

(1) In section 102(8), strike all after the parenthetical and insert "\$596,000,000 for fiscal year 1998, \$816,000,000 for fiscal year 1999, \$885,000,000 for fiscal year 2000, \$885,000,000 for fiscal year 2001, \$885,000,000 for fiscal year 2002 and \$885,000,000 for fiscal year 2003."

(2) In section 103(b), strike the "and" and all that follows after paragraph (7) and insert "and" after paragraph (6).

(3) Strike sections 127(b) and 127(c) and redesignate sections of the bill accordingly.

(b) TRANSIT PROJECT AUTHORIZATIONS.—

(1) In section 328(a) in the matter proposed to be inserted as section 5338(b)(1) of title 49, strike all that follows after "to carry out section 5309" through the end of such subsection and insert "(1) \$878,000,000 for fiscal year 1998, (2) \$964,800,000 for fiscal year 1999, and (3) \$1,045,200,000 for fiscal years 2000 through 2003."

(2) In section 329(a) strike "shall not exceed" through the end of such subsection and insert "(1) \$800,000,000 for fiscal year 1998; (2) \$856,000,000 for fiscal year 1999; and (3) \$1,045,200,000 for fiscal year 2000-2003."

(3) Strike sections 332 and 333 and redesignate sections of the bill accordingly.

It was decided in the negative Yeas 79 Nays 337 Answered present 2

30.18 [Roll No. 95]

AYES—79

- Archer Hayworth Pomeroy
Ballenger Hill Porter
Barr Hillery Rogan
Barrett (NE) Hobson Rohrabacher
Barrett (WI) Hoekstra Salmon
Barton Hunter Sanford
Boehner Hyde Scarborough
Bonilla Inglis Schaffer, Bob
Burr Istook Sensenbrenner
Campbell Johnson, Sam Sessions
Castle Jones Shadegg
Chabot Kasich Shays
Christensen Kind (WI) Skaggs
Coburn Kingstone Smith (MI)
Condit Kolbe Souder
Cox Largent Stenholm
Cubin Leach Stump
Deal Lewis (GA) Taylor (NC)
Deusch McCollum Thomas
Edwards Miller (FL) Thornberry
Ehrlich Minge Wamp
Foley Morella Wexler
Frelinghuysen Myrick White
Goss Nethercutt Wolf
Graham Neumann Young (FL)
Gutknecht Pappas
Hall (TX) Parker

NOES—337

- Abercrombie Boyd Crane
Ackerman Brady Crapo
Aderholt Brown (CA) Cummings
Allen Brown (FL) Cunningham
Andrews Brown (OH) Danner
Armev Bryant Davis (FL)
Bachus Bunning Davis (IL)
Baesler Burton Davis (VA)
Baker Buyer DeFazio
Baldacci Callahan DeGette
Barcia Calvert Delahunt
Bartlett Camp DeLauro
Bass Canady DeLay
Bateman Capps Diaz-Balart
Becerra Cardin Dickey
Bentsen Carson Dicks
Bereuter Chambliss Dingell
Berman Chenoweth Dixon
Berry Clay Doggett
Bilbray Clayton Dooley
Bilirakis Clement Doolittle
Bishop Clyburn Doyle
Blagojevich Coble Dreier
Bliley Collins Duncan
Blumenauer Combust Dunn
Blunt Conyers Ehlers
Boehlert Cook Emerson
Bonior Cooksey Engel
Borski Costello English
Boswell Coyne English
Boucher Cramer Eshoo

- Etheridge Latham Ramstad
Evans LaTourette Redmond
Everett Lazio Regula
Ewing Levin Reyes
Farr Lewis (CA) Riggs
Fattah Lewis (KY) Riley
Fawell Linder Rivers
Fazio Lipinski Rodriguez
Filner Livingston Roemer
Forbes LoBiondo Rogers
Ford Lowey Rothman
Fossella Lucas Roukema
Fowler Luther Roybal-Allard
Fox Maloney (CT) Rush
Frank (MA) Maloney (NY) Ryan
Franks (NJ) Manton Sabo
Frost Manzullo Sanchez
Furse Markey Sanders
Gallegly Martinez Sandlin
Ganske Mascara Sawyer
Gejdenson Matsui Saxton
Gekas McCarthy (MO) Schaefer, Dan
Gephardt McCarthy (NY) Schumer
Gibbons McDade Scott
Gilchrist McDermott Serrano
Gillmor McGovern Shaw
Gilman McHale Sherman
Goode McHugh Shimkus
Goodlatte McInnis Shuster
Goodling McIntyre Sisisky
Gordon McKeon Skeen
Granger McKinney Skelton
Green McNulty Slaughter
Greenwood Meehan Smith (NJ)
Gutiérrez Meek (FL) Smith (OR)
Hall (OH) Meeks (NY) Smith (TX)
Hamilton Menendez Smith, Adam
Hansen Metcalf Smith, Linda
Harman Mica Snowbarger
Hastert Millender- Snyder
Hastings (FL) McDonald Solomon
Hastings (WA) Miller (CA) Spence
Hefner Mink Spratt
Herger Moakley Stabenow
Hilliard Mollohan Stark
Hinchey Moran (KS) Stearns
Hinojosa Murtha Moran (VA) Stokes
Holden Nadler Strickland
Hooley Neal Stupak
Horn Ney Sununu
Hostettler Northup Talent
Houghton Norwood Tanner
Hoyer Nussle Tauscher
Hulshof Oberstar Tauzin
Hutchinson Obey Taylor (MS)
Jackson (IL) Olver Thompson
Jackson-Lee Ortiz Thurman
(TX) Owens Tiahrt
Jenkins Oxley Tierney
John Packard Towns
Johnson (CT) Pallone Traficant
Johnson (WI) Pascrell Turner
Johnson, E. B. Pastor Upton
Kanjorski Paul Velazquez
Kaptur Paxon Vento
Kelly Pease Visclosky
Kennedy (MA) Pelosi Walsh
Kennedy (RI) Peterson (MN) Watkins
Kennelly Peterson (PA) Watt (NC)
Kildee Petri Watts (OK)
Kilpatrick Pickering Waxman
Kim Pickett Weldon (FL)
King (NY) Pitts Weldon (PA)
Klecza Pombo Weller
Klink Portman Weygand
Knollenberg Poshard Whitfield
Kucinich Price (NC) Wicker
LaFalce Pryce (OH) Wise
LaHood Quinn Woolsey
Lampson Radanovich Wynn
Lantos Rahall Young (AK)

ANSWERED "PRESENT"—2

- Lofgren McCreery
McIntosh Royce
Payne Torres
Rangel Waters
Ros-Lehtinen Yates

NOT VOTING—12

So the amendment was not agreed to.

30.19 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 Mr. SPRATT:

Strike all after the enacting clause and insert the following:

SECTION 1. TWO-MONTH EXTENSION OF TRANSPORTATION PROGRAMS.

Notwithstanding any other provision of law, there is authorized to be appropriated out of the Highway Trust Fund such sums as may be necessary to continue funding for an additional two months each of the programs for which an extension was provided under the Surface Transportation Extension Act of 1997 (111 Stat. 2552 et seq.) at the same monthly rate for which funds were provided for each such program under such Act.

It was decided in the negative Yeas 106 Nays 312 Answered present 1

30.20 [Roll No. 96]

AYES—106

- Ballenger Hall (TX) Rogan
Barr Harman Rohrabacher
Barrett (NE) Hastings (FL) Roybal-Allard
Barrett (WI) Hayworth Sabo
Bartlett Hill Salmon
Barton Hobson Sanchez
Becerra Hoyer Sanford
Bentsen Inglis Sawyer
Berman Jones Scarborough
Boehner Kasich Scott
Bonilla Kennedy (RI) Sessions
Boyd Kind (WI) Shadegg
Brown (OH) Kingstone Shays
Burr Kolbe Siskisky
Campbell LaFalce Skaggs
Cardin Largent Smith, Adam
Castle Lewis (GA) Snyder
Chabot Livingston Souder
Christensen Lofgren Spratt
Clayton Luther Stark
Coburn Maloney (NY) Stearns
Condit Miller (FL) Stenholm
Cox Minge Sununu
Crane Moran (VA) Tanner
Davis (FL) Myrick Taylor (MS)
Deal Nethercutt Thornberry
Deutsch Neumann Thurman
Dicks Obey Watt (NC)
Doggett Parker Waxman
Dooley Paul Wexler
Edwards Peterson (MN) Weygand
Eshoo Pomeroy White
Etheridge Porter Whitfield
Fazio Portman Wolf
Gillmor Price (NC)
Graham Roemer

NOES—312

- Abercrombie Buyer Dickey
Ackerman Callahan Dingell
Aderholt Calvert Dixon
Allen Camp Doolittle
Andrews Canady Doyle
Archer Capps Dreier
Armev Carson Duncan
Bachus Chambliss Dunn
Baesler Chenoweth Ehlers
Baker Clay Ehrlich
Baldacci Clement Emerson
Barcia Clyburn Engel
Bass Coble English
Bateman Collins Ensign
Bereuter Combust Evans
Berry Conyers Everett
Bilbray Cook Ewing
Bilirakis Bilirakis Farr
Bishop Costello Fattah
Blagojevich Coyne Fawell
Bliley Cramer Filner
Blumenauer Crapo Foley
Blunt Cubin Forbes
Boehlert Cummings Ford
Bonior Cunningham Fossella
Borski Danner Fowler
Boswell Davis (IL) Fox
Boucher Davis (VA) Frank (MA)
Brady DeFazio Franks (NJ)
Brown (CA) DeGette Frelinghuysen
Brown (FL) Delahunt Frost
Bryant DeLauro Furse
Bunning DeLay Gallegly
Burton Diaz-Balart Ganske

Gejdenson	Linder	Ramstad
Gekas	Lipinski	Redmond
Gephardt	LoBiondo	Regula
Gibbons	Lowey	Reyes
Gilchrest	Lucas	Riggs
Gilman	Maloney (CT)	Riley
Goode	Manton	Rivers
Goodlatte	Manzullo	Rodriguez
Goodling	Markey	Rogers
Gordon	Martinez	Rothman
Goss	Mascara	Roukema
Granger	Matsui	Rush
Green	McCarthy (MO)	Ryun
Greenwood	McCarthy (NY)	Sanders
Gutierrez	McCollum	Sandlin
Gutknecht	McDade	Saxton
Hall (OH)	McDermott	Schaefer, Dan
Hamilton	McGovern	Schaffer, Bob
Hansen	McHale	Schumer
Hastert	McHugh	Sensenbrenner
Hastings (WA)	McInnis	Serrano
Hefley	McIntosh	Shaw
Hefner	McIntyre	Sherman
Herger	McKeon	Shimkus
Hilleary	McKinney	Shuster
Hilliard	McNulty	Skeen
Hinchey	Meehan	Skelton
Hinojosa	Meek (FL)	Slaughter
Hoekstra	Meeke (NY)	Smith (MI)
Holden	Menendez	Smith (NJ)
Hooley	Metcalfe	Smith (OR)
Horn	Mica	Smith (TX)
Hostettler	Millender-	Smith, Linda
Houghton	McDonald	Snowbarger
Hulshof	Miller (CA)	Solomon
Hunter	Mink	Spence
Hutchinson	Moakley	Stabenow
Hyde	Mollohan	Stokes
Istook	Moran (KS)	Strickland
Jackson (IL)	Morella	Stump
Jackson-Lee	Murtha	Stupak
(TX)	Nadler	Talent
Jenkins	Neal	Tauscher
John	Ney	Tauzin
Johnson (CT)	Northup	Taylor (NC)
Johnson (WI)	Norwood	Thomas
Johnson, E. B.	Nussle	Thompson
Johnson, Sam	Oberstar	Thune
Kanjorski	Olver	Tiahrt
Kaptur	Ortiz	Tierney
Kelly	Owens	Towns
Kennedy (MA)	Oxley	Trafigant
Kennelly	Packard	Turner
Kildee	Pallone	Upton
Kilpatrick	Pappas	Velazquez
Kim	Pascrell	Vento
King (NY)	Pastor	Visclosky
Klecza	Paxon	Walsh
Klink	Pease	Wamp
Knollenberg	Pelosi	Watkins
Kucinich	Peterson (PA)	Watts (OK)
LaHood	Petri	Weldon (FL)
Lampson	Pickering	Weldon (PA)
Lantos	Pickett	Weller
Latham	Pitts	Wicker
LaTourette	Pombo	Wise
Lazio	Poshard	Woolsey
Leach	Pryce (OH)	Wynn
Levin	Quinn	Young (AK)
Lewis (CA)	Radanovich	Young (FL)
Lewis (KY)	Rahall	

ANSWERED "PRESENT"—1

McCrery

NOT VOTING—11

Cannon	Payne	Torres
Gonzalez	Rangel	Waters
Jefferson	Ros-Lehtinen	Yates
Klug	Royce	

So the amendment in the nature of a substitute was not agreed to.

30.21 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 Mr. KASICH:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Transportation Empowerment Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) that objective has been attained and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing fuels used in the States and then distributing the proceeds to the States based on the Federal Government's perceptions of what is best for the States;

(7) the Federal Government has used the Federal gasoline tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this Act are—

(1) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national transportation systems that are not within the direct purview of the Federal Government;

(2) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(3) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public lands;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(4) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of State and Federal transportation facilities; and

(5) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

SEC. 3. CONTINUATION OF FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) FUNDING.—For the purpose of carrying out title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund:

(A) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program under section 119 of title 23, United States Code, \$5,100,000,000 for fiscal year 1999,

\$5,300,000,000 for fiscal year 2000, \$5,400,000,000 for fiscal year 2001, \$5,600,000,000 for fiscal year 2002, and \$5,700,000,000 for fiscal year 2003.

(B) INTERSTATE AND INDIAN RESERVATION BRIDGE PROGRAM.—For the Interstate and Indian reservation bridge program under section 144 of that title \$1,217,000,000 for fiscal year 1999, \$1,251,000,000 for fiscal year 2000, \$1,286,000,000 for fiscal year 2001, \$1,321,000,000 for fiscal year 2002, and \$1,360,000,000 for fiscal year 2003.

(C) FEDERAL LANDS HIGHWAYS PROGRAM.—

(i) INDIAN RESERVATION ROADS.—For Indian reservation roads under section 204 of that title \$202,000,000 for fiscal year 1999, \$208,000,000 for fiscal year 2000, \$214,000,000 for fiscal year 2001, \$220,000,000 for fiscal year 2002, and \$225,000,000 for fiscal year 2003.

(ii) PUBLIC LANDS HIGHWAYS.—For public lands highways under section 204 of that title \$182,000,000 for fiscal year 1999, \$187,000,000 for fiscal year 2000, \$192,000,000 for fiscal year 2001, \$197,000,000 for fiscal year 2002, and \$201,000,000 for fiscal year 2003.

(iii) PARKWAYS AND PARK ROADS.—For parkways and park roads under section 204 of that title \$89,000,000 for fiscal year 1999, \$91,000,000 for fiscal year 2000, \$94,000,000 for fiscal year 2001, \$97,000,000 for fiscal year 2002, and \$99,000,000 for fiscal year 2003.

(iv) HIGHWAY SAFETY PROGRAMS.—For highway safety programs under section 402 of that title \$171,000,000 for each of fiscal years 1999 through 2003.

(v) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For highway safety research and development under section 403 of that title \$44,000,000 for each of fiscal years 1999 through 2003.

(2) TRANSFERABILITY OF FUNDS.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

“(g) TRANSFERABILITY OF FUNDS.—

“(1) IN GENERAL.—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

“(2) ENFORCEMENT.—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.”.

(3) FEDERAL-AID SYSTEM.—Section 103(a) of title 23, United States Code, is amended by striking “systems are the Interstate System and the National Highway System” and inserting “system is the Interstate System”.

(4) INTERSTATE MAINTENANCE PROGRAM.—

(A) FUNDING.—Section 104(b)(5) of title 23, United States Code, is amended by striking subparagraph (B) and inserting the following:

“(B) INTERSTATE MAINTENANCE.—For each of fiscal years 1999 through 2003, for the Interstate maintenance program under section 119, 1 percent to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and the remaining 99 percent apportioned as follows:

“(i) (I) For each State with an average population density of 20 persons or fewer per square mile, and each State with a population of 1,500,000 persons or fewer and with a land area of 10,000 square miles or less, the greater of—