

dollars in services to illegal immigrants have been left to State taxpayers. That is wrong. For the first time this bill will create a \$3.5 billion Medicaid fund to assist States with the cost of emergency health care to illegal immigrants.

In tandem with the \$500 million appropriated by the House to reimburse States for the cost of incarcerating illegal immigrant felons, this targeted Medicaid fund places Congress at the forefront of dealing with this very important issue of illegal immigration.

Mr. Speaker, we are approaching the time to put partisanship aside. We must unite behind a fundamental desire of families all across this country. We know we must balance the Federal budget. They elected the President and Congress both to accomplish that goal. The President said he was going to do it in 5 years when he ran in 1992, and this Congress, this new majority in the Congress said we would do it. The Balanced Budget Act embodies a number of the President's election promises. Along with that balanced budget, he promised to end welfare as we know it. That is exactly what happens in this bill. He promised a middle-class tax cut when he ran in 1992; that is exactly what we are doing in this bill.

We should come together. This rule will permit us to send a balanced budget to the President for the first time in three decades. I urge my colleagues to support it.

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

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

Mr. Speaker, I am glad my friend has stopped talking so we can come together.

Mr. Speaker, this rule allows for a motion to dispose of the Senate amendment to the budget reconciliation bill, and allows for 1 hour of debate on that motion. The Senate amendment consists of the reconciliation bill we did yesterday minus two items as the gentleman explained that were dropped in the other body yesterday afternoon. It waives all points of order against the motion.

The rule we are considering is a perfectly acceptable rule for an, unfortunately, unacceptable bill. Since the President has already said he will veto this bill, and we think he should, we think we ought to debate it quickly and get it to his desk as quickly as possible.

We do this body no justice by spending hours debating a bill that is sure to be vetoed. We believe we should concentrate our energies on working out a continuing resolution and a reconciliation bill that the President will sign.

Mr. Speaker, I urge my colleagues to support this rule.

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

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Appleton, WI [Mr. ROTH], my friend.

Mr. ROTH. Mr. Speaker, I just want to make a couple of short observations. Basically, when we hear debate that has been going on, not only this past couple of hours, but also yesterday and for the last number of days, it is basically the debate on this side of the aisle. As I see it, it is the debate about the old paradigm, the old liberal welfare state. If my colleagues analyze the debate basically coming from this side of the aisle, it is in the paradigm is that we are moving into an opportunity society.

Basically, what we are saying when we analyze it, is that the liberal welfare State is dead, that more and more government, more and more regulations are not the answer. What we are looking for in our society is that we are looking for less government, less regulation. Why? Because the jobs that are coming are not going to be produced by Government. The jobs that are coming are jobs that are being produced by entrepreneurs, and entrepreneurs cannot have a lot of regulation.

The world is moving ahead too fast. We have got to have less government so that the private sector can move and create the jobs that are needed today. So basically what we are debating here is really a very philosophical issue of where the country and where the world is heading.

We are saying basically that the liberal welfare state is dead and that it is being replaced by the Information Act, what we call the opportunity society.

That is why it is difficult to get these groups basically to see eye to eye. But the American people instinctively know that we cannot continue the liberal welfare state. That is basically why everyone is so much in favor of a balanced budget. It is not only the dollars that are involved, but it is the direction that our country is going in.

When we have our town hall meetings, people are always talking about let us balance the budget. Let us do what the American people are demanding. The American people are demanding a balanced budget. Basically what the American people really are saying is that our Government has gotten too big and our government costs too much.

□ 1245

Mr. BEILENSEN. Mr. Speaker, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I urge an aye vote on this rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore (Mr. EMERSON). Pursuant to clause 12 of rule I, the House will stand in recess subject

to the call of the Chair or until approximately 1:30 p.m.

Accordingly (at 12 o'clock and 40 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1329

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. EMERSON] at 1 o'clock and 29 minutes p.m.

CONFERENCE REPORT ON S. 440, NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995

Mr. SHUSTER. Mr. Speaker, on behalf of both the majority and the minority, I ask unanimous consent that the conference report to accompany the Senate bill (S. 440) to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes, be considered as agreed to.

The Clerk read the title of the Senate bill.

(For conference report and statement, see proceedings of the House of November 15, 1995, at page H12459.)

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

Mr. OBERSTAR. Reserving the right to object, Mr. Speaker, I do not object to the gentleman's request.

Mr. Speaker, I first want to take this opportunity to thank all of the conferees, particularly my good friend from Pennsylvania, Chairman SHUSTER, my distinguished colleague and friend from West Virginia, Mr. RAHALL, and the gentleman from Wisconsin, Mr. PETRI, and all of our committee members for their long, hard work on this important legislation. All have worked hard to make the necessary compromises to move this critical legislation forward on a bipartisan basis. The result of all of our efforts is a better conference report.

Mr. Speaker, most importantly, the conference report that we consider today designates the National Highway System, or NHS. The NHS is the backbone of our Nation's transportation system. It consists of 161,000 miles of Interstate highways and other heavily traveled roads. Although the NHS comprises only four percent of our Nation's total highway mileage, 9 out of 10 Americans live within 5 miles of an NHS road and it carries 40 percent of all highway travel and 75 percent of all trucking commerce.

With passage of this conference report and designation of the NHS, \$5.4 billion of critical transportation funds will now be released to the States. In the next fiscal year, an additional \$6.5 billion of NHS funds will be distributed nationwide. At a time when our infrastructure is crumbling, this legislation provides critical funds for badly needed transportation projects.

Mr. Speaker, the conference report also includes several other important changes to the landmark Intermodal Surface Transportation Efficiency Act and other transportation laws. It provides additional funding through rescissions to address the section 1003 budget problem,

authorizes funds for the National Driver Register and the National Recreational Trails programs, and withholds funds from States that do not prohibit underage drinking and driving by adopting a zero-tolerance law.

While this Conference Report does take these positive steps and others, I nevertheless have grave reservations about several controversial anti-safety provisions also included in the legislation. These provisions eliminate important Federal safety standards, including speed limits and motorcycle helmet requirements.

I know that in the 104th Congress there is a strong desire to turn safety responsibilities over to the States; however, our highway system is a national system. The highways we fund for the National Highway System are widely used by drivers who do not live in the State in which the highway is located. We at the national level bear a substantial responsibility for what happens on America's highways. We impose the taxes that fund the construction of these highways and we set the conditions under which the National Highway System is constructed and operated. We should not step away from our responsibility of ensuring that those very same highways are safe.

Unfortunately the conference has decided to eliminate important Federal safety standards which have saved hundreds of thousands of lives.

Regrettably, the conference report repeals the national speed limit which the National Academy of Sciences estimates has saved 40,000 to 80,000 lives in the past two decades.

The conference report allows States to have no speed limit at all, if they so choose. In fact, in nine states the speed limit repealer will automatically result in higher speed limits, increasing in some States to 70 miles per hour, in others to 75, and in one State to no speed limit at all.

Although today's cars are much safer than those of 20 years ago, it is people, and not cars, who cause accidents, and no matter what is said, speed kills. Speed is already a contributing factor in one-third of all fatal highway crashes, killing about 1,000 Americans every month and costing the Nation a staggering \$24 billion each year. This speed limit repealer will result in more Americans killed and taxpayer dollars wasted. The Department of Transportation estimates that the speed limit repeal included in this conference agreement will kill an additional 6,400 Americans each year, at an additional cost of nearly \$20 billion annually.

This legislation also terminates an important safety program which encourages States to enact motorcycle helmet laws. Again, the data show that, without question, motorcycle helmets help prevent deaths and serious head injuries. Head injuries are the leading cause of death in motorcycle crashes, and an unhelmeted rider is 40 percent more likely to incur a fatal head injury than one who wears a helmet, and more than 80 percent of all motorcycle crashes result in injury or death to riders.

When 27 States previously repealed or weakened their helmet laws, the increase in motorcycle fatalities was four times the increased rate of motorcycle registrations. Those States that have helmet laws show 20 to 40 percent lower fatality rates than States

that do not have helmet laws. That 20 to 40 percent lower fatality rate means that, in those States without helmet laws, we could have saved 350 to 700 lives. I strongly support continuation of a Federal law which can save that many lives.

I cannot accept the argument that if you wear a helmet, the helmet is likely to contribute to an accident. In 900 motorcycle accidents investigated in the city of Los Angeles, 40 percent of the riders were helmeted; in none of these cases did the helmet contribute to the accident by restricting the hearing or vision of the rider.

Helmets reduce injury severity; they reduce the likelihood of death. When you are pitched from a motorcycle or from a bicycle, the probability is that your head goes down first. I know; I have had an accident riding a bicycle. A car pulling illegally from a curb and headed in the wrong direction came toward my bike, smacked me at 20 miles an hour. I went right into the windshield of the automobile and shattered the windshield with my head, but I was wearing a helmet. It not only saved my life but saved me from severe, possibly disabling injury.

I think everybody who rides a motorcycle or a bicycle ought to, in the name of common sense, wear a helmet. More so, in the name of all those who love them, all those who are in their family, all those who are in their community, and all those who are going to pay the bills if they wind up a permanent disabled case.

I am also deeply concerned with those provisions of the conference report which depart from uniform commercial motor vehicle and driver safety standards by waiving key safety regulations for several groups. Under the conference report, weekly on-duty time limits are waived for drivers who transport water well drilling rigs, transport construction materials and equipment, operate utility service vehicles, or deliver home heating oil, the latter being a provision which was not in either bill. In addition, under the conference report, no maximum driving or on-duty time limits would apply to drivers who transport agricultural commodities or farm supplies during planting and harvesting seasons. Many snowplow operators would be exempt from the requirement to obtain a commercial driver's license for operating vehicles that weigh more than 26,000 pounds.

The conference report also creates a program encouraging DOT to waive additional safety regulations for commercial vehicles weighing less than 26,000 pounds.

Mr. Speaker, we need uniform safety standards, not waivers for special interests. This report opens floodgates that will not be easily closed. As soon as one group gets an exemption, other groups will argue that they should have similar exemptions.

Moreover, these waivers are a significant departure from the long-term effort to create uniform commercial motor vehicle and driver safety regulations. The public cares little about whether a truck transports agricultural supplies or home heating oil or any other commodity, intrastate or interstate. The public has consistently indicated that as far as they are concerned, a truck is a truck and all trucks should operate safely.

In addition, an administrative process already exists whereby DOT, the agency we created to ensure safety, may waive regulations, if such a waiver would be consistent

with safety. The fact is that the groups that requested the waivers in the conference report could not convince DOT that they would be safe. That's why they came to Congress.

Finally, DOT is currently in the midst of millions of dollars of research on the very complex topic of driver fatigue. The bulk of the research will be complete by 1996. We should not grant blanket statutory waivers without considering the results of these studies.

Mr. Speaker, again, these provisions will seriously threaten our Nation's highway safety. While I endorse the conference report overall, there are numerous antisafety provisions in it which I cannot and will not support.

In that regard, I do want to call attention to a provision of this legislation which I developed to ensure that we will have the ability to oversee the effects of the safety cutbacks. Under my amendment, the Secretary of Transportation, in cooperation with any State that raises its speed limit, will study the costs to the State of death and injuries resulting from motor vehicle crashes, and the benefits, if any, associated with the repeal of the national speed limit.

The Secretary's report will include information on the costs of motor vehicle crashes both before and after any change in the speed limit. It will determine whether these crashes are caused by excess speed, the use of alcohol, or other safety factors, and whether seat belts and motorcycle helmets were used by those involved in the crashes. In this way, within 2 years, we can review what we've done. I hope that my fears of growing numbers of highway fatalities and injuries are unfounded. If they are not—and this study will address this—we can revisit these issues and make the changes needed to save American lives.

Again, although I am seriously troubled by the antisafety provisions of this legislation, I believe that this legislation to develop America's highways should go forward. I will vote in support of the conference report.

Mr. SHUSTER. Mr. Speaker, the passage of the National Highway System Designation Act of 1995 is one of the most important pieces of legislation in the 104th Congress. This legislation will directly affect the lives of generations of Americans to come.

The NHS is the centerpiece of the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA]. It will be to the 21st century what the interstate was to the 20th century: The backbone of our Nation's transportation system and the surface upon which goods and services are carried safely and efficiently across our country.

I would like to thank all the House and Senate Conferees for their efforts to bring this conference report to resolution. Special thanks go to TIM PETRI, the Surface Transportation Subcommittee chairman, JIM OBERSTAR, the committee's ranking Republican member, and NICK RAHALL, the ranking Republican member on the subcommittee, for their contributions. I would also like to thank my Senate colleagues, especially Senator WARNER, Senator CHAFEE, and Senator BAUCUS for their tireless efforts to produce this conference report.

I want to also commend the Department of Transportation and the Federal Highway Administration, especially Administrator Rodney Slater, for their excellent work in working with the States and proposing the NHS map we approve today.

This conference report is the result of a total bipartisan effort. The conference report is truly a compromise. There are provisions that I do not support, but in the spirit of compromise and to ensure the passage of the conference report I accepted these provisions.

The NHS bill passed the House by an overwhelming 419 to 7 vote on September 21.

The passage of the National Highway System Designation Act of 1995 will release \$5.7 billion in fiscal year 1996 and \$6.5 billion in fiscal year 1997 in national highway system and interstate maintenance funds to the States. It is important to emphasize that this money is not from any new taxes. This \$12.2 billion is money already authorized from the highway trust fund.

The conference report will approve 160,955 miles on the National Highway System. These miles were identified through a comprehensive and cooperative process between States, localities, and the Secretary.

The NHS, made up of the Interstate System and the other most important highways in the country, is the backbone of the Nation's transportation system. While comprising only 4.1 percent of the Nation's total highway mileage, it will carry 40 percent of all highway travel, 75 percent of all trucking commerce, and 80 percent of all tourist travel.

America's reliance on its highways is at an all time high. The vast majority of personal trips are over highways. Seventy-eight percent of the value of all freight is transported by trucks over its roads. Over 75 percent of all the cities and towns in America rely exclusively on trucks for freight delivery.

The NHS will extend the benefits of the Interstate System to areas of the United States not currently served by interstate highways. Overall, the NHS will carry 42 percent of rural and 40 percent of all urban travel miles. Ninety-five of all U.S. businesses and 90 percent of all U.S. households will be located within 5 miles of an NHS route. While the Interstate System serves many urban areas with populations over 50,000 and most State capitals, the NHS will serve them all.

Let me review some of the highlights of the bill.

After enactment of this bill, modifications to the NHS will be made by the Secretary and the States. Intermodal connectors will be subject to a one-time congressional approval; however, those that meet FHWA criteria will be eligible for NHS funds in the interim period prior to congressional approval.

The NHS conference report also addresses the budget shortfall as a result of the application of 1003(C) of ISTEA. The conference report provides \$513 million in funding to the States from rescissions of budget authority previously made available. These funds are distributed to all States based on the ISTEA formula. In addition, the conference report provides States with additional flexibility to access unobligated balances in order to move forward on their highest surface transportation priorities.

The conference report contains several provisions that provide the States relief from burdensome Federal mandates and penalties. The national maximum speed limit, crumb rubber use requirements and penalties, metric signage requirements, motorcycle helmet law requirements and penalties are repealed, and management systems requirements and penalties are suspended.

I voted against the repeal of the national maximum speed limit, but, both the House and Senate voted overwhelmingly to repeal the national maximum speed limit. However, I am pleased that the conference report modifies the provision by allowing for a 10-day grace period after enactment, before the Federal repeal takes effect. During this period, State legislatures that are in session on the date of enactment may take action to set appropriate speed limits for their States. In States where the legislature is not in session on the date of enactment, a Governor may extend the effective date of the repeal until 60 days after such time as the legislature has convened so that the State has sufficient time to consider the appropriate speed limits for its State. I trust that State legislatures will act thoughtfully and deliberately and make the right decision for their States; taking into consideration the demographics, landscape, and road design of their individual States.

The conference report provides new authority for States and the FHWA to build new partnerships with the private sector through innovative financing mechanisms. These include: Establishment of a 10-State pilot project for State infrastructure banks; modifications to the advance construction program to permit use of advance construction beyond the authorization period; eligibility of Federal funds for preventive maintenance activities; expansion of use of Federal funds for bond or debt financing costs; use of donated materials or services towards the non-Federal share; expansion of the toll loan program to projects with a dedicated revenue source; and increasing the Federal share of toll projects.

The conference report contains no new projects. Some previously authorized projects are corrected or redefined to permit States to use existing funds for revised priorities.

The conference report clarifies that in designating scenic byways, States may exclude from such designations segments of highway that are inconsistent with the State's criteria for designating scenic byways and may permit the erection of new billboards on those segments.

Scenic byways are State programs. It is appropriate that a State make the decision as to whether certain segments that are not consistent with its criteria should be excluded from its scenic byways designations, not the Federal Government. The authority of the FHWA is limited to determining whether the segmentation has a reasonable basis and that the State's action is not solely intended to evade Federal requirements.

The conference report contains a provision that allows signs, displays, and devices identifying and announcing free motorist aid call boxes and their sponsorship signs to be located on the call box and the call box post, in rights-of-way of NHS roads.

A FHWA memorandum dated November 14, 1995 states:

There is no relationship between sections 131(f) and (i) and the proposed section 111(c) because the call box signs are a very specific type of informational sign created in a section of title 23 completely separate from the Highway Beautification Act. Statutory construction would require the FHWA to treat the call box signs created under section 111 as entirely separate from any provision of section 131. Thus, the new category of signs cannot be affected by the Highway Beautification Act or by FHWA's Highway Beautification Act regulations.

The conference report provides relief to States from the Clean Air Act's enhanced inspection and maintenance program and transportation conformity requirements.

I would like to recognize the efforts of the American Road and Transportation Builders Association in bringing the suit to address the conformity issue, the settlement of which will be ultimately accomplished in this conference report.

The conference report contains a safety provision to help deter drunk driving among minors. States are encouraged to enact laws which make the operation of a motor vehicle by an individual under the age of 21 who has a blood alcohol concentration of 0.02 percent or greater considered to be driving under the influence or driving while intoxicated, or risk loss of Federal-aid highway funds. This provision will help protect our youth, make our highways safer, and reduce fatalities.

The conference report provides for common-sense motor carrier deregulation through establishment of a Commercial Motor Vehicle Regulatory Relief and Safety Pilot Program and exemptions from burdensome regulations on certain motor carriers.

The Small Delivery Truck Pilot Program has been significantly tightened since the passage by the House. The Secretary has been given greater latitude to set criteria for entry into the program, the carriers participating in the program must only use top drivers, the ability to terminate carriers participating in the program has been strengthened and the Secretary may set interim criteria for operating the program.

These changes have been put into place after working with the Department, industry, safety groups, and consumer advocates. All sides have had a voice in crafting this provision.

The motor carrier hours of service exemptions for water well drillers, farmers, and construction and utility vehicles have been limited and the conference report has clarified that the States may continue to regulate intrastate commerce in these areas even more stringently than Federal requirements.

The conference report contains a provision to repeal the preemployment alcohol-testing requirement for all modes of transportation. Nothing in this provision is intended to limit the flexibility provided in the Federal motor carrier safety regulations that allow motor carriers to rely on postaccident drug or alcohol tests conducted by Government officials and obtained by the employer as a way to meet the motor carriers' testing requirement.

The Natcher Bridge, spanning the Ohio River between Owensboro, KY, and Indiana is a critical transportation project to the Second District of Kentucky. This bridge has been funded through appropriations and is not partially complete. It currently has approaches and piers but no roadway or structure. Completing this bridge is a priority.

This conference report makes \$5.7 billion in fiscal year 1996 funds and \$6.5 billion in fiscal year 1997 funds available to the States. It also provides additional allocations from rescissions and funding flexibility for States to fund high priority projects. For Kentucky, the bill makes \$51.0 million in fiscal year 1996 and \$58.2 million in fiscal year 1997 NHS funds available to Kentucky. Since the bridge is on the NHS, Kentucky may use all of these funds to complete the bridge.

This conference report also rescinds \$513 million in highway program funds that are no

longer viable or in priority programs. Kentucky will receive a distribution of \$7.9 million from these funds, which may be used for any high-priority project such as the Natcher Bridge.

Finally, to permit States to fund high-priority projects despite a budget cut of 13 percent this year due to an obscure provision of law known as section 1003, this conference report provides flexibility to the States to reprogram old, unobligated balances of accrued funds. Kentucky can reprogram \$27.4 million, all of which could be used on the bridge.

I would like to work with the gentleman from Kentucky over the next 2 years to ensure that high priority projects such as the Natcher Bridge are considered whenever Congress considers highway funding, including the reauthorization of ISTEA.

Lock and dam #4 is a critical transportation project in my district that requires \$4 million in funding to complete the bridge. This conference report provides the State of Arkansas with \$7 million total in additional funding from rescissions. These funds are on top of Arkansas' regular Federal highway funding. Arkansas may use the funds to complete any high priority project in the State, including completing lock and dam #4.

The 1994 Northridge, CA earthquake was centered in the 25th Congressional District and highlighted the transportation shortfalls evident in several communities in north Los Angeles County. Other than Northridge itself, the community which probably suffered the most was the city of Santa Clarita, which was flooded with traffic following the destruction of the freeway interchange between I-5 and State route 14. I understand that even in normal circumstances, existing highways in Santa Clarita are overcrowded since the system of roads currently in place was designed over 30 years ago. Since that time, Santa Clarita has been among the fastest growing cities in California and a major traffic problem in the area.

I hope that in the future, we may look to address two transportation needs in the area that have been brought to my attention, the interchanges around I-5 and Route 126. Both of these routes are on the NHS and if these two interchanges and adjacent roadways require major improvements and I hope to work with the gentleman from California to help him address these needs.

At this time, I would like to recognize a leader in the highway community for over 40 years, Les Lamm, who passed away on November 1. Les Lamm was elected president of the Highway Users Federation on March 1, 1986 and served in that capacity until January 15, 1995. Les was counselor to the president of the Highway Users Federation until his death. A civil engineering graduate of Norwich University in Vermont, he completed postgraduate studies at Harvard University, MIT, and the University of Maryland. Les came to the federation after a 31-year career with FHWA, and its forerunner, the U.S. Bureau of Public Roads. In 1973, he became FHWA's executive Director, the Agency's top career professional. In 1982, President Reagan appointed Mr. Lamm FHWA Deputy Administrator. Between 1973 and 1986, he worked with six U.S. Secretaries of Transportation, helping direct more than \$100 billion in Federal aid to highway programs.

Les was an incorporator of the Intelligent Vehicle-Highway Society of America and served as its president.

He was a noted authority on highway transportation, and was a member of the board of governors of the International Public Works Federation; a member of the executive committee of the Transportation Research Board; a director of the International Road Federation; a director of the National Commission Against Drunk Driving; a director of the Travel Industry Association of America; a director of the Road Information Program; on the advisory board of the Northwestern University Traffic Institute; president of the Alumni Association of Norwich University; and was active in many other transportation-related professional organizations. He has received more than 50 awards for professional excellence from a wide range of private and public sector organizations.

We will all miss this fine gentleman. It is appropriate that we honor him today, for he would have been very proud to see the National Highway System, one of his greatest legacies, enacted into law.

I want to thank the superb staff on the Surface Transportation Subcommittee. They worked with great diligence and dedication to help produce this conference report. They are: Jack Schenendorf, Bob Bergman, Becky Weber, Roger Nober, Debbie Gebhardt, Peter Loughlin, Adam Tsao and Linda Scott on the majority side, and David Heymsfeld, Sante Esposito, Ken House, Rosalyn Millman, Ward McCarragher, Dara Schlieker and Jim Zoia on the minority side.

I am pleased to bring this critical legislation to the House for approval and then promptly send it to the President for his signature. I urge all my colleagues to give them their full fledged support to this historic legislation.

Mr. PETRI. Mr. Speaker, I strongly support this conference report to accompany S. 440, the National Highway System Designation Act of 1995. I want to acknowledge the efforts and contributions of all the House and Senate conferees, as well as the critical assistance of Rodney Slater, the Federal Highway administrator, who was ready at all hours of the day to meet and give his advice and counsel as the conferees worked on this conference report these past several weeks.

S. 440 will designate 160,000 miles of our Nation's most important roads as the National Highway System. A dedicated source of Federal funds, authorized at \$3.6 billion annually, is reserved for these roads. In addition, approval of this conference report will lead to the release of over \$6 billion in National Highway System and Interstate maintenance funds which have been withheld from the States since October 1 of this year.

S. 440 also sets up a process for the designation and approval of intermodal connectors—roads connecting the NHS to ports, airports, rail yards and the like. Until these connectors can be initially approved by the Congress, interim eligibility provisions are included. The interim eligibility provision refers to a project to construct an intermodal connector. The definition of the word construct is already defined very broadly in title 23. It is our intention that the word construct in this section is to be read very broadly to include not only construction and reconstruction projects, but also projects involving resurfacing. Restoration, rehabilitation, and operational improvements, such as the installation of traffic surveillance and control equipment and computerized signal systems.

This conference report accomplishes much more than the designation of the National Highway System. Various Federal mandates and penalties are repealed, including the repeal of motorcycle helmet mandates and associated penalties, the repeal of the national maximum speed limit and associated penalties, and the repeal of the mandated use of crumb rubber in asphalt and associated penalties.

The conference report contains many other worthy provisions to improve our Nation's Federal highway program and to facilitate the construction of transportation projects across the country. The conference report, like the House bill which was passed in September, does not contain any new funding for any specific highway project.

Although I am generally pleased with this conference report, there is one major disappointment. The Senate refused to agree to the House provision which would have utilized over \$500 million in excess and available budget authority in the minimum allocation program to restore funding reductions that every State will experience as a result of section 1003 of ISTEA.

Unfortunately, the Senate chose to offer up this budget authority as savings for the purposes of budget reconciliation. I believe the decision of the House to utilize this budget authority in a way that would not increase the deficit but would have benefited the highway program was a better course to take. I regret the Senate did not agree.

Nevertheless, this conference report is worthy of the support of every member of the house and I urge my colleagues to approve the conference report and approve the National Highway System.

Ms. BROWN of Florida. Mr. Speaker, I rise in support of the conference report for S. 440, the National Highway System Designation Act of 1995. This bill designates approximately 161,000 miles of highways in the United States as components of the National Highway System [NHS] and includes \$6.5 billion for States to use for Federal highways. Under the bill's formula, Florida would receive approximately \$234 million a year.

I want to thank Congressman RAHALL, Chairman SHUSTER, Congressman OBERSTAR, Congressman PETRI, as well as former Chairman Norman Mineta for helping us to find Federal funds to replace Jacksonville's Fuller Warren Bridge. These funds will be combined with State and local funds—this is truly a Federal-State partnership.

As many of my colleagues may know, I have been working on this project for 3 years. The need to replace the Fuller Warren Bridge has been recognized by local, State, and Federal transportation officials because its structural deficiencies have resulted in very serious safety and traffic congestion problems for a transportation edifice that is the gateway to our Nation's third largest State.

Built in 1954, the Fuller Warren Bridge is functionally obsolete, its lane widths are insufficient, and it lacks safety shoulders. Consequently, Florida's Department of Transportation has identified this segment of I-95 to be a high accident location. In the past five years, 604 accidents have occurred along this segment resulting in economic losses exceeding \$16 million. Accidents occur frequently due to the sudden narrowing of I-95 from a six- to eight-lane roadway to a four-lane bridge. In

addition, the bridge's serious structural deficiencies in the last few years led to the bridge being closed for 6 days in January 1992 when engineers found cracks in the counterweights. In 1993, the bridge was closed again when a 3-foot chunk of the bridge's roadway fell into the St. Johns River.

The new bridge will improve the substantial traffic congestion that exists for the traveling public strictly because of the existing Bridge's structural deficiencies. The severe traffic congestion caused by the Fuller Warren bridge is well known to both local and interstate travelers. Each bridge opening lasts approximately 5 minutes or more. These delays create significant problems that affect traffic flow long after the bridge reopens. These bridge openings lower the capacity and the level of traffic service on Interstate 95.

In addition to the frequent bridge openings of 15 to 20 times a day, the narrowing of I-95 from a six- to eight-lane roadway to a four-lane bridge adds to the problems encountered by traffic on the approach to the Fuller Warren Bridge. The resulting bottlenecks back up traffic for several miles on each side of St. Johns River delaying motorists for upwards of 30 to 45 minutes for each bridge opening. When the bridge fails mechanically because of the lift mechanism, any detour that is implemented winds through the downtown area. When the bridge's lift span failed in January, 1992, traffic had to be detoured for six-days and getting through Jacksonville was impossible as some motorists had to travel 60 miles to the west and utilize I-75. As a result of these delays, fuel consumption is increased and the city of Jacksonville experiences decreased air quality.

The Federal Highway Administration [FHWA] has determined that existing Bridge needs to be replaced with an eight-lane high rise fixed span structure. The replacement bridge will provide greater traffic capacity, needed safety refuge lanes, and the elimination of the frequent bridge openings and sufficiently address the safety and traffic congestion problems of the existing bridge structure.

The Fuller Warren Bridge replacement project is underway. Engineering, Final Design, and Right of Way Acquisition have already been funded. The parcels of land required have been acquired. Final design has been completed. Construction is scheduled to begin early in 1996.

However, the remaining \$185 million construction cost is unfunded. Of this \$185 million cost, about \$37 million would be non-Federal contributions provided by the State of Florida and \$148 million would be Federal highway funds, assuming an 80 percent Federal, 20 percent State split.

This past June, the Florida Department of Transportation [FDOT] developed a plan using local, State, and Federal funds to replace the Fuller Warren Bridge. The most important part of the plan is FDOT's decision to contribute \$100 million of right-of-way bond funds, which are now available for bridge construction in the State, towards the construction costs of the Fuller Warren replacement bridge. The Jacksonville Transportation Authority [JTA] has stepped up to the plate and committed \$25 million for the Fuller Warren Bridge. The final piece of the financial puzzle will come from S. 440, the National Highway System bill because it allows Florida's Transportation De-

partment to use a sizeable portion of \$97.5 million from a transportation project that has been terminated for the Fuller Warren Bridge. On behalf of the city of Jacksonville, I thank all of you.

Mr. Chairman, I would be remiss if I did not mention my concerns about the provisions in this bill which repeal our Nation's speed limit. Repeal of the national speed limit law endangers the safety of all Americans. Some State officials have already indicated their intent to immediately move to repeal safety laws if the Federal programs are eliminated. In several States, speed limits automatically go above 65 mph if the national maximum speed limit is repealed. If the national speed limit is repealed and we return to pre-1974 conditions, the Federal Transportation Department estimates that we will be faced with an additional 4,750 highway deaths each year, at a cost of \$15 billion.

Who pays the price, if the speed limit is repealed? Taxpayers ultimately bear the cost for emergency medical and police response, medical treatment, days or years of lost productivity, disability compensation for the motor vehicle crashes that will result from higher speed limits.

We know that speed is a factor in nearly one-third of all traffic fatalities and that motor vehicle crashes already cost society more than \$137 billion every year. The health care portion is approximately \$14 billion—of which Medicare and Medicaid pay \$3.7 billion or almost 30 percent.

I strongly believe that we will see a dramatic increase in highway death as a result of this bill. I hope that I will be proven wrong, but I think that the supporters of the repeal will realize their mistake and we will be back on the House floor to correct it.

Despite my concerns, I will support this conference report and ask President Clinton to sign S. 440 when it reaches his desk.

Mr. DINGELL. Mr. Speaker, I rise in support of the conference report on this important measure to continue the Nation's efforts to update and expand its infrastructure of national highways.

I would like to draw the House's attention to one provision that makes changes to the inspection and maintenance requirements in title I of the Clean Air Act Amendments of 1990. Effective inspection and maintenance of motor vehicles is a cornerstone of this Nation's efforts to reduce air pollution. It should remain so since it happens to be one of the most cost-effective ways of reducing emissions.

Having said that, I have long had concerns about the lack of flexibility exhibited by EPA in implementing the enhanced vehicle inspection and maintenance mandate. It should be remembered that the overly-prescriptive approach that EPA originally embarked upon was developed and implemented by the Bush administration. Administrator Browner has since attempted to create more flexibility for States. EPA has dropped the Bush administration's opposition to alternatives to centralized inspection and maintenance programs and will approve alternative approaches. It has also indicated in recent policy statements that there will be no automatic discount for States that bring in these alternatives.

While these are the proper positions, there remains some skepticism that the rank and file at EPA have truly open minds about letting alternative programs submitted by States receive the proper amount of credit. Because of

that, this bill includes legislative language which essentially writes into law the flexibility that EPA has already indicated it will give States.

This new provision includes an opportunity for States to secure interim approval of alternative programs with EPA required to grant the State the full amount of the proposed credit during the interim period. This submission must be supported by efforts in the State to implement the program including developing regulations and securing legislative authorities.

As noted, EPA must approve the full amount of the credits claimed, where the credits reflect good faith estimates. By this, we are not asking EPA to consider the State's motives but rather asking EPA to ensure that the State's estimates are based on some basic technical assessment that includes appropriate technical and empirical data wherever possible. However, EPA should not mandate any presumptive discount and should review and consider any alternative programs on their individual merits.

With these additions, I am confident that the inspection and maintenance provisions of the Clean Air Act can provide economical emissions reductions vital to move the country toward the national goal of clean air.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I am pleased that the National Highway System is finally being approved. This bill will create for America in the 21st century what the interstate system has done for America in the 20th century.

As a Texan sitting on the Transportation and Infrastructure Committee, I am particularly supportive of this legislation because it recognizes the importance of Interstate 35 as a high-priority corridor. I-35 is the only interstate in our Nation that connects Canada, Mexico, and the United States. I-35 is particularly vital to my home of Dallas and the entire State of Texas because it serves as our main corridor of trade with Mexico.

With the passage of the North American Free-Trade Agreement [NAFTA] in 1993, trade with Mexico is expected to double by the end of the century and quadruple between the United States and Mexico within the next 25 years. The responsibility of Congress did not end with that historic vote. Passage of the NHS is a continuation of developing an infrastructure that maximizes the benefits of this agreement.

The NHS represents some of our Nation's most heavily traveled byways, containing 40 percent of total vehicle travel and 75 percent of heavy truck travel. More importantly to anyone who travels our roads, the NHS means safety for travelers. Improvement of shoulders, controlled access, and divided lanes will help reduce accidents and fatalities.

However, while the focus of this legislation is to designate the NHS, it also has many provisions with which I do not agree. Unfortunately, this bill would repeal the Federal speed limit and allow States to have no speed limit at all if they wished. It would effectively repeal the motorcycle helmet requirement for individuals under the age of 18. I believe that these provisions seriously threaten our Nation's highway safety.

I support this bill simply because it will bring the State of Texas approximately \$455,792,000 and identifies 13,389 miles which will be the top priority miles for America as we move into the next century.

Mr. SHUSTER. Mr. Speaker, on behalf of myself, Surface Transportation Subcommittee Chairman TOM PETRI, and ranking minority member of the Surface Transportation Subcommittee NICK RAHALL, I submit the following statement for the RECORD.

Section 314 of the bill amends subsection (S) of title 23. Under this provision, it is clarified that States have the sole discretionary authority to determine whether to permit the construction and maintenance of new outdoor advertising structures within commercial and industrial segments of scenic byways. It has the further effect of modifying the standards under which section 1047 of ISTEA is implemented.

Scenic byway programs are created by States with their own unique criteria for designating scenic byways. The provision clarifies that if a State determines that a segment is inconsistent with a State's criteria for designating such roads, it may segment out those portions from the designation and may choose to erect new billboards on those segments.

The provision also clarifies that the Secretary of Transportation's authority is limited to assuring that a State has a reasonable basis for excluding a segment of an interstate or Federal-aid primary highway from scenic byways designation consistent with the State's scenic byway criteria, and that the State's action is not solely intended to evade Federal requirements regarding the prohibition of new billboards on scenic byways. Where a State exclusion is reasonable, that determination is controlling.

One of the Federal Highway Administration's very first actions after the enactment of ISTEA was to issue an advisory that construed the provisions of subsection (S) to prohibit the construction of all new billboards on any State-designated scenic byways, including commercial and industrial areas incorporated within the byway. The FHWA's preemption policy was wrong as a matter of law because it conflicted directly with the basic structure of the Highway Beautification Act that expressly preserves the authority of the States to control outdoor advertising in commercial and industrial areas adjacent to controlled highways. The policy was ill conceived as a practical matter as well. The FHWA interpretation forced the States against their will to extend scenic byways regulation to inherently nonscenic areas. It also compromised economic development along scenic byways by impairing the ability of travel and tourism businesses within those areas to advertise themselves to the users of the highway.

As the folly of this policy became clear, FHWA reversed its position and issued a segmentation policy in June 1993 that recognized State discretion to permit new billboards within the commercial and industrial segments that punctuate virtually every scenic byway. In a June 14, 1993 FHWA memorandum, it states:

Scenic byways designated before, on, or after December 18, 1991, need not be continuous. A State may wish to exclude from existing or future scenic byway designation highway sections that have no scenic value, and which have been designated solely to preserve system continuity. We do not find that section 131(S) restricts a State from taking administrative action to remove from scenic byway designation any section lacking in scenic value which was included for continuity purposes. However, the exclusion of a highway section must have a reasonable basis. The Federal interest is in preventing

action designed solely to evade Federal requirements.

Unfortunately, the FHWA implemented its revised segmentation policy in a sporadic manner. As a result, there is broad confusion among the States regarding the scope of FHWA's authority in this area. The FHWA failed to issue any specific guidance to the States on how to implement segmentation in a manner that it would not be seen solely as an effort to evade the requirements of section 131(S) that prohibit billboards in truly scenic, noncommercial areas.

Accordingly, the statement of manager's language emphasizes that the conference substitute codifies the current implementation of section 131(S) in order to specifically freeze in place a congressional finding that compliance with the methodology and procedures followed by Virginia are sufficient to establish that a State has a reasonable basis for excluding certain scenic byways segments in a manner consistent with that State's scenic byways criteria. In this regard, the Virginia Department of Transportation made its determination based on onsite inspection of individual byways and identified the existing and future commercial and industrial areas within those corridors that it determined to exclude from scenic designation.

The review of Virginia byway designation for the Lonesome Pine and Daniel Boone Heritage Trails is inserted in the RECORD as a specific example of sufficient State action necessary to show the State has a reasonable basis for excluding certain scenic byways segments in a manner consistent with that State's scenic byways criteria. The review is as follows:

REVIEW OF VIRGINIA BYWAY DESIGNATION LONESOME PINE AND DANIEL BOONE HERITAGE TRAILS

In July 1994, the Virginia Department of Transportation (VDOT) conducted a review of the portions of the highways within the federal-aid primary system of highways, as that system existed on June 1, 1991, which comprise the Trail of the Lonesome Pine and the Daniel Boone Heritage Trail designated as Virginia Byways by the General Assembly. The review was limited to adverse impacts the byway designation had due to restricted use of property zones commercial or industrial by the local governments and unzoned commercial or unzoned industrial areas defended by the Commonwealth Transportation Board, hereinafter, commercial or industrial areas, to comply with the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

It was determined that compliance with Section 1046(c) of the ISTEA amendments to Section 131(s) of Title 23 of the U.S.C. restricted 174 existing uses, 192 potential uses and 58 miles of commercial or industrial areas adjacent to the 247 miles of the Virginia Byways which are classified as federal-aid primary highways. The byways traverse to go through 13 cities or incorporated towns.

Subsequent to the designation of the trails as Virginia Byways, the Federal Highway Administration (FHWA) Deputy Chief Counsel issued a legal opinion on May 13, 1993 as to the meaning of 23 U.S.C. 131(s). The legal opinion, in part, included the statement "Under ISTEA, Congress left to a State's discretion the designation of a scenic byway under the State's scenic byway program. There was no limitation as to what highways a State could designate as scenic byways. If such highways pass through commercial and

industrial areas, it is up to the State to determine if the scenic values of such areas merit protection as part of a scenic byway." On June 14, 1993, the FHWA Associate Administrator for Program Development issued an informational letter to this effect as well. A copy of the legal opinion and the informational letter are attached.

From its visual inspection of the sections of the commercial and industrial areas adjacent of federal-aid primary portions of the Virginia Byways comprising the trails referenced hereinbefore, VDOT has determined that such commercial and industrial areas do not have scenic values that merit protection as part of the Virginia Byways. Therefore, commensurate with the federal legal opinion and administration's clarification referenced hereinbefore, the General Assembly of Virginia can amend the Acts of Assembly, 1993 (H.R. 2068) to delete the Virginia Byway designation of portions of highways therein adjacent to commercial and industrial areas through enactment of a bill containing the attached language without impacting VDOT's ability to comply with ISTEA and other federal mandates a required to receive its full share of federal monies appropriated for transportation programs.

Moreover, the Virginia Byway and Trail signs are in place and can continue to be maintained if the commercial and industrial areas are excluded from the byway designation.

In contrast, the language in section 314, consistent with FHWA's current policy, does not permit categorical exclusions of commercial and industrial areas from State designated scenic byways without consideration of whether those areas are consistent or inconsistent with the State's own criteria. For example, the State of Louisiana proposed legislation to exclude commercial and industrial areas from scenic byway legislation. In a May 17, 1995, FHWA memorandum on the Louisiana legislation, FHWA stated:

The proposed language automatically excludes commercial and industrial areas from the Louisiana byways system without consideration of the intrinsic qualities contained in the Louisiana byways criteria within those areas. To exclude any commercial or industrial area from scenic byway designation it must be determined that there is an absence of these intrinsic qualities.

Section 314 of the conference report makes it clear that a State's determination to exempt specific scenic byways segments for new billboard construction is also dispositive in the implementation of any scenic byways program promulgated under section 1047 of ISTEA. In May 1995, the FHWA issued a national scenic byways program interim policy, FHWA Docket No. 95-15. Section 11 of that policy paralleled the provisions of 131(S) and prohibited new billboards on those segments of controlled highways that are State-designated scenic byways. However, section 11 further required the States to prohibit billboards on portions of the interstate and Federal-aid systems incorporated into the national scenic byways program even where those roads were not a State designated scenic byway. As such, this second provision in section 11 is completely inconsistent with section 131(S) which limits the scope of the prohibition on new billboards to State-designated scenic byways. Likewise, the provision undermines the FHWA's own segmentation policy because it eliminates a State's discretion to exclude portions of its roads from scenic byway regulations and has chilled the nomination process.

The conference report resolves these issues by making it clear that the authority of the State's discretion to exclude segments from scenic byways designation under 131(S) applies equally with respect to any action by the Secretary pursuant to section 1047. Accordingly, FHWA may not engage in rulemaking, or take any administrative action under either section 131(S) or section 1047, that has the effect of preempting or compromising the States' discretion. As a result, the Secretary does not have the authority to compel a State to seek the prior approval of the Secretary for its actions in this regard. Rather, the Secretary's authority is limited to a determination, after the fact, of whether a State had a reasonable basis for excluding a segment of a scenic byway consistent with its scenic byways standards to determine whether the States' action was intended solely to evade Federal protection of truly scenic noncommercial areas. In the event that the Secretary makes that determination, the State has the ability to revise or withdraw its exclusion determination.

The implementation of sections 131(S) and 1047 has been greatly complicated by the FHWA's overly expansive interpretations of its own authority. Through section 314 of the conference report, the Congress has made it clear that the discretion is vested with the States alone to exempt segments of scenic byways from the billboard prohibition and to make reasonable judgments regarding the location of billboards in those areas. The FHWA should immediately make appropriate revisions to its national scenic byway program interim policy and take other steps to reaffirm the broad authority of States' discretion under sections 131(S) and 1047.

Mr. RAHALL. Mr. Speaker, I rise in support of the conference agreement on this legislation to designate the National Highway System.

As I look back over the legislative process that brought us to finalizing this conference agreement, I can best describe it in the words of the Grateful Dead: "What a long strange trip it's been."

I say this because this body first passed NHS designation legislation last year.

We did it more than a full year before the October 1, 1995, deadline that caused the sequestration of \$5.2 billion worth of Federal highway funds to the States. Yet, at the time, the Senate refused to conference with us.

And I say this because this year, after both bodies passed NHS bills, the conference lasted approximately 8 weeks, during which time we considered a number of strange and wondrous proposals advanced by the other body.

Meanwhile, the States have now been subjected to the loss of all Federal Interstate maintenance and NHS funds for a month and a half now.

It has been a long strange trip indeed, but that trip is now coming to an end.

We bring before the House this day a conference report that at least accomplishes the fundamental purpose of this whole exercise: the designation of a new National Highway System in this country that will be the centerpiece of the post-interstate era.

In effect, the crown jewels of America's highways.

That designation, despite the misgivings many of us have over other aspects of this

legislation, is of overriding concern in terms of national need and public interest, and causes this gentleman from West Virginia to urge the speedy enactment of this legislation.

It is true that I am no fan of repealing the national speed limit, that repeal is included in the conference agreement.

And it is true that I am deeply concerned, and have grave misgivings, over the potential adverse safety consequences of provisions of this legislation aimed at minimizing Federal regulation of delivery trucks, as well as hours of service waivers for a number of trucking sectors.

These items would not be in a bill that I crafted.

Yet, it is the majority will of both the House and Senate that these provisions be contained in this legislation. We fought our battles over them, and we fought them fairly under an open committee process and under an open rule of the House floor.

And so, as I have noted, many of us have misgivings over this legislation but all in all, it is a must-pass bill because without the designation of the NHS, the States will continue to be denied \$5.2 billion in Federal highway funds, and the Nation, as a whole, will suffer.

I commend this conference report to the House and urge its adoption.

Mr. NADLER. Mr. Speaker, the residents of the West Side of Manhattan, the local elected officials from New York City, the Council for Citizens Against Government Waste, the National Taxpayers Union, the Porkbusters Coalition, and now the House and Senate, for the second time, have made it clear; they do not want the Federal Government to pay \$300 million to move a newly refurbished highway in my district so that the tenants of Donald Trump's proposed luxury high-rise Riverside South development will have an unobstructed view of the Hudson River.

As most of the Members of this body know by now I have been working for several years to kill the Trump-backed, \$300 million Miller Highway relocation project in my own congressional district. I am pleased to say that because of the language in this NHS conference report, any plans to use taxpayer funds for this ill-conceived project are now defunct. The language in this report takes away all remaining ISTEA funding for this porkbarrel boondoggle. I want to take this opportunity to thank Chairman SHUSTER and Ranking Member OBERSTAR for their work in conference to ensure this project was not allowed to proceed. This is a victory for good government, but most of all, it is a victory for the American taxpayer who would have been asked to pay the bill.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend remarks and include extraneous material on the conference report on the Senate bill, S. 440.

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

There was no objection.

Mr. OBERSTAR. Mr. Speaker, 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 SPEAKER pro tempore. Without objection, the conference report is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1996

Mr. LIVINGSTON. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 123), making further continuing appropriations for fiscal year 1996, and for other purposes.

The Clerk read as follows:

H.J. RES. 123

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Acts for the fiscal year 1995 for continuing the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995:

(1) All projects and activities necessary to provide for the expenses of Medicare contractors under title XVIII of the Social Security Act under the account heading "Program management" under the Health Care Financing Administration in the Department of Health and Human Services.

(2) All projects and activities funded under the account heading "Limitation on administrative expenses" under the Social Security Administration.

(3) All projects and activities necessary to process and provide for veterans compensation, pension payments, dependency and indemnity compensation (DIC) payments, and to provide for veterans medical care under the Department of Veterans Affairs.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section as passed by the House as of October 1, 1995, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1995, the pertinent project or activity shall be continued at a rate for operations not exceeding the average of the rates permitted by the action of the House or the Senate under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act which included funding for fiscal year 1996 for the projects and activities listed in this section has been passed by only the House or only the Senate as of October 1, 1995, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.