

House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, before I give my one minute, I just would like to publicly thank our colleague, the gentleman from Ohio (Mr. HALL) for his trip to Sudan and calling attention to a tragic, tragic situation. I thank him.

Mr. Speaker, yesterday, in the California elections, the people of California rejected a cynical attempt to stifle the voices of working families in America, to stifle the voices of concerned nonprofit organizations.

Proposition 226 was an effort by the Republican leadership and the Republican Party to lash out at working families and to deny members of unions the ability to participate in the political process in this country, a right that they are guaranteed under the Constitution. It was cynically dubbed the Paycheck Protection Act. It had nothing to do with protecting people's paychecks. It had everything to do with trying to get back at organized labor in this country for the very effective campaign they ran in the last national elections on behalf of President Clinton and on behalf of many Members of the Congress where they told the truth about what the Republican leadership and majority was trying to do in this House of Representatives in denying people the rights and fundamental basic ability to raise their family.

ON CHARACTER

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, in many foreign countries it is difficult to do business without a payoff or a bribe. Just slide some money across the hand and doors open. It happens in many countries that do not have high moral standards of right and wrong. But it is not acceptable in America. Not until now. It appears something has changed.

Our high moral standards driven by character and a strong sense of right and wrong now seem to have sunk to a new low of a mere political contribution and doors open. Just a few lucrative political donations from the Communist Chinese and a big U.S. corporation will change export policy and doors will open.

The administration has taken high-tech satellite export waivers from the Department of Defense and the State Department and given it to the Commerce Department, making it easier for doors to open. Now an American company may have exported high technical information that jeopardizes our security, our national security.

It may happen in other countries, but it should never happen here.

CALIFORNIA PROPOSITION 226

(Ms. DELAURO asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I rise today to commend the voters of California for rejecting Proposition 226. Republican leaders in the House were supporting this initiative in order to silence the voices of American workers and America's working families. And by voting down Proposition 226, California voters stood up for their right to participate in the political process.

Right now, working families do not have enough say in our political process. In 1996, wealthy corporations and business representatives poured more than \$650 million into campaigns, 11 times what labor unions, the representatives of working Americans, were able to spend.

We need to pass genuine campaign finance reform that increases the participation of average working families and limits the role of wealthy special interests. We need less money in our political process. We need to restore Americans' faith in our political process. We need to pass meaningful campaign finance reform today.

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DIABETES

(Mr. CUMMINGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUMMINGS. Mr. Speaker, diabetes is a disease of national impact. According to the American Diabetes Association, there are an estimated 15.7 million people who suffer from this disease. The frightening fact is that there are over 5 million people that have it and are unaware of it.

Medical technology has not yet discovered a way to prevent this disorder. Only treatment is available. It is known as the silent killer because it seldom gives any warning of its presence. Many people are unaware that they have diabetes until they suffer from one of its life-threatening complications, blindness, kidney disease, nerve disease, amputations, heart disease and stroke.

The African-American community is nearly twice as likely to suffer from this disorder that can cause the body to not produce enough insulin or not properly use it. Over 2.3 million African-Americans have been diagnosed and over half are unaware that they have this silent and deadly disorder.

I urge this Congress to reduce the number of Americans suffering from diabetes and increase funding for biomedical research.

TEA 21 RESTORATION ACT

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 3978) to restore provisions agreed to by the conferees to H.R. 2400, entitled the "Transportation Equity Act

for the 21st Century", but not included in the conference report to H.R. 2400, and for other purposes, and that the bill be considered as passed.

The Clerk read the title of the bill.

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

Mr. BARRETT of Wisconsin. Mr. Speaker, reserving the right to object, if I could, just to embellish a little bit on my reservation, the bill that passed Congress last week had a provision that had a major impact on southeastern Wisconsin. This was a provision that was not contained in the original House version of the bill nor was it contained in the bill when it passed the Senate. However, during the conference committee, there was an amendment added to the conference committee report. That amendment basically gives the Governor of the State of Wisconsin unilateral authority, from my perspective, as to how \$241 million should be spent for transportation projects in Wisconsin, money which was by agreement originally set aside for southeastern Wisconsin. The reason that we heard from the State and from others that this provision was in the bill was because of the concern that the State of Wisconsin would lose this \$241 million. It is my belief that at this point, that is no longer a danger. And so what I am going to propose to the chairman of the committee in just a moment or two is unanimous consent for an amendment which would return the language to what I perceive to be the original agreement between the parties. If I may, Mr. Speaker, the conference report language, section (n) Substitute Project, Section 1045 of the Intermodal Surface Transportation Efficiency Act of 1991 has several sections to it. My amendment would strike the second paragraph and would insert the following two paragraphs:

Paragraph 2. "Notwithstanding paragraph (1) and subsection (c) of this section, upon the request of the Governor of the State of Wisconsin, submitted after consultation with appropriate local government officials by October 1, 2000, the Secretary may approve 1 or more substitute projects in lieu of the substitute project approved by the Secretary under paragraph (1) and subsection (c) of this section."

"(3) Funds available for 1 or more substitute projects under paragraph (2) shall be used for transportation priorities associated with the East-West Corridor Project in southeastern Wisconsin."

That would be the amendment that I am going to ask the gentleman for unanimous consent for. The reason I am doing this, Mr. Speaker, is that I believe that this is a fight, and it truly is a fight, in the State between State officials and local officials as to how this money should be spent. There was a delicate balance of power that had been achieved in the prior language that had been agreed to on a bipartisan

basis. It is my understanding that the State Transportation has asked for this language. Unfortunately, I was not aware of this language until very, very late in the process. I do not think that it is good public policy for one person whether it is a Governor, a Mayor or a President to have sole discretion over \$241 million. I think that the balance of power shifted dramatically under this amendment.

Mr. Speaker, I ask the gentleman from Pennsylvania to amend his unanimous consent request to permit this amendment to the bill.

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

Mr. BARRETT of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, I must reluctantly decline to my good friend's unanimous consent request. I will certainly try to be helpful, but I must reluctantly object.

The TEA 21 Restoration Act makes certain technical corrections to the Transportation Equity Act for the 21st Century (TEA 21), which was approved by Congress on May 22, 1998, and restores provisions agreed to by conferees but inadvertently not included in TEA 21.

The striking of section 1211(j) of TEA 21 is not intended to suggest that a home heating oil pilot program should not be conducted as originally contemplated by Congress in 1995. Rather, because the Secretary has been given new authority under section 4007 of TEA 21 for waivers, exemptions and pilot programs, the heating oil pilot can be conducted under such authority so that section 1211(j) is redundant and no longer necessary. The home heating oil pilot program was first authorized in section 346 of the National Highway System Designation Act of 1995. Due to its limited, one-year duration and delays in establishing the pilot, it was never fully implemented by the Department of Transportation. While this extension is being dropped, the Secretary should utilize the general authority to conduct the heating oil pilot program.

In addition, because of the unique seasonal nature of the heating oil industry, it is essential that a pilot program be implemented on or before December 1 if it is to have any value for the following winter heating season. Because the Secretary has previously issued regulations, following an opportunity for public comment, with regard to the heating oil pilot program enacted in 1995, the Secretary is urged to utilize that prior experience in order to expedite a pilot program, or to consider an exemption, if requested, under section 4007 of TEA 21.

Section 1204 of TEA 21 makes improvements to the current statewide planning provisions. The Conference agreement provides for enhanced consultation between local officials and States when compiling the State transportation improvement programs. This consultation may occur through a variety of mechanisms, including, where appropriate, regional development organizations. In certain areas, regional development organizations may serve to ensure the participation of local officials and the public in the planning process in a coordinated manner.

Section 3030(c) of TEA 21 makes funds available for certain new starts projects. This

section is not intended to be a limitation on the level of federal funding provided under any future full funding grant agreement. The actual federal share for projects eligible for full funding grant agreements shall be negotiated between the designated recipient and the Secretary. For example, the amounts included in subsection 3030(c) for the Dallas-North Central Extension project do not reflect a cap on the Federal share of project costs included in a future full funding grant agreement. Since this project is also authorized in subsection 3030(a) for final design and construction, the amount included is a minimum amount which will be provided in a full funding grant agreement. The actual Federal share will be negotiated between DART and the Secretary.

The following is a summary of the bill:

HOUSE/SENATE JOINT SUMMARY OF TECHNICAL CORRECTIONS TO TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

This legislation restores and corrects provisions agreed to by the conferees to the Transportation Equity Act for the 21st Century. This legislation has been developed jointly by the conferees to reflect the conference agreement.

This legislation does not change the formula allocations contained in the Conference Report to the Transportation Equity Act for the 21st Century.

Provisions previously agreed to by conferees and restored in this legislation:

National Historic Covered Bridge Preservation program.

Substitute Project for the Barney Circle Freeway project, Washington, D.C.

Discretionary Grant Selection Criteria and Process.

Open Container Laws.

Minimum Penalties for Repeat Offenders for Driving while Intoxicated.

Making Intelligent Transportation System activities eligible for innovative financing.

Corrections to duplicate provisions:

San Mateo County, California—eligibility for the Emergency Relief program.

Value Pricing Pilot program.

National Defense Highways Outside the United States.

Other technical corrections:

Conforms authorization levels with the list of high priority projects.

Modifies funding level for the Highway Use Tax Evasion program.

Retains practice under current law which allows multi-year obligation authority for research programs.

Continues current law requirement for Puerto Rico to comply with the minimum drinking age law and identifies program category funding distribution.

Modifies the Magnetic Levitation Transportation Technology Deployment Program as it relates to low speed magnetic levitation technologies.

Conforms credit levels in TIFIA to agreed upon distribution of budget authority.

SUMMARY OF TECHNICAL CORRECTIONS TO TEA-21

Section 2:

Adjusts funding levels for high priority projects to conform with list in the conference report and to correct other errors.

Adjusts funding levels for Highway Use Tax Evasion projects to allow for implementation of the Excise Fuel Tracking System.

Makes corrections to obligation limitation levels.

Retains practice in current law to continue multi-year obligation authority for research programs.

Corrects description of Interstate routes used in apportionments.

Section 3:

Restores the National Historic Covered Bridge Preservation program.

Restores the Substitute Project for the Barney Circle Freeway, Washington, D.C.

Restores Fiscal, Administrative and Other Amendments included in both House and Senate bills.

Clarifies program funding categories for Puerto Rico and continues current law penalties for Puerto Rico for non-compliance with the federal minimum drinking age requirements.

Modifies Sec. 1217(j) to allow for effective implementation of this subsection.

Modifies Magnetic Levitation Deployment Program to clarify eligibility of low-speed magnetic levitation technologies.

Section 4:

Restores the Discretionary Grant Selection Criteria program.

Conforms Environmental Streamlining to include mass transit projects.

Section 5:

Restores the Open Container Law safety program.

Restores the Minimum Penalties for Repeat Offenders program.

Section 6:

Eliminates duplicate provisions for San Mateo County, California, the Value.

Pricing Pilot Program, and National Defense Highways Outside the United States.

Restores the Minnesota Transportation History Network program.

Section 7:

Conforms the credit levels in the Transportation Infrastructure Finance and Innovation program to agreed upon distribution levels of budget authority.

Section 8:

Makes technical corrections, description changes and previously agreed upon additions to high priority projects.

Section 9:

Makes corrections to transit planning provisions to conform to provisions in title 23.

Clarifies eligibility of clean diesel under clean fuels program.

Makes technical corrections to section 5309 and clarifies the Secretary's full funding grant agreement authority.

Funds University Transportation Centers authorized under title 5.

Restores requirement that transit grantees accept non-disputed audits of other government agencies when awarding contracts.

Makes corrections to the authorizations for planning, University Transportation Centers, the National Transit Institute and the additional amounts for new starts.

Makes technical corrections, description changes, and previously agreed upon additions to new starts projects.

Makes technical corrections to the access to jobs and reverse commute programs.

Corrects funding level for the Rural Transportation Accessibility Incentive Program and makes other technical corrections.

Makes technical corrections to study on transit in national parks.

Makes corrections to obligation limitation levels.

Section 10:

Conforms section references for the Motor Carrier Safety program.

Section 11:

Adjusts authorization levels for university transportation centers to conform with modifications made in the Transit title in Section 9.

Restores eligibility of Intelligent Transportation System activities for innovative financing.

Corrects drafting errors to Oklahoma State University and University of Oklahoma research activities.

Corrects drafting errors to Fundamental Properties of Asphalts and Modified Asphalts research program.

Section 12:

Corrects reference to the National Highway Traffic Safety Administration.

Section 13:

Makes corrections to offsetting adjustments for discretionary spending limits.

Section 14:

Makes corrections to the Veterans subtitle.

Section 15:

Makes technical corrections to the Revenue title.

Section 16:

Provides for the effective date of this act to conform with the effective date of TEA-21.

I would also like to add that the Statement of Managers included in the Conference Report also contains errors. A corrected Statement of Managers will be worked out with the Senate and included in both records shortly.

Mr. BARRETT of Wisconsin. Mr. Speaker, further reserving the right to object, I appreciate that. What I felt was necessary was for the body to hear the other side of the story here so that individuals know that this is a very, very, very important concern for the people of southeastern Wisconsin. I wanted to make sure that the people in this Chamber realize how important this is, at least for this Member and I think for the two Senators from the State of Wisconsin as well as the gentleman from Wisconsin (Mr. KLECZKA).

Mr. BLILEY. Mr. Speaker, I rise in strong support of H.R. 3978, the TEA 21 Restoration Act. As you know, Title VII of the TEA 21 conference report contained provisions within the jurisdiction of the Committee on Commerce which reauthorized the National Highway Traffic Safety Administration. Among those provisions was a restriction on the use of funds authorized by the legislation for the lobbying of state and local legislators.

While both the House and Senate conferees intended that the provision apply only to NHTSA, the language ultimately sent to the President inadvertently applied to the entire Department of Transportation. Section 12(a) of H.R. 3978 corrects this drafting error and restores the intent of the conferees.

Mr. Speaker, the Committee on Commerce has no objection to this change, and I support the adoption of this provision.

Mr. PETRI. Mr. Speaker, the bill before us simply makes corrections to inadvertent errors that were contained in the conference report to accompany H.R. 2400, known as the Transportation Equity Act for the 21st Century, which was approved by the Congress on May 22.

This legislation reinstates certain provisions agreed to by the conferees but which, for whatever reason, were not included in the final version. Again, these provisions simply reflect agreements reached by the conferees. In addition, upon review by the Transportation and Infrastructure Committee and the Department of Transportation, certain other inadvertent errors and technical problems have been discovered and the bill before us today will correct these errors.

Congressional approval of the Transportation Equity Act for the 21st Century, known as TEA 21, has already been heralded as one of the landmark achievements of the 105th Congress. Building upon the success of its predecessor, ISTEA, TEA 21 continues our nation's highway, transit and safety programs

and will lead us into the 21st Century. Perhaps the most important reform in TEA 21 is that transportation spending will now be linked to the taxes being paid by motorists and deposited into the Highway Trust Fund. In addition, major reforms were made to benefit donor states, with each state being guaranteed at least a 90.5 percent Highway Trust Fund return on apportioned programs and projects.

TEA 21 also included a number of provisions that give states additional opportunity to finance highway projects through the use of tolls. The provisions include a new pilot program that allows tolls on three Interstates requiring major rehabilitation, and a value pricing program which allows up to 15 projects, up to 3 on the Interstates, as part of programs to reduce congestion. New and existing innovative finance programs could likely encourage additional tolls.

Highway user groups, including the American Trucking Associations, the American Automobile Association and the American Highway User Alliance, have expressed concern about the potential impact of additional tolls on their members and the general public. They believe that new tolls will adversely affect interstate commerce and travel by increasing congestion, posing safety problems and increasing air quality problems. These groups also believe that new tolls are really taxes that constitute double taxation of highway users who are already paying the bill for our highways in the form of fuel taxes and registration fees. Recent polls suggest the public may have similar concerns.

As these pilot programs are implemented, we will continue to monitor, through possible hearings and in other ways, the impacts on highway users of these programs as Congress determines what role tolls should play in the future in meeting transportation needs around the country.

The final sentence of Section 4014(c) of TEA 21 allows motor carriers to obtain a driver applicant's motor vehicle record without complying with any requirement to obtain the prior written consent of the applicant that might be imposed by any other provision of federal or state law. This language is intended to address a very limited safety concern for motor carriers who are mandated to obtain such records by the Federal Highway Administration.

Finally, section 1211(n) of TEA 21 makes certain revisions to a Wisconsin Substitute project originally authorized in section 1045 of ISTEA. It is my understanding that, in carrying out this provision, the Governor of Wisconsin will consult with local officials and that the \$241 million of Interstate Substitute funds will be spent in the Milwaukee area.

Mr. BARRETT of Wisconsin. Mr. Speaker, with that and with the indulgence of the chairman of the committee, I withdraw my reservation of objection.

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

There was no objection.

The text of H.R. 3978 is as follows:

H.R. 3978

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "TEA 21 Restoration Act".

SEC. 2. AUTHORIZATION AND PROGRAM SUB-TITLE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1101(a) of the Transportation Equity Act for the 21st Century is amended—

(1) in paragraph (13)—

(A) by striking "\$1,025,695,000" and inserting "\$1,029,473,500";

(B) by striking "\$1,398,675,000" and inserting "\$1,403,827,500";

(C) by striking "\$1,678,410,000" the first place it appears and inserting "\$1,684,593,000";

(D) by striking "\$1,678,410,000" the second place it appears and inserting "\$1,684,593,000";

(E) by striking "\$1,771,655,000" the first place it appears and inserting "\$1,778,181,500"; and

(F) by striking "\$1,771,655,000" the second place it appears and inserting "\$1,778,181,500"; and

(2) in paragraph (14)—

(A) by striking "1998" and inserting "1999"; and

(B) by inserting before "\$5,000,000" the following: "\$10,000,000 for fiscal year 1998".

(b) OBLIGATION LIMITATIONS.—

(1) GENERAL LIMITATION.—Section 1102(a) of such Act is amended—

(A) in paragraph (2) by striking "\$25,431,000,000" and inserting "\$25,511,000,000";

(B) in paragraph (3) by striking "\$26,155,000,000" and inserting "\$26,245,000,000";

(C) in paragraph (4) by striking "\$26,651,000,000" and inserting "\$26,761,000,000";

(D) in paragraph (5) by striking "\$27,235,000,000" and inserting "\$27,355,000,000"; and

(E) in paragraph (6) by striking "\$27,681,000,000" and inserting "\$27,811,000,000".

(2) TRANSPORTATION RESEARCH PROGRAMS.—Section 1102(e) of such Act is amended—

(A) by striking "3" and inserting "5";

(B) by striking "VI" and inserting "V"; and

(C) by inserting before the period at the end the following: "; except that obligation authority made available for such programs under such limitations shall remain available for a period of 3 fiscal years".

(3) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Section 1102(f) of such Act is amended by striking "(other than the program under section 160 of title 23, United States Code)".

(c) APPORTIONMENTS.—Section 1103 of such Act is amended—

(1) in subsection (1) by adding at the end the following:

"(5) Section 150 of such title, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.";

(2) in subsection (n) by inserting "of title 23, United States Code" after "206"; and

(3) by adding at the end the following:

"(o) TECHNICAL ADJUSTMENTS.—Section 104 of title 23, United States Code, is amended—

"(1) in subsection (a)(1) (as amended by subsection (a) of this section) by striking 'under section 103';

"(2) in subsection (b) (as amended by subsection (b) of this section)—

"(A) in paragraph (1)(A) by striking '1999 through 2003' and inserting '1998 through 2002'; and

"(B) in paragraph (4)(B)(i) by striking 'on lanes on Interstate System' and all that follows through 'in each State' and inserting 'on Interstate System routes open to traffic in each State'; and

"(3) in subsection (e)(2) (as added by subsection (d)(6) of this section) by striking '104, 144, or 157' and inserting '104, 105, or 144'."

(d) MINIMUM GUARANTEE.—Section 1104 of such Act is amended by adding at the end the following:

“(c) TECHNICAL ADJUSTMENTS.—Section 105 of title 23, United States Code (as amended by subsection (a) of this section), is amended—

“(1) in subsection (a) by adding at the end the following: ‘The minimum amount allocated to a State under this section for a fiscal year shall be \$1,000,000.’;

“(2) in subsection (c)(1) by striking ‘50 percent of’;

“(3) in subsection (c)(1)(A) by inserting ‘(other than metropolitan planning, minimum guarantee, high priority projects, Appalachian development highway system, and recreational trails programs)’ after ‘subsection (a)’;

“(4) in subsection (c)(1)(B) by striking ‘all States’ and inserting ‘each State’;

“(5) in subsection (c)(2)—

“(A) by striking ‘apportion’ and inserting ‘administer’; and

“(B) by striking ‘apportioned’ and inserting ‘administered’; and

“(6) in subsection (f)—

“(A) by inserting ‘percentage’ before ‘return’ each place it appears;

“(B) in paragraph (2) by striking ‘for the preceding fiscal year was equal to or less than’ and inserting ‘in the table in subsection (b) was equal to’; and

“(C) in paragraph (3)—

“(i) by inserting ‘proportionately’ before ‘adjust’;

“(ii) by striking ‘set forth’; and

“(iii) by striking ‘do not exceed’ and inserting ‘is equal to’.”

(e) REVENUE ALIGNED BUDGET AUTHORITY.—Section 1105 of such Act is amended by adding at the end the following:

“(c) TECHNICAL CORRECTIONS.—Section 110 of such title (as amended by subsection (a)) is amended—

“(1) by striking subsection (a) and inserting the following:

(a) IN GENERAL.—

“(1) ALLOCATION.—On October 15 of fiscal year 2000 and each fiscal year thereafter, the Secretary shall allocate for such fiscal year an amount of funds equal to the amount determined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C 901(b)(2)(B)(ii)(I)(cc)) if the amount determined pursuant to such section for such fiscal year is greater than zero.

“(2) REDUCTION.—If the amount determined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C 901(b)(2)(B)(ii)(I)(cc)) for fiscal year 2000 or any fiscal year thereafter is less than zero, the Secretary on October 1 of the succeeding fiscal year shall reduce proportionately the amount of sums authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out each of the Federal-aid highway and highway safety construction programs (other than emergency relief) by an aggregate amount equal to the amount determined pursuant to such section.”;

“(2) in subsections (b)(2) and (b)(4) by striking ‘subsection (a)’ and inserting ‘subsection (a)(1)’; and

“(3) in subsection (c) by striking ‘Maintenance program, the’ and inserting ‘and’.”

(f) INTERSTATE MAINTENANCE PROGRAM.—Section 1107 of such Act is amended by adding at the end the following:

“(d) TECHNICAL AMENDMENTS.—Section 119 of such title (as amended by subsection (a)) is amended—

“(1) in subsection (b)—

“(A) by striking ‘104(b)(5)(B)’ and inserting ‘104(b)(4)’; and

“(B) by striking ‘104(b)(5)(A)’ each place it appears and inserting ‘104(b)(5)(A) (as in effect on the date before the date of enactment of the Transportation Equity Act for the 21st Century)’; and

“(2) in subsection (c) by striking ‘104(b)(5)(B)’ each place it appears and inserting ‘104(b)(4)’.”

(g) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—Section 1110(d)(2) of such Act is amended—

(1) by striking “149(c)” and inserting “149(e)”;

(2) by striking “that reduce” and inserting “reduce”.

(h) HIGHWAY USE TAX EVASION PROJECTS.—Section 1114 of such Act is amended by adding at the end the following:

“(c) TECHNICAL ADJUSTMENTS.—Section 143 of title 23, United States Code (as amended by subsection (a) of this section), is amended—

“(1) in subsection (c)(1) by striking ‘April 1’ and inserting ‘August 1’;

“(2) in subsection (c)(3) by inserting ‘PRIORITY’ after ‘FUNDING’; and

“(3) in subsection (c)(3) by inserting ‘and prior to funding any other activity under this section,’ after ‘2003.’.”

(i) FEDERAL LANDS HIGHWAYS PROGRAM.—Section 1115 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“(f) CONFORMING AMENDMENTS.—

“(1) FEDERAL SHARE.—Subsections (j) and (k) of section 120 of title 23, United States Code (as added by subsection (a) of this section), are redesignated as subsections (k) and (l), respectively.

“(2) RESERVATION OF FUNDS.—Section 202(d)(4)(B) of such title (as added by subsection (b)(4) of this section) is amended by striking ‘to, apply sodium acetate/formate de-icer to,’ and inserting ‘, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions’.

“(3) ELIMINATION OF DUPLICATIVE PROVISION.—Section 144(g) of such title is amended by striking paragraph (4).”

(j) WOODROW WILSON MEMORIAL BRIDGE CORRECTION.—Section 1116 of such Act is amended by adding at the end the following:

“(e) TECHNICAL CORRECTION.—Sections 404(5) and 407(c)(2)(C)(iii) of such Act (as amended by subsections (a)(2) and (b)(2), respectively) are amended by striking ‘the record of decision’ each place it appears and inserting ‘a record of decision’.”

(k) TECHNICAL CORRECTION.—Section 1117 of such Act is amended in subsections (a) and (b) by striking “section 102” each place it appears and inserting “section 1101(a)(6)”.

SEC. 3. RESTORATIONS TO GENERAL PROVISIONS SUBTITLE.

(a) IN GENERAL.—Subtitle B of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“SEC. 1224. NATIONAL HISTORIC COVERED BRIDGE PRESERVATION.

“(a) HISTORIC COVERED BRIDGE DEFINED.—In this section, the term ‘historic covered bridge’ means a covered bridge that is listed or eligible for listing on the National Register of Historic Places.

“(b) HISTORIC COVERED BRIDGE PRESERVATION.—Subject to the availability of appropriations under subsection (d), the Secretary shall—

“(1) collect and disseminate information concerning historic covered bridges;

“(2) foster educational programs relating to the history and construction techniques of historic covered bridges;

“(3) conduct research on the history of historic covered bridges; and

“(4) conduct research, and study techniques, on protecting historic covered bridges from rot, fire, natural disasters, or weight-related damage.

“(c) DIRECT FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to a State that submits an application to the Secretary that demonstrates a need for assistance in carrying out 1 or more historic covered bridge projects described in paragraph (2).

“(2) TYPES OF PROJECT.—A grant under paragraph (1) may be made for a project—

“(A) to rehabilitate or repair a historic covered bridge; and

“(B) to preserve a historic covered bridge, including through—

“(i) installation of a fire protection system, including a fireproofing or fire detection system and sprinklers;

“(ii) installation of a system to prevent vandalism and arson; or

“(iii) relocation of a bridge to a preservation site.

“(3) AUTHENTICITY.—A grant under paragraph (1) may be made for a project only if—

“(A) to the maximum extent practicable, the project—

“(i) is carried out in the most historically appropriate manner; and

“(ii) preserves the existing structure of the historic covered bridge; and

“(B) the project provides for the replacement of wooden components with wooden components, unless the use of wood is impracticable for safety reasons.

“(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with a grant under this subsection shall be 80 percent.

“(d) FUNDING.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 1999 through 2003. Such funds shall remain available until expended.

“SEC. 1225. SUBSTITUTE PROJECT.

“(a) APPROVAL OF PROJECT.—Notwithstanding any other provision of law, upon the request of the Mayor of the District of Columbia, the Secretary may approve substitute highway and transit projects under section 103(e)(4) of title 23, United States Code (as in effect on the day before the date of enactment of this Act), in lieu of construction of the Barney Circle Freeway project in the District of Columbia, as identified in the 1991 Interstate Cost Estimate.

“(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—Upon approval of any substitute project or projects under subsection (a)—

“(1) the cost of construction of the Barney Circle Freeway Modification project shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

“(2) substitute projects approved pursuant to this section shall be funded from interstate construction funds apportioned or allocated to the District of Columbia that are not expended and not subject to lapse on the date of enactment of this Act.

“(c) FEDERAL SHARE.—The Federal share payable on account of a project or activity approved under this section shall be 85 percent of the cost thereof; except that the exception set forth in section 120(b)(2) of title 23, United States Code, shall apply.

“(d) LIMITATION ON ELIGIBILITY.—Any substitute project approved pursuant to subsection (a) (for which the Secretary finds that sufficient Federal funds are available) must be under contract for construction, or construction must have commenced, before the last day of the 4-year period beginning on the date of enactment of this Act. If the substitute project is not under contract for construction, or construction has not commenced, by such last day, the Secretary

shall withdraw approval of the substitute project.

“SEC. 1226. FISCAL, ADMINISTRATIVE, AND OTHER AMENDMENTS.

“(a) **ADVANCED CONSTRUCTION.**—Section 115 of title 23, United States Code, is amended—

“(1) in subsection (b)—

“(A) by moving the text of paragraph (1) (including subparagraphs (A) and (B)) 2 ems to the left;

“(B) by striking ‘PROJECTS’ and all that follows through ‘When a State’ and inserting ‘PROJECTS.—When a State’;

“(C) by striking paragraphs (2) and (3);

“(D) by striking ‘(A) prior’ and inserting ‘(1) prior’; and

“(E) by striking ‘(B) the project’ and inserting ‘(2) the project’;

“(2) by striking subsection (c); and

“(3) by redesignating subsection (d) as subsection (c).

“(b) **AVAILABILITY OF FUNDS.**—Section 118 of such title is amended—

“(1) in the subsection heading of subsection (b) by striking ‘DISCRETIONARY PROJECTS’; and

“(2) by striking subsection (e) and inserting the following:

“(e) **EFFECT OF RELEASE OF FUNDS.**—Any Federal-aid highway funds released by the final payment on a project, or by the modification of the project agreement, shall be credited to the same program funding category previously apportioned to the State and shall be immediately available for expenditure.”.

“(c) **ADVANCES TO STATES.**—Section 124 of such title is amended—

“(1) by striking ‘(a)’ the first place it appears; and

“(2) by striking subsection (b).

“(d) **DIVERSION.**—Section 126 of such title, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.”.

(b) **CONFORMING AMENDMENT.**—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 1222 the following:

“Sec. 1223. Transportation assistance for Olympic cities.

“Sec. 1224. National historic covered bridge preservation.

“Sec. 1225. Substitute project.

“Sec. 1226. Fiscal, administrative, and other amendments.”.

(c) **METROPOLITAN PLANNING TECHNICAL ADJUSTMENT.**—Section 1203 of such Act is amended by adding at the end the following:

“(a) **TECHNICAL ADJUSTMENT.**—Section 134(h)(5)(A) of title 23, United States Code (as amended by subsection (h) of this section), is amended by striking ‘for implementation’.”.

(d) **AMENDMENTS TO PRIOR SURFACE TRANSPORTATION LAWS.**—Section 1211 of such Act is amended—

(1) in subsection (i)(3)(E) by striking “subparagraph (D)” and inserting “subparagraph (C)”;

(2) in subsection (i) by adding at the end the following:

“(4) **TECHNICAL AMENDMENTS.**—Section 1105(e)(5)(B)(i) of such Act (as amended by paragraph (3) of this subsection) is amended—

“(A) by striking ‘subsection (c)(18)(B)(i)’ and inserting ‘subsection (c)(18)(D)(i)’;

“(B) by striking ‘subsection (c)(18)(B)(ii)’ and inserting ‘subsection (c)(18)(D)(ii)’; and

“(C) by adding at the end the following: ‘The portion of the route referred to in subsection (c)(36) is designated as Interstate Route I-86.’”;

(3) by striking subsection (j);

(4) in subsection (k)—

(A) by striking “along” in paragraph (1) and inserting “from”; and

(B) by adding at the end the following:

“(4) **TEXAS STATE HIGHWAY 99.**—Texas State Highway 99 (also known as ‘Grand Parkway’) shall be considered as 1 option in the I-69 route studies performed by the Texas Department of Transportation for the designation of I-69 Bypass in Houston, Texas.”; and

(5) by redesignating subsections (g) through (i) and (k) through (n) as subsections (f) through (h) and (i) through (l), respectively.

(e) **MISCELLANEOUS.**—Section 1212 of such Act is amended—

(1) in the second sentence of subsection (q)(1) by striking “advance curriculum” and inserting “advanced curriculum”;

(2) in subsection (r)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) \$2,000,000 for fiscal year 1999 and \$2,500,000 for fiscal year 2000.”;

(3) in subsection (s)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) \$23,000,000 for fiscal year 1999.”;

(4) in subsection (u)—

(A) by inserting “the Secretary shall approve, and” before “the Commonwealth”;

(B) by inserting a comma after “with”; and

(C) by inserting “(as redefined by this Act)” after “80”; and

(5) by redesignating subsections (k) through (z) as subsections (e) through (t), respectively.

(f) **PUERTO RICO HIGHWAY PROGRAM.**—Section 1214(r) of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“(3) **TREATMENT OF FUNDS.**—Amounts made available to carry out this subsection for a fiscal year shall be administered as follows:

“(A) For purposes of this subsection, such amounts shall be treated as being apportioned to Puerto Rico under sections 104(b), 144, and 206 of title 23, United States Code, for each program funded under such sections in an amount determined by multiplying—

“(i) the aggregate of such amounts for the fiscal year; by

“(ii) the ratio that—

“(I) the amount of funds apportioned to Puerto Rico for each such program for fiscal year 1997; bears to

“(II) the total amount of funds apportioned to Puerto Rico for all such programs for fiscal year 1997.

“(B) The amounts treated as being apportioned to Puerto Rico under each section referred to in subparagraph (A) shall be deemed to be required to be apportioned to Puerto Rico under such section for purposes of the imposition of any penalty provisions in titles 23 and 49, United States Code.

“(C) Subject to subparagraph (B), nothing in this subsection shall be construed as affecting any allocation under section 105 of title 23, United States Code, and any apportionment under sections 104 and 144 of such title.”.

(g) **DESIGNATED TRANSPORTATION ENHANCEMENT ACTIVITIES.**—Section 1215 of such Act—

(1) is amended in each of subsections (d), (e), (f), and (g)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) the amounts specified in such paragraph for the fiscal years specified in such paragraph.”; and

(2) in subsection (d)(1) by inserting “on Route 50” after “measures”.

(h) **ELIGIBILITY.**—Section 1217 of such Act is amended—

(1) in subsection (d) by striking “104(b)(4)” and inserting “104(b)(5)(A)”;

(2) in subsection (i) by striking “120(l)(1)” and inserting “120(j)(1)”;

(3) in subsection (j) by adding at the end the following: “\$3,000,000 of the amounts made available for item 164 of the table contained in section 1602 shall be made available on October 1, 1998, to the Pennsylvania Turnpike Commission to carry out this subsection.”.

(i) **MAGNETIC LEVITATION TRANSPORTATION TECHNOLOGY DEPLOYMENT PROGRAM.**—Section 1218 of such Act is amended by adding at the end the following:

“(c) **TECHNICAL AMENDMENTS.**—Section 322 of title 23, United States Code (as added by subsection (a) of this section), is amended—

“(1) in subsection (a)(3) by striking ‘or under 50 miles per hour’;

“(2) in subsection (d)—

“(A) in paragraph (1) by striking ‘or low-speed’; and

“(B) in paragraph (2)—

“(i) in subparagraph (A) by striking ‘(h)(1)(A)’ and inserting ‘(h)(1)’; and

“(ii) in subparagraph (B) by striking ‘(h)(4)’ and inserting ‘(h)(3)’;

“(3) in subsection (h)(1)(B)(i) by inserting ‘(other than subsection (i))’ after ‘this section’; and

“(4) by adding at the end the following:

“(i) **LOW-SPEED PROJECT.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of this section, of the funds made available by subsection (h)(1)(A) to carry out this section, \$5,000,000 shall be made available to the Secretary to make grants for the research and development of low-speed superconductivity magnetic levitation technology for public transportation purposes in urban areas to demonstrate energy efficiency, congestion mitigation, and safety benefits.

“(2) **NONCONTRACT AUTHORITY AUTHORIZATION OF APPROPRIATIONS.**—

“(A) **IN GENERAL.**—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection such sums as are necessary for each of fiscal years 2000 through 2003.

“(B) **AVAILABILITY.**—Notwithstanding section 118(a), funds made available under subparagraph (A)—

“(i) shall not be available in advance of an annual appropriation; and

“(ii) shall remain available until expended.”.

(j) **TRANSPORTATION ASSISTANCE FOR OLYMPIC CITIES.**—Section 1223(f) of such Act is amended by inserting before the period at the end the following: “or Special Olympics International”.

SEC. 4. RESTORATIONS TO PROGRAM STREAMLINING AND FLEXIBILITY SUBTITLE.

(a) **IN GENERAL.**—Subtitle C of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“SEC. 1311. DISCRETIONARY GRANT SELECTION CRITERIA AND PROCESS.

“(a) ESTABLISHMENT OF CRITERIA.—The Secretary shall establish criteria for all discretionary programs funded from the Highway Trust Fund (other than the Mass Transit Account). To the extent practicable, such criteria shall conform to the Executive Order No. 12893 (relating to infrastructure investment).

“(b) SELECTION PROCESS.—

“(1) LIMITATION ON ACCEPTANCE OF APPLICATIONS.—Before accepting applications for grants under any discretionary program for which funds are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) by this Act (including the amendments made by this Act), the Secretary shall publish the criteria established under subsection (a). Such publication shall identify all statutory criteria and any criteria established by regulation that will apply to the program.

“(2) EXPLANATION.—Not less often than quarterly, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of the projects selected under discretionary programs funded from the Highway Trust Fund (other than the Mass Transit Account) and an explanation of how the projects were selected based on the criteria established under subsection (a).

“(c) MINIMUM COVERED PROGRAMS.—At a minimum, the criteria established under subsection (a) and the selection process established by subsection (b) shall apply to the following programs:

“(1) The intelligent transportation system deployment program under title V.

“(2) The national corridor planning and development program.

“(3) The coordinated border infrastructure and safety program.

“(4) The construction of ferry boats and ferry terminal facilities.

“(5) The national scenic byways program.

“(6) The Interstate discretionary program.

“(7) The discretionary bridge program.”

“(b) CONFORMING AMENDMENTS.—The table of contents contained in section 1(b) of such Act is amended—

(1) by striking the following:

“Sec. 1309. Major investment study integration.”

and inserting the following:

“Sec. 1308. Major investment study integration.”;

and

(2) by inserting after the item relating to section 1310 the following:

“Sec. 1311. Discretionary grant selection criteria and process.”.

(c) REVIEW PROCESS.—Section 1309 of the Transportation Equity Act for the 21st Century is amended—

(1) in subsection (a)(1) by inserting after “highway construction” the following: “and mass transit”;

(2) in subsection (d) by inserting after “Code,” the following: “or chapter 53 of title 49, United States Code,”; and

(3) in subsection (e)(1)—

(A) by inserting “or recipient” after “a State”;

(B) by inserting after “provide funds” the following: “for a highway project”; and

(C) by inserting after “Code,” the following: “or for a mass transit project made available under chapter 53 of title 49, United States Code.”.

SEC. 5. RESTORATIONS TO SAFETY SUBTITLE.

(a) IN GENERAL.—Subtitle D of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“SEC. 1405. OPEN CONTAINER LAWS.

“(a) ESTABLISHMENT.—Chapter 1 of title 23, United States Code, is amended by inserting after section 153 the following:

“§ 154. Open container requirements

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ALCOHOLIC BEVERAGE.—The term “alcoholic beverage” has the meaning given the term in section 158(c).

“(2) MOTOR VEHICLE.—The term “motor vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated exclusively on a rail or rails.

“(3) OPEN ALCOHOLIC BEVERAGE CONTAINER.—The term “open alcoholic beverage container” means any bottle, can, or other receptacle—

“(A) that contains any amount of alcoholic beverage; and

“(B)(i) that is open or has a broken seal; or

“(ii) the contents of which are partially removed.

“(4) PASSENGER AREA.—The term “passenger area” shall have the meaning given the term by the Secretary by regulation.

“(b) OPEN CONTAINER LAWS.—

“(1) IN GENERAL.—For the purposes of this section, each State shall have in effect a law that prohibits the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle (including possession or consumption by the driver of the vehicle) located on a public highway, or the right-of-way of a public highway, in the State.

“(2) MOTOR VEHICLES DESIGNED TO TRANSPORT MANY PASSENGERS.—For the purposes of this section, if a State has in effect a law that makes unlawful the possession of any open alcoholic beverage container by the driver (but not by a passenger)—

“(A) in the passenger area of a motor vehicle designed, maintained, or used primarily for the transportation of persons for compensation, or

“(B) in the living quarters of a house coach or house trailer,

the State shall be deemed to have in effect a law described in this subsection with respect to such a motor vehicle for each fiscal year during which the law is in effect.

“(c) TRANSFER OF FUNDS.—

“(1) FISCAL YEARS 2001 AND 2002.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402—

“(A) to be used for alcohol-impaired driving countermeasures; or

“(B) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

“(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall transfer an amount equal to 3 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be

used or directed as described in subparagraph (A) or (B) of paragraph (1).

“(3) USE FOR HAZARD ELIMINATION PROGRAM.—A State may elect to use all or a portion of the funds transferred under paragraph (1) or (2) for activities eligible under section 152.

“(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds transferred under paragraph (1) or (2), or used under paragraph (3), shall be 100 percent.

“(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1) or (2) may be derived from 1 or more of the following:

“(A) The apportionment of the State under section 104(b)(1).

“(B) The apportionment of the State under section 104(b)(3).

“(C) The apportionment of the State under section 104(b)(4).

“(6) TRANSFER OF OBLIGATION AUTHORITY.—

“(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs for carrying out projects under section 402.

“(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

“(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

“(ii) the ratio that—

“(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

“(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

“(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.”.

“(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by inserting after the item relating to section 153 the following:

‘154. Open container requirements.’.

“SEC. 1406. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.

“(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“§ 164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ALCOHOL CONCENTRATION.—The term “alcohol concentration” means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

“(2) DRIVING WHILE INTOXICATED; DRIVING UNDER THE INFLUENCE.—The terms “driving while intoxicated” and “driving under the influence” mean driving or being in actual physical control of a motor vehicle while having an alcohol concentration above the permitted limit as established by each State.

“(3) LICENSE SUSPENSION.—The term “license suspension” means the suspension of all driving privileges.

“(4) MOTOR VEHICLE.—The term “motor vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated solely on a rail line or a commercial vehicle.

“(5) REPEAT INTOXICATED DRIVER LAW.—The term “repeat intoxicated driver law” means a State law that provides, as a minimum penalty, that an individual convicted of a second or subsequent offense for driving while intoxicated or driving under the influence after a previous conviction for that offense shall—

“(A) receive a driver’s license suspension for not less than 1 year;

“(B) be subject to the impoundment or immobilization of each of the individual’s motor vehicles or the installation of an ignition interlock system on each of the motor vehicles;

“(C) receive an assessment of the individual’s degree of abuse of alcohol and treatment as appropriate; and

“(D) receive—

“(i) in the case of the second offense—

“(I) an assignment of not less than 30 days of community service; or

“(II) not less than 5 days of imprisonment; and

“(ii) in the case of the third or subsequent offense—

“(I) an assignment of not less than 60 days of community service; or

“(II) not less than 10 days of imprisonment.

“(E) TRANSFER OF FUNDS.—

“(1) FISCAL YEARS 2001 AND 2002.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402—

“(A) to be used for alcohol-impaired driving countermeasures; or

“(B) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

“(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 3 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in subparagraph (A) or (B) of paragraph (1).

“(3) USE FOR HAZARD ELIMINATION PROGRAM.—A State may elect to use all or a portion of the funds transferred under paragraph (1) or (2) for activities eligible under section 152.

“(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds transferred under paragraph (1) or (2), or used under paragraph (3), shall be 100 percent.

“(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1) or (2) may be derived from 1 or more of the following:

“(A) The apportionment of the State under section 104(b)(1).

“(B) The apportionment of the State under section 104(b)(3).

“(C) The apportionment of the State under section 104(b)(4).

“(6) TRANSFER OF OBLIGATION AUTHORITY.—

“(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs for carrying out projects under section 402.

“(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

“(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

“(ii) the ratio that—

“(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

“(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

“(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.”

“(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by adding at the end the following:

“164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.”

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 1403 the following:

“Sec. 1404. Safety incentives to prevent operation of motor vehicles by intoxicated persons.

“Sec. 1405. Open container laws.

“Sec. 1406. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.”

(c) ROADSIDE SAFETY TECHNOLOGIES.—Section 1402(a)(2) of such Act is amended by striking “directive” and inserting “redirec-tive”.

SEC. 6. ELIMINATION OF DUPLICATE PROVISIONS.

(a) SAN MATEO COUNTY, CALIFORNIA.—Section 1113 of the Transportation Equity Act for the 21st Century is amended—

(1) by striking subsection (c); and

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

(b) VALUE PRICING PILOT PROGRAM.—Section 1216(a) of such Act is amended by adding at the end the following:

“(8) CONFORMING AMENDMENTS.—

“(A) Section 1012(b)(6) of such Act (as amended by paragraph (5) of this subsection) is amended by striking ‘146(c)’ and inserting ‘102(a)’.

“(B) Section 1012(b)(8) of such Act (as added by paragraph (7) of this subsection) is amended—

“(i) in subparagraph (C) by striking ‘under this subsection’ and inserting ‘to carry out this subsection’;

“(ii) in subparagraph (D)—

“(I) by striking ‘under this paragraph’ and inserting ‘to carry out this subsection’; and

“(II) by striking ‘by this paragraph’ and inserting ‘to carry out this subsection’;

“(iii) by striking subparagraph (A); and

“(iv) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.”

(c) NATIONAL DEFENSE HIGHWAYS OUTSIDE THE UNITED STATES.—Section 1214(e) of such Act is amended to read as follows:

“(e) MINNESOTA TRANSPORTATION HISTORY NETWORK.—

“(1) IN GENERAL.—The Secretary shall award a grant to the Minnesota Historical Society for the establishment of the Minnesota Transportation History Network to include major exhibits, interpretive programs at national historic landmark sites, and outreach programs with county and local historical organizations.

“(2) COORDINATION.—In carrying out subsection (a), the Secretary shall coordinate with officials of the Minnesota Historical Society.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) \$1,000,000 for each of fiscal years 1999 through 2003 to carry out this subsection.

“(4) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that such funds shall remain available until expended.”

(d) ENTRANCE PAVING AT NINIGRET NATIONAL WILDLIFE REFUGE.—Section 1214(i) of such Act is amended by striking “\$750,000” each place it appears and inserting “\$75,000”.

SEC. 7. HIGHWAY FINANCE.

(a) IN GENERAL.—Section 1503 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“(c) TECHNICAL AMENDMENTS.—Section 188 of title 23, United States Code (as added by subsection (a) of this section), is amended—

“(1) in subsection (a)(2) by striking ‘1998’ and inserting ‘1999’; and

“(2) in subsection (c)—

“(A) by striking ‘1998’ and inserting ‘1999’; and

“(B) by striking the table and inserting the following:

Fiscal year:	Maximum amount of credit:
1999	\$1,600,000,000
2000	\$1,800,000,000
2001	\$2,200,000,000
2002	\$2,400,000,000
2003	\$2,600,000,000.”

(b) CONFORMING AMENDMENTS.—The table of contents contained in section 1(b) of the Transportation Equity Act for the 21st Century is amended—

(1) in the item relating to section 1119 by striking “and safety”; and

(2) by striking the items relating to subtitle E of title I and inserting the following:

“Subtitle E—Finance

“CHAPTER 1—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION

“Sec. 1501. Short title.

“Sec. 1502. Findings.

“Sec. 1503. Establishment of program.

“Sec. 1504. Duties of the Secretary.

“CHAPTER 2—STATE INFRASTRUCTURE BANK PILOT PROGRAM

“Sec. 1511. State infrastructure bank pilot program.”

SEC. 8. HIGH PRIORITY PROJECTS TECHNICAL CORRECTIONS.

The table contained in section 1602 of the Transportation Equity Act for the 21st Century is amended—

(1) in item 1 by striking “1.275” and inserting “1.7”;

(2) in item 82 by striking “30.675” and inserting “32.4”;

(3) in item 107 by striking "1.125" and inserting "1.44";

(4) in item 121 by striking "10.5" and inserting "5.0";

(5) in item 140 by inserting "—VFHS Center" after "Park";

(6) in item 151 by striking "5.666" and inserting "8.666";

(7) in item 164—

(A) by inserting " , and \$3,000,000 for the period of fiscal years 1998 and 1999 shall be made available to carry out section 1217(j)" after "Pennsylvania"; and

(B) by striking "25" and inserting "24.78";

(8) by striking item 166 and inserting the following:

"166.	Michigan	Improve Tenth Street, Port Huron	1.8";
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(9) by striking item 242 and inserting the following:

"242.	Minnesota	Construct Third Street North, CSAH 81, Waite Park and St. Cloud	1.0";
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(10) by striking item 250 and inserting the following:

"250.	Indiana	Reconstruct Old Merridan Corridor from Pennsylvania Avenue to Gifford Road	1.35";
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(11) in item 255 by striking "2.25" and inserting "3.0";

(12) in item 263 by striking "Upgrade Highway 99 between State Highway 70 and Lincoln Road, Sutter County" and inserting "Upgrade Highway 99, Sutter County";

(13) in item 288 by striking "3.75" and inserting "5.0";

(14) in item 290 by striking "3.5" and inserting "3.0";

(15) in item 345 by striking "8" and inserting "19.4";

(16) in item 418 by striking "2" and inserting "2.5";

(17) in item 421 by striking "11" and inserting "6";

(18) in item 508 by striking "1.8" and inserting "2.4";

(19) by striking item 525 and inserting the following:

"525.	Alaska	Construct Bradford Canal Road	1";
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(20) in item 540 by striking "1.5" and inserting "2.0";

(21) in item 576 by striking "0.52275" and inserting "0.69275";

(22) in item 588 by striking "2.5" and inserting "3.0";

(23) in item 591 by striking "10" and inserting "5";

(24) in item 635 by striking "1.875" and inserting "2.15";

(25) in item 669 by striking "3" and inserting "3.5";

(26) in item 702 by striking "10.5" and inserting "10";

(27) in item 746 by inserting " , and for the purchase of the Block House in Scott County, Virginia" after "Forest";

(28) in item 755 by striking "1.125" and inserting "1.5";

(29) in item 769 by striking "Construct new I-95 interchange with Highway 99W, Tehama County" and inserting "Construct new I-5 interchange with Highway 99W, Tehama County";

(30) in item 770 by striking "1.35" and inserting "1.0";

(31) in item 789 by striking "2.0625" and inserting "1.0";

(32) in item 803 by striking "Tomahawk" and inserting "Tomahawk";

(33) in item 836 by striking "Construct" and all that follows through "for" and inserting "To the National Park Service for construction of the";

(34) in item 854 by striking "0.75" and inserting "1";

(35) in item 863 by striking "9" and inserting "4.75";

(36) in item 887 by striking "0.75" and inserting "3.21";

(37) in item 891 by striking "19.5" and inserting "25.0";

(38) in item 902 by striking "10.5" and inserting "14.0";

(39) by striking item 1065 and inserting the following:

"1065.	Texas	Construct a 4-lane divided highway on Artcraft Road from I-10 to Route 375 in El Paso	5";
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(40) in item 1192 by striking "24.97725" and inserting "24.55725";

(41) in item 1200 by striking "Upgrade (all weather) on U.S. 2, U.S. 41, and M 35" and inserting "Upgrade (all weather) on Delta County's reroute of U.S. 2, U.S. 41, and M 35";

(42) in item 1245 by striking "3" and inserting "3.5";

(43) in item 1271 by striking "Spur" and all that follows through "U.S. 59" and inserting "rail-grade separations (Rosenberg Bypass) at U.S. 59(S)";

(44) in item 1278 by striking "28.18" and inserting "22.0";

(45) in item 1288 by inserting "30" after "U.S.";

(46) in item 1338 by striking "5.5" and inserting "3.5";

(47) in item 1383 by striking "0.525" and inserting "0.35";

(48) in item 1395 by striking "Construct" and all that follows through "Road" and inserting "Upgrade Route 219 between Meyersdale and Somerset";

(49) in item 1468 by striking "Reconstruct" and all that follows through "U.S. 23" and inserting "Conduct engineering and design and improve I-94 in Calhoun and Jackson Counties";

(50) in item 1474—

(A) by striking "in Euclid" and inserting "and London Road in Cleveland"; and

(B) by striking "3.75" and inserting "8.0";

(51) in item 1535 by striking "Stanford" and inserting "Stamford";

(52) in item 1538 by striking "and Winchester" and inserting " , Winchester, and Torrington";

(53) by striking item 1546 and inserting the following:

"1546.	Michigan	Construct Bridge-to-Bay bike path, St. Clair County	0.450";
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(54) by striking item 1549 and inserting the following:

"1549.	New York	Center for Advanced Simulation and Technology, at Dowling College	0.6";
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(55) in item 1663 by striking "26.5" and inserting "27.5";

(56) in item 1703 by striking "I-80" and inserting "I-180";

(57) in item 1726 by striking "I-179" and inserting "I-79";

(58) by striking item 1770 and inserting the following:

"1770.	Virginia	Operate and conduct research on the 'Smart Road' in Blacksburg	6.025";
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(59) in item 1810 by striking "Construct Rio Rancho Highway" and inserting "Northwest Albuquerque/Rio Rancho high priority roads";

(60) in item 1815 by striking "High" and all that follows through "projects" and inserting "Highway and bridge projects that Delaware provides for by law";

(61) in item 1844 by striking "Prepare" and inserting "Repair";

(62) by striking item 1850 and inserting the following:

"1850.	Missouri	Resurface and maintain roads located in Missouri State parks	5";
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(63) in item 661 by striking "SR 800" and inserting "SR 78";

(64) in item 1704 by inserting " , Pittsburgh," after "Road"; and

(65) in item 1710 by inserting " , Bethlehem" after "site".

SEC. 9. FEDERAL TRANSIT ADMINISTRATION PROGRAMS.

(a) DEFINITIONS.—Section 3003 of the Federal Transit Act of 1998 is amended—

(1) by inserting "(a) IN GENERAL.—" before "Section 5302"; and

(2) by adding at the end the following:

"(b) CONFORMING AMENDMENTS.—Section 5302 (as amended by subsection (a) of this section) is amended in subsection (a)(1)(G)(i) by striking 'daycare and' and inserting 'daycare or'."

(b) METROPOLITAN PLANNING.—Section 3004 of the Federal Transit Act of 1998 is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking subparagraph (A) and inserting the following:

“(A) by striking ‘general local government representing’ and inserting ‘general purpose local government that together represent’; and”;

(B) in paragraph (3) by striking “and” at the end;

(C) in paragraph (4) by striking subparagraph (A) and inserting the following:

“(A) by striking ‘general local government representing’ and inserting ‘general purpose local government that together represent’; and”;

(D) by redesignating paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following:

“(3) in paragraph (4)(A) by striking ‘(3)’ and inserting ‘(5)’; and”;

(2) in subsection (d) by striking the closing quotation marks and the final period at the end and inserting the following:

“(5) COORDINATION.—If a project is located within the boundaries of more than 1 metropolitan planning organization, the metropolitan planning organizations shall coordinate plans regarding the project.

“(6) LAKE TAHOE REGION.—

(A) DEFINITION.—In this paragraph, the term “Lake Tahoe region” has the meaning given the term “region” in subdivision (a) of article II of the Tahoe Regional Planning Compact, as set forth in the first section of Public Law 96-551 (94 Stat. 3234).

(B) TRANSPORTATION PLANNING PROCESS.—The Secretary shall—

(i) establish with the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region a transportation planning process for the region; and

(ii) coordinate the transportation planning process with the planning process required of State and local governments under this chapter and sections 134 and 135 of title 23.

“(C) INTERSTATE COMPACT.—

(i) IN GENERAL.—Subject to clause (ii) and notwithstanding subsection (b), to carry out the transportation planning process required by this section, the consent of Congress is granted to the States of California and Nevada to designate a metropolitan planning organization for the Lake Tahoe region, by agreement between the Governors of the States of California and Nevada and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities (as defined by the Bureau of the Census)), or in accordance with procedures established by applicable State or local law.

(ii) INVOLVEMENT OF FEDERAL LAND MANAGEMENT AGENCIES.—

(I) REPRESENTATION.—The policy board of a metropolitan planning organization designated under clause (i) shall include a representative of each Federal land management agency that has jurisdiction over land in the Lake Tahoe region.

(II) FUNDING.—In addition to funds made available to the metropolitan planning organization under other provisions of this chapter and under title 23, not more than 1 percent of the funds allocated under section 202 of title 23 may be used to carry out the transportation planning process for the Lake Tahoe region under this subparagraph.

(D) ACTIVITIES.—Highway projects included in transportation plans developed under this paragraph—

(i) shall be selected for funding in a manner that facilitates the participation of the Federal land management agencies that

have jurisdiction over land in the Lake Tahoe region; and

(ii) may, in accordance with chapter 2 of title 23, be funded using funds allocated under section 202 of title 23.”;

(3) by adding at the end the following:

“(f) TECHNICAL ADJUSTMENTS.—Section 5303(f) is amended—

“(1) in paragraph (1) (as amended by subsection (e)(1) of this subsection)—

“(A) in subparagraph (C) by striking ‘and’ at the end;

“(B) in subparagraph (D) by striking the period at the end and inserting ‘; and’;

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

“(E) the financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range plan if reasonable additional resources beyond those identified in the financial plan were available, except that, for the purpose of developing the long-range plan, the metropolitan planning organization and the State shall cooperatively develop estimates of funds that will be available to support plan implementation.”; and

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

“(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—Notwithstanding paragraph (1)(E), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (1)(B).”.

(c) METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM.—Section 3005 of the Federal Transit Act of 1998 is amended—

(1) in the section heading by inserting “METROPOLITAN” before “TRANSPORTATION”; and

(2) by adding at the end the following:

“(d) TECHNICAL ADJUSTMENTS.—Section 5304 is amended—

“(1) in subsection (a) (as amended by subsection (a) of this section)—

“(A) by striking ‘In cooperation with’ and inserting the following:

“(1) IN GENERAL.—In cooperation with’; and

“(B) by adding at the end the following:

“(2) FUNDING ESTIMATE.—For the purpose of developing the transportation improvement program, the metropolitan planning organization, public transit agency, and the State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.”;

“(2) in subsection (b)(2)—

“(A) in subparagraph (B) by striking ‘and’ at the end; and

“(B) in subparagraph (C) (as added by subsection (b) of this section) by striking ‘strategies which may include’ and inserting the following: ‘strategies; and

“(D) may include’; and

“(3) in subsection (c) by striking paragraph (4) (as amended by subsection (c) of this section) and inserting the following:

“(4) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

“(A) IN GENERAL.—Notwithstanding subsection (b)(2)(D), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under subsection (b)(2)(D).

“(B) ACTION BY SECRETARY.—Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the plan under subsection (b)(2) for inclusion in an approved transportation improvement plan.”.

(d) TRANSPORTATION MANAGEMENT AREAS.—Section 3006(d) of the Federal Transit Act of 1998 is amended to read as follows:

“(d) PROJECT SELECTION.—Section 5305(d)(1) is amended to read as follows:

“(1)(A) All federally funded projects carried out within the boundaries of a transportation management area under title 23 (excluding projects carried out on the National Highway System and projects carried out under the bridge and interstate maintenance program) or under this chapter shall be selected from the approved transportation improvement program by the metropolitan planning organization designated for the area in consultation with the State and any affected public transit operator.

“(B) Projects carried out within the boundaries of a transportation management area on the National Highway System and projects carried out within such boundaries under the bridge program or the interstate maintenance program shall be selected from the approved transportation improvement program by the State in cooperation with the metropolitan planning organization designated for the area.”.

(e) URBANIZED AREA FORMULA GRANTS.—Section 3007 of the Federal Transit Act of 1998 is amended by adding at the end the following:

“(h) TECHNICAL ADJUSTMENTS.—

“(1) GENERAL AUTHORITY.—Section 5307(b) (as amended by subsection (c)(1)(B) of this section) is amended by adding at the end the following: ‘The Secretary may make grants under this section from funds made available for fiscal year 1998 to finance the operating costs of equipment and facilities for use in mass transportation in an urbanized area with a population of at least 200,000.’.

“(2) REPORT.—Section 5307(k)(3) (as amended by subsection (f) of this section) is amended by inserting ‘preceding’ before ‘fiscal year’.”.

(f) CLEAN FUELS FORMULA GRANT PROGRAM.—Section 3008 of the Federal Transit Act of 1998 is amended by adding at the end the following:

“(c) TECHNICAL ADJUSTMENTS.—Section 5308(e)(2) (as added by subsection (a) of this section) is amended by striking ‘\$50,000,000’ and inserting ‘35 percent’.”.

(g) CAPITAL INVESTMENT GRANTS AND LOANS.—Section 3009 of the Federal Transit Act of 1998 is amended by adding at the end the following:

“(k) TECHNICAL ADJUSTMENTS.—

“(1) CRITERIA.—Section 5309(e) (as amended by subsection (e) of this section) is amended—

“(A) in paragraph (3)(C) by striking ‘urban’ and inserting ‘suburban’;

“(B) in the second sentence of paragraph (6) by striking ‘or not’ and all that follows through ‘, based’ and inserting ‘or “not recommended”, based’; and

“(C) in the last sentence of paragraph (6) by inserting ‘of the’ before ‘criteria established’.

“(2) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—Section 5309(g) (as amended by subsection (f) of this section) is amended in paragraph (4) by striking ‘5338(a)’ and all that follows through ‘2003’ and inserting ‘5338(b) of this title for new fixed guideway systems and extensions to existing fixed guideway systems and the amount appropriated under section 5338(h)(5) or an amount equivalent to the last 2 fiscal years of funding authorized under section 5338(b) for new fixed guideway systems and extensions to existing fixed guideway systems’.

“(3) ALLOCATING AMOUNTS.—Section 5309(m) (as amended by subsection (g) of this section) is amended—

“(A) in paragraph (1) by inserting ‘(b)’ after ‘5338’;

“(B) by striking paragraph (2) and inserting the following:

“(2) NEW FIXED GUIDEWAY GRANTS.—

“(A) LIMITATION ON AMOUNTS AVAILABLE FOR ACTIVITIES OTHER THAN FINAL DESIGN AND

CONSTRUCTION.—Not more than 8 percent of the amounts made available in each fiscal year by paragraph (1)(B) shall be available for activities other than final design and construction.

(B) FUNDING FOR FERRY BOAT SYSTEMS.—

(i) AMOUNTS UNDER (1)(B).—Of the amounts made available under paragraph (1)(B), \$10,400,000 shall be available in each of fiscal years 1999 through 2003 for capital projects in Alaska or Hawaii, for new fixed guideway systems and extensions to existing fixed guideway systems that are ferry boats or ferry terminal facilities, or that are approaches to ferry terminal facilities.

(ii) AMOUNTS UNDER 5338(H)(5).—Of the amounts appropriated under section 5338(h)(5), \$3,600,000 shall be available in each of fiscal years 1999 through 2003 for capital projects in Alaska or Hawaii, for new fixed guideway systems and extensions to existing fixed guideway systems that are ferry boats or ferry terminal facilities, or that are approaches to ferry terminal facilities.;

(C) by redesignating paragraph (4) as paragraph (3)(C);

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

(D) OTHER THAN URBANIZED AREAS.—Of amounts made available by paragraph (1)(C), not less than 5.5 percent shall be available in each fiscal year for other than urbanized areas.;

(E) by striking paragraph (5); and

(F) by inserting after paragraph (3) the following:

(4) ELIGIBILITY FOR ASSISTANCE FOR MULTIPLE PROJECTS.—A person applying for or receiving assistance for a project described in subparagraph (A), (B), or (C) of paragraph (1) may receive assistance for a project described in any other of such subparagraphs.'.

(h) REFERENCES TO FULL FUNDING GRANT AGREEMENTS.—Section 3009(h)(3) of the Federal Transit Act of 1998 is amended—

(1) by striking "and" at the end of subparagraph (A)(ii);

(2) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(3) by adding at the end the following:

"(C) in section 5328(a)(4) by striking 'section 5309(m)(2) of this title' and inserting '5309(o)(1)'; and

(D) in section 5309(n)(2) by striking 'in a way' and inserting 'in a manner'."

(i) DOLLAR VALUE OF MOBILITY IMPROVEMENTS.—Section 3010(b)(2) of the Federal Transit Act of 1998 is amended by striking "Secretary" and inserting "Comptroller General".

(j) INTELLIGENT TRANSPORTATION SYSTEM APPLICATIONS.—Section 3012 of the Federal Transit Act of 1998 is amended by moving paragraph (3) of subsection (a) to the end of subsection (b) and by redesignating such paragraph (3) as paragraph (4).

(k) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015 of the Federal Transit Act of 1998 is amended—

(1) in subsection (c)(2) by adding at the end the following: "Financial assistance made available under this subsection and projects assisted with the assistance shall be subject to section 5333(a) of title 49, United States Code."; and

(2) by adding at the end the following:

(d) TRAINING AND CURRICULUM DEVELOPMENT.—

"(1) IN GENERAL.—Any funds made available by section 5338(e)(2)(C)(iii) of title 49, United States Code, shall be available in equal amounts for transportation research, training, and curriculum development at institutions identified in subparagraphs (E) and (F) of section 5505(j)(3) of such title.

(2) SPECIAL RULE.—If the institutions identified in paragraph (1) are selected pur-

suant to 5505(i)(3)(B) of such title in fiscal year 2002 or 2003, the funds made available to carry out this subsection shall be available to those institutions to carry out the activities required pursuant to section 5505(i)(3)(B) of such title for that fiscal year."

(l) NATIONAL TRANSIT INSTITUTE.—Section 3017(a) of the Federal Transit Act of 1998 is amended to read as follows:

"(a) IN GENERAL.—Section 5315 is amended—

(1) in the section heading by striking 'mass transportation' and inserting 'transit';

(2) in subsection (a)—

(A) by striking 'mass transportation' in the first sentence and inserting 'transit';

(B) in paragraph (5) by inserting 'and architectural design' before the semicolon at the end;

(C) in paragraph (7) by striking 'carrying out' and inserting 'delivering';

(D) in paragraph (11) by inserting ', construction management, insurance, and risk management' before the semicolon at the end;

(E) in paragraph (13) by striking 'and' at the end;

(F) in paragraph (14) by striking the period at the end and inserting a semicolon; and

(G) by adding at the end the following:

(15) innovative finance; and

(16) workplace safety.'."

(m) PILOT PROGRAM.—Section 3021(a) of the Federal Transit Act of 1998 is amended by inserting 'single-State' before 'pilot program'.

(n) ARCHITECTURAL, ENGINEERING, AND DESIGN CONTRACTS.—Section 3022 of the Federal Transit Act of 1998 is amended by adding at the end the following:

(b) CONFORMING AMENDMENT.—Section 5325(b) (as redesignated by subsection (a)(2) of this section) is amended—

(1) by inserting 'or requirement' after 'A contract'; and

(2) by inserting before the last sentence the following: 'When awarding such contracts, recipients of assistance under this chapter shall maximize efficiencies of administration by accepting nondisputed audits conducted by other governmental agencies, as provided in subparagraphs (C) through (F) of section 112(b)(2) of title 23.'."

(o) CONFORMING AMENDMENT.—Section 3027 of the Federal Transit Act of 1998 is amended—

(1) in subsection (c) by striking "600,000" each place it appears and inserting "900,000"; and

(2) by adding at the end the following:

(d) CONFORMING AMENDMENT.—The item relating to section 5336 in the table of sections for chapter 53 is amended by striking 'block grants' and inserting 'formula grants'."

(p) APPORTIONMENT FOR FIXED GUIDEWAY MODERNIZATION.—Section 3028 of the Federal Transit Act of 1998 is amended by adding at the end the following:

(c) CONFORMING AMENDMENTS.—Section 5337(a) (as amended by subsection (a) of this section) is amended—

(1) in paragraph (2)(B) by striking '(e)' and inserting '(e)(1)';

(2) in paragraph (3)(D)—

(A) by striking '(ii)'; and

(B) by striking '(e)' and inserting '(e)(1)';

(3) in paragraph (4) by striking '(e)' and inserting '(e)(1)';

(4) in paragraph (5)(A) by striking '(e)' and inserting '(e)(2)';

(5) in paragraph (5)(B) by striking '(e)' and inserting '(e)(2)';

(6) in paragraph (6) by striking '(e)' each place it appears and inserting '(e)(2)'; and

(7) in paragraph (7) by striking '(e)' each place it appears and inserting '(e)(2)'."

(q) AUTHORIZATIONS.—Section 3029 of the Federal Transit Act of 1998 is amended by adding at the end the following:

(c) TECHNICAL ADJUSTMENTS.—Section 5338 (as amended by subsection (a) of this section) is amended—

(1) in subsection (c)(2)(A)(i) by striking '\$43,200,000' and inserting '\$42,200,000';

(2) in subsection (c)(2)(A)(ii) by striking '\$46,400,000' and inserting '\$48,400,000';

(3) in subsection (c)(2)(A)(iii) by striking '\$51,200,000' and inserting '\$50,200,000';

(4) in subsection (c)(2)(A)(iv) by striking '\$52,800,000' and inserting '\$53,800,000';

(5) in subsection (c)(2)(A)(v) by striking '\$57,600,000' and inserting '\$58,600,000';

(6) in subsection (d)(2)(C)(iii) by inserting before the semicolon ', including not more than \$1,000,000 shall be available to carry out section 5315(a)(16)';

(7) in subsection (e)—

(A) by striking '5317(b)' each place it appears and inserting '5505';

(B) in paragraph (1) by striking 'There are' and inserting 'Subject to paragraph (2)(C), there are';

(C) in paragraph (2)—

(i) in subparagraph (A) by striking 'There shall' and inserting 'Subject to subparagraph (C), there shall';

(ii) in subparagraph (B) by striking 'In addition' and inserting 'Subject to subparagraph (C), in addition'; and

(iii) by adding at the end the following:

(C) FUNDING OF CENTERS.—

(i) Of the amounts made available under subparagraph (A) and paragraph (1) for each fiscal year—

(I) \$2,000,000 shall be available for the center identified in section 5505(j)(4)(A); and

(II) \$2,000,000 shall be available for the center identified in section 5505(j)(4)(F).

(ii) For each of fiscal years 1998 through 2001, of the amounts made available under this paragraph and paragraph (1)—

(I) \$400,000 shall be available from amounts made available under subparagraph (A) of this paragraph and under paragraph (1) for each of the centers identified in subparagraphs (E) and (F) of section 5505(j)(3); and

(II) \$350,000 shall be available from amounts made available under subparagraph (B) of this paragraph and under paragraph (1) for each of the centers identified in subparagraphs (E) and (F) of section 5505(j)(3).

(iii) Any amounts made available under this paragraph or paragraph (1) for any fiscal year that remain after distribution under clauses (i) and (ii), shall be available for the purposes identified in section 3015(d) of the Federal Transit Act of 1998.; and

(D) by adding at the end the following:

(3) SPECIAL RULE.—Nothing in this subsection shall be construed to limit the transportation research conducted by the centers funded by this section.;

(8) in subsection (g)(2) by striking '(c)(2)(B),' and all that follows through '(f)(2)(B),' and inserting '(c)(1), (c)(2)(B), (d)(1), (d)(2)(B), (e)(1), (e)(2)(B), (f)(1), (f)(2)(B).';

(9) in subsection (h) by inserting 'under the Transportation Discretionary Spending Guarantee for the Mass Transit Category' after 'through (f)'; and

(10) in subsection (h)(5) by striking subparagraphs (A) through (E) and inserting the following:

(A) for fiscal year 1999 \$400,000,000;

(B) for fiscal year 2000 \$410,000,000;

(C) for fiscal year 2001 \$420,000,000;

(D) for fiscal year 2002 \$430,000,000; and

(E) for fiscal year 2003 \$430,000,000.'."

(r) PROJECTS FOR FIXED GUIDEWAY SYSTEMS.—Section 3030 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a)—

(A) in paragraph (8) by inserting "North-" before "South";

(B) in paragraph (42) by striking "Maryland" and inserting "Baltimore";

(C) in paragraph (103) by striking "busway" and inserting "Boulevard transitway";

(D) in paragraph (106) by inserting "CTA" before "Douglas";

(E) by striking paragraph (108) and inserting the following:

"(108) Greater Albuquerque Mass Transit Project."; and

(F) by adding at the end the following:

"(109) Hartford City Light Rail Connection to Central Business District.

"(110) Providence-Boston Commuter Rail.

"(111) New York-St. George's Ferry Intermodal Terminal.

"(112) New York-Midtown West Ferry Terminal.

"(113) Pinellas County-Mobility Initiative Project.

"(114) Atlanta-MARTA Extension (S. DeKalb-Lindbergh).";

(2) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

"(2) Sioux City-Light Rail.";

(B) by striking paragraph (40) and inserting the following:

"(40) Santa Fe-El Dorado Rail Link.";

(C) by striking paragraph (44) and inserting the following:

"(44) Albuquerque-High Capacity Corridor.";

(D) by striking paragraph (53) and inserting the following:

"(53) San Jacinto-Branch Line (Riverside County)."; and

(E) by adding at the end the following:

"(69) Chicago-Northwest Rail Transit Corridor.

"(70) Vermont-Burlington-Essex Commuter Rail."; and

(3) in subsection (c)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i) by inserting "(even if the project is not listed in subsection (a) or (b))" before the colon;

(ii) by striking clause (ii) and inserting the following:

"(ii) San Diego Mission Valley and Mid-Coast Corridor, \$325,000,000.";

(iii) by striking clause (v) and inserting the following:

"(v) Hartford City Light Rail Connection to Central Business District, \$33,000,000.";

(iv) by striking clause (xxiii) and inserting the following:

"(xxiii) Kansas City-I-35 Commuter Rail, \$30,000,000.";

(v) in clause (xxxii) by striking "Whitehall Ferry Terminal" and inserting "Staten Island Ferry-Whitehall Intermodal Terminal";

(vi) by striking clause (xxxv) and inserting the following:

"(xxxv) New York-Midtown West Ferry Terminal, \$16,300,000.";

(vii) in clause (xxxix) by striking "Allegheny County" and inserting "Pittsburgh";

(viii) by striking clause (xvi) and inserting the following:

"(xvi) Northeast Indianapolis Corridor, \$10,000,000.";

(ix) by striking clause (xxix) and inserting the following:

"(xxix) Greater Albuquerque Mass Transit Project, \$90,000,000.";

(x) by striking clause (xl) and inserting the following:

"(xl) Providence-Boston Commuter Rail, \$10,000,000.";

(xi) by striking clause (xlix) and inserting the following:

"(xlix) SEATAC-Personal Rapid Transit, \$40,000,000."; and

(xii) by striking clause (li) and inserting the following:

"(li) Dallas-Ft. Worth RAILTRAN (Phase II), \$12,000,000.";

(B) by striking the heading for subsection (c)(2) and inserting "ADDITIONAL AMOUNTS"; and

(C) in paragraph (3) by inserting after the first sentence the following: "The project shall also be exempted from all requirements relating to criteria for grants and loans for fixed guideway systems under section 5309(e) of such title and from regulations required under that section.".

(s) NEW JERSEY URBAN CORE PROJECT.—Section 3030(e) of the Federal Transit Act of 1998 is amended by adding at the end the following:

"(4) TECHNICAL ADJUSTMENT.—Section 3031(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (as amended by paragraph (3)(B) of this subsection) is amended—

"(A) by striking 'of the West Shore Line' and inserting 'or the West Shore Line'; and

"(B) by striking 'directly connected to' and all that follows through 'Newark International Airport' the first place it appears.".

(t) BALTIMORE-WASHINGTON TRANSPORTATION IMPROVEMENTS.—Section 3030 of the Federal Transit Act of 1998 is amended by adding at the end the following:

"(h) TECHNICAL ADJUSTMENT.—Section 3035(nn) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2134) (as amended by subsection (g)(1)(C) of this section) is amended by inserting after 'expenditure of the following: section 5309 funds to the aggregate expenditure of'.

(u) BUS PROJECTS.—Section 3031 of the Federal Transit Act of 1998 is amended—

(1) in the table contained in subsection (a)—

(A) by striking item 64;

(B) in item 69 by striking "Rensslear" each place it appears and inserting "Rensselaer";

(C) in item 103 by striking "facilities and"; and

(D) by striking item 150;

(2) by striking the heading for subsection (b) and inserting "ADDITIONAL AMOUNTS";

(3) in subsection (b) by inserting after "2000" the first place it appears "with funds made available under section 5338(h)(6) of such title"; and

(4) in item 2 of the table contained in subsection (b) by striking "Rensslear" each place it appears and inserting "Rensselaer".

(v) CONTRACTING OUT STUDY.—Section 3032 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a) by striking "3" and inserting "6";

(2) in subsection (d) by striking "the Mass Transit Account of the Highway Trust Fund" and inserting "funds made available under section 5338(f)(2) of title 49, United States Code,";

(3) in subsection (d) by striking "1998" and inserting "1999"; and

(4) in subsection (e) by striking "subsection (c)" and inserting "subsection (d)".

(w) JOB ACCESS AND REVERSE COMMUTE GRANTS.—Section 3037 of the Federal Transit Act of 1998 is amended—

(1) in subsection (b)(4)(A)—

(A) by inserting "designated recipients under section 5307(a)(2) of title 49, United States Code," after "from among"; and

(B) by inserting a comma after "and agencies";

(2) in subsection (b)(4)(B)—

(A) by striking "at least" and inserting "less than";

(B) by inserting "designated recipients under section 5307(a)(2) of title 49, United States Code," after "from among"; and

(C) by inserting "and agencies," after "authorities";

(3) in subsection (f)(2)—

(A) by striking "(including bicycling)"; and

(B) by inserting "(including bicycling)" after "additional services";

(4) in subsection (h)(2)(B) by striking "403(a)(5)(C)(ii)" and inserting "403(a)(5)(C)(vi)";

(5) in the heading for subsection (l)(1)(C) by striking "FROM THE GENERAL FUND";

(6) in subsection (l)(1)(C) by inserting "under the Transportation Discretionary Spending Guarantee for the Mass Transit Category" after "(B)"; and

(7) in subsection (1)(3)(B) by striking "at least" and inserting "less than".

(x) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a)(1)(A) by inserting before the semicolon "or connecting 1 or more rural communities with an urban area not in close proximity";

(2) in subsection (g)(1)—

(A) by inserting "over-the-road buses used substantially or exclusively in" after "operators of"; and

(B) by inserting at the end the following: "Such sums shall remain available until expended."; and

(3) in subsection (g)(2)—

(A) by striking "each of"; and

(B) by adding at the end the following: "Such sums shall remain available until expended.".

(y) STUDY OF TRANSIT NEEDS IN NATIONAL PARKS AND RELATED PUBLIC LANDS.—Section 3039(b) of the Federal Transit Act of 1998 is amended—

(1) in paragraph (1) by striking "in order to carry" and inserting "assist in carrying"; and

(2) by adding at the end the following:

"(3) DEFINITION.—For purposes of this subsection, the term 'Federal land management agencies' means the National Park Service, the United States Fish and Wildlife Service, and the Bureau of Land Management.".

(z) OBLIGATION CEILING.—Section 3040 of the Federal Transit Act of 1998 is amended—

(1) by striking paragraph (2) and inserting the following:

"(2) \$5,797,000,000 in fiscal year 2000;"; and

(2) in paragraph (4) by striking "\$6,746,000,000" and inserting "\$6,747,000,000".

SEC. 10. MOTOR CARRIER SAFETY TECHNICAL CORRECTION.

Section 4011 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

"(h) TECHNICAL AMENDMENTS.—Section 31314 (as amended by subsection (g) of this section) is amended—

"(1) in subsections (a) and (b) by striking '(3), and (5)' each place it appears and inserting '(3), and (4)'; and

"(2) by striking subsection (d)."

SEC. 11. RESTORATIONS TO RESEARCH TITLE.

(a) UNIVERSITY TRANSPORTATION RESEARCH FUNDING.—Section 5001(a)(7) of the Transportation Equity Act for the 21st Century is amended—

(1) by striking "\$31,150,000" each place it appears and inserting "\$25,650,000";

(2) by striking "\$32,750,000" each place it appears and inserting "\$27,250,000"; and

(3) by striking "\$32,000,000" each place it appears and inserting "\$26,500,000".

(b) OBLIGATION CEILING.—Section 5002 of such Act is amended by striking "\$403,150,000" and all that follows through "\$468,000,000" and inserting "\$397,650,000 for fiscal year 1998, \$403,650,000 for fiscal year 1999, \$422,450,000 for fiscal year 2000, \$437,250,000 for fiscal year 2001, \$447,500,000 for fiscal year 2002, and \$462,500,000".

(c) USE OF FUNDS FOR ITS.—Section 5210 of the Transportation Equity Act for the 21st

Century is amended by adding at the end the following:

“(d) USE OF INNOVATIVE FINANCING.—

“(1) IN GENERAL.—The Secretary may use up to 25 percent of the funds made available to carry out this subtitle to make available loans, lines of credit, and loan guarantees for projects that are eligible for assistance under this subtitle and that have significant intelligent transportation system elements.

“(2) CONSISTENCY WITH OTHER LAW.—Credit assistance described in paragraph (1) shall be made available in a manner consistent with the Transportation Infrastructure Finance and Innovation Act of 1998.”

(d) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5110 of such Act is amended by adding at the end the following:

“(d) TECHNICAL ADJUSTMENTS.—Section 5505 of title 49, United States Code (as added by subsection (a) of this section), is amended—

“(1) in subsection (g)(2) by striking ‘section 5506,’ and inserting ‘section 508 of title 23, United States Code,’;

“(2) in subsection (i)—

“(A) by inserting ‘Subject to section 5338(e):’ after ‘(i) NUMBER AND AMOUNT OF GRANTS.—’; and

“(B) by striking ‘institutions’ each place it appears and inserting ‘institutions or groups of institutions’; and

“(3) in subsection (j)(4)(B) by striking ‘on behalf of’ and all that follows before the period and inserting ‘on behalf of a consortium which may also include West Virginia University Institute of Technology, the College of West Virginia, and Bluefield State College.’”

(e) TECHNICAL CORRECTIONS.—Section 5115 of such Act is amended—

(1) in subsection (a) by striking “Director” and inserting “Director of the Bureau of Transportation Statistics”;

(2) in subsection (b) by striking “Bureau” and inserting “Bureau of Transportation Statistics,”; and

(3) in subsection (c) by striking “paragraph (1)” and inserting “subsection (a)”.

(f) CORRECTIONS TO CERTAIN OKLAHOMA PROJECTS.—Section 5116 of such Act is amended—

(1) in subsection (e)(2) by striking “\$1,000,000 for fiscal year 1999, \$1,000,000 for fiscal year 2000, and \$500,000 for fiscal year 2001” and inserting “\$1,000,000 for fiscal year 1999, \$1,000,000 for fiscal year 2000, \$1,000,000 for fiscal year 2001, and \$500,000 for fiscal year 2002”;

(2) in subsection (f)(2) by striking “\$1,000,000 for fiscal year 1999, \$1,000,000 for fiscal year 2000, \$1,000,000 for fiscal year 2001, and \$500,000 for fiscal year 2002” and inserting “\$1,000,000 for fiscal year 1999, \$1,000,000 for fiscal year 2000, and \$500,000 for fiscal year 2001”.

(g) INTELLIGENT TRANSPORTATION INFRASTRUCTURE REFERENCE.—Section 5117(b)(3)(B)(ii) of such Act is amended by striking “local departments of transportation” and inserting “the Department of Transportation”.

(h) FUNDAMENTAL PROPERTIES OF ASPHALTS AND MODIFIED ASPHALTS.—Section 5117(b)(5)(B) of such Act is amended—

(1) by striking “1999” and inserting “1998”;

(2) by striking “\$3,000,000 per fiscal year” and inserting “\$1,000,000 for fiscal year 1998 and \$3,000,000 for each of fiscal years 1999 through 2003”.

SEC. 12. AUTOMOBILE SAFETY AND INFORMATION.

(a) REFERENCE.—Section 7104 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“(c) CONFORMING AMENDMENT.—Section 30105(a) of title 49, United States Code (as

amended by subsection (a) of this section), is amended by inserting after ‘Secretary’ the following: ‘for the National Highway Traffic Safety Administration’.”

(b) CLEAN VESSEL ACT FUNDING.—Section 7403 of such Act is amended—

(1) by inserting “(a) IN GENERAL.—” before “Section 4(b)”;

(2) by adding at the end the following:

“(b) TECHNICAL AMENDMENT.—Section 4(b)(3)(B) of the 1950 Act (as amended by subsection (a) of this section) is amended by striking ‘6404(d)’ and inserting ‘7404(d)’.”

(c) BOATING INFRASTRUCTURE.—Section 7404(b) of such Act is amended by striking “6402” and inserting “7402”.

SEC. 13. TECHNICAL CORRECTIONS REGARDING SUBTITLE A OF TITLE VIII.

(a) AMENDMENT TO OFFSETTING ADJUSTMENT FOR DISCRETIONARY SPENDING LIMIT.—Section 8101(b) of the Transportation Equity Act for the 21st Century is amended—

(1) in paragraph (1) by striking “\$25,173,000,000” and inserting “\$25,144,000,000”;

(2) in paragraph (2) by striking “\$26,045,000,000” and inserting “\$26,009,000,000”.

(b) AMENDMENTS FOR HIGHWAY CATEGORY.—Section 8101 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“(f) TECHNICAL AMENDMENTS.—Section 250(c)(4)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by subsection (c) of this Act) is amended—

“(1) by striking ‘Century and’ and inserting ‘Century or’;

“(2) by striking ‘as amended by this section,’ and inserting ‘as amended by the Transportation Equity Act for the 21st Century,’; and

“(3) by adding at the end the following new flush sentence:

‘Such term also refers to the Washington Metropolitan Transit Authority account (69-1128-0-1-401) only for fiscal year 1999 only for appropriations provided pursuant to authorizations contained in section 14 of Public Law 96-184 and Public Law 101-551.’”

(c) TECHNICAL AMENDMENT.—Section 8102 of the Transportation Equity Act for the 21st Century is amended by inserting before the period at the end the following: “or from section 1102 of this Act”.

SEC. 14. CORRECTIONS TO VETERANS SUBTITLE.

(a) TOBACCO-RELATED ILLNESSES IN VETERANS.—Section 8202 of the Transportation Equity Act for the 21st Century is amended to read as follows (and the amendments made by that section as originally enacted shall be treated for all purposes as not having been made):

“SEC. 8202. TREATMENT OF TOBACCO-RELATED ILLNESSES OF VETERANS.

“(a) IN GENERAL.—(1) Chapter 11 of title 38, United States Code, is amended by inserting after section 1102 the following new section:

“§1103. Special provisions relating to claims based upon effects of tobacco products

“(a) Notwithstanding any other provision of law, a veteran’s disability or death shall not be considered to have resulted from personal injury suffered or disease contracted in the line of duty in the active military, naval, or air service for purposes of this title on the basis that it resulted from injury or disease attributable to the use of tobacco products by the veteran during the veteran’s service.

“(b) Nothing in subsection (a) shall be construed as precluding the establishment of service connection for disability or death from a disease or injury which is otherwise shown to have been incurred or aggravated in active military, naval, or air service or which became manifest to the requisite de-

gree of disability during any applicable presumptive period specified in section 1112 or 1116 of this title.’”

“(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1102 the following new item:

‘1103. Special provisions relating to claims based upon effects of tobacco products.’

“(b) EFFECTIVE DATE.—Section 1103 of title 38, United States Code, as added by subsection (a), shall apply with respect to claims received by the Secretary of Veterans Affairs after the date of the enactment of this Act.”

(b) GI BILL EDUCATIONAL ASSISTANCE FOR SURVIVORS AND DEPENDENTS OF VETERANS.—Subtitle B of title VIII of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new section:

“SEC. 8210. TWENTY PERCENT INCREASE IN RATES OF SURVIVORS AND DEPENDENTS EDUCATIONAL ASSISTANCE.

“(a) SURVIVORS AND DEPENDENTS EDUCATIONAL ASSISTANCE.—Section 3532 of title 38, United States Code, is amended—

“(1) in subsection (a)(1)—

“(A) by striking out ‘404’ and inserting in lieu thereof ‘485’;

“(B) by striking out ‘304’ and inserting in lieu thereof ‘365’; and

“(C) by striking out ‘202’ and inserting in lieu thereof ‘242’;

“(2) in subsection (a)(2), by striking out ‘404’ and inserting in lieu thereof ‘485’;

“(3) in subsection (b), by striking out ‘404’ and inserting in lieu thereof ‘485’; and

“(4) in subsection (c)(2)—

“(A) by striking out ‘327’ and inserting in lieu thereof ‘392’;

“(B) by striking out ‘245’ and inserting in lieu thereof ‘294’; and

“(C) by striking out ‘163’ and inserting in lieu thereof ‘196’.

“(b) CORRESPONDENCE COURSE.—Section 3534(b) of such title is amended by striking out ‘404’ and inserting in lieu thereof ‘485’.

“(c) SPECIAL RESTORATIVE TRAINING.—Section 3542(a) of such title is amended—

“(1) by striking out ‘404’ and inserting in lieu thereof ‘485’;

“(2) by striking out ‘127’ each place it appears and inserting in lieu thereof ‘152’; and

“(3) by striking out ‘13.46’ and inserting in lieu thereof ‘16.16’.

“(d) APPRENTICESHIP TRAINING.—Section 3687(b)(2) of such title is amended—

“(1) by striking out ‘294’ and inserting in lieu thereof ‘353’;

“(2) by striking out ‘220’ and inserting in lieu thereof ‘264’;

“(3) by striking out ‘146’ and inserting in lieu thereof ‘175’; and

“(4) by striking out ‘73’ and inserting in lieu thereof ‘88’.

“(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1998, and shall apply with respect to educational assistance allowances paid for months after September 1998.”

SEC. 15. TECHNICAL CORRECTIONS REGARDING TITLE IX.

(a) HIGHWAY TRUST FUND.—Subsection (f) of section 9002 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new paragraphs:

“(4) The last sentence of section 9503(c)(1), as amended by subsection (d), is amended by striking ‘the date of enactment of the Transportation Equity Act for the 21st Century’ and inserting ‘the date of the enactment of the TEA 21 Restoration Act’.

“(5) Paragraph (3) of section 9503(e), as amended by subsection (d), is amended by striking ‘the date of enactment of the Transportation Equity Act for the 21st Century’

and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

(b) BOAT SAFETY ACCOUNT AND SPORT FISH RESTORATION ACCOUNT.—Section 9005 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new subsection:

“(f) CLERICAL AMENDMENTS.—

“(1) Subparagraph (A) of section 9504(b)(2), as amended by subsection (b)(1), is amended by striking 'the date of the enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

“(2) Subparagraph (B) of section 9504(b)(2), as added by subsection (b)(3), is amended by striking 'such Act' and inserting 'the TEA 21 Restoration Act'.

“(3) Subparagraph (C) of section 9504(b)(2), as amended by subsection (b)(2) and redesignated by subsection (b)(3), is amended by striking 'the date of the enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

“(4) Subsection (c) of section 9504, as amended by subsection (c)(2), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

SEC. 16. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect simultaneously with the enactment of the Transportation Equity Act for the 21st Century. For purposes of all Federal laws, the amendments made by this Act shall be treated as being included in the Transportation Equity Act for the 21st Century at the time of the enactment of such Act, and the provisions of such Act (including the amendments made by such Act) (as in effect on the day before the date of enactment of this Act) that are amended by this Act shall be treated as not being enacted.

The SPEAKER pro tempore. Without objection, the bill is passed.

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3978, the bill just passed.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS AUTHORIZATION ACT OF 1998

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3504) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance.

The Clerk read as follows:

H.R. 3504

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “John F. Kennedy Center for the Performing Arts Authorization Act of 1998”.

SEC. 2. CAPITAL REPAIR DUTIES.

Section 4(a)(1)(G) of the John F. Kennedy Center Act (20 U.S.C. 76j(a)(1)(G)) is amended to read as follows:

“(G) with respect to the building and site of the John F. Kennedy Center for the Performing Arts, plan, design, and construct each capital repair, replacement, improvement, rehabilitation, alteration, or modification necessary to maintain the functionality of the building and site at current standards of life, safety, security, and accessibility;”.

SEC. 3. OPERATION AND MAINTENANCE DUTIES.

Section 4(a)(1)(H)(ii) of the John F. Kennedy Center Act (20 U.S.C. 76j(a)(1)(H)(ii)) is amended to read as follows:

“(ii) with respect to the building and site of the John F. Kennedy Center for the Performing Arts, all necessary maintenance, repair, and alteration of, and all janitorial, security, and other services and equipment necessary for the operations of, the building and site, in a manner consistent with requirements for high quality operations; and”.

SEC. 4. REPEAL OF AUDIT REQUIREMENT.

Section 6 of the John F. Kennedy Center Act (20 U.S.C. 76l) is amended by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 12 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

“(a) MAINTENANCE, REPAIR, AND SECURITY.—There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

“(1) \$13,000,000 for fiscal year 1999;

“(2) \$14,000,000 for each of fiscal years 2000 and 2001; and

“(3) \$15,000,000 for each of fiscal years 2002 and 2003.

“(b) CAPITAL PROJECTS.—There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

“(1) \$20,000,000 for each of fiscal years 1999, 2000, and 2001;

“(2) \$19,000,000 for fiscal year 2002; and

“(3) \$17,000,000 for fiscal year 2003.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KIM) and the gentleman from Ohio (Mr. TRAFICANT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KIM).

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

Mr. Speaker, H.R. 3504, as amended, the John F. Kennedy Center for the Performing Arts Authorization Act of 1998, authorizes appropriations for op-

erations, maintenance, security, and capital improvements and repair of the facility through the year 2003. In addition, the bill provides further criteria for defining capital repair and operation and maintenance.

The bill provides authorization of \$59 million for operations, maintenance, security; and \$87 million for capital improvements.

Initially the bill provided for an 11-year authorization. However, it was amended in committee to limit the authorization of appropriations to a 5-year period, and further to eliminate the requirement for the General Accounting Office to conduct periodic audits of the financial operations of the Center. Why? Because the Center performs annual audits which fulfill entirely the original statutory mandates anyway.

Mr. Speaker, the John F. Kennedy Center for the Performing Arts is a national Presidential monument and a living memorial. H.R. 3504 ensures that the Center remains a living memorial to the late President.

When Congress designated the National Cultural Center as the John F. Kennedy Center for the Performing Arts in 1964, it set a policy of the presentation of classical and contemporary music, opera, drama, dance and other performing arts from the United States and other countries.

The act directed the board of trustees to promote and maintain the Kennedy Center as the National Center for Performing Arts by developing a leadership role in national performing arts education policy and programs, including developing and presenting original and innovative performing arts and educational programs for children, youth, families, adults and educators.

The Kennedy Center was also charged with the responsibility of initiating, developing and maintaining a program for national and community outreach for the arts. These responsibilities are in addition to the responsibility of maintaining a memorial to President Kennedy.

I am pleased to say the board has achieved these objectives through successful fund-raising to support the performing arts and the prudent expenditure of Federal funds to operate, maintain and improve the building. The legislation before us today will continue the work begun in 1991 to upgrade, improve and maintain the 1.5 million square foot facility.

Since its opening in 1971, the facility has exceeded all expectations in visitor attendance. Today the Kennedy Center attracts 3.5 million visitors annually. This is in addition to the 1.7 million children who attend the 2,800 performances held annually at the Center.

The building is a blend of modern architecture and functional requirements. This 1.5 million square foot structure houses 8 theaters, 3 restaurants, 3 foyers, parking for 1,450 vehicles, and 23 elevators, 6 escalators, office space, rehearsal rooms, and 2,000