

105TH CONGRESS  
1ST SESSION

# H. R. 1700

To authorize funds to further the strong Federal interest in the improvement of highways and transportation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1997

Mr. THUNE (for himself, Mr. YOUNG of Alaska, Mr. HILL, and Mrs. CUBIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To authorize funds to further the strong Federal interest in the improvement of highways and transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Lands Trans-  
5 portation Improvement Act”.

1 **SEC. 2. COOPERATIVE FEDERAL LANDS TRANSPORTATION**  
2 **PROGRAM.**

3 (a) IN GENERAL.—Chapter 2 of title 23, United  
4 States Code, is amended by inserting after section 205 the  
5 following:

6 **“SEC. 206. COOPERATIVE FEDERAL LANDS TRANSPOR-**  
7 **TATION PROGRAM.**

8 “(a) FINDINGS AND PURPOSE.—

9 “(1) FINDINGS.—Congress finds that public  
10 roads owned by States—

11 “(A) can provide valuable assistance to the  
12 Federal Government in ensuring adequate and  
13 safe transportation to, in, and across federally  
14 owned land and Indian reservations; and

15 “(B) supplement the efforts of the Federal  
16 Government in developing and maintaining  
17 roads to serve federally owned land and Indian  
18 reservations.

19 “(2) PURPOSE.—The purpose of this section is  
20 to further the Federal interest in State-owned or  
21 State-maintained roads that provide transportation  
22 to, in, or across federally owned land or Indian res-  
23 ervations by establishing the Cooperative Federal  
24 Lands Transportation Program.

25 “(b) PROGRAM.—There is established the Coopera-  
26 tive Federal Lands Transportation Program (referred to

1 in this section as the ‘program’). Funds available for the  
 2 program may be used for projects, or portions of projects,  
 3 on State-owned or State-maintained highways that cross,  
 4 are adjacent to, or lead to federally owned land or Indian  
 5 reservations, as determined by the State. Such projects  
 6 shall be proposed by a State and selected by the Secretary.  
 7 A project proposed by a State under this section shall be  
 8 on a highway owned or maintained by the State and may  
 9 be a highway construction or maintenance project eligible  
 10 under this title or any project of a type described in sec-  
 11 tion 204(h).

12 “(c) DISTRIBUTION OF FUNDS FOR PROJECTS.—

13 “(1) IN GENERAL.—

14 “(A) IN GENERAL.—The Secretary—

15 “(i) after consultation with the Ad-  
 16 ministrator of General Services, the Sec-  
 17 retary of the Interior, and the heads of  
 18 other agencies as appropriate, shall deter-  
 19 mine the percentage of the total land in  
 20 each State that is owned by the Federal  
 21 Government or that is held by the Federal  
 22 Government in trust;

23 “(ii) shall determine the sum of the  
 24 percentages determined under clause (i)

1 for States with respect to which the per-  
2 centage is 4.5 or greater; and

3 “(iii) shall determine for each State  
4 included in the determination under clause  
5 (ii) the percentage obtained by dividing—

6 “(I) the percentage for the State  
7 determined under clause (i); by

8 “(II) the sum determined under  
9 clause (ii).

10 “(B) ADJUSTMENT.—The Secretary  
11 shall—

12 “(i) reduce any percentage determined  
13 under subparagraph (A)(iii) that is greater  
14 than 7.5 percent to 7.5 percent; and

15 “(ii) redistribute the percentage  
16 points equal to any reduction under clause  
17 (i) among other States included in the de-  
18 termination under subparagraph (A)(ii) in  
19 proportion to the percentages for those  
20 States determined under subparagraph  
21 (A)(iii).

22 “(2) AVAILABILITY TO STATES.—Except as  
23 provided in paragraph (3), for each fiscal year, the  
24 Secretary shall make funds available to carry out eli-

1       gible projects in a State in an amount equal to the  
2       amount obtained by multiplying—

3               “(A) the percentage for the State, if any,  
4       determined under paragraph (1); by

5               “(B) the funds made available for the pro-  
6       gram for the fiscal year.

7               “(3) SELECTION OF PROJECTS.—The Secretary  
8       may establish deadlines for States to submit pro-  
9       posed projects for funding under this section, except  
10      that in the case of fiscal year 1998 the deadline may  
11      not be earlier than January 1, 1998. For each fiscal  
12      year, if a State does not have pending, by that dead-  
13      line, applications for projects with an estimated cost  
14      equal to at least 3 times the amount for the State  
15      determined under paragraph (2), the Secretary may  
16      distribute, to 1 or more other States, at the Sec-  
17      retary’s discretion,  $\frac{1}{3}$  of the amount by which the  
18      estimated cost of the State’s applications is less than  
19      3 times the amount for the State determined under  
20      paragraph (2).

21      “(d) TRANSFERS.—

22              “(1) IN GENERAL.—Notwithstanding any other  
23      provision of law, a State and the Secretary may  
24      agree to transfer amounts made available to a State  
25      under this section for use in carrying out projects on

1 any Federal lands highway that is located in the  
2 State.

3 “(2) SPECIAL RULE.—This paragraph applies  
4 to a State that contains a national park that was  
5 visited by more than 2,500,000 people in 1996 and  
6 comprises more than 3,000 square miles of land  
7 area, including surface water, that is located in the  
8 State. For such a State, 50 percent of the amount  
9 that would otherwise be made available to the State  
10 for each fiscal year under the program shall be made  
11 available only for eligible highway uses in the na-  
12 tional park and within the borders of the State. For  
13 the purpose of making allocations under section  
14 202(c), the Secretary may not take into account the  
15 past or future availability, for use on park roads and  
16 parkways in a national park, of funds made avail-  
17 able for use in a national park by this paragraph.”.

18 (b) DEFINITION OF FEDERAL LANDS HIGHWAY IN-  
19 VESTMENT.—Section 101(a) of title 23, United States  
20 Code, is amended—

21 (1) by adding at the end the following:

22 “The term ‘Federal lands highway investment’ means  
23 funds authorized for the Federal lands highways program  
24 or the Cooperative Federal Lands Transportation Pro-  
25 gram under chapter 2.”; and

1           (2) by reordering the undesignated paragraphs  
2           so that they are in alphabetical order.

3           (c) CONFORMING AMENDMENT.—The analysis for  
4 chapter 2 of title 23, United States Code, is amended by  
5 inserting after the item relating to section 205 the follow-  
6 ing:

“206. Cooperative Federal Lands Transportation Program.”.

7 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

8           There is authorized to be appropriated out of the  
9 Highway Trust Fund (other than the Mass Transit Ac-  
10 count), for the Cooperative Federal Lands Transportation  
11 Program under section 206 of title 23, United States  
12 Code, \$200,000,000 for each of the fiscal years 1998  
13 through 2002.

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