace process and the serious confidence-building measures taken by the State of Israel an end to the Arab boycott of Israel and of American companies that have commercial ties with Israel is long overdue and would represent a significant confidence-building measure; and

(6) in the interest of Middle East peace and free commerce, the President must take more concrete steps to press the Arab states to end their practice of blacklisting and boycotting American companies that have trade ties with Israel.

(b) POLICY.—It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel and

(2) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to re-

nounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel as a confidence-building measure;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress on the specific steps being taken by the President to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ANTI-NARCOTICS ACTIVITIES

SEC. 549. (a) Of the funds appropriated by this Act under the heading "Economic Support Fund", assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean in accordance with the provisions of section 534 of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act.

(b) Funds made available pursuant to this section may be made available notwithstanding the third sentence of section 534(e) of the Foreign Assistance Act of 1961. Funds made available pursuant to subsection (a)(1) for Bolivia, Colombia and Peru and subsection (a)(2) may be made available notwithstanding section 534(c) and the second sentence of section 534(e) of the Foreign Assistance Act of 1961.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 550. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961: *Provided*, That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: *Provided further*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 1995, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under titles I and II of the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification

procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 529 of this Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

#### EARMARKS

SEC. 551. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act or, with respect to a country with which the United States has an agreement providing the United States with base rights or base access in that country, if the President determines that the recipient for which funds are earmarked has significantly reduced its military or economic cooperation with the United States since enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991; however, before exercising the authority of this subsection with regard to a base rights or base access country which has significantly reduced its military or economic cooperation with the United States, the President shall consult with, and shall provide a written policy justification to the Committees on Appropriations: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided*, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

#### CEILINGS AND EARMARKS

SEC. 552. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs.

#### EXCESS DEFENSE ARTICLES

SEC. 553. The authority of section 519 of the Foreign Assistance Act of 1961, as amended, may be used in fiscal year 1995 to provide nonlethal excess defense articles to countries for which United States foreign assistance has been requested and for which receipt of such articles was separately justified for the fiscal year, without regard to the restrictions in subsection (a) of section 519.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 554. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of enactment of this Act by the Congress.

#### DISADVANTAGED ENTERPRISES

SEC. 555. (a) Except to the extent that the Administrator of the Agency for International Development determines otherwise, not less than 10 percent of the aggregate amount made available for the current fiscal year for the "Development Assistance Fund", "Population, Development Assistance", and the "Development Fund for Africa" shall be made available only for activities of United States organizations and individuals that are—

(1) business concerns owned and controlled by socially and economically disadvantaged individuals,

(2) historically black colleges and universities,

(3) colleges and universities having a student body in which more than 40 per centum of the students are Hispanic American, and

(4) private voluntary organizations which are controlled by individuals who are socially and economically disadvantaged.

(b)(1) In addition to other actions taken to carry out this section, the actions described in paragraphs (2) through (5) shall be taken with respect to development assistance and assistance for sub-Saharan Africa for the current fiscal year.

(2) Notwithstanding any other provision of law, in order to achieve the goals of this section, the Administrator—

(A) to the maximum extent practicable, shall utilize the authority of section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(B) to the maximum extent practicable, shall enter into contracts with small business concerns owned and controlled by socially and economically disadvantaged individuals, and organizations contained in paragraphs (2) through (4) of subsection (a)—

(i) using less than full and open competitive procedures under such terms and conditions as the Administrator deems appropriate, and

(ii) using an administrative system for justifications and approvals that, in the Administrator's discretion, may best achieve the purpose of this section; and

(C) shall issue regulations to require that any contract in excess of \$500,000 contain a provision requiring that no less than 10 per centum of the dollar value of the contract be subcontracted to entities described in subsection (a), except—

(i) to the extent the Administrator determines otherwise on a case-by-case or category-of-contract basis; and

(ii) this subparagraph does not apply to any prime contractor that is an entity described in subsection (a).

(3) Each person with contracting authority who is attached to the Agency's headquarters in Washington, as well as all Agency missions and regional offices, shall notify the Agency's Office of Small and Disadvantaged Business Utilization at least seven business days before advertising a contract in excess of \$100,000, except to the extent that the Administrator determines otherwise on a case-by-case or category-of-contract basis.

(4) The Administrator shall include, as part of the performance evaluation of any mission director of the agency, the mission director's efforts to carry out this section.

(5) The Administrator shall submit to the Congress annual reports on the implementation of this section. Each such report shall specify the number and dollar value or amount (as the case may be) of prime contracts, subcontracts, grants, and cooperative agreements awarded to entities described in subsection (a) during the preceding fiscal year.

(c) As used in this section, the term "socially and economically disadvantaged individuals" has the same meaning that term is

given for purposes of section 8(d) of the Small Business Act, except that the term includes women.

#### USE OF AMERICAN RESOURCES

SEC. 556. To the maximum extent possible, assistance provided under this Act should make full use of American resources, including commodities, products, and services.

#### LIMITATIONS ON ASSISTANCE FOR NICARAGUA

Sec. 557. (a) Funds appropriated by this Act under the heading "Economic Support Fund" may only be made available to the Government of Nicaragua upon the notification, in writing, by the Secretary of State to the appropriate committees that he has determined that significant and tangible progress is being made by the Government of Nicaragua toward—

(1) the prosecution of any individual identified as part of a terrorist/kidnapping ring by the investigation of issues raised by the discovery, after the May 23 explosion in Managua, of weapons caches, false passports, identity papers and other documents, suggesting the existence of such a ring, including all government officials (including any members of the armed forces or security forces);

(2) the resolution of expropriation claims and the effective compensation of legitimate claims;

(3) the timely implementation of recommendations made by the Tripartite Commission as it undertakes to review and identify those responsible for gross human rights violations, including the expeditious prosecution of individuals identified by the commission in connection with such violations;

(4) the enactment into law of legislation to reform the Nicaraguan military and security forces in order to guarantee civilian control over the armed forces;

(5) the establishment of civilian control over the police, and the independence of the police from the military; and

(6) the effective reform of the Nicaraguan judicial system.

(b) The notification pursuant to subsection (a) above shall include a detailed listing of the tangible evidence that forms the basis for such determination.

(c) For purposes of this section, the term "appropriate committees" means the Committees on Foreign Relations and Appropriations of the Senate and Committees on Foreign Affairs and Appropriations of the House of Representatives.

#### PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 558. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

#### CONSULTING SERVICES

SEC. 559. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order pursuant to existing law.

#### PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

SEC. 560. None of the funds appropriated or made available pursuant to this Act shall be available to a private voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development, nor shall any of

the funds appropriated by this Act be made available to any private voluntary organization which is not registered with the Agency for International Development.

**SPECIAL DEBT RELIEF FOR THE POOREST**

**SEC. 561. (a)(1) AUTHORITY TO REDUCE DEBT.**—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(A) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961; or

(B) credits extended or guarantees issued under the Arms Export Control Act.

**(2) LIMITATIONS.**—

(A) The authority provided by paragraph (1) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(B) The authority provided by paragraph (1) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(C) The authority provided by paragraph (1) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(3) **CONDITIONS.**—The authority provided by paragraph (1) may be exercised only with respect to a country whose government—

(A) does not have an excessive level of military expenditures;

(B) has not repeatedly provided support for acts of international terrorism;

(C) is not failing to cooperate on international narcotics control matters; and

(D) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights.

(4) **AVAILABILITY OF FUNDS.**—The authority provided by paragraph (1) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

(5) **CERTAIN PROHIBITIONS INAPPLICABLE.**—A reduction of debt pursuant to paragraph (1) shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

**GUARANTEES**

**SEC. 562.** Section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking "1994" and inserting in lieu thereof "1994 and 1995" in both places that this appears.

**PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM**

**SEC. 563. (a)** None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after the date of enactment of this Act.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the

appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

**WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES**

**SEC. 564. (a) IN GENERAL.**—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) **DEFINITION.**—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

**LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA**

**SEC. 565.** None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 583(a) of the Middle East Peace Facilitation Act of 1994 (part E of title V of Public Law 103-236) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 583(b)(2) of the Middle East Peace Facilitation Act or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President determines that it is in the national interest to do so and so reports to the Congress.

**PROCUREMENT REDUCTION**

**SEC. 566. (a)** Of the budgetary resources available to the Agency for International Development during fiscal year 1995, \$1,598,000 are permanently canceled.

(b) The Administrator of the Agency for International Development shall allocate the amount of budgetary resources canceled among the Agency's accounts available for procurement and procurement-related expenses. Amounts available for procurement and procurement-related expenses in each such account shall be reduced by the amount allocated to such account.

(c) For the purposes of this section, the definition of "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and close-out, as specified in section 403(a)(2) of title 41, United States Code.

**IMPLEMENTATION OF WAPENHANS REPORT RECOMMENDATIONS**

**SEC. 567.** Funds appropriated by title I of this Act under the headings "Contribution to the International Bank for Reconstruction and Development", "Contribution to the International Development Association", and "Contribution to the International Finance Corporation" shall not be available for payment to any such institution unless the Secretary of the Treasury (1) determines

that the recommendations contained in the report entitled Report of the Portfolio Management Task Force (commonly referred to as the "Wapenhans Report") continue to be implemented, and (2) reports that determination to the Committee on Appropriations and the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

**RESTRICTIONS ON ASSISTANCE TO RUSSIA**

**SEC. 568. (a) RESTRICTION.**—None of the funds appropriated or otherwise made available by this Act may be obligated for assistance for the Government of Russia after December 31, 1994, unless it has been made known to the President that all armed forces of Russia and the Commonwealth of Independent States have been removed from all Baltic countries or that the status of those armed forces have been otherwise resolved by mutual agreement of the parties.

(b) **EXEMPTION.**—Subsection (a) does not apply to assistance that involves the provision of student exchange programs, food, clothing, medicine, or other humanitarian assistance or to housing assistance for officers of the armed forces of Russia or the Commonwealth of Independent States who are removed from the territory of Estonia, Latvia, and Lithuania.

(c) **WAIVER.**—Subsection (a) does not apply if after December 31, 1994, the President determines that the provision of funds to the Government of Russia is in the national interest.

**ADDITIONAL LIMITATION ON FUNDS TO ENSURE IMPLEMENTATION OF WAPENHANS REPORT RECOMMENDATIONS**

**SEC. 569. (a) LIMITATION ON AMOUNTS AVAILABLE BEFORE APRIL 1, 1995.**—If amounts appropriated by title I become available pursuant to section 567—

(1) not more than \$30,000,000 shall be available for obligation before April 1, 1995, for "Contribution to the International Bank for Reconstruction and Development" for payment for contribution to the Global Environment Facility;

(2) not more than \$1,024,332,000 shall be available for obligation before April 1, 1995, for "Contribution to the International Development Association"; and

(3) not more than \$35,761,500 shall be available for obligation before April 1, 1995, for "Contribution to the International Finance Corporation".

(b) **REQUIREMENTS FOR AVAILABILITY OF ADDITIONAL AMOUNTS.**—No amount in excess of any sum specified in subsection (a) with respect to an account or activity shall become available on or after April 1, 1995, unless the Secretary of the Treasury—

(1) determines that the recommendations contained in the report entitled Report of the Portfolio Management Task Force (commonly referred to as the "Wapenhans Report") continue to be implemented as of such date;

(2) reports such determination to the Committee on Appropriations and the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate; and

(3) complies with the regular notification procedures of the Committee on Appropriations.

**PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS**

**SEC. 570. (a) SENSE OF CONGRESS.**—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) **NOTICE REQUIREMENT.**—In providing financial assistance to, or entering into any

contract with, any entity using funds made available in this Act, the head of each Federal agency shall provide, to the greatest extent practicable, to such entity a notice describing the statement in subsection (a) by the Congress.

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CALLAHAN moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendments:

On page 32, line 1, strike "\$900,000,000" and insert in lieu thereof "\$875,500,000"; and

On page 36, line 5, strike "\$100,000,000" and insert in lieu thereof "\$115,000,000".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.

So the motion to recommit with instructions was agreed to.

Mr. OBEY, by direction of the Committee on Appropriations and pursuant to the foregoing order of the House reported the bill back to the House with said amendment.

The question being put, *viva voce*,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.

So the amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.

Mr. LIVINGSTON demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 337  
Nays ..... 87

56.34 [Roll No. 208]  
AYES—337

Abercrombie Beilenson Brown (FL)  
Ackerman Bentley Brown (OH)  
Allard Bereuter Bryant  
Andrews (ME) Berman Burton  
Andrews (NJ) Bevill Byrne  
Andrews (TX) Bilbray Calvert  
Bacchus (FL) Bilirakis Camp  
Bachus (AL) Bishop Cantwell  
Baesler Bliley Cardin  
Baker (LA) Blute Carr  
Ballenger Boehlert Castle  
Barca Boehner Chapman  
Barcia Bonior Clay  
Barlow Borski Clayton  
Barrett (WI) Boucher Clement  
Bartlett Brewster Clinger  
Bateman Browder Clyburn  
Becerra Brown (CA) Coble

Coleman Johnson (CT)  
Collins (IL) Johnson (GA)  
Collins (MI) Johnson (SD)  
Conyers Johnson, E. B.  
Cooper Johnston  
Coppersmith Kanjorski  
Costello Kasich  
Cox Kennedy  
Coyne Kennelly  
Cramer Kildee  
Cunningham Kim  
Danner King  
Darden Kingston  
de la Garza Kleczka  
Deal Klein  
DeLauro Klink  
DeLay Klug  
Dellums Knollenberg  
Derrick Kolbe  
Deutsch Kopetski  
Diaz-Balart Kreidler  
Dickey Kyl  
Dicks LaFalce  
Dingell Lambert  
Dixon Lancaster  
Dooley Lantos  
Dorman LaRocco  
Dunn Laughlin  
Durbin Lazio  
Edwards (CA) Leach  
Edwards (TX) Lehman  
Ehlers Levin  
Engel Levy  
English Lewis (CA)  
Eshoo Lewis (GA)  
Evans Lightfoot  
Ewing Linder  
Farr Lipinski  
Fawell Livingston  
Fazio Long  
Fields (LA) Lowey  
Filner Lucas  
Fingerhut Machtley  
Flake Maloney  
Foglietta Mann  
Ford (TN) Manton  
Fowler Manzullo  
Frank (MA) Margolies-  
Franks (CT) Mezvinsky  
Franks (NJ) Markey  
Frost Martinez  
Furse Matsui  
Gallo Mazzoli  
Gejdenson McCloskey  
Gephardt McCollum  
Geren McCrery  
Gibbons McCurdy  
Gilchrest McDermott  
Gillmor McHale  
Gilman McHugh  
Gingrich McInnis  
Glickman McKinney  
Gonzalez McMillan  
Goodlatte McNulty  
Gordon Meehan  
Grams Meek  
Green Menendez  
Greenwood Meyers  
Gunderson Mfume  
Gutierrez Michel  
Hall (OH) Miller (CA)  
Hamburg Mineta  
Hamilton Mink  
Harman Moakley  
Hastert Molinari  
Hastings Mollohan  
Hilliard Moran  
Hinchev Morella  
Hoagland Murtha  
Hobson Nadler  
Hochbrueckner Neal (MA)  
Hoekstra Oberstar  
Hoke Obey  
Holden Olver  
Houghton Ortiz  
Hoyer Owens  
Huffington Pallone  
Hughes Parker  
Hunter Pastor  
Hutto Paxon  
Hyde Payne (NJ)  
Inhofe Payne (VA)  
Inslee Pelosi  
Istook Penny  
Jefferson Peterson (FL)

NOES—87

Applegate Baker (CA)  
Archer Barrett (NE)  
Armedy Barton

Buyer Hutchinson  
Callahan Inglis  
Canady Jacobs  
Collins (GA) Johnson, Sam  
Combest Kaptur  
Condit Lewis (FL)  
Crane Lloyd  
Crapo McCandless  
DeFazio McKeon  
Doolittle Mica  
Dreier Miller (FL)  
Duncan Minge  
Emerson Montgomery  
Everett Moorhead  
Fields (TX) Myers  
Gallegly Neal (NC)  
Gekas Nussle  
Goodling Orton  
Goss Oxley  
Hall (TX) Packard  
Hancock Petri  
Hansen Pombo  
Hayes Quillen  
Hefley Rahall  
Hefner Roberts  
Herger Roemer

NOT VOTING—9

Blackwell Grandy Murphy  
Fish Horn Washington  
Ford (MI) McDade Whitten

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

56.35 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. OBEY, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

56.36 U.S. GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER pro tempore, Mr. McNULTY, announced that pursuant to the provisions of 22 U.S.C. 1928a, appointed on behalf of the Speaker to the North Atlantic Assembly, Mr. ROSE, Chairman, Mr. HAMILTON, Vice Chairman, and Messrs. BROOKS, COLEMAN, SOLOMON, and BEREUTER, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

56.37 RECESS—11:34 P.M.

The SPEAKER pro tempore, Mr. PAYNE of Virginia, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 34 minutes p.m., subject to the call of the Chair.

THURSDAY, MAY 26 (LEGISLATIVE DAY OF MAY 25), 1994

56.38 AFTER RECESS—12:14 A.M.

The SPEAKER pro tempore, Mr. GORDON, called the House to order.

56.39 PROVIDING FOR THE CONSIDERATION OF H.R. 4454

Mr. GORDON, by direction of the Committee on Rules, reported (Rept. No. 103-532) the resolution (H. Res. 444) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1995, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶56.40 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ORTIZ, for today before 3:20 p.m.

¶56.41 MOTION TO ADJOURN

Mr. MOAKLEY moved that the House do now adjourn.

The question being put,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. GORDON, announced that the yeas had it.

On a division demanded by Mr. WALKER, there appeared, yeas—4, nays—3.

So the motion to adjourn was agreed to.

Accordingly,

At 12 o'clock and 14 minutes a.m., Thursday, May 26 (legislative day of Wednesday, May 25) 1994, the House adjourned.

¶56.42 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALL of Ohio: Committee on Rules. House Resolution 443. Resolution providing for the consideration of the bill (H.R. 4426) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995 (Rept. No. 103-530). Referred to the House Calendar.

Mr. HAMILTON: Committee on Foreign Affairs. H.R. 3937. A bill entitled: "The Export Administration Act of 1994"; with amendments (Rept. No. 103-531 Pt. 1). Ordered to be printed.

Mr. DERRICK: Committee on Rules. House Resolution 444. Resolution providing for consideration of the bill (H.R. 4454) making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes (Rept. No. 103-532). Referred to the House Calendar.

¶56.43 SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

H.R. 3937. Referred to the Committees on Armed Services, Judiciary, Public Works and Transportation, Ways and Means and the Permanent Select Committee on Intelligence for a period ending not later than June 17, 1994, for consideration of such provisions contained in the bill and amendment as fall within the respective jurisdictions of those committees pursuant to rule X.

¶56.44 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. NORTON:

H.R. 4486. A bill to prohibit any executive branch agency from entering into any service contract if the services procured under the contract can be performed at a lower cost by employees of the agency; to the Committee on Government Operations.

By Ms. NORTON:

H.R. 4487. A bill to require the Director of the Office of Management and Budget to develop and implement a system for determining and reporting the number of individuals employed by non-Federal Government entities providing services under contracts awarded by executive branch agencies; to the Committee on Government Operations.

By Ms. NORTON:

H.R. 4488. A bill to amend the Federal Workforce Restructuring Act of 1994 to provide that the duties performed by individuals separating from Government service in order to receive a voluntary separation incentive payment may not be performed by any person under contract with the United States; jointly, to the Committees on Government Operations and Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 4489. A bill to authorize appropriations to the National Aeronautics and Space Administration for human space flight, science, aeronautics and technology, mission support, and inspector general, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. BRYANT:

H.R. 4490. A bill to extend the Administrative Conference of the United States and for other purposes; to the Committee on the Judiciary.

By Mr. CANADY (for himself, Mr. PETE GEREN of Texas, Mr. FROST, Mr. TAUZIN, Mr. HAYES, Mr. SISISKY, Mrs. THURMAN, Mr. TALENT, Mr. DORNAN, Mr. STUMP, Mr. BAKER of California, Mr. LINDER, Mr. DELAY, Mr. OXLEY, Mr. LEVY, Mr. SANTORUM, Mr. POMBO, Mrs. FOWLER, Mr. LEWIS of California, Mr. MCCOLLUM, Mr. SPENCE, Mr. GOSS, Mr. KLUG, Mr. WALKER, Mr. RAMSTAD, Mr. HUTCHINSON, Mr. SCHAEFER, Mr. LIVINGSTON, Mr. SMITH of Texas, Mr. HOEKSTRA, Mr. BILIRAKIS, Mr. INGLIS of South Carolina, Mr. KING, Mr. SAXTON, Mr. EWING, and Mr. MICA):

H.R. 4491. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to identify hardcore juvenile offenders and treat them as adults; to the Committee on Education and Labor.

By Mr. DE LA GARZA (for himself, Mr. JOHNSON of South Dakota, and Mr. COMBEST) (all by request):

H.R. 4492. A bill to extend the authorization for appropriations for the Commodity Futures Trading Commission for 5 fiscal years; to the Committee on Agriculture.

By Mr. MANN:

H.R. 4493. A bill to amend title 11 of the United States Code to limit the value of certain real and personal property that the debtor may elect to exempt under State or local law; to the Committee on the Judiciary.

By Mr. NADLER (for himself, Mr. PETERSON of Florida, Mr. PAYNE of New Jersey, Mr. ENGEL, Mr. FROST, Mr. HOCHBRUECKNER, and Ms. VELÁZQUEZ):

H.R. 4494. A bill to guarantee the provision of minimum child support benefits and to reform the child support enforcement system; jointly, to the Committees on Ways and Means; Energy and Commerce; Banking, Finance and Urban Affairs; Agriculture; and Education and Labor.

By Mr. OBERSTAR (for himself and Mr. LEWIS of Georgia):

H.R. 4495. A bill to amend the Federal Aviation Act of 1958 to prohibit smoking on all scheduled airline flight segments in air transportation or intrastate air transportation; to the Committee on Public Works and Transportation.

By Mr. OBERSTAR:

H.R. 4496. A bill to amend the Surface Transportation Assistance Act of 1982 and

title 23, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways; to the Committee on Public Works and Transportation.

By Mr. SCHUMER (for himself, Mr. GINGRICH, Mr. LEWIS of Georgia, and Mr. LEWIS of California):

H.R. 4497. A bill to award a congressional gold medal to Rabbi Menachem Mendel Schneerson; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. MINK of Hawaii (for herself, Mr. ABERCROMBIE, Mr. BECERRA, Mr. CLAY, Mrs. CLAYTON, Ms. COLLINS of Michigan, Mr. DELLUMS, Mr. EDWARDS of California, Mr. ENGEL, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FILLNER, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. HAMBURG, Mr. HASTINGS, Mr. HINCHEY, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. MARTINEZ, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MFUME, Mr. MINETA, Mr. NADLER, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PASTOR, Mr. PAYNE of New Jersey, Mr. RANGEL, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mr. RUSH, Mrs. SCHROEDER, Mr. SERRANO, Mr. TOWNS, Mr. UNDERWOOD, Mrs. UNSOELD, Ms. VELÁZQUEZ, Mr. WASHINGTON, Ms. WATERS, Mr. WATT, Ms. WOOLSEY, Mr. WYNN, Mr. YATES, Mr. CONYERS, and Mr. FOGLETTA):

H.R. 4498. A bill to provide additional assistance to persons receiving aid to families with dependent children who are most likely to use the assistance to end their welfare dependence; jointly, to the Committees on Ways and Means; Education and Labor; Banking, Finance and Urban Affairs; and Agriculture.

By Ms. NORTON:

H.R. 4499. A bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONYERS:

H.J. Res. 370. Joint resolution designating May 25, 1995, as "National Tap Dance Day"; to the Committee on Post Office and Civil Service.

By Mr. FLAKE (for himself, Mr. ACKERMAN, Ms. MCKINNEY, Mrs. MEEK of Florida, Ms. BROWN of Florida, Mr. WATT, Mr. REYNOLDS, Mr. RUSH, Mr. PAYNE of New Jersey, Mr. FORD of Tennessee, Ms. WATERS, Mrs. CLAYTON, Mr. THOMPSON, Mr. HILLIARD, Mr. DIXON, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. MFUME, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. CLYBURN, Mr. BISHOP, Mr. TUCKER, Mr. WYNN, and Mr. JEFFERSON):

H. Con. Res. 252. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to recognize the achievements of Lewis Howard Latimer; to the Committee on Post Office and Civil Service.

By Mr. MICHEL:

H. Res. 442. Resolution electing Representative LUCAS of Oklahoma to the Committees on Agriculture and Government Operations; considered and agreed to.

¶56.45 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

399. By the SPEAKER: Memorial of the Senate of the State of Hawaii, relative to unfunded Federal mandates imposed on States;

to the Committee on Government Operations.

400. Also, memorial of the Senate of the State of Hawaii, relative to urging the U.S. Government to cease further preemption of State and local powers; jointly, to the Committees on Government Operations and the Judiciary.

401. Also, memorial of the House of Representatives of the State of Hawaii, relative to aliens; to the Committee on the Judiciary.

402. Also, memorial of the House of Representatives of the State of New Hampshire, relative to atomic veterans; to the Committee on Veterans' Affairs.

403. Also, memorial of the Assembly of the State of California, relative to California's missing children; jointly, to the Committees on the Judiciary and Post Office and Civil Service.

56.46 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. TORKILDSEN introduced a bill (H.R. 4500) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Chrissy*; which was referred to the Committee on Merchant Marine and Fisheries.

56.47 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

- H.R. 692: Mr. HAMBURG.
- H.R. 799: Mr. CONDIT.
- H.R. 1106: Ms. DELAURO.
- H.R. 1543: Mr. CANADY.
- H.R. 1551: Mr. JOHNSON of Georgia.
- H.R. 1817: Ms. PRYCE of Ohio.
- H.R. 1910: Mr. MYERS of Indiana, Ms. DUNN, Mr. CANADY, Mr. ROYCE, and Mr. CONDIT
- H.R. 2444: Mr. HASTERT, Mr. SMITH of Michigan, Mr. HOKE, Mr. DUNCAN, Mr. OXLEY, Mr. LEWIS of California, Mr. DREIER, Mrs. ROUKEMA, Ms. PRYCE of Ohio, Mr. POMBO, Mr. EWING, Mr. SKEEN, Mr. BREWSTER, Mrs. VUCANOVICH, Mr. GILCHREST, Mr. SCHIFF, Mr. KYL, Mr. BACHUS of Alabama, and Mr. RAVENEL.
- H.R. 2586: Mr. BARRETT of Nebraska and Mr. BLUTE.
- H.R. 2607: Mr. TORRES.
- H.R. 2710: Mr. DIXON, Mr. FARR, Mr. HILLIARD, Ms. MCKINNEY, Mr. PALLONE, and Ms. VELAZQUEZ.
- H.R. 2803: Mr. EMERSON and Mr. SCHIFF.
- H.R. 2866: Ms. NORTON, Mr. PRICE of North Carolina, and Mrs. MORELLA.
- H.R. 2957: Mr. KINGSTON.
- H.R. 3017: Mr. RICHARDSON.
- H.R. 3031: Mr. TALENT and Mr. STEARNS.
- H.R. 3087: Mr. LUCAS and Mr. HAMBURG.
- H.R. 3283: Mr. FRANKS of New Jersey.
- H.R. 3433: Mr. CONDIT, Mr. HORN, and Mr. SARPALIUS.
- H.R. 3446: Mr. KYL.
- H.R. 3491: Mr. FISH, Mr. LEWIS of California, and Mr. HYDE.
- H.R. 3561: Mr. WAXMAN and Ms. COLLINS of Michigan.
- H.R. 3584: Mr. BARLOW, Mr. BROWN of Ohio, Mr. CAMP, Mr. MCHALE, Mrs. VUCANOVICH, and Mr. ZELIFF.
- H.R. 3646: Mr. COMBEST, Mr. PENNY, Mr. DELAY, Mr. WILLIAMS, Mr. HANSEN, and Mr. JOHNSON of South Dakota.
- H.R. 3656: Mr. MEEHAN and Mr. LAZIO.
- H.R. 3685: Mr. ZELIFF.
- H.R. 3727: Mr. SMITH of New Jersey, Mr. PORTER, and Mrs. MEYERS of Kansas.
- H.R. 3765: Mr. WILLIAMS.
- H.R. 3785: Mr. TUCKER.
- H.R. 3820: Mr. COLLINS of Georgia, Mr. TAUZIN, Ms. NORTON, Mr. COX, Mr. GINGRICH, Mr.

GOODLATTE, Ms. MOLINARI, Mr. PAXON, Mr. FRANK of Massachusetts, Mr. JOHNSON of South Dakota, Mr. BISHOP, Mr. CLEMENT, Mr. GENE GREEN of Texas, Mr. FLAKE, Mr. DICKEY, Mr. LAZIO, Mr. WALSH, Mr. BEILEN-SON, Mr. COSTELLO, Mr. DURBIN, Mr. EDWARDS of California, Mr. HUGHES, Mr. HAYES, Ms. KAPTUR, Mr. KILDEE, Mr. MCCURDY, Mr. MAZZOLI, Mr. MILLER of California, Mr. MORAN, Mr. NEAL of Massachusetts, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. SABO, Mr. SCHUMER, Mrs. SCHROEDER, Mr. STUDDS, Ms. WATERS, Mr. WISE, Mr. PENNY, and Mr. SAWYER.

- H.R. 3827: Mr. HAMBURG, Ms. VELAZQUEZ, Mr. VENTO, and Mr. GUTIERREZ.
- H.R. 3866: Mr. LAFALCE, Mr. KLEIN, Mr. JEFFERSON, Mr. VALENTINE, Mr. FARR, Mr. WATT, Mr. DIAZ-BALART, Mr. MILLER of California, Mr. DEFAZIO, and Mr. ROSE.
- H.R. 3900: Mr. PASTOR.
- H.R. 3955: Mr. HUTTO and Mr. GILLMOR.
- H.R. 3978: Mr. THOMAS of California.
- H.R. 4024: Mr. BAESLER.
- H.R. 4057: Ms. LAMBERT, Mr. SANGMEISTER, Mr. MCHALE, Mr. DORNAN, Mr. MCHUGH, and Mr. MANN.
- H.R. 4095: Mr. DELAY.
- H.R. 4096: Mr. SAXTON, Mrs. MEEK of Florida, Mr. BROWDER, Mr. MURPHY, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MEYERS of Kansas, Mr. BEVILL, Mr. JEFFERSON, Mr. GENE GREEN of Texas, and Mr. CALLAHAN.
- H.R. 4135: Mr. KLINK, Mr. KNOLLENBERG, Mr. TRAFICANT, Mr. SHARP, Mr. JACOBS, Ms. LONG, Mr. MCCLOSKEY, Mr. VISLOSKEY, Mr. BURTON of Indiana, Mr. BARRETT of Wisconsin, Mr. PETE GEREN of Texas, Mr. BAKER of California, Mr. PALLONE, Mr. BLILEY, Mr. BRYANT, Mr. RAVENEL, Mr. JOHNSON of South Dakota, Mr. CALVERT, Mr. EDWARDS of California, Mr. WHITTEN, and Mr. MICHEL.
- H.R. 4148: Mr. HILLIARD and Mrs. MORELLA.
- H.R. 4248: Mr. SHAYS.
- H.R. 4326: Mr. HOAGLAND, Mr. ARCHER, Mr. MCCREERY, Mr. SUNDQUIST, and Mr. JACOBS.
- H.R. 4350: Mr. HEFLEY.
- H.R. 4365: Mr. PETERSON of Minnesota, Mr. DORNAN, Mr. KINGSTON, Mr. TRAFICANT, and Mr. GOSS.
- H.R. 4366: Mr. FILNER, Miss. COLLINS of Michigan, Mr. EVANS, Mr. JEFFERSON, Mr. OWENS, and Ms. VELAZQUEZ.
- H.R. 4374: Mr. FRANKS of New Jersey, Mr. BACCHUS of Florida, and Mr. CLEMENT.
- H.R. 4392: Mr. FISH.
- H.R. 4399: Mrs. MORELLA, Mr. JOHNSON of South Dakota, and Mr. POMEROY.
- H.R. 4400: Mr. MCCLOSKEY, Mr. DELLUMS, Mr. FOGLIETTA, and Mr. BILBRAY.
- H.R. 4403: Mr. WHEAT.
- H.R. 4414: Mrs. LLOYD and Mr. BILBRAY.
- H.R. 4473: Mr. LINDER.
- H.J. Res. 189: Mr. ROEMER, Mr. CLYBURN, Mr. HUGHES, Mr. BARRETT of Wisconsin, Mr. KING, and Mr. LEVY.
- H.J. Res. 327: Mr. HOAGLAND, and Ms. ROYBAL-ALLARD.
- H.J. Res. 346: Mr. DELLUMS, Mr. NEAL of Massachusetts, Mr. BEVILL, Mr. BLUTE, Mrs. LLOYD, Mr. RAVENEL, Mr. APPELEGATE, Mr. ENGEL, Mrs. MORELLA, Mr. FROST, Mr. MYERS of Indiana, Mr. BATEMAN, Mr. RAHALL, Mr. KING, Mr. JOHNSON of South Dakota, Mr. WALSH, Mr. KASICH, Mr. UNDERWOOD, Mr. BILIRAKIS, Mr. REYNOLDS, Mr. ORTIZ, Mrs. BYRNE, Mr. EVANS, Mr. WAXMAN, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, Mr. HORN, Mr. FALCOMAVAEGA, Mr. WASHINGTON, Mr. BARRETT of Wisconsin, Mr. MCNULTY, and Mr. LANCASTER.
- H. Con. Res. 103: Mr. RICHARDSON.
- H. Con. Res. 166: Mr. BAKER of California.
- H. Con. Res. 210: Mr. FAWELL.
- H. Res. 291: Mr. GOODLATTE and Mr. MCCREERY.
- H. Res. 403: Mr. MILLER of Florida, Mr. MOORHEAD, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. MOAKLEY, Mr. SERRANO, Mr.

SARPALIUS, Mr. SPRATT, Mr. WASHINGTON, Mr. FLAKE, Mr. EDWARDS of Texas, Mr. MORAN, Mr. MEEHAN, Mr. LANCASTER, Mr. EMERSON, Mr. RAVENEL, Mr. MARTINEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MINETA, Mr. POMEROY, and Ms. SLAUGHTER.

H. Res. 437: Mr. LIGHTFOOT and Mr. EMERSON.

56.48 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

- H.R. 306: Mr. BOEHNER.
- H.R. 3755: Mr. BOEHNER.
- H.R. 3790: Mr. GRANDY, Mr. BARRETT of Nebraska, Mrs. MEYERS of Kansas, and Mr. STRICKLAND.
- H.J. Res. 327: Mr. BOEHNER.

THURSDAY, MAY 26, 1994 (57)

The House was called to order by the SPEAKER.

57.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 25, 1994.

Mr. HANSEN, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the nays had it.

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 238  
Nays ..... 152

57.2 [Roll No. 209] YEAS—238

Abercrombie	Condit	Gibbons
Ackerman	Conyers	Gillmor
Andrews (ME)	Cooper	Gilman
Andrews (NJ)	Coppersmith	Glickman
Andrews (TX)	Costello	Gonzalez
Applegate	Coyne	Gordon
Baesler	Cramer	Green
Barca	Danner	Hall (TX)
Barcia	Darden	Hamburg
Barlow	de la Garza	Hamilton
Barrett (WI)	Deal	Harman
Bateman	DeFazio	Hastings
Becerra	DeLauro	Hayes
Beilenson	Derrick	Hefner
Bevill	Deutsch	Hilliard
Bilbray	Dicks	Hinchey
Bishop	Dingell	Hoagland
Bonior	Dooley	Hochbrueckner
Borski	Durbin	Holden
Boucher	Edwards (CA)	Houghton
Brewster	Edwards (TX)	Hoyer
Brooks	English	Hughes
Browder	Eshoo	Hutto
Brown (FL)	Evans	Inglis
Brown (OH)	Everett	Inslee
Bryant	Farr	Jefferson
Byrne	Fazio	Johnson (GA)
Cardin	Fields (LA)	Johnson (SD)
Carr	Filner	Johnson, E. B.
Clayton	Fingerhut	Johnston
Clement	Flake	Kanjorski
Clyburn	Foglietta	Kaptur
Coleman	Frank (MA)	Kasich
Collins (GA)	Furse	Kennedy
Collins (IL)	Gephardt	Kennelly
Combest	Geran	Kildee