The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ARMEY].

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

RECORDED VOTE

Mr. ARMEY. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 175, not voting 16, as follows:

[Roll No. 673]

YEAS—243

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—175

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Green
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thornton
Thurman
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—16

Chapman
Clayton
Clement
Fields (TX)
Flake
Jefferson
Kennedy (MA)
Meek
Mfume
Moakley
Payne (NJ)
Reynolds
Sisisky
Thompson
Tucker
Waters

□ 1137

Messrs. KENNEDY of Rhode Island, SPRATT, and CONYERS changed their vote from ''yea'' to ''nay.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 224 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 224

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. 2274) 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. Points of order against consideration of the bill for failure to comply with section 302(f) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 2349. That amendment in the nature of a substitute shall be considered by title rather than by section. The first two sections and each title shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 1(q)(10) of rule X, clause 5(a) of rule XXI, or section 302(f) of the congressional Budget Act of 1974 are waived. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Shuster of Pennsylvania or his designee. That amendment shall be considered as read, may amend portions of the bill not yet read for amendment, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against that amendment are waived. After disposition of that amendment, the provisions of the bill as then perfected shall be considered as original text. During further consideration of the bill for amendment, the Chairman of the Committee of the whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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 amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. QUILLEN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this

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resolution, all time yielded is for the purpose of debate only.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. QUILLEN. Mr. Speaker, House Resolution 224 is an open rule providing for the consideration of H.R. 2274, the National Highway System Designation Act of 1995. The rule provides 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The rule makes in order an amendment in the nature of a substitute as an original bill for the purpose of amendment consisting of the text of H.R. 2349. The substitute shall be considered by title rather than by section, and the first two sections and each title shall be considered as read.

The rule waives section 302(f) of the Congressional Budget Act of 1974, prohibiting consideration of legislation providing new budget authority in excess of a committee's allocation, against consideration of the bill and against the amendment in the nature of a substitute.

Also, the rule waives clause 5(a) of rule XXI, prohibiting appropriations in a legislative bill, and clause 1(q)(10) of rule X, prohibiting inclusion in a general roads bill of provisions addressing specific roads, against the amendment in the nature of a substitute.

The rule further provides for the consideration of the manager's amendment printed in the Rules Committee report. The amendment is considered as read, and is debatable for 10 minutes equally divided between the proponent and an opponent. All points of order against the amendment are waived. If adopted, the amendment is considered as part of the base text for the purpose of further amendment.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, as a freshman Member of Congress back in 1963, I proudly served on the Public Works Committee. I developed a high respect for the difficult and important work done by the committee. They did a great job back then, and that hasn't changed. Chairman BUD SHUSTER and the other members of the committee have done an outstanding job in putting together this important bill. As always, the committee worked with a bipartisan spirit and I strongly support this legislation.

The establishment of the National Highway System is essential to ensure the necessary infrastructure to carry people and goods safely and efficiently across the country will into the 21st century.

I understand that an agreement was made to allow a vote on taking the trust funds off budget at a later time. I personally support taking the various transportation trust funds off budget, but I don't want to see this legislation stalled because of those provisions, and I look forward to voting on this issue sometime in the near future.

There are some concerns over certain provisions of this bill, such as repealing the maximum speed limit and helmet penalties. This open rule will allow all Members to fully participate in the amendment process, and I urge its adoption.

Mr. Speaker, I insert extraneous materials into the RECORD as follows:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of September 19, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open[2]	46	44	47	74
Modified Closed[3]	49	47	15	23
Closed[4]	9	9	2	3
Totals:	104	100	64	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of September 19, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95)
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95)
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95)
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps.	A: 242–190 (3/15/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95)
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95)

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SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of September 19, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95)
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95)
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95)
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95)
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95)
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95)
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps.	PQ: 236–194 A: 234–192 (6/29/95)
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95)
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95)
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95)
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95)
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95)
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95)
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95)
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95)
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95)
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95)
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95)
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95)
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95)
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95)
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95)
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95)
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95)
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95)
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

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

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

Mr. Speaker, I rise in support of House Resolution 224 and in support of H.R. 2274. This is urgent legislation and I urge its quick passage in order to protect the funds for the Nation's highway system. The Transportation Committee is to be commended for bringing forward a bipartisan bill which is truly in the Nation's interest. While there are several issues which are controversial, most notably the repeal of the Federal speed limit and the motorcycle helmet requirement, this open rule will allow the House to fully debate these and other issues.

However, in spite of my support for this rule, it is my intention to call for a no vote on the previous question for this resolution. Mr. Speaker, tomorrow the Committee on Ways and Means is holding its only day of hearings on proposals to cut Medicare by $270 billion. In spite of the fact that my Democratic colleagues on Ways and Means have objected in the strongest possible terms to giving these enormous changes such short shift, the Republican majority has not seen fit to give the public the opportunity to fully digest and comment on their proposal. And, I might add, no one has actually seen any text and clairvoyance is required to comment on the specifics of the Republican proposal. For that reason, Mr. Speaker, I will call for a no vote on the previous question in order to allow an amendment to the rule to permit the consideration of House Resolution 221, a resolution sponsored by 201 Members calling for additional hearings on Medicare legislation.

As I stated at the outset, I support the open rule providing for the consideration of H.R. 2274. Mr. Speaker, I especially want to thank the Transportation Committee for their designation of Interstate 35 as a congressional high priority highway. This road, which runs through the middle of my congressional district, stretches from Laredo, TX at the Mexican border, to Duluth, MN, at the Canadian border. It also connects by a trunk road with the transportation facilities in Kansas City, MO. I–35 is a vital transportation link between the three NAFTA partner-nations and has rightfully been called a river of trade.

Because of the lack of adequate rail systems in Mexico, highways are truly a vital link for that Nation's trade to the north. In fact, approximately 74 percent of Mexico's trade with the United States travels on our highways and more than half of that amount crosses the border at Laredo.

Interstate 35 benefits every State and every community along its 1,500 mile route because trade is truly a two-way street. United States and Mexican officials are predicting a doubling of trade between now and the year 2000 and another doubling by 2010. Texas commerce with Mexico accounted for $20.3 billion in exports in 1992, and Oklahoma's exports to Mexico in 1993 totaled $158 million up 226 percent from 1989 levels. Running through the Nation's midsection, I–35 links the entire United States with Canadian and Mexican markets through rail, air and truck links.

It is the hope of the multistate I–35 Corridor Coalition that the designation of I–35 as a high priority corridor is just a first step toward the eventual designation of this vital transportation link as the International NAFTA Superhighway. With increased trade will come increased traffic and a need for enhanced safety mechanisms as well as construction and maintenance of the roadway. I–35 is currently the only fully constructed north-south Interstate link between Mexico and Canada and its high priority designation will enhance efforts to improve the road to accommodate the increase in commercial traffic that has begun and promises only to grow.

Mr. Speaker, I would also like to take the opportunity to salute my friend and colleague, NORM MINETA. His service to the Congress and particularly to the transportation needs of this great Nation has been a model of dedication and high-mindedness. He has been both a champion of noble causes and a workhorse in the day-to-day business of the House. Our country and this Congress are far better because of him and he will be missed. I salute you NORM and wish you well as you take leave of us.

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

The SPEAKER pro tempore (Mr. DICKEY). The Chair joins in recognition of the gentleman from California [Mr. MINETA].

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. PRYCE], a very valuable member of the Committee on Rules.

Ms. PRYCE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in strong support of this open rule for H.R. 2274, the National Highway Designation System Act of 1995. As a member of the Committee on Rules, I am very pleased we are bringing to the floor today yet another open rule, one which will permit the House to have a thorough and complete debate on this very important, timely legislation. This resolution honors our commitment to an open amendment process, and by including a preprinting option, the committee continues to encourage Members to make their amendments available for their colleagues to review before debate begins on the House floor.

While the focus of this legislation is to designate the National Highway System, it also takes a much-needed step to provide immediate relief from a number of costly Federal mandates or requirements put in place by ISTEA in 1991. I would like to express my thanks to the gentleman from Pennsylvania,

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Chairman SHUSTER, and to other members of the Committee on Transportation and Infrastructure, especially my colleague from Mississippi, Mr. PARKER, for a thoughtful reconsideration of and for working to include in this bill a provision to repeal the so-called crumb rubber mandate.

Well intended, and enacted as an incentive to encourage the use of recycled paving material, the crumb rubber mandate also carried with it a heavy penalty for noncompliance. But the universal application of crumb rubber has, at its best, met with mixed results. For example, what works in warmer climates does not necessarily work in cold. Therefore, many State transportation departments, including the Ohio Department of Transportation, have voiced their strong concerns about this example of overreach by the Federal Government.

In Ohio alone, this mandate costs $50 million each year, money that could be used to repave nearly 700 miles of highways, or rehabilitate 137 bridges. Repealing this mandate simply reaffirms that States indeed know how best to build highways in their locales, and it is a very positive step toward allowing the States more freedom and flexibility to make important highway construction decisions.

Mr. Speaker, the Committee on Transportation and Infrastructure has reported a very responsible bill, which must be completed before the end of the month in order for valuable highway funds to continue flowing to the States. The rule before us will set the stage for this kind of deliberation that is needed in this body, and I urge my colleagues to support this fair and open rule.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Speaker, the House is embarking on I think a very bad precedent and a very dangerous course. Many of my colleagues wonder why the motion to adjourn today? The answer is very simple: First of all, the rights of the Members of the institution are being severely impinged upon. The House is being called upon in just a few days to consider legislation on which there have been very little in the way of hearings; indeed, in our committee, no hearings on either the Medicare or Medicaid proposals, and in the Committee on Ways and Means, a similar situation. Members are not going to know what the questions are associated with regard to the legislation.

The bill, which was submitted to our committee and which is being written in our committee as we speak here at this moment, was submitted to the Congress Monday night; that is, September 18, at 9 p.m. The markup on this in our committee commences today. This is on proposal which was already changed since it was sent up. The staff on the Committee on Commerce spent all night Monday night and all night last night on the minority side looking to try to understand what is in this piece of legislation.

A similar situation impends with regard to the Medicare proposal. These proposals have been part of the Republican Contract on America since last summer when my Republican colleagues marched to the front of the Capitol to join in a big signing ceremony. They knew what was going to be in it, but they have not shared it with the American people.

Now, the question is, why is this great haste before us? Why are we being compelled to consider legislation which has not yet been made available to the Congress, on which no American citizen has either understanding or appreciation of all of the enormous subtleties?

These are pieces of legislation which will run to scores, if not hundreds, of pages. These are pieces of legislation which are going to affect every citizen in this country, which are going to have significant impact on the poor, the young, the old. Indeed, they are going to lend credit to the claims that the Republicans are giving new meaning to the words ''women and children first,'' and that it is the women and children and the old and the poor and the weak who are going to be most afflicted by these changes.

Now, I would say on the basis of some 40 years service in this body, that the best legislation is bipartisan legislation when it can be gotten. The second best legislation is legislation which is crafted and contrived in an open fashion, in which everyone here has an opportunity to ask questions and to understand fully all of the issues that are involved and to get the best answers we can, so that we craft the best public policy.

Here we have a situation with no hearings on either Medicare or Medicaid. There are not cost estimates from the Congressional Budget Office. There has been no opportunity for interested persons to be heard. And this is true with regard to either Medicare or Medicaid.

The bill on which this rule would be offered has had 6 days of hearings and markup. The bill was started February 8. Discussion has been going on for months. The early drafts were made available to the Congress. There has been fair discussion. And whether you are for or against the bill that this rule would make in order, you cannot say that the process has not been at least basically fair and open.

No such claim can be made with regard to Medicare and Medicaid. The matter has been conducted in such a haphazard, sloppy and concealed way, that no person can really tell you what is in the bill or what the impact of it is going to be.

We sought responses from Governors of a number of States, interestingly enough, all but one Republicans, and we got an answer from no one except from the one Democratic Governor, in which on Medicaid it was said the result would be devastation of the Medicaid program for the State of Florida.

These are not issues which are small. Even President Reagan talked about the safety net. And in his discussion of the safety net, he said it is going to take care of those who are most poor, least able to address change, and least able to sustain hurt, and those who have the least resources with which to address the costs and the stresses of life, particularly from the standpoint of health and things of that kind.

This legislation, with regard to Medicaid, which is not being marked up in our committee, is not a safety net anymore. It is simply a big concrete floor on which the poorest and the least well-to-do in our country are going to come smash. No hearings, no opportunity to be heard, and, indeed, a terrible result.

Reject this rule. Let us have an open rule, so that we can bring this legislation to the floor after an appropriate period of hearing and after the rule has been amended to enable this side to get full hearings on the matter.

□ 1200

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

I thought we were discussing the highway bill and not Medicare, and I think in the future, we should confine our remarks to the rule before us. I dislike making a point of order, and I will not do it at this time, but I would hope that we confine our remarks to the bill before us.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the distinguished chairman of the committee.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding me this time. I thank the gentlewoman for letting me go essentially out of order so we can get all the things done we need to do.

Mr. Speaker, this is historic and urgent legislation, and I commend the Committee on Rules and the leadership for bringing this open rule to the floor.

We must pass this legislation quickly so that we free up nearly $6 billion of funds, critical highway funds that will go to our States.

As a show of good faith and a strong commitment to getting this bill out quickly, I have agreed to drop two important provisions. First, I have agreed to drop the provision in the bill which passed overwhelmingly in the committee, indeed, I believe unanimously, to take the transportation trust funds out of the general fund budget. I did this because I received a commitment from the leadership that we will, indeed, have a vote on this issue later this year after the appropriations and the reconciliation process.

It is important to emphasize that there are 222 Members of this body who are cosponsors of the legislation to remove the transportation trust funds off

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budget, a majority; many others have committed to vote for it who are not cosponsors. Indeed, a majority of the Republicans of the House are cosponsors; nearly a majority of the Democrats of the house are cosponsors; a majority of the Republican freshman class are cosponsors. That issue has strong bipartisan support. But I have agreed to drop it in the interests of moving the national highway system bill quickly.

Secondly, I have agreed to drop the trigger provision which will move up the reauthorization of ISTEA from 1997 to 1996. I still believe there are solid policy reasons for doing this. However, because we want to bring bipartisan legislation to the floor and some of my Democratic colleagues on the committee have problems with this, again, in the interests of bipartisanship and good faith, I have agreed to drop this provision in this legislation. We may well consider it in another context later this year, but we need to pass the national highway system bill quickly. Also, dropping these two important provisions, also, is being done with an eye toward demonstrating to the other body we want to cooperate with them. They have expressed concerns about these two provisions as well in this particular piece of legislation. So we have dropped those controversial provisions so that we can move quickly and get the national highway system final approval and get the money released to the States so we can build highways, improve productivity for Americans and save lives.

Mr. FROST. Mr. Speaker, I yield 6½ minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, first of all, let me join my friend, the gentleman from Texas [Mr. FROST], in commending the distinguished gentleman from California [Mr. MINETA], the ranking member and former chairman of the Committee on Transportation and Infrastructure, for outstanding service to this Nation on important issues related to the committee on which he serves and particularly the highways of this country, and to also commend the gentleman from Pennsylvania for his leadership throughout the years as well, the gentleman from Pennsylvania [Mr. SHUSTER], and the Committee on Rules for bringing an open rule to the floor of the House, which is refreshing to see on this floor.

I wanted to talk about the priorities in which we are addressing issues in this Congress and, of course, the rule debate is on the priorities which we believe are important to bring forward to the American people. While I think this highway bill is, indeed, an important bill, I think it quite frankly this month or in the next 2 months, I should say, pales in comparison to what may in fact happen with respect to Medicaid and Medicare, a cut of over $450 billion for people who need those particular resources in order to survive either as senior citizens in this country or people who are struggling at the lower end of our economic spectrum. I would just echo the comments that were made by my colleague from Michigan, Mr. DINGELL, the ranking member of the Committee on Commerce. The gentleman from Michigan [Mr. DINGELL], I think, correctly pointed out that we have had hearings on this highway bill that lasted 6 days. They started on February 8. Discussions have been going on for 7 months. We have also seen that we have had Ruby Ridge debated in hearings for 2 weeks, Waco for 2 weeks, we had 28 days of hearings on Whitewater.

This bill, the highway bill that we are discussing today, 6 days, yet when it comes to the biggest bill that will affect over 70 million people directly and probably everyone in the country, cuts in Medicare and Medicaid, over $450 billion, this Congress is relegated to 1 day of hearings, none on Medicaid, 1 on Medicare. It is an outrage. It is an absolute outrage, Mr. Speaker, that that is where we are headed in this most important debate for Americans.

Do the American people not deserve more than 1 day debate? Do they not deserve more than 1 day to talk about these ideas?

For 9 months now we have heard talk from this side of the aisle about how they plan to save Medicare. But to this day we are still waiting to see what their plan is. We are still waiting for their details. They have brought a highway bill to the floor today, and in that highway bill, they have outlined where they want to take the country. I think they are going to find a lot of general agreement with that.

My friend from Pennsylvania, whom I had a kind word about just a second ago, the gentleman from Pennsylvania [Mr. SHUSTER], came to the floor 10 minutes ago. He talked about the highway trust fund and the moneys in that trust fund being reserved just for highways—just for highways—so they could not be used as a hedge against our ever, actually declining now, but at one time growing budget deficit. It strikes me as rather odd and peculiar that they would come to the floor and make that argument which, frankly, I do not have too much disagreement with, and yet, and yet, when it comes to Medicare, what they want to do and what they have done is they have raided the Medicare trust fund in order to pay for tax breaks for the wealthiest people in our country and the wealthiest corporations in our country. It is hard to understand that type of rationale.

But I guess I could understand it if I had a plan, as my colleagues on this side of the aisle do, that would double the Medicare premiums to about $100 a month, that would take away your choice of doctor, that would cut your benefits to pay for these tax breaks for the wealthy; I think I probably would want to keep that hidden, as well.

So you want to talk about the truth? Let us talk about the truth here this afternoon. I ask my colleagues on this side of the aisle, why do not you tell people that not a dime of what you are asking seniors to pay in Medicare cuts will go into the trust fund? We have talked about the highway trust fund. Not one dime in the cuts in the Medicare portion of the bill that we will have shortly—$270 billion—will go into the trust fund. It is going to another fund to pay for tax breaks for the wealthiest few.

Mr. Speaker, we know that the tax cut bill that is being proposed is $245 billion on this side of the aisle, and we also know that $270 billion in Medicare cuts, and we all know the people who will be hurt most by your cuts are the people who need Medicare the most—older Americans, who pay into the system all their lives, who live on fixed incomes, and who cannot afford to see their Medicare premiums doubled. I only hope that you would not come to the floor and tell us that you are not cutting Medicare.

Only in Republican Washington can you double somebody's monthly premium in this town and then not call it a cut. You talk about cuts, talk about Medicaid as well, Mr. Speaker. Republicans have proposed the biggest cuts, as I said, in Medicaid in the history of this country.

You think they realize that if your Medicaid cuts go through, tens of millions of Americans are going to be denied long-term care, the nursing home care they need to say alive? In this country, 60 percent of Medicaid goes into nursing home care and if these cuts go through, $182 billion worth, in my State of Michigan, I am going to lose 15,000 people who will not be able to have those services next year alone and 175,000 over the course of the 7-year proposal.

So, in conclusion, Mr. Speaker, let me just end by suggesting to my friends that it is simply an outrage that we are not allowed to have more hearings, as we are in the highway bill, on Medicare and Medicaid, 1 day of hearings, 1 day of hearings. We on this side of the aisle are so determined to let the American people speak on this that we will have hearings on the lawn of the U.S. Capitol over the next several days. We will bring people here so they can express themselves and express their views on what these proposals will do to them and their families.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Utah [Mrs. WALDHOLTZ], a very valuable member of the Committee on Rules.

Mrs. WALDHOLTZ. Mr. Speaker, I rise in support of this rule which provides for fair debate and consideration of the crucial issues affecting our Nation's transportation needs.

Without passage of a bill to designate the National Highway System, our States stand to lose a significant amount of funding desperately needed to improve this Nation's transportation infrastructure. My State of

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Utah alone stands to lose up to $78 million of funding per year without passage of an NHS bill, money we desperately need to address the impact of our robust growth.

Almost 2,200 miles of highways in Utah are proposed under the NHS bill. These highways carry more than 50 percent of the car travel and more than 80 percent of the truck travel in my State. This bill will play a major role toward promoting Utah's economic development and prosperity, reducing traffic congestion, improving air quality, and maintaining the quality of life Utahns have always appreciated.

In addition, I am pleased with the provisions included in this bill that would help to mitigate the negative impacts imposed under section 1003(c) of the 1991 ISTEA bill. Because of the difficulty of precisely estimating future ISTEA highway spending, the States will be hit with a significant reduction in highway funding for fiscal year 1996. This bill takes significant steps to help mitigate those impacts, helping to ensure that the States have funding they need to meet their highway needs for the coming fiscal year.

I am also pleased with provisions in the bill that repeal Federal mandates and penalties, including repeal of the national speed limit and the crumb rubber mandate.

I know repeal of these provisions is controversial; however, federal mandates such as the national speed limit simply do not make sense for sparsely populated western States like Utah. After discussing appropriate speed limits with our State director of public safety and other law enforcement officials, I am confident that the States will set speed limits that best meet their transportation needs without compromising public safety.

Finally, I would like to commend Chairman SHUSTER for his efforts to take the Transportation trust funds off budget. I believe it is time to release these trust funds for their intended purpose: rebuilding and expanding our badly over-used transportation infrastructure. While I am disappointed that a provision to take the trust funds off budget will not be included in the bill we consider on the floor today, I am pleased that we will have a chance to vote on this important issue later this year.

I urge my colleagues to support this open rule so that we may honor our commitment to designate the National Highway System to preserve and improve our Nation's transportation infrastructure.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, I want to commend the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from California [Mr. MINETA], the gentleman from Wisconsin [Mr. PETRI], and the gentleman from West Virginia [Mr. RAHALL] for this bill. I am going to support the rule.

I have two amendments that are being incorporated into the bill. I want to discuss them briefly.

The first one would aid safety rest stop areas for a full eligibility for 100 percent funding under the trust fund. In 1987 I was able to pass legislation signed into law that made bridge impact barriers, breakaway utility poles, signalization, pavement marking, signs, lights, 100 percent funded under the trust fund because people in States with limited money were fixing potholes but letting safety, which was our big talk, talking the talk, we were not walking the walk, in putting up the money for it.

□ 1215

My first amendment, Mr. Speaker, allows 100 percent funding for the safety rest-stop areas, and these are simple turnoffs, and I have report language that is submitted that is saying that they would be simple turnoffs, and there could be no fuel or food sold there because our intent is not to provide competition for commercial rest-stop areas by the States. That is a good amendment, and I appreciate the leaders on both sides having included it in this bill.

The second one will study the compliance of the Buy American Act in the procurement by the Federal highway funds and trust fund. Now everybody in this House strongly supports it. Very few people realize the waivers and loopholes that are involved. Japan, as we speak, is coming up with a $100 billion infrastructure program to move their economy, and the last time they did we were not allowed to bid on many of those projects. I believe we should be putting more Americans to work with, in fact, infrastructure improvements in America, but we should be at least looking at the procurement in these expenditures of American-made goods and products.

So, Mr. Speaker, the second amendment says, ''Look. How is America complying with, and the Department of Transportation, with Buy American laws, and how many waivers and loopholes are created in here, and how much purchasing of foreign-made goods is going on?''

Mr. Speaker, I am going to support the bill, and I commend the respective leaders on both sides for this bill.

I want to commend the gentleman from Pennsylvania, Mr. SHUSTER, the gentleman from California, Mr. MINETA—who is retiring, as well as Mr. PETRI and Mr. RAHALL, for their work on this bill.

I want to talk about two amendments I had included in the bill during committee markup. The first amendment adds the construction of safety rest stop areas to the list of safety projects eligible for 100-percent Federal funding. Currently, the safety rest stop construction projects are not explicitly part of the Federal-aid program, and are not eligible for 100-percent Federal funding.

I am not talking about commercial rest stops—the ones with Roy Rogers and TCBY's. I am talking about the construction of simple turn-offs where drivers can safely get some rest. I would hope that in the conference report, language is added that explicitly defines the term ''safety rest areas'' as follows:

Any project that provides drivers with an area where they can pull in and rest to reduce fatigue; and/or

Any project to increase parking at existing rest areas where fuel and rooms for lodging are not available—in other words: non-commercial rest stops. This would ensure that States do not build rest facilities that compete with commercial truck stops or travel plazas.

During my 10 years on the committee, I have been an outspoken proponent of full Federal funding for highway safety projects. In 1987 I was successful in adding language to transportation legislation approved by the committee, and later signed into law, that made certain highway safety improvement projects, such as pavement marking, guard rail enhancement and traffic signalization, eligible for 100-percent Federal funding. My amendment would simply add safety rest stop areas to this list.

Numerous studies have shown that the construction of additional rest stops would significantly reduce driver fatigue—especially among truck drivers—thereby reducing the number of traffic accidents associated with driver fatigue. This amendment will ensure that commercial motor vehicle drivers have the opportunity and means to obtain the hours of rest required by Federal hours of service regulations (49 C.F.R. 395).

My amendment would not cost additional money—it simply gives States the flexibility necessary to use Federal highway money in the most effective manner to improve safety on their highways. This amendment says: ''Trust the States to determine what safety projects are the most urgently needed, and let the States decide whether or not they have a shortage of safety rest stops.''

My second amendment directs the Secretary of Transportation to study how well the States have been complying with the Buy American Act in spending Federal highway funds. As you know, since coming to Congress I have championed the buy American issue. I believe strongly that, to the greatest extent possible, Federal procurement dollars should be spent on American-made products. Nowhere should this be more true than in the Federal highway program.

Most Members of Congress strongly support the Buy American Act. But not many Members are aware of the many waivers and loopholes in the Act that, all too often, result in the purchase of foreign-made products with U.S. tax dollars. The intent of my amendment is to ascertain what percentage of the tens of billions of Federal dollars that have been spent through ISTEA by the States have been spent on goods made in this country. This is another commonsense amendment, and I am pleased that it was included in the bill.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I want to thank the leadership of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from Wisconsin [Mr. PETRI], full committee ranking

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member, the gentleman from California [Mr. MINETA], and certainly the gentleman from West Virginia [Mr. RAHALL], for bringing this bill to the floor. It is certainly a bill that I think we can all support, a necessary bill, and I have a question, Mr. Speaker.

How would the American people feel if they knew this bill were coming to the floor, a bill that is going to control the spending of $20 billion a year out of a trust fund, if they knew this bill were coming to the floor without 1 day of hearings? They would feel pretty bad about it, particularly if it affected millions of Americans. Well, guess what, Mr. Speaker? They do not have to worry about it because the Committee on Transportation and Infrastructure on a bill that has a trust fund and that roughly appropriates, or handles, $20 billion a year; there were 6 days of hearings in 1995 on this important topic, there were 6 days of hearings in 1994 on this important topic, there were 7 months of bipartisan negotiations. There was a bill that was introduced months ago. The American public can be secure in knowing this bill was fully deliberated.

Now how would they feel, Mr. Speaker, knowing that there is a bill, might be a bill, out there that appropriates about, and let me think, Mr. Speaker. It appropriates about six to seven times what is in the highway bill. That is the Medicare trust fund. How would they feel knowing that the bill that would not get a day of hearings, affects 31 million people, that the bill that the Medicare system will get 1 day of hearings; that affects 37 million people. How do they feel knowing that billions more is going to go into health care and will not get but 1 day of hearing between Medicare and Medicaid?

Highway trust fund, $20 billion a year, gets 6 days of hearings this year and 7 months of negotiations. Medicare and Medicaid, which Medicare is a trust fund, gets 1 day of hearings, and we have not seen the legislation yet that deals with that legislation, and someone spoke just a minute ago about States losing money. Thank goodness the National Highway System bill is moving because West Virginia could lose several hundred million dollars if it is not enacted by October 1. Thank goodness it is moving. Guess what West Virginia stands to lose under the Medicaid legislation that gets no days of hearings in which the bill came out and was introduced just 2 days ago? First estimates are somewhere between $3 billion and $3½ billion.

So, Mr. Speaker, we can hold 6 days of hearings when a State is going to lose a couple hundred million dollars. We hold no days of hearings when a State is at risk for $3½ billion and its entire health care system is at stake.

Mr. Speaker, I am urging a vote against the previous question. I do support the bill. I think it is interesting the roads that this will build will go to many hospitals. The routes will be open because of this bill; the hospitals could be closed because of the Medicare and Medicaid bill. I think people want a highway bill, but they do not want to get run over by the health care legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, this proposed rule will set the priority for legislative business, and it is the wrong priority. This afternoon, after 9 months, we will have what a Republican aide to the Committee on Ways and Means has probably misdescribed as, I quote, the complete comprehensive details of the Republican pay-more, get-less Medicare plan. But the same aide says that the legislation just is not ready, it is not ready, and we are not ready for the legislation.

So, Mr. Speaker, tomorrow we will have a meaningless, 1-day stacked committee hearing.

POINT OF ORDER

Mr. QUILLEN. Mr. Speaker, I make a point of order that the gentleman from Texas [Mr. DOGGETT] is in violation of House rule XIV that requires Members to confine themselves to the question under consideration.

Mr. Speaker, the question under consideration is House Resolution 224, the rule for the highway bill, and has nothing to do with Medicare.

Mr. FROST. Mr. Speaker, may I be heard on the point of order?

Mr. DOGGETT. And I also?

The SPEAKER pro tempore (Mr. DICKEY). The Chair recognizes the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, the gentleman from Tennessee [Mr. QUILLEN] objects to the gentleman from Texas [Mr. DOGGETT] speaking about the resolution of the gentleman from Michigan [Mr. DINGELL], when the matter before the House is the rule on H.R. 2274.

The Speaker has ruled on this issue several times in recent years. Probably the clearest guidelines about relevant speech during consideration of a rule come from the Speaker's ruling of September 27, 1990, and I quote:

> In the Chair's opinion discussing the priority of business is within the confines of the resolution . . . the Chair has ruled that it is certainly within the debate rules of this House to debate whether or not this rule ought to be adopted or another procedure ought to be adopted by the House . . . but when debate ranges into the merits of the relative bills not yet before the House, the Chair would admonish the Members that that goes beyond the resolution . . .

Mr. Speaker, the gentleman from Texas [Mr. DOGGETT] has not discussed the merits of Medicare legislation. He has not discussed the details of it or engaged in anything like a debate on that important measure. Mr. Speaker, the gentleman from Texas has confined himself to the priority of business argument, that the House ought to be debating the resolution of the gentleman from Michigan [Mr. DINGELL] providing for hearings, providing for additional hearings, on Medicare before it gets to this important matter dealing with transportation. The gentleman from Texas has confined himself to the question of whether to adopt the rule before us or a different rule making in order the gentleman from Michigan's resolution that provides for hearings on Medicare.

Mr. Speaker, I believe the speech of the gentleman from Texas [Mr. DOGGETT] is relevant.

Mr. DOGGETT. Mr. Speaker, may I be heard on the point of order?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, as my colleague from Texas has just pointed out, the focus of my remarks from the outset is the priority of legislative business. If a rule is not an appropriate time to discuss the priority of legislative business, I know not when one could discuss the priority, and of course my reason for raising this issue of priority is that I made a parliamentary inquiry only about an hour ago to the Speaker to find out how is it possible to get before the House a resolution signed by 201 Members of this House asking for more complete and fair hearings on Medicare, and I was told there was no way to do that without the approval of Speaker GINGRICH. So it seemed to me this was an appropriate way to discuss priorities because I would be denied, as has every other Member of this House, any other way of getting the issue before the House.

So, Mr. Speaker, this is a discussion of priorities which I plan, in the brief minute I have remaining, to intermingle with the highway bill under consideration because the two are very related.

The SPEAKER pro tempore. Any other Members desiring to be heard on the point of order?

If not, the Chair will rule.

Debate on a special order providing for the consideration of a bill may range to the merits of the bill to be made in order since the question of consideration of the bill is involved, but should not range to the merits of a measure not to be considered under that special order.

The gentleman from Tennessee [Mr. QUILLEN] has made the point of order that the gentleman from Texas [Mr. DOGGETT] is engaging in irrelevant debate. Because the gentleman's remarks have in some respects extended to the merits of other measures, the Chair finds that the point of order is well taken.

The gentleman from Texas [Mr. DOGGETT] shall proceed in order.

Mr. DOGGETT. Mr. Speaker, the bill before us is a highway bill, and it is very appropriate that this highway bill should be considered at a time that we are to hear the first details of the Medicare plan because, my colleagues, that plan has been parked at the end of a dark alley. Most people have no idea what is in it, but now suddenly it is being removed from the dark alley, being backed out of that dead-end

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alley, and being rushed into the fast lane of the highway. It is like one of those giant 18-wheelers going 90 to nothing down the highway and let everybody else get out of the way.

Mr. Speaker, in Texas we call it the bar ditch along the highway, and that is where American seniors are going to be left, in the bar ditch. They are going to feel that they have been hit by more than a highway, by a highway man, a bushwhacker, because they will have more than a flat tire along that bar ditch. They will have a flat wallet, and it is wrong.

Mr. Speaker, the Republicans are proposing that America follow a highway to nowhere.

Mr. FROST. Mr. Speaker. I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to defeat the previous question. If the previous question is defeated I will offer an amendment to the rule. The amendment provides for the immediate consideration in the House of House Resolution 221. House Resolution 221 requires that the public be given adequate time to examine the radical changes in the Medicare and Medicaid Programs proposed for the reconciliation bill. The resolution also insists that committees conduct more than a single day of hearings on the largest cuts to the Medicare ever proposed. The public should be allowed to express their views before we are required to vote on such changes.

Mr. Speaker, at this point I ask unanimous consent that the amendment I intend to offer be printed in the RECORD.

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

There was no objection.

The proposed amendment to House Resolution 224 is as follows:

At the end of the resolution, add the following new section:

''SEC. 2. Upon adoption of this resolution, it shall be in order, any rule of the House to the contrary notwithstanding, to consider immediately in the House the resolution, House Resolution 221, printed in section 3 of this rule providing that consideration in the House of Representatives and its committees and subcommittees thereof of any legisation changing existing law with respect to medicare or medicaid pursuant to the reconciliation instructions of the concurrent resolution on the budget for fiscal year 1996 shall be preceded by adequate time for public examination of such legislation and public hearings thereon, and expressing the sense of the House that the Senate should similarly provide for such public examination and hearings.

SEC. 3.—

H. RES. 221

Whereas the conference report on the concurrent resolution on the budget for fiscal year 1996 (H. Con. Res. 67, 104th Congress) and the accompanying statement of managers contain reconciliation instructions to the Committee on Ways and Means and the Committee on Commerce that assume reductions in spending on medicare of approximately $270,000,000,000 below what would be spent on medicare under current law during fiscal years 1996 through 2002;

Whereas that conference report and statement of managers contain reconciliation instructions to the Committee on Commerce that assume reductions in spending on medicaid of approximately $182,000,000,000 below what would be spent on medicaid under current law during fiscal years 1996 through 2002;

Whereas that conference report and statement of managers contain reconciliation instructions to the Senate Committee on Finance that assume reductions in spending on medicare and medicaid totalling $452,000,000,000 below what would be spent on those programs under current law during fiscal years 1996 through 2002;

Whereas approximately 37,000,000 elderly and disabled Americans rely on medicare for their health insurance and health security;

Whereas more than 36,000,000 women, children, and elderly and disabled Americans rely on medicaid for their health insurance and health security, and for protection against the cost of nursing home care;

Whereas hundreds of thousands of doctors, hospitals, laboratories, and other health care providers participate in the medicare and medicaid programs and receive direct or indirect reimbursement for their services from the Federal Government in connection with these two programs;

Whereas administrative and overhead costs are less than two percent of total program costs for medicare and less than four percent of total program costs for medicaid, far smaller percentages than any private sector health insurance enterprise currently in operation in the United States;

Whereas achieving the level of reductions in medicare and medicaid assumed by the concurrent resolution on the budget for fiscal year 1996 cannot therefore be achieved solely by reducing waste, fraud, and abuse;

Whereas achieving reductions of the magnitude contemplated by the budget resolution can only be accomplished by (1) increasing the payments required from women, children, elderly, and disabled beneficiaries, (2) reducing payments to physicians, hospitals, nursing homes, and other health care providers, (3) reducing coverage for current or future beneficiaries, or (4) some combination of the foregoing three strategies;

Whereas the budget resolution requires committees to submit their reconciliation recommendations to the Committee on the Budget by September 22, 1995;

Whereas as of the date of the introduction of this resolution, no legislative language to achieve the medicare and medicaid cuts contemplated by the budget resolution has been introduced or otherwise made public, so that members of the public and their Representatives in Congress have not had the benefit of adequate time to examine, analyze, and understand the impacts of the changes that will have to be proposed to achieve the contemplated reductions;

Whereas the Congress should serve as a partner with the American people in addressing the Nation's health care needs and problems;

Whereas with the exception of national security matters, there are few reasons for Congress to act behind closed doors in formulating policy that will directly and dramatically impact more than 73,000,000 Americans and their families and will indirectly impact every American;

Whereas there is concern that the lack of public and media access to the formulation of changes in the existing medicare and medicaid laws in connection with the reconciliation process threatens the ability of all affected Americans and their Representatives to evaluate such changes adequately when they are finally made public;

Whereas public hearings on the consequences for the United States and its health care system of any such changes in medicare and medicaid are necessary to educate the public who must live with those consequences and their Representatives in Congress who must act on the forthcoming medicare and medicaid changes: Now, therefore, be it

Resolved, That—

(1) any markup in the committees of the House of Representatives or any subcommittees thereof of any legislation changing existing law with respect to medicare or medicaid pursuant to the reconciliation instructions of the concurrent resolution on the budget for fiscal year 1996 shall be preceded by a minimum of four weeks for public disclosure of the legislative text of such changes, during which time additional and thorough public hearings on such text shall be held;

(2) no such legislation shall be considered in the House of Representatives until the requirements of paragraph (1) have been met; and

(3) it is the sense of the House that the Senate should guarantee public and media access to and consideration of the legislative text of any changes to be considered in that body by adopting a similar schedule for public disclosure and hearings.

Mr. FROST. Mr. Speaker, I urge defeat of the previous question, and I have no further requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I, too, yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a recorded vote, if ordered, may be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 241, nays 173, not voting 20, as follows:

[Roll No. 674]

YEAS—241

Allard	Brownback	Condit
Archer	Bryant (TN)	Cooley
Armey	Bunn	Cox
Bachus	Bunning	Crane
Baker (CA)	Burr	Crapo
Baker (LA)	Burton	Cremeans
Ballenger	Buyer	Cubin
Barr	Callahan	Cunningham
Barrett (NE)	Calvert	Davis
Bartlett	Camp	Deal
Barton	Canady	DeLay
Bass	Castle	Diaz-Balart
Bateman	Chabot	Dickey
Bereuter	Chambliss	Doolittle
Bilbray	Chenoweth	Dornan
Bilirakis	Christensen	Doyle
Bliley	Chrysler	Dreier
Blute	Clinger	Duncan
Boehlert	Coble	Dunn
Boehner	Coburn	Ehlers
Bonilla	Collins (GA)	Ehrlich
Bono	Combest	Emerson

English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—173

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Harman
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (RI)
Kennelly
Kildee
Kleczka
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—20

Brown (FL)
Collins (IL)
Conyers
Flake
Hastings (FL)
Hefner
Jefferson
Kennedy (MA)
Meek
Mfume
Moakley
Payne (NJ)
Quinn
Reynolds
Schiff
Sisisky
Skeen
Torres
Tucker
Watts (OK)

☐ 1248

Ms. MOLINARI and Ms. MCCARTHY changed their vote from ''yea'' to ''nay.''

Mr. RAHALL changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 39, answered ''present'' 1, not voting 19, as follows:

[Roll No. 675]

YEAS—375

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fields (LA)
Fields (TX)
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manzullo
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Velazquez
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—39

Ackerman
Becerra
Brown (CA)
Brown (OH)
Chapman
Clay
Coyne
Dellums
Engel

Dooley	Kaptur	Owens
Durbin	LaFalce	Rangel
Edwards	Lantos	Sabo
Evans	Lewis (GA)	Schroeder
Fattah	Manton	Stark
Filner	Markey	Tejeda
Frank (MA)	Martinez	Towns
Hilliard	McHale	Vento
Hoyer	Miller (CA)	Waxman
Johnston	Ortiz	Yates

ANSWERED ''PRESENT''—1

Gibbons

NOT VOTING—19

Brown (FL)	Hefner	Payne (NJ)
Collins (IL)	Jefferson	Reynolds
Conyers	Johnson (SD)	Sisisky
Doolittle	Kennedy (MA)	Souder
Fazio	Meek	Tucker
Flake	Mfume	
Hastings (FL)	Moakley	

□ 1257

Ms. ROYBAL-ALLARD changed her vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. COLLINS of Illinois. Mr. Speaker, during rollcall vote Nos. 674 and 675 on House Resolution 224, I was unavoidably detained. Had I been present I would have voted ''nay'' on 674 and ''yea'' on 675.

The SPEAKER pro tempore. Pursuant to House Resolution 224 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2274.

□ 1259

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2274) to amend title 23, United States Code, to designate the National Highway System, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Pennsylvania [Mr. SHUSTER] will be recognized for 30 minutes, and the gentleman from West Virginia [Mr. RAHALL] will be recognized for 30 minutes.

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

□ 1300

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

Mr. Chairman, I am pleased that once again the Committee on Transportation and Infrastructure brings to the floor of the House a bill with strong, overwhelming bipartisan support. It is an exciting bill, it is a crucial bill. This bill giving final approval to the new National Highway System will create for America in the 21st century what the Interstate System has done for America in the 20th century.

The new National Highway System recognizes and identifies 159,000 miles which will be the top priority miles for America as we move into the next century of highway miles. While this represents only 4 percent of the total highway miles in America, it represents 40 percent of all the highway travel, 75 percent of truck traffic, and 80 percent of tourism travel.

Indeed, every year we are experiencing on our highways a 3-percent increase in highway travel. If we compound that out, that means every 7 years about a 30-percent increase in highway travel. Beyond that, by the year 2000, we are told there will be a 28-percent increase in truck traffic on our highways. So there is a crucial need for identifying this new National Highway System, giving it the top priority. Of course, the original interstate, the 42,500 miles of the interstate, are the original backbone of this new system.

What we are about here today is building assets for America. Indeed, it is crucial that we pass this, because if we do not pass it quickly and get to conference with the other body, then $6 billion a year will be withheld from our States, money that has to go out to improve our highways.

Indeed, it is critical that we create this new National Highway System for economic growth for America. This system will be the backbone of the transportation system of America as we move into the next century, to move people and products more efficiently, more productively, more conveniently, and more safely.

I might close by sharing with the body something that a young married man who brought his wife to Washington on January 4 of this year, with his little children, said on television. When they asked him why was he here to see the opening of the new Congress, he said, ''I just had to come and see it, because with the opening of the new Congress maybe there will be some changes. Maybe the Congress will get it right.'' Then he went on to say, ''The Federal Government, in my opinion, has not done anything right in the past 20 years.'' Then he paused, and he said, ''except build highways.''

I think across America there is strong bipartisan recognition that we need to build the infrastructure of this country so that this country can remain productive, so that this country can have our people traveling safely on our highways. For all of those reasons, I urge my colleagues to give strong support to this bipartisan legislation.

Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. PETRI], the distinguished chairman of the subcommittee.

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

Mr. Chairman, H.R. 2274 was approved by voice vote by the Committee on Transportation and Infrastructure on September 8, 1995.

The most important provision of the bill before us today is the approval of the National Highway System, a 160,000 mile network of our Nation's most important roads. Although NHS routes comprise only 4 percent of our Nation's public roads, it will carry over 40 percent of our Nation's traffic and more than 70 percent of our commercial truck traffic.

The country has changed dramatically since the Interstate System was laid out more than 40 years ago, and the NHS will move us into the postinterstate era. Approval of H.R. 2274 will ensure continued Federal funding for these vital roads.

H.R. 2274 also provides a comprehensive solution to the reduction in Federal highway funding that each State will experience next year due to section 1003 of ISTEA. According to the latest estimates from the Federal Highway Administration, this reduction could total as much as $3 billion, amounting to a nearly 13-percent across-the-board cut in each program.

Unlike other proposals which have been put forth to address this situation, H.R. 2274 will fully restore funding for programs outside the obligation ceiling by utilizing available budget authority and, through the reprogramming of budget authority, will partially restore funding for programs subject to the obligation ceiling. It also will mitigate the effect of the remaining reduction by allowing States greater flexibility over a certain limited amount of unobligated program balances.

The basic balance of funding control provided by ISTEA is retained in this bill since a State may transfer unobligated balances of urban suballocated funds, which are controlled by metropolitan planning organizations, only with the written concurrence of the metropolitan planning organization for that area. In addition, funds provided to States as part of the section 1003 restoration are subject to the urban suballocation in accordance with ISTEA.

Finally, congestion mitigation and air quality funds must be spent in nonattainment areas, but can be used for any purpose—with all clean air requirements for transportation projects continuing to apply.

In order to ease the burden on States, certain Federal mandates also are repealed, including a repeal of the requirement that States use rubberized asphalt, or crumb rubber, in a certain percentage of Federal-aid highway projects or face the loss of Federal highway funds.

Although a prohibition on the implementation of the penalties has been included in annual appropriations bills over the past several years, H.R. 2274 provides for a permanent repeal. Also, the penalties for failure to implement various management systems are suspended until the reauthorization of ISTEA.

During the committee consideration of H.R. 2274, two amendments were adopted which repeal two further Federal mandates. First, the national maximum speed limit and associated penalties are repealed.

The power to set speed limits will be returned to the States as was the case prior to the energy crisis in 1974. The repeal amendment was adopted by the subcommittee and also was reaffirmed by the full committee by large, bipartisan votes.

Second, an amendment was adopted by the full committee to repeal the current penalties imposed on States which do not enact universal motorcycle helmet laws. Again, it will be left up to each State to determine whether to enact such a law, as was the case prior to ISTEA. This amendment was also adopted by a wide bipartisan margin of 38 to 17.

The remaining provisions in H.R. 2274 are, for the most part, minor and noncontroversial policy revisions or minor corrections to current law. I would note that certain trucking reform measures are also included in the bill which, again, are primarily very limited in scope and provided to certain segments of the trucking industry.

These groups have worked with the committee over the past several months to demonstrate why certain regulations which are aimed primarily at long-haul, over-the-road truckers, may not be appropriate for certain other types of driving activities.

In concluding, I want to thank our ranking member of the full committee, the gentleman from California, NORM MINETA, for the assistance he has provided on this bill and the leadership he has provided to our committee on both sides of the aisle over his years in the Congress and as a senior member of the committee.

As we know, Mr. MINETA will be leaving the Congress next month, although his involvement in transportation issues certainly will be continuing, and in some sense even deepen. His dedication and interest in improving the Nation's transportation system has been of great benefit to our country, and so, while we wish him well in his new endeavor, his departure will certainly be felt, and felt especially deeply on our committee, and by his colleagues.

The gentleman from West Virginia [Mr. RAHALL], the ranking minority member on the Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure, has once again provided valuable input on the development of the bill before us.

Finally, of course, the chairman, the gentleman from Pennsylvania [Mr. SHUSTER], has been instrumental in providing the critical leadership necessary to advance the national highway legislation. It is imperative that the House approve this bill so the required congressional approval of the National Highway System may be granted, so that the section 1003 restoration and mitigation provisions may be realized by the States, and so other improvements to our transportation programs may be enacted. I urge the House to approve H.R. 2274.

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

Mr. Chairman, I rise in support of this legislation, and I do urge my colleagues to do likewise when it comes to final passage. I join with the chairman, the gentleman from Pennsylvania [Mr. SHUSTER], and the chairman of the subcommittee, the gentleman from Wisconsin [Mr. PETRI], in commending all the work to bring this legislation together, including that of themselves, for their valuable patience in working with us, and willingness to compromise when such was necessary to move the process forward.

I also pay tribute to our ranking minority member, the gentleman from California [Mr. MINETA]. I shall have more to say about him in a moment, but he has been, of course, one of the fathers of ISTEA, and this bill that we consider today is a product of that legislation.

I say I am in support of the legislation, Mr. Chairman, because even though some of us cannot support every single provision of this bill, when all is said and done, the fundamental purpose of this legislation—the designation of a new National Highway System—is something that must be passed by this body and enacted into law in the very near future.

Yes, we have had our differences on certain provisions of this bill. For instance, it would repeal the national speed limit. I, for one, will be offering amendments to address this issue.

Yet, while I may not agree with what is contained in the committee bill on this issue, it is important to remember that this is a must pass piece of legislation, a number of accommodations have already been made to the minority since the bill was reported by the committee, and that today it is being debated under a free and open process that allows us to continue to pursue our concerns.

This bill is must pass because at stake here is $5.2 billion in Federal highway funds to the States which will cease flowing on September 30th if we do not gain enactment, and an almost $3 billion in highway funds that will be lost due to a budgetary problem.

At the same time, with this bill we are creating in this Nation a new, integrated network of highways, to be known as the National Highway System—the NHS—that will be the centerpiece of the post-Interstate construction era. In effect, what we are talking about here today are the crown jewels of America's highways.

As I mentioned earlier, a number of accommodations have been reached on this bill since it was reported from the committee. As reported, it contained a provision that would have repealed Federal safety regulation of 40 percent of the truck traffic on the roads today. That provision has since been dropped from the bill.

It also originally contained a provision known as the ''trigger'' which would have jeopardized the entire fiscal year 1997 Federal Highway and Transit Program. This provision, at my insistence, and the minority's insistence, has also been dropped from the bill we are considering today.

And again, for those who continue to have concerns over the repeal of the national speed limit, or with the repeal of motorcycle helmet laws, as proposed by this bill, the democratic process is at work here today and we will have ample opportunity to address those issues.

So again, once the debates are ended, I urge all Members to support final passage of this bill.

In closing, I do, once again, commend the chairman, the gentleman from Pennsylvania [Mr. SHUSTER], and the subcommittee chairman, the gentleman from Wisconsin [Mr. PETRI], for their work on this measure. And I pay special personal and professional tribute to our dear friend, the gentleman from California, NORM MINETA, the ranking Democrat member on our Committee on Transportation and Infrastructure, who will leave this body next month.

The gentleman from California [Mr. MINETA] will be remembered by all of us for the many great things he has accomplished for his constituents and for the Nation as a whole during his service to the U.S. Congress. Today I take just a brief moment to salute him for his diligence to highway safety. His concern is not only for our public infrastructure, but for our environment, our future transportation policy, indeed, for our very future in this country, by ensuring that we have better roads and bridges, and improved safety for the people who travel upon them. NORM MINETA has served as chairman of four of our subcommittees on the Committee on Transportation and Infrastructure, and of course he has served as chairman of the full then Committee on Public Works and Transportation. A prime architect of the Intermodal Surface Transportation Efficiency Act, NORM MINETA has made his mark on the bill before us today as well. It is, again, a measure that we should all support.

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

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

Mr. Chairman, I certainly want to join in recognizing the gentleman from California, NORM MINETA, and the outstanding contributions he has made, not only to this committee and to his State of California, but to the Nation as a whole. I put an extensive statement in the RECORD Monday night relative to our distinguished colleague, and I would commend it to all of my colleagues.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. COLLINS] for a colloquy.

Mr. COLLINS of Georgia. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I have been concerned for some time over the growing shortage of qualified commercial truck drivers in this country. This stems from

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my own personal experience in the industry, as well as from my service on the Surface Transportation Subcommittee in the last Congress. Estimates are that there are 300,000 drivers needed in the industry per year over the next 10 years.

As you know, several years ago Congress required that any person operating a commercial vehicle must have a commercial drivers license [CDL] issued by his or her State of domicile. According to the Federal Highway Administration, this has had two important impacts on driver training:

First, it has limited the actual behind-the-wheel experience for potential drivers, which is critical to effective driver training.

Second, in addition, if a driver wishes to move temporarily to another State to undergo driver training, he or she cannot obtain either a learner's permit or a CDL because of the domicile requirements previously mentioned.

□ 1315

Recognizing these problems, the Federal Highway Administration issued a Notice of Proposed Rulemaking in 1990 to correct the situation. However, due to more pressing matters, the action was not finalized. I understand that FHWA is now in the process of pursuing the issue, due to increased interest and the need for truck drivers. And I think it is important to note that not only has the Federal Highway Administration recognized the problem; but the industry, represented by the American Trucking Associations has also supported a change.

For the purpose of expediting this rulemaking, I would simply like to ask the chairman whether you believe it appropriate for the Federal Highway Administration to address this issue, particularly with regard to issuing learners' permits.

Mr. SHUSTER. Mr. Chairman, if the gentleman will yield, I would respond to my friend, I certainly do think it is appropriate. The Federal Government has already required issuance of CDL's by the States. I am pleased Federal Highways is addressing this situation, and I fervently hope that they will move very expeditiously on this rulemaking.

Mr. COLLINS of Georgia. I thank the gentleman.

Mr. RAHALL. Mr. Chairman, because he has devoted so much of his career to improved transportation policy in this country, I yield such time as he may consume to the gentleman from California [Mr. MINETA], the ranking minority member.

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

Mr. MINETA. Mr. Chairman, today, two critical problems threaten the Nation's infrastructure and transportation program. First, if Congress does not designate the National Highway System by October 1 of this year, $5.2 billion of transportation funds will not go to the States. Second, because of an arcane budget scorekeeping rule, our highway programs face an estimated 13 percent, or $2.7 billion, cut across the board next year. The bill before the House today addresses both these issues: It designates the NHS and fixes the budget problem.

Mr. Chairman, I did support the bill as reported by the Transportation Committee. During committee consideration of the bill, several controversial safety amendments were adopted. When I considered these amendment, together with provisions already in the bill which were troublesome, I concluded that the bill no longer represented a viable means to designate the NHS and I could not in good conscience support it.

However, since reporting the bill, our committee leadership has worked together long and hard to work out a compromise and refocus this bill on designating the NHS, and I want to particularly commend Chairman SHUSTER, our very fine friend, Chairman PETRI, and the gentleman from West Virginia, Mr. RAHALL, for their long, hard efforts to reach this compromise. We all recognize the importance of this bill and have worked hard to minimize the kind of controversies which could impede its progress, even where that meant accepting policies which were contrary to each of our own positions, but really which were necessary to move the bill forward on a bipartisan basis. The result of all of our efforts has been a better bill.

Like any compromise, if perfectly reflects none of our views. Each of us can say there are many things in this bill we like and things we do not like. For instance, this compromise bill does not include the truth in budgeting provisions which the committee adopted and which I strongly support. These provisions would have taken the transportation trust funds off-budget and rededicated them to their original purpose.

However, this bipartisan compromise bill also does not include the so-called trigger provision which I strongly oppose. The trigger provision would have sequestered fiscal year 1997 highway and transit funds in the hopes of forcing the reauthorization of ISTEA next year. In my opinion, such a provision would break our commitment to the States and needlessly create uncertainty at a time when we should be rebuilding our highways, bridges, and transit systems.

In addition, the reported bill included a provision which I strongly opposed which would have waived all safety standards for commercial vehicles between 10,000 and 26,000 pounds. Under this blanket waiver of truck safety standards, nearly 40 percent of all currently regulated trucks on the road would have been completely exempt from important Federal safety requirements such as driver qualifications and drug and alcohol prohibitions.

However, again working together on a bipartisan basis, the en bloc amendment which the chairman of our committee will offer today includes a somewhat improved version on this issue. Under the new provision, the Secretary of Transportation will establish a pilot program to exempt motor carriers of regulatory requirements only, only if, after normal notice and comment, he finds that the carrier would have safety programs that achieve a level of safety equal to or greater than if they complied with the regulations. While this compromise language is not perfect, and I remain worried about opening the flood gates to truck safety exemptions. I believe that the provision in this en bloc amendment is much improved from its original form in the original legislation.

Despite these many improvements to the reported bill, the compromise bill still includes several controversial highway safety amendments which I adamantly oppose. This bill would repeal the Federal speed limit and allow States to have no speed limit at all if they wished. I would effectively repeal the motorcycle helmet requirement. And it would waive a variety of truck safety standards for specific industries. I believe that these provisions seriously threaten both our Nation's highway safety and the likelihood that Congress will be able to approve the NHS in a timely manner.

Therefore, although I support this bill overall, there are provisions in this bill which I strongly oppose. like the safety amendments, and which I expect the full House will revisit today. As we discuss these safety issues today and amid all the rhetoric about States' rights, let us not forget why we are here: To designate the National Highway System and to fix a budget problem. Let us not allow this bill to include provisions which threaten these important objectives.

If I might also ask of the subcommittee Chair, or the ranking member, indulgence in a little more time, I want to thank again the members of the committee who have expressed their generous comments about my work.

But one thing about the Committee on Transportation and Infrastructure is that it has always been a very strongly bipartisan committee. Whether it is the professional staff or the members, we have always tried to make sure public policy is in the forefront. So I would like to thank everyone for the courtesies that have been extended to me in the 20 years plus that I have been in the House.

I particularly want to commend my good friend, the gentleman from Pennsylvania [Mr. SHUSTER], whom I will miss very much. We have had a long career of working together on this committee. Mr. Chairman, I salute you and thank you very, very much for your working with all of us.

Then of course, to the chairman, the gentleman from Wisconsin [Mr. PETRI],

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who chaired this specific subcommittee, and to my very good friend, the gentleman from West Virginia [Mr. RAHALL]. I will cherish your friendship and your advice and counsel you have given to me over these long years.

Of course, it goes without saying I am going to miss especially my seat mate, the gentleman from Minnesota [Mr. OBERSTAR]. We came together in 1974. We have been very close personal friends. We have both gone through some very troubling times in the House, and we have counseled each other on a personal basis as well as on a professional basis. JIM, I will always hold you very close and dear to me.

Of course, to my colleague, the gentleman from Pennsylvania [Mr. SHUSTER], again, a very, very close and wonderful friend.

So I leave without regret. I am going to miss everyone, but by the same token, I know that this committee will carry on its very fine work. Again, I want to thank all the members of the committee as well as the professional staff for their wonderful work.

Ken House has been with me for all these years, and there is no one who probably knows this title of the United States Code better than Ken House, and he is sort of like a real reference book. Ken, I want to just thank you again for all the hours you have spent and the time I have called you on the phone at 11 at night and bothered you at home, but again, thank you very much, and to all of you, thank you.

Mr. RAHALL. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. BORSKI], the ranking member of our Subcommittee on Water Resources and Environment.

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

Mr. BORSKI. Mr. Chairman, let me first thank the gentleman from West Virginia for yielding me this time, the distinguished chairman of our Subcommittee on Surface Water and Environment, the gentleman from Wisconsin [Mr. PETRI], our colleague, the gentleman from Pennsylvania [Mr. SHUSTER], our outstanding ranking member of our committee, the gentleman from California [Mr. MINETA].

Let me simply say, Mr. Chairman, that the gentleman from California [Mr. MINETA] has been a great leader of this committee and in this Congress and a great American. I shall remember forever all the excellent work that was done on the ISTEA legislation a few years back, the long hours, the difficult hours, and difficult issues. We got a piece of legislation through that this country can be very proud of, innovative, advancing our transportation system, and it would not have happened without the strong leadership of the gentleman from California [Mr. MINETA].

I shall also miss him as the ranking member, and while we had great successes with the ISTEA legislation on this side of the aisle, our successes were not so great in the Clean Water Act, but his leadership and friendship and guidance on that bill were extremely important to me and valuable to this process, and I shall miss him very, very much. I wish him great success in all he does, and I know he will be extremely successful.

Mr. Chairman, it is absolutely critical to our Nation's transportation system to have the National Highway System designated so that the States can have their fiscal year 1996 NHS funds.

I fully and strongly support the designation of the National Highway System.

I also believe we must correct the 10–0–3 problem that will result in an unfortunate reduction in the Nation's Surface Transportation Program.

However, the bill that is before us does much more than those two essential actions.

This bill is being used as a backdoor means of rewriting the compromises that made the Intermodal Surface Transportation Efficiency Act of 1991 a major breakthrough in transportation policy.

I am concerned that this bill is anti-urban, anti-metropolitan and anti-environment.

In recycling funds to solve the 10–0–3 problem, the bill provides another avenue for States to pressure MPO's into allowing STP funds that are attributed to that area to be used outside that area. What is the purpose of this attempt to rewrite the carefully constructed ISTEA compromise?

The bill also allows Sea-Mack funds to be used for purposes other than to meet air quality standards or to provide air quality benefits, which is the requirement under current law.

We can solve the 10–0–3 problem without rewriting ISTEA, without changing the rules for using the STP money and without setting up new procedures to transfer money out of metropolitan areas.

I am also concerned about section 301 which makes a larger cut in operating assistance for large transit systems than for smaller transit systems.

If we are going to cut operating assistance, then all systems should bear this cut equally.

The provision is unfair to the riders of metropolitan area transit systems who pay their fares just like the riders of the smaller systems.

Unfortunately, it appears that the critics of transit operating assistance believe the cuts should only come from certain systems, not all systems.

This bill makes it harder for metropolitan areas to solve their transportation problems. Transit operating assistance will be cut, resulting in higher fares and less service which will force people off the transit systems and into their cars.

Then we are allowing STP money to be transferred out of the urban areas and allowing congestion mitigation money to be used for other purposes.

These changes are unnecessary retreats from the first-ever recognition in ISTEA of the special needs of metropolitan areas.

These changes are bad transportation policy.

Mr. Chairman, these provisions raise important questions about the direction of our national transportation policy. I hope that some—or all—of these problems can be corrected as the bill works its way through the process.

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Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina [Mr. ROSE].

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

Mr. ROSE. Mr. Chairman, I thank the gentleman from West Virginia [Mr. RAHALL], the ranking member, for yielding this time to me, and I just want to compliment the chairman and the members of this committee for this bill.

The section in this bill that deals with identification of high-priority corridors specifies a route of Interstate 73 and Interstate 74 through North Carolina that is the culmination of a tremendous amount of work that has been done by Members of Congress and especially the North Carolina Board of Transportation. It could not have happened without the good ear and the good help of the full committee, the chairmen of the subcommittee on both sides of the aisle, and I want to thank them and urge my colleagues to strongly support this legislation.

Mr. RAHALL. Mr. Chairman, I yield 6½ minutes to the gentleman from Minnesota [Mr. OBERSTAR], the current ranking minority member on the Subcommittee on Aviation, and any day, or any hour now, to be the new ranking member of our full committee.

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

Mr. OBERSTAR. Mr. Chairman, I rise in support of this bill. I shall vote for the bill on final passage, notwithstanding the outcome of votes which we will have on highway safety issues.

I want to make it very clearly I urge all Members on our side, all Members of the House, to support this legislation. I want to compliment the gentleman from Pennsylvania [Mr. SHUSTER] on his first highway bill, not exactly his first highway bill, but his first as chairman. He has been a partner with us on this side of the aisle for many years as we have crafted highway legislation. He has been a partner in developing what is the world's finest highway system bar none anywhere, in any country, and I know that his continued vigilance and enthusiasm for the highway program will ensure that we stay on track of maintaining the Nation's portfolio of highways, bridges, and seeing to the future growth needs of America which are founded upon our Nation's highways and bridges.

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Nonetheless, Mr. Chairman, I do have some reservations about this legislation. It is in vogue in this 104th Congress to turn responsibilities back to the State or to give States new responsibilities, but the highway program is unique. On the interstate highway; 90 percent of the funds are Federal, 10 percent State. The noninterstate, 80 percent with matching funds provided by the State or local governments. The Federal Government raises the money, but States decide where the roads go, except for the Interstate System, which was thrashed out at the national level in consultation with State governments, and we are at the same point again, designating the post-Interstate Highway System, the National Highway System.

Unfortunately, however, Mr. Chairman, I think this legislation surrenders more authority to States for decisions on highways than is proper, than should be the appropriate balance of Federal and State responsibilities and one of the reasons Members over the last 10 years have come to the chairman and ranking member on the former Committee on Public Works and Transportation, now Committee on Transportation and Infrastructure, with complaints, is that States have not been responsive, sufficiently, to local concerns.

They say: ''This highway or high-priority item in my district is not being built.'' The fundamental reason was the State made a decision not to do it or not to do it for 10, or 15, or 20 years, and ultimately we took on the responsibility of including in national legislation specifically designated highway segments that were of national significance and said to the State, ''You shall build these segments.'' I think in a couple of years we will be back here again with complaints from Members saying the Governor, or the State Highway Department, is not responsive to my constituents. They are not building the roads that are high priority, necessary for economic growth, progress, not repairing the bridges, and would we, please, put something in the highway bill to do it, or they will go to the Committee on Appropriations and ask them to do it.

Mr. Speaker, that is the reservation I have about this bill as a policy matter, and I hope that in time we will address that matter and focus more authority at the national level as I think Members should have input because, after all, these roads go through our districts, serve our constituents, our communities, our local economic growth.

The other concern that I have about the legislation, and I will offer an amendment to deal with it, is the safety issue. This amendment will focus on gathering information. It is not a new mandate. It is not a new requirement. It does not require any cost of the States. It does not take money away nor give them incentives to do anything. It just says, ''Gather information with the tools you already have about crashes, who pays, who gets hurt in crashes, how long are people hospitalized, what are the economic consequences locally, what are the consequences for health care providers.''

Mr. Chairman, if we are going to take actions to diminish national highway safety standards, then the public ought to know what the consequences are, and we ought to have that information gathered so that at the appropriate time we can make the right policy judgments on highway safety.

Before concluding though, Mr. Chairman, I wanted to take this opportunity to pay very special tribute to our departing former chairman, the current ranking member, my friend, my seatmate of nearly 21 years, the gentleman from California [Mr. MINETA]. We unveiled his portrait in the Committee on Transportation and Infrastructure on Monday evening. There was a beautiful outpouring of praise. At the appropriate time I shall have that included in the CONGRESSIONAL RECORD because those words need to be memorialized. There is no person of greater integrity, commitment to public service, commitment to duty, commitment to fellow legislators, than the gentleman from California [Mr. MINETA]. He has been a personal friend, a professional friend, a person impeccable integrity who leaves an aura of great distinction upon this body.

Mr. Chairman, when asked, on the day he made his announcement of leaving the Congress, what he would like to be remembered for, the gentleman from California [Mr. MINETA] simply said, ''For all the people in my district, that I never forget their names.'' There is no greater example of public service and of caring for people than that remark or than this person, my friend, Mr. MINETA.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland [Mr. BARTLETT], my congressional neighbor.

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, a sharply worded Cumberland Times editorial about U.S. Route 220 in western Maryland hit the highway nail right on the head: I quote: ''U.S. Route 220 North is arguably the most dangerous stretch of highway in the (tristate) area * * * (its) s-curves make the road an obstacle course fraught with danger.'' In addition to highlighting the frightening hazards of 220's 3-mile twist in Alleghany County, the Times editorial rightfully noted the value of an improved Route 220 to the economic development of a region ripe with promise and perfect for business growth. The inclusion of Route 220 as a designated highway in our national roadway network will serve as the foundation upon which the region can build a better 220 and, consequently, a brighter tomorrow for all those dependent upon it.

Before today, any substantial discussion in western Maryland about the overall economic development of the tristate region was hindered by a lack of regionwide attention to—and funding for—Route 220.

With this comprehensive bill and thanks to the effective leadership of Committee Chairman BUD SHUSTER and Maryland's State Highway Administration, we're seeing Route 220 get what it certainly deserves: a designated place in our National Highway System. The measure before the House today appropriately includes the full stretches of Route 220—in Maryland, Pennsylvania, and West Virginia—as key highway links in the National Highway System.

As a result, planned improvements for Route 220 will receive Federal funding priority. In the long history of Route 220, this is good news, very good news.

The improvement of Route 220 north of Cumberland is not only important to Maryland but also to our neighbors in Pennsylvania and West Virginia. Route 220 continues into these States from Maryland. Maryland—under the impressive guidance of Transportation Secretary David Winstead, Highway Administrator Hal Kassoff, and House Speaker Cas Taylor—has authorized funding for right-of-way acquisition. Construction targets for Maryland's section of the road are within reach. For Route 220 to realize its full potential, it is imperative—as Speaker Taylor as consistently noted—that West Virginia, Maryland, and Pennsylvania join forces to make Route 220 an asset to the region rather than a hurdle to development and safety.

Improvements to Route 220 in any one of the three States must be matched by corresponding improvements to Route 220 in the others. I believe that this legislation is a terrific catalyst for such change, cooperation, and progress.

I look forward to the continuation of a Route 220 coalition dedicated to the completion of 220 improvements throughout the tristate region. I will soon be meeting with my colleagues from West Virginia and Pennsylvania in an effort to lend whatever assistance we can to the project.

At this juncture—and on behalf of those who share our interest in Route 220—I want to commend Chairman SHUSTER and urge the House to adopt the National Highway System language as detailed in the bill.

The State of Maryland has advised me that more than 7,500 vehicles face the Route 220 minefield daily. That number is predicted to double by 2015. In the name of safety and for the benefit of the region, it is essential that we give Route 220 the attention it deserves and the backing it needs to become a reality rather than a roadblock to progress.

I also want to thank Subcommittee Chairman TOM PETRI for his assistance in redesignating $440,000 in unused funds from Route 48 in Washington County for use in the I–70/I–270 interchange project, another very important project in our district, as part of H.R. 2274.

Frederick County is one of Maryland's fastest growing communities. Yet, the Frederick

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area is virtually the last place in America where major criss-crossing interstates lack complete, accessible, and safe connecting interchanges and sufficient highway feeder networks. Construction of the I–70/I–270 interchange is one of the highest priorities in the State of Maryland. The release of this $440,000 will help accelerate the work on phase I of this critical highway improvement project. This is one more step to ensure that Frederick County can remain an active force in the growth of the State's economy and that of the entire western Maryland region.

Mr. RAHALL. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. MASCARA], a new member of our committee, one who has rolled up his sleeves and is ready to go to work on these issues.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MASCARA] is recognized for 1 minute and 30 seconds.

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

Mr. MASCARA. Mr. Chairman, I would like to thank the chairman of the Committee on Transportation and Infrastructure, Mr. SHUSTER, as well as the ranking members, Mr. MINETA and Mr. RAHALL, for their hard work in bringing this important legislation before the House of Representatives today. With the September 30 deadline fast approaching for congressional approval of the National Highway System as required by ISTEA, I support House passage of the NHS designation bill—H.R. 2274.

It is important to point out that whatever feelings Members may have regarding certain amendments which were added or rejected during the Transportation Committee's markup or ones to be considered here today on the House floor; designation of the National Highway System is the most important part of this bill and the fundamental reason why the House should pass H.R. 2274.

Before coming to Congress, I served as chairman of the Washington County Board of Commissioners for 15 years and was actively involved in promoting transportation and economic development projects in southwestern Pennsylvania. One of my main objectives as a local elected official was to create jobs through the promotion of sound economic growth. My experience has taught me, as studies all over the world have shown, that there is strong correlation between quality transportation systems and economic growth. For our nation to succeed, both domestically and in the international market-place, we need a top quality transportation system. The designation of the National Highway System is a vital step in the process to achieving a modern, integrated transportation system for the next century.

I also know how important it is to hundreds of local economies throughout the country that there be no delay in delivering Federal transportation dollars—not to mention the hundreds of companies and thousands of construction workers that could be adversely affected if the National Highway System is not designated on schedule.

States and localities all across this country have complied with Federal transportation regulations in formulating their States' plan. State DOTs have their transportation projects ready for construction. Let us do our job, let us make sure that we pass H.R. 2274 and literally keep the country moving in the right direction.

Than you again to Chairman SHUSTER, ranking member Mr. MINETA, who I might add will be sorely missed from our committee, where he served as chairman during the 103d Congress and as a distinguished member of the House of Representatives as he moves on to life after politics. Also thank you to Surface Transportation Subcommittee chairman Mr. PETRI, and ranking member Mr. RAHALL for their diligent work on this legislation and I ask that all my colleagues support passage of H.R. 2274.

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Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. KIM].

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

Mr. KIM. Mr. Chairman, I rise in strong support of this House Resolution 2274, and I would like to enter into a colloquy with the distinguished gentleman from Pennsylvania [Mr. SHUSTER], the chairman of the Committee on Transportation and Infrastructure.

Mr. Chairman, I plan to offer an amendment that lets States use the advance construction mechanism during the final year of multiyear authorization. Advance construction allows States to begin a highway project with the State's own funds and then apply for reimbursement from future allocations.

I would like to point out that this does not commit the Federal Government to reimburse the project. It simply allows the State to apply for reimbursement. As the chairman knows, many States rely heavily upon advance construction programs. California, Florida, and many other States, including Pennsylvania, all commit over 75 percent of their annual highway apportionments through advance construction programs. Yet, because of a limitation we have under the current law, States cannot use their own money and then later ask for reimbursement in the last year of authorization. This is ridiculous.

I have been told, Mr. Chairman, that California will have to delay almost $500 million in projects over a year because of this provision.

I should also point out that my amendment is nothing new. In the past States were allowed to use advance construction programs at the end of a multiyear authorization. In fact, the advance construction law from 1987 to 1990 was almost identical to the amendment I plan to offer today. My amendment would simply restore this provision, which is badly needed in States like California, Florida and other States.

Mr. Chairman, even the Senate recognized this problem and included an advance construction provision in their language in their NHS bill. Their language is about the same as mine.

I am willing to withhold my amendment Mr. Chairman, because of the commitment of the gentleman from Pennsylvania [Mr. SHUSTER] to work with me in conference and perfect a set of language, and I thank the gentleman.

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

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

Mr. SHUSTER. Mr. Chairman, I thank the gentleman and wish to say that Congressman KIM has certainly been a leader on our committee in bringing focus to many important issues, including this one about advance construction.

Mr. Chairman, I understand it is a very important issue in California and other States. Indeed, without the provision, California could be forced to delay hundreds of millions of dollars. I do not believe it was the intent of Congress to cause such a delay, and I will be pleased to work with the gentleman in conference with the Senate to perfect this language. The Senate does have language, and I believe that we will strongly support it.

Mr. KIM. I thank the gentleman.

Mr. POMEROY. Mr. Chairman, I rise today in strong support of this bill to designate the National Highway System [NHS].

When Congress passed the Intermodal Surface Transportation Efficiency Act [ISTEA], it directed the Federal Highway Administration to develop a national highway system prioritize our Nation's roadways. In these times of shrinking Federal budgets, our Nation must focus highway funds on our most heavily traveled roads. This bill to designate the NHS fulfills that objective.

Mr. Speaker, by improving the Nation's most important transportation routes through the designation of the NHS, we can sharpen our competitive edge in international markets. In North Dakota, our farmers rely on high quality transportation routes to remain the most competitive producers in the world. To preserve and improve our competitive edge in agriculture, we must designate commodity transportation routes as national priorities. Again, the NHS bill accomplishes that goal.

In addition to designating the NHS, this bill returns to the States important decisionmaking authority over transportation policy. An example, is the provision in the bill to repeal the Federal speed limit. I am an original cosponsor of legislation to repeal the Federal speed limit, and I am pleased it has been included in H.R. 2274.

I believe that the individual States are in the best position to establish safe and appropriate speed limits based on local driving conditions. In North Dakota, we certainly enjoy more than

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our share of wide open spaces. A speed limit that may be appropriate for the congested Northeast corridor is not at all suitable for the Great Plains. A simple and proper remedy is to allow the States to decide.

Today, Representative LOWEY will offer an amendment which would require States to enact zero tolerance, laws that would make it illegal for underage drivers to drive with a blood-alcohol content of .02 or higher. Under the Lowey amendment, failure to enact a zero-tolerance law would result in the Federal Government withholding 5 percent of highway funds in 1999 and 10 percent thereafter.

While I understand and support the intent of the Lowey amendment, I strongly object the imposition of a heavyhanded Federal sanction to achieve that end. I would certainly join with Representative LOWEY in encouraging States to adopt tough, strict drunk-driving laws. However, I do not believe that the Federal Government should dictate legislation to the States under threat of Federal sanction. The Lowey amendment is inconsistent with the bill before us today which repeals Federal sanctions and returns power and decisionmaking authority to the States. Therefore, I reluctantly, yet strongly, urge my colleagues to oppose the Lowey amendment and support this bill to designate the National Highway System.

Mr. PETE GEREN of Texas. Mr. Chairman, I rise in strong support of H.R. 2274, legislation designating the National Highway System [NHS]. This legislation not only designates the NHS as established as part of ISTEA, but it makes a number of important policy changes.

I am particularly supportive of this legislation because it recognizes the importance of Interstate 35 as a high priority corridor. I–35 is the only interstate in our Nation that connects Canada, Mexico, and the United States. I–35 is particularly vital to my district of Fort Worth and my home State of Texas because it serves as our main corridor of trade with Mexico.

In 1993, our country ratified the North American Free Trade Agreement. This was the first step in improving our economy and strengthening our trading relationship with our neighbors to the North and South. However, the passage of NAFTA was only the first step. The responsibility of the Congress did not end with that historic vote. We must now act collectively to make the most of NAFTA by developing an infrastructure that maximizes the benefits of this agreement.

One of the ways that we can accomplish this is to create a NAFTA Superhighway System. This concept continues to gain momentum around our Nation as an alternative to effectively and efficiently move cargo from point to point and from country to country. By recognizing the key arteries of trade in our Nation and utilizing the latest transportation technologies available, we can make great strides in ensuring that products manufactured in the United States reach their destinations in Mexico and Canada as quickly and as cheaply as possible.

The system that I and a number of my colleagues envision as providing the greatest economic benefit is one that uses I–35, from Laredo, TX to Duluth, MN as the trunk of a NAFTA superhighway system tree. From this trunk, the system will reach out like branches to the North and South, East and West. This option would tie together the major economic centers of our Nation with Canada and Mexico and ensure that all parts of our country benefit from international trade and NAFTA.

Mr. Chairman, I want to applaud our colleagues on the Transportation and Infrastructure Committee for recognizing the importance of I–35 to the continued economic growth of the United States. I look forward to continuing to work with them and all the Members of the House on doing all that we can to realize the benefits of international trade and NAFTA.

Mr. LATOURETTE. Mr. Chairman, I rise today in support of H.R. 2274, the National Highway System Designation Act.

I commend Chairman SHUSTER and Chairman PETRI, as well as their hardworking staffs, for their tireless efforts in bringing a bipartisan bill to the floor which not only reauthorizes the NHS but addresses funding shortfall problems which, if not corrected, will fall on the backs of our States.

The other day a reporter, during an interview about the NHS, mentioned to me that the NHS bill was, according to her editor, not very exciting. While roads and bridges do not necessarily equal the gripping drama of the O.J. Simpson trial or a Clint Eastwood movie, the NHS is essential to each and every person in this country.

The NHS represents some of our Nation's most heavily traveled byways, and while only containing 4 percent of U.S. roads, supports 40 percent of total vehicle travel and 75 percent of heavy truck travel. More importantly to anyone who travels our roads, the NHS means safety for travelers. Improvement of NHS routes, including widespread lanes and shoulders, controlled access and divided lanes, will help reduce accidents and fatalities. The NHS will help alleviate congestion on crowded urban highways. Also, it should not be overlooked that adoption of the NHS will not increase taxes. The funding will come from existing highway user-fees deposited in the Highway Trust Fund.

While this legislation corrects many problems and gives States flexibility, it successfully fixes the 1003(c) problem. This problem is the result of highway spending exceeding the estimates placed into ISTEA. If not corrected, 1003(c) will result in an estimated $4.2 billion in highway funds being cut from State apportionments in fiscal year 1996. For Ohio alone, not solving 1003(c) would mean a loss of $98.8 million. Additionally, for Ohio and other minimum allocation States, this legislation effectively addresses this issue.

Although taking transportation trust funds off budget is not in the bill we are debating today, I wanted to take this opportunity to commend the leadership of Chairman SHUSTER and ranking member MINETA, in addressing this issue. They have set the stage for this essential measure being brought before the House so we can decide this issue once and for all.

H.R. 842, legislation which will take transportation trust funds off budget, will put the trust back in the trust funds. In my State of Ohio, the Ohio Department of Transportation reports that we send about $1 billion in Federal motor fuel taxes to Washington annually. Last year, however, Ohio got back only $600 million of that money in Federal highway funds. What happened to the rest? Of the remaining $400 million, $345 million of Ohio gas taxes went to pay for the Federal deficit, while the remaining disappeared into what ODOT has termed ''a bureaucratic black hole inside the beltway.'' This trust fund was created to keep funds for transportation projects around the country. Previous Congresses have abused the transportation trust fund as a smokescreen for their overspending in the general fund. I commend the Transportation and Infrastructure Committee for their commitment to put an end to these budget shenanigans.

Finally, I would be remiss if I failed to add my voice to the many others who have commended ranking member NORM MINETA. As a new Member of Congress, I have come to have the utmost respect for Congressman MINETA's insight, arguments and bipartisan handling of transportation issues. My regret is that his departure from this body will deprive our number of great wisdom. I shall greatly miss his presence and wish him nothing but the best.

Mr. Chairman, I urge all of my colleagues to support H.R. 2274.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise today in support of the provisions of my bill, H.R. 2144, the hours of service exemption provisions, that have been included in the manager's amendment to the National Highway System legislation.

The hours of service requirements have severely restricted the ability of utility providers and others from performing their jobs. While the regulation had the good intention of improving safety for long-haul, transcontinental motor freight carriers, the regulations applied to all drivers of all vehicles that exceed a certain weight, irrespective of how the motor vehicle was employed. Many trucks and heavy equipment belonging to utility providers fell under this regulation. It imposed operational hardship on utility providers and also affected consumers.

In the case of utility vehicle drivers, most of the on-time duty is actually spent repairing utility lines and poles—not driving. However, because of the hours of service regulations, the driver is often prohibited from driving after being out on a major repair call. In addition, this regulation causes a paperwork burden for utility companies in order to comply with it.

The bottom line is this regulation can have an adverse effect on many important services. Being from a cold-weather State, I know the kind of damage ice and wind can have on utility poles and lines during the winter months. Unfortunately, the regulations prevent utility companies from using the summer months to rebuild lines and prepare them for the harsh winter. This ultimately affects the price and quality of utility service.

Under the NHS bill, utility providers would be permitted to have their limit on maximum driving and on-duty time be reset whenever they have an off-duty period of 24 hours. I believe that this is a step in the right direction. And after speaking with my Nebraska utility providers, they are pleased with this provision. They feel that this exemption will help them provide better service and prices to their customers.

I'm pleased with the attention the hours of service regulations have received. I would like to thank the Transportation Committee and my colleagues for their support of these exemptions and call on Congress to continue to work to make these and other regulations more sensible.

Mr. DELAY. Mr. Chairman, I support this National Highway System designation bill and urge all of my colleagues to vote in favor of

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this important legislation. This bill that we will pass today represents a major step in the right direction for further establishing highways as a national priority.

There is a provision in the bill that I am very interested in and remain committed in moving forward. That provision is the I–69 interstate highway project. This national highway is not only important because of the potential benefits for my district, but for all of Texas and the Nation as well.

The bill contains provisions that designate I–69 as a high priority corridor. There is also a provision that establishes I–69 through Houston, TX.

In my district, the development of the I–69 corridor will enhance mobility. Development of the I–69 corridor will assist in the widening and improvements along the Southwest Freeway from Rosenberg to Houston.

Interstate 69 will be truly multi modal linking highway, rail, air, and ports together like a network. The Texas gulf ports, for example, represent a massive source of wealth for the entire State. Together they generate $40.9 billion in trade—in 1993. I–69 provides for the continued growth of the port facilities and provides high quality interstate access to the trading centers throughout the Midwest and the Northeast.

I support designation of the I–69 corridor in the NHS legislation. I also support the Federal participation in I–69's locational study efforts. I will also support in any way that I can the Texas Department of Transportation's efforts to accelerate this planning and construction process for the I–69 corridor.

As cochairman of the I–69 caucus, I believe that the development of the I–69 corridor will induce regional development and begin a process of uniting States and counties into a trade/distribution market with benefits accruing to the I–69 region and the entire State where I–69 traverses.

This process begins with the development of the infrastructure—the development of the I–69 corridor. With increased trade with Mexico, the potential economic benefits gained by the completion of the I–69 corridor are tremendous.

Mr. Chairman, I have merely scratched the surface with regards to the benefits I–69 will provide for the future of Texas and to the Nation. I urge my colleagues to vote in favor of this important highway legislation.

Ms. JACKSON-LEE. Mr. Chairman, as the House debates the National Highway System designated, I would like to commend the members of the Transportation and Infrastructure Committee on the bipartisan manner in which this legislation was written. Throughout my career in public service, I have worked very closely with transportation issues and I understand the impact that Federal highway programs have on everyone's daily lives.

Understanding the importance of a strong infrastructure, I am very pleased that this bill begins the process of funding Interstate Route 69, the Mid-Continent Highway. This superhighway, which will run from Mexico to Michigan will be a gigantic boost to our Nation's economy. With the increasing levels of commerce in North America due to the North American Free-Trade Agreement, a roadway that traverses the continent would be essential to helping the agreement reach its full potential.

The highway will help create thousands of jobs, improve industrial productivity, and reduce transportation costs. The prosperity of our Nation is directly linked on our ability to move people and goods efficiently. I applaud the committee for their support of Interstate 69 and look forward to continuing the process to bring the dream of this highway to fruition.

Mr. RADANOVICH. Mr. Chairman, as this House considers H.R. 2274, the National Highway System Designation Act, it continues to engage in a long standing debate on the broader issue of Federal mandates. As is found in the content of H.R. 2274, previous legislation of the 104th Congress has established a theme consistent with the main tenets of the 10th Amendment to the U.S. Constitution which states ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

The basis for which Chairman BUD SHUSTER's able leadership should be commended is in his clear commitment to the 10th amendment and to those efforts designed to empower the States and the people. Therefore, with the chairman's input, H.R. 2274 recognizes that individual States have unique needs and priorities that they are best suited to address. In addition, the legislation cuts the Federal seatbelts that attempt to harness individual citizens from dangers best determined by themselves.

There is no better example of Federal mandates being inconsistent with the Constitution than that of Federal statutes which require that States pass laws requiring the use of motorcycle helmets or face reduced highway funding. The history of motorcycle helmet laws stems from the 102d Congress and 1991 legislation that rings with Federal bureaucracy: The Intermodal Surface Transportation Efficiency Act [ISTEA]. ISTEA penalizes States that do not enact motorcycle helmet and auto seat belt use laws by withholding up to 3 percent of their highway construction funds. The Motorcycle Riders Foundation has eloquently countered the faulty wisdom of these infallible laws in stating:

> Helmet laws raise very personal and emotional issues for motorcyclists. Issues like: adults being responsible for themselves; freedom of thought and expression; the government telling citizens how they must appear in public—a helmet is a piece of apparel; a person being forced to place an item on their body which they feel is not in their best interest and; the appropriate level of government control of and intervention into personal behavior.

I could not agree more with this rational position. This is why I am a cosponsor of H.R. 899, a bill to eliminate the penalties for noncompliance by States with the program requiring the use of motorcycle helmets. Chairman DON YOUNG, who presides over the Resources Committee of which I am a member, introduced this legislation to widespread support. Such support is most telling when recognizing that 202 Members have to date cosponsored the bill.

On this issue, let us heed the advice of the States and individual citizens who best understand transportation issues. And while the founder's of this country may not have envisioned automobiles or motorcycles they did have it quite right when they yielded to the principle that local issues are best solved by the insight of locals.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2274, the National Highway System Designation Act.

Mr. Chairman, this Member would begin by commending the distinguished gentleman from Pennsylvania [Mr. SHUSTER], the chairman of the Committee on Transportation and Infrastructure, as well as the distinguished gentleman from California [Mr. MINETA], the ranking member of the committee, for their work on this bill.

This Member would also like to direct commendations to the distinguished gentleman from Wisconsin [Mr. PETRI], the chairman of the Surface Transportation Subcommittee, and the distinguished gentleman from West Virginia [Mr. RAHALL], the ranking member of the subcommittee for their exceptional work on bringing this bill to the floor.

Mr. Chairman, it's been said that if you don't know where you're going, any road will get you there. This Member is pleased, however, that this legislation not only gives direction to the surface transportation needs of the future, it also designates which roads will get us there. The National Highway System will provide a blueprint for this Nation's highway needs by identifying the roadways most important for defense, commerce, and travel.

This Member is pleased that the National Highway System includes a number of routes which are of great importance to Nebraska. Of particular significance is the inclusion of a generalized representation of a new connector route linking Highway 20 to the expected site of the new Newcastle area-Vermillion bridge over the Missouri River. The exact route will be finalized following more careful study.

The addition of this route was included due to this Member's recommendation and the approval of the Nebraska Department of Roads. The bridge and its access road will serve as a connector for one of the major north-south routes across Nebraska. This Member has long expressed concern that an adequate access road be provided for this project. It is also encouraging that State Highway 2 and U.S. Highway 81 in Nebraska are designated as components of the National Highway System.

Another important addition to the National Highway System is the highway mileage for what will eventually be a south and east bypass around the city of Lincoln, NE.

The current transportation network in Lincoln, NE, a city of nearly 200,000, is under stress and the implementation of a new transportation system must be studied. The approach which seems to make the most sense is the completion of a circumferential roadway system by the development of highway segments south and east of the city. This completed circumferential roadway would help meet current needs and accommodate future growth before such highway development becomes prohibitively expensive. Completion of a beltway highway for Lincoln has been discussed for more than three decades and the need to implement such a plan becomes more apparent each year.

A recent city of Lincoln task force looking at the possibility of the beltway determined that the development of such a system would be a crucial component of the regional transportation network which would accomplish the goals of moving traffic around congested urban areas and providing for an expanded capacity of the urban system.

This Member would also like to stress that he has received written assurances from the city of Lincoln and the Nebraska Department of Roads that the current National Highway System designations are surrogate or temporary designations that will be replaced by new route designations when the bypass study identifies the desired route locations. This Member is voting for this legislation with that understanding.

This Member would further stress that the eventual corridor designation must be exclusively outside the city limits of the city of Lincoln. Although the study will determine the optimal corridor zone, this Member would like to reiterate what he stated before the Committee on Public Works' Subcommittee on Surface Transportation on March 8, 1994. This Member believes it would be preferable to locate the eastern segment on or between 96th and 134th Street and the southern segment on or between Yankee Hill Road and Saltillo Road. With respect to the southern route, this Member believes the corridor should be located no farther north than Yankee Hill Road and possibly south of Saltillo Road.

This Member is also very pleased that the bill includes a provision he introduced to provide regulatory relief for farmers and farm retailers. The provision specifies that regulations regarding maximum driving and on-duty time for motor carrier drivers will not apply to agricultural drivers transporting agricultural commodities or farm supplies within a 100-mile radius during the planting and harvesting seasons, as determined by each State.

The need for this change is obvious—each year farmers and their suppliers must be prepared to move quickly and work long hours when the weather permits. During certain weeks of the year, there is a small window of opportunity in the crop planting and harvesting season when the demand for farm supplies escalates. Unfortunately, this demand runs headlong into the Department of Transportation's regulations for the number of hours a driver can be ''on duty.'' To address this problem, this Member introduced H.R. 526, which exempts farmers and retail farm suppliers from these requirements when operating within 100 miles of their farms or distribution points.

DOT's hours-of-service regulations are highly impractical, burdensome, and costly for farmers and farm suppliers because the law can require them to take 3 days off—at the peak of agricultural production—and wait in order to accumulate enough off-duty time to resume driving. This is because DOT regulations define ''on duty'' time as ''all time from the time a driver begins work or is required to be in readiness to work until the time he/she is relieved from work.''

The hours-of-service regulations are directed toward long distance truck drivers. However, they also apply to the local distribution of farm input materials even though driving is incidental to the farm supplier's principal work function of servicing farmers. Over 80 percent of our Nation's farmers utilize farm suppliers to help them cope with environmental regulations; develop, implement, and manage precision agriculture; and harvest profitable crops that produce safe, abundant and affordable food for Americans and the world.

A specific exemption is certainly not without precedent. DOT has already recognized that the on-duty time of certain occupations is subject to special demands and DOT has granted seasonal waivers from hours-of-service requirements for small package delivery drivers during the holiday season and for the oil and natural gas industry. Farmers and farm suppliers engaged in the transport of fertilizer and fertilizer materials, agricultural chemicals, pesticides, seed, animal feeds, crops, and other essential farm supplies also deserve regulatory flexibility.

As harvesting season draws closer, the agricultural community will once again be confronted with the hurdles presented by the unreasonable hours-of-service requirements which were obviously not designed to accommodate the special circumstances faced by farmers. This legislation resolves the problem in a responsible manner.

Mr. Chairman, H.R. 4385 addresses the current and future highway needs of the United States and this Member urges his colleagues to support the bill.

Mr. ROGERS. Mr. Chairman, I rise in strong support of H.R. 2274, the National Highway System Designation Act. I commend the Transportation and Infrastructure Committee for the leadership and commitment it has displayed time and again to creating a strong, viable transportation infrastructure to foster our Nation's economic development.

Infrastructure is the key to economic development, particularly in rural areas like mine. Without continued commitment to an adequate road system, the economies of areas like Southern and Eastern Kentucky will fail to improve. The National Highway System fulfills this commitment.

My district, located in the heart of Appalachia, continues to be poor relative to the rest of the Nation. Most of the area is located among mountainous terrain which, for years, has hindered access to my communities, resulting in geographic and economic isolation. Moreover, the mainstay of many of these counties' economies—the coal industry—has fallen on rough times, resulting in hardship that can only be reversed through investments that take many forms. One form of investment, highway infrastructure, may be the single most important to our future.

Therefore, I am delighted to see Southern and Eastern Kentucky has a strong presence on the National Highway System, a system that will serve us into the next century.

I commend the U.S. Department of Transportation and the Committee for recognizing the needs of my region. I strongly support their recommendations to designate several corridors in Southern and Eastern Kentucky as part of the proposed National Highway System. These corridors include: U.S. 27; I–75; the Daniel Boone Parkway and KY 80; U.S. 25 E east of I–75; the Mountain Parkway and its extension, KY 114; KY 15; U.S. 23; U.S. 119; and, U.S. 460 from Salyersville to Paintsville, KY.

Further, I commend the committee using this legislation, H.R. 2274, to take the next critical step forward on the East-West Transamerica Corridor—I–66. I thank the committee for working with me to designate the I–66 route from Virginia to Kansas, and for including provisions to designate of the Kentucky portion of the corridor through Eastern and Southern Kentucky.

Mr. Speaker, this legislation signifies a commitment to the transportation and economic development needs of this Nation. I urge all Members to support H.R. 2274.

Ms. DELAURO. Mr. Chairman, I think as we look at how this House should conduct its legislative business, that the bill before us today, the highway bill, should serve as a model. And, I commend members of the committee and the Republican leadership for allowing a full and thorough discussion of this legislation and all its implications.

The discussion of the highway bill has been ongoing for 7 months.

The first legislative draft was presented in August, giving members ample time to read it before the bill was introduced on September 7.

Finally, the committee held 6 days of public hearings on the highway bill, allowing the public to review the legislation and, more importantly, to allow the public to comment and testify on the legislation.

Unfortunately, the manner in which this legislation comes to the floor, stands in stark contrast to another piece of legislation in committee, regarding a $270 billion cut.

Instead of a month to study the legislation before it goes to the committee for a vote, the majority party will present its proposal for Medicare today and expect Members to be fully briefed for the hearing tomorrow.

Instead, of the 6 days of hearings that the highway bill received, legislation to radically alter the health care system that services 37 million American seniors, will have only a single day of hearings.

The American people have a right to full public hearings, on the GOP plan to cut $270 billion from Medicare to pay for a tax cut.

I commend members of the committee for their work on this highway bill. I wish that Republican members of the Ways and Means Committee would follow their example and allow full, public hearings on Medicare reform.

Mr. KIM. Mr. Chairman, I rise in strong support of the National Highway System bill.

I commend Chairman SHUSTER, Chairman PETRI and the other members of our committee for their success and hard work in bringing this bill to the floor.

As you know by now, we must pass this bill very soon.

If we don't, billions of federal transportation dollars will be delayed.

But this is also a good bill.

It removes a number of burdensome mandates and restrictions on the states.

One of these restrictions would have a tremendous impact on my district in Orange County, California.

There is a provision in Federal law which prohibits busses over a certain weight to travel on interstate highways.

The problem is that in order to comply with the Clean Air Act and the Americans with Disabilities Act, additional equipment must be added to the bus.

This equipment is very heavy.

And in Orange County, most of the public transit busses are now over weight.

Fortunately, there is an exemption for public transit busses that drive on interstate highways.

The Federal Highway Administration completed a study of this problem in 1994.

The study clearly stated that these busses do not create a safety hazard.

In addition, the Federal Highway Administration recommended that the busses be allowed to drive on the interstates until new, lighter busses are purchased by transit agencies.

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Unfortunately, this exemption expires on October 6.

After October 6, these busses will not be allowed on the interstates.

In fact, the California Highway Patrol has already informed the Orange County Transit Authority that it will pull over these busses and force them to unload. This is ridiculous.

The Federal Highway Administration has already said there is no safety hazard, but the Highway Patrol will force the busses to unload.

To fix this problem, our bill exempts transit busses from the interstate restriction until ISTEA is reauthorized.

This will give Congress the opportunity to create a program that phases in new, lighter busses without penalizing existing transit authorities.

This is just one of the many ridiculous restrictions and mandates that our bill addresses.

It's a good bill, and I urge my colleagues to vote for final passage.

Mr. BARTLETT of Maryland. Mr. Chairman, a sharply-worded Cumberland Times editorial about U.S. Route 220 in western Maryland hit the highway nail right on the head; I quote: ''U.S. Route 220 North is arguable the most dangerous stretch of highway in the (tri-state) area . . . (its) S-curves make the road an obstacle course fraught with danger.'' In addition to highlighting the frightening hazards of 220's three-mile twist in Allegany County, the Times editorial rightfully noted the value of an improved Route 220 to the economic development of a region ripe with promise and perfect for business growth. The inclusion of Route 220 as a designated highway in our national roadway network will serve as the foundation upon which the region can build a better 220 and, consequently, a brighter tomorrow for all those dependent upon it.

Before today, any substantial discussion in western Maryland about the overall economic development of the tri-state region was hindered by a lack of region-wide attention to—and funding for—Route 220. With this comprehensive bill and thanks to the effective leadership of Committee Chairman BUD SHUSTER and Maryland's State Highway Administration, we're seeing Route 220 get what it certainly deserves: a designated place in our national highway system. The measure before the House today appropriately includes the full stretches of Route 220—in Maryland, Pennsylvania and West Virginia—as key highway links in the National Highway System. As a result, planned improvements for Route 220 will receive federal funding priority. In the long history of Route 220, this is good news . . . very good news.

The improvement of Route 220 north of Cumberland is not only important to Maryland but also to our neighbors in Pennsylvania and West Virginia. Route 220 continues into these states from Maryland. Maryland—under the impressive guidance of Transportation Secretary David Winstead, Highway Administrator Hal Kassoff and House Speaker Cas Taylor—has authorized funding for right-of-way acquisition. Construction targets for Maryland's section of the road are within reach. For Route 220 to realize its full potential, it is imperative—as Speaker Taylor has consistently noted—that West Virginia, Maryland and Pennsylvania join forces to make Route 220 an asset to the region rather than a hurdle to development and safety. Improvements to Route 220 in any one of the three states must be matched by corresponding improvements to Route 220 in the others. I believe that this legislation is a terrific catalyst for such change, cooperation and progress.

I look forward to the continuation of a Route 220 coalition dedicated to the completion of 220 improvements throughout the region. I will soon be meeting with my colleagues from West Virginia and Pennsylvania in an effort to lend whatever assistance we can to the project.

At this juncture—and on behalf of those who share our interest in Route 220—I want to commend Chairman Shuster and urge the House to adopt the National Highway System language as detailed in the bill. The State of Maryland has advised me that more than 7,500 vehicles face the Route 220 minefield daily. That number is predicted to double by 2015. In the name of safety and for the benefit of the region, it is essential that we give Route 220 the attention it deserves and the backing it needs to become a reality rather than a roadblock to progress.

I also want to thank Subcommittee Chairman TOM PETRI for his assistance in redesignating $440,000 in unused funds from Rt. 48 in Washington County for use in the I–70/I–270 interchange project as part of H.R. 2274.

Frederick County is one of Maryland's fastest growing communities. Yet, the Frederick area is virtually the last place in America where major criss-crossing interstates lack complete, accessible and safe connecting interchanges and sufficient highway feeder networks. Construction of the I–70/I–270 interchange is one of the highest priorities in the state of Maryland. The release of this $440,000 will help accelerate the work on Phase I of this critical highway improvement project. This is one more step to ensure that Frederick County will remain an active force in the growth of the state's economy and that of the entire western Maryland region.

I thank Chairman SHUSTER and the Speaker for this opportunity and yield back the balance of my time.

Mr. DE LA GARZA. Mr. Chairman, as the debate proceeds on H.R. 2274, the National Highway System Designation Act, I want to register my views on several provisions that are of critical importance to the Nation as well as to my home State of Texas.

The bill establishes priorities for our highway and transportation needs. It provides us with a mechanism to support infrastructure projects which have national significance. One such project which I commend the committee for including in the legislation would extend high-priority corridor 18 from where it currently ends in Houston, TX, to the Mexican border in the Lower Rio Grande Valley.

The Rio Grande Valley of south Texas is one of the main gateways for goods entering and exiting the United States to Mexico. Its two main north-south transportation arteries, U.S. Highways 281 and 77, are the two busiest highways going to and from our southern border. In fact, in 1993, these two highways handled approximately 4.7 million vehicles, a fourth of which were trucks.

Rio Grande Valley highways service nine international border crossings which have a total of 30 lanes. In 1994, these nine ports of entry handled approximately 28.3 million crossings.

The extension of high-priority corridor 18 into the Lower Rio Grande Valley will link together many of the major economic centers of our Nation with Canada and Mexico, providing us with a seamless trade corridor for the safe and efficient flow of goods. The extension of corridor 18 into south Texas ties in with planned infrastructure developments in Mexico. The entire United States will benefit from this linkage which will enhance economic development and international trade.

Mr. SHUSTER. Mr. Chairman, I have no additional requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for the general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 2349 shall be considered by titles as an original bill for the purpose of amendment. The first two sections and each title are considered read.

Before consideration of any other amendment, it shall be in order to consider the amendment printed in House Report 104–252 if offered by the gentleman from Pennsylvania [Mr. SHUSTER] or his designee. That amendment shall be considered read, may amend portions of the bill not yet read for amendment, is not subject to amendment, and is not subject to a demand for division of the question. Debate on the amendment is limited to 10 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

After disposition of that amendment, the bill as then perfected will be considered as original text.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that the debate on the amendment relating to the repeal of the speed limit be limited to 1 hour, equally divided, 30 minutes on either side, and that the subsequent speed limit amendment be limited to 20 minutes divided equally on either side.

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

There was no objection.

AMENDMENT OFFERED BY MR. SHUSTER

Mr. SHUSTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHUSTER pursuant to House Resolution 224: Page 11, line 18, strike ''$360,420,595'' and insert ''$321,420,595''.

Page 15, strike lines 12 through 14 and insert the following:

(B) by striking ''1996, and 1997'' and inserting ''and 1996, and $146,000,000 for fiscal year 1997''.

Page 25, line 5, strike ''any'' and all that follows through ''limitation so that'' on line 8 and insert the following:

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section 5336(d) of title 49, United States Code, the Secretary shall distribute the limitation on operating assistance under such section—

(1) so that

Page 25, line 12, strike ''fiscal year 1996'' and insert ''each of fiscal years 1996 and 1997''.

Page 25, line 14, by striking the period and inserting '', and''.

Page 25, after line 14, insert the following:

(2) so that an urbanized area that 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, will receive under the distribution of such limitation for each of fiscal years 1996 and 1997, 90 percent of the amount of funds apportioned in fiscal year 1982 under sections 5(a)(1)(A), 5(a)(2)(A), and 5(a)(3)(A) of the Urban Mass Transportation Act of 1964 to such area.

Page 35, line 8, strike ''shall be'' and insert ''shall not be less than''.

Page 36, after line 9, insert the following:

(t) SUSPENDED LIGHT RAIL SYSTEM TECHNOLOGY PILOT PROJECT.—Section 5320 of title 49, United States Code, is amended—

(1) in subsection (h)(1)(A) by striking ''for the fiscal year ending September 30, 1992,'';

(2) in subsection (h)(1)(B) by striking ''for the fiscal year ending September 30, 1993,'';

(3) in subsection (h)(1)(C) by striking ''for the fiscal year ending September 30, 1994,''; and

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

''(l) DEADLINE.—

''(1) COMPLETION OF COMPETITION.—Notwithstanding any other provision of this section, not later than 60 days after the date of the enactment of this subsection, the Secretary shall complete the national competition initiated under subsection (c) by selecting the public entity referred to in subsection (c)(3).

''(2) THEREAFTER.—Following selection of the public entity in accordance with paragraph (1)—

''(A) the Secretary shall make to such public entity the payments under subsections (h)(1)(B) and (h)(1)(C); except that such payments shall be made in the form of grants under section 5312(a); and

''(B) the Secretary, upon completion of preliminary engineering and design, shall negotiate and enter into a full financing grant agreement with such public entity under subsection (e), consistent with section 5309(g).''.

Page 36, line 10, strike ''(t)'' and insert ''(u)''.

Page 51, line 1, after ''Secretary'' insert '', in consultation with the Federal Communications Commission and the National Telecommunications and Information Administration,''.

Page 69, line 18, before ''Arkansas'' insert ''Mississippi,''.

Page 69, line 25, strike ''(20)'' and insert ''(18)''.

Page 71, line 17, strike the closing quotation marks and the final period.

Page 71, after line 17, insert the following:

''(27) The Camino Real Corridor from El Paso, Texas, to Denver, Colorado, as follows:

''(A) In the State of Texas, the Camino Real Corridor shall generally follow—

''(i) arterials from the international ports of entry to I–10 in El Paso County; and

''(ii) I–10 from El Paso County to the New Mexico border.

''(B) In the State of New Mexico, the Camino Real Corridor shall generally follow—

''(i) I–10 from the Texas Border to Las Cruces; and

''(ii) I–25 from Las Cruces to the Colorado Border.

''(C) In the State of Colorado, the Camino Real Corridor shall generally follow I–25 from the New Mexico Border to Denver.''.

Page 82, line 3, strike ''and''.

Page 82, line 15, strike the period and insert ''; and''.

Page 82, after line 15, insert the following:

(3) in item 33, relating to Orange County, New York, strike ''Stuart Airport Interchange Project'' and insert ''Stewart Airport interchange projects''.

Page 86, line 20, before the period insert '', including the structure over the Delaware River''.

Page 93, line 17, strike ''50'' and insert ''100''.

Page 94, after line 13, insert the following:

(4) DRIVERS OF UTILITY SERVICE VEHICLES.—Such regulations shall, in the case of a driver of a utility service vehicle, permit any period of 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

Page 94, line 14, strike ''(4)'' and insert ''(5)''.

Page 96, after line 24, insert the following:

(6) UTILITY SERVICE VEHICLE.—The term ''utility service vehicle'' means any motor vehicle, regardless of gross weight—

(A) used on highways in interstate or intrastate commerce in the furtherance of building, repairing, expanding, improving, maintaining, or operating any structures, facilities, excavations, poles, lines, or any other physical feature necessary for the delivery of public utility services, including the furnishing of electric, water, sanitary sewer, telephone, and television cable or community antenna service;

(B) while engaged in any activity necessarily related to the ultimate delivery of such public utility services to consumers, including travel or movement to, from, upon, or between activity sites (including occasional travel or movement outside the service area necessitated by any utility emergency as determined by the utility provider); and

(C) except for any occasional emergency use, operated primarily within the service area of a utility's subscribers or consumers, without regard to whether the vehicle is owned, leased, or rented or otherwise contracted for by the utility.

Page 97, line 2, strike ''erected under'' and insert ''referred to in''.

Page 97, after line 12, insert the following:

SEC. 354. MOTOR CARRIER SAFETY PROGRAM.

Section 31136(e) of title 49, United States Code, is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''After notice'';

(2) by indenting paragraph (1), as designated by paragraph (1) of this section, and moving paragraph (1), as so redesignated, 2 ems to the right; and

(3) by adding the following at the end:

''(2) MOTOR CARRIER SAFETY PROGRAM.—

''(A) IN GENERAL.—The Secretary, within 180 days of the application of an operator of motor vehicles with a gross vehicle weight rating of at least 10,001 pounds but not more than 26,000 pounds, shall exempt some or all of such vehicles and drivers of such vehicles from some or all of the regulations prescribed under this section and sections 504 and 31502 of this title if the Secretary finds such applicant—

''(i) has a current satisfactory safety fitness rating issued by the Secretary; and

''(ii) will implement a program of safety management controls designed to achieve a level of operational safety equal to or greater than that resulting from compliance with the regulations prescribed under this section.

The Secretary shall modify the exemption if there is a material change in the regulations prescribed under such sections. In granting such exemption, the Secretary shall ensure that approved participants in the motor carrier safety program are subject to a minimum of paperwork and regulatory burdens.

''(B) MONITORING; EXEMPTION PERIOD.—The Secretary and participants in the program established by this paragraph shall periodically monitor the safety of vehicles and drivers exempted from regulations under the program. An exemption approved under subparagraph (A) shall remain in effect until such time as the Secretary finds—

''(i) that the operator has exceeded the average ratio of preventable accidents to vehicle miles travelled for a period of 12 months for the class of vehicles with a gross vehicle weight of at least 10,001 pounds but not more than 26,000 pounds; or

''(ii) that such operator's exemption is not in the public interest and would result in a significant adverse impact on the safety of commercial motor vehicles.

''(C) FACTORS.—In approving applications under the program established by this paragraph, the Secretary shall—

''(i) ensure that applicants in the program represent a broad cross-section of fleet size and operators of vehicles between 10,000 and 26,000 pounds; and

''(ii) to the extent feasible, ensure participation by as many qualified applicants as possible.

''(D) LIMITATION.—The Secretary shall not grant the exemptions set forth in subparagraph (A) to vehicles—

''(i) designed to transport more than 15 passengers; including the driver; or

''(ii) used in transporting material found by the Secretary to be hazardous under section 5103 of this title and transported in a quantity requiring placarding under regulations prescribed by the Secretary under such section 5103.

''(E) EMERGENCIES.—The Secretary may revoke or modify the participation of an operator in the program established by this section in the case of an emergency.

''(3) REVIEW OF REGULATIONS.—The Secretary shall conduct a zero-based review of the need and the costs and benefits of all regulations issued under this section and sections 504 and 31502 of this title to determine whether such regulations should apply to vehicles weighing between 10,000 and 26,000 pounds. The review shall focus on the appropriate level of safety and the paperwork and regulatory burdens of such regulations as they apply to operators of vehicles weighing between 10,000 and 26,000 pounds. The Secretary shall complete the review within 18 months after the date of the enactment of this paragraph. Upon completion of the review, the Secretary shall grant such exemptions or modify or repeal existing regulations to the extent appropriate.''.

Conform the table of contents of the bill accordingly.

Mr. SHUSTER. Mr. Chairman, this is something I believe we have worked out. It is an en bloc amendment which makes several technical and conforming changes to existing provisions and adds noncontroversial, modest policy changes, reduces the authorized level of the State restoration program by $39 million in fiscal 1996, to eliminate a budget point of order, and to conform with a CBO estimate and strikes a fiscal 1996 National Highway Traffic Safety Administration rescission.

It makes technical and conforming changes which limit the distribution of operating assistance in light of budget

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cuts, and it makes technical and conforming changes to an IC transit project, description change, as well as other technical and conforming changes, and I would ask support for the amendment.

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

Mr. SHUSTER. I yield to the gentleman from Wisconsin.

Mr. PETRI. Mr. Chairman, I would like to say we have worked on this closely with leaders on both sides of the aisle. I believe it has everyone's concurrence and it does just make conforming and technical changes.

The CHAIRMAN. Does any Member rise in opposition to the amendment? If not, the gentleman from West Virginia [Mr. RAHALL] is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, we have reviewed the amendment on our side that addresses many of the concerns which we addressed in our opening comments. I commend the chairman for offering this amendment and we support it.

Mr. SHUSTER. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SHUSTER]

The amendment was agreed to.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Highway System Designation Act of 1995''.

(b) TABLE OF CONTENTS.—

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

TITLE I—NATIONAL HIGHWAY SYSTEM

Sec. 101. National Highway System designation.

TITLE II—HIGHWAY FUNDING RESTORATION

Sec. 201. Short title.
Sec. 202. Findings and purposes.
Sec. 203. State high priority project restoration program.
Sec. 204. Rescissions.
Sec. 205. State unobligated balance flexibility.
Sec. 206. Minimum allocation.
Sec. 207. Relief from mandates.
Sec. 208. Definitions.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Distribution of transit operating assistance limitation.
Sec. 302. Accountability for high cost Federal-aid projects.
Sec. 303. Letters of intent and full financing grant and early systems work agreements.
Sec. 304. Report on capital projects.
Sec. 305. Repeal and modification of existing projects.
Sec. 306. Miscellaneous transit projects.
Sec. 307. Metropolitan planning for transit projects.
Sec. 308. Contracting for engineering and design services.
Sec. 309. Ferry boats and terminal facilities.
Sec. 310. Utilization of the private sector for surveying and mapping services.
Sec. 311. Formula grant program.
Sec. 312. Accessibility of over-the-road buses to individuals with disabilities.
Sec. 313. Alaska Railroad.
Sec. 314. Alcohol and controlled substances testing.
Sec. 315. Alcohol-impaired driving countermeasures.
Sec. 316. Safety research initiatives.
Sec. 317. Public transit vehicles exemption.
Sec. 318. Congestion mitigation and air quality improvement program.
Sec. 319. Quality improvement.
Sec. 320. Applicability of transportation conformity requirements.
Sec. 321. Quality through competition.
Sec. 322. Applicability of certain vehicle weight limitations in Wisconsin.
Sec. 323. Treatment of Centennial Bridge, Rock Island, Illinois, agreement.
Sec. 324. Metric requirements and signs.
Sec. 325. ISTEA technical clarification.
Sec. 326. Metropolitan planning for highway projects.
Sec. 327. Non-Federal share for certain toll bridge projects.
Sec. 328. Discovery and admission as evidence of certain reports and surveys.
Sec. 329. National recreational trails.
Sec. 330. Identification of high priority corridors.
Sec. 331. High priority corridor feasibility studies.
Sec. 332. High cost bridge projects.
Sec. 333. Congestion relief projects.
Sec. 334. High priority corridors on National Highway System.
Sec. 335. High priority corridor projects.
Sec. 336. Rural access projects.
Sec. 337. Urban access and mobility projects.
Sec. 338. Innovative projects.
Sec. 339. Intermodal projects.
Sec. 340. Miscellaneous revisions to Surface Transportation and Uniform Relocation Assistance Act of 1987.
Sec. 341. Eligibility.
Sec. 342. Orange County, California, toll roads.
Sec. 343. Miscellaneous studies.
Sec. 344. Collection of bridge tolls.
Sec. 345. National driver register.
Sec. 346. Roadside barrier technology.
Sec. 347. Motorist call boxes.
Sec. 348. Repeal of national maximum speed limit compliance program.
Sec. 349. Elimination of penalty for noncompliance for motorcycle helmets.
Sec. 350. Safety rest areas.
Sec. 351. Exemptions from requirements relating to commercial motor vehicles and their operators.
Sec. 352. Traffic control signs.
Sec. 353. Brightman Street Bridge, Fall River Harbor, Massachusetts.

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. SECRETARY DEFINED.

In this Act, the term ''Secretary'' means the Secretary of Transportation.

The CHAIRMAN. Are there any amendments to section 2?

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—NATIONAL HIGHWAY SYSTEM

SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.

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 Administration', and dated September 1, 1995, 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 Transportation and Infrastructure 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.—

''(A) INITIAL SUBMISSION.—Not later than 180 days after the date of the enactment of the National Highway System Designation Act of 1995, 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 connections to major ports, airports, international border crossings, public transportation and transit facilities, interstate bus terminals, and rail and other intermodal transportation facilities.

''(B) CONGRESSIONAL HIGH PRIORITY CORRIDORS.—Upon the completion of feasibility studies, the Secretary shall submit under paragraph (1) proposed modifications to the National Highway System consisting of 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).

''(4) INTERIM ELIGIBILITY.—

''(A) IN GENERAL.—Notwithstanding paragraph (2), a modification to the National Highway System which adds to the National Highway System a connection to a major port, airport, international border crossing, public transportation or transit facility, interstate bus terminal, or rail or other intermodal transportation facility shall be eligible for funds apportioned under section 104(b)(1) for the National Highway System if the Secretary finds that such modification is consistent with criteria developed by the Secretary for such modifications to the National Highway System.

''(B) PERIOD OF ELIGIBILITY.—A modification to the National Highway System which is eligible under subparagraph (A) for funds apportioned under section 104(b)(1) may remain eligible for such funds only until the date on which a law has been enacted approving modifications to the National Highway System which connect the National Highway System to facilities referred to in subparagraph (A).''.

The CHAIRMAN. Are there any amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—HIGHWAY FUNDING RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Highway Funding Restoration Act of 1995''.

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SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds and declares that—

(1) Federal infrastructure spending on highways is critical to the efficient movement of goods and people in the United States;

(2) section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991 has been estimated to result in fiscal year 1996 highway spending being reduced by as much as $4,200,000,000;

(3) such section 1003(c) will cause every State to lose critical funds from the Highway Trust Fund that can never be recouped; and

(4) the funding reduction would have disastrous effects on the national economy, impede interstate commerce, and jeopardize the 40-year Federal investment in the Nation's highway system.

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

(1) to make the program categories in the current Federal-aid highway program more flexible so that States may fund current, high-priority projects in fiscal year 1996;

(2) to eliminate programs that are not critical during fiscal year 1996 and to reallocate funds so that the States will be able to continue their core transportation infrastructure programs;

(3) to restore funding for exempt highway programs;

(4) to ensure the equitable distribution of funds to urbanized areas with a population over 200,000 in a manner consistent with the Intermodal Surface Transportation Efficiency Act of 1991; and

(5) to suspend certain penalties that would be imposed on the States in fiscal year 1996.

SEC. 203. STATE HIGH PRIORITY PROJECT RESTORATION PROGRAM.

(a) IN GENERAL.—On October 1 of each of fiscal years 1996 and 1997, or as soon as possible thereafter, the Secretary shall allocate among the States the amounts made available to carry out this section for Interstate highway substitute, National Highway System, surface transportation program, Interstate, congestion mitigation and air quality improvement program, bridge, hazard elimination, and rail-highway crossings projects.

(b) ALLOCATION FORMULA.—Funds made available to carry out this section shall be allocated among the States in accordance with the following table:

States:	Allocation Percentages
Alabama	1.80
Alaska	1.20
Arizona	1.43
Arkansas	1.42
California	9.17
Colorado	1.27
Connecticut	1.74
Delaware	0.39
District of Columbia	0.52
Florida	4.04
Georgia	2.92
Hawaii	0.54
Idaho	0.70
Illinois	3.88
Indiana	2.18
Iowa	1.27
Kansas	1.13
Kentucky	1.53
Louisiana	1.52
Maine	0.65
Maryland	1.68
Massachusetts	4.11
Michigan	2.75
Minnesota	1.69
Mississippi	1.11
Missouri	2.28
Montana	0.93
Nebraska	0.79
Nevada	0.69
New Hampshire	0.48
New Jersey	2.86
New Mexico	1.02
New York	5.35
North Carolina	2.62
North Dakota	0.64
Ohio	3.64
Oklahoma	1.36
Oregon	1.23
Pennsylvania	4.93
Rhode Island	0.56
South Carolina	1.42
South Dakota	0.69
Tennessee	2.00
Texas	6.21
Utah	0.73
Vermont	0.43
Virginia	2.28
Washington	2.05
West Virginia	1.15
Wisconsin	1.90
Wyoming	0.65
Puerto Rico	0.46
Territories	0.01.

(c) EFFECT OF ALLOCATIONS.—Funds distributed to States under subsection (b) shall not affect calculations to determine allocations to States under section 157 of title 23, United States Code, and sections 1013(c), 1015(a), and 1015(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

(d) PERIOD OF AVAILABILITY.—Notwithstanding any other provision of law, amounts made available to carry out this section shall be available for obligation for the fiscal year for which such amounts are made available plus the 3 succeeding fiscal years and shall be subject to the provisions of title 23, United States Code. Obligation limitations for Federal-aid highways and highway safety construction programs established by the Intermodal Surface Transportation Efficiency Act of 1991 and subsequent laws shall apply to obligations made under this section.

(e) SPECIAL RULE FOR URBANIZED AREAS OF OVER 200,000.—

(1) GENERAL RULE.—The percentage determined under paragraph (2) of funds allocated to a State under this section for a fiscal year shall be obligated in urbanized areas of the State with an urbanized population of over 200,000 under section 133(d)(3) of title 23, United States Code.

(2) PERCENTAGE.—The percentage referred to in paragraph (1) is the percentage determined by dividing—

(A) the total amount of the reduction in funds which would have been attributed under section 133(d)(3) of title 23, United States Code, to urbanized areas of the State with an urbanized population of over 200,000 for fiscal year 1996 as a result of the application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991; by

(B) the total amount of the reduction in authorized funds for fiscal year 1996 that would have been allocated to the State, and that would have been apportioned to the State, as a result of the application of such section 1003(c).

(f) LIMITATION ON PLANNING EXPENDITURES.—One-half of 1 percent of amounts allocated to each State under this section in any fiscal year may be available for expenditure for the purpose of carrying out the requirements of section 134 of title 23, United States Code (relating to transportation planning). 1½ percent of the amounts allocated to each State under this section in any fiscal year may be available for expenditure for the purpose of carrying out activities referred to in subsection (c) of section 307 of such title (relating to transportation planning and research).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out of the Highway Trust Fund (other than the Mass Transit Account), to carry out this section $360,420,595 for fiscal year 1996 and $155,000,000 for fiscal year 1997.

(h) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—Except as otherwise provided in this section, funds allocated under this section shall be available for obligation in the same manner and for the same purposes as if such funds were apportioned under chapter 1 of title 23, United States Code.

(i) TERRITORIES DEFINED.—In this section, the term ''territories'' means the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 204. RESCISSIONS.

(a) RESCISSIONS.—Effective October 1, 1995, and after any necessary reductions are made under section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991, the following unobligated balances available on September 30, 1995, 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) $798,701.04 made available by section 131(j) of the Surface Transportation Assistance Act of 1982.

(3) $942,249 made available for section 149(a)(66) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(4) $88,195 made available for section 149(a)(111)(C) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(5) $155,174.41 made available for section 149(a)(111)(E) 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) $164,532 made available for section 149(a)(111)(L) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(9) $86,070.82 made available for section 149(a)(111)(M) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(10) $52,834 made available for section 149(a)(95) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(11) $909,131 made available for section 149(a)(99) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(12) $3,817,000 made available for section 149(a)(35) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(13) $797,800 made available for section 149(a)(100) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(14) $2 made available by section 149(c)(3) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(15) $44,706,878 made available by section 1012(b)(6) of the Intermodal Surface Transportation Efficiency Act of 1991.

(16) $15,401,107 made available by section 1003(a)(7) of the Intermodal Surface Transportation Efficiency Act of 1991.

(17) $1,000,000 made available by item number 38 of the table contained in section 1108(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

(18) $150,000,000 deducted by the Secretary under section 104(a) of title 23, United States Code.

(19) $10,800,000 made available by section 5338(a)(1) of title 49, United States Code.

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(b) REDUCTIONS IN AUTHORIZED AMOUNTS.—

(1) MAGNETIC LEVITATION.—Section 1036(d)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1986) is amended—

(A) in subparagraph (A) by inserting ''and'' after ''1994,'';

(B) in subparagraph (A) by striking '', $125,000,000'' and all that follows through ''1997''; and

(C) in subparagraph (B) by striking ''1996, and 1997'' and inserting ''and 1996''.

(2) HIGHWAY SAFETY PROGRAMS.—Section 2005(1) of such Act (105 Stat. 2079) is amended—

(A) by striking ''and'' the first place it appears and inserting a comma; and

(B) by striking '', 1995, 1996, and 1997'' and inserting ''and 1995, and $146,000,000 for each of fiscal years 1996 and 1997''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the day after the date on which authorized funds for fiscal year 1996 are reduced as a result of application of section 1003(c) of such Act.

(c) CONGESTION PRICING PILOT PROGRAM TRANSFERS.—After the date on which authorized funds for fiscal year 1996 are reduced as a result of application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991, the amounts made available for fiscal years 1996 and 1997 to carry out section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1938) shall be available to carry out section 203 of this Act, relating to the State high priority restoration program.

SEC. 205. STATE UNOBLIGATED BALANCE FLEXIBILITY.

(a) REDUCTION IN FEDERAL FUNDING.—

(1) NOTIFICATION OF STATES.—On October 1, 1995, or as soon as possible thereafter, the Secretary shall notify each State of the total amount of the reduction in authorized funds for fiscal year 1996 that would have been allocated to such State, and that would have been apportioned to such State, as a result of application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991.

(2) EXCLUSION OF CERTAIN FUNDING.—In determining the amount of any reduction under paragraph (1), the Secretary shall deduct—

(A) the amount allocated to each State in fiscal year 1996 to carry out section 203 of this Act, relating to the State high priority project restoration program; and

(B) any amounts made available under section 157(a)(4)(B)(iii) of title 23, United States Code, for fiscal year 1996.

(b) UNOBLIGATED BALANCE FLEXIBILITY.—Upon request of a State, the Secretary shall make available to carry out projects described in section 203(a) of this Act in fiscal year 1996 an amount not to exceed the amount determined under subsection (a) for the State. Such funds shall be made available from authorized funds that were allocated or apportioned to such State and were not obligated as of September 30, 1995. The State shall designate on or before November 1, 1995, or as soon as possible thereafter which of such authorized funds are to be made available under this section to carry out such projects. The Secretary shall make available before November 15, 1995, or as soon as possible thereafter funds designated under the preceding sentence to the State.

(c) SPECIAL RULE FOR URBANIZED AREAS OF OVER 200,000.—Funds which were apportioned to the State under section 104(b)(3) of title 23, United States Code, and attributed to urbanized areas of a State with an urbanized population of over 200,000 under section 133(d)(3) of such title may only be designated by the State under subsection (b) if the metropolitan planning organization designated for such area concurs, in writing, with such designation.

(d) CONGESTION MITIGATION AND AIR QUALITY BALANCES.—States may designate under subsection (b) funds apportioned under section 104(b)(2) of title 23, United States Code, and not obligated as of September 30, 1995, to carry out projects described in section 203(a) of this Act only if such funds will be obligated in areas described in section 104(b)(2) of such title or, in the case of a State which does not include such an area, the funds may be obligated in any area of the State.

(e) INTERSTATE CONSTRUCTION BALANCES.—A State may not designate under subsection (b) any more than ⅓ of funds apportioned or allocated to the State for Interstate construction and not obligated as of September 30, 1995.

(f) PERIOD OF AVAILABILITY.—Notwithstanding any other provision of law, amounts designated under subsection (b) shall be available for obligation for the same period for which such amounts were originally made available for obligation and shall be subject to the provisions of title 23, United States Code. Obligation limitations for Federal-aid highways and highway safety construction programs established by the Intermodal Surface Transportation Efficiency Act of 1991 and subsequent laws shall apply to obligations made under this section.

(g) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect calculations to determine allocations to States under section 157 of title 23, United States Code, and sections 1013(c), 1015(a), and 1015(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

(h) STATE.—In this section and section 203, the term ''State'' has the meaning such term has under section 401 of title 23, United States Code.

SEC. 206. MINIMUM ALLOCATION.

(a) FORMULA.—Section 157(a)(4) of title 23, United States Code, is amended—

(1) by striking ''In fiscal'' and inserting the following:

''(A) IN GENERAL.—In fiscal'';

(2) by inserting ''funds authorized to be appropriated by subsection (f)'' after ''shall allocate'';

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

(4) by adding at the end the following:

''(B) ADDITIONAL ALLOCATION.—If the aggregate amount allocated to the States under subparagraph (A) after application of section 1003(c) the Intermodal Surface Transportation Efficiency Act of 1991 for any fiscal year beginning after September 30, 1995, is less than the amount authorized to be appropriated to carry out this section for such fiscal year, then the excess of such authorized amount shall be allocated as follows:

''(i) The Secretary shall first allocate to each State such amount as may be necessary to increase the allocation under subparagraph (A) to the amount that would have been allocated to the State for such fiscal year if the full amount of the funds authorized to be appropriated for such fiscal year by such Act out of the Highway Trust Fund (other than the Mass Transit Account) were appropriated without regard to such section 1003(c).

''(ii) If any of such excess remains after the allocation under clause (i), the Secretary shall allocate to each State such amount as may be necessary so that the amount authorized to be appropriated for such fiscal year for each project to be carried out in such State under sections 1103 through 1108 of such Act without regard to section 1003(c) of such Act is available for the project.

''(iii) The Secretary shall allocate among the States any excess remaining after the allocations under clauses (i) and (ii) so that each State is allocated the following percentages of the remaining excess:

''States:	Percentages
Alabama	1.80
Alaska	1.20
Arizona	1.43
Arkansas	1.42
California	9.17
Colorado	1.27
Connecticut	1.74
Delaware	0.39
District of Columbia	0.52
Florida	4.04
Georgia	2.92
Hawaii	0.54
Idaho	0.70
Illinois	3.88
Indiana	2.18
Iowa	1.27
Kansas	1.13
Kentucky	1.53
Louisiana	1.52
Maine	0.65
Maryland	1.68
Massachusetts	4.11
Michigan	2.75
Minnesota	1.69
Mississippi	1.11
Missouri	2.28
Montana	0.93
Nebraska	0.79
Nevada	0.69
New Hampshire	0.48
New Jersey	2.86
New Mexico	1.02
New York	5.35
North Carolina	2.62
North Dakota	0.64
Ohio	3.64
Oklahoma	1.36
Oregon	1.23
Pennsylvania	4.93
Rhode Island	0.56
South Carolina	1.42
South Dakota	0.69
Tennessee	2.00
Texas	6.21
Utah	0.73
Vermont	0.43
Virginia	2.28
Washington	2.05
West Virginia	1.15
Wisconsin	1.90
Wyoming	0.65
Puerto Rico	0.46
Territories	0.01.

''(C) TERRITORIES DEFINED.—In this paragraph, the term 'territories' means the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.''.

(b) SPECIAL RULE FOR URBANIZED AREAS OF OVER 200,000 IN FISCAL YEARS 1996 AND 1997.—Section 157 of such title is amended—

(1) by redesignating subsections (d) and (e) as subsection (e) and (f), respectively, and

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

''(d) SPECIAL RULE FOR URBANIZED AREAS OF OVER 200,000 IN FISCAL YEARS 1996 AND 1997.—

''(1) GENERAL RULE.—The percentage determined under paragraph (2) of funds allocated to a State under subsection (a)(4)(B)(iii) for each of fiscal years 1996 and 1997 shall be obligated in urbanized areas of the State with an urbanized population of over 200,000 under section 133(d)(3).

''(2) PERCENTAGE.—The percentage referred to in paragraph (1) is the percentage determined by dividing—

''(A) the total amount of the reduction in funds which would have been attributed under section 133(d)(3) to urbanized areas of

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the State with an urbanized population of over 200,000 for fiscal year 1996 as a result of the application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991; by

''(B) the total amount of the reduction in authorized funds for fiscal year 1996 that would have been allocated to the State, and that would have been apportioned to the State, as a result of the application of such section 1003(c).''.

(c) FUNDING.—Section 157(f) of such title, as redesignated by subsection (b), is amended by inserting before the period the following: ''and before October 1, 1995, $1,101,000,000 for fiscal year 1996, $1,378,000,000 for fiscal year 1997''.

SEC. 207. RELIEF FROM MANDATES.

(a) MANAGEMENT SYSTEMS.—The Secretary shall not take any action pursuant to or enforce the provisions of section 303(c) of title 23, United States Code, with respect to any State during fiscal year 1996.

(b) ASPHALT PAVEMENT CONTAINING RECYCLED RUBBER.—Section 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1987–1990) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 208. DEFINITIONS.

In this title, the following definitions apply:

(1) AUTHORIZED FUNDS.—The term ''authorized funds'' means funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out title 23, United States Code (other than sections 402 and 410) and the Intermodal Surface Transportation Efficiency Act of 1991 and subject to an obligation limitation.

(2) URBANIZED AREA.—The term ''urbanized area'' has the meaning such term has under section 101(a) of title 23, United States Code.

The CHAIRMAN. Are there any amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. DISTRIBUTION OF TRANSIT OPERATING ASSISTANCE LIMITATION.

(a) IN GENERAL.—Notwithstanding any limitation otherwise imposed on operating assistance under section 5307 of title 49, United States Code, the Secretary shall distribute such limitation so that each urbanized area (as such term is defined under section 5302 of such title) that had a population under the 1990 decennial census of the United States of less than 200,000 will receive, under the distribution of such limitation for fiscal year 1996, 75 percent of the amount the area received under the distribution of such limitation for fiscal year 1995.

(b) CONSIDERATION.—In the distribution of the limitation referred to in subsection (a) to urbanized areas that had a population under the 1990 decennial census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact of reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

SEC. 302. ACCOUNTABILITY FOR HIGH COST FEDERAL-AID PROJECTS.

(a) REQUIREMENTS.—The Secretary shall require each recipient of Federal financial assistance for a highway or transit project with an estimated total cost of $1,000,000,000 or more to submit to the Secretary an annual financial plan. Such plan shall be based on detailed annual estimates of the cost to complete the remaining elements of the project and on reasonable assumptions, as determined by the Secretary, of future increases in the cost to complete the project.

(b) RECOMMENDATIONS ON WITHHOLDING OF ASSISTANCE.—As part of an annual report to be submitted under subsection (c), the Secretary shall make a recommendation to Congress on whether or not future Federal assistance should be withheld with respect to any project described in subsection (a) for which an annual financial plan is not submitted under subsection (a) or for which the Secretary determines that the estimates or assumptions referred to in subsection (a) are not reasonable.

(c) REPORT.—The Secretary shall submit to Congress an annual report on the financial plans submitted to the Secretary under this section, and any recommendation made by the Secretary under subsection (b), in the preceding fiscal year.

SEC. 303. LETTERS OF INTENT AND FULL FINANCING GRANT AND EARLY SYSTEMS WORK AGREEMENTS.

Section 5309(g) of title 49, United States Code, is amended—

(1) by indenting and dropping paragraph (1) down 1 line;

(2) by moving all the paragraphs, subparagraphs, and clauses of such section 2 ems to the right;

(3) by inserting after ''(1)'' the first place it appears the following: ''LETTERS OF INTENT.—'';

(4) in paragraph (1)(B) by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure'';

(5) by inserting after (2) the first place it appears ''FULL FINANCING GRANT AGREEMENTS.—'';

(6) by inserting after (3) the first place it appears ''EARLY SYSTEM WORK AGREEMENTS.—'';

(7) by inserting after (4) the first place it appears ''TOTAL ESTIMATED FUTURE OBLIGATIONS AND CONTINGENT COMMITMENTS.—''; and

(8) by adding at the end the following:

''(5) PREAUTHORIZATION OF FULL FEDERAL FINANCIAL RESPONSIBILITY.—

''(A) IN GENERAL.—After the date of the enactment of this paragraph and before the date on which Federal-aid highway and transit programs are reauthorized, the Secretary of Transportation may not issue a letter of intent, or enter into a full financing grant agreement or early systems work agreement, under this section for a project or operable segment of a project unless the full amount of Federal financial responsibility for the project or operable segment of a project has been included in an authorization law.

''(B) LIMITATION.—The prohibition on entering into a full financing grant agreement under this paragraph shall not apply—

''(i) to any project for which a letter of intent was issued before the date of the enactment of this paragraph; and

''(ii) to any project included as an element of an interrelated project which also includes another project for which a letter of intent was issued before such date of enactment.''.

SEC. 304. REPORT ON CAPITAL PROJECTS FOR FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING FIXED GUIDEWAY SYSTEMS.

Section 5309(m) of title 49, United States Code, is amended—

(1) by indenting and dropping paragraph (1) down 1 line;

(2) by moving all the paragraphs and subparagraphs of such section 2 ems to the right;

(3) by inserting ''PERCENTAGES.—'' after ''(1)'' the first place it appears;

(4) by inserting ''NONURBANIZED AREA ALLOCATION.—'' after ''(2)'' the first place it appears;

(5) by inserting ''REPORTS.—'' after ''(3)'' the first place it appears;

(6) in paragraph (3) by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure'';

(7) in paragraph (3) by striking ''a proposal on the allocation'' and inserting ''a report on the proposed allocation'';

(8) in paragraph (3) by adding at the end the following:

''Such report shall include for each such capital project the following:

''(A) An analysis of the potential funding requirements of the project under paragraph (1)(B) in the succeeding 5 fiscal years.

''(B) A description of the planning and study process undertaken to select the locally preferred alternative for the project.

''(C) A description of efforts undertaken to seek alternative funding sources for the project.''; and

(9) by inserting ''MULTIPLE ALLOCATIONS.—'' after ''(4)'' the first place it appears.

SEC. 305. REPEAL AND MODIFICATION 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(ww) of such Act (105 Stat. 2136) is amended by striking ''$618,000,000'' and inserting ''$541,100,000''.

SEC. 306. MISCELLANEOUS TRANSIT PROJECTS.

(a) 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,''.

(b) 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''.

(c) 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''.

(d) CENTRAL AREA CIRCULATOR PROJECT.—Section 3035(e) of such Act is amended by striking the last sentence which begins ''Such amount''.

(e) 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,''.

(f) LOS ANGELES-SAN DIEGO RAIL CORRIDOR IMPROVEMENT PROJECT.—Section 3035(g) of such Act is amended by striking ''not less than'' the 1st place it appears and all that follows through ''1994'' and inserting ''$20,000,000''.

(g) SAN JOSE-GILROY-HOLLISTER COMMUTER RAIL PROJECT.—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,''.

(h) 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 5328(c)(1)(G) of title 49, United States Code,''; and

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

(2) PROGRAM OF INTERRELATED PROJECTS.—Section 5328(c)(1)(G) of title 49, United States Code, is amended by striking ''Camp Wisdom'' and inserting ''Interstate Route 20, L.B.J. Freeway''.

(i) 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''.

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

(1) by striking the subsection heading and inserting ''DOWNTOWN ORLANDO CIRCULATOR PROJECT'';

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

(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.''.

(k) 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''.

(l) LAKEWOOD-FREEHOLD-MATAWAN OR JAMES- BURG 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''.

(m) 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''.

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

(1) in the subsection heading by striking ''MID COAST LIGHT RAIL PROJECT'' and inserting ''METROPOLITAN TRANSIT IMPROVEMENT PROGRAM'';

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

(3) by striking '', $2,000,000'' and all that follows through the period and inserting ''$27,000,000 for the integrated project financing of the San Diego Mid Coast and Mission Valley East Corridor fixed guideway projects.''.

(o) EUREKA SPRINGS, ARKANSAS.—Section 3035(z) of such Act is amended by striking the text and inserting the following: ''From funds made available under section 5309(m)(1)(C) of title 49, United States Code, 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.''.

(p) BALTIMORE-WASHINGTON TRANSPORTATION IMPROVEMENTS PROGRAM.—Section 3035(nn) of such Act is amended—

(1) in paragraph (1) by striking ''as follows:'' and all that follows through ''1994.'' and inserting ''and shall be $60,000,000.'';

(2) in paragraph (2) by striking ''as follows:'' and all that follows through the period at the end of subparagraph (C) and inserting ''and shall total $160,000,000.''; and

(3) in paragraph (3) by striking ''for fiscal year 1993''.

(q) 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''; and

(2) by striking ''the completion'' and all that follows through ''engineering for''.

(r) 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 made available under section 5309(m)(1)(B) of title 49, United States Code, the Secretary shall make available $300,000,000 for the Central Puget Sound Regional Transit Project.''.

(s) 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''.

(t) ADDITIONAL TRANSIT PROJECTS.—

(1) CANTON-AKRON-CLEVELAND COMMUTER RAIL.—From funds made available under section 5309(m)(1)(B) of title 49, United States Code, the Secretary shall make available $6,500,000 for the Canton-Akron-Cleveland Commuter Rail project.

(2) CINCINNATI NORTHEAST/NORTHERN KENTUCKY RAIL.—From funds made available under such section, the Secretary shall make available $2,000,000 for the Cincinnati Northeast/Northern Kentucky Rail project.

(3) DART NORTH CENTRAL LIGHT RAIL EXTENSION.—From funds made available under such section, the Secretary shall make available $2,500,000 for the DART North Central Light Rail Extension project.

(4) DALLAS-FORT WORTH RAILTRAN.—From funds made available under such section, the Secretary shall make available $5,000,000 for the Dallas-Fort Worth RAILTRAN project.

(5) FLORIDA TRI-COUNTY COMMUTER RAIL.—From funds made available under such section, the Secretary shall make available $10,000,000 for the Florida Tri-County Commuter Rail project.

(6) MIAMI-NORTH 27TH AVENUE.—From funds made available under such section, the Secretary shall make available $2,000,000 for the Miami-North 27th Avenue project.

(7) MEMPHIS, TENNESSEE, REGIONAL RAIL PLAN.—From funds made available under such section, the Secretary shall make available $2,500,000 for the Memphis, Tennessee, Regional Rail Plan project.

(8) NEW ORLEANS CANAL STREET CORRIDOR.—From funds made available under such section, the Secretary shall make available $10,000,000 for the New Orleans Canal Street Corridor project.

(9) ORANGE COUNTY TRANSITWAY.—From funds made available under such section, the Secretary shall make available $5,000,000 for the Orange County Transitway project.

(10) WHITEHALL FERRY TERMINAL, NEW YORK, NEW YORK.—From funds made available under such section, the Secretary shall make available $5,000,000 for the Whitehall Ferry Terminal project.

(11) WISCONSIN CENTRAL COMMUTER.—From funds made available under such section, the Secretary shall make available $14,400,000 for the Wisconsin Central Commuter project.

(12) SAN JUAN, PUERTO RICO, TREN URBANO.—From funds made available under such section, the Secretary shall make available $15,000,000 for the San Juan, Puerto Rico, Tren Urbano project.

(13) TAMPA TO LAKELAND COMMUTER RAIL.—From funds made available under such section, the Secretary shall make available $1,000,000 for the Tampa to Lakeland Commuter Rail project.

SEC. 307. METROPOLITAN PLANNING FOR TRANSIT PROJECTS.

Section 5303(b) of title 49, United States Code, is amended by adding at the end the following:

''(16) recreational travel and tourism.''.

SEC. 308. CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.

Section 5325 of title 49, United States Code, is amended by adding at the end the following:

''(e) SPECIAL RULES FOR ENGINEERING AND DESIGN CONTRACTS.—

''(1) PERFORMANCE AND AUDITS.—Any contract or subcontract awarded in accordance with subsection (d), 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.

''(2) INDIRECT COST RATES.—Instead of performing its own audits, a recipient of funds under a contract or subcontract awarded in accordance with subsection (d) shall accept indirect cost rates established in accordance with the Federal acquisition regulations for 1-year applicable accounting periods by a cognizant Federal or State government agency, 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 of any kind. A recipient of such funds requesting or using the cost and rate data described in this paragraph 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 another firm or to any government agency which is not part of the group of agencies sharing cost data under this paragraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.

''(3) STATE OPTION.—Paragraphs (1) and (2) shall take effect 2 years after the date of the enactment of this subsection 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 paragraphs shall not apply with respect to such State.''.

SEC. 309. FERRY BOATS AND TERMINAL FACILITIES.

Section 129(c)(5) of title 23, United States Code, is amended—

(1) by inserting before the period at the end of the first sentence the following: ''or between a point in a State and a point in the Dominion of Canada''; and

(2) in the second sentence by inserting after ''Puerto Rico'' the following: '', between a point in a State and a point in the Dominion of Canada,''.

SEC. 310. UTILIZATION OF THE PRIVATE SECTOR FOR SURVEYING AND MAPPING SERVICES.

Section 306 of title 23, United States Code, is amended—

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

(2) by adding at the end the following:

''(b) GUIDANCE.—The Secretary shall issue guidance to encourage States to utilize, to the maximum extent practicable, private sector sources for surveying and mapping services for highway projects under this title. In carrying out this subsection, the Secretary shall determine appropriate roles for State and private mapping and surveying activities, including—

''(1) preparation of standards and specifications;

''(2) research in surveying and mapping instrumentation and procedures and technology transfer to the private sector;

''(3) providing technical guidance, coordination, and administration of State surveying and mapping activities; and

''(4) establishing a schedule with quantifiable goals for increasing the use by the States of private sector sources for surveying and mapping activities.''.

SEC. 311. FORMULA GRANT PROGRAM.

(a) TRANSIT SECURITY SYSTEMS.—Section 5307(d)(1)(J)(i) of title 49, United States Code,

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is amended by inserting before ''and any other'' the following: ''employing law enforcement or security personnel in areas within or adjacent to such systems,''.

(b) FERRYBOAT OPERATIONS.—For purposes of calculating apportionments under section 5336 of title 49, United States Code, for fiscal years beginning after September 30, 1995, 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 5336(b)(2)(A) and 5335 of such title.

SEC. 312. ACCESSIBILITY OF OVER-THE-ROAD BUSES TO INDIVIDUALS WITH DISABILITIES.

Section 306(a)(2)(B)(iii) of the Americans With Disabilities Act of 1990 (42 U.S.C. 12186(a)(2)(B)(iii)) is amended—

(1) in subclause (I) by striking ''7 years after the date of the enactment of this Act'' and inserting ''3 years after the date of issuance of final regulations under subparagraph (B)(ii)''; and

(2) in subclause (II) by striking ''6 years after such date of enactment'' and inserting ''2 years after the date of issuance of such final regulations''.

SEC. 313. ALASKA RAILROAD.

Section 5337(a)(3)(B) of title 49, United States Code, is amended by adding at the end the following: ''The Alaska Railroad is eligible for assistance under this subparagraph with respect to improvements to its passenger operations.''.

SEC. 314. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

(a) MASS TRANSIT TESTING.—Section 5331(b)(1)(A) of title 49, United States Code, is amended to read as follows:

''(b) TESTING PROGRAM FOR MASS TRANSPORTATION EMPLOYEES.—(1)(A) In the interest of mass transportation safety, the Secretary shall prescribe regulations that establish a program requiring mass transportation operations that receive financial assistance under section 5307, 5309, or 5311 of this title or section 103(e)(4) of title 23 to conduct preemployment, reasonable suspicion, random, and post-accident testing of mass transportation employees responsible for safety-sensitive functions (as decided by the Secretary) for the use of a controlled substance in violation of law or a United States Government regulation, and to conduct reasonable suspicion, random, and post-accident testing of such employees for the use of alcohol in violation of law or a United States Government regulation. The regulations shall permit such operations to conduct preemployment testing of such employees for the use of alcohol.''.

(b) RAILROAD TESTING.—Section 20140(b)(1)(A) of title 49, United States Code, is amended to read as follows:

''(A) a railroad carrier to conduct preemployment, reasonable suspicion, random, and post-accident testing of all railroad employees responsible for safety-sensitive functions (as decided by the Secretary) for the use of a controlled substance in violation of law or a United States Government regulation, and to conduct reasonable suspicion, random, and post-accident testing of such employees for the use of alcohol in violation of law or a United States Government regulation; the regulations shall permit such railroad carriers to conduct preemployment testing of such employees for the use of alcohol; and''.

(c) MOTOR CARRIER TESTING.—Section 31306(b)(1)(A) of such title is amended to read as follows:

''(b) TESTING PROGRAM FOR OPERATORS OF COMMERCIAL MOTOR VEHICLES.—(1)(A) In the interest of commercial motor vehicle safety, the Secretary of Transportation shall prescribe regulations that establish a program requiring motor carriers to conduct preemployment, reasonable suspicion, random, and post-accident testing of operators of commercial motor vehicles for the use of controlled substance in violation of law or a United States Government regulation and to conduct reasonable suspicion, random, and post-accident testing of such operators for the use of alcohol in violation of law or a United States Government regulation. The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.''.

(d) AVIATION TESTING.—

(1) PROGRAM FOR EMPLOYEES OF AIR CARRIERS AND FOREIGN AIR CARRIERS.—Section 45102(a)(1) of title 49, United States Code, is amended to read as follows:

''(a) PROGRAM FOR EMPLOYEES OF AIR CARRIERS AND FOREIGN AIR CARRIERS.—(1) In the interest of aviation safety, the Administrator of the Federal Aviation Administration shall prescribe regulations that establish a program requiring air carriers and foreign air carriers to conduct preemployment, reasonable suspicion, random, and post-accident testing of airmen, crewmembers, airport security screening contract personnel, and other air carrier employees responsible for safety-sensitive functions (as decided by the Administrator) for the use of a controlled substance in violation of law or a United States Government regulation; and to conduct reasonable suspicion, random, and post-accident testing of airmen, crewmembers, airport security screening contract personnel, and other air carrier employees responsible for safety-sensitive functions (as decided by the Administrator) for the use of alcohol in violation of law or a United States Government regulation. The regulations shall permit air carriers and foreign air carriers to conduct preemployment testing of airmen, crewmembers, airport security screening contract personnel, and other air carrier employees responsible for safety-sensitive functions (as decided by the Administrator) for the use of alcohol.''.

(2) PROGRAM FOR EMPLOYEES OF THE FEDERAL AVIATION ADMINISTRATION.—Section 45102(b)(1) of title 49, United States Code, is amended to read as follows:

''(b) PROGRAM FOR EMPLOYEES OF THE FEDERAL AVIATION ADMINISTRATION.—(1) The Administrator shall establish a program of preemployment, reasonable suspicion, random, and post-accident testing for the use of a controlled substance in violation of law or a United States Government regulation for employees of the Administration whose duties include responsibility for safety-sensitive functions and shall establish a program of reasonable suspicion, random and post-accident testing for the use of alcohol in violation of law or a United States Government regulation for such employees. The Administrator may establish a program of preemployment testing for the use of alcohol for such employees.''.

SEC. 315. ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.

(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) of such title is further amended—

(1) in paragraph (3)—

(A) by inserting ''(A)'' after ''(3)''; and

(B) 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.''; and

(2) by adding at the end the following:

''(7) Any individual under age 21 with a blood alcohol concentration of 0.02 percent or greater when driving a motor vehicle shall be deemed to be driving while intoxicated.''.

(c) SUPPLEMENTAL GRANTS.—Section 410(f) of such title is amended by striking paragraph (1) and redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively.

SEC. 316. SAFETY RESEARCH INITIATIVES.

(a) OLDER DRIVERS AND OTHER SPECIAL DRIVER GROUPS.—

(1) STUDY.—The Secretary shall conduct a study of technologies and practices to improve the driving performance of older drivers and other special driver groups.

(2) DEMONSTRATION ACTIVITIES.—In conducting the study under paragraph (1), the Secretary shall undertake demonstration activities which incorporate and build upon gerontology research related to the study of the normal aging process. The Secretary shall initially implement such activities in those States which have the highest population of aging citizens for whom driving a motor vehicle is their primary mobility mode.

(3) COOPERATIVE AGREEMENT.—The Secretary shall carry out the study under paragraph (1) by entering into a cooperative agreement with an institution that has demonstrated competencies in gerontological research, population demographics, human factors related to transportation, and advanced technology applied to transportation.

(b) WORK ZONE SAFETY.—In carrying out the work zone safety program under section 1051 of the Intermodal Surface Transportation Efficiency Act of 1991, the Secretary shall utilize a variety of methods to increase safety at highway construction sites, including each of the following:

(1) Conferences to explore new techniques and stimulate dialogue for improving work zone safety.

(2) Creation of a national clearinghouse to assemble and disseminate, by electronic and other means, information relating to the improvement of work zone safety.

(3) A national promotional campaign in cooperation with the States to provide timely, site-specific information to motorists when construction workers are actually present.

(c) RADIO AND MICROWAVE TECHNOLOGY FOR MOTOR VEHICLE SAFETY WARNING SYSTEM.—

(1) STUDY.—The Secretary shall conduct a study to develop and evaluate radio and microwave technology for a motor vehicle safety warning system in furtherance of safety in all types of motor vehicles.

(2) EQUIPMENT.—Equipment developed under the study to be conducted under subsection (a) shall be directed toward, but not limited to, advance warning to operators of all types of motor vehicles of—

(A) temporary obstructions in a highway;

(B) poor visibility and highway surface conditions caused by adverse weather; and

(C) movement of emergency vehicles.

(3) SAFETY APPLICATIONS.—In conducting the study under paragraph (1), the Secretary shall determine whether the technology described in this subsection has other appropriate safety applications.

SEC. 317. PUBLIC TRANSIT VEHICLES EXEMPTION.

Section 1023(h)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note) is amended—

(1) by striking ''2-year'' the first place it appears and all that follows through ''Act,'' and inserting ''period beginning on October 6, 1992, and ending on the date on which Federal-aid highway and transit programs are reauthorized after the date of the enactment of the National Highway System Designation Act of 1995,''; and

(2) by striking the second sentence.

SEC. 318. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) AREAS ELIGIBLE FOR FUNDS.—

(1) IN GENERAL.—The first sentence of section 149(b) of title 23, United States Code, is amended—

(A) by inserting ''if the project or program is for an area in the State that was designated as a nonattainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) during any part of fiscal year 1994 and'' after ''program'' the 2nd place it appears; and

(B) in paragraph (1)(A) by striking ''contribute'' and all that follows through ''; or'' and inserting the following: ''contribute to—

''(i) the attainment of a national ambient air quality standard; or

''(ii) the maintenance of a national ambient air quality standard in an area that was designated as a nonattainment area but that was later redesignated by the Administrator of the Environmental Protection Agency as an attainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or''.

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

(A) in the second sentence, by striking ''is a nonattainment area (as defined in the Clean Air Act) for ozone'' and inserting ''was a nonattainment area (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2))) for ozone during any part of fiscal year 1994''; and

(B) in the third sentence—

(i) by striking ''is also'' and inserting ''was also''; and

(ii) by inserting ''during any part of fiscal year 1994'' after ''monoxide''.

(b) EFFECT OF LIMITATION ON APPORTIONMENT.—Notwithstanding any other provision of law, for each of fiscal years 1996 and 1997, any limitation under an amendment made by this section on an apportionment of funds otherwise authorized under section 1003(a)(4) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) shall not affect any hold harmless apportionment adjustment under section 1015(a) of such Act (105 Stat. 1943).

SEC. 319. 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 with an estimated total cost of $25,000,000 or more.

''(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.—Such section is further 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 with an estimated total cost of $25,000,000 or more.

''(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 multidisciplined 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.''.

SEC. 320. APPLICABILITY OF TRANSPORTATION CONFORMITY REQUIREMENTS.

(a) HIGHWAY CONSTRUCTION.—Section 109(j) of title 23, United States Code, is amended by striking ''plan for the implementation of any ambient air quality standard for any air quality control region designated pursuant to the Clean Air Act, as amended.'' and inserting the following: ''plan for—

''(1) the implementation of a national ambient air quality standard for which an area is designated as a nonattainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or

''(2) the maintenance of a national ambient air quality standard in an area that was designated as a nonattainment area but that was later redesignated by the Administrator as an attainment area for the standard and that is required to develop a maintenance plan under section 175A of the Clean Air Act (42 U.S.C. 7505a).''.

(b) CLEAN AIR ACT REQUIREMENTS.—Section 176(c) of the Clean Air Act (42 U.S.C. 7506(c)) is amended by adding at the end the following:

''(5) APPLICABILITY.—This subsection shall apply only with respect to—

''(A) a nonattainment area and each specific pollutant for which the area is designated as a nonattainment area; and

''(B) an area that was designated as a nonattainment area but that was later redesignated by the Administrator as an attainment area and that is required to develop a maintenance plan under section 175A with respect to the specific pollutant for which the area was designated nonattainment.''.

SEC. 321. QUALITY THROUGH COMPETITION.

(a) CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.—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 Federal or State government agency, 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 of any kind. 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 another 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. 322. APPLICABILITY OF CERTAIN VEHICLE WEIGHT LIMITATIONS IN WISCONSIN.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(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), the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits set forth in subsection (a) shall not apply to the 104-mile portion with respect to the operation of any vehicle that could legally operate on the 104-mile portion before the date of enactment of this subsection.''.

SEC. 323. 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, chapter 48), shall be treated as if the 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 in accordance with section 129(a)(6) of the title.

SEC. 324. METRIC REQUIREMENTS AND SIGNS.

(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.—In this section, 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. 325. ISTEA TECHNICAL CLARIFICATION.

Section 131(s) of title 23, United States Code, is amended by striking the period at the end of the first sentence and inserting the following: ''; except that nothing in this subsection or section 1047 of the Intermodal Surface Transportation Efficiency Act of 1991 shall restrict, or otherwise be applied by the Secretary to affect, the authority of a State under subsection (d) of this section with respect to commercial or industrial areas or the authority of a State under subsection (k) of this section to establish standards imposing stricter limitations than those established in this subsection.''.

SEC. 326. METROPOLITAN PLANNING FOR HIGHWAY PROJECTS.

Section 134(f) of title 23, United States Code, is amended by adding at the end the following:

''(16) Recreational travel and tourism.''.

SEC. 327. NON-FEDERAL SHARE FOR CERTAIN TOLL BRIDGE PROJECTS.

Section 144(l) of title 23, United States Code, is amended by adding at the end the following: ''Any non-Federal funds expended for the seismic retrofit of the bridge may be credited toward the non-Federal share required as a condition of receipt of any Federal funds for seismic retrofit of the bridge made available after the date of the expenditure.''.

SEC. 328. DISCOVERY AND ADMISSION AS EVIDENCE OF CERTAIN REPORTS AND SURVEYS.

Section 409 of title 23, United States Code, is amended by inserting ''or collected'' after ''compiled''.

SEC. 329. NATIONAL RECREATIONAL TRAILS.

(a) STATE ELIGIBILITY.—Section 1302(c) of the Intermodal Surface Transportation Efficiency 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) by striking ''and'' at the end of subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) contracting for services with other land management agencies; and''.

(c) ENVIRONMENTAL MITIGATION.—

(1) IN GENERAL.—Section 1302(e) of such Act (33 U.S.C. 1261(e)) is amended—

(A) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively; and

(B) 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.—'' and inserting the following:

''(7) EXCLUSIONS.—

''(A) SMALL STATE.—'';

(2) by moving the text of subparagraph (A), as designated by paragraph (1), 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) ADVISORY COMMITTEE.—Section 1303(b) of such Act (16 U.S.C. 1262(b)) is amended—

(1) by striking ''11 members'' and inserting ''12 members'';

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(3) by inserting after paragraph (1) the following:

''(2) 1 member appointed by the Secretary representing individuals with disabilities;''.

SEC. 330. IDENTIFICATION OF HIGH PRIORITY CORRIDORS.

(a) IN GENERAL.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended—

(1) by striking paragraph (5) and inserting the following:

''(5)(A) I–73/74 North-South Corridor from Charleston, South Carolina, through Winston-Salem, North Carolina, to Portsmouth, Ohio, to Cincinnati, Ohio, to termini at Detroit, Michigan and Sault Ste. Marie, Michigan. The Sault Ste. Marie terminus shall be reached via a corridor connecting Adrian, Jackson, Lansing, Mount Pleasant, and Grayling, Michigan.

''(B)(i) In the Commonwealth of Virginia, the Corridor shall generally follow—

''(I) United States Route 220 from the Virginia-North Carolina border to I–581 south of Roanoke;

''(II) I–581 to I–81 in the vicinity of Roanoke;

''(III) I–81 to the proposed highway to demonstrate intelligent transportation systems authorized by item 29 of the table in section 1107(b) in the vicinity of Christiansburg to United States Route 460 in the vicinity of Blacksburg; and

''(IV) United States Route 460 to the West Virginia State line.

''(ii) In the States of West Virginia, Kentucky, and Ohio, the Corridor shall generally follow—

''(I) United States Route 460 from the West Virginia State line to United States Route 52 at Bluefield, West Virginia; and

''(II) United States Route 52 to United States Route 23 at Portsmouth, Ohio.

''(iii) In the States of North Carolina and South Carolina, the Corridor shall generally follow—

''(I) in the case of I–73—

''(aa) United States Route 220 from the Virginia State line to State Route 68 in the vicinity of Greensboro;

''(bb) State Route 68 to I–40;

''(cc) I–40 to United States Route 220 in Greensboro;

''(dd) United States Route 220 to United States Route 1 near Rockingham;

''(ee) United States Route 1 to the South Carolina State line; and

''(ff) South Carolina State line to Charleston, South Carolina; and

''(II) in the case of I–74—

''(aa) I–77 from Bluefield, West Virginia, to the junction of I–77 and the United States Route 52 connector in Surry County, North Carolina;

''(bb) the I–77/United States Route 52 connector to United States Route 52 south of Mount Airy, North Carolina;

''(cc) United States Route 52 to United States Route 311 in Winston-Salem, North Carolina;

''(dd) United States Route 311 to United States Route 220 in the vicinity of Randleman, North Carolina.

''(ee) United States Route 220 to United States Route 74 near Rockingham;

''(ff) United States Route 74 to United States Route 76 near Whiteville;

''(gg) United States Route 74/76 to the South Carolina State line in Brunswick County; and

''(hh) South Carolina State line to Charleston, South Carolina.'';

(2) in paragraph (18)—

(A) by striking ''and'';

(B) by inserting ''Arkansas,'' after ''Tennessee,''; and

(C) by inserting before the period at the end the following: '', and to the Lower Rio Grande Valley at the border between the United States and Mexico'';

(3) by inserting before the period at the end of paragraph (20) the following: '', and to include the Corpus Christi Northside Highway and Rail Corridor from the existing intersection of United States Route 77 and Interstate Route 37 to United States Route 181''; and

(4) by adding at the end the following:

''(22) The Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate 10, Los Angeles, California.

''(23) The Interstate Route 35 Corridor from Laredo, Texas, through Oklahoma City, Oklahoma, to Wichita, Kansas, to Kansas City, Kansas/Missouri, to Des Moines, Iowa,

to Minneapolis, Minnesota, to Duluth, Minnesota.

''(24) The Dalton Highway from Deadhorse, Alaska to Fairbanks, Alaska.

''(25) State Route 168 (South Battlefield Boulevard), Virginia, from the Great Bridge Bypass to the North Carolina State line.

''(26) The CANNAMEX CORRIDOR from Nogales, Arizona, through Las Vegas, Nevada, to Salt Lake City, Utah, to Idaho Falls, Idaho, to Great Falls, Montana, to the Canadian Border as follows:

''(A) In the State of Arizona, the CANAMEX CORRIDOR shall generally follow—

''(i) I–19 from Nogales to Tucson;

''(ii) I–10 from Tucson to Phoenix; and

''(iii) United States Route 93 from Phoenix to the Nevada Border.

''(B) In the State of Nevada, the CANAMEX CORRIDOR shall follow—

''(i) United States Route 93 from the Arizona Border to Las Vegas; and

''(ii) I–15 from Las Vegas to the Utah Border.

''(C) From the Utah Border to the Canadian Border, the CANAMEX CORRIDOR shall follow I–15.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e) of such Act (105 Stat. 2033) is amended by adding at the end the following:

''(5) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Where not a part of the Interstate System, the routes referred to in clauses (i), (ii), and (iii) of subsection (c)(5)(B) (other than the portion located in the State of West Virginia), in subsection (c)(9), and in subsections (c)(18) and (c)(20) are hereby designated future parts of the Interstate System. Any segment of such routes shall become a part of the Interstate System at such time as the Secretary determines that the segment—

''(A) meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

''(B) connects to an existing Interstate System segment and functions as a safe and usable segment.''.

SEC. 331. HIGH PRIORITY CORRIDOR FEASIBILITY STUDIES.

(a) EVACUATION ROUTES FOR LOUISIANA COASTAL AREAS.—Section 1105(e)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033) is amended by adding at the end the following new sentence: ''A feasibility study may be conducted under this subsection to identify routes that will expedite future emergency evacuations of coastal areas of Louisiana.''.

(b) EAST-WEST TRANSAMERICA CORRIDOR.—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. 332. 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. 333. 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 1, relating to Long Beach, California, by striking ''HOV Lanes on'' and inserting ''downtown Long Beach access ramps into the southern terminus of'';

(2) 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'';

(3) in item number 23, relating to Tucson, Arizona, by inserting '', of which a total of $3,609,620 shall be available for the project authorized by item number 74 of the table contained in section 1106(b)'' after ''in Tuscon, Arizona''; and

(4) in item number 43, relating to West Virginia, by striking ''Coal Fields'' and inserting ''Coalfields''.

SEC. 334. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

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: ''commencing on the Atlantic Coast in the Hampton Roads-Norfolk area going westward across Virginia to a West Virginia corridor centered around Beckley to Welch as part of the Coalfields Expressway described in section 1069(v), then to Williamson sharing a common corridor with the I–73/74 Corridor (referred to in item 12 of the table contained in subsection (f)), then to a Kentucky Corridor centered on the cities of Pikeville, Jenkins, Hazard, London, Somerset, Columbia, Bowling Green, Hopkinsville, Benton, and Paducah, into Illinois, and into Missouri and exiting Western Missouri and entering the southeast corner of Kansas''.

SEC. 335. HIGH PRIORITY CORRIDOR PROJECTS.

The table contained in section 1105(f) of the Intermodal Surface Transportation Efficiency 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 up to $11,000,000 for'';

(2) in item 2, relating to Alabama, Georgia, Mississippi, Tennessee, by inserting after ''Rt. 72'' the following: ''and up to $1,500,000 from the State of Alabama's share of the project for modification of the Keller Memorial Bridge in Decatur, Alabama, to a pedestrian structure''; and

(3) in item number 26, relating to Indiana, Kentucky, Tennessee, by striking ''Newberry'' and inserting ''Evansville''.

SEC. 336. RURAL ACCESS PROJECTS.

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 Huntington'' and inserting ''Franklin, and Huntingdon'';

(3) in item number 61, relating to Lubbock, Texas, by striking ''with Interstate 20'' and inserting ''with Interstate 10 through Interstate 20 and Interstate 27 north of Amarillo to the Texas/Oklahoma border'';

(4) in item number 71, relating to Chautauqua County, New York, by inserting ''and other improvements'' after ''expressway lanes'';

(5) 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'';

(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-''.

SEC. 337. 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 (9), relating to New York, New York, by striking ''Improvements'' and all that follows through ''NY'' and inserting ''Projects in New York City, New York (other than improvements to the Miller Highway)'';

(2) in item number 13, relating to Joliet, Illinois, by striking ''and construction and interchange at Houbolt Road and I–80'';

(3) 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''; and

(4) in item number 52, relating to Chicago, Illinois, by striking ''Right-of-way'' and all that follows through ''Connector)'' and inserting ''Reconstruct the Michigan Avenue viaduct''.

SEC. 338. 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 19, relating to Water Street, Pennsylvania—

(A) by striking ''Water Street,''; 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 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;

(3) in item number 24, relating to Pennsylvania, by inserting after ''line'' the following: ''and for the purchase, rehabilitation, and improvement of any similar existing facility within a 150-mile radius of such project, as selected by the State of Pennsylvania'';

(4) in item number 29, relating to Blacksburg, Virginia, by inserting ''methods of facilitating public and private participation in'' after ''demonstrate'';

(5) 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'';

(6) in item 49, relating to Suffolk County, New York, by inserting after ''perimeters'' the following: ''and provide funds to the towns of Brookhaven, Riverhead, Smithtown, East Hampton, Southold, Shelter Island, and Southampton for the purchase of vehicles to meet the transportation needs of the elderly and persons with disabilities'';

(7) in item number 52, relating to Pennsylvania, by striking ''2'' and all that follows through ''Pennsylvania'' and inserting ''or rehabilitate (or both) highway and transportation infrastructure projects within 30 miles of I–81 or I–80 in northeastern Pennsylvania'';

(8) in item number 61, relating to Mojave, California, by striking ''Mojave'' and inserting ''Victorville'' and by inserting ''Mojave'' after ''reconstruct'';

(9) in item number 68, relating to Portland/S. Portland, Maine—

(A) by striking ''Portland/S. Portland,''; and

(B) by inserting after ''Bridge'' the following: ''and improvements to the Carlton Bridge in Bath-Woolworth'';

(10) in item number 76, relating to Tennessee, by inserting ''Improved access to'' before ''I–81'' and striking ''Interchange'' and inserting after ''Tennessee'' the following: ''via improvements at I–181/Eastern Star Road and I–81/Kendrick Creek Road'';

(11) in item number 100, relating to Arkansas, by striking ''Thornton'' and inserting ''Little Rock'';

(12) in item number 113, relating to Durham County, North Carolina, by inserting after ''Route 147'' the following: '', including the interchange at I–85'';

(13) 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'';

(14) in item number 193, relating to Corning, New York, by inserting ''and other improvements'' after ''expressway lanes''; and

(15) in item 196, relating to Orlando, Florida—

(A) by striking ''Orlando,''; and

(B) by striking ''Land'' and all that follows through ''project'' and inserting ''One or more regionally significant, intercity ground transportation projects''.

SEC. 339. 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 12, relating to Buffalo, New York, by inserting after ''Project'' the following: ''and the Crossroads Arena Project''; and

(2) in item number 31, relating to Los Angeles, California, by striking ''To improve ground access from Sepulveda Blvd. to Los Angeles, California'' and inserting the following: ''For the Los Angeles International Airport central terminal ramp access project, $3,500,000; for the widening of Aviation Boulevard south of Imperial Highway, $3,500,000; for the widening of Aviation Boulevard north of Imperial Highway, $1,000,000; and for transportation systems management improvements in the vicinity of the Sepulveda Boulevard/Los Angeles International Airport tunnel, $950,000''.

SEC. 340. MISCELLANEOUS REVISIONS TO SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987.

(a) CALIFORNIA.—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 the following: ''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) LOUISIANA.—

(1) RURAL ACCESS PROJECT.—

(A) RESCISSION.—Effective October 1, 1995, the unobligated balances on September 30, 1995, of funds made available for section 149(a)(87) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 194; relating to West Calcasieu Parish, Louisiana) are hereby rescinded.

(B) FUNDING.—Item number 17 of the table contained in section 1106(a)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2038), relating to Lake Charles, Louisiana, is amended by striking ''4.1'' and inserting ''8.8''.

(2) I–10 EXIT RAMP AND OTHER PROJECTS.—Section 149(a)(89) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 191) is amended—

(A) by inserting ''AND LAKE CHARLES'' after ''LAFAYETTE'' in the paragraph heading; and

(B) by inserting before the period at the end ''and, of amounts made available to carry out this paragraph, may use up to $456,022 to carry out a comprehensive transportation and land use plan for Lafayette, Louisiana, $1,000,000 to carry out a project to construct an exit ramp from the eastbound side of Interstate Route I–10 to Ryan Street in Lake Charles, Louisiana, and $269,661 under this paragraph for projects described in section 149(a)(90)''.

(3) CONTRABAND BRIDGE.—Section 149(a)(90) of such Act (101 Stat. 191) is amended—

(A) by inserting ''AND LAKE CHARLES'' after ''LAFAYETTE'' in the paragraph heading; and

(B) by inserting ''and a project to construct the Contraband Bridge portion of the Nelson Access Road Project'' before the period at the end.

(c) PENNYSLVANIA.—Section 149(a)(74) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 192) is amended by inserting before the period at the end the following: ''and other projects in the counties of Bedford, Blair, Centre, Franklin, and Huntingdon, Pennsylvania''.

(d) MARYLAND.—Section 149(a)(92) of such Act (101 Stat. 194) is amended—

(1) by striking ''UNITED STATES ROUTE 48'' and inserting ''WASHINGTON AND FREDERICK COUNTIES''; and

(2) by inserting ''and to construct an interchange between Interstate Route I–70 and Interstate Route I–270 in Frederick County, Maryland'' after ''Mountain Road''.

(e) BUS TESTING FACILITY.—Section 5318 of title 49, United States Code, is amended—

(1) in subsection (b) by inserting ''or cooperative agreement'' after ''contract'' each place it appears; and

(2) by adding at the end the following:

''(f) CONVERSION OF CONTRACTS.—The Secretary may convert existing contracts entered into under this section into cooperative agreements.''.

SEC. 341. ELIGIBILITY.

(a) EXISTING PROJECT.—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''.

(b) OTHER EXISTING PROJECTS.—

(1) RECONSTRUCTION AND WIDENING.—The project authorized by section 162 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2136) shall include reconstruction and widening to 6 lanes of existing Interstate Route 95 and of the Pennsylvania Turnpike from United States Route 1 to the junction with the New Jersey Turnpike.

(2) FEDERAL SHARE.—Notwithstanding any other provision of law, the Federal share payable on account of the project referred to in paragraph (1), including the additional through roadway and bridge travel lanes, shall be 90 percent of the cost of the project.

(3) TOLLS.—Notwithstanding section 301 of title 23, United States Code, the project for construction of an interchange between the Pennsylvania Turnpike and Interstate Route 95, including the widening of the Pennsylvania Turnpike, shall be treated as a reconstruction project described in section 129(a)(1)(B) of such title and tolls may be continued on all traffic on the Pennsylvania Turnpike between United States Route 1 and the New Jersey Turnpike.

(c) TYPE II NOISE BARRIERS.—No funds made available out of the Highway Trust Fund may be used to construct Type II noise barriers (as defined by section 772.5(i) of title 23, Code of Federal Regulations) pursuant to sections 109 (h) and (i) of title 23, United States Code if such barriers were not part of a project approved by the Secretary before the date of the enactment of this Act.

SEC. 342. ORANGE COUNTY, CALIFORNIA, TOLL ROADS.

The Secretary shall enter into an agreement modifying the agreement entered into pursuant to section 339 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (Public Law 102–338) to conform such agreement to the provisions of section 336 of the Department of Transportation and Related Agencies Appropriations Act, 1995 (Public Law 103–331). Nothing in this section shall be construed to change the amount of the previous appropriation in such section 339, and the line of credit provided for shall not exceed an amount supported by the previous appropriation. In implementing such sections 336 and 339, the Secretary may enter into an agreement requiring an interest rate that is higher than the rate specified in such sections.

SEC. 343. MISCELLANEOUS STUDIES.

(a) PAN AMERICAN HIGHWAY.—

(1) STUDY.—The Secretary shall conduct a study on the adequacy of and the need for improvements to the Pan American Highway.

(2) ELEMENTS.—The study to be conducted under paragraph (1) shall include, at a minimum, the following elements:

(A) Findings on the benefits of constructing a highway at Darien Gap, Panama and Colombia.

(B) Recommendations for a self-financing arrangement for completion and maintenance of the Pan American Highway.

(C) Recommendations for establishing a Pan American highway authority to monitor financing, construction, maintenance, and operations of the Pan American Highway.

(D) Findings on the benefits to trade and prosperity of a more efficient Pan American Highway.

(E) 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.

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(F) Findings on environmental considerations, including environmental considerations relating to the Darien Gap.

(3) 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 subsection.

(b) HIGHWAY SIGNS FOR NATIONAL HIGHWAY SYSTEM.—The Secretary shall conduct a study to determine the cost, need, and efficacy of establishing a highway sign for identifying routes on the National Highway System. In conducting such study, the Secretary shall make a determination concerning whether to identify National Highway System route numbers.

(c) COMPLIANCE WITH BUY AMERICAN ACT.—

(1) STUDY.—The Secretary shall conduct a study on compliance with the provisions of the Buy American Act (41 U.S.C. 10a–10c) with respect to contracts entered into using amounts made available from the Highway Trust Fund.

(2) 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 paragraph (1).

SEC. 344. COLLECTION OF BRIDGE TOLLS.

Notwithstanding any other provisions of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.

SEC. 345. NATIONAL DRIVER REGISTER.

Section 30308(a) of title 49, United States Code, is amended by striking ''and $2,550,000 for fiscal year 1995'' and inserting ''and $2,550,000 for each of fiscal years 1995 and 1996''.

SEC. 346. 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. 347. MOTORIST CALL BOXES.

(a) EFFECTIVE CONTROL.—Section 131(c) of title 23, United States Code, is amended—

(1) by striking ''and (5)'' and inserting the following: ''(5) signs, displays, and devices identifying and announcing free motorist aid call boxes and advertising their sponsorship by corporations or other organizations, and (6)''; and

(2) by adding at the end the following new sentence: ''The Secretary shall ensure that spacing of signs, displays, and devices announcing motorist aid call boxes is reasonable.''.

(b) SPECIFIC SERVICE SIGNS.—Section 131(f) of title 23, United States Code, is amended by adding at the end the following: ''For purposes of this subsection, the term 'specific information in the interest of the traveling public' includes identification, announcement, and sponsorship of motorist aid call boxes.''.

SEC. 348. REPEAL OF NATIONAL MAXIMUM SPEED LIMIT COMPLIANCE PROGRAM.

Sections 141(a) and 154 of title 23, United States Code, and the item relating to section 154 in the analysis to chapter 1 of such title are repealed.

SEC. 349. ELIMINATION OF PENALTY FOR NONCOMPLIANCE FOR MOTORCYCLE HELMETS.

Subsection (h) of section 153 of title 23, United States Code, is amended by striking ''a law described in subsection (a)(1) and'' each place it appears.

SEC. 350. SAFETY REST AREAS.

Section 120(c) of title 23, United States Code, is amended by inserting ''safety rest areas,'' after ''signalization,''.

SEC. 351. EXEMPTIONS FROM REQUIREMENTS RELATING TO COMMERCIAL MOTOR VEHICLES AND THEIR OPERATORS.

(a) EXEMPTIONS.—

(1) TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.—Regulations prescribed by the Secretary under sections 31136 and 31502 of title 49, United States Code, regarding maximum driving and on-duty time for drivers used by motor carriers shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes in a State if such transportation is limited to an area within a 50 air mile radius from the source of the commodities or the distribution point for the farm supplies and is during the planting and harvesting seasons within such State, as determined by the State.

(2) TRANSPORTATION AND OPERATION OF GROUND WATER WELL DRILLING RIGS.—Such regulations shall, in the case of a driver of a commercial motor vehicle who is used primarily in the transportation and operation of a ground water well drilling rig, permit any period of 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

(3) TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.—Such regulations shall, in the case of a driver of a commercial motor vehicle who is used primarily in the transportation of construction materials and equipment, permit any period of 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

(4) SNOW AND ICE REMOVAL.—A State may waive the requirements of chapter 313 of title 49, United States Code, with respect to a vehicle that is being operated within the boundaries of an eligible unit of local government by an employee of such unit for the purpose of removing snow or ice from a roadway by plowing, sanding, or salting. Such waiver authority shall only apply in a case where the employee is needed to operate the vehicle because the employee of the eligible unit of local government who ordinarily operates the vehicle and who has a commercial drivers license is unable to operate the vehicle or is in need of additional assistance due to a snow emergency.

(b) EFFECTIVE DATE.—The provisions of subsection (a) shall take effect 180 days after the date of the enactment of this Act.

(c) REVIEW BY THE SECRETARY.—The Secretary may conduct a rulemaking proceeding to determine whether granting any exemption provided by subsection (a) is not in the public interest and would have a significant adverse impact on the safety of commercial motor vehicles. If, at any time, the Secretary determines that granting such exemption would not be in the public interest and would have a significant adverse impact on the safety of commercial motor vehicles, then the Secretary may prevent the exemption from going into effect, modify the exemption, or revoke the exemption.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) 8 CONSECUTIVE DAYS.—The term ''8 consecutive days'' means the period of 8 consecutive days beginning on any day at the time designated by the motor carrier for a 24-hour period.

(2) 24-HOUR PERIOD.—The term ''24-hour period'' means any 24-consecutive hour period beginning at the time designated by the motor carrier for the terminal from which the driver is normally dispatched.

(3) GROUND WATER WELL DRILLING RIG.—The term ''ground water well drilling rig'' means any vehicle, machine, tractor, trailer, semitrailer, or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport water well field operating equipment, including water well drilling and pump service rigs equipped to access ground water.

(4) TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.—The term ''transportation of construction materials and equipment'' means the transportation of construction materials, construction finished related products, construction personnel, and construction equipment by a driver within a 50 air mile radius of the normal work reporting location of the driver.

(5) ELIGIBLE UNIT OF LOCAL GOVERNMENT.—The term ''eligible unit of local government'' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law which has a total population of 3,000 individuals or less.

SEC. 352. TRAFFIC CONTROL SIGNS.

Traffic control signs erected under the experimental project conducted in the State of Oregon in December 1991 shall be deemed to comply with the requirements of section 2B–4 of the Manual on Uniform Traffic Control Devices of the Department of Transportation.

SEC. 353. BRIGHTMAN STREET BRIDGE, FALL RIVER HARBOR, MASSACHUSETTS.

Notwithstanding any other provision of law, the Brightman Street Bridge in Fall River Harbor, Massachusetts, may be reconstructed to result in a clear channel width of less than 300 feet.

The CHAIRMAN. Are there any amendments to title III?

AMENDMENT OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment, No. 27.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 27 offered by Mr. RAHALL: Strike section 348.

The CHAIRMAN. Pursuant to the unanimous-consent agreement, the gentleman from West Virginia [Mr. RAHALL] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. RAHALL].

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

Mr. Chairman, the bill before us contains a provision that would simply repeal the national speed limit. Plain and simple, it repeals the national speed limit.

Under this provision, then, the States could set no speed limit whatsoever. No speed limit whatsoever. Or

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they could establish a speed limit of 100 miles per hour or whatever.

Despite the fact that proponents of eliminating the national speed limit often couch their proposal in terms of this being a matter of States' rights, the bottom line, in my view, is that it is a matter of saving lives; and that, my colleagues, should take precedence over any of these idealistic assumptions over the role of State and Federal Governments. For let there be no doubt in anyone's mind, the effort to repeal the national speed limit represents nothing other than an attempt to increase speed limits.

Today, Mr. Chairman, 1,000 people are slaughtered each month on our Nation's highways in speed-related crashes, That is 12,000 deaths each year due to traveling at high speeds. This, I say to my colleagues, is under the existing 55 mile per hour national speed limit with 65 possible on rural interstate segments.

It should be obvious that the death toll will rise once the States begin increasing the maximum speed limit under the provision of this bill.

The enactment of the bill's repeal provision would, in effect, turn our Nation's highways into killing fields. It will turn our highways into killing fields.

I say to my colleagues, this is not a matter of State rights. It is a matter of human rights. The Federal Government paid 90 percent of the cost of constructing the Interstate System, and it still pays that amount to maintain it. There is, as such, a justifiable Federal role in ensuring the safety of those traveling on this system.

In addition, the interstates are just that, they are interstates. They are not intrastates. Cars traveling to the borders of States do not bounce around and go back and stay within that State. They travel across State lines.

We are talking about a Federal responsibility here. People traveling across State lines should not be subject to the dictates of any individual State.

So, again, I hardly see where a matter involving interstate transportation can be viewed as an intrusion of States rights; and I would urge that this type of rhetoric that we will hear during debate on this amendment be dismissed outright.

For these reasons, the amendment I am offering would strike the proposed repeal of the national speed limit; and it would maintain existing law.

I might add as well, Mr. Chairman, that Members have before them a letter from our Secretary, very fine Secretary of Transportation, Mr. Pena, stating the administration's opposition to removal of the national speed limit.

I say in addition to that fact we have in this Chamber today the administrator of our Federal Highway Administration, Mr. Rodney Slater, who has been very helpful to us in this legislation and will continue to be as we go on down the process. And he, as well, has expressed his very strong concerns about the removal of the national speed limit.

I would urge acceptance of this amendment, which returns to the law as we know it today, a law that has saved lives.

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

Mr. Chairman, I must oppose this amendment which would strike from H.R. 2274 the repeal of the national maximum speed limit and associated penalties.

We have already seen what happens when motorists believe that a particular speed limit is too low for the conditions of a road—they exceed the limit. How many Americans drive faster than 55 miles per hour? The recent increase to 65 miles per hour on some of our rural interstates simply made legal the status quo—we already were driving 65.

Let me be clear that if we remove the national maximum speed limit, we will not find ourselves with no speed limits on any roads as you might think from listening to some. The States will step in and take up this responsibility which is the way it should be. A one-size-fits-all approach has proven to be very frustrating from many States and motorists. What is an appropriate speed for the urban Northeast may not be appropriate for certain areas in Montana, or Texas, or other more desolate regions in the country.

I cannot understand why some seem to believe that only Washington is capable of setting speed limits. Do we really believe that States are not capable of doing this, that the States do not care just as much, if not more, for the safety and well-being of motorists in their States?

By repealing the national maximum speed limit, we will once again allow the States, based on their own intimate knowledge of particular road designs, conditions, location, and other relevant factors, to determine the appropriate speed limit for each of their roads.

I believe the States are capable of this, that they are concerned about the safety of their citizens and that they will act responsibly and in the best interests of motorists.

I urge the House to defeat this amendment.

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

I have noted the ranking minority member's opposition to this amendment, Mr. Chairman, but I know that we had this issue debated in full committee, and we had, as I am sure we do on the floor, the very strong support for this amendment and vehement opposition to lifting the speed limit from the chairman of the full committee, the gentleman from Pennsylvania [Mr. SHUSTER], and I know he will make his position known before the day is over.

Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA], the ranking minority member.

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

Mr. MINETA. Mr. Chairman, I rise in strong support of the Rahall amendment. Quite simply, this amendment is a lifesaver. And, it is critical to controlling taxes and government spending.

My colleagues opposing this amendment will tell you that repealing the national speed limit does not actually raise a single speed limit. In fact, at least five States already have laws that immediately increase their speed limits, if we repeal the national limit. These very same States already have some of the highest rates of speed-related deaths in the country.

For example, Oklahoma's speed limit will increase to 70 miles per hour on interstates and 65 on secondary roads. Oklahoma already has the highest percentage of speed-related deaths in the country, 48 percent of all highway deaths, with current maximums in place. Imagine what the percentage will be with a 70-mile-per-hour limit. In California, my own home State, where legislators are already talking about speed limits up to 70 miles per hour, 40 percent of all highway deaths are speed-related.

Also, we can look at the situation before Congress enacted the national maximum speed limit. Only one State, New York, had a 55 mile per hour speed limit. Most States had limits of 70 miles per hour or greater. Two States, Montana and Nevada, had no limit whatsoever. And, we had over 54,000 highway deaths.

When the national limit took effect, highway deaths dropped by over 9,000, the very first year, 16 percent compared to a 2 percent drop in vehicle miles traveled.

My colleagues will argue that cars are safer today and therefore, higher speeds are safer than they used to be. That may be true, but no car has yet been built that will fully protect the occupants. Higher speeds increase the likelihood of a crash. Stopping distances are longer, and impact speeds are greater. When speed limits increased on some rural interstates after the 1987 change, hundreds more fatalities occurred, causing nearly $1 billion in additional costs.

Moreover, as speed increases, the impact force increases exponentially, increasing the likelihood of serious injury. This relationship holds no matter what safety equipment is on the car. It is a fundamental law of physics that this Congress cannot repeal. The National Highway Traffic Safety Administration estimates that raising the speed limit just to 65 miles per hour on all roads will lead to more than 6,400 additional deaths and nearly $20 billion higher total costs, every year. That is with the safety equipment on today's cars. This bill will result in far more deaths and far greater costs, because it would allow speed limits of far more than 65 miles per hour.

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My colleagues opposing this amendment will argue that this issue is not about death and injury. They say that States and local governments can understand the body counts, just as well as Federal elected officials. They present this as simply a states' rights issue.

But the truth is that the results of repealing all Federal speed limits are not confined within the boundaries of the States that raise their speed limits. These results are not confined to the individuals who drive higher speeds. We all pay. The current number of speed-related crashes already costs $24 billion, every year. We pay through higher taxes to fund Medicare and Medicaid for those who need long-term care due to severe injuries. We pay through higher prices for goods and services, because employers pay for sick leave for their employees and lost productivity.

Our actions are not self-contained. We are members of communities, in which individual actions impose costs and burdens on others. This amendment will impose substantial new burdens on taxpayers—its that simple. When one State raises its speed limits, taxpayers in all States will pay the costs.

The original purpose of today's bill is to designate the National Highway System, roads of national significance. No one is questioning this concept, roads of national significance. No one here is arguing that the Federal Government should stop funding highway programs.

To then argue that there is no national interest in the safety of these very same roads makes no sense. Therefore, I must strongly urge my colleagues to support the Rahall amendment.

Mr. RAHALL. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. OBERSTAR].

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

Mr. Chairman, this is one of the most important amendments we are going to consider on this National Highway System legislation. In this amendment we are dealing with the lives, livelihoods, and family life of drivers on America's highways. Those who are involved in accidents such as the driver of the car that caused the accident or the driver or passenger in another vehicle that was struck by the errant driver suffer long-term consequences, loss of mobility, loss of income, high cost of hospitalization, and, of course the ultimate tragedy, loss of life.

Several years ago when we first considered in this Chamber during my service in the Congress legislation to extend the drive 55 highway speed limit, I happened to be out in the southern part of my district meeting with Minnesota Highway Patrol officers. One of them had just come back from a tragic accident, a high speed accident on the highway. I said: ''the day after tomorrow we are going to consider the matter of limiting speed on America's highways and keepin the drive 55 limit in place.''

This officer looked me square in the eye with the burden of that tragedy still in his mind and blood on his uniform, and he said,

> It is at speeds of 75 and 80 and 85 when we see the torn aortas, and you cannot put them back together again, when the victim is lying there bleeding uncontrollably in a tangled mass of steel and you cannot cut him out soon enough to save the life. And if you allow at the national level the States to raise the speed limits, they will, and we will, out on the highway, be seeing more deaths and more tragedies and more broken families and more broken lives.

Our former chairman, the late Jim Howard, in the debate in committee and on the House floor, said there are few occasions in your career in public service when you have an opportunity to save 5,000 lives a year. This is one of those opportunities. We can save a minimum of 5,000 lives by keeping the highway speed limit in place.

I know that the thrust and the drive in this 104th Congress is to give States more responsibility, turn these authorities over to them, and that Congress should not set national standards, limits, requirements. But we, too, are responsible at the national level for what happens on America's highways. We, too, pass legislation. We impose the fuel tax, we set the conditions under which our National Highway System is constructed and operated, and we have a responsibility to the same people in our respective States that our Governors and State legislators have.

My vote in this Chamber is not relevant just to Minnesota; it is relevant to the whole country, as is the vote of every other Member in this Chamber. I have a responsibility to safety on the highways in every State, not just in Minnesota. At the dawn of the interstate era, when the Congress was considering establishing the national system of interstate and defense highways, the death toll on America's highways was going up at such a rate that it was estimated, if we did not build such a system of safe highways, in 15 years we would be killing 108,000 people a year on the Nation's highways. That was in 1956. The death toll went up to as high as 57,000 on the Nation's highways, until the energy crisis caused us, for reasons of energy conservation, to lower the speed limit to 55. Then we found the hidden benefit, that lowering the speed limit, as everybody knew and suspected but did not have the public courage to act upon, would save lives. And it did. Dramatically, the speed limit caused a lowering of the death rate.

As chair of the Subcommittee on Oversight and Investigations, I held hearings on highway safety, on roadside hazards that are built into the highway system that cause deaths when a person loses control of a car. We have made a great deal of progress in removing roadside hazards, in building safer highways, hazards that may occur when a person falls asleep at the wheel, or is otherwise distracted, caught in a snowstorm or rainstorm, and leaves the traveled roadway, that may cause injury or death. Instead of being impaled on a light pole, we have breakaway light poles. Instead of crashing into a metal barrier that decapitates the driver of the car, we now have the New Jersey barrier that guides the vehicle back on to the roadway.

We have about reached the limit of what we can do in building safer highways, safer bridges, educating the driving public to drive more safely. There are just some things that must be imposed upon people, and a speed limit is one of them.

Now, I have heard the discussion earlier today that well, you know, at 55, people are passing you, they are going 65, and all the 65 speed limit did was to ratify what people were doing on the highways. If you set it at 65, the highway patrol officers will tell you, people will drive another 10 miles an hour faster on the roadways.

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Just a couple of weeks ago, before we began this debate, I met with highway patrol officers in Minnesota. They told me the same thing as others did 15 years ago: ''If you raise the speed limit, people will again drive 10 or more miles per hour above it.'' Keeping the speed limit in place is a brake upon people's drive, ambition to go ever faster and risk their lives and those of other innocent people on America's roadways.

In the name of States rights, in the name of human rights, in the name of family rights, keep the speed limit in place.

Mr. PETRI. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. BREWSTER].

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

I rise today in opposition to the Rahall amendment. There are many statistics that we can look at. They tell us that approximately 30 percent of the fatalities are committed by those who are speeding. We will also be told that approximately 70 percent of the drivers on the road are speeding. If we use those numbers, it would mean the 30 percent who are not speeding are involved in 70 percent of the fatalities. We can use all kinds of numbers for all kinds of things.

The national speed limit was put in place in 1973 to conserve fuel. It had nothing to do with safety. Cars have been upgraded significantly since then, highways have been upgraded significantly since then. So I submit that the national speed limit is not something that is important today. What is important is States rights. What is important is that the States have the right to make the selection of the speeds appropriate to them.

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There is not a lot of commonality between the roads in New York and Texas, or New Jersey and Oklahoma. There is quite a lot of different in density, in topography, and the quality of the roads themselves. That is quite different.

However, we are not raising the speed limit today. There is nothing in this bill that raises the speed limit. What we are saying is we are giving the States the opportunity to determine for themselves what is in their best interests in their States. I happen to believe that those in the Oklahoma legislature or the Texas legislature or the Nevada legislature, and their State department of transportation, have a better understanding of their roads than some bureaucrat in Washington.

Those of us who vote for the Rahall amendment today, who vote to keep a national speed limit, are saying that our State legislatures, our State departments of transportation, do not have the sense or the ability to determine what is in their best interests. I happen to believe they do have. I believe that they have every bit of interest in safety that we have, and I believe that they can do it.

I urge Members to oppose the Rahall amendment.

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

In response to my dear friend and fine colleague, the gentleman from Oklahoma, this particular Member does not mean to cast any aspersions on our State legislatures whatsoever. I did not have the honor of serving in such a body, but I know that they have the best interests of their States at heart, that they serve with a maximum amount of ability and talent to make the right decisions.

However, what we are doing here today, if we remove a national speed limit, is allowing in some States, without any decision of their State legislators, for that speed limit in that State to automatically increase, or not even exist, not even have a speed limit. So, in effect, without any decision of the State legislature or reconvening of that State legislature, we have no speed limit then in those States. Montana and Nevada, for example, had no speed limit prior to enactment of the national 55 miles per hour speed limit.

Granted, the original purpose for the enactment of this speed limit was the oil embargo in the mid-1970's, the desire to conserve fuel. That turned out to be an empty threat. Today, we are importing more oil than we were at that time, yet we have no threat of an oil embargo. And even if we were, I submit, it would be another empty threat.

If that is what it takes to save American lives, then I say let all of these empty oil threats come from whatever country wants to issue them against the United States. If that causes the U.S. Congress to save American lives, I submit that we ought to maintain this 55 miles per hour speed limit.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. BORSKI].

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

Mr. BORSKI. Mr. Chairman, I thank the gentleman from West Virginia for yielding me this time.

Mr. Chairman, I support the amendment offered by the gentleman from West Virginia which will save lives and prevent thousands of needless deaths on our Nation's highways.

The issue before us is not whether speed limits save lives—there is no question that they do. We have 20 years of evidence to show that—from speed limit laws that were passed to save energy, not to save lives.

The issue is whether we are willing to take the actions that will save lives—thousands of lives.

According to the National Academy of Sciences, the national speed limit law saves 2,000 to 4,000 lives each year.

Is saving 5 or 10 minutes on a trip worth an extra 2,000 to 4,000 lives every year along with countless injuries?

How many lives and injuries is it worth to save those extra few minutes on the road?

Based on the National Academy of Sciences study, the national maximum speed limit law has saved 40,000 to 80,000 lives in the past two decades.

Eighty thousand people is a lot of people—it is almost like wiping out the entire population of our State capital of Harrisburg.

There are very few other areas where we can look at laws and say they have direct impact on whether people live or die—but the national speed limit is one of them.

If we decide to eliminate the speed limit laws, we will be choosing death for thousands of our citizens every year.

When speeds increase, people have less control of their cars and crashes are more damaging.

There is a much greater chance of an accident resulting in death or serious injury at 65 than at 55. There is an even greater chance of death or serious injury at 75.

There should be no question that speeds will increase if the speed limit is increased. There are people who will always drive at 10 miles per hour more than the speed limit, no matter what the limit is.

There are also people who won't increase their speeds—increasing the differences in the rates of speed on the road and leading to even more accidents.

Mr. Chairman, the speed limit was not intended to be a safety measure but, through a combination of circumstances we stumbled on a measure that has been extremely effective in saving lives.

It would be a tragic mistake to repeal that life-saving measure now and set in motion a process that could result in thousands more Americans dying every year.

I urge support of the amendment by the gentleman from West Virginia.

Mr. PETRI. Mr. Chairman, I yield 3 minutes to my distinguished colleague, the gentleman from Madison, WI [Mr. KLUG].

Mr. KLUG. Mr. Chairman, I thank my colleague, the gentleman from Wisconsin, for yielding time to me.

Mr. Chairman, last Saturday I took my 6-year-old to a soccer game at Madison, pulled off the road on which we live to get onto the Beltway that surrounds the city of Madison, and was struck by three facts. First of all, the speed limits on the highway I had just driven onto were set by the Federal Government. If I was speeding on that highway, it would be the State of Wisconsin who would pull me over, and if I had to go to court to fight a ticket I would end up in a State of Wisconsin court. But here it is, the Federal Government telling the State of Wisconsin what the speed limit has to be outside of Madison, WI.

If Brett and I had been on a motorcycle instead of a car, we would have soon discovered that in the next couple of months, the State of Wisconsin would have had to pass a law to throw out a motorcycle education program we have had in place and put it with a motorcycle helmet law about to come down from the Federal Government; except if we prevail today, we will stop that, too.

Wisconsin used to have a motorcycle helmet law in place. We took it away and repealed it with an education program, and we now have fewer serious accidents, fewer serious accidents, and we have fewer fatalities than States that have helmet laws in place. However, here is Washington, telling us the speed limit and discussing helmet laws.

As I drove onto that highway, there was a sign that said how far it was from Madison to Milwaukee. It is about 72 miles. But there was a mandate from the Federal Government last year that said every county had to replace those mile signs with metric measurements. This is 500 yards down the road, and the Federal Government is telling me everything I can do along the way.

I think the provisions in this bill which repeal the speed limit and which repeal the mandates from Washington on the helmet laws are absolutely right on target. In fact, from my mind, it does not go quite far enough. I have 40,000 students at the University of Wisconsin in Madison. We, the Federal Government, tell the State what the drinking age has to be. I think you do to a 19-year-old who drinks and drives, what you do to a 39-year-old who drinks and drive, you take their license away. If it is necessary, you prosecute them and put them in jail. So we have done the right thing, we have gone two-thirds of the way, and we should go one step a little bit farther, an also give States the discretion to make decisions about drinking ages as well.

I just walked over from a Committee on Commerce hearing where we are

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about to give the States the authority to run Medicaid programs. I think that is absolutely appropriate. It should be a State decision. The Senate moved yesterday to turn many of the decisions involved in welfare reform over to the States.

If we are smart enough to run Medicaid, which is the biggest item in a State Budget, and if the State governments are smart enough to run welfare reform, I think somehow the State capitol in Madison and capitols across this country have the judgment to make their own decision about speed limits in their own States.

Mr. PETRI. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman, from Texas, Mr. PETE GEREN.

Mr. PETE GEREN of Texas. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong opposition to this amendment. The question I have is what makes anyone think that someone in Washington, DC, knows better as to how fast you should drive between Fort Worth, TX, and Abilene, TX, than does the State senator or State representative from Abilene? The only two reasons that would justify such a conclusion is that the person in Washington, DC, known more about that stretch of road than does that State representative, or perhaps that the person in Washington cares more about the lives of Texans than does that State representative from Texas.

Mr. Chairman, I content that neither is true. I know Texans know Texas roads better than does any resident of Washington, DC. I know Texans care as much about the health and safety of their fellow Texans as does anyone in Washington DC. After all, when they cast a vote in Austin, TX, they are voting for the safety of their own children and their friends' children. It is not some bureaucrat in Washington, DC, making a decision about strangers 2,000 miles away.

With all due respect to those who support this amendment, roads in the hills of West Virginia or New York or Pennsylvania do not look like roads in west Texas. Those from the Northeast do not know what flat is, I can assure you. If it is safe to drive 55 anywhere in West Virginia, I can assure the Members, it is equally safe to drive faster than that in west Texas.

Mr. Chairman, let the experts make this decision, the experts in Texas, the experts in West Virginia, the experts in California, the experts in Montana, the experts in Minnesota. This is a very diverse country. Let us look to the wisdom of the people who live on those roads, who drive those roads, to make those decisions. Washington does not know best. The people in Texas know better than does the Federal Government about our roads, and I can assure you they care just as much as any employee in the Federal Government who has been in power to make this decision.

Mr. Chairman, I urge the defeat of the Rahall amendment.

Mr. PETRI. Mr. Chairman, I yield 3 minutes and 30 seconds to my colleague, the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I thank my friend for yielding me this time.

Mr. Chairman, I want to compliment the gentleman from Wisconsin [Mr. PETRI] for the great job he is doing on his subcommittee. I think it is about time that we had that kind of common sense restored to Government.

I also want to tip my hat to the gentleman from California [Mr. MINETA] who is leaving the Congress, for the great job he is doing, and the gentleman from West Virginia [Mr. RAHALL] and the gentleman from Minnesota [Mr. OBERSTAR] and the entire committee.

Mr. Chairman, I strongly support the bill before us today, not this particular amendment, but certainly the bill. Most important, of course, this bill designates our National Highway System. This includes roads in northeast Wisconsin, like Highway Nos. 29, 41, and 441. These roads are the lifeline that connect us to the world, that move our goods and bring our tourists and support our businesses. However, it also restores nearly $1 billion in transportation money to the States.

My own State of Wisconsin, for example, will have nearly $200 million restored to the Wisconsin transportation budget, another $80 million in additional highway funds for Wisconsin will be released by the passage of this bill, and it gives the States new flexibility in how they use their highway funds. For that, we thank the good common sense and the great intelligence of the gentleman from Wisconsin [Mr. PETRI]. We need this money, and we need this flexibility.

Finally, this bill will eliminate the heavy burdens the Federal Government has imposed on the States over the years. It is time the Government, including the bureaucrats who are determined to run our lives, listen to the American people. Let us face it, it is simply a waste of time and money to require the States to convert their highway signs to the metric system. The Government has been trying to force the metric system down the throats of the American people since the Carter administration. It is time to wake up. The American people do not want it. Whenever I go back home, whenever you go back home to your town hall meetings, this issue comes up. Now we have a chance to address the wishes of the American people. That is why I am so much in favor of this legislation.

Furthermore, while I certainly believe that we must do all we can to promote safety, it is wrong for the Federal Government to hold the States hostage. It is time to remove Federal mandates the punish States that do not pass the kind of laws Big Brother Washington thinks that we should have. That is why I urge Members to support this bill, and oppose the amendments that would limit the authority of the States to make commonsense decisions for themselves.

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Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. I thank the gentleman for yielding me the time.

Mr. Chairman, our earlier speaker, the gentleman from Wisconsin, said he was struck by three facts. Pulling off the road thinking about highways in Wisconsin, he was just lucky not to be struck by three cars going at a high speed. He would have wound up in a hospital.

My good friend from Texas said we do not want speed limits set by some bureaucrat in Washington. I appeal to the gentleman, I am not some bureaucrat in Washington. I am not some bureaucrat in Washington. I protest. And I do not propose to speak for the people of Texas or to say that I know better about their road segments than they do.

But Interstate 35 either starts in Duluth or ends in Laredo, TX, or vice versa, and goes right through the gentleman's district. People in my State and district have a right to be protected against excessive speed on Federal aid highways in other States. We have something to say about how people drive on those roads. Make no mistake about it; this issue is not about whether we are going to drive faster or slower or whether States should have responsibility. This issue is about giving the States the right to increase speed limits. Opponents of national speed limits do not want these speed limits removed so people can drive slower.

States want, and people in States around the country, some people, not all of them, for goodness sakes not all of them, want to drive faster. It is a fact of life that we drive faster. We kill people.

We have just this summer been celebrating the end of World War II; 440,000-plus Americans were killed in action. Every decade we kill more people on America's highways than we did in World War II. That ought to stick with us. There is a war on America's highways and we have an opportunity to put a limit on it and say we shall not drive faster than this. Why can we not do that? We must do it.

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

Mr. Chairman, let me state my very strong support for this amendment, obviously, but also the support of some 52 organizations that have written this body opposing the repeal of the national maximum speed limit. Among this very diverse group are the Advocates for Highway and Auto Safety, Alliance of American Insurers, American College of Emergency Physicians, American Insurance Association, American Nurses Association, American Red Cross, Consumer Federation

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of America, the Heads Up Injury Prevention Program, numerous insurance companies, Mothers Against Drunk Driving, Public Citizen, State Farm Insurance Companies, among many others, have written us in strong support of maintaining the 55-mile-per-hour speed limit.

In addition, we have a letter written to the ranking minority member of our committee from the American Trucking Associations' Mr. Tom Donahue, its president and CEO, maintaining their support, the American Trucking Associations' support for supporting the 55-mile-per-hour speed limit. Not only is it fuel conservation and less wear and tear on their equipment, but the most important reason the ATA states in their letter for supporting the 55-mile-per-hour national speed limit is that they are convinced it saves lives. This is from the ATA.

In conclusion, Mr. Chairman, I do urge support of this amendment. I may have been born at night, but I was not born last night; and I recognize where the votes lie on this issue. I say to those Members that are concerned about State flexibility, as we have heard during this debate, that, if you find in your heart and in your conscience your inability to support this particular amendment, I do have a followup amendment which will set a 65-mile-per-hour speed limit cap and allow all the State flexibility in the world under that cap as a followup compromise measure. I would certainly expect those concerned about States rights to support that particular amendment.

With that, I do urge adoption of this particular amendment in the name of saving lives.

Mrs. VUCANOVICH. Mr. Chairman, I rise in strong opposition to the Rahall amendment and in support of the national speed limit repeal as contained in the National Highway System bill.

For too long, Mr. Chairman, the Federal Government has maintained its heavy hand over our States in setting the Nation's speed limit and I can tell you as a westerner, with vast amounts of territory to drive through, the 55-mile-per-hour speed limit has always been viewed as ludicrous and mostly ignored. There is no question that in the early 1970's, during the Arab oil embargo, we all had to pull together and work to conserve our energy resources. The national speed limit was invoked as a temporary measure for the duration of that crisis.

Unfortunately, in Washington's typical way, someone got the idea that it would be best to take the one-size fits all approach and make 55 the law of the land. I can tell you that since that time, Nevadan's have been adamantly opposed to a national speed limit and I have worked to give the responsibility of setting speed limits back to the States, where it belongs.

In 1987, I was proud to be a part of the effort that brought a little more common sense into this process by working to enact legislation that allowed the speed limit to be raised on our rural interstate highways to 65 miles per hour. It was a step in the right direction, but we need to take that final step and just plain get the Government out of this business. As with so many other issues best handled at the State level, it is Nevadans who know best what roads should be traveled at 35, or those that might be traveled at 65. Lets finish the job today!

The right of the State to handle such matters is fundamental, and I strongly endorse the actions taken by the committee to eliminate the national speed limit. I urge my colleagues to vote against the Rahall amendment.

Ms. BROWN of Florida. Mr. Chairman, I rise in support of Congressman RAHALL's amendment to retain our current speed limits. According to the National Academy of Sciences, the national speed limit law saves 2,000 to 4,000 lives each year.

Repeal of the national maximum speed limit is part of a larger effort by the majority to roll back the power and reach of the Federal Government in matters where States rights and individual choice are at issue. However, I don't believe the American people want their lawmakers to decrease public safety in the name of regulatory reform or under the banner of States rights. That is too high a price to pay.

Repeal of the national speed limit law endangers the safety of all Americans. Some State officials have already indicated their intent to immediately move to repeal safety laws if the Federal programs are eliminated. In several States, speed limits automatically go above 65 mph if the national maximum speed limit is repealed. If the national speed limit is repealed and we return to pre-1974 conditions, the Federal Transportation Department estimates we will be faced with an additional 4,750 highway deaths each year, at a cost of $15 billion.

Who pays the price, if the speed limit is repealed?

Taxpayers ultimately bear the cost for emergency medical and police response, medical treatment, days or years of lost productivity, disability compensation for the motor vehicle crashes that will result from higher speed limits.

We know that speed is a factor in nearly one-third of all traffic fatalities and that motor vehicle crashes already cost society more than $137 billion every year. The health care portion is approximately $14 billion—of which Medicare and Medicaid pay $3.7 billion or almost 30 percent.

I strongly believe that a Federal role encouraging safety is very necessary. If you share my concerns and want to save lives as well as taxpayer dollars, vote for the Rahall amendment.

Mr. ROBERTS. Mr. Chairman, I rise today in opposition to the Rahall amendment that would kill the effort to repeal the national speed limit.

I oppose this amendment on two fronts. First, reasons for the original speed limit are no longer valid. In 1973, because of the OPEC oil embargo, the Federal Government mandated that States lower speed limits to conserve oil. This original directive was in the interest of national security. The oil crisis has eased, automobiles are safer, and get far better mileage. In short, there is little reason to keep the mandate in place.

Second, and more importantly, the 55 m.p.h. speed limit is disregarded by an average of 7 out of 10 drivers. It is a law that breeds contempt of the law and the men and women who must enforce the unenforceable. Highway patrolmen are a limited resource. If more officers are required to enforce speed limits, fewer can be assigned to other safety activities, such as removing drunk drivers or stopping drug trafficking. Numerous studies have shown that raising the speed limit to 65 m.p.h. does not increase the overall speed on interstates.

The truth remains this—repeal is not a move by the Federal Government to raise speed limits, it simply gives States, which are in the best position to set speeds, the power to do so. Furthermore, interstates and Federal roads were built with taxpayers' money. This Congress should have gotten the message last November. The Federal Government doesn't have any money—it takes it from our citizens in the form of taxes.

I urge colleagues to oppose the Rahall amendment and support speed limit repeal.

Mr. RAHALL. Mr. Chairman, I yield back the balance of my time.

Mr. PETRI. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. RAHALL].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTES

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 112, noes 313, not voting 9, as follows:

[Roll No. 676]

AYES—112

Abercrombie
Becerra
Beilenson
Boehlert
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Clayton
Clinger
Clyburn
Collins (IL)
Conyers
Coyne
DeLauro
Dellums
Dicks
Dingell
Dixon
Durbin
Ehlers
Engel
Eshoo
Evans
Farr
Fields (LA)
Foglietta
Ford
Fowler
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson-Lee
Jacobs
Johnston
Kennedy (RI)
Kennelly
Kildee
LaFalce
Lantos
LaTourette
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McDermott
McHale
McKinney
McNulty
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Molinari
Montgomery
Moran
Morella
Murtha
Nadler
Oberstar
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Rahall
Rangel
Reed
Roybal-Allard
Rush
Sabo
Scott
Serrano
Shuster
Slaughter
Spratt
Stark
Stokes
Studds
Thompson
Torres
Traficant
Velazquez
Vento
Visclosky
Waters
Waxman
Wise
Wolf
Woolsey
Wynn
Yates

NOES—313

Ackerman
Allard
Andrews
Archer
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (WI)

Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLay
Deutsch
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gillmor
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Mollohan
Moorhead
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Packard
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—9

Barrett (NE)
Fattah
Kennedy (MA)
Moakley
Parker
Reynolds
Roukema
Sisisky
Tucker

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Mr. DEFAZIO and Miss COLLINS of Michigan changed their vote from ''aye'' to ''no.''

Mr. MCDERMOTT, Mr. PAYNE of New Jersey, and Mrs. KENNELLY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. EWING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Wisconsin [Mr. PETRI], chairman of the Subcommittee on Surface Transportation.

Mr. Chairman, as the gentleman from Wisconsin [Mr. PETRI] is aware, I have been concerned that Illinois' ability to cap, by law, the amount available to cover salaries of engineering and design consultants could be vitiated by sections 308 and 321 of this legislation.

Mr. Chairman, I would like to ask the gentleman, our Subcommittee on Surface Transportation chairman, if it is the gentleman's intent that under the State options clause designated in section 308(e)(3) and section 321(a)(e) of H.R. 2274, State legislatures will have the authority to set, by law, direct and indirect salary caps for employees, principals, or subcontractors of engineering and design firms.

Mr. PETRI. Mr. Chairman, if the gentleman from Illinois will yield, the gentleman is correct. Under those two sections of H.R. 2274, State legislatures may set such salary caps within the 2-year time frame designated for exercising this option.

Mr. EWING. Mr. Chairman, reclaiming my time, it is my understanding that this 2-year time frame for the States to exercise their authority under the States option clause in H.R. 2274 is different from the time frame designated in the Senate bill. Will the gentleman from Wisconsin and the House conferees insist on the 2-year time frame contained in the House bill?

Mr. PETRI. Mr. Chairman, if the gentleman will again yield, it is my intent to support the 2-year time frame contained in H.R. 2274.

Mr. EWING. Mr. Chairman, reclaiming my time, I want to thank the gentleman from Wisconsin for this clarification, and I would be pleased to work with the gentleman on this matter in conference.

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Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with my good friend and distinguished leader, who has done a great job on this legislation, the gentleman from Pennsylvania [Mr. SHUSTER].

I would like to ask the chairman for a clarification of the intent of section 325 of this bill, relating to the Federal ban on new billboards on scenic byways. My concern is over the effect of this section on roadways previously designated by States as scenic byways and which pass through industrial or commercial areas.

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

Mr. WELDON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, this section the gentleman refers to reaffirms the ability of States to establish standards stricter than those in Federal law. A basic feature of the Highway Beautification Act is to permit States to allow billboards to remain in industrial and commercial areas, if States so choose. The decision rests with the State. Section 325 is intended simply to correct an erroneous FHWA interpretation of section 1047 of ISTEA and return that decision to the State.

Mr. WELDON of Pennsylvania. So if a State wants to designate a scenic byway and ban billboards even along those sections of the roadway passing through commercial or industrial areas, section 325 would not limit the State's ability to do that? Is that correct?

Mr. SHUSTER. That is absolutely correct. States would have the discretion as to whether or not to ban billboards in commercial and industrial areas.

Mr. WELDON of Pennsylvania. Where a State has previously designated a roadway as a scenic byway and has already exercised its discretion to ban billboards in commercial and industrial areas, as Pennsylvania has done in the case of the Blue Route, enactment of section 325 would not in any way disturb or invalidate the State's decision and no further action would be required by the State to maintain that ban?

Mr. SHUSTER. That is absolutely correct. Again, it is very important to emphasize that States have complete authority to enact stricter prohibitions on billboards than those in Federal law. The purpose of the technical amendment in section 325 is to ensure that the designation of a scenic byway does not, by itself, change billboard regulation in commercial and industrial areas. But a State may ban new billboards anywhere in the State if it chooses and section 325 in fact reaffirms the State's authority to do so.

Mr. WELDON of Pennsylvania. I thank the chairman for that clarification, for his interest, and I also want to acknowledge the work of our State senate majority leader, Joe Loper, the speaker of the State house, Nat Ryan, whose district this road goes through, as well as our colleagues from Montgomery County, the gentleman from Pennsylvania [Mr. FOX], and from

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Delaware County and Philadelphia, the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. LARGENT. Mr. Chairman, I move to strike the last word.

I would like to enter into a colloquy with the gentleman from Pennsylvania about an issue that is extremely important to my State of Oklahoma—the funding levels which donor States receive under the Intermodal Surface Transportation Efficiency Act of 1991.

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

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

Mr. SHUSTER. Mr. Chairman, I thank the gentleman. I can assure the gentleman that I am committed to carefully examining the concerns of donor States as we head toward reauthorization of ISTEA. I expect the Subcommittee on Surface Transportation to conduct comprehensive hearings in the next months, including formula distributions.

I would like to emphasize to the gentleman that this NHS bill contains critical changes to the Minimum Allocation Program which will preserve its funding levels in the baseline beyond fiscal year 1997. Unless these changes are adopted, then the funds which have been used to equalize funding between the States will be lost forever.

Mr. LARGENT. Mr. Chairman, I appreciate your consideration of the concerns of donor States such as Oklahoma. I look forward to working with you and Surface Transportation Subcommittee Chairman PETRI.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment, amendment No. 26.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 26 offered by Mr. RAHALL: Strike section 348 and insert in lieu thereof the following:

SEC. 348. NATIONAL MAXIMUM SPEED LIMIT.

Section 154(a) of title 23, United States Code, is amended—

(1) by striking ''fifty-five miles'' the first place it appears and all that follows through ''or (4)'' and inserting ''65 miles per hour, or (2)''; and

(2) by striking ''Clause (4)'' and inserting ''Clause (2)''.

Conform the table of contents of the bill accordingly.

The CHAIRMAN. Under the previous unanimous-consent agreement, the gentleman from West Virginia [Mr. RAHALL] will be recognized for 10 minutes and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 10 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. RAHALL].

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

Mr. Chairman, this follow-up amendment is the perfect compromise on this issue. I, of course, was in strong support of the original 55-miles-per-hour speed limit. This amendment seeks to address the concerns often stated on the last amendment and by many other Members about the issue, in their minds anyway, of States rights.

This amendment simply establishes a maximum speed limit of 65 miles per hour. Under current law, as we all know, the Federal speed limit is set at 55 miles per hour for urban sections of interstate highways, and at the option of the State, 65 miles per hour for rural segments of the interstates. For all other highways and roads, the Federal speed limit remains at 55.

Mr. Chairman, the amendment adopted by the Committee on Transportation and Infrastructure, on the other hand, would completely abolish the Federal speed limit.

Under this approach, a State could opt to set speed limits at any level, or for that matter, set no speed limit whatsoever.

In this regard, I would note that prior to the establishment of the Federal speed limit, two States did not have any speed limits whatsoever. This type of situation would once again arise and be allowable under the committee bill as it stands.

Now, we have heard a lot of discussion about State rights and the need for greater flexibility in setting speed limits. We also know, from statistical data, that speed kills. There should be no doubt about that. Speed kills.

In addition there are economic costs. The economic costs of speed-related deaths in this country are $24 billion each year. Mr. Chairman, that is $44,000 a minute, in the costs of speed-related crashes each year.

Even the opponents of the last amendment and supporters of repealing any type of speed limit have not suggested that there not be speed limits whatsoever, and as such, my amendment, I think, represents a perfect dovetailing of the opposition concerns that have thus far been expressed. It recognizes that there may be a need for additional flexibility in establishing maximum speed limits, and it recognizes there should be some type of limitation on this flexibility in the interests of safety.

In my amendment, the maximum speed limit that could be established by a State would be 65. Let me be clear: A State would not have to accept that speed limit; it would simply have the option to establish speed limits for any type of highway or road up to the maximum of 65.

I not only view this amendment as being a fair and reasonable compromise on the issue of speed limits, but one that, in fact, addresses the concerns of both the supporters of the repeal of the national speed limit and the opponents of that approach.

I urge adoption of my amendment.

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

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

Mr. Chairman, I must oppose this amendment offered by Mr. RAHALL. This House has voted to turn back to the States the responsibility for setting speed limits—including maximum speed limits. I do not believe we here in Washington should prejudge what is the appropriate speed in every area of the country. I have long heard the frustration of my colleagues from Texas, Oklahoma, Montana, and other areas where distances between destinations are very far and drivers on the roads are few.

While my own State of Wisconsin, perhaps, may not see a reason to increase speeds beyond 65, other States may make the determination that it is the proper action to take. In any event, what we are saying today is—it is up to the States.

So while I appreciate the sincere interest of my colleague on the Surface Transportation Subcommittee, I must urge the House to defeat this amendment.

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

Mr. RAHALL. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA], the ranking minority member.

Mr. MINETA. Mr. Chairman, I rise in support of the Rahall amendment.

I have made very clear my position on the national maximum speed limit. It should remain as it is today: 65 miles per hour on rural interstates and interstate equivalents, and 55 miles per hour on other, more congested and narrower, roads.

However, the bill before us repeals all Federal speed limits, allowing States to set the limit at 65, or 75, or 85, or even no limit at all. Before Congress enacted the national speed limit, 39 States had limits of 70 miles per hour or higher, and two had no limit at all. This bill now tells States that it is okay with us if a State says, ''Drive whatever speed you want, the sky's the limit!''

If this were a States rights issue, I would agree with my colleagues who oppose this amendment. But we cannot escape the fact that the impacts of raising the speed limits spill over into other States and into the pocketbooks of taxpayers across this country.

The amendment offered by the gentleman from West Virginia is certainly not my position on speed limits, but at least it would reflect the national interest and put some upper bound on what the speed limit could be.

That's certainly not enough, but it is a vast improvement over where we would otherwise be. The number of deaths, the number of serious injuries, and the burden on taxpayers will not go up as much as they would under the sky's-the-limit provision now in the bill.

On that basis, I urge support for the amendment.

Mr. RAHALL. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. OBERSTAR].

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

Again, opposition to a national speed limit is being couched in terms of let the States decide. The unspelled-out argument is let the States go as high as they want.

This is not a move to contain speed on America's highways. It is a move to allow the speed to rise, in some cases, to no limit. That is outrageous. This is a national highway system. The people that I represent in northern Minnesota have a right to be protected on highways they drive in other States, and when they drive on the highways of some other State, that they have a right to know that there is a reasonable limit on speed, that their life is not going to be endangered as they drive on America's highways in other parts of this country than the part that they come from.

We have a responsibility, as national legislators, to act. We have it within our reach today to put a limit on speed. That limit should be 55.

The House has spoken. It says, ''No, let people drive as fast as they want.'' Make no mistake, that is not a States' rights vote, the last vote cast. That was a move to raise speed limits all over America.

People want to drive furiously at the risk of their own and other people's lives. They should not be allowed to do so. Those who drive with reckless abandon should know that there are limits and that they will be penalized and that this is a national will and we ought to find the national will in this Chamber to do so and stand up and speak.

We all know speed kills. We all know what the dangers are. We all know what the costs are. We ought not to shrink from our responsibility and say leave it up to the States, because, you know the pressures there are going to be on a smaller legislative body, that can be cross-cut and cut many different ways and which will give in to the loudest voice.

I regret the last vote. I regret even more a ''no'' vote on this amendment that puts a reasonable upper limit, gives States flexibility to set their own speed limit at any point, less than 65, and we ought to vote in favor of the very reasonable amendment that the gentleman from West Virginia has set forth.

Enough is enough. Stop the carnage on America's highways. We can, with one vote, do so.

Mr. PETRI. Mr. Chairman, I yield 2 minutes to our colleague, the gentleman from California [Mr. CUNNINGHAM].

□ 1515

Mr. CUNNINGHAM. Mr. Chairman, I will not take 2 minutes. I understand with good intention what the gentleman from West Virginia [Mr. RAHALL] wants to do. I know in my State of California, if you are driving 55 miles an hour, you are in danger. You cannot pull out, you cannot do anything, because you have streaks of lightning going by you.

But I think what the amendment attempts, there are a could of issues. It is not just a States rights issue, but an issue of do we trust someone outside Washington, DC, to make the determination on what is right and proper for that particular district, or that particular State. I think we can trust local government and local people to take responsibility, and I think this bill says no, we do not trust them to do that. There is a big difference between San Diego, CA, and Maine, and a lot of country in-between, and each one has different rules, different rights, and I think that if we allow the States to make that determination, they will do it in a responsible way.

So even though there is good intention to the gentleman's amendment, I stand opposed to it, and I ask my colleagues to oppose it.

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

Mr. Chairman, in conclusion, let me again urge support of this compromise. The previous speaker spoke of if you are driving 55 miles per hour on California highways, people pass by you in a streak of lightning. Again, this is a limit of 65 miles per hour and it does allow States the flexibility within and underneath that cap to set speed limits in different parts of their States as they see fit.

Mr. Chairman, I would submit as well, because this is a safety issue, that what we are discussing here is the Federal Government's responsibility to impose proper safety standards upon all of the people in this country, and we have a responsibility not only in this area when it comes to auto driving, but also in other areas, whether it is mine safety, consumer-related health, FDA, whatever, we could go down the list, but where the Federal Government does have a proper role and responsibility. It cannot be left to the States.

Again, I am not casting aspersions upon our State legislatures, which I am sure will rise above local interest and make the common good decision. Nevertheless, we have that responsibility on the Federal level and we cannot allow States to get in a contest of trying to outdo the other State. Again, we get into each State trying to go maybe 5 miles per hour above its neighboring State. Where does it stop? The sky is the limit under the committee-reported bill. This sets a reasonable limit. I think we ought to adopt this 65 mile an hour cap in the name of saving lives, and it is responsible public policy in this country.

Mr. Chairman, I yield back the balance of my time.

Mr. PETRI. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. RAHALL].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 133, noes 291, not voting 10, as follows:

[Roll No. 677]

AYES—133

Abercrombie
Baldacci
Barrett (WI)
Becerra
Beilenson
Boehlert
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Clay
Clayton
Clinger
Clyburn
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Davis
DeLauro
Dellums
Dingell
Dixon
Dooley
Doyle
Durbin
Ehlers
Engel
Eshoo
Evans
Farr
Fazio
Foglietta
Ford
Fowler
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Goodling
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hilliard
Hinchey
Horn
Hoyer
Jackson-Lee
Jacobs
Johnson, E.B.
Johnston
Jones
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
LaTourette
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McKinney
McNulty
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Oberstar
Olver
Pallone
Parker
Payne (NJ)
Pelosi
Poshard
Rahall
Rangel
Reed
Roybal-Allard
Rush
Sabo
Sawyer
Scott
Serrano
Shuster
Slaughter
Spratt
Stark
Stokes
Studds
Thompson
Torres
Traficant
Velazquez
Vento
Visclosky
Waxman
Wise
Wolf
Woolsey
Yates

NOES—291

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bono
Boucher
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
DeLay
Deutsch
Diaz-Balart
Dickey
Doggett
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gonzalez
Goodlatte

Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, Sam
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Mica
Miller (FL)
Minge
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Owens
Oxley
Packard
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—10

Fattah
Istook
Kennedy (MA)
Moakley
Neal
Reynolds
Roukema
Sisisky
Stockman
Tucker

☐ 1537

Mr. HOBSON changed his vote from ''aye'' to ''no.''

Mrs. CLAYTON and Mr. MARTINEZ changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ISTOOK. Mr. Chairman, I was necessarily away from the Chamber during the last recorded vote. I believe the number was 677.

Had I been present, I ask the Journal to reflect I would have voted ''nay''.

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the last word.

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the chairman of the Transportation Committee on the Gowanus Expressway rehabilitation project.

Mr. Chairman, as you know, because of the long period of 7 to 10 years that it is estimated it will take to complete, and the devastating effect that this project will have on the surrounding communities—including an estimated loss of $200 million to the local economy, as well as increased pollution and safety problems—the issue of the Gowanus Expressway rehabilitation project is of great concern to me and many of my constituents.

The plan that the State has put forth on this matter falls far short of adequately addressing some very important issues. This has led to a bipartisan effort that has brought together community leaders, at all levels, in the hope of finding a sensible solution to this problem.

The rehabilitation of this highway will cost approximately $1 billion. That works out to nearly $300 million per mile, making this the costliest transportation project in New York State. Mr. Chairman, this single project will have an adverse effect on the quality of life of 300,000 New Yorkers—more than any other transportation project.

Other area highway projects, which affect far fewer New Yorkers, and cost far less money, have been subject to greater study. In this case, however, the State has done little in the way of examining measures that can reduce the harmful effects on the community or the options available to better address the transportation woes.

In the event that we are unable to resolve the problems which I have briefly outlined, it is my hope that as the House goes to conference on this bill, the chairman will be willing to leave the record open on this issue, so that it may be addressed in the final bill—either through a major investment study or through some other solution.

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

Ms. VELÁZQUEZ. I yield to the gentleman from Pennsylvania, the chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Chairman, I understand that the gentlewoman has been working with our colleague, the gentlewoman from New York [Ms. MOLINARI], on this issue. I would encourage the State and local communities to work to address the issues raised here today. As we move forward with this bill I certainly agree to work with both of you on finding an agreeable solution to this problem.

Ms. VELÁZQUEZ. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. SHUSTER] for his commitment to this important issue, and, before I yield to my colleague, the gentlewoman from New York [Ms. MOLINARI], a fellow New Yorker who has been instrumental on this matter, I would like to also thank the gentleman from New York [Mr. TOWNS] for his support and attention to this matter and the leadership that the gentleman from California [Mr. MINETA] has provided in addressing this problem. I say to the gentleman, ''Mr. MINETA, we are all going to miss you.''

Ms. MOLINARI. Mr. Chairman, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from New York.

Ms. MOLINARI. Mr. Chairman, I want to commend the gentlewoman from New York [Ms. VELÁZQUEZ] for bringing this issue to the attention of the House of Representatives. The Gowanus Expressway is a critical component of New York City's highway system. My constituents are very concerned about the time it will take to reconstruct this expressway as well as the major traffic implications which we New Yorkers will encounter for 10 years. It is my hope that we can work with the State to ensure that this project is done as quickly as possible with as little inconvenience as possible for thousands of New York drivers.

Let me also join in thanking the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from California [Mr. MINETA] for their willingness to work with the gentlewoman from New York [Ms. VELÁZQUEZ] and my office to address this issue, and again I commend the gentlewoman for bringing this issue to the forefront of the House of Representatives, and hopefully together, with cooperation from the States, we can utilize some of the resources of the Federal Government to spur this construction which we admit is badly needed but cannot go on for 10 to 15 years.

Ms. VELÁZQUEZ. Mr. Chairman, I thank the gentlewoman from New York [Ms. MOLINARI] for her remarks, and I look forward to our continued working together on this issue, and I also want to thank the gentleman from Pennsylvania [Mr. SHUSTER] for his support.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER: Page 90, line 17, strike ''for only those'' and all that follows through the period on line 18 and insert the following: ''in accordance with State law.''

Mr. NADLER. Mr. Chairman, I am seeking to change a section in this bill that amounts to an unfunded Federal mandate which singles out New York City from the rest of the country. Section 343 of the NHS bill requires New York's Tri-Borough Bridge and Tunnel Authority to collect tolls only in the westbound direction on the Verrazano-Narrows Bridge. This is the only provision of its kind in the United States. My amendment will restore local control over a fundamentally local issue; how New York should collect tolls on the Verrazano-Narrows Bridge. Should

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it be one-way westbound, one-way eastbound, or both ways? I do not think, with all due respect, that Congress and the President really have the expertise to know which is best for local traffic patterns. Let that be up to the government of New York City.

Currently, having a one way toll on the Verrazano-Narrows bridge creates a path into the central business district of Manhattan from Staten Island through Brooklyn across lower Manhattan out through the Holland Tunnel to New Jersey. This route is used by commuters and commercial vehicles to avoid paying any tolls whatsoever because the Holland Tunnel has a one-way toll in the other direction.

□ 1545

This loophole has cost our transportation agencies between $7 and $8.2 million annually.

Let me turn my attention for a moment from this legislative issue to one of funding. Does anyone here feel so strongly that they would be willing to make up these lost local dollars out of their State's portion of ISTEA funds?

We are not talking money being paid by constituents all over the country. We are talking about money being paid by New Yorkers to our local transportation agencies for local transportation purposes. By what right does Congress tell New York how to raise money locally for local purposes or how to direct traffic on local streets?

In addition to costing us local transportation funds, at a time when urbanized areas are being hard hit by transportation cuts, this unfunded mandate diverts vehicles into Brooklyn and lower Manhattan, thus greatly increasing air pollution which creates large pockets of carbon monoxide.

We cannot afford this kind of increased air pollution in New York City. We are already a nonattainment area under the Clean Air Act and will be hit with penalties by this Congress if we do not comply. But the same Congress will not let us take action to reduce congestion and clean up our problem.

Besides being a cause of increased pollution and being an inconvenience for local residents, this congestion is choking off maritime commerce from the Red Hook and South Brooklyn Marine Terminals in Brooklyn, as well as from numerous small commercial and light manufacturing businesses on the Brooklyn waterfront and in Sunset Park. We are losing jobs, and it will get worse.

A small minority in our city want to use the Federal Government to circumvent local government and the popular will of the majority in our city. Left alone, New Yorkers will do what is in our own best interest. I am convinced we will get rid of the one-way tolls.

Maybe I am wrong and the gentlewoman from Staten Island is correct and the local decision will be to leave the tolls the way they are. The gentlewoman from Staten Island will get up in a few minutes and argue that I am wrong and that the one-way tolls are correct for various local reasons.

The point is that decision, whether I am right or she is right on local traffic patterns and impacts in New York City, should not be for this body. We claim to be for States' rights. I know we are not consistent. Sometimes we are, and sometimes we are not. But this is ridiculous. Congress is going to tell New York City which direction a toll should be for all time in law on a local bridge. The decision belongs locally.

This unfunded mandate has caused the congestion in our streets, killed local businesses, and destroyed the quality of life in some of our communities; and unless we adopt this amendment and allow New Yorkers to decide what is best for our city, Congress will be allowing and mandating the continuing deterioration of these areas.

I urge my colleagues to support this amendment, not put one-way tolls on the Verrazano Bridge into Federal law. Let New Yorkers make the decision whether the Verrazano Bridge should have one-way tolls eastbound, westbound, no tolls, or tolls in both directions. That is a local decision. It should be kept local, and I urge the adoption of this amendment.

Mr. PETRI. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

The language in the bill before us provides a permanent authorization for the current tolling configuration for the Narrows Bridge in New York City. This is simply making permanent language approved by Congress every year since 1986 to provide for the one-way toll on the bridge to Staten Island.

Should we go back to collecting tolls in both directions, Staten Islanders will be subjected to increased levels of carbon monoxide and other hazardous air pollutants from idling cars in residential areas as well as increased congestion.

While I am certainly aware of the concerns of our colleague, Congressman NADLER, I also understand that this amendment will not solve his problem; and, therefore, I urge the House to defeat this amendment.

Ms. MOLINARI. Mr. Chairman, I move to strike the last word and rise in strong opposition to this amendment regarding the Verrazano-Narrows Bridge one-way toll. Let me remind all Members that we have already defeated this exact same amendment during the transportation appropriations bill earlier this year, and with good reason.

Since 1986, tolls have been collected on this bridge connecting a Federal interstate in the westbound direction only. That is 9 years in a row in which such an attempt to reverse the toll collection has been defeated by Congress.

Two, the current one-way toll situation has improved traffic flow, reduced pollution, and helped thousands of New York and New Jersey commuters get to work on time. That is one reason why Senator D'AMATO and Senator LAUTENBERG from New Jersey had championed this issue in the U.S. Senate.

Contrary to the arguments just made, the one-way toll is not responsible for Brooklyn nor Manhattan's growing traffic problems. Rather, it is perfectly obvious to anyone familiar with traffic in the area that the reconstruction of the Brooklyn-Queens and the Gowanus are responsible for the current traffic patterns.

Lastly, we talk about a loophole and a funding loss. I would like my colleagues from the other boroughs to explain to me how they would react if their constituents were told that there was no other alternative for them to commute to another borough in the same city without being charged a $7 toll. Neither of them would stand for that, and the only thing they would ask is for some relief.

Let me remind my colleagues that the $7 toll goes largely toward relieving the toll pressures felt on your subways, which I do not have on Staten Island. In the spirit of fairness, all we ask is that, while we pay exorbitant rates to get to your boroughs to subsidize your mass transit, that we be given a little bit more time to get to work in the morning. I think that is a pretty darned good deal. I think it is a rather extravagant deal.

I commend the committee for including the current one-way toll system and recognizing how critically important this is to the tens of thousands of New York and New Jersey commuters who use the Verrazano-Narrows Bridge.

Again I say to my colleagues, as I have said before, if the traffic bothers them so much, then let us all join together and do what is really fair and do away with the toll on the Verrazano-Narrows bridge all together. Then we could all go home and say we did the right thing for New Yorkers.

Mrs. MALONEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of my colleague's amendment.

The gentleman from New York and I represent several neighborhoods in lower Manhattan and Brooklyn that bear the brunt of the current wrong-headed toll policy on the Verrazano Bridge.

First of all, our colleagues from around the country should rightly ask why is Congress becoming involved in what is a local traffic dispute. That is a very good question, especially when we consider that year after year the mandate of the one-way toll from Brooklyn to Staten Island was put into place over the objections of our city and State governments and all but one of our city congressional representatives.

Here is why the one-way toll continues to be a terrible idea. First, it wastes money. Toll evaders are ducking out of $7 million in lost revenue. This funding could improve New York's roads so that fewer tax dollars are needed for these roads in New York.

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Second, it is an environmental disaster. The diverted traffic into my district has caused air pollution hot spots at which dangerous carbon monoxide exceed national standards. All this because residents of one particular section of our city and others from another State can save a few dollars a week by evading a toll.

The one-way toll over the Verrazano has caused a great deal of damage that can never be undone, but let us end this folly and pass the Nadler amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. NADLER].

The amendment was rejected.

The CHAIRMAN. Are there any further amendments to title III?

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer amendment No. 24.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. NADLER: Page 97, after line 12, add the following:

SEC. 354. EXTENSION OF DEADLINE FOR REPAYMENT OF FUNDS.

The Secretary shall extend by 2 years the deadline by which the State of New York is required under section 103(e)(7) of title 23, United States Code, to make a repayment to the Highway Trust Fund in connection with Federal funds expended to acquire property for a portion of Interstate Route 478 which was withdrawn from the Interstate System in accordance with the provisions of section 103(e)(4) of such title.

Conform the table of contents accordingly.

Mr. NADLER. Mr. Chairman, this amendment simply extends a statutory deadline for New York either to repay funds spent to acquire rights-of-way for the Westway project or to apply for a so-called payback waiver which would allow those funds to be spent current eligible projects.

The amendment is revenue-neutral. It provides no new funds for New York City, does not draw on the highway trust fund, nor would a failure to extend this deadline make available any additional funds to the highway trust fund. However, failure to extend this deadline could result in these funds being misdirected away from the communities whose transportation needs they were expended to serve.

This extension is temporary. It gives the State department of transportation 2 years to file a new application for a payback waiver in compliance with U.S. DOT guidance.

This is money New York received as part of its share of transportation funding. We should be able to use this funding for its intended purpose—to serve the transportation needs of our community. However, unless this deadline is extended, a legal technicality, combined with bureaucratic wrangling, could place these important transportation initiatives in jeopardy.

We fought long and hard to ensure that this money would be spent in the most productive and efficient manner possible. I ask my colleagues' assistance in straightening out this bureaucratic mess so that our local transportation authorities can move forward with serving the transportation needs of our city.

Mr. Chairman, there is currently pending, or there was, I should say, a lawsuit. The settlement of that lawsuit bound the Governor of the State of New York and the mayor of the city of New York and the two comptrollers that the Governor would make a good faith application for a payback waiver. The previous administration in New York made such an application in 1990. It was clearly not in compliance with Federal guidelines. It was, therefore, rejected by the Federal Government and it is not regarded as a good faith application.

The question is whether the State administration has met its legal mandate under the court order to make a good faith application. There is a lawsuit pending now, brought by the comptroller of the city against the State department of transportation. If the lawsuit is unsuccessful, this amendment will not be utilized. It will be irrelevant. If the lawsuit is successful, this amendment would give the administration of New York the opportunity beyond the expiration date on September 30, a 2-year opportunity, to meet its legal obligation and make the application for the payback waiver.

As I say, Mr. Chairman, this has no fiscal implications for the highway trust fund or the Federal Government but simply extends the waiver so New York can settle the lawsuit, get its act together, and make the application for the waiver.

Ms. MOLINARI. Mr. Chairman, I rise in opposition to this amendment which the State of New York and the city of New York are also opposed to.

Earlier this year the New York State Department of Transportation chose to no longer waive the payback of funds for the Westway project. As recently as today, my office again confirmed the State's position on this issue, and that has not changed, equally with the city of New York.

As I mentioned, during the committee markup of the National Highway Service bill, I hope to further address this issue with the State and the city of New York to determine whether a real solution can be worked out. In the meantime, however, on their behalf, I must rise in opposition to the amendment.

Mr. RAHALL. Mr. Chairman, I move to strike the last word and rise in support of the gentleman from New York's amendment and I yield to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, let me say I join the gentlewoman in hoping that this will be worked out, but simply would observe that at this time there is a lawsuit pending. It was brought about a week ago by the comptroller of the city of New York against the Governor of the State of New York on issues having to do with whether, in fact, the State has met its legal obligation under a previous court settlement under which it is bound to make an application of the payback waiver.

If that lawsuit should be successful, they are going to be bound to make the application, but the deadline is September 30. If this is not worked out, if the lawsuit is unsuccessful, if the Governor is not compelled by the lawsuit to make an application or they decide that they are not going to, then this amendment is not necessary. But if the Governor should decide he wants to make the waiver, as these things are discussed in New York, or if the courts tell him he must, then this amendment will be necessary,

All the amendment does, Mr. Chairman, is give extra time to the Governor. It does not bind the Governor. It is up to him and the lawsuit in New York. This gives not just the Governor, this gives the State 2 years to make the application if they want to. Currently, the Governor does not want to because he does not agree with the conditions the Federal Government would impose on that waiver. But he will either decide to do so or he will not, or he will be ordered by the courts to do so, or he will not. All this amendment says is give New York some extra time.

So this does not prejudice anybody and it does not cost anybody any money. I suspect that the Governor is going to need this amendment, even if he does not think so now, if he should be ordered by the courts to make the application. Because if he is ordered to make the application, and there is no extra time, the court may very well tell him that he is bound by the conditions of the Federal Government but he does not get the money, or he does not get the positive aspects of it.

□ 1600

So I think that adoption of this amendment will simply give the State an additional time for the option, and it does not force them to do it. I would urge this be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. NADLER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. SHUSTER

Mr. SHUSTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHUSTER: Page 97, add the following new section:

SEC. 356. TECHNICAL AMENDMENT.

Notwithstanding title 23 U.S.C. 101(a), the projects described in section 149(a)(62) of P.L. 100–17 and section 1 of P.L. 100–211 shall be eligible under title 23 U.S.C. 204.

Mr. SHUSTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SHUSTER. Mr. Chairman, this is an amendment we have worked out

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with the other side, noncontroversial. The amendment merely clarifies the eligibility of two park roads. I understand the leadership on the other side is prepared to accept it.

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

Mr. SHUSTER. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, we have no problems with the amendment. We have reviewed it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SHUSTER].

The amendment was agreed to.

Mr. POSHARD. Mr. Chairman, I move to strike the last word.

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

Mr. POSHARD. Mr. Chairman, I rise today in support of H.R. 2274, the National Highway System Designation Act of 1995. This is a sound piece of legislation, and I applaud my colleagues on the Transportation and Infrastructure Committee for helping bring this bipartisan bill to the floor.

By passing this legislation quickly we will ensure that critical highway funds will be sent to the States. Within H.R. 2274 are provisions guaranteeing the States will receive $6.3 billion in fiscal year 1996 highway funding. This equates to approximately $255 million for the State of Illinois, and allows much-needed highway projects to continue without disruption of Federal funding.

The National Highway System bill before us today lifts many burdensome mandates and Federal regulations that hinder progress of our Nation's highways. Contained within this bill are commonsense reforms to the hour-of-service regulations impacting farmers, and I fully support eliminating the penalty for noncompliance for motorcycle helmet use laws. The Illinois General Assembly has attempted three times to pass legislation complying with this Federal mandate. The people of Illinois do not support forced helmet use compliance, and I urge my colleagues to support this much-needed reform.

I support taking the transportation trust funds off budget. I believe it is important to enact the trust fund legislation, and feel a separate vote on that issue will accomplish the goal of guaranteeing these funds are used for their intended purposes. I appreciate the efforts of Chairman SHUSTER to reach a workable compromise on this, and other contentious issues.

Rural America is dependent on a sound and efficient network of roads. The National Highway System map we are designating today will play a vital role in America's infrastructure needs and will have a significant impact on the economy of my district. This map includes numerous routes through south-central Illinois which will help bolster the area's economy, and its ability to flourish. I want to particularly thank Joe McGuire of Wabash County and the other members of the Route One Committee for their tireless efforts in promoting the Route One Corridor as an integral part of the new National Highway System.

The National Highway System Designation Act of 1995 will shape the future of America's transportation system. Passage of this bill will ensure the States will receive their Federal highway funding, and I urge my colleagues to vote "yes" on this critical legislation.

AMENDMENT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OBERSTAR: Page 97, add the following new section:

SEC. 356. SAFETY REPORT.

Not later than September 30, 1997, the Secretary of Transportation, in cooperation with any state which raises any speed limit in such state to a level above the level permitted under section 154 of Title 23, United States Code, as such section was in effect on September 15, 1995, shall prepare and submit to the Congress a study of—

(1) the costs to such state of deaths and injuries resulting from motor vehicle crashes, and

(2) the benefits associated with the repeal of national maximum speed limit.

Mr. OBERSTAR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

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

Mr. OBERSTAR. I yield to the gentleman from Wisconsin.

Mr. PETRI. Mr. Chairman, we have enjoyed working with the gentleman on this amendment, have studied it, and are willing to accept it.

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, I thank the chairman of the subcommittee and the chairman of the full committee for their cooperation, and the gentleman from West Virginia [Mr. RAHALL] for his participation. This is simply a safety report.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. LOWEY: At the end of title III of the bill, insert the following:

SEC. 354. OPERATION OF MOTOR VEHICLES BY INTOXICATED MINORS

''(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''§ 161. National standard to prohibit the operation of motor vehicles by intoxicated minors

''(a) WITHOLDING OF APPORTIONMENTS FOR NON-COMPLIANCE.—

''(1) FISCAL YEAR 1999.—The Secretary shall withhold 5 percent of the amount required to be appropriated to any State under each of paragraphs (1), (3), and (5) of section 104(b) of October 1, 1998, if the State does not meet the requirement of paragraph (3) on such date.

''(2) THEREAFTER.—The Secretary shall withhold 10 percent (including any amounts withheld under paragraph (1)) of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (5) of section 104(b) on October 1, 1999, and on October 1 of each fiscal year thereafter, if the State does not meet the requirement of paragraph (3) on such date.

''(3) REQUIREMENT.—A State meets the requirements of this paragraph if the State has enacted and is enforcing a law that makes unlawful throughout the State the operation of a motor vehicle by an individual under the age of 21 who has a blood alcohol concentration of 0.02 percent or greater.

''(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE.—

''(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

''(A) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 2000.—Any funds withheld under subsection (a) from apportionment to any State on or before September 30, 2000, shall remain available until the end of the third fiscal year following the fiscal year for which such funds are authorized to be appropriated.

''(B) FUNDS WITHHELD AFTER SEPTEMBER 30, 2000.—No funds withheld under this section from apportionment to any State after September 30, 2000, shall be available for apportionment to such State.

''(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period of which funds withheld under subsection (a) from apportionment are to remain available for apportionment to State under paragraph (1), the State meets the requirement of subsection (a)(3), the Secretary shall, on the first day on which the State meets such requirement, apportion to the State the funds withheld under subsection (a) that remain available for apportionment to the State.

''(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—Any funds apportioned pursuant to paragraph (2) shall remain available for expenditure until the end of the third fiscal year following the fiscal year in which such funds are so apportioned. Sums not obligated at the end of such period shall lapse or, in the case of funds apportioned under section 104(b)(5), shall lapse and be made available by the Secretary for projects in accordance with section 118.

''(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (a) from apportionment are available for apportionment to a State under paragraph (1), the State does not meet the requirement of subsection (a)(3), such funds shall lapse or, in the case of funds withheld from apportionment under section 104(b)(5), such funds shall lapse and be made available by the Secretary for projects in accordance with section 118.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end of the following:

''161. National standard to prohibit the operation of motor vehicles by intoxicated minors.''.

Conform the table of contents of the bill accordingly.

Mrs. LOWEY. Mr. Chairman, I will include for the RECORD a letter from the Mothers Against Drunk Driving in support of my amendment.

Mr. Chairman, I rise today to urge my colleagues to close a loophole in the law that tragically claims thousands of lives each year on our Nation's

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roadways: Drinking and driving by minors.

While everyone knows that it is illegal to purchase alcohol if you are under 21 years of age, 23 States still permit underage drivers to drive legally with alcohol in their system as long as their blood alcohol content does not exceed the State's legal limit. So incredibly, in 23 States it is illegal for minors to purchase alcohol, it is illegal for them to publicly consume alcohol, but it is perfectly legal for them to drink and drive.

This loophole still exists despite the clearly lethal consequences of teenagers who mix drinking and driving. What is the result? Each year between 2,000 and 5,000 youths, age 15 to 24, are killed in alcohol-related crashing. In fact, according to the National Highway Traffic Safety Administration, 40 percent of traffic fatalities involving underage drivers are alcohol related.

Mr. Speaker, this is a very straightforward issue. It is an issue of getting tough on a crime that kills thousands of Americans every year. Since it is illegal in every State for children under the ago of 21 to purchase and possess alcoholic beverages, it should also be illegal for children under 21 who have been drinking to drive.

My amendment sends a very clear message. If you are under 21, consumption of alcohol combined with driving will be treated under State law as driving while intoxicated. End of story. And to any of my colleagues who think it might be okay for a teenager to have a beer or two and then drive, let us look at the facts.

According to a 1991 study by the Insurance Institute for Highway Safety, male drivers between 16 and 21 who have a blood alcohol level of .01 to .04 are six times more likely to be in a fatal crash than drivers 25 years and older. Under my amendment, which was adopted by the Senate in June by a 2-to-1 margin, if a State fails to adopt a zero tolerance standard for drivers under 21 by the beginning of fiscal year 1999, they would lose 5 percent of their Federal highway funds for that year. In subsequent years if that State has failed to act, if would lose 10 percent of its funds.

Unfortunately, the bill before us today does not contain the zero tolerance measure adopted by the Senate. My amendment will make the House bill identical to the Senate in this lifesaving measure.

What can we expect from enactment of zero tolerance laws nationally? For the States that have adopted zero tolerance laws, Maine, New Mexico, North Carolina, and Wisconsin, they have experienced a 34-percent decrease in traffic fatalities among young drivers at night. Let me repeat, a 34-percent decrease in traffic fatalities.

If all States adopted zero tolerance laws, at least 375 fatal crashes would be prevented each year. Very simply, we are talking about saving lives. In designating the National Highway System of some 160,000 miles of road deemed to be of national significance, we in this Chamber have a responsibility to ensure the safe usage of those roads. Nothing is more detrimental to highway safety than drunk driving.

The approach my amendment takes has saved lives before. Since passage in 1984 of the bipartisan uniform minimum drinking age, or 21 law, State which fail to adopt 21 as the minimum age for the purchase or public possession of alcohol beverage, face a withholding of a portion of their highway construction funding. As a result, each State has made 21 the drinking age, and 1,000 American lives are saved each year.

Mr. Chairman, drunk driving is a serious crime. The swift and certain way to achieve zero tolerance of this crime by minors is to pass this amendment. My amendment builds on the success of the 21 law passed by Congress in 1984. Please support this amendment. We cannot be too tough on drunk driving.

Mr. Chairman, I urge Members to adopt my amendment.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the reason I rise in opposition to this amendment is because it is counterproductive. The committee strongly believes in very tough drunk driving incentives, and indeed in the committee, in the legislation before us, thanks to the leadership of the gentleman from New York [Mr. QUINN], we have set .02 as the standard. But we have set it by incentives, not as a mandate. If there is anything we have learned around here with regard to mandates, it is that the hammer approach of sanctions has proven over the history of the Federal Aid to Highway Program to be unsuccessful. Incentives work much better.

For example, since the motorcycle helmet provisions and associated penalties were enacted in ISTEA in 1991, only one State has enacted a motorcycle helmet law that did not have one prior to ISTEA. Twenty-five States ignored taking action and had the Federal penalty imposed upon them.

States no longer respond positively to the heavy hand of the Federal Government mandates. They are speaking with their pocket-books. In fact, the irony here is that if we were to mandate a 5-percent reduction in funds, that simply means that the States would have less money to make the highways more safe. It is counterproductive.

We have in this legislation very strong incentives. Indeed, we should support, therefore, what is in the legislation and oppose this counterproductive amendment. A sanction of this sort will likely do more harm. The amendment proposed, and I am sure that is not the gentlewoman's intention, but will likely do more harm to the .02 cause than the positive improvement to the current incentive grant program contained in this bill.

So for those reasons, while I respect what the gentlewoman is attempting to do, it is counterproductive. Stick with the committee.

Mr. Chairman, I would urge defeat of this amendment.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the amendment introduced by the gentlelady from New York [Mrs. LOWEY] and I commend the gentlelady for her efforts in bringing this important issue to the floor for our consideration.

According to the National Highway Traffic Safety Administration, 40 percent of traffic fatalities involving underage drivers are alcohol related. Given this telling statistic, it is beyond comprehension that although it is illegal in every State for persons under the age of 21 to purchase and consume alcoholic beverages, less than half the States have enacted zero tolerance laws to prohibit minors from drinking and driving regardless of the driver's level of intoxication.

This amendment strongly encourages the remaining States to adopt zero tolerance language by fiscal year 1998 or lose 5 percent of their Federal highway funding for that year. States which have adopted zero tolerance legislation have experienced a dramatic decrease in traffic fatalities among younger age drivers.

Mr. Chairman, this measure seeks to encourage common sense. Accordingly, I strongly urge my colleagues to support the Lowey zero tolerance amendment in the hope that we can reduce the number of senseless tragedies that result from underage drinking and driving.

Mr. BORSKI. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. BORSKI. Mr. Chairman, I wish to express my strong support for the very important amendment offered by the gentlewoman from New York [Mrs. LOWEY].

Teenagers simply should not be allowed to drink and drive. It endangers them and it risks the lives of everyone else who is on the road.

Teenagers are the one group with the absolute least experience with alcohol and with driving—and with coping with the combination.

This amendment simply continues the process we began in 1984 when we set sanctions for States that do not enact 21-year-old minimum drinking age statutes.

Unfortunately, the way the law is now written, a teenager may not purchase alcohol but that same teenager may get a drink some other way and then hit the road—legally.

The gentlewoman's amendment would change that by requiring States to adopt statutes reducing the legal

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blood alcohol content for anyone under 21 who is driving to zero tolerance.

The amendment would use the same sanctions that were used in 1984 for the 21-year-old minimum drinking age.

States would face the loss of 5 percent of their highway funds if they do not enact zero tolerance statutes after 1 year.

The States would face a 10 percent penalty if the zero tolerance statutes are not adopted after the second year.

Mr. Chairman, the 21-year-old minimum drinking age statute was successful. It reduced fatalities and it eliminated the blood borders that existed between States with different minimum drinking ages.

But far too many of our young people still die on our Nation's highways and there are far too many alcohol-related crashes.

In 1993 alone, more than 2,300 teenagers died in alcohol-related crashes. That is 2,300 young people in a single year.

The 12 States that currently have lower alcohol limits for under-21 drivers have had a 20-percent reduction in alcohol-related crashes.

It is estimated that at least 375 alcohol-related crashes would be prevented each year if all States adopted zero tolerance laws.

This zero-tolerance amendment is absolutely vital for making our Nation's highways safer and for reducing alcohol related accidents.

This zero-tolerance amendment is common sense and good government.

It uses a modest sanction to ensure that our young people will live longer and the roads will be safer for everyone.

Let's put this house in support of ending teenage drinking and driving.

I commend the gentlewoman from New York for offering this important amendment and I urge its passage.

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Mr. QUINN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to thank the gentlewoman from New York for her efforts to deter underage drinking and driving. While we share the same concerns, I must speak against her amendment, because it goes against everything we are trying to change about Washington.

My objection to the Lowey amendment is found in its approach, not in its substance. The gentlewoman's amendment will penalize the States by withholding 5 percent of their highway funds if they do not comply.

This is a States rights issue. At a time when we are trying to empower the States to govern themselves, we do not need to send them edicts and unfunded mandates from Washington that will withhold much needed highway funds if they do not comply.

This bill is a States rights bill. In the Transportation and Infrastructure Committee we started the trend to give rights back to the States by eliminating the national maximum speed limit and mandatory helmet laws. This amendment flies in the face of what we are trying to do here.

This very important safety provision of zero tolerance for underage drinking and driving has already been included in H.R. 2274. This provision, though, offers incentives to the States who comply, rather than penalizing them for not doing so.

Earlier this year I joined with my esteemed colleague from New York, the Reverend FLOYD FLAKE, to work on a bill designed to reduce drinking and driving among younger drivers.

It is a fact that traffic fatalities are the leading cause of death for those under the age of 21 and of those fatalities 40 percent are alcohol related. In addition, studies have shown that teenage driving is impaired at lower blood alcohol concentrations than that of an adult.

Zero tolerance laws that have been adopted in various States across the country have proven to reduce the incidence of fatal crashes among teenagers.

In closing, I would like to thank Chairman SHUSTER and Subcommittee Chairman PETRI for including my zero tolerance provision in this legislation.

Vote ''yes'' for zero tolerance of underage drinking and driving.

And vote ''yes'' for States rights by voting ''no'' on the Lowey amendment.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I think we ought to support the Lowey amendment, because I think the Lowey amendment does what very often we like to do in our own families with our children, and which I think most American parents like to do with their children. That is, they like to be able to send a clear and unambiguous message, because very often we understand that young children need clarity in that message, and ambiguity very often confuses and causes misjudgments on their part.

What we have here is a situation where the government is sending two different messages. We clearly recognize that it is illegal, and with the support of the parents of this country, we have made it illegal for young people to drink under the age of 21. However, we say, on the other hand, ''If you have been drinking and then you get into an automobile and drive, and you are under the influence, we can tolerate that, and you will not be punished or some other action taken.''

So we are sending two different messages. It is illegal to drink, but if you do not get caught, but you are later caught in an automobile, actions are not going to be taken for your drinking.

That is a message that we should not be sending. The ambiguity of that message we should not be sending, and that is not a message that parents, I believe, want their government sending to young people. Yes, it is illegal, but if you do not get caught, it could be OK if you are in the right set of circumstances.

That is not what we do. We do not do this with marijuana, we do not do this with drugs. We do not say, You can use marijuana and then if you get caught driving under the influence, if you appear to be OK, you are released. We do not do that. I think we have to make it very clear here that parents send a message that they do not want their young people to use alcohol, and we ought not to allow this ambiguity.

Many of the arguments used against zero tolerance are the arguments that were used against it when we decided last year that we would have zero tolerance in our schools for people who bring weapons to schools. There are a lot of hard cases, a lot of difficult cases, but the fact is schools do not need to have weapons in them. People should not bring weapons to school. We needed to send out right messages. We heard that some States had done it, some were going to do it, some States did not like being told to do it. The fact is today all States have it. We have zero tolerance. We have sent a very clear message: Bring a gun to school, you are out for a year. No ambiguities. Bring a gun to school, you are out for a year.

What we are saying here, climb into a car, if you have been drinking and you are stopped for some reason, the State is going to make a determination about the price. This is not about sending edicts. This is not about sending mandates. This is about sending a set of values that we share with our constituents, we share them as parents, as grandparents, as people who are concerned with children. These are values that we share, and what we are saying is, Let us get on with it. Let us get down to the point where we can provide this kind of protection for our children. This is a very nonintrusive way. We are not saying how you have to mete out the penalties, we are not saying they cannot send them to education or counseling, what have you. All of that is available for communities and States to decide.

What we are saying is, as a national legislature we no longer want to tolerate the ambiguity and the danger, the danger that that ambiguity places our children in on a nightly and daily basis, and other people in on a nightly and daily basis on the roads of America.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. WOLF. Mr. Chairman, I rise in very strong, strong support of the amendment. We did this in 1984, and it worked. Let me tell the Members why.

In the Washington, DC, area and in my congressional district, we basically

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had a situation whereby we had a blood border. We had young men and women from my congressional district in McLean and places like that going into Washington, DC, where the drinking age was 18, purchasing alcohol, coming out and getting killed on the George Washington Parkway. The number of deaths on the George Washington Parkway was amazing. One night I was coming back and there were police there, and I stopped and pulled over to the side, and there was a young lady under a blanket who had just died, had been in a collision, just south of 123.

When we did this in 1984, we saved a lot of live. I would tell the Members, as a father, a mother, a grandparent, or as somebody who has young children, think in terms of what this means to your family. I as a father of five children can still remember at nights listening to the gravel on the driveway, waiting for my children to come home, to know that they were safe. The most disturbing call that anyone can possibly get must be that telephone call, and I thank the good Lord that we have not gotten it, that telephone call at 12 or 1 o'clock to say your son or your daughter has been killed in an accident somewhere because of drunk driving, or things like that.

I do not want to put mandates on the States on all these other things. I stand with the body on most other issues. But on the safety issues and on this blood alcohol issue, I think this is one of the exceptions we should make. I would just ask, frankly, those of you out there who have never experienced what I have never experienced, we may not have experienced it because of the work that was done in this body in 1984. That language that we passed may have kept us from getting a telephone call, and we may not even know why we did not get the telephone call, but that may be why we did not get the telephone call. I would hope that the chairman would accept this language.

I would hope that something like this could come in, and maybe 5 percent is not it, maybe it should be 10 or 3, but somehow we know it worked in 1984, and we know it saved thousands of lives. We do not want the pain and agony in anyone's else's life. I strongly urge that it will work this time, and I urge support of this amendment.

Mr. Chairman, it is my pleasure to rise today in support of this amendment offered by the gentlewoman from New York [Mrs. LOWEY] to H.R. 2274, the National Highway System Designation Act.

This amendment will help save the lives of scores of young people and will make all our Nation's highway's safer. The amendment by the gentlewoman from New York strongly encourages States to implement zero-tolerance alcohol standards for drivers under the age of 21. It is the current law in every State that you must be at least 21 years of age to purchase or consume alcohol, and this amendment certainly is consistent with that law.

Furthermore, this amendment will be very effective, as States will lose a percentage of their basic Federal highway funds for each year, after October 1, 1998, that zero-tolerance laws are not in effect.

Did you know that according to the National Highway Traffic Safety Administration [NHTSA], 40 percent of traffic deaths involving underage drivers were alcohol related?

Did you know that in 1994 2,200 people were killed because minors were drinking and driving. And further that 1,600 of these people were teenagers themselves?

Mr. Chairman, it should be noted that the Lowey amendment has already been overwhelmingly adopted in the Senate version of this legislation and is supported by the National Association of Governors' Highway Safety Representatives and Mothers Against Drunk Driving.

I know what a widespread problem underage drinking and driving is. I have sponsored my own legislation, the High Risk Drivers Act of 1995, on this subject, and can remember the blood border days when youths would drive, many under the influence of alcohol, from States with higher drinking ages to places where they could more easily consume and buy alcohol.

The Lowey amendment will be an important step in combating drunk driving and, as a matter of public safety and concern for our children and grandchildren, should be accepted as part of H.R. 2274. Mr. Chairman, I applaud the efforts of the gentlewoman from New York and urge passage of her amendment.

Mr. WARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am one of the gentlemen from Kentucky, and I mention that at the beginning of my remarks because distilled spirits are very important to the State of Kentucky, but I rise in support of this bill. I rise, knowing that the Distilled Spirits Council has come out with model legislation, Mr. Chairman, that the Distilled Spirits Council which represents distilleries across America, has used in State after State to encourage them to enact just the legislation we are discussing here today.

We need to make sure that young people understand, it is not a question of taking a little drink, it is not a question of being below a certain alcohol blood content level. It is a question of not getting behind the wheel of a car if you are drinking at all. If a young person up to age 21 is not allowed to drink or possess alcohol, what sense does it make, what sense does it make not to make sure they suffer the penalties of a drunk driving arrest?.

I may also be rising today because the day after tomorrow, on Friday, the September 22 I will be taking my then 16-year-old son to get this driver's license, his driver's permit. He turns 16 the day after tomorrow. When I take him to get that permit, I am going to be doing it with the same fear and the same concern that we have heard from other speakers; not necessarily that he will be driving while drinking, but rather, that he is going to be out on those roads, and that he could be at risk; that he could be at risk because another young person who does not understand zero tolerance is on the road.

We have seen a bipartisan, a truly bipartisan, support for this amendment here today. I think it should tell us something. It should tell us that a yes vote is what makes sense for the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

Let me add one final issue, the issue of States rights. We are turning States rights on its head when we use that issue. I say that as one who has just come into this Chamber twice in a row on recorded votes and said that yes, States probably should have the right to set their own speed limits. I apologize to the gentleman from West Virginia [Mr. RAHALL], but I did vote against his amendments, because States do have different sets of circumstances that allow them and would justify different speed limits. We should not make that decision here in Washington.

However, I want to tell the Members, there is no different circumstance in any State in this Union that should allow a person under 21 to drive with one drop of alcohol in his or her blood. I support the amendment, and I urge its passage.

Ms. MOLINARI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentleman's amendment. Mr. Chairman, we have all, unfortunately, been touched by the deadly consequences of drunk drivers on our Nation's roads. We all struggle as Members of the human community and as legislators to figure out what we can do possibly to lower the chances of drunk driving.

How do we send that message? Today this amendment is one very important piece of sending that message. If a teenager is caught drinking and driving, even at very low blood alcohol levels, and he or she is penalized, chances are they will think twice next time. That is a chance, Mr. Chairman, we are obligated to take. Let me also comment on the States rights issues. We all struggle over the role of the Federal Government, and the heavy-handedness of it. Quite frankly, however, efforts to stop drunk driving and efforts to save lives on the road should reach across city, State, and Federal lines. This must be a united effort, and as Members of the Federal Government, as representatives elected to protect and promote safety, we cannot abdicate that role.

Again, let me just thank the gentlewoman from New York [Mrs. LOWEY] and commend her for bringing a very important amendment to a bill that is 99 percent there. It is a great national highway systems bill. With the gentlewoman's amendment adopted, it will certainly add to it.

Miss COLLINS of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the Lowey amendment that would encourage States to enact a zero tolerance law to close a loophole in the National Minimum Drinking Age Law. Mr. Chairman, that law prohibits anyone under the age of 21 from consuming

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alcohol, yet does not prohibit them from driving after drinking. I ask my colleagues, does this loophole make sense? Certainly not. Zero tolerance laws make it illegal for underage persons to drink any amount of alcohol and then drive. As of 1994, 24 States had zero tolerance laws which make it illegal for an underage person to drink and drive with a .02 blood alcohol level or less. Less than one beer would put the average young adult over the limit.

Mr. Chairman, too many Americans have been personally affected by the tragedy of drunk driving. They have lost a family member, relative, or friend. While the 21-year-old drinking age has made significant strides in reducing these tragedies, we must not stop there. Mr. Chairman, we owe it to all members of society—particularly our children—to close this deadly loophole.

Support this important amendment.

□ 1630

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Lowey amendment which would require States to enact zero tolerance laws that make it illegal for minors to drink and drive.

In one year alone, more than 22,000 people were killed in drunk driving accidents. Ten percent of those killed, more than 2,200, lost their lives in crashes involving alcohol and minors. We can do something about this national tragedy.

Data from the National Highway Safety Transportation Administration [NHSTA] indicates that legislative efforts to reduce drunk driving are achieving some success. In all, 24 States have adopted zero tolerance laws, and the alcohol-related crashes among minors in all of those States is down by 10 to 20 percent. In four of those States—Maine, New Mexico, North Carolina, and Wisconsin—the traffic fatalities among young drivers at night has decreased by 34 percent.

Even at blood alcohol concentrations as low as 0.02 percent, alcohol affects driving ability and the likelihood of a crash. Under the Lowey amendment teenagers who take just one drink and get behind the wheel of a car would be in violation of the law and would lose their licenses for several months.

During the spring, I attended a high school assembly in Bethesda, MD, and listened to a young man from California, Brandon Silvera, tell an auditorium full of teenagers why it doesn't pay to drink and drive. Brandon had been an athlete and an outstanding student. The summer prior to his senior year in high school, he was looking forward to the coming football season and making choices about which college he would attend. One evening, after attending several parties where he had a few drinks, he fell asleep at the wheel. His car veered off the road and he crashed into a tree. He was just a short distance from his home.

Brandon is now in his twenties. He has difficulty walking and his speech is slurred. Nevertheless, he travels around the country with his father urging teenagers not to drink and drive. Perhaps a zero tolerance law would have prevented the accident that changed this young man's life.

In terms of States rights, young people may well drive from 1 State to another where there are different laws.

A recent survey revealed that 80 percent of the young people in the Washington area had their first drink at age 14. Teenagers in Maryland and Virginia are more likely to drink than those in the city of Washington. The Washington area has more than one million underage children, and many seem to have no problem buying or getting their hands on alcohol. Parents surveyed believe their children's friends drink and drive, but few parents think their own children drink and drive.

I urge my colleagues to join me in saying, enough, to the senseless and preventable slaughter on our highways by supporting the Lowey amendment.

Mr. RAHALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I thank the gentleman from West Virginia [Mr. RAHALL] for yielding.

Mr. Chairman, it is true that H.R. 2274 purports to provide an incentive to States to adopt zero tolerance by making .02 BAC a basic criteria. Unfortunately, the incentive provided is minimal at best and will not accomplish our goal. My amendment is the only one with teeth. The bill says if the States adopt .02 BAC in addition to other safety measures, they will get an incentive grant.

Well, let us read the fine print. Right now the section 410 program says to the States, ''undertake the following countermeasures to drunk driving and we will give you X amount of dollars.'' The trouble is when the States have complied with the criteria outlined in the 410 program, they do not get what they are promised, they get about half of what they were promised. So if we use the incentive grant as outlined in the bill, we are saying to the States, pass zero tolerance, and we promise not to give you any more of the money we already are not giving you.

What kind of an incentive is that? In 1984, we could have used incentive grants to encourage the States to pass 21 as the drinking age. Had we done that, 21 would not be the law of the land. It would be the law in part of the land. How many more of our children—and as a mother of three, I feel this very deeply—would have died as a result?

The key word in the Uniform Minimum Drinking Act of 1984 was uniform. We wanted all the States on a uniform basis to adopt 21 as the drinking age in a specified period of time. To those who favor the carrot over the stick, let us be honest. If we adopt my amendment, we will get zero tolerance in every State. We will get it soon. And as was the case with 21, no State will experience the withholding of any highway funds.

Mr. Chairman, I met with members of MADD in my district, in front of Mamaroneck High School just this week. I met with members of SADD, Students Against Drunk Driving. I spoke with the Mamaroneck police chief and his officers. I spoke with a father who lost his daughter in a drunk driving accident. No one in Mamaroneck, Mr. Chairman, spoke of States rights. They spoke instead of the moral imperative of passing drunk driving laws.

Too many Americans have been personally affected by the tragedy of drunk driving. Too many Americans have died. As parents, we owe it to our children to close this deadly loophole. Let us do everything we can to ensure that no parent will be awakened in the middle of the night with the awful news that their child has been killed in a drunk driving accident.

Mr. Chairman, we just cannot be too tough on drunk driving. I urge my colleagues to adopt this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 223, noes 203, not voting 8, as follows:

[Roll No. 678]

AYES—223

Ackerman	Diaz-Balart	Gilman
Andrews	Dicks	Goodling
Baesler	Dingell	Gordon
Baldacci	Dixon	Green
Barcia	Doggett	Gutierrez
Barrett (WI)	Dooley	Hall (OH)
Becerra	Doyle	Hamilton
Beilenson	Dunn	Hansen
Bentsen	Durbin	Harman
Berman	Edwards	Hastings (FL)
Bevill	Ehlers	Hefner
Bilbray	Engel	Heineman
Bishop	English	Herger
Bonior	Eshoo	Hilleary
Borski	Evans	Hinchey
Browder	Farr	Hobson
Brown (CA)	Fawell	Holden
Brown (OH)	Fazio	Horn
Bryant (TN)	Fields (LA)	Hutchinson
Bryant (TX)	Filner	Hyde
Burr	Flake	Jackson-Lee
Canady	Foglietta	Jacobs
Cardin	Foley	Jefferson
Castle	Forbes	Johnson (SD)
Chapman	Ford	Johnson, E. B.
Clay	Fowler	Johnston
Clement	Fox	Jones
Clyburn	Frank (MA)	Kanjorski
Coleman	Franks (CT)	Kaptur
Collins (IL)	Frelinghuysen	Kasich
Collins (MI)	Frisa	Kelly
Conyers	Frost	Kennedy (RI)
Coyne	Funderburk	Kennelly
Cramer	Furse	Kildee
Danner	Gejdenson	King
Davis	Gekas	Kingston
DeFazio	Gephardt	Kleczka
DeLauro	Gibbons	Klink
[illegible]	Gilchrest	[illegible]

Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Nadler
Neal
Nussle
Oberstar
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Porter
Portman
Poshard
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roybal-Allard
Royce
Rush
Sanders
Sawyer
Saxton
Schiff
Schumer
Scott
Serrano
Shays
Slaughter
Smith (NJ)
Smith (WA)
Stark
Stockman
Stokes
Studds
Tanner
Tate
Thompson
Thornton
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Waldholtz
Wamp
Ward
Waxman
Weldon (FL)
Whitfield
Wise
Wolf
Woolsey
Wyden
Wynn
Yates

NOES—203

Abercrombie
Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Brown (FL)
Brownback
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
de la Garza
Deal
DeLay
Dellums
Dickey
Doolittle
Dornan
Dreier
Duncan
Ehrlich
Emerson
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Franks (NJ)
Gallegly
Ganske
Geren
Gillmor
Gonzalez
Goodlatte
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hilliard
Hoekstra
Hoke
Hostettler
Houghton
Hoyer
Hunter
Inglis
Istook
Johnson (CT)
Johnson, Sam
Kim
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lofgren
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Obey
Olver
Oxley
Packard
Paxon
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Pryce
Quillen
Quinn
Radanovich
Riggs
Roberts
Rogers
Rohrabacher
Roth
Sabo
Salmon
Sanford
Scarborough
Schaefer
Schroeder
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Vucanovich
Walker
Walsh
Waters
Watt (NC)
Watts (OK)
Weldon (PA)
Weller
White
Wicker
Williams
Wilson
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Fattah
Kennedy (MA)
Moakley
Reynolds
Roukema
Sisisky
Solomon
Tucker

□ 1659

Messrs. POMEROY, OLVER, TEJEDA, HILLIARD, Ms. BROWN of Florida, and Mrs. CLAYTON changed their vote from ''aye'' to ''no.''

Messrs. HUTCHINSON, RICHARDSON, ROSE, GOODLING, BRYANT of Tennessee, Mrs. KELLY, and Ms. RIVERS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1700

Ms. McCARTHY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the National Highway System bill, which reaffirms the Federal Government's commitment to building and maintaining the finest highway transportation system in the world.

Before I begin, I would like to say a few words about my colleague and mentor, the gentleman from California [Mr. MINETA], who will soon retire from his Chamber. It is altogether fitting that the man who came to this body to ''build bridges between people and over rivers'' that we are completing a highway bill in his final days in Congress and that we are doing so in the spirit of comity and bipartisanship, the governing principals of NORM MINETA. I will sincerely miss his guidance and friendship.

The National Highway System [NHS] bill we consider today is very much the product of Mr. MINETA's extensive work over the years at the Transportation Committee. This bill builds on the 90,000-mile Interstate System by adding an additional 70,000 miles of roads to be included in the new highway system. The idea behind the new NHS is to connect the interstate system and other roads of national significance with, airports, sea and river ports, train depots, and commercial and downtown areas.

The fifth district of Missouri, in the geographic center of the Nation and with a reputation as a transportation hub for the country, will benefit greatly from passage of this bill. The measure includes the important designation of Interstate 35, a superhighway for trade connecting Canada, the United States, and Mexico. In addition, the NHS bill includes such roads as Jackson County Roadway, U.S. 50 and Missouri 291.

Mr. Chairman, this bill will help position the United States to enter the next century with the finest transportation system in the world and provide us with the ability to move goods and people in a more safe, efficient, and cost-effective manner. I encourage our colleagues to support this very important bipartisan effort.

Mr. LONGLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the gentleman from Pennsylvania in a colloquy.

I would like to clarify that section 351 provides adequate safeguards to ensure no adverse impact on safety.

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

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

Mr. SHUSTER. Mr. Chairman, I say to my good friend, section 351 provides no exemption shall go into effect for 6 months. It also provides the Secretary may modify, revoke, or not have the exemption go into effect if he finds the exemption is not in the public interest and would have a significant adverse impact on safety.

Mr. LONGLEY. I thank the gentleman. I am committed to insuring the safety of commercial motor vehicles.

Mr. SHUSTER. I share the gentleman's concern.

AMENDMENT OFFERED BY MS. FURSE

Ms. FURSE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. FURSE: At the end of title III, insert the following:

SEC. 354. The Secretary shall conduct a study to evaluate the effectiveness on reducing drunk driving of laws enacted in the states which allow a health care provider who treats an individual involved in a vehicular accident to report the blood alcohol level, if known, of such individual to the local law enforcement agency which has jurisdiction over the accident site if the blood alcohol concentration level exceeds the maximum level permitted under State law.

Ms. FURSE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

(Ms. FURSE asked and was given permission to revise and extent her remarks.)

Ms. FURSE. Mr. Chairman, drunk driving continues to be a serious health problem in America. According to Mothers Against Drunk Driving, over 950,000 people are killed or injured on our highways each year as a result of drunk driving. According to a study in my district, more than 86 percent of drunk drivers go through emergency rooms but are never charged in their offenses.

We can change these tragic figures. I want to tell you a story of a dedicated emergency room nurse from my district. Her name is Carol Bononno, and she was fed up with seeing the same drunk drivers come into her trauma unit time after time, and almost without exception these drunk drivers were not held accountable for their actions.

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

Ms. FURSE. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I have examined the gentlewoman's amendment. I think it is a good amendment, and I support it. Our committee supports it.

Ms. FURSE. I thank the gentleman very much for that. I want to commend Ms. Carol Bononno for her work in doing this wonderful act. I thank the gentleman, and I thank the ranking member, too, for his kindness for accepting this amendment.

Mr. Chairman, drunk driving continues to be a serious health problem in America. According to a study conducted in my district, more than 86 percent of drunk drivers who go through emergency rooms are never charged for their offenses. In 1992, 41 percent of drivers killed in car crashes had alcohol in their system. According to Mothers Against Drunk Driving, over 950,000 people are killed or injured on our highways each year as a result of drunk drivers.

We can change this tragedy. I want to tell you the story of a dedicated emergency room nurse from my district, Carol Bononno, who was fed up with seeing the same drunk drivers come into her trauma unit time and time again. Almost without exception, these drunk drivers were not held accountable for their actions. Carol was frustrated that while there are laws for reporting serious public health problems such as child and elder abuse, there are none for drunk driving. Carol fought for 5 years to change Oregon's law. This year, after that long battle, she finally won. Carol proves that one person can make a difference. Carol's work will save the lives of Oregonians.

Blood alcohol reporting is nothing new, and has significant, widespread support. Currently, 29 States allow reporting in some fashion. My amendment is supported by Mothers Against Drunk Driving. In fact, a survey from the March 1992 edition of the American College of Emergency Room Physicians' Annals of Emergency Medicine said that 78 percent of emergency room physicians agree with blood alcohol reporting. Local police from my district helped draft this bill, and they say that these blood alcohol levels are often the critical piece of evidence necessary to help hold drunk drivers accountable. We need to encourage all States to examine this issue, and take this important step to give police the information they need to stop emergency rooms from being safe houses for drunk drivers.

Let me briefly state what my bill, H.R. 1982, does not do: It does not change the constitutional protections afforded all Americans regarding non consensual blood withdrawals. It does not require mandatory reporting of blood alcohol levels, although States are free to go further if they wish. It does not turn providers into police because these alcohol levels are obtained in the regular course of providing care. And it does not open health care providers to litigation because it has an immunity clause. But it does seek to solve a huge problem—drunk driving.

My amendment builds on the excellent alcohol provisions of H.R. 2274, and is a first step to promoting the goals of H.R. 1982. It calls for a study to evaluate the effectiveness of reducing drunk driving in States where blood alcohol reporting is permitted. This would be the first study of its kind, and it is my guess that it will be landmark study in the fight against drunk driving.

Importantly, it will mean that we are on the road to keeping 86 percent of drunk drivers slipping through the cracks of our laws. This amendment will mean that more emergency room nurses like Carol Bonnono will be able to help make our streets a safer place.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon [Ms. FURSE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEILENSON

Mr. BEILENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment

The text of the amendment is a follows:

Amendment offered by Mr. BEILENSON: Page 59, after line 7, insert the following:

(c) GUARANTEE AND WARRANTY CLAUSES.—Section 112 of title 23, United State Code, 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.

Mr. BEILENSON. Mr. Chairman, I ask unanimous consent that I be recognized for 10 minutes to speak on behalf of the amendment.

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

There was no objection.

Mr. BEILENSON. Mr. Chairman, I thank my colleagues for granting me the additional 5 minutes.

Mr. Chairman, at the outset, may I say that I am always somewhat amused, perhaps bemused is a better word, by the self-congratulatory oratory surrounding the highway bills we have here on the floor of the House of Representatives, all the accolades that we hear each year for our highway system and how it is the best in the world.

May I respectfully suggest that we stop burying our heads in the sand or perhaps it would be better to say burying our heads in the asphalt.

We may have the biggest highway system in the world. The truth of the matter is it is not the best. Anyone who has ever driven for any length of time on European highways and roads will be astonished at the difference in the quality between their roads and our roads. You can drive for hours in the old cities in the continent of Europe or the highways in the countryside and not experience the kinds of problems you experience here every day and everywhere in the United States.

Why? Because in most European countries they build their roads right in the first place, and so they have many fewer problems than we with maintaining them, and they are not forever repairing and repaving them as we are continually having to do here in the United States.

Mr. Chairman, the amendment that I am offering today proposes to do something about improving the quality of our highways. It would allow, not mandate, but merely allow State highway departments to use guarantee and warranty clauses on Federal aid highway construction contracts. Many Members are familiar with this very modest proposal and the base majority have given it overwhelming support twice during the past 4 years. When the House passed the ISTEA bill in October 1991, an amendment very much like this one passed by a vote of 400 to 26. It was replaced in the final bill by a GAO audit study reviewing the States' experiences with using warranties on highway contracts. This very same amendment, same as today's amendment, was agreed to last year by the House as a part of the national highway systems bill that we passed last year.

At that time, the chairman of the committee, my friend, the gentleman from California [Mr. MINETA], then ranking member and now the distinguished chairman, the gentleman from Pennsylvania [Mr. SHUSTER], and the chairman and ranking member of the subcommittee with jurisdiction, the gentleman from West Virginia [Mr. RAHALL], and the gentleman from Wisconsin [Mr. PETRI] all agreed to this identical language.

I think what was good enough for last year's bill designating the national highway system would be good enough for this legislation as well.

As most Members know, Mr. Chairman, Federal highway dollars have traditionally been reserved for construction rather than maintenance, and the Federal Highway Administration has generally prohibited States from requiring any warranties from contractors when awarding federally funded contracts. The rationale for this regulation is warranty might result in Federal participation in maintenance costs which, until recently, has been prohibited. The effect of this policy is we often reward the use of the cheapest, lowest-quality materials on highway construction and prevent States from building quality performance standards into their construction contracts.

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Transportation officials have, since 1981, under Mr. Reagan's administration and then again in 1985 under Mr. Bush's administration, sought to change this outdated policy, which Members should know has no statutory mandate. Those officials have contended the introduction of contractor guarantees into the bidding process might spur innovation, superior quality in the use of the kind of advanced technology other countries are already aggressively taking advantage of. Building better-quality roads should be a hallmark of our highway system, and simply giving States permission to hold contractors accountable for their work must be part of our national plan.

In Europe, where highway contracts are awarded on the basis of a combination of costs, quality and a contractor's 3-to-5-year full replacement guarantee, roads traditionally cost somewhat more to construct. They last twice as long as they do here in the United States. Sounder sub-bases, thicker pavements, advanced polymer additives, and stronger asphalt produce highways smoother and quieter and are stubbornly resistant to ruts, cracks, and potholes. European roads can handle heavier loads than permitted on U.S. highways.

Meanwhile, our own strict low-bid system gives contractors no incentive at all to consider long-term performance when preparing their bids. We literally reward the use of the cheapest, lowest-quality materials, and the least expensive labor. We actually penalize any effort to improve road quality or offer superior workmanship. This is an inflexible, unwise, and shortsighted policy that costs taxpayers billions of dollars in unnecessary highway repair bills and results in intolerable traffic delays.

It should come as no surprise to us that while Government expenditures for roads have doubled over the past decade, fully half of all roads in America are rated in fair to poor condition, and as the Office of Technology Assessment reported back in 1991, when construction quality is poor and repairs are needed constantly, the costs of providing alternative service or of traffic diversion and delay can equal the original capital cost, doubling the total expense of the highway project.

As we embark on a multibillion-dollar investment in our Nation's highway system, we owe it to the taxpayers to do everything we can to adopt reforms that will save us money, help make the road construction industry more competitive, stimulate investment, make our transportation infrastructure more durable and efficient.

Mr. Chairman, I am not suggesting that permitting States to demand a guarantee of a minimum quality standard of quality on highway projects would by itself cure our country's infrastructure ills. But Americans should be outraged that in an era of huge budget deficits, when we are cutting back drastically in so many other areas of domestic spending, that we have failed to fulfill our responsibility to see that Federal highway money is well spent.

I would like to bring my colleagues' attention to several recent developments that deal with this specific topic. Five years ago the Federal Highway Administration initiated a special experimental project to evaluate innovative contracting practices such as the use of warranty clauses. Eight State highway departments have taken advantage of this experiment to improve quality and increase contractor accountability. State officials have found the use of warranty requirements valuable and have found that warranted projects are higher quality and helped in getting contractors to repair projects expeditiously.

Second, in September 1994, the GAO issued a report on the use warranties and other ways to improve quality of our Nation's highways as required by ISTEA. That report recommended the Federal Highway Administration encourage States to experiment with and to try warranties and to clarify the regulatory ban on use of warranties if it does not apply to non-Federal projects.

Finally, last month, the Federal Highway Administration issued an interim final rule to permit greater use of warranties on Federal aid highway construction contracts. The main reason for this change from the existing policy is the original rationale for the prohibition no longer exists. ISTEA set up an interstate maintenance funding category for the preventive maintenance activities, which are now eligible for Federal funds. In addition, through its 5 years of experience with warranty clauses under the experimental project, the administration has determined warranties may, indeed, enhance the quality of Federal aid construction projects.

I strongly believe this amendment is important to encourage the use of practices that will improve the quality of our Nation's highways along with concepts such as value engineering, performance-related specifications, and life-cycle cost analysis. The use of warranties will, I believe, help the States more successfully build quality performance standards into their construction contracts.

This amendment fits very neatly into the new congressional leadership's plans for returning power to the States and decentralizing government. If you believe States should have more flexibility, as the majority of the Members on the floor of the House have been saying all year, then you should favor this amendment.

Finally, Mr. Chairman, my friend over there, the chairman of the committee, having said all of this, Mr. Chairman, I do feel very strongly, as my friend from Pennsylvania and my other friends on the committee know, I feel very strong about this issue. I am, in fact, greatly encouraged by the interim final rule which was recently promulgated by the Federal Highway Administration that would, as the FHWA says in its summary description of the proposed rule, and I quote them here, ''would permit a greater use of warranties on Federal aid highway construction projects within prescribed limits.''

□ 1715

I commend the FHWA for proposing this change, and I and others encourage them to stick by their guns this time. Similar, although not so far-reaching rules changes have been proposed in the past, only to fail at being adopted because of opposition in most cases because of some within the industry whose interests perhaps would have been threatened, or they thought their interests would have been threatened by these proposed changes.

But I am hopeful, and there is now strong support even among some in the industry itself for these proposed changes. I think that therefore we ought to give the FHWA the chance to take this useful step on their own. Consequently, Mr. Chairman, the gentleman from Pennsylvania [Mr. SHUSTER], my chairman, and my friend here from West Virginia, I ask unanimous consent at this time that I may be permitted to withdraw my amendment.

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

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

Mr. SHUSTER. Mr. Chairman, I want to make it very clear that it is the gentleman's leadership which has brought about very substantial improvements. We have in this legislation for the new national highway system requirements for life cycle costing and value engineering, thanks to the leadership of the gentleman.

As the gentleman has indicated, Federal highways is issuing a rulemaking or revising the regulations. So we want to continue working with the gentleman, and I salute him for his efforts and for his willingness to withdraw the amendment so that we can try to work things out.

Mr. BEILENSON. Mr. Chairman, I thank the gentleman for his kind comments.

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

Mr. BEILENSON. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I would like to associate myself with the comments of the gentleman from Pennsylvania [Mr. SHUSTER]. There is more than one way to skin a cat, so to speak. The gentleman has certainly been dedicated to this issue and making sure that the public gets more bang out of their buck, so to speak, for money that is spent on highway projects and ensuring the quality of that type of construction.

The Chairman has referred to how we have addressed those concerns in this

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NHS bill by the technique of value engineering analysis for NHS projects. Also in this bill there is a requirement that States utilize life cycle costing for certain NHS projects. Under this particular technique, all costs are expected to occur over a highway's usable life analyzed rather than just their initial cost.

So we will continue to work with the gentleman from California whose dedication and diligence I commend very highly.

Mr. BEILENSON. Mr. Chairman, reclaiming my time, I would like to thank the gentleman from Pennsylvania and the gentleman from West Virginia for their kind and helpful remarks and for the good work that they have done in this bill, although personally I do not think it goes far enough. In fact, the good things in the bill which are quite true are there, but they do not hold people responsible and accountable the way these guarantees would if we finally could get to them.

Finally, I want to say something to my friends on the committee. if the FHWA fails or is unable to proceed with this very sensible and, I think, overdue reform within the few months, we shall be back with this next year when the ISTEA bill is before us. We will at that time push forward with this amendment.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Pennsylvania [Mr. SHUSTER], the chairman of the committee.

Mr. Chairman, I am sure that the gentleman will agree with me that no transportation safety issue is more important than the safe passage of our children.

Mr. SHUSTER. If the gentlewoman will yield, I certainly do agree.

Mrs. MORELLA. Mr. Chairman, countless children are at risk of serious injuries or death because their parents are unaware that some seatbelt systems are incompatible with child safety seats. Last year more than 700 children under age 4 died in car accidents and 80,000 more were injured.Denver recently set up a safety seat checkpoint. Of the 150 parents who brought in their cars, 148 out of 150 had improperly installed their child safety seat.

I think that tells us that perhaps we need to develop some short-term educational needs that can begin saving lives immediately by increasing proper child restraint use.

Mr. SHUSTER. If the gentlewoman will continue to yield, the gentlewoman, I think, will be pleased to note that section 402 of the safety grant program addresses this issue. Section 402 addresses the guidelines to encourage the proper use of child restraint systems.

Mrs. MORELLA. I appreciate that. However, Mr. Chairman, I feel that more specific measures should be encouraged. I would like to share some recommendations from the blue ribbon panel on child passenger safety established by the National Highway Traffic Safety Administration.

The panel recommends that child passenger safety education programs should be set up in every State. This includes telephone lines for consumers with questions, training for child passenger safety specialists, and one designated staff person in each State highway office that is fully trained in child passenger safety.

The panel also recommends that NHTSA should establish an electronic bulletin board system on child passenger safety to enable information on compatibility problems be shared among State highway safety offices.

Mr. SHUSTER. Mr. Chairman, I agree with the gentlewoman that this is indeed a necessary and worthwhile project. We will very seriously consider these recommendations made by the blue ribbon panel on child safety restraints.

Mrs. MORELLA. I thank the gentleman very much, Mr. Chairman, and I urge my colleagues to support the National Highway System Designation Act.

AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment, No. 22.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MILLER of California: Page 97, after line 12, add the following:

SEC. 354. PROHIBITION ON PAYMENT OF SAFETY BONUSES.

Amounts in the Highway Trust Fund established by section 9503 of the Internal Revenue Code of 1996, and non-Federal funds required by law as a condition for the receipt of such amounts, may not be expended for the payment of a safety bonus to a contractor.

Conform the table of contents of the bill accordingly.

Mr. MILLER of California. Mr. Chairman, I introduce this amendment and present it to the body to raise an issue that I think is of serious concern that has been raised recently in the press in Los Angeles, basically in the Los Angeles Times. That is the payment of safety bonuses to the contractors on the Los Angeles Metro project where we see a situation where already some nearly $3 million has been paid in safety bonuses to contractors on that project. Those contractors are in fact eligible for millions of dollars and more in safety bonuses.

Now, we all agree about trying to achieve a goal of the safe workplace, and it has been a very high priority of mine throughout my congressional career, and I am a strong believer in that. But what upsets me in this situation is that we see safety bonuses being paid and they are paid to contractors whose safety record is not very good at all. In fact, as we know, this subway system has been plagued with a series of problems that not only have been embarrassing but also, tragically, have been dangerous to the workers in that area and, in some cases, even to the surrounding property owners.

I notice in the story that they say, despite the higher than average injury rates on some of the contracts, the agency, in this case the Metropolitan Transit Authority, says that they believe that the project's overall record is no worse, no worse, than any other major project nationwide.

Then why did we pay the bonuses for them if we only got a project that was no worse? The fact is, what we find out in this story is that the people that have received, or the companies and the consortiums that have received, these bonuses, in the case of Tudor Selby, I believe it is, and Perini, received $1.3 million in bonuses. But their comparison of them to the U.S. injury rate, they are 138 percent higher.

Then it goes on to Mass Electric, 113 percent higher, and they have $300,000 in safety bonuses.

My concern is that I do not think that these safety bonuses are all that much related to safety. My concern is sometimes maybe these are used to kind of lubricate the process to keep the job going and cover up for some of the mistakes, or what have you, that are going on, higher than the ordinary course of business decisions that have been made.

I just do not think that when transit dollars are as hard to come by as they are today in this Congress, and we know the demand that this committee has placed on it every year from people who want additional transit dollars, I introduced this amendment because I would like to believe that the committee would take a look at this.

I do not know the right solution. I introduced the amendment as a cutoff of funds, or not a cutoff, but saying you could in the use of Federal dollars, and I am informed that perhaps maybe Federal dollars are not being used, but we know once you combine the pool, money is fungible. And I am just concerned, one, very much so, that we are not buying an incremental value of safety important to the workers on this project; but, secondly, if the local transportation agency, whether it is the Bay Area Rapid Transit district in my area or the Los Angeles district, if they want to engage in this, maybe they ought to do that with their taxpayer or ratepayer dollars. And that should be a local decision.

If they want to think that, they want to spend this kind of money in L.A., that does not appear as a block, to greater safety, then maybe the ratepayers and the local taxpayers ought to be in on that decision. But they should not just be using a pool of money that is supposed to be buying

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miles of tunnel or miles of track or cars for these systems, and dishing it out in this fashion.

So I do not expect to press this today, but I would just hope that the committee would give some attention to this matter, because I think it goes to the credibility of our authorizing process and it clearly goes to the scarcity of transit dollars.

The CHAIRMAN. The gentleman's time has expired.

(On request of Mr. SHUSTER and by unanimous consent, Mr. MILLER of California was allowed to proceed for 3 additional minutes.)

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

Mr. MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I would say to the gentleman that, while we oppose this amendment today, we commend him for focusing on this. There have been some real violations of this; there have been some serious problems. I want to assure the gentleman that we are instructing our investigative staff to get into this and to work with his staff on this, because we think that these problems should be dealt with.

Now, the problem with the amendment, of course, is it prohibits all of us—and I understand there are some very, very great success stories. BART, I understand, is a success story. WMATA here in Washington is a success story where they have actually reduced costs and improved safety. I salute the gentleman for calling this to our attention, and I assure him that we will focus on it with our investigators and his staff.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman for those assurances. I want to say to the gentleman how much I appreciate that, because I know the work load and the demands and the requests that this committee gets from all of the Members of this Congress. I appreciate his response to this amendment.

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

Mr. MILLER of California. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I appreciate the gentleman from California for yielding. I certainly salute him for his ever-constant vigilance of good, sound, public policy. We have just been made aware of this in the last couple of days. To my knowledge, we have not been aware of the problem with these safety bonuses before. As I understand, it has come to the public attention through a Los Angeles Times article this past Sunday.

I understand the gentleman's concern about Los Angeles, and there may or may not be a problem there. As I say, it has just come to our attention. We have not completely gathered all of that information there, and I commend the chairman for what he has said. I know that just recently I have been made aware that there is a safety bonus program in place in the bay area.

Mr. MILLER of California. Mr. Chairman, reclaiming my time, that is correct.

Mr. RAHALL. So, are there any problems there that we do not know about?

Mr. MILLER of California. Not that I know of. I thank the gentleman, and I would just say that I appreciate his comments. I would say that if we are buying incremental safety, if we are buying a value here, we are helping the workers, then maybe this program works. But if we are not doing that, then I think we are perpetrating a fraud on the workers and probably on the taxpayers.

I think that maybe people may be more diligent about it if it came out of their local—out of the fare box, so to speak, or out of their local tax rate, than if they just thought maybe the Federal Government was contributing half to the safety bonus programs. I do not know. That is for the committee, and that is why I am not pressing the amendment, because I do not know that this is a solution. And I do not want to paint every other transit district with the same problems that have been highlighted in this article.

But if the committee would give some attention to this, and the Chairman has been nice enough to ensure that, I appreciate it, and I thank the gentleman for his comments.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

□ 1730

AMENDMENT OFFERED BY MR. WARD

Mr. WARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WARD: Strike section 349 of the bill and conform the table of contents accordingly.

Mr. WARD. Mr. Chairman, my amendment would strike the language in this bill which takes the motorcycle-helmet requirement that has been imposed by the Federal Government out of statutory law or out of our statutes. That is to say we have in our current statutes the requirement that States pass a law requiring the wearing of motorcycle helmets within their State or face a loss of Federal dollars.

Mr. Chairman, I firmly and deeply believe that motorcycle helmets save lives, that motorcycle helmets reduce the overall medical expense which is borne by the people of this country in one way or another through increased insurance premiums, through increased health expenditures, or increased local hospital expenditures. In one way or another we pay for the people who choose to ride a motorcycle without a motorcycle helmet.

Mr. Chairman, I move passage of the amendment.

Mr. PETRI. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Kentucky [Mr. WARD].

Mr. Chairman, I oppose this amendment which would strike from H.R. 2274 the repeal of the helmet penalties.

This year, 25 States lost to safety programs over $51 million in highway funds because they did not have universal helmet laws. If we adopt this amendment and do not repeal the penalties, this year and in the future that amount will double—that means that $100 million in highway construction and maintenance projects will not be able to go forward in these 25 States. I am sure that many of these foregone projects would go a long way toward improving safety.

Many penalized States are particularly frustrated with this loss of funds since many have fatality rates which are actually lower than many States which do have such laws. These States—through motorcycle rider education programs or other types of safety programs—have good motorcycle safety records.

Yet because they have chosen not to adopt the one method prescribed in Washington, these States are losing highway funds. And States with fatality rates far worse are not losing highway funds. This does not make sense.

I also oppose this amendment because I do not believe the Federal Government should be trying to impose its will on the States regarding this issue. Even without these penalties, a State can adopt a universal helmet law if it so chooses, and half of the States have done so. They don't need us telling them what to do.

As the Subcommittee on Surface Transportation has heard repeatedly over the past several years, States do view this as a Federal mandate.

And yet I must question the effectiveness of this mandate. Since ISTEA was enacted in 1991, only one State has passed the required law. This is not a good track record. Finally, I do not believe it is right or fair to try to blame the current problems of Medicaid or other health care problems on motorcycle riders. There are many activities people knowingly do which expose them to some health risk—using drugs, exposure to the sun, dangerous sports, overeating—and yet those people have not been subjected to the kind of rhetoric we hear on this issue.

We should repeal these penalties which take away much needed highway construction funds from fully half of all the States, which do not take into account other safety initiatives of the States, and have not proven to be effective. I urge the House to defeat this amendment.

Mr. MINETA. Mr. Chairman, I rise in support of the gentleman's amendment.

The helmet issue is another that is often described as a States' rights issue. Yet again, I must correct the record. When one State repeals its requirement for motorcycle riders to wear helmets, we all pay.

This is true for speed limits, and it is true for helmets.

Up to 80 percent of acute and long-term care is paid for with tax dollars. And helmets

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are 67 percent effective in preventing brain injury, exactly the type of injury that needs expensive, long-term care.

Most riders who incur these injuries are young people. That means the long-term care for such riders who incur severe injuries can last for 20, 30, or even 40 years. And, in most cases, public sources, such as Medicaid, will be paying the bills.

This body is currently considering reforming the Medicaid Program. If we care about controlling costs, we must care about preventing the lessening the severity of injuries in motorcycle crashes.

The best way to do that is to encourage States to require all riders to wear helmets. Current law does not force States to pass helmet laws. If they choose not to, a small portion of certain highway funds is directed to safety programs.

This is a reasonable approach that over time saves taxpayers millions of dollars.

I urge a ''yes'' vote on the amendment.

The CHAIRMAN. The question is on amendment offered by the gentleman from Kentucky [Mr. WARD].

The amendment was rejected.

The CHAIRMAN. Are there further amendments?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DIAZ-BALART) having assumed the chair, Mr. HANSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2274) to amend title 23, United States Code, to designate the National Highway System, and for other purposes, pursuant to House Resolution 224, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SHUSTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 419, nays 7, not voting 8, as follows:

[Roll No. 679]

YEAS—419

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velázquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—7

Beilenson
Dellums
Gibbons
Jacobs
Johnston
Orton
Waters

NOT VOTING—8

Kennedy (MA)
Moakley
Reynolds
Roukema
Sisisky
Taylor (NC)
Tucker
Volkmer

□ 1753

Mr. GIBBONS changed his vote from ''yea'' to ''nay.''

Messrs. BACHUS, FATTAH, and FOGLIETTA changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 2274, the bill just passed.

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

There was no objection.

NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 440)

VerDate 20-SEP