

could be money going to education, going to health care, going to address the infrastructure of our Nation.

So the President's plan clearly needs help. And his failure to provide a clear and honest accounting of the difficult tradeoffs between increases in debt, benefits cuts and tax increases shows a failure in leadership.

□ 1100

DENOUNCING VIOLENCE AGAINST WOMEN AND SUPPORTING VITAL SOCIAL SECURITY BENEFITS FOR WOMEN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rose earlier this week to again join with my colleagues to announce our mutual stand against violence against women. Sexual assault, violence against women takes away their dignity and their human dignity; and all of us demand that kind of respect.

So as I stand here today, I ask America as well to recognize the negative impact that the present posture on Social Security will have on America's women. Because many of them are head of household, many of them demand and depend upon the requirement or the retirement benefits that come through the Social Security program. Social Security privatization, as planned now, will cost more than \$4 trillion in the first 20 years, according to independent experts. There is no mention of such cost in the pending budget.

The Republican plan undermines retirement security for all Americans by cutting guaranteed benefits by more than 40 percent. In fact, the average retiree would lose \$152,000 in benefits under the privatization plan. Women benefit from the survivors benefit, but many times they have lost their spouse.

Let us not take away the human dignity from American women. Let us stand against violence and stand for the sovereignty of Social Security.

CORPORATE TAX CUTS AND LAYOFFS

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, we are now running structural deficits on average of a little over \$400 billion a year. In 4 short years, we have added \$2 trillion to the Nation's debt and have a continuing plan to do that.

How did we get here? Partly as a result of last year's corporate tax cut bill which spent \$150 billion on an \$8 billion problem. Today's Wall Street Journal reports how this legislation has led to greater job loss. That is an interesting economic strategy, given it intended to create jobs.

For instance, Colgate-Palmolive said that while the corporate tax bill will allow it to repatriate half a billion dollars in profits, the company will actually shut down a third of its factories and lay off 4,400 employees.

Sun Microsystems, \$1 billion in new profits during the so-called corporate tax "holiday," will be repatriated, but plans to lay off 3,600 employees.

DuPont Photomasks is repatriating \$24 million, but laying off 100 employees, while expanding its Singapore factory at the same time.

While the corporate suites enjoy the fruits of this tax cut, Americans are left with less jobs and more of a burden for the Nation's debt: \$30,000 for every man, woman, and child.

Mr. Speaker, thanks to the corporate tax cut bill, we can expect that share of the debt to keep growing for Americans.

PRESIDENT'S SOCIAL SECURITY PRIVATIZATION PLAN UNDERMINES RETIREES' NEST EGGS

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

Mr. GEORGE MILLER of California. Mr. Speaker, today we are reminded in the press that it is 5 years since the bubble burst on the NASDAQ stock market. It has been 5 years; and those people who invested in that market, in those index funds, have recovered 60 percent, or is still 60 percent below where it was in 2000.

For those people who thought they are going to retire on their 401(k)s who were invested in the market at that point, we have all heard the stories when we return to our districts that their spouses are going to continue to work, that they are going to postpone for a year; they are not going to be able to retire like they thought they were.

This does not mean we should not invest in the market; it simply means we should not take \$15 trillion out of Social Security and undermine the guarantee that it provides to those workers, those very same workers, in many instances, who, in their corporate 401(k)s have lost almost 40 percent, if they stayed there today, of their retirement nest egg. That nest egg ought to be preserved, and the President should not be allowed to undermine that nest egg by taking \$15 trillion out of Social Security.

KEEPING SOCIAL SECURITY SECURE FOR THE FUTURE

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

Mr. PALLONE. Mr. Speaker, President Bush and congressional Republicans have yet to offer a plan that makes Social Security solvent beyond the year 2052. As far as I am concerned,

until the Bush administration takes its privatization plan off the table, we cannot work together to address Social Security solvency.

Even one of our Republican colleagues, Senator LINDSEY GRAHAM, has admitted that privatization is not a plan that will fix Social Security. On Tuesday he said, "We now have this huge fight over a sideshow. It has always been a sideshow, but we sold it as the main event." That is a Republican Senator calling the President's plan a sideshow.

Mr. Speaker, it is a sideshow because it does nothing to strengthen Social Security. Democrats are willing to work with Republicans to extend solvency beyond 2052, but we cannot do that until Republicans are serious about extending solvency and rejecting privatization.

Democrats want to keep Social Security secure for the future. When that is the Republican goal, we can finally begin to work together in a bipartisan fashion.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 144 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 144

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. No further general debate (except for the final period contemplated in House Resolution 140) shall be in order. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of the final period of debate, the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore (Mr. BASS). The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I

may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, on Wednesday, the Committee on Rules met and granted a structured rule for further consideration of H.R. 3, the Transportation Equity Act: A Legacy For Users, more commonly referred to as TEA-LU. This rule provides for no further general debate, except for the final period of 10 minutes contemplated in the House Resolution 140. Finally, the rule makes in order the 12 amendments printed in the Committee on Rules report and provides for one motion to recommit, with or without instructions. Mr. Speaker, the rule we have before us is a fair rule, and I believe all Members should be able to support it.

Mr. Speaker, since October 1, 2003, Federal surface transportation programs have been forced to operate on a basis of a short-term extension. We are approaching the end of the most recent extension, which will expire on May 31, 2005. Our Nation's highways desperately need the assurance and stability of a 5-year reauthorization provided by H.R. 3.

As a former member of the House Committee on Transportation and Infrastructure, I can appreciate the incredible bipartisan effort that has gone into writing this legislation. I would like to applaud the efforts of the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Ranking Member OBERSTAR) for bringing this legislation to the floor in an expedient and bipartisan manner.

I look forward to the passage of this bill and hope that our colleagues in the other body will take swift action.

The highway bill is a vitally important investment in our Nation's surface transportation system and fosters job growth across the country. In fact, it is estimated that for every \$1 trillion in highway funding, 47,500 jobs are created. The highway bill provides \$284 billion in funding for vital programs that will impact citizens across the States, improving safety and accessibility.

In my district, the highway bill represents the strongest step forward ever to replace U.S. Route 35, a 2-lane death trap through West Virginia's Mason and Putnam counties. U.S. Route 35 is dominated by tractor trailers and tanker trucks traveling south from Ohio and north from Interstate 64 in Charleston. Far too often, the high volume of traffic swallows up local commuters, resulting in tragic motorist fatalities.

With the passage of the highway bill, construction of a new 4-lane appropriate to meet the demand will be built, diverting traffic around dozens of residential neighborhoods. Mr. Speaker, this is just one example from my home district, and there are countless others from across the country.

Mr. Speaker, I am a strong supporter of this legislation, which provides for countless improvements in the Na-

tion's surface transportation system. The numerous projects and programs authorized by this bill will improve our highway systems and the ability of our constituents to travel from State to State. To that end, I urge my colleagues to support the rule and the underlying bill.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentlewoman from West Virginia (Mrs. CAPITO) for yielding me this time, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, I am supporting this rule, despite the fact that it does restrict the amendment process; and while an open rule is generally preferable, this rule does allow the House to consider and vote on some important amendments, especially the Pascrell-Menendez-LoBiondo anti-corruption amendment.

The first rule provided for general debate on H.R. 3 and made in order nine Republican amendments, and one that was bipartisan. This rule makes in order 10 Republican amendments, including a manager's amendment by the gentleman from Alaska (Chairman YOUNG) that was drafted in consultation with the Committee on Transportation and Infrastructure Democrats and is supported by the gentleman from Minnesota (Ranking Member OBERSTAR).

I want to again applaud the Committee on Transportation and Infrastructure for working together in a truly bipartisan fashion in drafting our Nation's massive highway and transit authorization legislation.

Mr. Speaker, H.R. 3 is an all-too-rare example of bipartisanship in this body. Negotiations were undertaken, compromises were made on both sides, and the diverse transportation needs of all regions of the Nation were carefully considered. The final product truly represented the priorities of all sides involved, regardless of political affiliation. The American people have been well-served by the process, and that is what they deserve.

The rule also makes in order two of the five Democratic amendments that were submitted to the Committee on Rules. The first one is by the gentleman from California (Mr. HONDA) and would allow basic grant funds to be used for DWI courts seeking to change the behavior of alcohol or drug-dependent offenders arrested while driving or while impaired.

I am particularly pleased that the second Democratic amendment, the anti-graft and anti-corruption amendment by the gentlemen from New Jersey (Mr. PASCRELL), (Mr. MENENDEZ) and (Mr. LOBIONDO), is included in this rule. Their vital amendment will allow States to enact anti-corruption laws, curbing the practice of pay-to-play contracting, without losing their Fed-

eral aid highway dollars. These laws are critical to help stop the threat of real and apparent corruption resulting from large political contributions from contractors to influence the awarding of public contracts.

As ludicrous as it seems, the Federal Highway Administration last year ruled that a State of New Jersey executive order limiting the size of political contributions from government contractors to State candidates violated Federal competitive bidding requirements. Had New Jersey not suspended this portion of the executive order, that State would have lost its Federal highway funding. So unless this amendment is adopted, States will not be able to stop contractors from contributing to the campaigns of those who may ultimately award these contracts.

I cannot imagine why anyone in this House would want such seemingly unethical activity to continue. Ethics and integrity are among the most cherished of American values. We, the representatives of the people, have a responsibility to lead by example. I fully support the Pascrell-Menendez-LoBiondo amendment and challenge my colleagues, Republican and Democrat alike, to join with me in taking a stand for ethics. Highway contractors in America should not have to bribe their way to win Federal contracts. We have the power and the responsibility to end this today. Vote for this amendment.

Once again, Mr. Speaker, I want to make it clear that I support H.R. 3 to reauthorize our Nation's transportation programs. The Committee on Transportation and Infrastructure has put together a fair, bipartisan bill that will improve our Nation's highways and transit systems.

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

Mrs. CAPITO. Mr. Speaker, it is my honor to yield such time as he may consume to the gentleman from California (Mr. LEWIS), the distinguished chairman of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the gentlewoman being so generous with the time available. It is a great privilege to work with the Committee on Rules on this very important issue that we have been trying to finalize here in the House for a couple of years.

□ 1115

I rise in very strong support of H.R. 39, Transportation Equity Act: A Legacy For Users, known as TEA-LU. I want to commend the gentleman from Alaska (Mr. YOUNG) and his ranking member, the gentleman from Minnesota (Mr. OBERSTAR) for the effort they put into this package. It is a bill that reflects much of the balance of the needs of the Members of the House.

As the gentleman from Alaska (Mr. YOUNG) will recall, I have spent a lot of time working with Members of this

committee from the first day I walked into the Congress. Years ago, my first committee assignment was to the Committee on Public Works, which is the heart of this work itself. The chairman believes that a key to a successful 6-year transportation bill involves the revenue of the bill itself.

Indeed, I understand that the chairman has worked rather intently to find mechanisms whereby we can be assured that enough money is available to meet the many demands across the country, including such things as indexing the gas tax, a proposal that I myself was involved in many years ago in the State legislature.

It is a fact that the demands for transportation systems that work are a primary national concern. The major lacking regarding that is money availability. So I am very much appreciative of the chairman's difficulties. I appreciate the gentleman from Alaska's (Mr. YOUNG) efforts to meet the enormous demands from the Members across the country. My colleague from West Virginia (Mrs. CAPITO) mentioned an item, a highway transportation item, that is very critical to her constituency, the people of West Virginia. That can be replicated across the country. Almost every district faces these challenges.

I do, as I speak to the challenge, express also some concern about the guarantee within this bill that essentially would suggest where we fall short of money under current circumstances, additional funding will come by way, or likely come by way, of the general funds.

As all of the Members know, we are working intently this year to move our appropriations bills ahead of schedule and indeed under budget. As we go about that, there are a lot of pressures on our dollar availability as relates to the general fund.

So I really rise to express concern about things like the following: The funding floors mandated in TEA-LU would require discretionary appropriations of about \$1.7 billion from the general fund for 2006. Because those funds remain short, obviously, such a conflict will create difficulty in moving forward with the regular appropriations process.

In addition to the mass transit difficulty that is obvious to anybody who will but look, the highway category of TEA-LU guarantees \$37.4 billion in highway budget resources. This is \$1.6 billion over the President's request of \$35.9 billion. As you can see, we have great difficulty moving our way through this process and making sense out of the budget, too. It is my intention to work very closely with the chairman and the ranking member to make sure that these challenges are handled in a way that meets all of our needs.

In turn, I look forward to working with members of the committee and the House to try to be responsive to challenges they face relative to transportation as well.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise in support of the rule and want to thank my colleagues on the Committee on Rules for placing in order the Pascrell/Menendez/LoBiondo amendment which would protect New Jersey's ability to combat the influence money plays in the contracting process and also to reaffirm States' rights. As far as I am concerned, this is also a States' rights issue and the ability of States to pass legislation that would deal with the corruption issues.

I think you should know, Mr. Speaker, that the buzz word in our State these days in New Jersey is "pay to play." Pay to play simply means awarding lucrative government contracts to those who have given large political contributions. Unfortunately, it has become almost a way of life that people get contracts by giving large campaign contributions to politicians.

I do not have to tell anyone here why that becomes a problem. It does not basically allow the best contract to go forward, the most efficient, the lowest bid, the one that is in the best interest of the public.

It also wastes tax dollars. There have been numerous reports in the media in New Jersey about how tax dollars are wasted essentially when pay to play is in effect because it means that money that could have been perhaps used better for other educational or other government functions is, in effect, wasted in the pay to play process.

So what has happened in New Jersey is that New Jersey has been seeking a way to essentially eliminate pay to play.

Shortly before his resignation, our former governor Jim McGreevy, issued an executive order banning pay to play and his successor Governor Dick Cody has worked with the legislature to make the ban a permanent law. Again, this would be a vital step towards cleaning up the influence money plays in the contracting process in New Jersey. The problem though is that the rigid contracting rules of the Federal Government are putting a serious crimp on our State's attempts to foster good government.

The Federal Highway Administration requires that all contracts go to the lowest bidder, and they have said that the New Jersey pay to play ban would violate that rule. I know that the gentleman from Massachusetts (Mr. MCGOVERN) on the Committee on Rules explained that that is patently absurd. There is no reason why the Federal Government should block a State's ability to combat political influence, in this case, potentially withholding \$1 billion in transportation funding that is critical to our Nation's most densely populated State.

I have always had an opinion from a State's rights point of view that, if a State wants to go further, in this case, our State trying to go further to elimi-

nate corruption and the potential for political influence, there is no reason why the Federal Government should stand in the way of that. That does not make any sense.

I should also tell my colleagues that, before you think that the New Jersey delegation is just doing this as a parochial issue on the highway bill, you should look to your own State. The Highway Administration's rules could potentially block similar efforts pending in Connecticut and could effect existing anti-corruption laws in Kentucky, South Carolina, Ohio and West Virginia. This is not a New Jersey specific problem. This is something that the Highway Administration could potentially block in a number of other States.

So I think, for all these reasons, this amendment makes sense. Again, I want to thank the Committee on Rules for putting the amendment in order. I want to thank particularly my colleagues, the gentleman from New Jersey (Mr. PASCRELL), the gentleman from New Jersey (Mr. MENENDEZ) and the gentleman from New Jersey (Mr. LOBIONDO) for sponsoring this amendment. But I should say, every one of the Members of the New Jersey delegation on a bipartisan basis does support this and is joining us in our effort to preserve States' rights and stand up for good government.

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

Mr. MCGOVERN. Mr. Speaker, I yield 8 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the Chair of our Democratic Caucus.

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

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

Mr. Speaker, I rise today in support of the rule and the transportation bill that our distinguished committee leadership worked for so long and so hard to bring to the Floor this week. I commend them on a tremendous job in crafting a bill that works within such title fiscal constraints, yet still manages to focus on so many of our transportation priorities. I want to particularly thank the Committee on Rules for making the Pascrell/Menendez/LoBiondo pay to play reform amendment in order.

I appreciate the hard work of the distinguished ranking member, the gentlewoman from New York (Ms. SLAUGHTER), who has been a strong supporter of our amendment. I want to thank the gentleman from Massachusetts (Mr. MCGOVERN) for his strong comments in support of the amendment as well.

Like many here, I had hoped that there would be a lot more money in this bill. As a member of the Committee on Transportation and Infrastructure, I know how important transportation investment is for the good of the Nation as a whole. As the representative of the 13th District of New

Jersey, which is densely packed with almost every transportation mode imaginable, I know firsthand how important this investment is for the well-being of the people in our community because transportation is more than about getting from one place to another.

The money we spend in this bill will create jobs, stimulate new businesses, revitalize neighborhoods, reduce congestion, clean our air and make us more secure. That is why I am disappointed that we have been forced to adhere to an unnecessary low level of funding the administration has forced upon us.

Those of us in the New Jersey-New York metropolitan area learned on September 11 how important it is to have a multiplicity of transportation modes. When the bridges and tunnels out of Manhattan were closed, it was ferries that allowed people to evacuate the city to New Jersey. When the airports were closed, it was rail service that allowed people to travel across the country. September 11 showed us that the national security value of making a strong investment in multiple modes of transportation is necessary.

Those of us from New Jersey know particularly well how desperately we need the money in this bill. We are the most densely populated State in the Nation with very old highways that are desperately in need of repair; 71 percent of our major roads are in either poor or mediocre condition. Over 36 percent of our highway bridges are either structurally deficient or functionally obsolete, far above the national average. And despite being the fifth smallest State, we are the 11th most traveled on our highways.

These miles take a toll on our environment. Every county in the State has unhealthy levels of ozone, and over half of the counties have dangerous levels of airborne soot. By providing enhanced funding for public transportation and other pollution control measures, this bill will help to clean our air.

One of the other problems we have in New Jersey is with pay to play. That is a process by which contributions, often very large contributions, are offered to politicians and State officials with the hope of being able to gain a government contract. It is in my mind a very corrupting practice and severely undermines the trust and credibility of the government.

What my colleagues and I from New Jersey are trying to do is change the nature of that process. Now, this is not merely an issue for New Jersey. This is an issue for any State that hopes it can strike a blow for clean government by limiting such a corrupting influence. And the issue is simply about the right of any State, of any State, to take the steps it needs to maintain the trust of its people. Nothing in what we are trying to do would force any State to enact a pay to play reform law. Nothing in our amendment would alter the competitive bidding process one bit.

The amendment strictly conforms to the ideals behind the current Federal highway contracting statute which is to ensure fairness and integrity in the awarding of public contracts.

I for one am surprised that we even need this amendment at all. For 50 years, Section 441(c) of Title 2 in the U.S. Code has banned political contributions from Federal contractors. The Federal government clearly recognizes the corrupting influence of pay to play and has taken steps to control it, steps that the Federal Highway Administration now says that New Jersey is not allowed to take on its own.

Clearly, the Federal Government recognizes that there are situations where merely looking for the lowest bidder is not the best way to serve the public interest.

The Securities and Exchange Commission has also enacted its own pay to play protection regulation, Rule G-37, which is even stronger than the Federal statute in Section 441. Brokers and municipal security dealers are forbidden from making political contributions to any official who issues municipal securities for 2 years before any business can be transacted. The rule was challenged and upheld in Federal court. Clearly, the SEC recognized and the courts agreed that restricting campaign contributions by people who are looking to do business with government is in the public interest and helps maintain the public trust.

I have heard some arguments that the problem with this amendment is that it would open the flood gates. Once we add a restriction about campaign contributions to highway contracting, this argument goes, we will not know where to stop. I strongly disagree.

First of all, New Jersey's Pay to Play Reform Act is not a highway issue. It only became one when the Federal Highway Administration, which is apparently not very concerned with Section 441 of the Federal law, decided to make it one by withholding New Jersey's highway financing.

Second, we already put a number of restrictions on highway contracting and procurement in Federal law. We give, for example, priority to minority-owned businesses, veteran-owned businesses, women-owned businesses, businesses owned by Native Americans or the disabled. We do these things because they are right to do and because they serve a social good. Limiting campaign contributions by prospective contractors is also a social good. It preserves the integrity of the government. It preserves the trust of the public in the contracting process. And it will very likely save the government money by lowering the cost of contracts.

Mr. Speaker, this amendment is simple. It is straightforward, and it is fair. It is also bipartisan and supported by a broad range of good government groups, such as Common Cause, the Center of Civic Responsibility, and Democracy 21.

I urge my colleagues, when it comes time, to pass the Pascrell/Menendez/LoBiondo amendments and the underlying bill so we can protect the rights of the States and allow them to combat corruption as they see fit. This will apply only to those States that, number one, choose to have such legislation for their States, and it will only apply to office holders in their States of a State nature.

I do not think the Federal Government should be telling the States that they cannot do that to preserve the trust and integrity of the contracting process in their States.

Mr. Speaker, I thank the gentleman for his gracious amount of time.

□ 1130

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank my friend, the gentleman from Massachusetts, for yielding me time; and I rise in strong support of the amendment offered by the gentlemen from New Jersey (Mr. PASCRELL), (Mr. MENENDEZ), and (Mr. LOBIONDO). The gentleman from New Jersey (Mr. MENENDEZ) and before him my other colleagues from Massachusetts have stated, I think clearly, what is at stake here.

New Jerseyans were surprised to learn that the Federal Highway Administration recently withheld \$260 million in highway funds because New Jersey had taken the very important step, I think the landmark step, to protect the integrity of contracts. Pay-to-play had become something that clearly had to be stopped, and the effort to bring integrity in public contracts by limiting political contributions is something that New Jersey is not only within its rights to do, but is something that should serve as a model for the Nation.

New Jerseyans were surprised to find that the highway administration ruled that New Jersey could not do that or else they would take the highway funds away.

This amendment would clarify the propriety of New Jersey's action. It would preserve the ability of States to protect the integrity of public contracts, and it is not just New Jersey. As the gentlewoman has heard, it would be, I think, to the benefit of West Virginia and a number of other States.

There are plenty of precedents, as the gentleman from New Jersey (Mr. MENENDEZ) has pointed out, to support the adoption of this amendment. The SEC, the Securities and Exchange Commission, currently has what we call a pay-to-play ban in place prohibiting contribution by bond traders, and that has been upheld in the courts.

So this amendment makes sense. It is entirely proper. It would benefit many States, and it would make clear that it is not the role of the Federal Highway Administration to decide what is and what is not ethical political procedure.

Furthermore, as my colleague, the gentleman from New Jersey (Mr. MENENDEZ), has pointed out, this would probably save money. There is too much money allocated in contracts for reasons that are not based entirely on cost and efficiency.

So I strongly urge the support of the Pascrell-Menendez-LoBiondo amendment.

Mrs. CAPITO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, in a letter that went from Suzanne Novak on behalf of the Brennan Center for Justice at NYU to the gentleman from Alaska (Mr. YOUNG), the honorary chairman of the Committee on Transportation and Infrastructure, and the gentleman from Minnesota (Mr. OBERSTAR), ranking member, she wrote in that letter in support of the Federal Government supporting States and being very specific about the bidding laws in contracting to respond to the collusion or the possibilities of collusion that have existed, I can assure my colleagues, not only in the State of New Jersey.

She wrote this: "Several recent scandals regarding government contracting in New Jersey prompted New Jersey to establish a criterion of responsibility for government contracting which prohibited the State from contracting with an entity that has contributed to a candidate for or holder of the office of Governor, or to any State or county political party committee, within certain time frames. The executive "order of the Governor" "explicitly stated that 'the growing infusion of funds donated by business entities into the political process at all level of government has generated widespread cynicism among the public that special interest groups are "buying" favors from elected officeholders.'"

Mr. Speaker, the courts have recognized that contributions from government contractors present a severe risk of engendering corruption, the appearance of corruption and, thus, have generally upheld pay-to-play contribution bans, and this is what this amendment is all about. It is a bipartisan amendment to reform government, to help government clean up its act. We have similar laws on the Federal books about contracting and bidding. We want to remove cynicism from the public about when the government does business that there is proper conditions that will be implemented to make sure that it is done according to the law.

Blount v. the SEC was a perfect example. The Securities and Exchange Commission made it very clear that if you were going to do some bonding work, that if you give a political contribution to the entity beforehand, that is rather suspect. So let us remove that possibility. There is no doubt, if we do not allow the States to do what

the Federal Government has on the books, how are we going to justify that?

This is a win-win situation. Neither party is the source of corruption and neither party is privy to virtue; let us accept that. Let us also accept that this is a bipartisan amendment, introduced in good faith, so that each of the parties, if you will, look good. Not only talk the talk but take that extra step to clean up their own acts. How can we in this House not permit or allow each of the States to provide for cleaner governments?

This is reality. The Federal law, the court cases have backed up this effort. There is no reason under the sun. This is bipartisan. It will help both parties and it will reduce the cynicism that exists in many, many areas of the public.

So, Mr. Speaker, this great H.R. 3, the Transportation Equity Act, we have worked on it a long time. I have saluted both the Chair, as well as the ranking member. I have not heard one cogent argument as to why we should not pass and allow States to reform their own act and clean up their own acts.

One criticism I heard is that this is going to open up a Pandora's box. The Federal Government has rules on the books already. Are we going to tell the Federal Government, you have opened up a Pandora's box because you are trying to implement clean-government rules? That is absurd. Give me one legal reason why this amendment should not only be in order, which it is, but it should not be both sides of the aisle supportive. Give me one good legal reason.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and we have no further requests for time.

So let me just again say that while I wish the funding level of this bill were higher, TEA-LU is a good bill. It is a tribute to the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Ranking Member OBERSTAR). I urge my colleagues to support it. We also will support the rule.

Mr. Speaker, I yield back my time.

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

I would like to thank my colleague, the gentleman from Massachusetts, and I would like to reiterate as well that this legislation is crucial to the continued growth of our economy. We are creating jobs and improving the ability of current workers to commute to their places of employment, among a myriad of other transportation issues.

I look forward to the strong bipartisan support of this legislation. I urge a "yes" vote on the rule and the underlying legislation.

Mr. ANDREWS. Mr. Speaker, I would like to take this opportunity to express my support for the rule, H. Res. 144, to the TEA-LU, H.R. 3, bill, which makes in order the Pascrell/Menendez/LoBiondo Pay-to-Play amendment. The

consideration of this amendment is crucial to restoring the integrity of New Jersey's government and to protecting federal funds allocated to the State.

New Jersey government and politics are long overdue for a cleansing. For too long, New Jersey taxpayers have paid a corruption tax—the cost of decisions made to benefit campaign donors rather than taxpayers. At the present time, the New Jersey legislature is attempting to restore its integrity by barring companies, who have made political contributions to a state government or political party official, from receiving state contracts worth more than \$17,500. This is a critical component of the State's reform package and must be enacted and maintained for genuine change to occur in New Jersey.

Standing in the way of New Jersey's cleansing is the US Department of Transportation, USDOT, who has cited concerns that our State's pay-to-play reform would illegally stifle competition for government contracts. New Jersey has challenged the USDOT's decision in the court. Currently, the case is pending.

To weed out the corruption that has plagued our State and resulted in our citizens mistrust of their government, the Pascrell/Menendez/LoBiondo amendment is essential. Consideration and subsequently the passage of this amendment are imperative for New Jersey to attain real ethical reform.

Again, I commend the Rules Committee for declaring the Pascrell/Menendez/LoBiondo Pay-to-Play amendment in order today and urge its adoption.

Mrs. CAPITO. 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.

The SPEAKER pro tempore (Mrs. CAPITO). Pursuant to House Resolution 144 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3.

□ 1140

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with Mr. BASS (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 9, 2005, all amendments pursuant to House Resolution 140 had been disposed of.

Pursuant to House Resolution 144, no further general debate, except for the final period contemplated in House Resolution 140, is in order.

Pursuant to House Resolution 144, no further amendment to the bill, as amended, shall be in order except those printed in House Report 109-15. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in

the report, shall be considered as read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in part B of House Report 109-15.

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. YOUNG of Alaska:

In item number 1176 of such table contained in section 1702, strike "\$10,000,000" and insert "\$4,000,000".

In item number 2455 of such table, strike "\$3,000,000" and insert "\$2,000,000".

In item number 852 of such table, strike "\$750,000" and insert "\$500,000".

In item number 865 of such table, strike "\$9,750,000" and insert "\$7,500,000".

In item number 1222 of such table, strike "\$2,000,000" and insert "\$1,000,000".

In item number 497 of such table, strike "\$2,000,000" and insert "\$1,000,000".

In item number 2083 of such table, strike "\$6,500,000" and insert "\$6,000,000".

In item number 1041 of such table, strike "\$2,500,000" and insert "\$2,000,000".

In item number 1048 of such table, strike "\$3,900,000" and insert "\$3,000,000".

In item number 2737 of such table, strike "\$400,000" and insert "\$100,000".

In item number 3236 of such table, strike "\$400,000" and insert "\$100,000".

In item number 2250 of such table, strike "\$5,000,000" and insert "\$4,000,000".

In item number 2336 of such table, strike "\$21,350,000" and insert "\$20,000,000".

In item number 419 of such table, strike "\$21,400,000" and insert "\$18,400,000".

In item number 2938 of such table, strike "\$610,000" and insert "\$360,000".

In item number 749 of such table, strike "\$500,000" and insert "\$540,000".

In item number 1211 of such table, strike "\$700,000" and insert "\$1,100,000".

In item number 2463 of such table, strike "\$500,000" and insert "\$1,010,000".

In item number 2930 of such table, strike "\$300,000" and insert "\$350,000".

In item number 2954 of such table, strike "\$8,000,000" and insert "\$9,000,000".

In item number 3196 of such table, strike "lande" and insert "lane" and strike "\$5,000,000" and insert "\$14,000,000".

In item number 3012 of such table, strike "\$2,500,000" and insert "\$3,000,000".

In item number 1175 of such table, strike "\$6,000,000" and insert "\$6,500,000".

In item number 3259 of such table, strike "\$5,000,000" and insert "\$6,000,000".

In item number 1530 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 1948 of such table, strike "\$555,000" and insert "\$1,055,000".

In item number 2809 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 3065 of such table, strike "\$555,000" and insert "\$1,055,000".

In item number 3276 of such table, strike "\$10,000,000" and insert "\$11,000,000".

In item number 1010 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 549 of such table, strike "\$1,000,000" and insert "\$1,010,000".

In item number 1552 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 1258 of such table, strike "\$2,500,000" insert "\$3,450,000".

In item number 1926 of such table, strike "\$12,500,000" insert "\$15,000,000".

In item number 2016 of such table, strike "\$3,000,000" insert "\$4,500,000".

In item number 3107 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 1331 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 665 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 1121 of such table, strike "\$5,000,000" insert "\$6,000,000".

In item number 3303 of such table, strike "\$5,000,000" insert "\$6,000,000".

In item number 347 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1123 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item number 256 of such table, strike "\$12,500,000" and insert "\$27,000,000".

In item number 1935 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 2190 of such table, strike "\$500,000" and insert "\$1,500,000".

In item number 1013 of such table, strike "\$7,000,000" and insert "\$8,000,000".

In item number 1471 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 619 of such table, strike "\$1,000,000" and insert "\$1,125,000".

In item number 2416 of such table, strike "\$750,000" and insert "\$1,000,000".

In item number 2936 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 353 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 661 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 581 of such table, strike "\$7,000,000" and insert "\$7,200,000".

In item number 2714 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1225 of such table, strike "Croos Creek Boulevard Widening" and insert "Cross Creek Boulevard Widening" and strike "\$1,000,000" and insert "\$1,800,000".

In item number 2558 of such table, strike "\$3,000,000" and insert "\$6,000,000".

In item number 2423 of such table, strike "\$3,000,000" and insert "\$6,000,000".

In item number 538 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 734 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 3031 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 1002 of such table, strike "\$4,000,000" and insert "\$4,500,000".

In item number 2428 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 3261 of such table, strike "\$1,250,000" and insert "\$1,750,000".

In item number 1537 of such table, strike the project description and insert "Construct a four lane connection between Rt. 13 and Rt. 45 and upgrades to Netty Green Road in Saline Co Illinois" and strike "\$1,000,000" and insert "\$2,000,000".

In item number 1779 of such table, strike the project description and insert "Construction of part of a 230 mile corridor US 67 near Jerseyville and Carrolton, Illinois".

In item number 1066 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 767 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 1725 of such table, strike "\$750,000" and insert "\$2,500,000".

In item number 1427 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1380 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1062 of such table, strike "\$2,600,000" and insert "\$3,600,000".

In item number 3195 of such table, strike "\$11,000,000" and insert "\$12,000,000".

In item number 329 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 3003 of such table, strike "\$4,000,000" and insert "\$9,000,000".

In item number 2108 of such table, strike "\$4,000,000" and insert "\$9,000,000".

In item number 835 of such table, strike "\$5,000,000" and insert "\$5,700,000".

In item number 3114 of such table, strike "\$5,450,000" and insert "\$6,150,000".

In item number 2668 of such table, strike "\$2,000,000" and insert "\$2,600,000".

In item number 3206 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item number 2233 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 177 of such table, strike "Construction of Valleydale Road Flyover, Widening and Improvements" and insert "Construction of Valeydale Road Flyover and widening and improvements from US 31 to I-65 (Shelby County Rd 17" and strike "\$5,000,000" and insert "\$6,000,000".

In item number 940 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item number 2887 of such table, strike "\$200,000" and insert "\$250,000".

In item number 2323 of such table, strike "\$100,000" and insert "\$150,000".

In item number 827 of such table, strike "\$100,000" and insert "\$300,000".

In item number 2593 of such table, strike "\$100,000" and insert "\$200,000".

In item number 2395 of such table, strike "\$100,000" and insert "\$500,000".

In item number 2541 of such table, strike "\$100,000" and insert "\$500,000".

In item number 1572 of such table, strike "\$1,000,000" and insert "\$700,000".

In item number 2608 of such table, strike the project description and insert "CR 52 from US 31 (Pelham) and continuation of CR 52 in Jefferson County, known as Morgan Road, to I-459, including proposed Highway 261 bypass around old town Helena" and strike "\$15,000,000" and insert "\$10,000,000".

In item number 1787 of such table, strike "LA" and insert "AL", strike the project description and insert "Birmingham Northern Beltline", and strike "\$800,000" and insert "\$10,000,000".

In item number 2943 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 2623 of such table, strike "\$5,000,000" and insert "\$5,500,000".

In item number 1621 of such table, strike "\$2,500,000" and insert "\$3,400,000".

In item number 1098 of such table, strike "\$900,000" and insert "\$2,000,000".

In item number 3272 of such table, strike "\$14,000,000" and insert "\$20,000,000".

In item number 1174 of such table, strike "\$3,000,000" and insert "\$2,000,000".

In item number 2534 of such table, strike "\$6,000,000" and insert "\$5,000,000".

In item number 2128 of such table, strike "\$14,000,000" and insert "\$16,000,000".

In item number 3051 of such table, strike "\$4,000,000" and insert "\$4,500,000".

In item number 567 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 3017 of such table, strike "\$1,100,000" and insert "\$2,100,000".

In item number 2735 of such table, strike "\$6,000,000" and insert "\$7,500,000".

In item number 572 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 663 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 2942 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 132 of such table, strike "\$2,200,000" and insert "\$3,200,000".

In item number 3055 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1607 of such table, strike "\$1,000,000" insert "\$1,200,000".

In item number 874 of such table, strike "\$1,400,000" insert "\$2,000,000".

In item number 986 of such table, strike "\$250,000" and insert "\$300,000".

In item number 1739 of such table, strike "\$3,600,000" and insert "\$3,900,000".

In item number 3234 of such table, strike "\$3,600,000" and insert "\$4,200,000".

In item number 540 of such table, strike "\$150,000" and insert "\$275,000".

In item number 3132 of such table, strike "\$6,200,000" and insert "\$8,200,000".

In item number 1094 of such table, strike "\$4,100,000" and insert "\$6,100,000".

In item number 49 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 1506 of such table, strike "\$8,000,000" and insert "\$10,000,000".

In item number 407 of such table, strike "\$12,000,000" and insert "\$14,000,000".

In item number 1899 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item number 1166 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 2022 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 1061 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 2277 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item number 171 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 543 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 1944 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 2824 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 104 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 1851 of such table, strike "\$12,000,000" and insert "\$14,000,000".

In item number 15 of such table, strike "\$4,644,000" and insert "\$5,000,000".

In item number 124 of such table, strike "\$2,500,000" and insert "\$2,900,000".

In item number 2640 of such table, strike "\$4,856,000" and insert "\$6,000,000".

In item number 3074 of such table, strike "\$2,000,000" and insert "\$2,100,000".

In item number 1737 of such table, strike "\$9,000,000" and insert "\$10,000,000".

In item number 1581 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 1631 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 88 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 425 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 1223 of such table, strike "\$800,000" and insert "\$1,600,000".

In item number 585 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 1346 of such table, strike "\$500,000" and insert "\$750,000".

In item number 1669 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 2224 of such table, strike "\$8,000,000" and insert "\$11,000,000".

In item number 702 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 636 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 807 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 1172 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 2234 of such table, strike "\$1,000,000" and insert "\$500,000".

In item number 3164 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 3219 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 2962 of such table, strike "Construct" and insert "Design and construction".

In item number 2469 of such table, strike "Construction" and insert "Design, right of way acquisition, and construction".

In item number 2140 of such table, strike "\$6,000,000" and insert "\$10,000,000".

In item number 1106 of such table, strike "\$8,000,000" and insert "\$10,000,000".

In item number 652 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 814 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 2944 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item number 434 of such table, strike "\$800,000" and insert "\$2,800,000".

In item number 345 of such table, strike "\$4,500,000" and insert "\$5,500,000".

In item number 1587 of such table, strike "\$3,800,000" and insert "\$4,300,000".

In item number 2753 of such table, strike "\$3,000,000" and insert "\$3,500,000".

In item number 330 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 1255 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 1626 of such table, strike "\$6,000,000" and insert "\$7,000,000".

In item number 3218 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item number 1031 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item number 1242 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item number 403 of such table, strike "\$5,000,000" and insert "\$9,100,000".

In item number 903 of such table, strike "\$4,000,000" and insert "\$13,500,000".

In item number 1617 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 2298 of such table, strike "\$6,000,000" and insert "\$7,000,000".

In item number 2072 of such table, strike "\$1,500,000" and insert "\$4,000,000".

In item number 876 of such table, strike "\$930,000" and insert "\$1,045,000".

In item number 229 of such table, strike "\$930,000" and insert "\$1,020,000".

In item number 1584 of such table, strike "\$780,000" and insert "\$870,000".

In item number 280 of such table, strike "\$680,000" and insert "\$770,000".

In item number 1441 of such table, strike "\$2,430,000" and insert "\$2,695,000".

In item number 690 of such table, strike "\$430,000" and insert "\$510,000".

In item number 2994 of such table, strike "\$620,000" and insert "\$695,000".

In item number 2836 of such table, strike "\$1,000,000" and insert "\$1,195,000".

In item number 2575 of such table, strike "\$1,500,000" and insert "\$2,500,000".

In item number 1101 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 2845 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 2340 of such table, strike "\$1,500,000" and insert "\$3,000,000".

In item number 3203 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 786 of such table, strike "Eliminate Highway-Railway crossing over US 14 and realignment of US 14, Des Plaines" and insert "Reconstruct Highway-Railway crossing over US 14 and realignment of US 14, Des Plaines".

In item number 2813 of such table, strike "\$9,000,000" and insert "\$15,000,000".

In item number 1547 of such table, strike "\$300,000,000" and insert "\$50,000,000".

In item number 640 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 1771, of such table, strike "For rail grade separations identified by the MPO for the Little Rock/North Little Rock metropolitan area, (which may include: Edison Ave.; Springer Blvd; Hwy 89 Extension; McCain/Fairfax; Salem Road" and insert "For rail grade separations identified by the MPO for the Little Rock/North Little Rock metropolitan area, (which may include: Edison Ave.; Springer Blvd; Hwy 89 Extension;

McCain/Fairfax; Salem Road; J.P. Wright Loop; South Loop; Geyer Springs Rd)".

In item number 596 of such table, strike "Allegheny City Urban Runoff Mitigation—eliminate urban highway runoff and the discharge of culverted streams into municipal combined sewers" and insert "Allegheny County Urban Runoff Mitigation—eliminate urban highway runoff and the discharge of culverted streams into municipal combined sewers".

In item number 1197 of such table, strike "Construct Shoreline Transportation Enhancement Projects, Guilford, Branford, East Haven" and insert "Construct Shoreline Greenway Trail, Guilford, Branford, East Haven".

In item number 1741 of such table, strike "Construct 6 mainlines from east of Mercury to east of Wallisville" and insert "US 90—Construct 6 mainlines from east of Mercury to east of Wallisville".

In item number 2272 of such table, strike "Build additional staircases, landscape, and other improvements to the municipal bridge at the Holton St. Viaduct in Milwaukee" and insert "Build additional staircases, landscape, and other improvements to the marsupial bridge at the Holton St. Viaduct in Milwaukee".

In item number 3037 of such table, strike "Belle Chasse Tunnel" and insert "Replacement Bridge for Tunnel, Belle Chasse".

In item number 2751 of such table, strike "Kerner Bridge" and insert "Kerner Ferry Bridge, Jefferson Parish".

In item number 2405 of such table, strike "Acquire lands adjacent to US 101 as part of Southern Santa Clara County Wildlife Corridor Protection and Scenic Enhancement Project" and insert "Acquire lands for mitigation adjacent to US 101 as part of Southern Santa Clara County Wildlife Corridor Protection and Scenic Enhancement Project" and strike "\$250,000" and insert "\$500,000".

In item number 42 of such table, strike "Access and enhancements to access Lake Belva Deer, Sigourney" and insert "Access and transportation enhancements to access Lake Belva Deer, Sigourney" and strike "\$1,000,000" and insert "\$2,000,000".

In item number 1429 of such table, strike "\$4,150,000" and insert "\$4,650,000".

In item number 1245 of such table, strike "\$1,000,000" and insert "\$2,500,000".

In item number 2220 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 116 of such table, strike "NY" and insert "WA" and strike "Yonkers, New York, Trolley Bus Acquisition" and insert "SR 518 3rd lane construction, King County" and strike "\$300,000" and insert "\$2,000,000".

In item number 2042 of such table, strike "Construction of vessel impact protection system for TXDOT" and insert "Construct a bridge impact protection system for TxDOT".

In item number 169 of such table, strike "TX" and insert "AR" and strike "Corpus Christi, TX Corpus Regional Transit Authority for maintenance facility improvements" and insert "Conway Western Loop—for engineering, rights-of-way, relocations, and continued planning and design" and strike "\$2,000,000" and insert "\$500,000".

In item number 2552 of such table, strike "\$2,000,000" and insert "\$3,700,000".

In item number 2947 of such table, strike "\$1,200,000" and insert "\$1,500,000".

In item number 261 of such table, strike "\$800,000" and insert "\$1,600,000".

In item number 1569 of such table, strike "\$500,000" and insert "\$1,000,000".

In item number 588 of such table, strike "Harlem Hospital Parking Garage" and insert "Transportation parking facility serving the Harlem Hospital Complex".

In item number 2860 of such table, strike "Add lights to road from Halchita to Mexican Hat on Navajo Mountain" and insert "Add lights to road from Halchita to Mexican Hat in the Navajo Nation".

In item number 1674 of such table, strike "Mile 2 W from Mile 12 N to US 83, Hidalgo County" and insert "Reconstruct Mile 2 W from Mile 12 N to US 83, Hidalgo County".

In item number 630 of such table, strike "Mile 6 W from US 83 to SH 107, Hidalgo County" and insert "Reconstruct Mile 6 W from US 83 to SH 107, Hidalgo County".

In item number 257 of such table, strike "Construct transportation enhancements on greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP, in Manhattan" and insert "Construct greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP, in Manhattan".

In item number 1862 of such table, strike "Plan and construct bicycle path, esplanades and ferry landing along New York Bay in Sunset Park, Brooklyn" and insert "Plan and construct greenway, bicycle path, esplanades and ferry landing along New York Bay in Sunset Park, Brooklyn".

In item number 523 of such table, strike "To study, design and construct transportation enhancements on the Brooklyn Waterfront Greenway in Red Hook, Greenpoint, and the Navy Yard in Brooklyn" and insert "To study, design and construct the Brooklyn Waterfront Greenway in Red Hook, Greenpoint, and the Navy Yard in Brooklyn" and strike "\$5,000,000" and insert "\$8,250,000".

In item number 2565 of such table, strike "Study and Implement Enhancement to Avenue U from Mill Avenue to East 38th Street and Flatbush Avenue from Avenue T to Avenue V" and insert "Study and Implement Traffic and Pedestrian Safety Enhancements to Gerritsen Beach, Brooklyn".

In item number 2315 of such table, strike "Construction of a bicycle / pedestrian off road scenic pathway from the Niagara Falls City Line to the southerly Lewiston Town / Village Line along the Niagara Gorge, Town of Lewiston, Village of Lewi" and insert "Construction of a bicycle / pedestrian off road scenic pathway from the Niagara Falls City Line to the southerly Lewiston Town / Village Line along the Niagara Gorge, Town of Lewiston, Village of Lewiston, Niagara County" and strike "\$1,250,000" and insert "\$2,750,000".

In item number 1144 of such table, strike "Implement ITS system and apparatus to enhance citywide truck route system on LIE Eastbound Service Road at 74th Street to Caldwell Ave, Grand Ave from 69th Street to Flushing Ave, and Eliot Ave from 6" and insert "Implement ITS system and apparatus to enhance citywide truck route system on LIE Eastbound Service Road at 74th Street to Caldwell Ave, Grand Ave from 69th Street to Flushing Ave, and Eliot Ave from 69th Street to Woodhaven Blvd".

In item number 2575 of such table, strike "\$1,500,000" and insert "\$2,500,000".

In item number 2436 of such table, strike "For the Nanticoke City Redevelopment Authority to design, acquire land, and construct a parking garage, streetscaping enhancements, paving, lighting & safety improvements, & roadway redesign in Nanti" and insert "For the Nanticoke City Redevelopment Authority to design, acquire land, and construct a parking garage, streetscaping enhancements, paving, lighting and safety improvements, and roadway redesign in Nanticoke".

In item number 128 of such table, strike "WIDENING, CURB AND GUTTER IM-

PROVEMENTS AS PART OF HWY 33 REDEVELOPMENT PROJECT IN KEARNEY" and insert "Widening, curb and gutter improvements on Hwy 92 as part of Hwy 33 Redevelopment Project in Kearney".

In item number 491 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1510 of such table, strike "\$18,000,000" and insert "\$19,000,000".

In item number 1865 of such table, strike "\$3,000,000" and insert "\$3,250,000".

In item number 851 of such table, strike "\$4,000,000" and insert "\$4,200,000".

In item number 1947 of such table, strike "\$2,450,000" and insert "\$3,000,000".

In item number 3104 of such table, strike "\$1,000,000" and insert "\$1,200,000".

In item number 2833 of such table, strike "\$600,000" and insert "\$1,000,000".

In item number 2964 of such table, strike "\$250,000" and insert "\$450,000".

In item number 2894 of such table, strike "\$1,000,000" and insert "\$1,200,000".

In item number 1136 of such table, strike "\$3,200,000" and insert "\$2,750,000".

In item number 1188 of such table, strike "\$5,880,000" and insert "\$6,480,000".

In item number 1768 of such table, strike "\$3,220,000" and insert "\$3,350,000".

In item number 3263 of such table, strike "\$1,680,000" and insert "\$3,420,000".

In item number 2807 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item number 1176 of such table, strike "\$10,000,000" and insert "\$4,000,000".

In item number 2916 of such table, strike "\$1,750,000" and insert "\$2,000,000".

In item number 912 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 1625 of such table, strike "\$600,000" and insert "\$800,000".

In item number 2780 of such table, strike "\$600,000" and insert "\$892,000".

In item number 2457 of such table, strike "\$100,000" and insert "\$108,000".

In item number 811 of such table, strike "\$11,000,000" and insert "\$13,000,000".

In item number 164 of such table, strike "\$7,000,000" and insert "\$17,000,000".

In item number 598 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item number 1493 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1496 of such table, strike "\$200,000" and insert "\$2,000,000".

In item number 3279 of such table, strike "\$10,750,000" and insert "\$11,750,000".

In item number 2796 of such table, strike "Plan, Design, and Construct improvements to Virginia Beach Blvd in Virginia Beach and Norfolk" and insert "Preliminary Engineer, Design, and Construct improvements to Virginia Beach Blvd in Virginia Beach and Norfolk".

In item number 717 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 875 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 2710 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item number 860 of such table, strike "\$7,000,000" and insert "\$9,000,000".

In item number 1451 of such table, strike "\$8,000,000" and insert "\$10,000,000".

In item number 264 of such table, strike "\$2,000,000" and insert "\$4,000,000".

In item number 294 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 1233 of such table, strike "\$5,750,000" and insert "\$3,000,000".

In item number 234 of such table, strike "\$3,000,000" and insert "\$3,534,680".

In item number 1821 of such table, strike "\$2,000,000" and insert "\$2,535,000".

In item number 3178 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item number 216 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item number 2246 of such table, strike "\$3,000,000" and insert "\$3,500,000".

In item number 465 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 710 of such table, insert "right-of-way acquisition and" before "construction" and strike "\$5,000,000" and insert "\$6,000,000".

In item number 2065 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 3096 of such table, strike "\$1,250,000" and insert "\$3,250,000".

In item number 2371 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 1786 of such table, strike "\$2,930,000" and insert "\$3,000,000".

In item number 576 of such table, strike "\$4,000,000" and insert "\$9,500,000".

In item number 3238 of such table, strike "\$3,000,000" and insert "\$9,000,000".

In item number 2972 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 2103 of such table, strike "\$1,000,000" and insert "\$2,500,000".

In item number 7 of such table, strike "\$1,400,000" and insert "\$2,000,000".

In item number 155 of such table, strike "\$400,000" and insert "\$500,000".

In item number 1397 of such table, strike "\$400,000" and insert "\$500,000".

In item number 524 of such table, strike "\$75,000" and insert "\$275,000".

In item number 2256 of such table, strike "\$5,000,000" and insert "\$6,200,000".

In item number 2744 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item number 472 of such table, strike "\$8,000,000" and insert "\$9,000,000".

In item number 1713 of such table, strike "To plan, design and construct the North-

west Corridor—Western Blvd. Project in Jacksonville, NC" and insert "To plan, design, and construct the Northwest Corridor—Western Blvd. Project in Jacksonville, NC" and strike "\$1,000,000" and insert "\$2,000,000".

In item number 2789 of such table, strike "\$6,000,000" and insert "\$6,800,000".

In item number 2613 of such table, strike "\$3,000,000" and insert "\$3,500,000".

In item number 3181 of such table, strike "\$1,000,000" and insert "\$1,700,000".

In item number 305 of such table, strike "\$10,000,000" and insert "\$14,400,000".

In item number 2343 of such table, strike "\$10,000,000" and insert "\$5,600,000".

In item number 1950 of such table, strike "\$7,000,000" and insert "\$8,000,000".

In item number 2406 of such table, strike "\$7,000,000" and insert "\$8,000,000".

In item number 963 of such table, strike "\$1,750,000" and insert "\$2,125,000".

In item number 1125 of such table, strike "\$750,000" and insert "\$1,000,000".

In item number 2040 of such table, strike "US Rt 30 between Williams St and IL Rt 43 for signals, turn & or deceleration lanes at 80th Ave, Wolf Rd, LincolnWay HS and Locust St" and insert "For US Rt 30 intersection signals, turn & deceleration lanes btwn Williams St & IL Rt 43 incl. 80th Ave, Wolf Rd, LincolnWay HS & Locust St" and strike "\$6,000,000" and insert "\$7,000,000".

In item number 2397 of such table, strike "\$4,000,000" and insert "\$4,500,000".

In item number 723 of such table, strike "\$5,500,000" and insert "\$7,000,000".

In item number 1024 of such table, strike "\$6,000,000" and insert "\$8,000,000".

In item number 1087 of such table, strike "\$16,000,000" and insert "\$2,000,000".

In item number 2612 of such table, strike "\$4,000,000" and insert "\$16,000,000".

In item number 2872 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1333 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 3235 of such table, strike "\$4,000,000" and insert "\$10,000,000".

In item number 71 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item number 2392 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item number 2979 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item number 2662 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 500 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item number 2548 of such table, strike "Preconstruction studies for improvement to US 22." and insert "Preconstruction studies for improvement to US 22 from Irving Street to Mickley Road."

In item number 1779 of such table, strike "Construction of part of a 230 mile corridor extending from I-280 at Rock Island to I-270 south of Alton" and insert "Construction of part of a 230 mile corridor of US 67 near Jerseyville and Carrollton, Illinois".

In item number 1893 of such table, strike "Construct HSH 151" and insert "Construct USH 151".

In item number 1342 of such table, strike "Construction of freeway between I-15 and US 395" and insert "Construction of new freeway between I-15 and US 395, including new interchange at I-15".

In item 1470 of such table, strike "\$2,000,000" and insert "\$5,000,000".

In item 1688 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item 1734 of such table, strike "\$500,000" and insert "\$1,000,000".

In item 457 of such table, strike "\$450,000" and insert "\$250,000".

In item 490 of such table, strike "\$500,000" and insert "\$2,500,000".

In item 2196 of such table, strike "\$700,000" and insert "\$900,000".

In item 2664 of such table, strike "NY" and insert "NJ".

In item 2412 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item 210 of such table, strike "\$3,400,000" and insert "\$2,400,000".

In item 3233 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 1552 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item 560 of such table, strike "\$1,500,000" and insert "\$1,000,000".

In item 825 of such table, strike "\$18,496,000" and insert "\$34,984,000".

In item 1525 of such table, strike "\$12,500,000" and insert "\$14,500,000".

In item 1845 of such table, strike "Walton County" and insert "Bay County".

In item 3288 of such table, strike "Walton County" and insert "Bay County".

In item 2044 of such table, strike "\$1,250,000" and insert "\$1,500,000".

In item 551 of such table, strike "\$1,000,000" and insert "\$1,250,000".

In item 622 of such table, strike "\$1,200,000" and insert "\$1,550,000".

In item 600 of such table, strike "\$1,700,000" and insert "\$2,200,000".

In item 3058 of such table, strike "\$300,000" and insert "\$500,000".

In item 2391 of such table, strike "\$1,400,000" and insert "\$1,900,000".

In item 1479 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item 1112 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 1853 of such table, strike "\$7,000,000" and insert "\$7,800,000".

In item number 2803 of such table, strike "\$12,000,000" and insert "\$15,000,000".

In item number 1787 of such table, strike the program description and insert "LA, US 190 (LA 22 to Little Bayou Castine) Widening" and strike "\$800,000" and insert "\$1,000,000".

In item number 2071 of such table, strike "\$3,300,000" and insert "\$4,300,000".

In item number 2132 of such table, strike "\$3,300,000" and insert "\$5,800,000".

In item number 3057 of such table, strike "\$15,000,000" and insert "\$16,000,000".

In item number 1835 of such table, strike "\$3,500,000" and insert "\$7,000,000".

In item number 2163 of such table, strike "\$1,500,000" and insert "\$3,000,000".

In item number 1738 of such table, strike "\$2,000,000" and insert "\$3,500,000".

In item number 381 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 75 of such table, strike "\$2,000,000" and insert "\$3,500,000".

In item number 1795 of such table, strike "\$1,500,000" and insert "\$3,000,000".

In item number 2948 of such table, strike "\$500,000" and insert "\$1,500,000".

In item number 642 of such table, strike "Greenway" and insert "bicycle and pedestrian path".

In item 1898 of such table, strike "Improvements to SH412P at I-44 Interchange" and insert "Improvements to SH412P at 412 interchange".

In item 1754 of such table, strike "\$4,500,000" and insert "\$6,000,000".

In item 1488 of such table, strike "\$7,500,000" and insert "\$8,000,000".

In item 970 of such table, strike "\$1,400,000" and insert "\$7,000,000".

In item 3240 of such table, strike "Construct Railroad Underpass on Hwy 35 in Pierre" and insert "Construct Railroad Underpass on Hwy 34 in Pierre".

In item 819 of such table, strike "\$1,400,000" and insert "\$1,000,000".

In item 3026 of such table, strike "Regrade and resurface BIA Route #5 south of Dupree on the Cheyenne River Reservation" and insert "Pave and curb Cheyenne River Tribe Route 900, 'Chinatown' in Eagle Butte".

In item 2080 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item 2749 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item 1081 of such table, strike "\$5,000,000" and insert "\$8,000,000".

In item 278 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item 1085 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 3013 of such table, strike "Install countdown devices on pedestrian crossing signals on US Routes 1220 and 50 in Oak Lawn" and insert "Improve Streets, Merriquette Park".

In item 1128 of such table, strike "\$4,000,000" and insert "\$10,000,000".

In item 1405 of such table, strike "\$15,680,000" and insert "\$17,180,000".

In item 889 of such table, strike "\$7,500,000" and insert "\$15,000,000".

In item 450 of such table, strike "\$2,500,000" and insert "\$3,500,000".

In item 2819 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 2194 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 688 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item 2198 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item 2835 of such table, strike "\$500,000" and insert "\$1,500,000".

In item 266 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item 701 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 1296 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item 427 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 1993 of such table, strike "\$5,500,000" and insert "\$10,000,000".

In item 862 of such table, strike "\$2,000,000" and insert "\$4,500,000".

In item 3027 of such table, strike "\$13,000,000" and insert "\$15,000,000".

In item 1560 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 259 of such table, strike "Design, engineering, ROW acquisition and construction for the French Rapids Bridge, City of Brainerd" and insert "Corridor study, EIS, and ROW acquisition for a future highway and bridge over the Mississippi River, City of Brainerd".

In item 2348 of such table, strike "\$5,000,000" and insert "\$8,000,000".

In item 1458 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item 105 of such table, strike "\$5,000,000" and insert "\$6,000,000".

In item 2028 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item 1474 of such table, strike "\$3,500,000" and insert "\$4,000,000".

In item 2264 of such table, strike "\$3,500,000" and insert "\$4,000,000".

In item 2917 of such table, strike "\$7,000,000" and insert "\$9,000,000".

In item 2189 of such table, strike "\$10,000,000" and insert "\$22,500,000".

In item 3211 of such table, strike "\$2,500,000" and insert "\$9,500,000".

In item 721 of such table, strike "\$1,000,000" and insert "\$1,200,000".

In item 2996 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 14 of such table, strike "\$2,600,000" and insert "\$4,850,000".

In item 2827 of such table, strike "\$800,000" and insert "\$1,100,000".

In item 2718 of such table, strike "\$1,100,000" and insert "\$1,300,000".

In item 2910 of such table, strike "\$400,000" and insert "\$600,000".

In item 2671 of such table, strike "\$6,000,000" and insert "\$8,250,000".

In item 586 of such table, strike "\$4,000,000" and insert "\$6,000,000".

In item 942 of such table, strike "\$500,000" and insert "\$1,250,000".

In item 2667 of such table, strike "\$6,300,000" and insert "\$7,000,000".

In item 250 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item 1115 of such table, strike "\$1,000,000" and insert "\$1,300,000".

In item 63 of such table, strike "\$4,500,000" and insert "\$7,500,000".

In item 2446 of such table, strike "\$5,000,000" and insert "\$5,500,000".

In item 447 of such table, strike "\$9,000,000" and insert "\$10,250,000".

In item 2671 of such table, strike "\$6,000,000" and insert "\$5,750,000".

In item 3300 of such table, strike "\$1,250,000" and insert "\$1,268,245".

In item 744 of such table, strike "\$3,500,000" and insert "\$5,350,000".

In item 672 of such table, strike "\$3,000,000" and insert "\$5,000,000".

In item 713 of such table, strike "\$8,000,000" and insert "\$10,000,000".

In item 820 of such table, strike "\$6,000,000" and insert "\$8,000,000".

In item 1241 of such table, strike "\$6,000,000" and insert "\$8,000,000".

In item 2601 of such table, strike "\$4,750,000" and insert "\$8,000,000".

In item 1541 of such table, strike "\$500,000" and insert "\$900,000".

In item 555 of such table, strike "\$2,945,000" and insert "\$3,850,000".

In item 3163 of such table, strike "\$1,750,000" and insert "\$2,000,000".

In item 144 of such table, strike "\$850,000" and insert "\$1,000,000".

In item 3162 of such table, strike "\$1,400,000" and insert "\$1,410,000".

In item 31 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item 321 of such table, strike "\$2,000,000" and insert "\$2,068,755".

In item 2658 of such table, strike "\$1,600,000" and insert "\$1,636,000".

In item 162 of such table, strike "\$6,500,000" and insert "\$6,937,000".

In item 2076 of such table, strike "construct I-35 and Lone Elm Road interchange and widen I-35 from 51st St. to 59th St., Olathe" and insert "Construct I-35 and Lone Elm Road interchange and widen I-35 from 151st St. to 159th St., Olathe".

In item number 2465 of such table, strike "\$3,000,000" and insert "\$200,000,000".

In item number 406 of such table, strike "\$3,000,000" and insert "\$125,000,000".

In item number 1938 of such table, strike "\$2,300,000" and insert "\$7,000,000".

In item number 1760 of such table, insert "or IFA vessel debt repayment for MV Prince of Wales Ferry" after "ferry terminal".

In item number 1847 of such table, strike "Construct access road connection from Seward Highway to rail and airport facilities in Seward" and insert "Ferry infrastructure at Seward Marine Center".

In item 2945 of such table, strike "\$900,000" and insert "\$7,020,744".

In item 2892 of such table, strike "Reconstruct CSAH 17 between Itasca CR 341 and the Scenic State Park entrance to improve safety and structural integrity" and insert "Reconstruct CSAH 7 between Itasca CR 341 and the Scenic State Park entrance to improve safety and structural integrity".

In item 316 of such table, strike "\$500,000" and insert "\$1,000,000".

In item 768 of such table, strike "\$4,800,000" and insert "\$5,000,000".

In item 2415 of such table, strike "\$1,600,000" and insert "\$2,000,000".

In item 797 of such table, strike "\$1,300,000" and insert "\$1,400,000".

In item 404 of such table, strike "\$2,468,300" and insert "\$3,000,000".

In item 892 of such table, strike "\$500,000" and insert "\$750,000".

In item 2754 of such table, strike "\$2,800,000" and insert "\$3,000,000".

In item 2603 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 1555 of such table, strike "\$7,000,000" and insert "\$8,000,000".

In item 2853 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item 3298 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item 1088 of such table, strike "\$7,500,000" and insert "\$9,000,000".

In item 705 of such table, strike "\$6,500,000" and insert "\$10,900,000".

In item 2837 of such table, strike "\$4,500,000" and insert "\$5,000,000".

In item 848 of such table, strike "\$4,500,000" and insert "\$5,000,000".

In item 834 of such table, strike "\$500,000" and insert "\$1,000,000".

In item 396 of such table, strike "\$500,000" and insert "\$1,000,000".

In item 1284 of such table, strike "\$1,000,000" and insert "\$3,600,000".

In item 1812 of such table, strike "\$21,000,000" and insert "\$21,850,000".

In item 733 of such table, strike "\$15,000,000" and insert "\$20,000,000".

In item 3220 of such table, strike "\$2,000,000" and insert "\$4,000,000".

In item 430 of such table, strike "\$1,750,000" and insert "\$2,000,000".

In item 592 of such table, strike "\$3,000,000" and insert "\$3,900,000".

In item 2369 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 3174 of such table, strike "\$10,000,000" and insert "\$10,700,000".

In item 1551 of such table, strike "\$5,000,000" and insert "\$8,500,000".

In item 1032 of such table, strike "\$1,000,000" and insert "\$4,000,000".

In item 930 of such table, strike "\$500,000" and insert "\$2,500,000".

In item 910 of such table, strike "\$16,500,000" and insert "\$20,000,000".

In item 1946 of such table, strike "Construct Pedestrian Mall and Streetscape Improvements, Wilmore" and insert "Construct Pedestrian Mall and Streetscape Improvements on Lexington, College, Walnut and Gillespie Sts, Wilmore".

In item 2451 of such table, strike "3,000,000" and insert "\$4,400,000".

In item 1571 of such table, strike "\$5,500,000" and insert "\$8,500,000".

In item 1226 of such table, strike "\$500,000" and insert "\$1,400,000".

In item 2091 of such table, strike "\$1,700,000" and insert "\$2,500,000".

In item 1453 of such table, strike "\$2,100,000" and insert "\$3,000,000".

In item 1454 of such table, strike "\$1,800,000" and insert "\$1,900,000".

In item 468 of such table, strike "\$3,200,000" and insert "\$5,000,000".

In item 2374 of such table, strike "\$2,000,000" and insert "\$3,800,000".

In item 1289 of such table, strike "\$5,000,000" and insert "\$6,800,000".

In item 1864 of such table, strike "\$550,000" and insert "\$2,100,000".

In item 231 of such table, strike "\$500,000" and insert "\$1,500,000".

In item 1718 of such table, strike "\$10,000,000" and insert "\$15,000,000".

In item 1185 of such table, strike "\$2,250,000" and insert "\$4,000,000".

In item 1293 of such table, strike "\$2,750,000" and insert "\$3,500,000".

In item 822 of such table, strike "\$500,000" and insert "\$1,250,000".

In item 1444 of such table, strike "\$20,000,000" and insert "\$25,000,000".

In item 486 of such table, strike "\$2,500,000" and insert "\$5,500,000".

In item 2700 of such table, strike "\$1,400,000" and insert "\$2,400,000".

In item 359 of such table, strike "\$8,000,000" and insert "\$10,000,000".

In item 1793 of such table, strike "\$10,650,000" and insert "\$13,900,000".

In item 1943 of such table, strike "\$7,000,000" and insert "\$8,000,000".

In item 2017, of such table, strike "\$2,500,000" and insert "\$8,000,000".

In item 254 of such table, strike "\$2,000,000" and insert "\$2,500,000".

In item 2685 of such table, strike "\$10,000,000" and insert "\$15,000,000".

In item 2442 of such table, strike "\$10,000,000" and insert "\$15,000,000".

In item 2443 of such table, strike "\$700,000" and insert "\$800,000".

In item 878 of such table, strike "\$2,500,000" and insert "\$4,000,000".

In item 3004 of such table, strike "\$2,500,000" and insert "\$4,000,000".

In item 1583 of such table, strike "Construct railroad overpass spanning three mile section of SR501 from MP 0 and MP 3" and insert "Improve NE 10th Avenue in Vancouver".

In item 1423 of such table, strike "\$10,000,000" and insert "\$12,854,000".

In item 2756 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 744 of such table, strike "\$3,500,000" and insert "\$4,500,000".

In item 1212 of such table, strike "\$1,354,000" and insert "\$2,000,000".

In item 2095 of such table, strike "Improve Willapa Hills bicycle and pedestrian trail between Rainbow Falls State Park and Adna" and insert "Improve Willapa Hills bicycle and pedestrian trail between Chehalis and Pacific County" and strike "\$200,000" and insert "\$700,000".

In such table, strike item 922.

In item 2152 of such table, strike "\$500,000" and insert "\$600,000".

In item 2969 of such table, strike "\$200,000" and insert "\$250,000".

In item 2110 of such table, strike "\$4,300,000" and insert "\$5,000,000".

In item 1103 of such table, strike "\$11,350,000" and insert "\$12,000,000".

In item 249 of such table, strike "\$1,000,000" and insert "\$3,000,000".

In item 2925 of such table, strike "\$2,000,000" and insert "\$4,000,000".

In item 901 of such table, strike "\$2,000,000" and insert "\$4,000,000".

In item 1970 of such table, strike "\$3,300,000" and insert "\$4,000,000".

In item 2359 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item 853 of such table, strike "\$3,000,000" and insert "\$3,500,000".

In item 1871 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item 429 of such table, strike "\$10,000,000" and insert "\$11,000,000".

In item 3244 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item 2606 of such table, strike "\$6,000,000" and insert "\$10,000,000".

In item 1214 of such table, strike "\$5,200,000" and insert "\$6,200,000".

In item 2794 of such table, strike "\$9,000,000" and insert "\$10,000,000".

In item 2478 of such table, strike "\$4,500,000" and insert "\$5,700,000".

In item 2462 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item 1198 of such table, strike "Highway Improvements in Liberty Corridor" and insert "Transportation Improvements in Liberty Corridor".

In item 759 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of PS 114" and insert "Install Improvements for Pedestrian Safety including in the vicinity of PS Q14".

In item 552 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of PS 200" and insert "Install Improvements for Pedestrian Safety including in the vicinity of PS Q200".

In item 1382 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of PS 124" and insert "Install Improvements for Pedestrian Safety including in the vicinity of PS K124".

In item 203 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of PS 277" and insert "Install Improvements for Pedestrian Safety including in the vicinity of PS K277".

In item 2553 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of PS 81" and insert "Install Improvements for Pedestrian Safety including in the vicinity of PS X81".

In item 1897 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of IS 194" and insert "Install Improvements for Pedestrian Safety including in the vicinity of IS X194".

In item 1071 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of IS 72/PS 69" and insert "Install Improvements for Pedestrian Safety including in the vicinity of IS R72/PS R69".

In item 879 of such table, strike "Install Improvements for Pedestrian Safety in the vicinity of PS 153" and insert "Install Improvements for Pedestrian Safety including in the vicinity of PS Q153".

In item 1507 of such table, strike "\$50,000" and insert "\$550,000".

In item 2181 of such table, strike "Queens and Brooklyn County Graffiti Elimination Program including Kings Highway from Ocean Parkway to McDonald Avenue" and insert "Queens, Bronx, and Kings, and Richmond County Graffiti Elimination Program including Kings Highway from Ocean Parkway to McDonald Avenue" and strike "\$4,000,000" and insert "\$6,250,000".

In item 2092 of such table, strike "\$300,000" and insert "\$1,300,000".

In item 221 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 2129 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item 2592 of such table, strike "\$8,000,000" and insert "\$10,000,000".

In item 2960 of such table, strike "\$2,500,000" and insert "\$5,000,000".

In item 756 of such table, strike "\$2,000,000" and insert "\$2,700,000".

In item 431 of such table, strike "\$2,000,000" and insert "\$2,300,000".

In item 2012 of such table, strike "\$750,000" and insert "\$1,000,000".

In item 1147 of such table, strike "\$900,000" and insert "\$1,000,000".

In item 2134 of such table, strike "\$11,150,000" and insert "\$12,000,000".

In item 2625 of such table, strike "\$2,850,000" and insert "\$4,000,000".

In item 3154 of such table, strike "\$4,800,000" and insert "\$6,000,000".

In item 1495 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item 1978 of such table, strike "\$1,750,000" and insert "\$3,000,000".

In item 2326 of such table, strike "\$2,850,000" and insert "\$5,000,000".

In item 3087 of such table, strike "\$4,750,000" and insert "\$5,000,000".

In item 2458 of such table, strike "\$5,700,000" and insert "\$6,000,000".

In item 1859 of such table, strike "\$3,700,000" and insert "\$5,700,000".

In item 1820 of such table, strike "\$3,700,000" and insert "\$4,700,000".

In item 2531 of such table, strike "\$1,000,000" and insert "\$2,000,000".

In item 563 of such table, strike "Improvement of intersection at Aviation Blvd. and Rosecrans Ave. to reduce congestion" and insert "Improvement of intersection at Aviation Blvd. and Rosecrans Ave. to reduce congestion, City of Hawthorne".

In item 2024 of such table, strike "Realignment of La Brea Avenue to reduce congestion" and insert "Realignment of La Brea Avenue to reduce congestion, City of Inglewood".

In item 2906 of such table, strike "Improvement of intersection at Inglewood Ave and Marine Ave to reduce congestion" and insert "Improvement of intersection at Inglewood Ave and Marine Ave to reduce congestion, City of Lawndale".

In item 1892 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 2040 of such table, strike the project description and insert "For US Rt. 30 intersection signals, turn and declaration lanes between Williams St. and IL Rt 43 incl. 80th Ave., Wolf Rd, Lincoln Way HS and Locust St", and also strike "\$6,000,000" and insert "\$7,000,000".

In item 2410 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item 2789 of such table, strike "\$3,000,000" and insert "\$3,500,000".

In item 110 of such table, strike "Intersection improvements at Highland and Bishop Roads in the City of Highland Heights, OH" and insert "Construct Highland Road pedestrian path and intersection improvements at Highland and Bishop Roads in the City of Highland Heights, OH".

In item 2893 of such table, strike "\$5,000,000" and insert "\$6,500,000".

In item 3247 of such table, strike "\$5,000,000" and insert "\$8,000,000".

In item 405 of such table, strike "\$3,000,000" and insert "\$6,500,000".

In item 1026 of such table, strike "\$6,400,000" and insert "\$7,150,000".

In item 1034 of such table, strike "I-76" and insert "I-78".

In item 1099 of such table, strike "\$6,400,000" and insert "\$7,150,000".

In item 1149 of such table, strike "\$12,300,000" and insert "\$14,300,000".

In item 1156 of such table, strike "\$5,000,000" and insert "\$6,000,000".

In item 1246 of such table, strike "\$400,000" and insert "\$500,000".

In item 1320 of such table, strike "\$500,000" and insert "\$650,000".

In item 1332 of such table, strike "I-10" and insert "I-49".

In item 1348 of such table, strike "\$2,000,000" and insert "\$5,000,000".

In item 1385 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item 1478 of such table, strike "\$5,600,000" and insert "\$15,550,000".

In item 1508 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 1548 of such table, strike "\$2,000,000" and insert "\$2,700,000".

In item 181 of such table, strike "\$7,700,000" and insert "\$8,700,000".

In item 1832 of such table, strike "\$3,750,000" and insert "\$4,250,000".

In item 194 of such table, strike "\$375,000" and insert "\$425,000".

In item 2004 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item 2038 of such table, strike "\$6,000,000" and insert "\$7,000,000".

In item 207 of such table, strike "\$15,000,000" and insert "\$17,000,000".

In item 2126 of such table, strike "\$400,000" and insert "\$500,000".

In item 2139 of such table, strike "\$2,350,000" and insert "\$3,850,000".

In item 2211 of such table, strike "\$4,480,000" and insert "\$6,480,000".

In item 2231 of such table, strike "Teir" and insert "Tier".

In item 2303 of such table, strike "Rebuild Yakima Highway within city limits of Sunnyside, WA" and insert "Cultural & Interpretive Center (Hanford Reach National Monument) facility, Richland, WA".

In item 2425 of such table, strike "\$5,000,000" and insert "\$2,000,000".

In item 2580 of such table, strike "\$1,400,000" and insert "\$1,500,000".

In item 2627 of such table, strike "\$14,000,000" and insert "\$16,000,000".

In item 2656 of such table, strike "\$9,000,000" and insert "\$9,750,000".

In item 2795 of such table, strike "Construct I-66 east of Somerset, Kentucky in Pulaski County to I-75 at London, Kentucky" and insert "Construct Northern Bypass of Somerset, KY and I-66 from the Cumberland Parkway west of Somerset, KY to I-75 south of London, KY" and strike "\$7,000,000" and insert "\$35,000,000".

In item 2984 of such table, strike "\$3,120,000" and insert "\$1,800,000".

In item 2997 of such table, strike "\$5,000,000" and insert "\$6,000,000".

In item 3001 of such table, strike "\$725,000" and insert "\$750,000".

In item 3007 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item 3034 of such table, strike "\$1,500,000" and insert "\$2,800,000".

In item 3040 of such table, strike "\$8,000,000" and insert "\$18,000,000".

In item 3071 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item 3141 of such table, strike "\$4,200,000" and insert "\$3,500,000".

In item 3166 of such table, strike "from mile post 117.5 to milepost 118.5".

In item 317 of such table, strike "\$1,210,000" and insert "\$3,210,000".

In item 3208 of such table, strike "\$5,000,000" and insert "\$6,000,000".

In item 3228 of such table, strike "\$5,600,000" and insert "\$13,900,000".

In item 3236 of such table, strike "\$400,000" and insert "\$100,000".

In item 3270 of such table, strike "\$14,000,000" and insert "\$35,000,000".

In item 351 of such table, strike "\$6,000,000" and insert "\$8,000,000".

In item 470 of such table, strike "NY", "Rehabilitation of Bay Ridge 86th Street Subway Station, Brooklyn, NY", and strike "\$2,000,000" and insert "SC", "Widen 8 miles of S-83 (Hardscrabble Road) from intersection with SC Route 555 (Farrow Road) to Road S-54 (Langford Road)", and "\$2,000,000".

In item 571 of such table, strike "\$475,000" and insert "\$500,000".

In item 621 of such table, strike "\$4,000,000" and insert "\$5,000,000".

In item 712 of such table, strike "KY", "Construct North Somerset Bypass in Pulaski County from Nunn Parkway to KY80", and strike "\$7,000,000" and insert "CA", "The Alameda Corridor SR 47 Port Access Expressway design funding", and "\$5,000,000".

In item 747 of such table, strike "\$5,000,000" and insert "\$6,000,000".

In item 789 of such table, strike "\$2,000,000" and insert "\$4,000,000" and strike "Reroute State Hwy 11 near Burlington, WI (Kenosha County, WI)" and insert "Reroute State Hwy 11 near Burlington, WI (Walworth and Racine Counties, WI)".

In item 982 of such table, strike "\$14,000,000" and insert "\$16,000,000".

Strike all the text of item 1438 of such table and insert "NC", "Eliminate highway-railway crossings in the city of Fayetteville, NC", and "\$1,000,000".

Strike all the text of item 3138 and insert "KS", "Elimination of highway-railway crossings at the city of Pittsburg Port Authority to increase safety and reduce congestion", and "\$5,730,000".

Strike the contents of item number 2733 and insert "FL", "Construct reliever road to SR A-1-A in the City of Deerfield Beach beginning at A-1-A/Hillsboro Blvd. and ending at A-1-A/N.E. 2nd Street" and "\$1,000,000" in the respective columns.

Strike the contents of item number 1487 and insert "FL", "Widen State Road 80, Hendry County", and "\$1,000,000", in the respective columns.

Strike the contents of item 1217 and insert "IL", "Transportation Enhancement and road improvements necessary for Downtown Plaza improvements in Jacksonville, IL", and "\$952,572" in the respective columns.

Strike the contents of item 470 and insert "GA", "The Carrollton Greenbelt Project, City of Carrollton, Georgia", and "\$350,000" in the respective columns.

In item 2155 of such table, strike "\$14,000,000" and insert "\$44,250,000".

In item 1810 of such table, strike "\$1,000,000" and insert "\$7,120,745".

In item 1969 of such table, strike "\$1,000,000" and insert "\$1,500,000".

In item 2181 of such table, strike "\$4,000,000" and insert "\$6,250,000".

In item number 3202 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item number 978 of such table, strike "\$1,800,000" and insert "\$2,500,000".

In item number 1249 of such table, strike "\$600,000" and insert "\$2,000,000".

In item number 2066 of such table, strike "\$1,500,000" and insert "\$3,400,000".

In item number 2799 of such table, strike "\$1,500,000" and insert "\$2,000,000".

In item number 2244 of such table, strike "\$2,000,000" and insert "\$4,000,000".

In item number 685 of such table, strike "\$1,500,000" and insert "\$3,000,000".

In item number 370 of such table, strike "demolishing existing elevated road over park".

In item 2974 of such table, strike the first comma and insert a comma after "Chester".

In item 2019 of such table, strike the project description and dollar amount and insert "Traffic mitigation on Bridge Street and Maple Avenue, Florida, NY" and "\$150,000", respectively.

In item 1278 of such table, strike the project description and dollar amount and insert "Land acquisition and improvements on Louisa Street, Peekskill, NY", "\$925,000", respectively.

In item 1870 of such table, strike the project description and dollar amount and insert "Improvements and upgrades on Main Street, Beekman, NY", and "\$200,000", respectively.

In item 2652 of such table, strike "Improve SR1023 from US 70 Business to US 301 in Smithfield" and insert "Improve SR 1923 from US 70 Business to US 301 Smithfield".

In item 1311 of such table, strike "Construct Farmington Canal Greenway enhancements, New Haven and Hamden" and insert "Construct Farmington Canal Greenway, City of New Haven and Hamden".

In item 1672 of such table, strike "Reconstruct Waterfront Street Corridor, New Haven" and insert "Reconstruct Waterfront Street Corridor, City of New Haven".

In item 1570 of such table, strike "Construct bike/pedestrian path, Shelton" and insert "Construct Housatonic Riverwalk, Shelton".

In item 2135 of such table, strike "\$3,000,000" and insert "\$2,000,000".

In item 1250 of such table, strike "\$3,000,000" and insert "\$1,500,000".

In item 3314 of such table, strike "\$3,000,000" and insert "\$37,000,000".

In item 2158 of such table, strike "\$8,000,000" and insert "\$5,000,000".

In item 864 of such table, strike "Improvements for intersections heavily traveled through which include Beaverton Hillsdale Hwy Scholls Ferry and Oleson, Beaverton" and insert "I-5/99W connector".

At the end of such table, add the following:

High Priority Projects

No.	State	Project Description	Amount
3316	TX	Reconstruct Union Pacific Railroad bridge over widened Business US 287	\$1,000,000
3317	AK	Anchorage Traffic Congestion Relief	\$10,000,000
3318	VA	Expansion of Battlefield Parkway from East Market Street at Route 7 to Sycolin Road, S.E.	\$2,000,000
3319	OR	Construction of the I-84, US 395 Stanfield Interchange Improvement Project	\$2,000,000
3320	IN	Design and reconstruct residential streets in the City of Muncie, Indiana	\$930,000
3321	CA	Improvement of Main Street – Shenandoah Road/SR-49 Intersection, Plymouth	\$1,000,000
3322	SD	Design and construct new Meridian Bridge across the Missouri River south of Yankton, South Dakota.	\$4,000,000
3323	AK	Earthwork and roadway construction Gravina Access Project	\$48,000,000
3324	GA	Improvement and construction of SR 40 from east of St. Marys cutoff at mile post 5.0, Charlton County to County Route 61, Camden County, Georgia	\$1,000,000
3325	NJ	Route 22 Sustainable Corridor Plan	\$3,750,000
3326	OR	Hood River, OR, Frontage Road Crossing Project	\$500,000
3327	GA	Construct and Improve Westside Parkway, Northern Section, in Fulton County	\$2,000,000
3328	CNMI	Planning design and construction of East Coast Highway/Route 36, Saipan	\$12,000,000
3329	GA	Widen SR 133 from Spence Field to SR 35 in Colquitt County, Georgia	\$1,000,000
3330	FL	West Palm Beach, Florida, Flagler Drive Reconfiguration	\$1,000,000
3331	FL	Implement Snake Road (BIA Route 1281) Widening and Improvements	\$1,000,000
3332	NY	Reconstruction of Portland Ave. from Rochester City line to Titus Ave in Irondequoit, NY	\$3,000,000
3333	FL	Alleviate congestion at Atlantic Corridor Greenway Network, City of Miami Beach, FL	\$500,000
3334	NM	Development of the Paseo del Volcan corridor equally split between Sandoval County from Iris Road to US Highway 550 and the I-40 Paseo del Vulcan Interchange	\$2,000,000
3335	WA	SR 704 Cross-Base Highway, Spanaway Loop Road to SR 7	\$5,000,000
3336	CA	Restoration of Victoria Avenue in the City of Riverside, CA	\$500,000
3337	MN	I-494 Lane Addition	\$2,000,000
3338	GA	Uptown Jogging, Bicycle, Trolley Trail, Columbus Georgia	\$500,000
3339	CA	Study and construct highway alternatives between Orange and Riverside Counties, directed by RCTC, working with local transp. authorities, and guided by the current MIS	\$15,750,000
3340	OH	Rehabilitation or replacement of highway-rail grade separations along the West Central Ohio Port Authority route in Champaign and Clark Counties	\$300,000
3341	FL	Improvements to I-75 in the City of Pembroke Pines, Florida	\$2,250,000
3342	LA	Construction of new interchange Causeway at Earhart-LA 3139	\$1,800,000
3343	GA	Construction of infrastructure for inter-parcel access, median upgrades, lighting, and beautification along Highway 78 corridor	\$500,000
3344	MI	Design, Right-of-Way and Construction of the I-196 Chicago Drive (Baldwin Street) Interchange Modificaiton, Michigan	\$3,000,000
3345	VA	I-66 and Route 29 Gainesville Interchange Project	\$7,000,000
3346	FL	SR 688 Ulmerton Road Widening (Lake Seminole Bypass Canal to El Centro Ranchero)	\$10,000,000
3347	OK	Navajoe Gateway Improvements Project, U.S. 62 in Altus, OK	\$1,000,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3348	NV	Construction of Carson City Freeway	\$1,000,000
3349	TN	Upgrade lights and gates and motion sensor controlling circuitry at the highway rail grade crossing located on Wenasoga Road/FAS 8224, Middleton, TN	\$200,000
3350	WV	Construct connector road from north end of RHL Boulevard to State Route 601 (Jefferson Road)	\$750,000
3351	NY	Construct Siena College campus perimeter road, Loudonville, NY	\$1,000,000
3352	AL	Construct additional lanes on SR 77 from Southside, Alabama to Green Valley Road	\$1,700,000
3353	TX	Environmental mitigation related to the SH 195 project and related improvements in Williamson County that had adverse effects on the Karst cave system	\$2,000,000
3354	AL	The City of Calera, Alabama—Northern Bypass Segment (U.S. Highway 31 to Alabama State Highway 25)	\$6,800,000
3355	WA	Construct a single point urban interchange (SPUI) under I-5 at South 272nd St	\$1,350,000
3356	IN	Reconstruct bridges at County Roads 200E and 300E in LaPorte County, Indiana	\$500,000
3357	MI	Widen and Reconstruct Walton Blvd in Auburn Hills from Opdyke to Squirrel Rd	\$7,400,000
3358	GA	Commission a study and report regarding the construction and designation of a new Interstate linking Savannah, Augusta, & Knoxville	\$300,000
3359	TX	Construct pedestrian and bicycle amenities on Seawall Blvd Galveston, Tx	\$3,000,000
3360	CA	Pedestrian Beach Trail in San Clemente, CA	\$1,000,000
3361	TX	US 90—Construct 6 mainlanes from east of Mercury to east of Wallisville	\$2,000,000
3362	PA	Construct highway safety and capacity improvements to improve the access to the KidsPeace Broadway Campus	\$900,000
3363	GA	GA 400 and McGinnis Ferry Road Interchange, Forsyth County, GA	\$900,000
3364	GA	Construction of bypass around town of Hiram, from SR 92 to US 278, Paulding County, Georgia	\$500,000
3365	GA	Construct US 411 Connector from US 41 to I-75, Bartow County, Georgia	\$1,000,000
3366	TX	Construct access road connecting Port of Beaumont property on east bank of Neches River to I-10 access road east of the Neches River	\$1,320,000
3367	MD	US 220/MD 53 North-South Corridor	\$1,000,000
3368	FL	Acquire Right-of-Way for Ludlam Trail, Miami, Florida	\$250,000
3369	NY	Construct Northern State Parkway and LIE access at Marcus Ave. and Lakeville Rd. and associated Park and Ride.	\$1,700,000
3370	PA	Construct interim US 422 improvements at Valley Forge river crossing	\$1,000,000
3371	NY	Design and construction of Renaissance Square in Rochester, NY	\$2,000,000
3372	AL	Alabama Hwy 36 Extension and Widening—Phase II	\$300,000
3373	PA	Northfield site roadway extension from Rte 60 to Industrial Park near the Pittsburgh International Airport	\$500,000
3374	OH	Plan and construct pedestrian trail along the Ohio and Erie Canal Towpath Trail in downtown Akron, OH	\$950,000
3375	TX	Reconstruct I-30 Trinity River Bridge—Dallas, TX	\$34,000,000
3376	TX	Reconstruct I-30 Trinity River Bridge—Dallas, TX	\$1,000,000
3377	GA	Construction of interchange on I-985 north of SR-13, Hall County Georgia	\$1,000,000
3378	TX	Construction of circulation roadway at Galveston cruise ship terminal	\$1,500,000
3379	FL	Temple Terrace Highway Modification	\$1,000,000
3380	WY	Burma Rd: Extension from I-90 to Lakeway Rd	\$2,000,000
3381	NJ	Construct Western Blvd. extension from Northern Blvd to S.H. Rt. 9, Ocean County, NJ	\$4,000,000
3382	FL	Powerline Rearvision motor carrier backover motor carrier safety research	\$100,000
3383	NH	Environmental mitigation at Sybiak Farm in Londonderry to offset effects of I-93 improvements	\$1,500,000
3384	MI	East Grand River Improvements, Brighton Township, Michigan	\$2,000,000
3385	KY	Replace Brent Spence Bridge, Kenton County, Kentucky	\$2,000,000
3386	TX	Construction of projects that relieve congestion in and around the Texas Medical Center complex	\$12,000,000
3387	CA	Hazel Avenue ITS Improvements, Folsom Blvd. to Placer County	\$500,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3388	FL	SR 688 Ulmertown Road widening (west of 38th street to west of I275)	\$10,000,000
3389	NH	Environmental mitigation at Crystal Lake in Manchester to offset effects of I-93 improvements	\$1,900,000
3390	VA	Widening I-95 between rte 123 and Fairfax County Parkway	\$1,000,000
3391	PA	Armstrong County, PA Slatelick Interchange for PA 28 at SR 3017	\$2,400,000
3392	OK	Reconstruct the I-44-Ft. Still Key Gate Interchange	\$1,000,000
3393	GA	Greene County, Georgia conversion of I-20 and Carey Station Road overpass to full interchange	\$2,000,000
3394	OH	Upgrade overpass and interchange at US 24 and SR 66 in the City of Defiance	\$1,000,000
3395	NE	Interstate 80 Interchange at Pflug Road, Sarpy County, Nebraska	\$1,000,000
3396	FL	Conduct planning and engineering for SR70 widening in Hardee, DeSoto and Okeechobee Counties	\$500,000
3397	VA	Catholic Bridge Protection for Veterans Memorial Bridge and the Berkely Bridge in the Commonwealth of Virginia	\$700,000
3398	IN	Reconstruct McClung Road from State Road 39 to Park Street in LaPorte, Indiana	\$750,000
3399	OH	Riversouth Street Network Improvements in Columbus	\$3,000,000
3400	GA	National Infantry Museum Transportation Network, Georgia	\$3,750,000
3401	AK	Wideband multimedia mobile emergency communications pilot project Wasilla, Alaska	\$5,000,000
3402	MD	Widen road and improve interchanges of I-81 from south of I-70 to north of Halfway Boulevard	\$1,000,000
3403	TX	Expansion of US 385 4 lane divide south of Crane to McCarney	\$2,000,000
3404	VA	Old Mill Road Extension	\$1,000,000
3405	GA	Commission a study & report regarding construction & designation of a new Interstate linking Augusta, Macon, Columbus, Montgomery, & Natchez	\$300,000
3406	CO	Improvements on US 36 corridor from I-25 to Boulder. Improvements include interchange and overpass reconstruction	\$2,000,000
3407	AZ	Design and construct bridge and roadway approaches across Tonto Creek at Sheeps Crossing south of Payson, AZ	\$3,000,000
3408	NE	Missouri River Bridges between US 34, I-29 in Iowa and US 75 in Nebraska	\$2,500,000
3409	NY	Reconstruct—Orangeport Road from NYS Rte 31 to Slayton Settlement Road—Niagara County, NY	\$850,000
3410	TN	Construct sound-walls between I-65 and Harding Place in Davidson County	\$830,000
3411	ID	Reconstruct and Realign SH-55 in Idaho between Mileposts 94 and 102	\$2,000,000
3412	FL	Pinellas Countywide Intelligent Transportation System—phase 2	\$10,000,000
3413	OK	Realignment of US 287 around Boise City, OK	\$1,000,000
3414	FL	Replace Heckscher Drive (SR 105) Bridge across Broward River	\$2,000,000
3415	TX	FM 156 Road Relocation at Alliance Airport, Texas	\$1,000,000
3416	TX	Upgrade Caesar Chavez Boulevard from San Antonio Street to Brazos Street	\$3,000,000
3417	FL	Coral Way, SR 972 Highway Beautification, Phase One, Miami, Florida	\$500,000
3418	OR	Cascade Locks Marine Park Underpass to address necessary improvements	\$500,000
3419	NY	Reconstruction of East Genesee Street connective corridor to Syracuse University in Syracuse, NY	\$3,500,000
3420	IL	For Cook County to reconstruct and widen 127th Street between Smith Road and State Street in Lemont	\$450,000
3421	TN	Widen I-65 from SR-840 to SR-96, including interchange modification at Goose Creek Bypass, Williamson County	\$970,000
3422	CA	Auburn Boulevard Improvements, City of Citrus Heights	\$500,000
3423	LA	Bossier Parish Congestion Relief	\$3,000,000
3424	LA	Fund the 8.28 miles of the El Camino East-West Corridor along LA 6 from LA 485 near Robeline, LA to I-49	\$2,000,000
3425	FL	Bryan Dairy Road improvements from Starkey Road to 72nd Street	\$4,000,000
3426	GA	Buckhead Community Improvements to rehabilitate State Road141, including lane straightening, addition of median, installation of left turn bays at two intersections, addition of bicycle lanes, sidewalks, clear zones and landscape buffers	\$1,000,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3427	VA	Purchase specialized tunnel fire safety equipment, Hampton Roads	\$800,000
3428	MI	Holmes Road Reconstruction—From Prospect Road to Michigan Avenue, Charter Township of Ypsilanti	\$2,000,000
3429	TN	Construct a system of greenways in Nashville—Davidson County	\$1,000,000
3430	UT	Improve pedestrian and traffic safety in Holladay	\$2,000,000
3431	OH	Construction of road improvements from Richmond Road to Cuyahoga Community College, Warrensville Heights	\$1,350,000
3432	OH	Construct road with access to memorial Shoreway, Cleveland	\$1,000,000
3433	TX	North Cameron County East-West Railroad Relocation Project	\$100,000
3434	OR	Construct Pathway From Multimodal Transit Station to Swanson Park, Albany	\$520,000
3435	NY	Transportation Initiative to provide for a parking facility, in the vicinity of the Manhattan College Community	\$750,000
3436	NY	Phase II Corning Preserve Transportation Enhancement Project	\$6,000,000
3437	NY	Study of Goods movement through I-278 in New York City and New Jersey	\$1,500,000
3438	NY	Study and Implement Traffic Improvements to the area surrounding the Stillwell Avenue train station	\$1,000,000
3439	CA	Expand Diesel Emission Reduction Program of Gateway Cities COG	\$3,100,000
3440	TX	Construct pedestrian walkway on Houston Texas' Main Street Corridor	\$1,000,000
3441	CA	Sacramento County, California—Watt Avenue Multimodal Mobility Improvements, Kiefer Boulevard to Fair Oaks Boulevard.	\$4,000,000
3442	NJ	Passaic River—Newark Bay Restoration and Pollution Abatement Project, Route 21	\$400,000
3443	NJ	Downtown West Orange streetscape and traffic improvement program.	\$300,000
3444	NY	High-Speed EZ pass at the New Rochelle Toll Plaza, New Rochelle	\$1,000,000
3445	TX	Access to Regional Multi-Modal Center—FM 1016 and SH 115	\$2,000,000
3446	AR	For acquisition and construction of an alternate transportation (pedestrian/bicycle) trail from East Little Rock to Pinnacle Mountain State Park	\$200,000
3447	MN	Construct 4th Street overpass grade separation crossing a BNSF Rail Road, City of Carlton	\$199,794
3448	TX	North Rail Relocation Project, Harlingen	\$2,000,000
3449	MN	Construct Pfeifer Road, remove 10 foot raised crossing, Twin Lakes Township	\$251,717
3450	MS	Safety improvements and to widen Hardy Street at the intersection of US 49 in Hattiesburg	\$800,000
3451	OH	Reconstruction of U.S. Route 20 and Ohio Route 113 (Center Ridge Road), Rocky River	\$500,000
3452	MN	Safety improvements to TH 169 between Virginia and Winton	\$23,400,000
3453	VA	Construct access road and roadway improvements to Chessie development site.	\$1,300,000
3454	NC	Acquisition of rail corridors for use as bicycle and pedestrian trails, Durham	\$2,000,000
3455	MN	TH 61 Reconstruction from 2.7 miles to 6.2 miles north of Tofte	\$10,067,000
3456	MN	Phase II/part II—CSAH 15 to East of Scenic Highway 7 (1.2 miles)	\$2,840,000
3457	MN	Reconstruction with some rehabilitation of roadway with storm water sewer system construction from eastern boundary of the Bois Forte Indian Reservation and ending at "T" intersection of roadway (3.5 miles)	\$1,000,000
3458	MS	Widen 4th Street in Hattiesburg	\$3,200,000
3459	NJ	Study of safe and efficient commercial multi-modal transportation systems serving the East Coast Port Complex.	\$500,000
3460	IL	Improve roads and enhance area in the vicinity of S. Archer Avenue and Midway Airport, Chicago	\$1,000,000
3461	IL	Construct Leon Pass overpass, Hodgkins	\$800,000
3462	IL	Undertake Streetscaping project on Harlem Avenue initiating from 71st Street to I-80, Cook County	\$4,000,000
3463	IL	Construct bike path, parking facility, and related transportation enhancement projects, North Riverside	\$2,000,000
3464	IL	Upgrade Roads, Summit	\$800,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3465	IL	Undertake streetscaping on Ridgeland Avenue, Oak Park Avenue, and 26th Street, Berwyn	\$800,000
3466	IL	Construct bike/pedestrian path and related facilities in Spring Rock Park, Western Springs	\$600,000
3467	SD	Extend the Sioux Falls Bike Trail to the Great Bear Recreation Area	\$1,200,000
3468	SD	Redesign T corner on BIA #2 5 miles SW of Kyle on the Pine Ridge Reservation	\$750,000
3469	SD	Extend bike trail in Pine Ridge to the SuAnne Big Crow Boys & Girls Center	\$250,000
3470	SD	Extend bicycle trail system in Aberdeen	\$8,000,000
3471	GA	City of Moultrie Streetscape Improvements, Phase III	\$750,000
3472	GA	Restore and renovate for historic preservation and museum the 1906 AB&A Railroad Building, Fitzgerald	\$500,000
3473	GA	Improve sidewalks, upgrade lighting, and add landscaping, Ocilla.	\$500,000
3474	GA	Improve sidewalks, upgrade lighting, and add landscaping, Newton County.	\$750,000
3475	GA	Improve sidewalks, upgrade lighting, and add landscaping, Monticello.	\$500,000
3476	GA	City of Sylvester Bicycle and Pedestrian Project.	\$500,000
3477	GA	Improve sidewalks, upgrade lighting, and add landscaping, Tifton.	\$750,000
3478	GA	Improve sidewalks and curbs on Wheeler Avenue and Carlos Avenues, Ashburn.	\$500,000
3479	GA	Improve sidewalks, upgrade lighting, and add landscaping, Jackson.	\$500,000
3480	CA	Construct traffic circle in San Ysidro at the intersection of Via de San Ysidro and West San Ysidro Boulevard, San Diego	\$300,000
3481	CA	Construct and resurface unimproved roads in the Children's Village Ranch and improve access from Children's Village Ranch to Lake Morena Drive, San Diego County	\$1,000,000
3482	CA	Project design and environmental assessment of widening and improving the interchange at "H" Street and I-5, Chula Vista, Chula Vista	\$2,700,000
3483	FL	Jacksonville International Airport Access Rd. to I-95, Jacksonville	\$2,000,000
3484	FL	Mathews Bridge Replacement, Jacksonville	\$1,000,000
3485	FL	Hecksher Bridge Replacement, Jacksonville	\$1,000,000
3486	FL	NE 3 Ave to NE 8th Ave Rd Reconstruction, Gainesville	\$1,000,000
3487	FL	University Ave to NE 8 Avenue Rd Reconstruction, Gainesville	\$2,000,000
3488	KY	Central Kentucky Multi Highway Preservation Project	\$2,300,000
3489	WV	Construct East Beckley Bypass, including \$500,000 for preliminary engineering and design of the Shady Spring connector (Route 3/Airport Road)	\$5,000,000
3490	WV	Construct I-73/74 High Priority Corridor, Wayne Co.	\$5,000,000
3491	KY	Construct Kidville Road (KY 974) Interchange at the Mountain Parkway, Clark County	\$1,700,000
3492	NY	Construction and improvements to Ridge Road, Lackawanna	\$500,000
3493	CA	Construction at I-580 and California SR 84 (Isabel Avenue) Interchange	\$2,500,000
3494	NY	Construction of and improvements to Amherst Street, Buffalo	\$200,000
3495	NY	Construction of and improvements to Grant Street, Buffalo	\$200,000
3496	NY	Construction of and improvements to Hertel Avenue, Buffalo	\$200,000
3497	NY	Construction of and improvements to Hopkins Street, Buffalo	\$200,000
3498	NY	Construction of and improvements to Main Street in the Town of Aurora	\$500,000
3499	NY	Construction of and improvements to McKinley Parkway, Buffalo	\$500,000
3500	NY	Construction of and improvements to Route 5 in the Town of Hamburg	\$500,000
3501	NY	Construction of and improvements to South Park Avenue and Lake Avenue in the Village of Blasdell	\$500,000
3502	NY	Construction of and improvements to South Park Avenue, Buffalo	\$200,000
3503	NY	Construction of Bicycle Path and Pedestrian Trail in City of Buffalo	\$800,000
3504	NY	Construction, redesign, and improvements to Fargo Street in Buffalo	\$2,000,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3505	TN	Improve existing two lane highway to a five lane facility on State Route 53 from South of I-24 to Near Parks Creek Road, Coffee County	\$5,500,000
3506	ME	Improve portions of Route 116 between Lincoln and Medway to bring road up to modern standard	\$3,500,000
3507	ME	Improve portions of Route 26 between Bethel and Oxford	\$1,000,000
3508	NY	Road improvements and signage in City of Lackawanna	\$500,000
3509	NJ	Belmont Ave Gateway Community Enhancement Project, Haledon	\$500,000
3510	TX	Conduct feasibility study for an off ramp on I-30 on to Hall Street for direct access to Baylor University Medical Center in Dallas.	\$1,000,000
3511	NJ	Livingston Pedestrian Streetscape Project along Mt. Pleasant and Livingston Avenues	\$900,000
3512	MD	MD4 at Suitland Parkway	\$5,000,000
3513	NJ	Pompton Lakes Downtown Streetscape	\$1,000,000
3514	PA	Street improvements along North Broad Street, Hatfield Borough	\$125,000
3515	PA	Street improvements to Old York Road, Jenkintown Borough	\$1,000,000
3516	PA	Street improvements to Ridge Pike and Joshua Road, Whitmarsh Township	\$800,000
3517	PA	Street improvements to Skippack Pike (Rte 73), Whitpain Township	\$600,000
3518	PA	Street Improvements, Upper Dublin Township	\$1,500,000
3519	PA	Street Improvements, Upper Gwynedd Township	\$375,000
3520	VA	Construct access road and roadway improvements to Chessie development site, Clifton Forge	\$1,300,000
3521	WA	Fruitdale and McGarigle Arterial Improvements Project in Sedro Woolley, Washington	\$950,000
3522	MS	Improve Ridge Road, Pearl River County	\$1,000,000
3523	MS	Port Bienville Intermodal Connector, Hancock County	\$3,000,000
3524	WA	Realign Airport Road/Springhetti Ave./Marsh Road in Snohomish County, Washington.	\$400,000
3525	LA	Widen I-10 in New Orleans	\$2,800,000
3526	UT	Widen Redwood Road from Saratoga Springs to Bangarter Highway in Utah County	\$1,000,000
3527	VA	Widen Rolfe Highway from near the intersection of Rolfe Highway and Point Pleasant Road to the Surry ferry landing approach bridge	\$500,000
3528	VA	Construct access road and roadway improvements to Chessie development site, Clifton Forge	\$1,300,000
3529	WA	Fruitdale and McGarigle Arterial Improvements Project in Sedro Woolley, Washington	\$950,000
3530	MS	Improve Ridge Road, Pearl River County	\$1,000,000
3531	MS	Port Bienville Intermodal Connector, Hancock County	\$3,000,000
3532	WA	Realign Airport Road/Springhetti Ave./Marsh Road in Snohomish County, Washington.	\$400,000
3533	LA	Widen I-10 in New Orleans	\$2,800,000
3534	UT	Widen Redwood Road from Saratoga Springs to Bangarter Highway in Utah County	\$1,000,000
3535	VA	Widen Rolfe Highway from near the intersection of Rolfe Highway and Point Pleasant Road to the Surry ferry landing approach bridge	\$500,000
3536	MA	Cambridge Bicycle Path Improvements	\$1,000,000
3537	OR	Capitalize Oregon Transportation Infrastructure Bank	\$3,998,000
3538	MA	Chelsea Roadway Improvements	\$2,000,000
3539	NY	Congestion reduction measures in Richmond County	\$2,000,000.00
3540	NJ	Construct Hudson River Waterfront Walkway over Long Slip Canal—Hoboken and Jersey City	\$1,000,000
3541	CA	Construct Illinois Street Bridge/Amador Street Connection and Improvements, San Francisco	\$4,000,000
3542	NY	Construct multi-modal facility in the vicinity of Brooklyn Childrens Museum	\$300,000.00
3543	NJ	Construct Parking Facility at McGinley Square in Jersey City	\$1,050,000
3544	OR	Construction of access road including sidewalks, bike lanes and railroad crossing from Highway 99W to industrial zoned property, Corvallis	\$814,000
3545	NY	Continuation of the public awareness program to the subcontracting entity which was funded under Section 1212(b) of PL 105-178 about infrastructure in Lower Manhattan.	\$500,000.00
3546	OR	Continue bridge repair project authorized under P.L. 105-178, Coos Bay	\$8,000,000
3547	NJ	Expand TRANSCOM Regional ITS System in NJ, NY, and CT	\$1,000,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3548	OR	Extend Willamette Valley Scenic Bikeway into Lane and Douglas Counties.	\$1,000,000
3549	NY	Graffiti Elimination Program in Riverdale neighborhood of Bronx County	\$500,000.00
3550	NY	Graffiti Elimination Program on Smith Street in Kings County	\$500,000.00
3551	OR	Great Street Trail Connection, Eugene	\$900,000
3552	NJ	Hudson County Fire & Rescue Department, North Bergen: Transportation Critical Incident Mobile Data Collection Device	\$1,200,000
3553	NJ	Hudson County Pedestrian Safety Improvements	\$1,000,000
3554	OR	Hwy. 199 Safety Improvements, Josephine County	\$3,104,000
3555	OR	Hwy. 99E/Geary Street Safety Improvements, Albany	\$1,002,000
3556	NY	Implement Improvements for Pedestrian Safety in Riverdale neighborhood of Bronx County	\$1,000,000.00
3557	WA	Improve Mill Plain Blvd between SE 172nd and SE 192nd in Vancouver	\$1,250,000
3558	WA	Improve signage along scenic highways in Clark, Skamania and Pacific counties	\$150,000
3559	OR	ITS Improvements to TripCheck, Oregon	\$1,200,000
3560	NJ	Jersey City 6th Street Viaduct Pedestrian and Bicycle Pathway Project	\$2,000,000
3561	OR	Middle Fork Willamette River Path, Springfield	\$3,000,000
3562	OR	OR 42 Hoover Hill Passing Lane, Winston	\$1,495,000
3563	OR	Pedestrian improvements including boardwalk extension and sidewalk construction, Port of Brookings Harbor	\$600,000
3564	NJ	Port Reading—Improvements to air quality through reduction of engine idling behind Rosewood Lane	\$800,000
3565	OR	Purchase communications equipment related to traffic incident management in Linn, Benton, Lane, Douglas, Coos, Curry and Josephine Counties.	\$10,000,000
3566	MA	Reconstruction of the I-95/Rte. 20 Interchange in Waltham	\$1,300,000
3567	NJ	Route 440 Rehabilitation and Boulevard Creation Project in Jersey City	\$1,250,000
3568	MA	Rutherford Avenue Improvements, Boston	\$1,000,000
3569	GA	SR 10/Peters Street/Olympic Drive interchange, Athens	\$3,000,000
3570	NY	Study and Improve Traffic Flow Around a New Stadium in Willets Point, Queens	\$3,000,000.00
3571	OR	To construct and enhance bikeway between Hood River and McCord Creek.	\$1,000,000
3572	NY	To construct greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP, in Manhattan.	\$1,500,000.00
3573	OR	Transportation enhancements at Eugene Depot, Eugene	\$1,000,000
3574	OR	U.S. 101 Slide Repair, Curry County	\$5,800,000
3575	OR	U.S. Hwy. 20 and Airport Road Intersection Improvements, Lebanon	\$837,000
3576	IL	Upgrade 31st Street and Golfview Rd intersection and construct parking facilities, Brookfield	\$1,500,000.00
3577	NJ	Weehawken Baldwin Avenue Improvements	\$2,000,000
3578	WA	Widen SR 503 through Woodland	\$1,000,000
3579	OR	Widen to three lanes and add urban features to OR 42 from Lookingglass Creek to Glenhart, Winston	\$3,250,000
3580	NY	Bicycle and pedestrian safety improvements, Main Street, Riverhead	\$1,200,000
3581	IL	Construct extension of Queeny Avenue from IL Rt 3 to Hog Haven Road, St. Clair County	\$750,000
3582	NY	Construct improvements to NY Route 5 from Coast Guard Base to Ohio Street, including Fuhrmann Boulevard	\$1,000,000
3583	IL	Extend and Construct Concrete Corridor between IL Rt 13 to IL Rt 15, Centerville	\$1,000,000
3584	NY	Implement a roadway evacuation study for the South Shore of Long Island, Mastic	\$1,000,000
3585	NY	Improve Brooksite Dr. from NY 25/25A to Rt. 347, Smithtown	\$900,000
3586	NY	Improve Clover Ln. from Bay Ave to Bay Rd, hamlet of Brookhaven	\$270,000
3587	NY	Improve CR 80, Montauk Highway, Village of Patchogue	\$600,000
3588	NY	Improve Dare Rd from Old Town Rd to Rt. 25, Selden	\$440,000
3589	NY	Improve Hospital Road Bridge between CR99 and CR101, Patchogue	\$690,000
3590	NY	Improve intersection of Old Dock and Church Street, Kings Park	\$120,000
3591	NY	Improve Maple Avenue in Smithtown	\$150,000

High Priority Projects—Continued

No.	State	Project Description	Amount
3592	NY	Improve Old Town Rd from Rt 347 to Slattery Rd, Setauket	\$420,000
3593	NY	Improve Old Willets Path from NY 454 to Rabro Dr., Smithtown	\$1,500,000
3594	NY	Improve Pipe Stave Hollow Rd. to Harbor Beach Rd., Miller Place	\$250,000
3595	IL	Reconstruction and Improvement of North Lincoln Ave, O'Fallon	\$1,970,000
3596	IL	Reconstruction of 20th Street, Granite City	\$1,500,000
3597	IL	Road Alignment from Caseyville Road to Sullivan Drive, Swansea	\$1,125,000
3598	NY	Road Improvements Hamlet of Medford, Town of Brookhaven	\$500,000
3599	NY	Road improvements, Hamlet of Gordon Heights, Town of Brookhaven	\$430,000
3600	NY	Road improvements, Village of Patchogue	\$1,500,000
3601	NY	Roadway improvements, hamlet of Mastic Beach	\$400,000
3602	IL	Widening Fullerton Road from Metrolink to IL Rt 159, Swansea	\$880,000
3603	NY	WLIU Public Radio Emergency and Evacuation Transportation Information Initiative, Southampton	\$1,130,000
3604	UT	Reconstruct 500 West, including pedestrian and bicycle access, in Moab	\$250,000
3605	PA	Construct improvements to Chambers Hill Road and Lindle Road (S.R. 441) at its intersections with Interstate 283 and Eisenhower Boulevard	\$1,000,000
3606	PA	Construct Regional Trail, Muhlenberg Township	\$750,000
3607	PA	Rail Crossing signalization upgrade, Bowers Road, Lyons Station, Berks County	\$206,300
3608	PA	Rail Crossing signalization upgrade at Hill Road, Township of Blandon, County of Berks	\$206,300
3609	PA	Safety improvements at Liberty Street intersection with PA Route 61 in W. Brunswick and N. Manheim Twp., Schuylkill County	\$1,905,700
3610	PA	Replace Stossertown Bridge (Main Street) over West Creek in Branch Township, Schuylkill County	\$500,000
3611	PA	Replace bridge over Little Mahantongo Creek at intersection of Hepler and Valley Roads in Upper Mahantongo Twp., Schuylkill County	\$250,000
3612	PA	Replace Union Street Bridge over Middle Creek in the borough of Tremont, Schuylkill County	\$500,000
3613	PA	Replace Burd St. Bridge over Amtrak and Norfolk Southern railroad tracks in the Borough of Roy-alton, Dauphin County	\$500,000
3614	PA	Hummelstown Borough, PA for intersection and pedestrian realignment and drainage.	\$2,000,000
3615	MN	City of Moorhead Southeast Main GSI 34th Street and I-94 interchange"	\$2,000,000
3616	MN	Paynesville Highway 23 Bypass	\$2,000,000
3617	AR	Construction of I-530 between Pine Bluff and Wilmer	\$40,000,000
3618	NY	Conduct study to develop regional transit strategy in Herkimer and Oneida counties	\$100,000
3619	NY	Improve Town weatherization capabilities on Tucker Drive, Poughkeepsie, NY	\$250,000
3620	NY	Bedell Road improvements, Poughkeepsie, NY	\$130,000
3621	NY	Land acquisition and improvements on Main Street, Beacon, NY	\$500,000
3622	NY	Construction of sidewalks in Sugar Loaf	\$100,000
3623	CT	I-84 Expressway Reconstruction from Waterbury to Southbury	\$1,500,000
3624	DC	Road and trail reconstruction and drainage improvements (APHCC)	\$600,000
3625	GA	Central Hall Recreation and Multi-Use Trail, Hall County, GA	\$2,000,000
3626	OH	Land acquisition for construction of pedestrian and bicycle trails at Mentor Marsh in Ohio	\$700,000
3627	OH	Design and construct road enhancements Andrews Road and Lakeshore Blvd in Mentor on-the-Lake, OH	\$300,000
3628	OH	Design and construct road enhancements Cleveland Port Authority in Cleveland, Ohio	\$2,500,000
3629	LA	Red River National Wildlife Refuge Visitor Center	\$3,000,000
3630	TN	For the advancement of project development activities for SR-33 from Knox County Line to SR-61 at Maynardville, TN	\$2,000,000
3631	CA	To convert a railroad bridge into a highway bridge spanning over the Feather River between Yuba City and Marysville	\$5,000,000

In item 49 of the table contained in section 3038 of the bill, strike "Hidalgo County, TX Regional Multi-Modal Center" and insert "Yonkers, NY Trolley Bus Acquisition" and strike "\$640,000", "660,000", and "\$700,000" and insert "\$96,000", "\$99,000", and "\$105,000", respectively.

In item 380 of such table, strike "Expand Diesel Emission Reduction Program of Gateway Cities COG" and insert "Columbiana County, OH Construct Intermodal Facility" and strike "\$992,000", "\$1,023,000", and "\$1,085,000" and insert "\$1,600,000", "\$1,650,000", and "\$1,750,000", respectively.

In item 162 of such table, strike "Brownsville, TX Brownsville Ruban System City-Wide Transit Improvement Project" and insert "Brownsville, TX Brownsville Urban System City-Wide Transit Improvement Project" and strike "\$640,000", "\$660,000", and "\$700,000" and insert "\$800,000", "\$825,000", and "\$875,000", respectively.

In item 179 of such table, strike "Albany, OR Construct Pathway From Multimodal Transit Station to Swanson Park" and insert "Cleveland, OH Construct passenger intermodal center near Dock 32" and strike "\$166,400", "\$171,600", and "\$182,000" and insert "\$275,200", "\$283,800", and "\$301,000", respectively.

In item 379 of such table, strike "Ramapo, NY Transportation Safety Field Command Center (TSFCC)" and insert "Ramapo, NY Transportation Safety Field Bus".

In item 197 of such table, strike "Brooklyn, NY Brooklyn Children's Museum" and insert "Brooklyn, NY Construct a multi-modal transportation facility".

In item 343 of such table, strike "Brooklyn, NY Kings County Hospital Center" and insert "Kings County, NY Construct a multi-modal transportation facility".

In item 408 of such table, strike "Brooklyn, NY SUNY Downstate Medical Center" and insert "Brooklyn, NY Construct a multi-modal transportation facility in the vicinity of Downstate Medical Center".

In item 163 of such table, strike "\$2,240,000", "\$2,310,000", and "\$2,450,000" and insert "\$1,600,000", "\$1,650,000", and "\$1,750,000".

In item number 351 of such table, amend the project description to read as follows: "Charlotte North Carolina—Eastland Community Transit Center".

In item 341 of such table, insert "Foothill Transit" before "Park".

In item 296 of such table, strike "\$960,000", "\$990,000", and "\$1,050,000" and insert "\$160,000", "\$165,000", and "\$175,000", respectively.

In item 7 of such table, strike "\$640,000", "\$660,000", and "\$700,000" and insert "\$1,920,000", "\$1,980,000", and "\$2,100,000", respectively.

In item 97 of such table, strike "\$640,000", "\$660,000", and "\$700,000" and insert "\$800,000", "\$825,000", and "\$875,000", respectively.

In item 69 of such table, strike "\$2,080,000", "\$2,145,000", and "\$2,275,000" and insert "\$2,320,000", "\$2,392,500", and "\$2,537,500", respectively.

In item 211 of such table, strike "\$2,880,000", "\$2,970,000", and "\$3,150,000" and insert "\$1,600,000", "\$1,650,000", and "\$1,750,000", respectively.

In item 133 of such table, strike "\$800,000" for fiscal year 2006 and insert "\$1,290,000".

In item 378 of such table, strike "and freight access".

In item 389 of such table, strike "\$800,000", "\$825,000", and "\$875,000" and insert "\$960,000", "\$990,000", and "\$1,050,000", respectively.

In item 61 of such table, strike "\$400,000", "\$412,500", and "\$437,500" and insert "\$480,000", "\$495,000", and "\$525,000", respectively.

In item 89 of such table, strike "\$256,000", "\$264,000", and "\$280,000" and insert "\$296,000", "\$305,250", and "\$323,750", respectively.

In item 33 of such table, strike "\$320,000", "\$330,000", and "\$350,000" and insert "\$480,000", "\$495,000", and "\$525,000", respectively.

In item 141 of such table, strike "\$160,000", "\$165,000", and "\$175,000" and insert "\$320,000", "\$330,000", and "\$350,000", respectively.

In item 26 of such table,—

(1) strike "Construct" and insert "Plan, design, and construct"; and

(2) strike "\$640,000", "\$660,000", and "\$700,000" and insert "\$800,000", "\$825,000", and "\$875,000", respectively.

In item 203 of such table,—

(1) insert "Construct" before "East Valley Metro Bus Facility"; and

(2) strike "\$1,600,000", "\$1,650,000", and "\$1,750,000" and insert "\$2,080,000", "\$2,145,000", and "\$2,275,000", respectively.

In item 241 of such table, strike "\$160,000", "\$165,000", and "\$175,000" and insert "\$960,000", "\$990,000", and "\$1,050,000", respectively.

In item 129 of such table, strike "\$640,000", "\$660,000", and "\$700,000" and insert "\$1,280,000", "\$1,320,000", and "\$1,400,000", respectively.

In item 265 of such table, strike "\$160,000", "\$165,000", and "\$175,000" and insert "\$256,000", "\$264,000", and "\$280,000", respectively.

In item 291 of such table, strike "\$800,000", "\$825,000", and "\$875,000", and insert "\$920,000", "\$948,750", and "\$1,006,250", respectively.

In item 385 of such table, insert "Norristown, PA" at the beginning of the project description.

In item 72 of such table, strike "Hammond, Louisiana—Passenger Intermodal facility at Southern University" and insert "Hammond, Louisiana—Passenger Intermodal facility at Southeastern University".

In item 233 of such table, strike "\$320,000", "\$330,000", and "\$350,000" and insert "\$960,000", "\$990,000", and "\$1,050,000", respectively.

In item 111 of such table, strike "\$320,000", "\$330,000", and "\$350,000" and insert "\$640,000", "\$660,000", and "\$700,000", respectively.

In item number 11 of such table, strike the project description and dollar amounts and insert "Development of Gold Country Stage Transit Transfer Center, Nevada County, CA" and "\$297,702", "\$307,006", and "\$325,612", respectively.

In item number 56 of such table, strike the project description and dollar amounts and insert "Brooklyn, NY—Rehabilitation of Bay Ridge 86th Street Subway Station" and "\$1,280,000", "\$1,320,000", and "\$1,400,000", respectively.

In item number 305 of such table, strike the project description and dollar amounts and insert "Roanoke, Virginia—Intermodal Facility" and "\$64,000", "\$66,000", and "\$70,000", respectively.

In item 168 of such table, strike "Elizabeth, NJ Broad Street Streetscape Improvements and Bus Shelters" and insert "Eugene, OR Lane Transit District, Bus Rapid Transit Progressive Corridor Enhancements", and strike "\$224,000", "\$231,000", and "\$245,000" and insert "\$960,000", "\$990,000", and "\$1,050,000".

In item 100 of such table, strike the project description and dollar amounts and insert "State of Wisconsin buses and bus facilities" and "\$5,120,000", "\$5,280,000", and "\$5,600,000", respectively.

In item 12 of such table, strike "\$320,000", "\$330,000", "\$350,000" and insert "\$576,000", "\$594,000", and "\$630,000".

In item 273 of such table, strike "\$288,000", "\$297,000", and "\$315,000" and insert "\$400,000", "\$412,500", and "\$437,500", respectively.

In item 106 of such table, strike "\$112,000", "\$115,500", and "\$122,500" and insert "\$224,000", "\$231,000", and "\$245,000", respectively.

In item 304 of the such table, strike "\$75,000" and insert "\$2,500,000".

In item 229 of the such table, strike "\$75,000" and insert "\$1,000,000".

In item 284 of the such table, strike the project description and dollar amounts and insert "Cornwall, NY—Purchase Bus" and the following dollar amounts, respectively: "\$27,840", "\$28,710", and "\$30,450".

In item 163 of such table, strike "Normal, Illinois—Multimodal Transportation Center" and insert "Normal, Illinois—Multimodal Transportation Center, including facilities for adjacent public and nonprofit uses".

At the end of such table, add the following:

Project	FY 06	FY 07	FY 08
415. Purchase Buses and construct bus facilities in Broward County, FL.	\$480,000	\$495,000	\$525,000
416. Improve marine intermodal facilities in Ketchikan.	\$8,000,000	\$8,250,000	\$8,750,000
417. Indianapolis, Indiana—Childrens Museum Intermodal Center.	\$320,000	\$330,000	\$350,000
418. Windham, New Hampshire—Construction of Park and Ride Bus facility at Exit 3.	\$1,184,000	\$1,221,000	\$1,295,000
419. Brooklyn, NY—Rehabilitation of Bay Ridge 86th Street Subway Station.	\$640,000	\$660,000	\$700,000
420. Purchase Buses and construct bus facilities in Broward County, FL.	\$640,000	\$660,000	\$700,000
421. Bayamon, Puerto Rico—Purchase of Trolley Cars.	\$272,000	\$280,500	\$297,500

Project	FY 06	FY 07	FY 08
422. C Street Expanded bus facility and intermodal parking garage, Anchorage, AK.	\$1,600,000	\$1,650,000	\$1,750,000
423. Morris Thompson Cultural and Visitors Center intermodal parking facility, Fairbanks, AK.	\$800,000	\$825,000	\$875,000
424. Sharon, PA—Bus Facility Construction	\$160,000	\$165,000	\$175,000
425. CITC Non-profit Services Center intermodal parking facility, Anchorage, AK.	\$960,000	\$990,000	\$1,050,000
426. Abilene, TX Vehicle replacement and facility improvements for transit system.	\$128,000	\$132,000	\$140,000
427. Alaska Native Medical Center intermodal parking facility.	\$1,600,000	\$1,650,000	\$1,750,000
428. Butler, PA—Multimodal Transit Center Construction.	\$320,000	\$330,000	\$350,000
429. Normal, Illinois—Multimodal Transportation Center.	\$640,000	\$660,000	\$700,000
430. Rochester, New York—Renaissance Square transit center.	\$640,000	\$660,000	\$700,000
431. Erie, PA—EMTA Vehicle Acquisition ...	\$640,000	\$660,000	\$700,000
432. Miami-Dade County, Florida—buses and bus facilities.	\$1,280,000	\$1,320,000	\$1,400,000
433. Centralia, Illinois—South Central Mass Transit District Improvements.	\$128,000	\$132,000	\$140,000
434. Roanoke, VA—Bus restoration in the City of Roanoke.	\$80,000	\$82,500	\$87,500
435. Denver, Colorado—Regional Transportation District Bus Replacement.	\$640,000	\$660,000	\$700,000
436. Intermodal facility improvements at the Port of Anchorage.	\$8,000,000	\$8,250,000	\$8,750,000
437. American Village/Montevallo construction of closed loop Access Road, bus lanes and parking facility.	\$96,000	\$99,000	\$105,000
438. Corpus Christi, TX Corpus Regional Transit Authority for maintenance facility improvements.	\$800,000	\$825,000	\$875,000
439. Central Florida Commuter Rail intermodal facilities.	\$1,600,000	\$1,650,000	\$1,750,000
440. Ames, Iowa—Expansion of CyRide Bus Maintenance Facility.	\$640,000	\$660,000	\$700,000

In section 1101 of the bill, strike subsection (a) and insert the following:

(a) IN GENERAL.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

(1) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program under section 119 of title 23, United States Code, \$4,323,076,000 for fiscal year 2004, \$4,486,153,000 for fiscal year 2005, \$4,601,932,000 for fiscal year 2006, \$4,715,480,000 for fiscal year 2007, \$4,831,867,000 for fiscal year 2008, and \$4,951,164,000 for fiscal year 2009.

(2) NATIONAL HIGHWAY SYSTEM.—For the National Highway System under section 103 of that title, \$5,187,691,000 for fiscal year 2004, \$5,557,383,000 for fiscal year 2005, \$5,705,318,000 for fiscal year 2006, \$5,831,576,000 for fiscal year 2007, \$5,971,240,000 for fiscal year 2008, and \$6,111,396,000 for fiscal year 2009.

(3) BRIDGE PROGRAM.—For the bridge program under section 144 of that title, \$3,709,440,000 for fiscal year 2004, \$3,942,176,000 for fiscal year 2005, \$4,037,231,000 for fiscal year 2006, \$4,134,661,000 for fiscal year 2007, \$4,234,528,000 for fiscal year 2008, and \$4,336,891,000 for fiscal year 2009.

(4) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—For the highway safety improvement program under sections 130 and 152 of that title, \$630,000,000 for fiscal year 2005, \$645,000,000 for fiscal year 2006, \$660,000,000 for fiscal year 2007, \$680,000,000 for fiscal year 2008, and \$695,000,000 for fiscal year 2009. Of such funds $\frac{1}{3}$ per fiscal year shall be available to carry out section 130 and $\frac{2}{3}$ shall be available to carry out section 152.

(5) SURFACE TRANSPORTATION PROGRAM.—For the surface transportation program under section 133 of that title, \$6,052,306,000 for fiscal year 2004, \$6,950,614,000 for fiscal year 2005, \$6,788,704,000 for fiscal year 2006,

\$6,947,672,000 for fiscal year 2007, \$7,110,614,000 for fiscal year 2008, and \$7,282,629,000 for fiscal year 2009.

(6) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—For the congestion mitigation and air quality improvement program under section 149 of that title, \$1,469,846,000 for fiscal year 2004, \$1,521,592,000 for fiscal year 2005, \$1,559,257,000 for fiscal year 2006, \$1,597,863,000 for fiscal year 2007, \$1,637,435,000 for fiscal year 2008, and \$1,677,996,000 for fiscal year 2009.

(7) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM PROGRAM.—For the Appalachian development highway system program under section 14501 of title 40, United States Code, \$460,000,000 for fiscal year 2004 and \$470,000,000 for each of fiscal years 2005 through 2009.

(8) RECREATIONAL TRAILS PROGRAM.—For the recreational trails program under section 206 of title 23, United States Code, \$53,000,000 for fiscal year 2004, \$70,000,000 for fiscal year 2005, \$80,000,000 for fiscal year 2006, \$90,000,000 for fiscal year 2007, \$100,000,000 for fiscal year 2008, and \$110,000,000 for fiscal year 2009.

(9) FEDERAL LANDS HIGHWAYS PROGRAM.—(A) INDIAN RESERVATION ROADS.—For Indian reservation roads under section 204 of title 23, United States Code, \$325,000,000 for fiscal year 2004, \$365,000,000 for fiscal year 2005, \$390,000,000 for fiscal year 2006, \$395,000,000 for fiscal year 2007, \$420,000,000 for fiscal year 2008, and \$420,000,000 for fiscal year 2009.

(B) PARK ROADS AND PARKWAYS.—For park roads and parkways roads under section 204 of that title, \$170,000,000 for fiscal year 2004, \$185,000,000 for fiscal year 2005, \$200,000,000 for fiscal year 2006, \$215,000,000 for fiscal year 2007, \$225,000,000 for fiscal year 2008, and \$225,000,000 for fiscal year 2009.

(C) PUBLIC LANDS HIGHWAY.—For public lands highway under section 204 of that title, \$250,000,000 for fiscal year 2004, \$260,000,000 for fiscal year 2005, \$280,000,000 for fiscal year 2006, \$280,000,000 for fiscal year 2007, \$290,000,000 for fiscal year 2008, and \$300,000,000 for fiscal year 2009.

(D) REFUGE ROADS.—For refuge roads under section 204 of that title, \$20,000,000 for each of fiscal years 2004 through 2009.

(10) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROGRAM.—For the national corridor infrastructure improvement program under section 1301 of this title, \$600,000,000 for fiscal year 2005, \$600,000,000 for fiscal year 2006, \$600,000,000 for fiscal year 2007, \$600,000,000 for fiscal year 2008, and \$600,000,000 for fiscal year 2009.

(11) COORDINATED BORDER INFRASTRUCTURE PROGRAM.—For the coordinated border infrastructure program under section 1302 of this title, \$200,000,000 for fiscal year 2005, \$200,000,000 for fiscal year 2006, \$200,000,000 for fiscal year 2007, \$200,000,000 for fiscal year 2008, and \$225,000,000 for fiscal year 2009.

(12) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE PROGRAM.—For the projects of national and regional significance program under section 1304 of this title, \$1,100,000,000 for fiscal year 2005, \$1,100,000,000 for fiscal year 2006, \$1,200,000,000 for fiscal year 2007, \$1,300,000,000 for fiscal year 2008, and \$1,300,000,000 for fiscal year 2009.

(13) NATIONAL SCENIC BYWAYS PROGRAM.—For the national scenic byways program under section 162 of title 23, United States Code, \$30,000,000 for fiscal year 2004, \$40,000,000 for fiscal year 2005, \$45,000,000 for fiscal year 2006, \$55,000,000 for fiscal year 2007, \$55,000,000 for fiscal year 2008, and \$60,000,000 for fiscal year 2009.

(14) DEPLOYMENT OF 511 TRAVELER INFORMATION PROGRAM.—For the 511 traveler information program under section 1204(c)(7) of this title, \$6,000,000 for each of fiscal years 2005 through 2009.

(15) HIGH PRIORITY PROJECTS PROGRAM.—For the high priority projects program under section 117 of title 23, United States Code, \$2,496,450,000 for fiscal year 2005, \$2,244,550,000 for fiscal year 2006, \$2,143,250,000 for fiscal year 2007, \$2,192,450,000 for fiscal year 2008, and \$2,050,450,000 for fiscal year 2009.

(16) FREIGHT INTERMODAL CONNECTOR PROGRAM.—For the freight intermodal connector program under section 1303 of this title, \$421,000,000 for fiscal year 2005, \$421,000,000 for fiscal year 2006, \$421,000,000 for fiscal year 2007, \$421,000,000 for fiscal year 2008, and \$426,000,000 for fiscal year 2009.

(17) HIGH RISK RURAL ROAD SAFETY IMPROVEMENT PROGRAM.—For the high risk rural road safety improvement program under section 1403 of this title, \$105,000,000 for fiscal year 2005, \$110,000,000 for fiscal year 2006, \$120,000,000 for fiscal year 2007, \$125,000,000 for fiscal year 2008, and \$130,000,000 for fiscal year 2009.

(18) PEDESTRIAN AND CYCLIST EQUITY—SAFE ROUTES TO SCHOOL PROGRAM.—For the safe routes to school program under section 1120(a) of this title, \$175,000,000 for fiscal year 2005, \$200,000,000 for fiscal year 2006, \$200,000,000 for fiscal year 2007, \$200,000,000 for fiscal year 2008, and \$225,000,000 for fiscal year 2009.

In section 1103(a)(1) of the bill, strike the matter proposed to be inserted as section 104(a)(1) of title 23, United States Code, and insert the following:

“(1) DEDUCTION FOR ADMINISTRATIVE EXPENSES.—Whenever an apportionment is made of the sums made available for expenditure on the surface transportation program under section 133 for a fiscal year, the Secretary shall deduct \$390,000,000 for fiscal year 2004, \$365,000,000 for fiscal year 2005, \$395,000,000 for fiscal year 2006, \$395,000,000 for fiscal year 2007, \$395,000,000 for fiscal year 2008, and \$400,000,000 for fiscal year 2009.

In the matter proposed to be inserted as section 104(a)(2) of title 23, United States Code, by section 1103(a)(1) of the bill, strike “authorized to be appropriated” and insert “deducted”.

In section 1103(a) of the bill—

(1) insert “and” after the semicolon at the end of paragraph (1); and

(2) strike paragraphs (2) and (3) and insert the following:

(2) in paragraph (4) by striking “and the Federal Motor Carrier Safety Administration”.

In section 1103(d) of the bill—

(1) redesignate paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) insert before paragraph (2) (as so redesignated) the following:

(1) in subsection (b) by striking “set-aside authorized by subsection (f)” and inserting “set-asides authorized by subsections (f) and (m)”;

In section 1103 of the bill—

(1) redesignate subsections (d) and (e) as subsections (e) and (f) respectively; and

(2) insert after subsection (c) the following:

(d) SET-ASIDES.—Section 104 of such title is amended by adding at the end the following: “(m) SET-ASIDES.—

“(1) HIGHWAY USE TAX EVASION PROGRAM.—Whenever an apportionment is made of the sums made available for expenditure on the National Highway System under section 103 for a fiscal year, the Secretary shall set aside for highway use tax evasion projects under section 143 of this title \$12,000,000 for fiscal year 2004, \$30,000,000 for fiscal year 2005, \$30,000,000 for fiscal year 2006, \$20,000,000 for fiscal year 2007, \$10,000,000 for fiscal year 2008, and \$7,000,000 for fiscal year 2009.

“(2) COMMONWEALTH OF PUERTO RICO HIGHWAY PROGRAM.—Whenever an apportionment is made of the sums made available for expenditure on the National Highway System under section 103 for a fiscal year, the Secretary shall set aside for the Commonwealth of Puerto Rico highway program under section 1214(r) of the Transportation Equity Act for the 21st Century (112 Stat. 209), \$115,000,000 for fiscal year 2004, \$125,000,000 for fiscal year 2005, \$130,000,000 for fiscal year 2006, \$130,000,000 for fiscal year 2007, \$140,000,000 for fiscal year 2008, and \$140,000,000 for fiscal year 2009.

“(3) DEPLOYMENT OF MAGNETIC LEVITATION TRANSPORTATION PROJECTS.—Whenever an apportionment is made of the sums made available for expenditure on the National Highway System under section 103 for a fiscal year, the Secretary shall set aside for carrying out section 1117 of the Transportation Equity Act: A Legacy for Users, relating to deployment of magnetic levitation transportation projects, \$15,000,000 for fiscal year 2005 and \$20,000,000 for each of fiscal years 2006 through 2009.

“(4) CONGESTION PRICING PILOT PROGRAM.—Whenever an apportionment is made of the sums made available for expenditure on the congestion mitigation and air quality improvement program under section 149 for a fiscal year, the Secretary shall set aside for the congestion pricing pilot program under section 1209 of the Transportation Equity Act: A Legacy for Users \$15,000,000 for fiscal year 2004, \$15,000,000 for fiscal year 2005, \$15,000,000 for fiscal year 2006, \$15,000,000 for fiscal year 2007, \$15,000,000 for fiscal year 2008, and \$15,000,000 for fiscal year 2009.

“(5) HIGHWAYS FOR LIFE PROGRAM.—Whenever an apportionment is made of the sums made available for expenditure on the Interstate maintenance program under section 119 for a fiscal year, the Secretary shall set aside for the Highways for LIFE program under section 1504 of the Transportation Equity Act: A Legacy for Users \$55,000,000 for fiscal year 2005 and \$60,000,000 for each of fiscal years 2006 through 2009.

“(6) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Whenever an apportionment is made of the sums made available for expenditure on the National Highway System under section 103 for a fiscal year, the Secretary shall set aside for construction of ferry boats and ferry terminal facilities under section 165 of this title \$60,000,000 for fiscal year 2004, \$70,000,000 for fiscal year 2005, \$75,000,000 for fiscal year 2006, \$75,000,000 for fiscal year 2007, \$75,000,000 for fiscal year 2008, and \$75,000,000 for fiscal year 2009.

“(7) ITS DEPLOYMENT.—Whenever an apportionment is made of the sums made available for expenditure on the surface transportation program under section 133 for a fiscal year, the Secretary shall set aside for carrying out sections 5208 and 5209 of the Transportation Equity Act for the 21st Century (112 Stat. 458; 112 Stat. 460), \$100,000,000 for each of fiscal years 2004 and 2005.

“(8) SAFETY INCENTIVE GRANTS FOR USE OF SEAT BELTS.—Whenever an apportionment is made of the sums made available for expenditure on the surface transportation program under section 133 for a fiscal year, the Secretary shall set aside for safety incentive grants for use of seat belts under section 157 of this title \$112,000,000 for each of fiscal years 2004 and 2005.

“(9) SAFETY INCENTIVES TO PREVENT OPERATION OF MOTOR VEHICLES BY INTOXICATED PERSONS.—Whenever an apportionment is made of the sums made available for expenditure on the surface transportation program under section 133 for a fiscal year, the Secretary shall set aside for safety incentives to prevent operation of motor vehicles by in-

toxicated persons under section 163 of this title \$110,000,000 for each of fiscal years 2004 and 2005.

“(10) TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PROGRAM.—Whenever an apportionment is made of the sums made available for expenditure on the surface transportation program under section 133 for a fiscal year, the Secretary shall set aside for the transportation and community and system preservation program under section 1221 of the Transportation Equity Act for the 21st Century (23 U.S.C. 101 note) \$25,000,000 for fiscal year 2004, \$30,000,000 for fiscal year 2005, \$35,000,000 for fiscal year 2006, \$35,000,000 for fiscal year 2007, and \$35,000,000 for each of fiscal years 2008 and 2009.”

In section 1103 of the bill, strike subsection (f) (as so redesignated), relating to the Puerto Rico highway program, and insert the following:

(f) PUERTO RICO HIGHWAY PROGRAM.—Section 1214(r) of the Transportation Equity Act for the 21st Century (112 Stat. 209; 117 Stat. 1114; 118 Stat. 1149) is amended—

(1) in paragraph (1) by striking “authorized by section 1101(a)(15) for each of fiscal years 1998 through 2005” and inserting “set aside by section 104(m)(2) of title 23, United States Code, for each of fiscal years 2004 through 2009”; and

(2) in paragraph (2) by striking “made available by section 1101(a)(15) of this Act” and inserting “set aside by section 104(m)(2) of title 23, United States Code”.

Strike section 1104 of the bill and insert the following:

SEC. 1104. MINIMUM GUARANTEE.

(a) GENERAL RULE.—Section 105(a) of title 23, United States Code, is amended—

(1) by striking “1998 through 2003” and inserting “2004 through 2009”;

(2) by striking “and recreational trails” and inserting “recreational trails, coordinated border infrastructure, freight intermodal connectors, safe routes to school, highway safety improvement, and high risk rural road safety improvement”;

(3) by inserting “(other than subsection (g))” after “under this section”.

(b) TREATMENT OF FUNDS.—Section 105(c)(1) of such title is amended—

(1) by striking “\$2,800,000,000” and inserting “\$2,870,000,000 in fiscal year 2004, \$2,941,750,000 in fiscal year 2005, \$3,015,293,750 in fiscal year 2006, \$3,090,676,094 in fiscal year 2007, \$3,167,942,996 in fiscal year 2008, and \$3,247,141,571 in fiscal year 2009”; and

(2) by striking “and recreational trails” each place it appears and inserting “recreational trails, coordinated border infrastructure, freight intermodal connectors, safe routes to school, highway safety improvement, and high risk rural road safety improvement”.

(c) AUTHORIZATION.—Section 105(d) of such title is amended by striking “1998 through 2003” and inserting “2004 through 2009”.

(d) SPECIAL RULE.—Section 105(e) of such title is amended to read as follows:

“(e) SPECIAL RULE.—Notwithstanding any other provision of this section, if, in any of fiscal years 2004 through 2009, the highest quotient obtained by dividing—

“(1) a State’s percentage share of the total apportionments for such fiscal year for programs referred to in subsection (a) (other than minimum guarantee), by

“(2) the percentage for such State listed in subsection (b),

is greater than 1.3, the Secretary shall allocate to the State with the highest quotient the minimum apportionment specified in subsection (a). The apportionments for the programs referred to in subsection (a) for the State with the highest quotient, estimated tax payments to the Highway Trust Fund attributable to highway users referred to in

subsection (f) for such State, and percentage referred to in subsection (b) for such State shall be excluded from the computations required in subsection (f)."

(e) **GUARANTEED SPECIFIED RETURN.**—Section 105(f) of such title is amended—

(1) in the subsection heading by striking "of 90.5" and inserting "SPECIFIED"; and

(2) in paragraph (1) by striking "1999 through 2003" and inserting "2004 through 2009".

(f) **EQUITY ADJUSTMENT.**—Section 105 of such title is further amended by adding at the end the following:

"(g) **EQUITY ADJUSTMENT.**—

"(1) **IN GENERAL.**—For each of fiscal years 2004 through 2009, after making the allocations under subsection (a), the Secretary shall allocate among the States additional amounts sufficient to ensure that no State receives an allocation under this subsection and subsection (a) that in the aggregate is less than the amount the State would have received under subsection (a) had high priority projects not been included among the list of programs referred to in subsection (a). Any such additional allocations shall be excluded from the computations required in subsection (f).

"(2) **RATE OF RETURN.**—For each of fiscal years 2004 through 2009, the Secretary shall allocate among the States amounts sufficient to ensure that, for the aggregate of funds distributed under subsection (a), paragraph (1) of this subsection, and this paragraph, the rate of return, as defined in subsection (f)(1), is not less than 90.5. The special rule in subsection (e) shall not apply to the calculation made under this paragraph."

(g) **CONFORMING AMENDMENTS.**—

(1) **SECTION 131.**—Section 131(m) of title 23, United States Code, is amended by striking "in accordance with the program of projects approval process of section 105" and inserting "in accordance with the approval process of section 106".

(2) **SECTION 140.**—Section 140 of such title is amended—

(A) in subsection (a) by striking "programs for projects as provided for in subsection (a) of section 105 of this title" and inserting "project under this chapter"; and

(B) in subsection (c) by striking "subsection 104(b)(3) of this title" and inserting "section 104(b)(3)".

(h) **SCOPE ADJUSTMENT.**—

(1) **DETERMINATION OF SET-ASIDE.**—Before allocating funds provided to carry out the program under section 1301 of this Act, the Secretary shall set aside an amount sufficient to ensure that the quotient obtained by dividing—

(A) the sum of—

(i) the amounts authorized for the programs identified in section 105(a) of title 23, United States Code,

(ii) the amounts authorized under section 105(g) of such title, and

(iii) the amount apportioned under this section, by

(B) the total contract authority authorized for the Federal-aid highway program, equals 0.926.

(2) **APPORTIONMENT OF FUNDS.**—The amount set aside under paragraph (1) shall be added to the amount authorized for the Surface Transportation Program under Section 104(b)(3)(a) of title 23 U.S. Code and shall be included in the calculation of minimum guarantee under section 105(a) of such title.

(3) **RESTORATION.**—The Secretary shall make available such sums as may be necessary to restore to the funds made available to carry out the program under section 1301 an amount equal to the amount set aside under paragraph (1).

(4) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated out of

the Highway Trust Fund (other than the Mass Transit Account) such sums as may be necessary to carry out this subsection.

(5) **APPLICABILITY OF TITLE 23.**—Funds made available to carry out 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.

In section 1115 of the bill, after subsection (c) insert the following (and redesignate subsection (d) as subsection (e)):

(d) **SET-ASIDE FOR TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT.**—Section 144(g) of such title is amended by adding at the end the following:

"(4) **TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT.**—Whenever an apportionment is made under subsection (e) of the sums made available for carrying out the bridge program under this section for a fiscal year, the Secretary shall set aside \$130,000,000 for fiscal year 2004 and \$140,000,000 for each of fiscal years 2005 through 2009 to carry out chapter 6 of title 23, United States Code."

In section 1116 of the bill, strike subsection (a) and redesignate subsequent subsections accordingly.

In section 1116(a) (as so redesignated), strike "of such Act" and insert "of the Transportation Equity Act for the 21st Century (23 U.S.C. 101 note; 112 Stat. 223; 118 Stat. 879; 118 Stat. 1149)".

In section 1117 of the bill, strike subsections (d) and (e).

In section 1121(a)(3)(A) of the bill, strike "and (C)" and insert "., (C), and (D)".

In section 1121(a)(3)(C) of the bill, strike the subparagraph designation and heading and insert the following:

(C) **SET-ASIDE FOR ADMINISTRATIVE EXPENSES.**—

In section 1121(a)(3) of the bill, after subparagraph (C), insert the following (and redesignate the subsequent subparagraph accordingly):

(D) **SET-ASIDE FOR NONMOTORIZED PILOT PROGRAM.**—Before apportioning amounts made available to carry out this subsection under this paragraph and the set-aside under subparagraph (C) for a fiscal year, the Secretary shall set aside for the nonmotorized pilot program under subsection (b) of this section \$25,000,000 for each of fiscal years 2005 through 2009.

In section 1121(b) of the bill, strike paragraph (4) and redesignate the subsequent paragraphs accordingly.

In section 1303(e) of the bill, before "the Secretary" insert "after the deductions under subsection (i)".

At the end of section 1303 of the bill, insert the following:

(i) **DEDUCTIONS.**—

(1) **FREIGHT INTERMODAL DISTRIBUTION PILOT GRANT PROGRAM.**—Whenever an apportionment is made of the sums made available for carrying out this section for a fiscal year, the Secretary shall deduct \$6,000,000 for each of fiscal years 2005 through 2009 for the freight intermodal distribution pilot grant program under section 1307 of this Act.

(2) **DEDICATED TRUCK LANES.**—Whenever an apportionment is made of the sums made available for carrying out this section for a fiscal year, the Secretary shall deduct for dedicated truck lanes under section 1305 of this title \$165,000,000 for each of fiscal years 2005 through 2008 and \$170,000,000 for fiscal year 2009.

In section 1305 of the bill—

(1) in subsection (e) insert a comma after "In this section";

(2) strike subsection (d); and

(3) redesignate subsection (e) as subsection (d).

Strike section 1405 of the bill and insert the following:

SEC. 1405. SAFETY INCENTIVE GRANTS FOR USE OF SEAT BELTS.

Section 157(g) of title 23, United States Code, is amended—

(1) in paragraph (1) by inserting "and" after "2002,";

(2) in paragraph (1) by striking "2003," and all that follows through "2005" and inserting "2003";

(3) in paragraph (2) by inserting "or set aside for fiscal year 2004 or 2005 under section 104(m)(8)" after "paragraph (1)";

(4) in paragraph (3)(B) by striking "2005" and inserting "2003"; and

(5) in paragraph (3)(B) by inserting "or the amounts set aside for any of fiscal years 2004 and 2005 under section 104(m)(8)" after "paragraph (1)".

In section 1601(g) of the bill, strike the matter proposed to be inserted as section 188 of title 23, United States Code, and insert the following:

"§ 188. Special rules

"(a) **AVAILABILITY.**—Amounts made available to carry out this chapter shall remain available until expended.

"(b) **ADMINISTRATIVE COSTS.**—From funds made available to carry out this chapter, the Secretary may use, for the administration of this subchapter, not more than \$3,000,000 for each of fiscal years 2004 through 2009.

"(c) **LIMITATIONS ON CREDIT AMOUNTS.**—For each of fiscal years 2004 through 2009, principal amounts of Federal credit instruments made available under this chapter shall be limited to \$2,600,000,000."

In section 1406 of the bill, strike subsection (b) and insert the following:

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 163(f)(1) of such title, as redesignated by subsection (a)(1) of this section, is amended—

(1) by inserting "and" after "2002,"; and

(2) by striking "., \$110,000,000 for fiscal year 2004" and all that follows through "2005".

In section 1406 of the bill, add at the end the following:

(d) **CONFORMING AMENDMENT.**—Section 163(f)(2) of such title, as redesignated by subsection (a)(1) of this section, is amended by inserting after "by this subsection" the following: "and the funds set aside to carry out this section".

In section 1602(c) of the bill, strike the item relating to section 608 (relating to funding) and insert the following:

"608. Special rules.

In each of sections 1102(c)(4) and 1102(c)(5) of the bill, insert after "paragraph (3)" the following: "or 0.932 in any case in which such ratio is less than 0.932 (except that the higher ratio shall not apply to the program under section 14501 of title 40, United States Code)".

In section 1114(a) of the bill, redesignate paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively, and insert before paragraph (2) (as so redesignated) the following:

(1) in subsection (c)(1) by striking "2003" and inserting "2005";

In section 1114 of the bill, strike subsection (e) and insert the following:

(e) **EFFECTIVE DATE.**—The amendments made by paragraphs (2) through (4) of subsection (a) and by subsection (b) shall take effect on September 30, 2005.

In the matter proposed to be inserted as section 202(d)(3) of title 23, United States Code, by section 1119(a) of the bill, insert after subparagraph (C) the following (and redesignate subsequent subparagraphs accordingly):

"(D) **SECRETARY AS SIGNATORY.**—Notwithstanding any other provision of law, the Secretary is authorized to enter into a funding agreement with an Indian tribe or tribal government to carry out a highway, road,

bridge, parkway, or transit project under subparagraph (A) that is located on an Indian reservation or provides access to the reservation or a community of the Indian tribe.

In section 1119 of the bill, redesignate subsections (c), (d), and (e) as subsections (e), (f), and (g), respectively, and insert after subsection (b) the following:

(c) BIA ADMINISTRATIVE EXPENSES.—Section 202(d)(2) of such title is further amended by adding at the end the following:

“(F) ADMINISTRATIVE EXPENSES.—Of the funds authorized to be appropriated for Indian reservation roads, \$27,000,000 for fiscal year 2006, \$28,000,000 for fiscal year 2007, \$29,000,000 for fiscal year 2008, and \$30,000,000 for fiscal year 2009 may be used by the Secretary of the Interior for program management oversight and project-related administrative expenses.”

(d) BRIDGE PRECONSTRUCTION ACTIVITIES ELIGIBILITY.—Section 202(d)(4)(B) of such title is amended by adding at the end the following: “Of the amount reserved under this paragraph for a fiscal year, not more than 15 percent may be used for preconstruction activities, such as engineering and design.”

At the end of subtitle C of title I of the bill, insert the following (and conform the table of contents of the bill):

SEC. 1307. FREIGHT INTERMODAL DISTRIBUTION PILOT GRANT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish and implement a freight intermodal distribution pilot grant program.

(b) PURPOSES.—The purposes of the program established under subsection (a) shall be—

(1) to facilitate and support intermodal freight transportation initiatives at the State and local levels to relieve congestion and improve safety; and

(2) to provide capital funding to address infrastructure and freight distribution needs at inland ports and intermodal freight facilities.

(c) SELECTION PROCESS.—

(1) APPLICATIONS.—A State shall submit an application to the Secretary containing such information as the Secretary may require to receive funding under this section.

(2) PRIORITY.—In selecting projects to be funded under the pilot program, the Secretary shall give priority to projects that will—

(A) reduce congestion into and out of international ports located on the west coast of the United States;

(B) demonstrate ways to increase the likelihood that freight container movements involve freight containers carrying goods; and

(C) establish or expand intermodal facilities that encourage the development of inland freight distribution centers.

(d) ELIGIBLE PROJECTS.—Funds made available under this section shall be used by the recipient for projects described in an application approved by the Secretary. Such projects shall help relieve congestion, improve transportation safety, facilitate international trade, and encourage public-private partnership. Such projects may include developing and constructing intermodal freight distribution and transfer facilities at inland ports.

(e) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects assisted under this section shall be treated as projects on a Federal-aid system under such chapter.

In section 1809 of the bill, strike subsection (d) and insert the following:

(d) CONSTRUCTION WORK IN ALASKA.—Section 114 of title 23, United States Code, is amended by adding at the end of the following:

“(c) CONSTRUCTION WORK IN ALASKA.—

“(1) IN GENERAL.—The Secretary shall ensure that a worker who is employed on a remote project for the construction of a highway or portion of a highway located on a Federal-aid system in the State of Alaska and who is not a domiciled resident of the locality shall receive meals and lodging.

“(2) LODGING.—The lodging under paragraph (1) shall be in accordance with section 1910.142 of title 29, Code of Federal Regulations (relating to temporary labor camp requirements).

“(3) PER DIEM.—

“(A) IN GENERAL.—Contractors are encouraged to use commercial facilities and lodges on remote projects, but, if such facilities are not available, per diem in lieu of room and lodging may be paid on remote Federal highway projects at a basic rate of \$75.00 per day or part thereof if the worker is employed on the project. If the contractor provides or furnishes room and lodging or pays a per diem, the cost of the amount shall not be considered a part of wages, but shall be excluded therefrom.

“(B) SECRETARY OF LABOR.—Such per diem rate shall be adopted by the Secretary of Labor for all applicable remote Federal highway projects in Alaska.

“(C) EXCEPTION.—Per diem shall not be allowed on any of the following remote projects for the construction of a highway or portion of a highway located on a Federal-aid system:

“(i) West of Livengood on the Elliot Highway.

“(ii) Mile 0 on the Dalton Highway to the North Slope of Alaska; north of Mile 20 on the Taylor Highway.

“(iii) East of Chicken on the Top of the World Highway and south of Tetlin Junction to the Alaska Canadian border.

“(4) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) REMOTE.—The term ‘remote’, as used with respect to a project, means that the project is 65 miles or more from the United States Post Office in either Fairbanks or Anchorage, Alaska, or is inaccessible by road in a 2-wheel drive vehicle.

“(B) RESIDENT.—The term ‘resident’, as used with respect to a project, means a person living within 65 miles of the midpoint of the project for at least 12 consecutive months prior to the award of the project.”

In section 1822(8) strike “and” the last place it appears.

In section 1822 of the bill, after paragraph (3), insert the following:

(4) in item number 566 by striking “Prunedale Bypass” and inserting “improvements to Prunedale”;

(5) in item number 744 by striking “Preliminary” and all that follows through “Fitchburg” and inserting “Design, construction or reconstruction, and right of way acquisition for roadway improvements along the Route 12 corridor in Leominster and Fitchburg to enhance access from Route 2 to North Leominster and downtown Fitchburg”;

Redesignate subsequent paragraphs of section 1822 accordingly.

At the end of title I of the bill, insert the following (and conform the table of contents accordingly):

SEC. 1838. INCLUSION OF CERTAIN ROUTE SEGMENTS ON THE INTERSTATE SYSTEM.

Section 1105(e)(5) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 118 Stat. 293) is amended—

(1) in subparagraph (A) by striking “and subsection (c)(45)” and inserting “subsection (c)(45), and subsection (c)(57)”; and

(2) by adding the following at the end of subparagraph (B)(i): “The route referred to

in subsection (c)(57) is designated as Interstate Route I-41.”

SEC. 1839. RESCISSION OF UNOBLIGATED BALANCES.

(a) IN GENERAL.—On September 30, 2009, \$12,000,000,000 of the unobligated balances of funds apportioned before such date to the States for the Interstate maintenance, national highway system, bridge, congestion mitigation and air quality improvement, surface transportation (other than the STP set-aside programs), metropolitan planning, minimum guarantee, Appalachian development highway system, recreational trails, safe routes to school, freight intermodal connectors, coordinated border infrastructure, high risk rural road, and highway safety improvement programs, and each of the STP set-aside programs, is rescinded.

(b) ALLOCATION AMONG STATES.—The Secretary shall determine each State’s share of the amount to be rescinded by subsection (a) on September 30, 2009, by multiplying \$12,000,000,000 by the ratio of the aggregate amount apportioned to such State for fiscal years 2004 through 2009 for all the programs referred to in subsection (a) to the aggregate amount apportioned to all States for such fiscal years for those programs.

(c) CALCULATIONS.—To determine the allocation of the amount to be rescinded for a State under subsection (b) among the programs referred to in subsection (a), the Secretary shall make the following calculations:

(1) The Secretary shall multiply such amount to be rescinded by the ratio that the aggregate amount of unobligated funds available to the State on September 30, 2009, for each such program bears to the aggregate amount of unobligated funds available to the State on September 30, 2009, for all such programs.

(2) The Secretary shall multiply such amount to be rescinded by the ratio that the aggregate of the amount apportioned to the State for each such program for fiscal years 2004 through 2009 bears to the aggregate amount apportioned to the State for all such programs for fiscal years 2004 through 2009.

(d) ALLOCATION AMONG PROGRAMS.—

(1) IN GENERAL.—The Secretary, in consultation with the State, shall rescind for the State from each program referred to in subsection (a) the amount determined for the program under subsection (c)(1).

(2) SPECIAL RULE.—

(A) RESTORATION OF FUNDS FOR COVERED PROGRAMS.—If the rescission calculated under subsection (c)(1) for a covered program exceeds the amount calculated for the covered program under subsection (c)(2), the State shall immediately restore to the apportionment account for the covered program from the unobligated balances of programs referred to in subsection (a) (other than covered programs) the amount of funds required so that the net rescission from the covered program does not exceed the amount calculated for the covered program under subsection (c)(2).

(B) TREATMENT OF RESTORED FUNDS.—Any funds restored under subparagraph (A) shall be deemed to be the funds that were rescinded for the purposes of obligation.

(3) COVERED PROGRAM DEFINED.—In paragraph (2), the term “covered program” means a program authorized under sections 130 and 152 of title 23, United States Code, paragraph (1), (2), or (3) of section 133(d) of that title, section 144 of that title, section 149 of that title, or section 1121(a) of this Act.

(e) TREATMENT OF SAFETY PROGRAMS.—In making calculations under subsections (c)(1), (c)(2), and (d)(2), the Secretary shall treat the STP set-aside program for safety programs and the highway safety improvement program as a single program.

(f) STP SET-ASIDE PROGRAM DEFINED.—In this section, the term “STP set-aside program” means the amount set aside under section 133(d) of title 23, United States Code, for each of the safety programs, transportation enhancement activities, and division between urbanized areas of over 200,000 population and other areas.

At the end of title II of the bill, insert the following:

SEC. 2013. DRUG IMPAIRED DRIVING ENFORCEMENT.

(a) **SHORT TITLE.**—This section may be cited as the “Drug Impaired Driving Research and Prevention Act”.

(b) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **CONTROLLED SUBSTANCE.**—The term “controlled substance” includes substances listed in schedules I through V of section 112(e) of the Controlled Substances Act (21 U.S.C. 812(e)).

(2) **DRUG RECOGNITION EXPERT.**—The term “drug recognition expert” means an individual trained in a specific evaluation procedure that enables the person to determine whether an individual is under the influence of drugs and then to determine the type of drug causing the observable impairment.

(c) **MODEL STATUTE.**—

(1) **IN GENERAL.**—The Secretary shall develop a model statute for States relating to drug impaired driving.

(2) **CONTENTS.**—The model statute shall include—

(A) threshold levels of impairment for a controlled substance;

(B) practicable methods for detecting the presence of controlled substances; and

(C) penalties for drug impaired driving.

(3) **RECOMMENDATIONS.**—The model statute shall be based on the recommendations contained in the report submitted under subsection (f).

(4) **DATE.**—The model statute should be provided to States no later than 1 year after submission of the report contained in subsection (f).

(d) **RESEARCH AND DEVELOPMENT.**—Section 403(b) of title 23, United States Code, is amended by adding at the end the following:

“(5) New technology to detect drug use.

“(6) Research and development to improve testing technology, including toxicology lab resources and field test mechanisms to enable States to process toxicology evidence in a more timely manner.

“(7) Determining per se unlawful impairment levels for controlled substances and the compound effects of alcohol and controlled substances on impairment to facilitate enforcement of per se drug impaired driving laws. Research under this paragraph shall be carried out in collaboration with the National Institute on Drug Abuse of the National Institutes of Health.”

(e) **DUTIES.**—The Administrator of the National Highway Traffic Safety Administration shall—

(1) advise and coordinate with other Federal agencies on how to address the problem of driving under the influence of an illegal drug; and

(2) conduct research on the prevention, detection, and prosecution of driving under the influence of an illegal drug.

(f) **REPORT.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the National Institutes of Health shall submit to the Secretary and to Congress a report on the problem of drug-impaired driving.

(2) **CONTENTS.**—The report shall include—

(A) a description of the extent of the problem of driving under the influence of an illegal drug in each State and any available information relating thereto, including a description of any laws relating to the problem

of driving under the influence of an illegal drug;

(B) an assessment of the status of drug impaired driving laws in the United States;

(C) a review of the compound effects of alcohol and controlled substances on impairment;

(D) the role of drugs as a causal factor in traffic crashes;

(E) an assessment of new research and technologies developed in the area of drug detection for drug-impaired driving enforcement, including noninvasive methods of detection;

(F) recommendations for addressing the problem of driving under the influence of an illegal drug, including recommendations on levels of impairment;

(G) a State-by-State review of drug recognition expert programs and recommendations for enhancing those programs through the training and utilization of drug recognition experts; and

(H) recommendations for developing a model statute relating to drug-impaired driving.

(g) **FUNDING.**—Out of amounts appropriated to carry out section 403 of title 23, United States Code, for fiscal years 2006 through 2009, the Secretary shall use \$1,200,000 per fiscal year to carry out this section.

SEC. 2014. TRANSPORTATION OF SCHOOL-CHILDREN.

The third sentence of section 402(a) of title 23, United States Code, is amended—

(1) by striking “and” before “(6)”; and

(2) by inserting before the period at the end the following: “, and (7) to prevent use of any motor vehicle designed to transport between 9 and 15 passengers (including the driver) for the transportation of children to and from school and events related to school”.

SEC. 2015. RURAL STATE EMERGENCY MEDICAL SERVICES OPTIMIZATION PILOT PROGRAM.

(a) **IN GENERAL.**—From funds made available to carry out section 403 of title 23, United States Code, for fiscal year 2006, the Secretary shall make \$1,000,000 available to conduct a pilot program for optimizing Emergency Medical Services (EMS) in a rural State.

(b) **COLLECTING DATA.**—The pilot program shall focus on collecting geo-coded data for highway accidents and resulting injuries, analyzing data to develop injury patterns and distributions, and improving placement and management of EMS resources and personnel.

(c) **SELECTION.**—The Secretary shall enter into an agreement with the State of Alaska to conduct the pilot program.

(d) **REPORT.**—Not later than 12 months after the completion of the pilot program, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the pilot program and recommendations for application to other rural States.

SEC. 2016. STATE APPORTIONMENTS.

Section 402(c) of the title 23, United States Code, is amended by striking “The annual apportionment to each State shall not be less than one-half of 1 per centum” and insert “The annual apportionment to each State shall not be less than three-quarters of 1 percent”.

In the matter proposed to be inserted as section 5308(d) of title 49, United States Code, by section 3009 of the bill, strike “35” and insert “25”.

In the first sentence of the matter proposed to be inserted as section 5309(d)(1) of title 49, United States Code, by section

3010(d) of the bill, after “\$25,000,000,” insert the following: “and the total estimated net capital cost of the project is less than \$200,000,000.”

In the matter proposed to be inserted as section 5317(c)(3)(A)(i) of title 49, United States Code, by section 3018(a) of the bill, strike “in other than urbanized areas of the State”.

In section 3023(g)(5), strike the subparagraph designation and heading for subparagraph (B) and insert the following:

(B) **DEFINITIONS.**—

In section 3023(g)(5)(B)—

(1) strike “the term” the first place it appears and insert “the terms”;

(2) insert “, ‘negotiated procurement’, and ‘contractor’” before “for purposes of”; and

(3) strike “the term” the second place it appears and insert “the terms”.

At the end of section 3023(g)(5), insert the following:

(C) **POST-AWARD WAIVERS.**—To permit a grantee to request a non-availability waiver from the Buy America requirements under section 661.7c of title 49, Code of Federal Regulations, after contract award in any case in which the contractor has made a certification of compliance with the requirements in good faith.

(D) **CERTIFICATION UNDER NEGOTIATED PROCUREMENT PROCESS.**—In any case in which a negotiated procurement process is used, compliance with the Buy America requirements shall be determined on the basis of the certification submitted with the final offer.

At the end of section 3023, add the following:

(1) **GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.**—Section 5323(i) is amended—

(1) by striking “(including clean fuel or alternative fuel vehicle-related equipment)”; and

(1) by inserting “or facilities” after “equipment” each place it occurs.

(j) **ALTERNATIVE FUELING FACILITIES.**—Section 5323 is further amended by adding at the end the following:

“(p) **ALTERNATIVE FUELING FACILITIES.**—A recipient of assistance under this chapter may allow the incidental use of Federally funded alternative fueling facilities and equipment by nontransit public entities and private entities if—

“(1) the incidental use does not interfere with the recipient’s public transportation operations;

“(2) all costs related to the incidental use are fully recaptured by the recipient from the nontransit public entity or private entity;

“(3) the recipient uses revenues received from the incidental use in excess of costs for eligible projects under this chapter; and

“(4) private entities pay all applicable excise taxes on fuel.”

At the end of the matter proposed to be inserted in section 5325 of title 49, United States Code, by section 3025(a)(1) of the bill, strike the closing quotation marks and the final period and insert the following:

“(i) **BUS DEALER REQUIREMENTS.**—No State law requiring buses to be purchased through in-State dealers shall apply to vehicles purchased with a grant under this chapter.”

In section 3037(a)(10), strike “\$20,000,000” and insert “\$24,084,000”.

In section 3037(a)(22), strike “\$12,211,061” and insert “\$12,651,061”.

After section 3037(b)(13), insert the following:

() **Nashua—Commuter Rail.**

In section 3037(b)(21), strike “Center Line LRT” and insert “Rapid Transit Project”.

Redesignate the paragraphs in section 3037(b) accordingly.

In section 3037(c), before paragraph (1) insert the following:

() Alameda, California—Fixed Guide-way Corridor Project.

Strike section 3037(c)(7) and insert the following:

() Atlanta—West Line I-20 Corridor Project.

In section 3037(c)(10), strike “Regional” and insert “Urban”.

In section 3037(c)(11), strike “Baltimore Light Rail System Extensions” and insert “Baltimore—Red Line Transit Project”.

After section 3037(c)(11), insert the following:

() Baltimore—Green Line Transit Project.

() Baton Rouge—Bus Rapid Transit.

After section 3037(c)(18), insert the following:

() Bridgeport, Connecticut—Bridgeport Intermodal Facility.

In section 3037(c)(25), strike “-West”.

After section 3037(c)(25), insert the following:

() Charlotte—West Corridor Project.

After section 3037(c)(53), insert the following:

() Florence-Myrtle Beach-Charleston, South Carolina—High Speed Rail Corridor.

After section 3037(c)(61), insert the following:

() Harrisburg, Pennsylvania—Corridor One MOS-2 (East Mechanicsburg to Carlisle).

() Henderson-Las Vegas-North Las Vegas—Regional Fixed Guideway Project.

After section 3037(c)(101), insert the following:

() Minneapolis-St. Paul-Hinckley, Minnesota—Rush Line Corridor.

Strike section 3037(c)(105).

After section 3037(c)(110), insert the following:

() New Bedford-Fall River, Massachusetts—Commuter Rail Extension.

After section 3037(c)(148), insert the following:

() Sacramento—Downtown Streetcar Project.

After section 3037(c)(154), insert the following:

() Salt Lake-Provo—Commuter Rail Extension.

After section 3037(c)(158), insert the following:

() San Diego—San Diego Imperial County Mag-Lev Rail Airport Corridor Project.

Strike section 3037(c)(174).

After section 3037(c)(180), insert the following:

() Stamford, Connecticut—Boston Post Road Intermodal Center and Capacity Expansion Project.

Redesignate the paragraphs in section 3037(c) accordingly.

After section 3042, insert the following (and redesignate subsequent sections and conform the table of contents accordingly):

SEC. 3043. FORGIVENESS OF GRANT AGREEMENT.

Notwithstanding any other provision of law (including any regulation), any outstanding balances on the following grant agreements made to the Lane County Transit District, Oregon, do not have to be repaid:

(1) Federal Contract Number OR-03-0087.

(1) Federal Contract Number OR-90-X094.

In section 4113(a) of the bill, before the closing quotation marks, insert the following:

“§ 31162. Operators registered in Mexico and Canada

“No operator of a commercial motor vehicle (as defined in section 31101) licensed in Mexico or Canada may operate in the United States a commercial motor vehicle transporting hazardous material until the operator has undergone a background records

check similar to the background records check required of operators of commercial motor vehicles licensed in the United States to transport hazardous materials.

In section 4113(b) of the bill, insert before the closing quotation marks the following:

“31162. Operators registered in Mexico and Canada.

In section 4129 of the bill, strike “State licensed” and all that follows through the final period at the end and insert: “State licensed or certified Mental Health counselors, State licensed or certified marriage and family therapists, or addiction specialists certified by the American Academy of Health Care Providers in the Addictive Disorders to act as substance abuse professionals under subpart O of part 40 of title 49, Code of Federal Regulations.”.

Strike section 4130 and insert the following:

SEC. 4130. INTERSTATE VAN OPERATIONS.

The Federal motor carrier safety regulations that apply to Interstate operations of commercial motor vehicles designed to transport between 9 and 15 passengers (including the driver) shall apply to all Interstate operations of such carriers regardless of the distance traveled.

At the end of subtitle A of title IV of the bill, insert the following:

SEC. 4137. TRUCKLOAD FUEL SURCHARGE.

(a) IN GENERAL.—Chapter 137 of title 49, United States Code, is amended by adding at the end the following:

“§ 13714. Fuel surcharge

“(a) REQUIREMENT FOR FUEL SURCHARGE.—Any contract or agreement, providing for truckload transportation or service involving a motor carrier, broker, or freight forwarder subject to jurisdiction under chapter 135 of this title that regularly provides such transportation or service, shall include a requirement that the payer of transportation charges pay a fuel surcharge that is no less than the amount of the Increased Cost of Fuel as determined under subsection (c).

“(b) IMPLEMENTATION.—The surcharge required by subsection (a)—

“(1) shall apply during any period in which the Current Diesel Fuel Price surpasses, by \$0.05 per gallon of diesel fuel, the Benchmark Price determined under subsection (c);

“(2) shall expire when the Current Diesel Fuel Price equals or is less than \$0.05 above the Benchmark Price set forth in subsection (c);

“(3) shall be calculated on the date the applicable shipment is physically tendered to the motor carrier, broker, or freight forwarder;

“(4) shall be itemized separately on the invoices of the motor carrier, broker, or freight forwarder;

“(5) shall be paid to the motor carrier, broker, or freight forwarder by the payer of transportation charges;

“(6) shall not apply to any transportation contract or agreement, in effect on the date of enactment of this section, that provides for a fuel cost adjustment or surcharge; and

“(7) may be expressed on a mileage basis, as a percentage of the freight charge, or in any other manner the motor carrier, broker, or freight forwarder elects.

“(c) CALCULATION OF INCREASED COST OF FUEL.—

“(1) INCREASED COST OF FUEL.—For purposes of this section, the Increased Cost of Fuel shall be the amount determined by subtracting the Benchmark Price from the Current Diesel Fuel Price and then multiplying the difference by the number of gallons of diesel fuel used in the transportation or service provided.

“(2) BENCHMARK PRICE.—For purposes of this section, the following apply:

“(A) INITIAL PRICE.—For the period beginning on the date of enactment of this section and ending immediately before the effective date of the first adjusted Benchmark Price under subparagraph (B), the Benchmark Price shall be \$1.10 per gallon of diesel fuel.

“(B) SUBSEQUENT ADJUSTMENTS.—During each calendar year subsequent to the calendar year of enactment of this section, the Secretary of Transportation shall adjust the Benchmark Price by the percentage change in the previous calendar year’s Annual Truckload Producer Price Index as determined by the Department of Labor and shall publish that adjusted Benchmark Price in the Federal Register. The effective date of each adjusted Benchmark Price shall be the first day of the month following the date of such publication.

“(3) CURRENT DIESEL FUEL PRICE.—For purposes of this section, the Current Diesel Fuel Price shall—

“(A) be the latest weekly average price for retail on-highway diesel fuel published by the Energy Information Administration for the Petroleum Administration for Defense district or subdistrict where a shipment is physically tendered to the motor carrier, broker, or freight forwarder; and

“(B) take effect the midnight after the weekly average price is published.

“(4) AMOUNT OF FUEL USED.—In calculating the number of gallons of diesel fuel used in providing transportation or service under paragraph (1)—

“(A) it shall be assumed that a gallon of diesel fuel is used for each 5 miles of transportation; and

“(B) the mileage of the transportation or service provided shall be the number of miles as determined under the ‘Defense Table of Official Distances’ issued by the Surface Deployment and Distribution Command, Department of Defense or under any applicable mileage guide established under section 13703(a)(1)(D).

“(d) LIMITATION ON AUTHORITY.—Notwithstanding any other provision of this part, any action to enforce this section may only be brought by the motor carrier, broker, or freight forwarder that provided the transportation services against the payor of the transportation charges or by the payor of the transportation charges against the motor carrier, broker, or freight forwarder that provided the transportation services. In such action, a court shall have the authority to determine whether a fuel surcharge required under this section has been assessed or paid. A court shall not have the authority in such action to review any other charges imposed by the provider of the transportation services. Notwithstanding the publication of the Benchmark Price under subsection (c)(2), neither the Secretary of Transportation nor the Surface Transportation Board shall have regulatory or enforcement authority relating to provisions of this section.

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

“(1) PAYER OF TRANSPORTATION CHARGES.—The term ‘payer of transportation charges’ means any person who pays for the transportation or service involved.

“(2) PERSON RESPONSIBLE FOR PAYING FOR FUEL.—The term ‘person responsible for paying for fuel’ means any person who bears the cost of fuel used for the transportation or service involved.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“13714. Fuel surcharge.”.

(c) CONFORMING AMENDMENT.—Section 14102 of title 49, United States Code is amended by adding at the end the following:

“(c) MANDATORY PASS-THROUGH TO COST BEARER.—

“(1) IN GENERAL.—A motor carrier, broker, or freight forwarder providing transportation or service using fuel not paid for by it—

“(A) shall pass through to the person responsible for paying for fuel any fuel surcharge or adjustment required pursuant to section 13714 or provided for in a transportation contract or agreement at the same time payment for the transportation or service is made to the person responsible for paying for fuel;

“(B) shall disclose in writing to the person responsible for paying for fuel the amount of all freight rates, charges, and fuel surcharges applicable to that transportation or service; and

“(C) may not reduce, for the purpose of adjusting for or avoiding the pass-through of a fuel surcharge, nonfuel related compensatory transportation payments to the person responsible for paying for fuel.

“(2) LIMITATION ON AUTHORITY.—Notwithstanding any other provision of this part, the person responsible for paying for fuel may bring an action to enforce this subsection under section 14704 against the motor carrier, freight forwarder, or broker providing the transportation services with vehicles not owned by it or with fuel not paid for by it. Neither the Secretary of Transportation nor the Surface Transportation Board shall have regulatory or enforcement authority relating to provisions of this subsection.”

In the matter proposed to be inserted as section 507 of title 23, United States Code, by section 5203 of the bill—

(1) in subsection (e)(2) strike “and develop” and insert “develop”;

(2) in subsection (e)(2) insert “; expand research and thinking on the uses for and vegetation of transportation corridors in the United States; expand research efforts aimed at understanding wildlife movement near corridors, roadkill rates, and road-barrier effects and at developing efficient mitigation designs for road crossing by animals; catalyze research on the effects of corridors and traffic on adjoining land, including traffic disturbance and the spread of invasive species; conduct further research on means of restoring natural hydrologic and sediment flows and distributions in the vicinity of roads; expand research on transportation’s effects on water quality, aquatic ecosystems, and fish in various bodies of water and on ecologically effective solutions; support, expand, and initiate research on the ecological effects of air pollutants from roads and vehicles at the roadside, neighborhood, regional, and global levels; develop road-network models and approaches for reducing habitat fragmentation, population extinction, wildlife-corridor, and remote-area impacts; foster collaborative landscape-wide environmental analyses by engineers, ecologists, and planners, with an emphasis on combining ecological solutions with other societal objectives; and stimulate research on understanding public preferences for improvements in natural systems of both short- and long-term significance to society” after “enhancement measures”;

(3) in subsection (e)(3) strike “and develop” and insert “develop”;

(4) in subsection (e)(3) insert “; develop operational definitions and indicators for environmental justice and social equity as the concepts pertain to transportation; develop and demonstrate methods that can be used to display the incidence of transportation project and program effects, both beneficial and adverse, and develop improved methods for evaluating costs and benefits when they are not evenly distributed, including environmental and social justice impact criteria in system performance measures used in transportation planning and investment de-

terminations; continue and expand studies on the comparative costs of transportation and the effects of different development patterns, particularly for economically disadvantaged communities; and develop and test new methods for integrating public involvement into transportation analysis and decision-making, and examine the implications of emerging citizen coalitions for environmental and social justice” after “conflict resolution”;

(5) in subsection (e)(4) strike “and” the last place it appears;

(6) in subsection (e)(4) insert “; and analyze user response to and future demand for environmentally beneficial vehicles, fuels, and mobility services, such as the demand for and use of new environmentally beneficial vehicles and fuels” after “new technologies”;

(7) in subsection (e)(5) strike “and develop” and insert “develop”;

(8) in subsection (e)(5) insert “; continue and expand research on the impacts of transportation facilities; and assess and compare alternative transportation and land use strategies, such as models for regional cooperation” after “systematic fashion”;

(9) in subsection (e)(6) strike “and develop” and insert “develop”;

(10) in subsection (e)(6) insert “; develop a more effective understanding of the perceptions and priorities of the transportation system’s customers (users and taxpayers); develop a more effective understanding of the nature of personal travel, as well as associated trends and decision processes; develop a more effective understanding of the nature of commercial travel and the freight industry, as well as associated trends and decision processes, including key trends such as e-commerce and e-freight; develop a more effective understanding of the role of transportation services and facilities in the economy; develop techniques for identifying community aspirations and crafting community and regional visions related to transportation planning; develop tools that incorporate the complex dynamics of travel behavior; and develop the reliable data sets needed for these models; and develop methods and institutional structures for integrating transportation planning, programming, design, and operation” after “determine effectiveness”.

At the end of section 5204 of the bill, insert the following:

(f) TURNER-FAIRBANK FACILITY.—Of the funds made available to carry out section 5101(a)(1), \$1,000,000 shall be made available by the Secretary for each of fiscal years 2005 through 2008 to provide for physical demonstrations of the ongoing work at the Turner-Fairbanks facility with respect to ultrahigh performance concrete with ductility.

In section 5205(h)(3) of the bill, strike “\$3,000,000” and insert “\$3,500,000”.

At the end of section 5215 of the bill, insert the following:

(d) AUTHORIZATION.—From the amounts made available in section 5101(a)(1), \$500,000 shall be available for each of fiscal years 2005 through 2009 to carry out this section.

In section 5251(a) of title 49, United States Code, as proposed to be added by section 6002 of the bill, strike “section” and insert “subchapter”.

At the end of subtitle B of title V of the bill, insert the following (and conform the table of contents of the bill accordingly):

SEC. 5216. HAZARDOUS MATERIALS RESEARCH PROJECTS.

(a) IN GENERAL.—The Administrator of the Pipeline and Hazardous Materials Safety Administration shall enter into a contract with the National Academy of Sciences to carry out the 9 research projects called for in the 2005 Special Report 283 of the Transportation Research Board entitled “Cooperative Research for Hazardous Materials Transpor-

tation: Defining the Need, Converging on Solutions”. In carrying out the research projects, the National Academy of Sciences shall consult with the Administrator.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the need to establish a cooperative research program on hazardous materials transportation.

(c) FUNDING.—Of the amounts made available by section 5101(a)(1) of this Act, \$1,000,000 for each of fiscal years 2005 through 2009 shall be available to carry out this section.

At the end of subtitle D of title V of the bill, insert the following:

SEC. 5403. TRANSPORTATION TECHNOLOGY INNOVATION AND DEMONSTRATION PROGRAM.

Section 5117(b)(3) of the Transportation Equity Act for the 21st Century (23 U.S.C. 502 note) is amended—

(1) in subparagraph (B)(i)—

(A) by striking “Build an” and inserting “Build or integrate an”;

(B) by striking “\$2,000,000” and inserting “\$2,500,000”;

(C) by striking “300,000 and that” and inserting a comma; and

(D) by inserting before the period at the end the following: “, and includes major transportation corridors serving that metropolitan area”;

(2) in subparagraph (C)(ii) by striking “by July 1, 2002” and inserting “by 6 months after the date of enactment of the Transportation Equity Act: A Legacy for Users”; and

(3) in subparagraph (E) by striking clause (ii) and inserting the following:

“(ii) The term ‘follow-on deployment areas’ means the metropolitan areas of Albany, Atlanta, Austin, Baltimore, Birmingham, Boston, Burlington, Charlotte, Chicago, Cleveland, Columbus, Dallas/Ft. Worth, Denver, Detroit, Greensboro, Hartford, Houston, Indianapolis, Jacksonville, Kansas City, Las Vegas, Los Angeles, Louisville, Miami, Milwaukee, Minneapolis-St. Paul, Nashville, New Orleans, New York/Northern New Jersey, Norfolk, Northern Kentucky/Cincinnati, Oklahoma City, Orlando, Philadelphia, Phoenix, Pittsburgh, Portland, Providence, Raleigh, Richmond, Sacramento, Salt Lake, San Diego, San Francisco, San Jose, St. Louis, Seattle, Tampa, Tucson, Tulsa, and Washington, District of Columbia.”;

In title VII of the bill, strike section 7005. Redesignate subsequent sections of title VII, and conform the table of contents, accordingly.

In section 7009(e), strike “Pipelines” and insert “Pipeline”.

At the end of title VII of the bill, insert the following:

SEC. 7028. NATIONAL FIRST RESPONDER TRANSPORTATION INCIDENT RESPONSE SYSTEM.

(a) IN GENERAL.—The Secretary shall provide funding to the Operation Respond Institute to design, build, and operate a seamless first responder hazardous materials incident detection, preparedness, and response system.

(b) EXPANSION.—This system shall include an expansion of the Operation Respond Emergency Information System (OREIS).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section \$2,500,000 for each of fiscal years 2005 through 2007.

SEC. 7029. COMMON CARRIER PIPELINE SYSTEM.

(a) STUDY.—The Secretary shall conduct a study of the economic, environmental, and

homeland security advantages and disadvantages of operating a common carrier pipeline system in the States of Texas, Louisiana, Mississippi, and Alabama for the transportation of aromatic chemicals.

(b) EVALUATION.—In conducting the study, the Secretary shall evaluate the appropriateness of different Federal incentives for the construction and operation of such a pipeline system, including loan guarantees, other types of financial assistance, and various types of tax incentives.

(c) REPORT.—Not later than December 31, 2005, the Secretary shall transmit to Congress a report on the results of the study, including recommendations, if any, for legislation.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IX—RAIL PROVISIONS

SEC. 9101. HIGH-SPEED RAIL CORRIDOR DEVELOPMENT.

(a) CORRIDOR DEVELOPMENT.—

(1) AMENDMENTS.—Section 26101 of title 49, United States Code, is amended—

(A) in the section heading, by striking “**planning**” and inserting “**development**”;

(B) in the heading of subsection (a), by striking “**PLANNING**” and inserting “**DEVELOPMENT**”;

(C) by striking “corridor planning” each place it appears and inserting “corridor development”;

(D) in subsection (b)(1)—

(i) by inserting “, or if it is an activity described in subparagraph (M)” after “high-speed rail improvements”;

(ii) by striking “and” at the end of subparagraph (K);

(iii) by striking the period at the end of subparagraph (L) and inserting “; and”; and

(iv) by adding at the end the following new subparagraph:

“(M) the acquisition of locomotives, rolling stock, track, and signal equipment.”; and

(E) in subsection (c)(2), by striking “planning” and inserting “development”.

(2) CONFORMING AMENDMENT.—The item relating to section 26101 in the table of sections of chapter 261 of title 49, United States Code, is amended by striking “planning” and inserting “development”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 26104 of title 49, United States Code, is amended to read as follows:

“§26104. Authorization of appropriations

“(a) FISCAL YEARS 2006 THROUGH 2013.—There are authorized to be appropriated to the Secretary—

“(1) \$70,000,000 for carrying out section 26101; and

“(2) \$30,000,000 for carrying out section 26102,

for each of the fiscal years 2006 through 2013.

“(b) FUNDS TO REMAIN AVAILABLE.—Funds made available under this section shall remain available until expended.”.

TITLE X—TAX PROVISIONS

SEC. 10001. SHORT TITLE.

This title may be cited as the “Highway Reauthorization Tax Act of 2005”.

SEC. 10002. EXTENSION OF HIGHWAY-RELATED TAXES AND TRUST FUNDS.

(a) EXTENSION OF TAXES.—

(1) IN GENERAL.—The following provisions of the Internal Revenue Code of 1986 are each amended by striking “2005” each place it appears and inserting “2011”:

(A) Section 4041(a)(1)(C)(iii)(I) (relating to rate of tax on certain buses).

(B) Section 4041(a)(2)(B) (relating to rate of tax on special motor fuels).

(C) Section 4041(m)(1) (relating to certain alcohol fuels).

(D) Section 4051(c) (relating to termination of tax on heavy trucks and trailers).

(E) Section 4071(d) (relating to termination of tax on tires).

(F) Section 4081(d)(1) (relating to termination of tax on gasoline, diesel fuel, and kerosene).

(G) Section 4481(f) (relating to period tax in effect).

(H) Section 4482(c)(4) (relating to taxable period).

(I) Section 4482(d) (relating to special rule for taxable period in which termination date occurs).

(2) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of such Code (relating to floor stocks refunds) is amended—

(A) by striking “2005” each place it appears and inserting “2011”, and

(B) by striking “2006” each place it appears and inserting “2012”.

(b) EXTENSION OF CERTAIN EXEMPTIONS.—The following provisions of such Code are each amended by striking “2005” and inserting “2011”:

(1) Section 4221(a) (relating to certain tax-free sales).

(2) Section 4483(h) (relating to termination of exemptions for highway use tax).

(c) EXTENSION OF DEPOSITS INTO TRUST FUNDS.—

(1) IN GENERAL.—Paragraphs (1) and (2) of subsection (b), and paragraphs (2) and (3) of subsection (c), of section 9503 of such Code (relating to the Highway Trust Fund) are each amended—

(A) by striking “2005” each place it appears and inserting “2011”, and

(B) by striking “2006” each place it appears and inserting “2012”.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (4)(A)(i) and (5)(A) of section 9503(c) of such Code are each amended by striking “2005” and inserting “2011”.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–11(b)) is amended—

(i) by striking “2003” and inserting “2009”, and

(ii) by striking “2004” each place it appears and inserting “2010”.

(d) EXTENSION AND EXPANSION OF EXPENDITURES FROM TRUST FUNDS.—

(1) HIGHWAY TRUST FUND.—

(A) HIGHWAY ACCOUNT.—Paragraph (1) of section 9503(c) of such Code is amended—

(i) in the matter before subparagraph (A), by striking “June 1, 2005” and inserting “October 1, 2009”,

(ii) by striking “or” at the end of subparagraph (J),

(iii) by striking the period at the end of subparagraph (K) and inserting “, or”,

(iv) by inserting after subparagraph (K) the following new subparagraph:

“(L) authorized to be paid out of the Highway Trust Fund under the Transportation Equity Act: A Legacy for Users.”, and

(v) in the matter after subparagraph (L), as added by clause (iv), by striking “Surface Transportation Extension Act of 2004, Part V” and inserting “Transportation Equity Act: A Legacy for Users”.

(B) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(i) in the matter before subparagraph (A), by striking “June 1, 2005” and inserting “October 1, 2009”,

(ii) by striking “or” at the end of subparagraph (H),

(iii) by inserting “or” at the end of subparagraph (I),

(iv) by inserting after subparagraph (I) the following new subparagraph:

“(J) Transportation Equity Act: A Legacy for Users.”, and

(v) in the matter after subparagraph (J), as added by clause (iv), by striking “Surface Transportation Extension Act of 2004, Part V” and inserting “Transportation Equity Act: A Legacy for Users”.

(C) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking “June 1, 2005” and inserting “October 1, 2009”.

(2) AQUATIC RESOURCES TRUST FUND.—

(A) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of such Code is amended by striking “Surface Transportation Extension Act of 2004, Part V” each place it appears and inserting “Transportation Equity Act: A Legacy for Users”.

(B) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of such Code is amended—

(i) by striking “June 1, 2005” and inserting “October 1, 2009”, and

(ii) by striking “Surface Transportation Extension Act of 2004, Part V” and inserting “Transportation Equity Act: A Legacy for Users”.

(C) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking “June 1, 2005” and inserting “October 1, 2009”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 10003. TECHNICAL CORRECTIONS REGARDING HIGHWAY-RELATED TAXES.

(a) AMENDMENTS RELATED TO SECTION 301 OF THE AMERICAN JOBS CREATION ACT OF 2004.—Section 6427 of such Code is amended—

(1) by striking subsection (f), and

(2) by striking subsection (o) and redesignating subsection (p) as subsection (o).

(b) AMENDMENTS RELATED TO SECTION 853 OF THE AMERICAN JOBS CREATION ACT OF 2004.—

(1) Subparagraph (C) of section 4081(a)(2) of the Internal Revenue Code of 1986 is amended by striking “for use in commercial aviation” and inserting “for use in commercial aviation by a person registered for such use under section 4101”.

(2) So much of paragraph (2) of section 4081(d) of such Code as precedes subparagraph (A) is amended to read as follows:

“(2) AVIATION FUELS.—The rates of tax specified in clauses (ii) and (iv) of subsection (a)(2)(A) shall be 4.3 cents per gallon—”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the American Jobs Creation Act of 2004 to which they relate.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

This is a bipartisan amendment, submitted by the gentleman from Minnesota (Mr. OBERSTAR) and me, and I urge the passage of the amendment.

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

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I support the manager’s amendment. It is a delicate balance which we have reached, and we need to pass it now.

Mr. EHLERS. Chairman YOUNG and Ranking Member OBERSTAR have done an impressive job moving the transportation reauthorization so quickly in the 109th Congress. With this summer's construction season nearly upon us, it is critical that we enact a strong transportation bill prior to the current extension's expiration—May 31, 2005. It's just as critical that this legislation be fair for all States. That's why I've supported efforts to increase the rate-of-return in the minimum guarantee to 95 percent.

Keeping the scope of programs covered by TEA 21's Minimum Guarantee calculation at the TEA 21 level of 92.6 percent is an essential part of achieving improved highway funding equity.

Keeping the scope in TEA-LU consistent with current law will provide more funding to my State's core programs and help address the funding inequities for donor States.

I am pleased that the Manager's Amendment includes a new distribution formula that brings the scope of programs covered by the Minimum Guarantee closer to current law under TEA 21. Michigan and other donor States need to prevent going backwards on scope and to improve our rate of return to 95 percent.

I thank Chairman YOUNG for his cooperation with donor States on this issue. I hope to work with my colleagues to improve the rate-of-return when we get to conference with the Senate. For my State, we're depending on a higher rate of return as well as the scope improvements we're making today.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to commend Chairman YOUNG and Ranking Member OBERSTAR, as well as the Subcommittee leadership for their hard work in crafting the underlying legislation. However, I offer my support for the Manager's Amendment that seeks to incorporate very important initiatives that were contained in some of the amendments that were made in order by the Committee on Rules.

While the underlying bill before us proposes to provide \$620 million for some 175 high priority projects in the State of Texas, there remain issues that will pose significant problems for Houston and for Texas unless this body offers its commitment to address in the future.

Toll credits are a significant resource for transit providers because they can use them in lieu of obtaining a Federal match—thereby greatly expediting the development of major projects that serve the communities. This amendment will cripple the value of the toll credit program.

Without the revenue from toll credits, Texas will have less funding for the reduction of congestion and the improvement of air quality. In reducing an otherwise viable revenue stream, this amendment would restrict local governments like Houston from choosing the best tool to respond to local conditions and priorities. I would have voted against the amendment that would prohibit the tolling of new interstates, including the I-69 Corridor, which lacks an alternate source of financing.

I ask that the Committee on Transportation and Infrastructure continue its efforts to provide funds to complete the Interstate 69 Corridor. The termination of the Interstate Program in 1995 left no mechanism to finish the nation's few remaining incomplete Interstates such as I-69. Currently, there is no program to fund major projects which benefit the nation

as a whole but whose costs exceed states' apportioned funds. Based on these needs, I ask my colleagues to include the National Corridor Infrastructure Improvement Program and the Projects of National and Regional Significance provisions in the bill underlying today. Furthermore, I ask that the Committee include them at a funding level equal to those included in H.R. 3550.

The Manager's Amendment proposes key technical and program improvements to the underlying bill language. In particular, I support the changes to the calculation of "Revenue Aligned Budget Authority" (RABA); re-establishment of budgetary firewalls for highways and transit programs; reauthorization of the Swift Rail Act at \$100 million per year (title IX of the bill); and extension of revenue provisions approved by the Ways and Means Committee.

Moreover, I support the improvements to the bill proposed in the Manager's amendment. In particular, due to the tremendous bipartisan efforts of my colleagues, the amendment now includes language to guarantee that TEA 21's 90.5 percent Minimum Guarantee is protected, with a scope defined as no less than 92.6 percent of the highway program funds in the bill. This is a significant improvement over the bill passed by the House last year. I thank the distinguished Majority Leader for his work in ensuring that this measure will protect these provisions, allowing the House to move into conference in a stronger negotiating position toward achieving a higher MG above 90.5 percent. The Manager's Amendment makes this a better bill for Houstonians and for Texans.

I would like to offer my support for the amendment offered by Mr. DAVIS of Virginia that will ensure that tolls are applied equally to all users of toll facilities. This amendment would eliminate language in the underlying bill that requires lower tolls to be charged to low income drivers. Since the administration of differential tolls may be challenging for our existing and future toll authorities, this amendment will make important adjustments to the underlying bill.

Secondly, I support the Burgess Amendment, which would change the calculation for transportation development credits to ensure that Texas and other states with toll facilities are able to take full advantage of these credits for the benefit of our transit, highway, and highway safety programs. This proposal is vital to the provision of a pro rata calculation of the credits so that we are not penalized for using Federal dollars in our transportation development projects. I support this amendment and ask that my colleagues join me as the Gentleman brings this proposal to the floor.

Furthermore, I support the proposal of Mr. PITTS that would provide a temporary transition period for transit entities (including three in Texas) that, under the most recent Census, are now subject to the over 200,000 population prohibition on the use of transit formula dollars for operating expenses. The Pitts amendment would allow those small transit entities in this new situation to use up to 50 percent of their formula funds for operating expenses for FYs 2005 through 2007 and up to 25 percent of the formula funds for operating expenses in FYs 2008 and 2009.

In addition, I join my colleague from Texas, Mr. BARTON in the initiative of his amendment to require studies and assessments of risks to human health or the environment to use sound and objective scientific practices.

Mr. Chairman, for the foregoing reasons, I support the Manager's Amendment and urge my colleagues to do the same.

Mr. YOUNG of Alaska. Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109-15.

□ 1145

AMENDMENT NO. 2 OFFERED BY MR. TOM DAVIS OF VIRGINIA

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. BASS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TOM DAVIS of Virginia:

Page 138, at the end of line 16, insert "and".

Page 138, line 18, strike "and" and insert a period.

Page 138, strike lines 19 and 20.

Page 145, strike line 24 and all that follows through line 5 on page 146.

Page 146, line 6, strike "(c)" and insert "(b)".

Page 146, line 15, strike "(d)" and insert "(c)".

Page 235, at the end of line 14, insert "and".

Page 235, strike lines 15 through 18.

Page 235, line 19, strike "(7)" and insert "(6)".

Page 240, at the end of line 9, insert "and".

Page 240, strike lines 10 through 13.

Page 240, line 14, strike "(6)" and insert "(5)".

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Virginia (Mr. TOM DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me address my friends on the other side, because they are aware of our traffic problems in Northern Virginia where we have tried to get infusions of money to take care of the second-largest traffic jams in the country, and we have arrived at something called the HOT lanes, these high-occupancy toll lanes that we are looking at for a public-private cooperation that we would use along the Beltway and possibly I-66.

This is a partnership. The Federal Government will fund part of it, but there is just not enough money in the highway bill, or at least we have not been able to get enough money out of the highway bill, if the gentleman would help on that there would be no need for this amendment, to build these extra lanes. We have the private sector coming in and building the lanes, and then the users do the tolls on the lanes, and that is how we lay asphalt. Because there is not enough

money at the State, local, and Federal levels to lay enough asphalt on these lanes; and so we are using tolls in some of these areas.

The current bill contains several provisions that make it difficult for us to collect tolls on the interstate highway without trying to decide how much money people make, and there is almost a means testing into who uses them. It is very, very difficult to determine how much you are going to collect to get your bonds, what percent are low income and what percent are high income, and so we basically knock that out of the current language in this legislation.

I support the provisions that allow the high-occupancy tolls, but I am concerned about the requirement for States to establish procedures to permit low-income individuals to pay reduced tolls. These are user fees. These are not taxes. This requirement would impose unmanageable requirements on those States who would otherwise like to make use of these tolling provisions, and in our case it is the only way we can lay down new pavement.

The Commonwealth of Virginia now seeks to use toll provisions to finance several important projects, including widening of the Capital Beltway, adding HOT lanes to I-95, and adding dedicated truck lanes on I-81 in the Shenandoah Valley. The Capital Beltway HOT lane proposal, which would greatly benefit my constituents, as an example, is a public-private partnership. In addition, the I-81 partnership is another example. These partnerships are increasingly important as Virginia and, I think, other States in the Union grapple with massive infrastructure needs that are not met, even though this bill will help toward our final results.

In this instance, the ability of tolls on a HOT lane to pay for construction has been determined by cost-benefit analysis, which would be skewed by some users not paying the full toll. As we look for these public-private partnerships to take over construction of some road projects, it is important not to set a precedent for eliminating or reducing tolls which could affect bond financing.

In addition, the cost of a bureaucracy to administer a reduced-toll program would add tremendously to the cost of operating a toll facility and I believe would provide a strong disincentive for private investment. The existence of automated tolling technologies does not address the issue. The most fundamental question is how the Department of Transportation would determine the income. It seems to me this would be extraordinarily problematic and would make tolling an impractical option.

Tolls are user fees, not taxes. There are currently no tolling facilities in the country that provide an income-based discount. Furthermore, no other highway-user expenses are regulated by the Federal Government to require dis-

counts based on income: not the gas tax, not the price of automobiles, and not the price of auto insurance. Why do we single out tolls?

Finally, I want to make clear that while I do not think that income-based tolling is a viable solution, my amendment would not stop anybody from doing it. The Governor of Virginia does not think it is practical, but the Governor of another State might have another view, and that flexibility would remain in this legislation if my amendment passes.

Frankly, I would be interested in seeing how a State might implement income-based tolling. But this provision would amount to a considerable mandate upon the States, a mandate I do not believe we should add to their already full plate with growing transportation infrastructure needs. This just takes some of the flexibilities we are trying to employ outside the box now off the table.

So, Mr. Chairman, I would hope the House would adopt this amendment.

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

Mr. OBERSTAR. Mr. Chairman, how much time remains for the gentleman from Virginia?

The Acting CHAIRMAN. The gentleman from Virginia (Mr. TOM DAVIS) has 1 minute remaining.

Mr. OBERSTAR. Mr. Chairman, I claim the time in opposition to the gentleman's amendment, and I yield myself 4 minutes.

We have waited patiently for the gentleman to arrive, and recognize that he has, like all of us, many demands on his time. I am glad the gentleman is here to offer his amendment, and we understand the problems in this committee of Northern Virginia, which the gentleman so ably represents.

In the fashioning of TEA-21, along with the gentleman's Senator, Senator WARNER, and former Chairman Shuster, we supported the Wilson Bridge, which all of America contributed out of the Highway Trust Fund over \$900 million. This is the only bridge of its kind in the country to get that kind of special consideration. We recognize, and I have watched the growth of toll facilities in the Dulles access corridor. I understand those problems that this growth-bedeviled area has had to cope with.

However, there is a very serious problem here of low-income people living in an area distant from the job. My daughter worked at Jubilee Jobs in the Adams-Morgan area in D.C. placing people who came out of homeless shelters, people who had just been released from prison, people who, through, in many cases, no fault of their own, had just fallen through the welfare safety net. There were a number of jobs available for those people out at Dulles Airport, but they could not afford to drive. There is no public transportation for them to take to get out to Dulles Airport to match the person with the job. Their jobs went unanswered and people

went jobless because of the cost of transportation.

In Chicago, Chicago experienced white flight to the suburbs. The suburbs needed people to perform work in stores, in homes, in facilities, hospitals, and nursing homes; but the workers were in the city. Chicago initiated a welfare-to-work program to provide compensation for those who would still live in their neighborhoods in the city, but provide the jobs in the suburbs. For every thousand jobs in the suburbs a \$10 million economic benefit resulted.

Now, Chicago could set up a very simple process of matching the welfare workers, the welfare-level workers to the jobs and provide assistance to them. So can Virginia. So can other States. There is no need to say, oh, there is going to be a huge bureaucracy created. It is a very simple process. A person comes in and shows their immediate basis and applies for the assistance, applies for whatever designation is required, the FAST pass or the designation to get through the toll facility. It does not cost anything additional. And if there is a derogation of dollars to the toll facility, then the State in the public interest can make that up.

All we are saying in the legislation pending is that low-income people pay a higher percentage of their household income for transportation than other income groups, and tolling facilities should not drive people out of the job marketplace.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN), my colleague and friend from Northern Virginia.

Mr. MORAN of Virginia. Mr. Chairman, I support this amendment. Governor Warner of Virginia has contacted us in support of Mr. DAVIS's amendment because he does not see how exempting low-income people from having to pay is enforceable.

I fully agree with the gentleman from Minnesota (Mr. OBERSTAR), my very good friend, that we do not want to put people in situations that they cannot afford, particularly the working class that we are trying to provide adequate transportation for, so that they can get to work in a timely manner.

In so many of our States, however, I certainly know in Northern Virginia, we do not have a way to move anybody unless we can figure out some more innovative way, and these HOT lanes do seem to give us the means to provide more transportation access. And I do not see how it is enforceable to do what the gentleman from Minnesota wants to do.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

Let me say to my friend, if you really want to help poor people, build additional lanes of traffic and get some of

the traffic off the road so they can get onto the conventional lanes. That is what this does.

This is the only way we have found to lay new pavement in Northern Virginia, unless we can come up with billions more dollars that we cannot get into this bill. Poor people would still be able to use existing roads to get there. This will divert traffic that is currently on those roads into other lanes as well.

I agree with the gentleman in terms of the impact that this has on low-income families, but I think the current language is not the way to do it; and I kindly ask for favorable consideration of my amendment.

□ 1200

Mr. OBERSTAR. Mr. Chairman, the language in the bill just directs States to establish a program and procedures. All you have to do is issue a pass to the individuals based on their qualification as a low-income person and use the pass to get through the tolling facility. That is all we are saying.

Otherwise, those toll facilities produce Lexus lanes, produce Mercedes and Hummer lanes, who will whiz through while the poor folk cannot afford to get through. I know from personal experience. I have traveled around this country to areas where we have those problems, either some communities have responded by investing in transit systems so that low-income people, as in Sacramento, 3,200 low-income persons were able to use their transit system to get to jobs.

You are not doing that in Northern Virginia for various reasons. I concur with what the gentleman says, another \$90 billion invested in transportation, as this committee introduced the bill in its original form, would take care of this problem. But we must insist on the committee position and defeat the gentleman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to strongly oppose the Davis of Virginia amendment to TEA-LU, which would remove the requirement that toll rates on high occupancy toll lanes be differentiated for low income drivers. I find it unfortunate that Members of this body would offer amendments to this legislation that effectively say that lower income individuals are on the same financial footing as those who are in upper income brackets.

The fact is that we as Americans have decided that those who make less, share less of the burden to bring revenue into our local, State, and Federal government. Indeed, we all know that we are taxed based on our income and value of our possessions. In the same vein, tolls that will go towards paying for public transportation projects, should have some variability based on the income of drivers. This principle is applied throughout our economic practices and it is a fair principle because we recognize that unduly burdening lower income individuals will only weaken our national economy.

The fact is that lower income Americans depend on their automobiles the same way higher income Americans do. Lower income Amer-

icans often need their cars to reach jobs they can't otherwise reach through public transportation. They use their cars to transport their families and take part in commerce that would otherwise be unavailable to them without their own private transportation. However, if we insist on making lower income drivers pay the same tolls as higher income drivers then we make the cost of transportation more prohibitive for lower income Americans. These drivers already have to deal with the soaring costs of fuel and the high premiums they pay to maintain car insurance. If we also burden them with high tolls then we will keep them from achieving their potential and we can only hurt our overall society that benefits from lower unemployment and increased commerce.

I urge the Members of this body to reject this amendment because it only seeks to create a larger burden upon lower income Americans. We must all be given a chance to achieve the American Dream and this dream is made harder for too many lower class Americans when we unfairly raise the level of their tolls.

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS) will be postponed.

The point of no quorum is considered withdrawn.

The Acting CHAIRMAN. It is now in order to consider Amendment No. 3 printed in Part B of House Report 109-15.

AMENDMENT NO. 3 OFFERED BY MR. BURGESS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BURGESS:

At the end of subtitle H of title I of the bill, add the following (and conform the table of contents of the bill accordingly):

SECTION 1838. TRANSPORTATION DEVELOPMENT CREDITS.

Section 120(j)(1) of title 23, United States Code, is amended—

(1) by striking "A State" and inserting the following:

"(A) IN GENERAL.—A State"; and

(2) by striking the last sentence and inserting the following:

"(B) SPECIAL RULE FOR USE OF FEDERAL FUNDS.—If the public, quasi-public, or private agency has built, improved, or maintained the facility using Federal funds, the credit under this paragraph shall be reduced by a percentage equal to the percentage of the total cost of building, improving, or maintaining the facility that was derived from Federal funds.

"(C) FEDERAL FUNDS DEFINED.— In this paragraph, the term 'Federal funds' does not include loans of Federal funds or other finan-

cial assistance that must be repaid to the Government."

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS.)

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

The amendment that I offer today addresses an important issue of fairness, flexibility and opportunity according to how we finance our Nation's transportation systems.

I believe that States should be credited for their non-Federal investment in revenue-generating transportation facilities to address their regional transportation needs. As of 2003, 20 States have applied to the Federal Highway Administration for Federal credits based on their toll revenue as authorized under Section 120(J) of Title 23 of the United States Code.

This program allows States to accumulate these Federal credits in recognition of their non-Federal investment in local transportation facilities. In the past 10 years, some \$14 billion in Section 120(j) credits have been accumulated by these States. The accumulation of these Federal credits reflects the level of commitment that States and localities nationwide are making to find non-Federal solutions to their growing transportation needs.

The creation of this program in the 1991 ISTEA legislation recognizes the importance of these efforts. The use of non-Federal revenues for needed transportation facilities is not a new concept. States and localities for decades have turned to revenue-generating forms of project financing to address their tremendous transportation financing needs.

Especially today, given the tight fiscal situation that many States and localities face, the use of transportation facilities that pay for themselves without additional Federal funding is essential. This amendment changes the calculation of the section 120(j) credits to reflect the proportionate State and local investments in revenue-generating transportation facilities.

Why is this important, and why do we need to make this change in the bill today? In my home State of Texas, we have entered into a new era of transportation project development, delivery and financing. With the introduction of new State and local transportation financing tools, Texas will be able to accelerate projects that have been needed for years, leveraging transportation funds that are currently available to finance additional projects today rather than tomorrow and decades in the future.

These new tools allow my home State to include new financing partners, like the private sector and new regional mobility authorities in solving Texas' transportation challenges.

In order to take full advantage of these new tools, we must make the

most effective use of our available transportation dollars, both local, State and Federal. To that end, we expect to use some Federal funds in nearly every major transportation mobility project that we build. However, the current system is untenable. For instance, a State may use 99 percent of non-Federal funds on a needed transportation project, but under the current credit calculation that State cannot receive any credit for that investment because of the use of 1 percent Federal funds in the project.

This is an unfair penalty. It must be changed to properly recognize the local and State share of investments in meeting our transportation needs.

Currently, 20 States are using 120(j) credits to finance needed transportation projects. Ohio uses toll credits to match GARVEE bonds on projects and shares with local government for both highway and transit projects.

New Jersey has used approximately \$860 million of \$1.9 billion in approved toll credits for approved highway projects.

Florida is using many credits on Federal aid projects so that most of its Federal highway programs are 100 percent Federally funded. Projects include the new Everglades Parkway, the Pinellas County Bayway, Beeline East Expressway and the Sunshine Skyway.

Kentucky will use toll credit as a match on the Federal highway projects releasing about 100 million per year.

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

Mr. OBERSTAR. Mr. Chairman, I claim the time in opposition. How much time remains for the gentleman from Texas?

The Acting CHAIRMAN. The gentleman from Texas has 1 minute.

Mr. OBERSTAR. Mr. Chairman, I yield myself 4 minutes.

This amendment really crosses the line on tolling. I have always believed tolls are a bad idea, but if a State wants to do that and citizens want to subject themselves to toll facilities, that is their business.

But on the interstate highway system, we have a very effective financing mechanism through the Highway Trust Fund and through the national highway system. Again, the Highway Trust Fund supports construction of needed transportation facilities.

But to mix Federal funds with tolls is anathema to the idea of a publicly supported transportation system through our Highway Trust Fund and the user fee.

I could understand if the gentleman from Texas (Mr. BURGESS) were advocating and others were advocating tolls and toll-only facilities. But to cross the line and mix Highway Trust Fund dollars with toll funds to encourage building of toll facilities to indirect competition with toll-free highways, just does not make any sense at all.

In fact, there is an example in the State of California where a toll operator persuaded the State legislature to

enact authority to build a toll facility but then prohibited the public sector from building additional capacity in the same corridor in the adjoining public roadway.

The toll was built; it did not work. It was on the verge of bankruptcy. At the same time, the State was ready to build additional lanes on the public facility. The toll operator took the State to court and prevailed against building the publicly-free facility, so the State wound up buying the toll facility and building additional lanes.

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

Mr. BURGESS. Mr. Chairman, I yield 45 seconds to the gentleman from Texas (Mr. MARCHANT) and state that this amendment does nothing of the sort as to what happened in California.

Mr. MARCHANT. Mr. Chairman, I thank the gentleman from Texas (Mr. BURGESS) for introducing this amendment and for the gentleman's hard work over the last 2 years on transportation issues in Texas.

Under current law, even if \$1 of Federal money is spent towards a State toll project, no transportation development credits will be accrued by the State. In other words, not only does the Federal Government punish States for investing in toll facilities, it also prevents them from using transportation development credits which would have been accumulated for the use and purchase of transit capital such as buses and transit cars.

The United States has a 50-year-old highway system put under enormous strain by our population. Combine that with the fact that there is simply not enough money to go around for highways and transit programs, and there is a large gap between our country's transportation needs and that which can be provided under current funding. I urge my colleagues to support this amendment.

Mr. BURGESS. Mr. Chairman, I urge my colleagues to vote for this amendment, and I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

To push the idea of toll facilities in the direction of merging Federal highway trust fund dollars with toll dollars is just anathema to the whole concept of a publicly supported transportation network. We should not allow this type of initiative in tolling.

If Members want to have tolls, do it the old-fashioned way and use the toll dollars and create Lexus lanes and create Mercedes lanes, but do not use the public dollars to merge with the toll facility dollars and create a severe disparity and discrimination against publicly built toll facilities.

Remember the California example; that is what will happen here. We will have others of that nature. I urge a "no" vote on this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, the amendment before us is about increasing financial flexibility.

Toll credits allow the expenditure of non-federal funds on one project to serve as the match on another project.

The benefit of having toll credits is to enable various transportation projects to exchange a toll credit for non-federal share of a project's cost.

This measure does not render a good house keeping seal of approval on tolls, but it does recognize that States like Texas, that are experiencing significant increases in population and diminishing roadway capacity, are able to better leverage their transportation dollars.

I have heard from my State, and others that utilize tolling, repeatedly, on how this toll credit development will better equip them in addressing challenges now and in the long run.

Mr. OBERSTAR. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. BURGESS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. BURGESS) will be postponed.

It is now in order to consider amendment No. 4 printed in House Report 109-15.

AMENDMENT NO. 4 OFFERED BY MR. BURGESS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BURGESS: Strike section 1501 of the bill, and insert the following (and conform the table of contents of the bill accordingly):

SECTION 1501. DESIGN-BUILD CONTRACTING.

(a) IN GENERAL.—Section 112(b)(3) of title 23, United States Code, is amended to read as follows:

“(3) DESIGN-BUILD CONTRACTING.—

“(A) IN GENERAL.—A State transportation department or local transportation agency may use design-build contracts for development of projects under this chapter and may award such contracts using any procurement process permitted by applicable State and local law.

“(B) LIMITATION ON WORK TO BE PERFORMED UNDER DESIGN-BUILD CONTRACTS.—Construction of permanent improvements shall not commence under a design-build contract awarded under this paragraph before compliance with section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

“(C) SCOPE OF WORK.—The scope of the contractor's work under a design-build contract awarded under this paragraph may include assistance in the environmental review process for the project, including preparation of environmental impact assessments and analyses, if such work is performed under the direction of, and subject to oversight by, the State transportation department or local transportation agency and the State transportation department or local transportation agency conducts a review that assesses the objectivity of the environmental assessment, environmental analysis, or environmental

impact statement prior to its submission to the Secretary.

“(D) PROJECT APPROVAL.—A design-build contract may be awarded under this paragraph prior to compliance with section 102 of the National Environmental Policy Act of 1969, only—

“(i) upon request by the State transportation department or local transportation agency;

“(ii) with the concurrence of the Secretary in issuance of the procurement documents and any amendments thereto and in award of the contract and any amendments thereto; and

“(iii) if project approval will be provided after compliance with section 102 of the National Environmental Policy Act of 1969.

“(E) EFFECT OF CONCURRENCE.—Concurrence by the Secretary under subparagraph (D) shall be considered a preliminary action that does not affect the environment.

“(F) DESIGN-BUILD CONTRACT DEFINED.—In this section, the term “design-build contract” means an agreement that provides for design and construction of a project by a contractor, regardless of whether the agreement is in the form of a design-build contract, a franchise agreement, or any other form of contract approved by the Secretary.”

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue regulations that amend the regulations issued under section 1307(c) of the Transportation Equity Act for the 21st Century (23 U.S.C. 112 note). The regulations—

(1) shall allow a State transportation department or local transportation agency to use any procurement process permitted by applicable State and local law in awarding design-build contracts, including allowing unsolicited proposals, negotiated procurements, and multiple requests for final proposals; except that the Secretary may require reasonable justification to be provided for any sole source procurement; and

(2) may include “best practices” guidelines;

(3) shall not preclude State transportation departments and local transportation agencies from allowing proposers to include alternative technical concepts in their “base” proposals;

(4) shall not preclude State transportation departments and local transportation agencies from issuing a request for proposals document, proceeding with award of a design-build contract, or issuing a notice to proceed with preliminary design work under such a contract prior to compliance with section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) if the design-build contractor is not authorized to proceed with construction of permanent improvements prior to such compliance; and

(5) shall provide guidelines regarding procedures to be followed by the State transportation department or local transportation agency in their direction of and oversight over any environmental impact assessments or analyses for the project which are to be prepared by the contractor or its affiliates.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

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

Mr. Chairman, I intend to ask unanimous consent to withdraw this amendment, but before I do, I would like to

engage the gentleman from Alaska (Chairman YOUNG) in a brief colloquy on this issue.

Mr. Chairman, in 1998 Congress passed TEA-21. And as enacted, TEA-21 contained congressional intent and guidance language to the United States Department of Transportation to implement design-build contracting rules. But, Mr. Chairman, the final rules did not mirror Congress’ intent in the slightest.

H.R. 3, as introduced and passed by the committee, included section 1501 on design-build, and I thank the chairman, the ranking member, and the committee staff for recognizing the level of importance that design-build holds in the reauthorization debate. However, the language currently in the bill does not repair conflicts in the law.

My concern is that the Federal Government has been slow to respond to initiatives at the State level that advance those goals. Current Federal rules dampen the efficiency of design-build with a complicated procurement process, taking the wind out of the sails of innovation.

Federal processes still favor a consecutive approach to project development, requiring separate environmental review, design and construction contracts. This causes unnecessary delay, added cost and reduced efficiencies in delivering critical transportation projects.

I want to work with the committee in conference to repair the design-build law so States can benefit from its intended efficiency.

Mr. Chairman, the gentleman from Alaska has visited my State, and I am grateful for that. The gentleman has heard from our constituents and our commissioners and our governor. This is necessary to take our work to the next level. Sure we talk about changing funding formulas, but that alone is not enough to satisfy everyone, and we all know that. All I am asking for is a chance to show that we can be innovative in using the limited funds that we receive.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. BURGESS. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I agree with the goals of the gentleman from Texas, and I look forward to working with the gentleman’s entire delegation to meet these goals in conference.

Mr. BURGESS. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

□ 1215

The Acting CHAIRMAN (Mr. ADERHOLT). It is now in order to consider amendment No. 5 printed in House Report 109-15.

AMENDMENT NO. 5 OFFERED BY MR. ISSA

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. ISSA:

At the end of section 1208 of the bill, insert the following:

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary and the States should provide additional incentives (including the use of high occupancy vehicle lanes on State and Interstate highways) for the purchase and use of hybrid and other fuel efficient vehicles, which have been proven to minimize air emissions and decrease consumption of fossil fuels.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from California (Mr. ISSA) and a Member opposed each will control 5 minutes.

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

Mr. ISSA. Mr. Chairman, I yield myself such time as I may consume. I am hopeful and believe that there will be no opposition to this well-crafted, narrowly crafted amendment to this legislation.

I want to thank Chairman YOUNG and the members of the committee who helped make this a very good amendment. This amendment, Mr. Chairman, seeks to empower our States when they have excess capacity in their HOV lanes to use that capacity to encourage and promote the superlow-emissions hybrid vehicles that are just emerging on our highways today. California and other States have passed laws in anticipation of our doing our job to allow this. I believe that it will promote superlow emissions, higher-efficiency vehicles for a period of only 4 years to give this an opportunity.

I would urge all of our colleagues to bear in mind that when we authorized HOV lanes, we did so for two purposes: one was to reduce congestion; the other was to save fuel. Hybrid vehicles do an excellent job of saving fuel. I urge my colleagues to vote for this amendment.

Mr. CARNAHAN. Mr. Chairman, I rise today in support of the Issa amendment.

Quite simply, the increased use of fuel efficient vehicles is a boon to our country.

Hybrid vehicles benefit our environment. Our cities and towns are being choked by smog. The increased use of hybrid vehicles would reduce this problem.

Hybrid vehicles also benefit our economy. The Ford Escape Hybrid is assembled in my home State of Missouri. Sales for the Escape hybrid have been so strong that this plant cannot keep up with demand. This plant provides thousands of good paying jobs here in the United States.

I assure you that if you ask the workers in that plant if they support increased incentives for the purchase of hybrid vehicles, their answer would be a resounding “yes.”

Finally, vehicles that reduce our use of gasoline mean greater energy security for our country, and less U.S. dollars going to countries with hostile regimes.

The increased use of hybrid vehicles is truly a win-win situation and I urge my colleagues to support this amendment.

Mr. ISSA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The amendment was agreed to.

VACATING PRIOR PROCEEDINGS ON AMENDMENT
NO. 3 OFFERED BY MR. BURGESS

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent that the proceedings by which the request for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) was considered be vacated and the vote be put anew.

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

There was no objection.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 109-15.

AMENDMENT NO. 6 OFFERED BY MR. PASCRELL

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. PASCRELL:

After section 1108 of the bill, insert the following (and redesignate subsequent sections, and conform the table of contents, of the bill accordingly):

SEC. 1109. PAY TO PLAY REFORM.

Section 112 of title 23, United States Code, is amended by adding at the end the following:

“(h) CONSTRUCTION.—Nothing in this section may be construed to prohibit a State from enacting a law or issuing an order that limits the amount of money an individual, who is doing business with a State agency for a Federal-aid highway project, may contribute to a political campaign.”.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from New Jersey (Mr. PASCRELL) and the gentleman from Wisconsin (Mr. PETRI) each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PASCRELL).

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

The so-called “pay-to-play” restrictions, Mr. Chairman, enacted in many States like Connecticut, New Jersey, Pennsylvania, Illinois, South Carolina, Kentucky and West Virginia, for instance, there is a threat which is real; and whether it is real or whether it is apparent, we need to stamp out corruption. We have come to an agreement in the State of New Jersey. We have come to bipartisan support of an attempt by both sides of the aisle to end corruption as not only we know it because neither party is privy to virtue, neither State is privy to corruption.

What we are trying to do here is look at what is the result of large political contributions from contractors who try to influence the awarding of public contracts. Mr. Chairman, there is Fed-

eral precedent for this, and I would venture to say that we all in this Chamber should be reading what that precedent is. This does not open up a Pandora’s box. This is simply providing States the ability to clean up their own act, to reform their own government, and to give those people an opportunity to bid in a more apparent, transparent process.

Mr. Chairman, the Federal Highway Administration argued that the New Jersey order violated section 112 of title XXIII, a provision dealing with bid-letting. This amendment intends to support what New Jersey has attempted to do to open up the bid process, not to close it down, not to shrink it, but rather to expand it so that there is more transparency.

Why should the Federal Government stop those States who want to end the process of corruption in their contract-letting? Why should this Federal Government, which has our own rules, the SEC was a perfect example of this just a few years ago, that if you are going to contribute, then you need to stay out of the process of bidding. This passed in the New Jersey Assembly 78-0. It passed in the New Jersey Senate 34-0. It is bipartisan.

Mr. Chairman, I yield to the gentleman from New Jersey.

Mr. LOBIONDO. Mr. Chairman, I would like to thank the gentleman from New Jersey (Mr. PASCRELL) who has worked very hard on this issue and I have joined with him. I appreciate the work that he has done.

Let me say in starting that the vast majority of contractors in my State, in the State of New Jersey, are hard-working, ethical people who do good work and do the right thing. The real problem we have in New Jersey is that some public officials more interested in helping themselves than working to improve transportation infrastructure in the State have influenced the situation.

The good news is that Trenton is finally trying to do something about it. The legislature has enacted reforms, as the gentleman from New Jersey (Mr. PASCRELL) has discussed on this particular issue. I wish the State had provided the Federal Highway Authority with the cost savings they say exist, as I understand that that may have solved the problem and we maybe would not have had to do this today. Unfortunately, that is in the past; and we have to deal with the situation as it is.

I am strongly supporting this amendment and will join with the gentleman from New Jersey (Mr. PASCRELL) in voting for this amendment, because New Jersey desperately needs every penny of Federal highway and transit dollars and should not be penalized for trying to do the right thing. That is what it is all about: New Jersey is trying to do the right thing.

Mr. PASCRELL. Mr. Chairman, reclaiming my time, the Pascrell-Mendez-LoBiondo amendment only impacts States that choose to pass a pay-to-

play reform law. This is a win-win for both sides. I cannot emphasize that enough. How many times have we come to this Chamber when we try to get it over on the other side? That is natural in politics.

This is a win-win for both sides, not only in New Jersey but throughout the country. I ask for the support of this body. I think this is good legislation, I think the amendment makes sense, and it is backed up by Federal law.

Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, three quick points. This does not require any State to do anything. It simply allows a State to perform a reform in the context of contracting. We recognize this already under Federal law in section 441 of the Federal highway bill. The SEC has done the same type of thing in its context. No State should be prohibited from enacting reforms as it relates to improving the integrity of public contracting in their State. It will not apply to any Federal officeholder, but it will allow States ultimately to pursue reforms in the context of contracting and the integrity of its process.

We should support the amendment.

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

Mr. Chairman, I think what we are seeing here is certainly a very well-meaning amendment designed to correct a problem in the State of New Jersey; but if it is adopted, what we will find is the law of unintended consequences coming into play.

We have a Federal framework. The goal of that framework is to have competitive bidding and to end up getting the lowest qualified bid to save the taxpayer money and get the work done. Many of these projects cross State lines. Contractors work all over the United States. If we start allowing each State to come up with different bidding procedures and qualifications that contractors have to meet in order to participate in the bidding, it is inevitably going to add to paperwork and end up resulting in higher-cost construction across our country and less for the hard-earned tax dollars that are spent on transportation here in the United States.

We are not arguing there may not be a problem in New Jersey. We are not arguing that it should be cleaned up. We are eager to work with the Members from New Jersey to try to have hearings or to promote investigations, do what we can to help clean up the situation in New Jersey, but not at the expense of weakening the system of competitive bidding nationwide that is designed to promote as efficient a procurement process as possible.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. PASCRELL).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 109-15.

AMENDMENT NO. 7 OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. ROGERS of Michigan:

At the end of title II of the bill insert the following (and conform the table of contents accordingly):

SECTION 2013. SAFE INTERSECTIONS.

(a) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

“§ 39. Traffic signal preemption transmitters

“(a) OFFENSES.—

“(1) SALE.—A person who knowingly sells a traffic signal preemption transmitter in or affecting interstate or foreign commerce to a person who is not acting on behalf of a public agency or private corporation authorized by law to provide fire protection, law enforcement, emergency medical services, transit services, maintenance, or other services for a Federal, State, or local government entity, shall, notwithstanding section 3571(b) of title 18, United States Code, be fined according to this title, imprisoned not more than 1 year, or both.

“(2) USE.—A person who makes unauthorized use of a traffic signal preemption transmitter in or affecting interstate or foreign commerce shall be fined according to this title, imprisoned not more than 6 months, or both.

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

“(1) TRAFFIC SIGNAL PREEMPTION TRANSMITTER.—The term ‘traffic signal preemption transmitter’ means any mechanism that can change or alter a traffic signal’s phase time or sequence.

“(2) UNAUTHORIZED USE.—The term ‘unauthorized use’ means use of a traffic signal preemption transmitter by a person who is not acting on behalf of a public agency or private corporation authorized by law to provide fire protection, law enforcement, emergency medical services, transit services, maintenance, or other services for a Federal, State, or local government entity. The term ‘unauthorized use’ does not apply to use of a traffic signal preemption transmitter for classroom or instructional purposes.”.

(b) TABLE OF SECTIONS.—The table of sections for chapter 2 of title 18, United States Code, is amended by adding at the end the following:

“39. Traffic signal preemption transmitters.”.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Michigan (Mr. MIKE ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank the committee today for taking up this very important piece of legislation. It may be innocuous in the grand scheme of this important bill that we are about to pass, setting the transportation

needs for the rest of America, but we have a growing problem that this amendment will address, traffic preemption devices. They are devices that will change the signal as you are driving in your car remotely from your vehicle. Currently used by law enforcement and emergency vehicle services to conduct their business and get to the place they need to in the most safe manner possible, it is now being offered on the Internet and other places and getting in the hands of those who would seek to do harm.

One can imagine in the hands of a bank robber trying to escape, changing the light scheme on his way out of town. One can imagine the frustrated congestion that someone might engage in Washington, D.C. or any other large city, the convenience of just pushing the button and changing the light. One can imagine a terrorist act and what harm and devastation they could cause to emergency vehicle response to their ability to get in and to get out of a place quickly.

□ 1230

The dangers of this are real, the dangers are growing. This amendment would simply apply some common sense and make it illegal for those who are selling this on the Internet, for those who are in possession of this, who should not be. I think it is crucial.

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

Mr. ROGERS of Michigan. I yield to the gentleman from Wisconsin.

Mr. PETRI. Mr. Chairman, I just want to compliment the gentleman for being an alert legislator. Technology creates new possibilities for mischief as well as for good. The gentleman has spotted a problem, and we thank the gentleman for calling it to our attention. We support the amendment, and I believe it will be adopted without opposition.

Mr. ROGERS of Michigan. Mr. Chairman, reclaiming my time, I thank the chairman for working with us on this.

I do want to thank the Committee on Transportation and Infrastructure and the Committee on the Judiciary for working with us, the Committee on Rules, and Senator DEWINE for working with me on this amendment and offering the same in the Senate.

I also want to thank my staff member, Heather Keiser, who has been passionate about traffic safety and working on intelligent technology systems. She has been passionately involved in these types of activities, who actually raised the flag and said this is a problem and it needs to be fixed for the safety and security of our local Americans and our local emergency service personnel. I thank her as well. She is getting ready to leave this week, so this is a great way for her to go out on such a high note, I think, making an important difference.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. ADERHOLT). The question is on the

amendment offered by the gentleman from Michigan (Mr. ROGERS).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider Amendment No. 8 printed in House Report 109-15.

AMENDMENT NO. 8 OFFERED BY MR. PITTS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. PITTS:

In the matter proposed to be inserted as paragraph (1) of section 5307(b) of title 49, United States Code, by section 3008(c)(1) of the bill—

(1) strike “and” at the end of subparagraph (C); and

(2) strike the period at the end of subparagraph (D) and insert “; and” and the following:

“(E)(i) in the case of fiscal years 2005 through 2007, 50 percent of the operating cost of equipment and facilities for use in mass transportation in an urbanized area with a population of more than 200,000 if the transit system with respect to which the grant is being made operates in an urbanized area that exceeded 200,000 in population according to the 2000 Census; or

“(ii) in the case of fiscal years 2008 and 2009, 25 percent of the operating cost referred to in clause (i).

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Pennsylvania (Mr. PITTS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PITTS).

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

Mr. Chairman, under current law, when an urbanized area exceeds 200,000 in population, the transit system serving the area not only receives less Federal transit funding, but also loses their flexibility to use Federal transit funds to meet unique local transit needs.

The 2000 Census was the first census carried out under this law, and we are now seeing the consequences of this law, which uses an arbitrary and outdated threshold that was really first established and used in the 1950s.

Today it is hurting our Nation’s most thriving communities. Fifty-two small transit systems across the Nation and the communities they serve face a financial crisis that they are not equipped to handle. That means more than 11 million people across the country will have their public transit service affected.

These systems will have to cut routes and raise fares in the hope of making ends meet. But for most, even that will not be enough. This will hurt passengers who rely on transit, workers who need to get to their jobs, elderly who need to get to the grocery store or pharmacy and, in my district, particularly the Amish, who rely on transit because it is against their religion to own cars.

We need to give these transit systems time to find alternative funding solutions at the State and local levels. My

amendment allows these small transit systems, only 52 of them, to have flexibility in using 50 percent of their Federal transit funds through the year 2007 and then reduces that 25 percent for 2008 and 2009.

This is the least we can do for these systems that are servicing some of the healthiest growing communities across the country.

Two systems in my districts, Red Rose Transit and BARTA in Reading are facing a financial crisis because of this law. We should not punish healthy systems in growing communities.

Mr. Chairman, I appreciate the chairman's support for holding these systems harmless over the past couple of years. However, due to the uncertainty surrounding this year and the transportation programs throughout the country, these small systems have not been able to find local solutions. We need more time, and I urge Members to support the amendment.

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

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the gentleman from Pennsylvania has made a very strong case for the issue which he presents with this amendment, and we in the committee have worked with the gentleman and his staff to allow transit systems in urbanized areas to retain flexibility in the use of Federal transit formula funds, and I thought we had worked out throughout the development of TEA-LU the extension that the gentleman was seeking to extend the period of flexibility for urbanized areas to use Federal funds for operating assistance through this year, which is half the time before the next census.

More than 50 urbanized areas have been eligible to use their transit grants for operating expenses, but apparently the gentleman wants to go further than we agreed in our internal deliberations and discussions, and I think that it goes beyond the agreement that we reached in committee. For that reason, I cannot support it.

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

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

Mr. Chairman, the extensions we have had are only 6 months at a time. We have had a couple of those. We would like to extend to the end of the authorization period.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Chairman, I rise in support of this amendment, which will help small transit systems maintain flexibility in the use of their Federal money. I would like to thank the gentleman from Pennsylvania for his leadership on this issue, which is

particularly important to my constituents in Lubbock, Texas.

I want to repeat, this amendment does not increase funding for transit systems. Rather, it gives them some flexibility to manage those transit systems in the most efficient and effective ways.

Under the current law, once an urbanized area exceeds 200,000 people in population, it loses that flexibility. What impact that is going to have on my constituents in Lubbock, Texas, is my transit system has had to try to scale back the hours of operation, particularly some on Saturday. Saturday is when a lot of families need to get to the doctor and need to go buy groceries. But quite honestly, also for people who live in my district who are employed, that have to get to work on Saturdays.

So what we need to do is have these communities work with their transit systems and look for alternative ways to fund transit in the future. We need to give them some time and the flexibility they need to do that.

Mr. Chairman, I urge Members to support this amendment.

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

Mr. Chairman, let me just say, again, this is not asking for more money; it is flexibility, and it is a phased-down flexibility to soften the blow on the small transit system and provide them more time to find alternative solutions to the funding crises they face. There are some 52 systems, many represented by Members from the other side of the aisle.

I urge support for the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, certainly there is a concern among those metropolitan areas whose population has grown significantly since the 2000 Census, and they are seeking more flexibility for the use of funds on their Federal transit formula grant to use those dollars for operating assistance. But to extend the flexibility beyond the 5 years, as we have provided in TEA-LU, would undermine the statutory formulas.

It might benefit some areas, the pending amendment might benefit some areas, but would inflict a fairness issue upon other areas, to indicate that statutory formula that we use to apportion funds using most recent census data is no longer applicable for a certain area.

The amendment as offered would create confusion and would create unfairness among users, among other transit systems across the country.

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

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

Mr. PITTS. Mr. Chairman, as a point of clarification, it is my understanding that what is in TEA-LU only extends the flexibility to 2005. What mine does

is just extends it to end of the authorization.

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, that is correct. I said that at the very outset. I made it very clear we extended it through 2005. That was our understanding. That is what I thought was the agreement we reached and the compromise, that we would go through 2005. Then you just have a few more years until the next census, and then the issue would be resolved for all of the country and not just a few areas.

So I urge defeat of the amendment.

Mr. McGOVERN. Mr. Chairman, I rise today in support of the amendment proposed by Mr. PITTS of Pennsylvania. The Pitts amendment protects smaller transit systems' flexibility in utilizing Federal transit funds. Unlike current law, which punishes these transit systems and communities, the Pitts amendment extends flexibility by providing additional time to seek State and local solutions to the funding problems they face.

Transit systems across the country are severely restricted by the current regulation. In my district in Massachusetts, the Southeast Regional Transit Authority is being constrained by this regulation, making it impossible for them to meet local needs of the city of Fall River.

Current law punishes smaller transit systems and the communities they serve simply because they are thriving. These smaller transit systems rely on budget flexibility and cannot make major revisions overnight. On October 1, 2005, these systems will lose all flexibility. The Pitts amendment extends their flexibility by phasing out their funding options over a 5-year period. That's a good idea. I urge my colleagues to join me in supporting this important amendment.

Mr. OBERSTAR. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. PETRI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) will be postponed.

The Acting CHAIRMAN. It is now in order to consider Amendment No. 9 printed in House Report 109-15.

AMENDMENT NO. 9 OFFERED BY MR. HONDA

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. HONDA:

In subparagraph (I) that is proposed to be added at the end of section 410(b)(1) of title 23, United States Code, by section 2003(b)(6) of the bill, insert after “(A)(i)(ii)” the following: “, including a program of the court system (such as a driving while intoxicated court) for the purpose of changing the behavior of alcohol or drug dependent offenders arrested for driving while impaired.”

The Acting CHAIRMAN. Pursuant to H. Res. 144, the gentleman from California (Mr. HONDA) and a Member opposed each will control 5 minutes.

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

Mr. HONDA. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the gentleman from Michigan (Mr. EHLERS) and I offer a simple but important amendment that will make explicit the eligibility of DWI Courts for basic grant funds under section 2003 of H.R. 3, TEA-LU. Section 2003 authorizes funds for Alcohol-Impaired Driving Countermeasures.

In the year 2003, approximately 17,400 Americans were killed in alcohol-related accidents across this country. These deaths constitute 40 percent of all traffic-related fatalities. Make no mistake; drunk driving is a public health crisis, and DWI Courts, which are on the front lines of the national efforts to curb drunk driving, offer a proven method of reducing recidivism rates among DWI offenders.

Unlike traditional court systems, DWI Courts hold offenders to the highest level of accountability, while providing long-term intensive treatment and compliance monitoring to address the root cause of the DWI, alcohol abuse.

DWI Courts are so successful because they draw on a diverse range of professionals, governmental agencies and community organizations. Each DWI Court judge heads a team of prosecutors, defense attorneys, probation officers, law enforcement representatives and alcohol treatment professionals. They work in concert with each other and governmental community organizations to ensure that DWI offenders get the punishment they deserve and the treatment and services they need to be responsible members of our society. Evidence suggests that these DWI Courts are working.

Unfortunately, too few DWI Courts are taking advantage of Federal transportation dollars and section 2003 of H.R. 3 does not clearly authorize use of grant funds for these courts. Our amendment will clear up any confusion in this regard and encourage additional jurisdictions to establish their own DWI Courts.

Mr. Chairman, I urge my colleagues to support this amendment.

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

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

Mr. PETRI. Mr. Chairman, I would just like to commend the gentleman for this amendment and for making the law clear about these courts. They have been an effective program.

We support the amendment, and thank the gentleman for his contribution.

Mr. EHLERS. Mr. Chairman, I rise in support of the Honda/Ehlers amendment.

The purpose of this amendment is simply to clarify and make explicit that DWI courts are eligible for funding under the Alcohol-Impaired Driving Countermeasures section of the bill.

It has become clear that the traditional process is not working for repeat drunk driving offenders. Punishment that is unaccompanied by treatment and accountability is an ineffective deterrent for the repeat DWI offender. The outcome for the offender is continued dependence on alcohol; the outcome for communities is the continued threat of drivers under the influence of drugs and alcohol.

DWI/Drug Courts are distinct court systems dedicated to changing the behavior of alcohol/drug dependent offenders arrested for DWI. The goal of DWI/Drug Courts is to protect public safety by attacking the root cause of DWI: alcohol and other drug abuse.

DWI/Drug Courts utilize all criminal justice stateholders (prosecutors, defense attorneys, probation, law enforcement, and others) along with alcohol/drug treatment professionals. This group of professionals comprises a "DWI/Drug Courts Team," which is usually accountable to the DWI/Drug Court judge who heads the team. The DWI/Drug Court Team uses a team-oriented approach to systematically change participant behavior. This approach includes identification and referral of participants early in the legal process to a full continuum of drug/alcohol treatment and other rehabilitative services. These courts have been very successful in Michigan, where approximately one-third of all DWI courts are located.

A five-year study conducted on the Lansing, MI DUI/Drug Court demonstrates a 13 percent recidivism rate for graduates of the DUI/Drug Court program versus 35 percent for a comparison group. Unfortunately, funding and resources are often an obstacle to starting DWI courts.

Adoption of this amendment will deliver a clear and unmistakable message to the American people that Congress will take the necessary steps to stop drunk driving. It will send the clear and unmistakable message that we support the valuable work being done by DWI/Drug Courts.

Clarifying that DWI courts are eligible for funding will encourage more state and local courts to pursue these comprehensive, treatment-driven programs. I encourage my colleagues to support the Honda amendment.

Mr. HONDA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. HONDA).

The amendment was agreed to.

□ 1245

The Acting CHAIRMAN (Mr. ADERHOLT). It is now in order to consider amendment No. 10 printed in House Report 109-15.

AMENDMENT NO. 10 OFFERED BY MR. BARTON OF TEXAS

Mr. BARTON of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. BARTON of Texas:

Before the closing quotation marks at the end of the matter proposed to be inserted as section 507 of title 23, United States Code, by section 5203 of the bill, insert the following:

(h) SOUND AND OBJECTIVE SCIENTIFIC PRACTICES.—

(1) IN GENERAL.—Assessments of risks to human health or the environment and research conducted under this section shall use sound and objective scientific practices. Assessments of risks to human health or the environment conducted under this section, where such an assessment concerns the evaluation of multiple studies, shall consider the best available science, and shall include a description of the weight of the scientific evidence.

(2) FEDERAL AGENCIES.—Federal agencies using studies funded under this section to conduct an assessment of risks to human health or the environment shall use sound and objective scientific practices in assessing risks, shall consider the best available science, and shall include a description of the weight of the scientific evidence.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

I offer this amendment to make sure that the so-called scientific studies performed under the provisions of the bill are, in fact, based on science and not on anyone's view or preconceived notions of what science should be.

For too long, documents and studies performed on risk assessments on health and the environment have been produced that do not really reflect science, but rather a given policy bias mixed with elements of science. That document is then paraded forward, as if it were a true risk assessment.

I want to make sure that when the Federal Government asks for a risk assessment, that the response is based on sound and objective scientific practices. I also want to ensure that the assessor of those risks to human health and the environment consider the best available scientific information.

These types of requirements are not new. These are the same types of requirements we have enacted in law for the purpose of the Safe Water Drinking Act; and not surprisingly, those principles have worked very well.

With this amendment, we will also follow a related recommendation with the 1997 recommendation of the President's Commission on Risk Assessment and Risk Management. Specifically, the amendment asks assessors of risks to provide a description of the weight of the evidence concerning a given risk. In other words, when a new risk to our health or the environment is claimed in a study, those responsible for releasing the study must describe their understanding of what best science tells us about that risk.

The bill before us today contains a section providing for the Surface Transportation Environment and Planning Cooperative Research program.

This section, among other items, addresses risk assessments of public health and the environment. These subject matters are within the jurisdiction of the Committee on Energy and Commerce. I want to ensure that these provisions reflect the congressional desire for sound science.

I want to thank the gentleman from New York (Chairman BOEHLERT) of the Committee on Science for his work and assistance in the base text of the language and also for his and his staff's assistance in working out the language of this amendment.

Mr. Chairman, I urge my colleagues to support the amendment.

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

Mr. OBERSTAR. Mr. Chairman, I claim the time in opposition to the amendment.

Mr. Chairman, how much time remains of the gentleman from Texas?

The Acting CHAIRMAN. The gentleman from Texas has 3 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, on the face of it, who could object to sound science, objective science? That is what science should be. But the thrust of this amendment is not in the words of the amendment. They are not going to get us to that point. The language says, in considering assessment of risks to human health and the environment, such an assessment, where an assessment concerns the evaluation of multiple studies, shall include the best available science and description of the weight of the scientific evidence. And further on, in subsection 2, a description of the weight. That is not objectivity. That is totally subjective. To start considering the weight of scientific evidence, that is not a scientific term in and of itself.

So I am all for science and for good science, but this language is going to obfuscate the evaluation of risks and open the door of opportunity for more lawsuits over what is meant by weight, multiple studies, available science. I think this goes directly in the opposite direction of the purpose of the gentleman from Texas.

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

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

I want to make a brief comment and then recognize the gentleman from New York (Mr. BOEHLERT), the chairman of the Committee on Science. When the gentleman from Minnesota asked who could object to this, we know the answer. The good gentleman from Minnesota, my good friend objects to it. So that answers that question.

I would point out that the gentleman from Alaska (Chairman YOUNG) supports this, and the gentleman from New York (Chairman BOEHLERT) supports this, and the President's Council on Risk Assessment supports this lan-

guage. It is language that is in current law for the Safe Water Drinking Act. So there are a number of eminent groups and individuals that do support it.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I rise in support of this amendment which relates to language that originated in the Committee on Science. The language of the amendment was negotiated between the Committee on Science and the Committee on Energy and Commerce. I, frankly, do not think that this amendment is especially necessary, but I feel comfortable with the language.

The language we worked out does not allow any political interference with science, nor does it set any new standards for science. It does not raise any legal hurdles for scientists or agencies. It is a simple statement of what we expect from scientific research and the use of that research, particularly risk assessments.

What we expect is what any scientist would expect, which is that the researchers strive for objectivity and use the best available scientific practices, and that when the literature review is done for a risk assessment, that that review look at the best available science and that it describe where the weight of the scientific evidence is.

It is pretty hard to imagine a case where that would not be done, which is why I do not think the amendment is of any urgency; but I think the language we worked out with the gentleman from Texas (Chairman BARTON) is fair and balanced and limited; and therefore I support it.

Mr. OBERSTAR. Mr. Chairman, can I inquire of the Chairman how much time remains on the side of the gentleman from Texas.

The Acting CHAIRMAN. The gentleman from Texas has 1 minute remaining.

Mr. OBERSTAR. Mr. Chairman, I yield 1½ minutes to the gentleman from Tennessee (Mr. GORDON).

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

Mr. GORDON. First of all, Mr. Chairman, let me point out that the scope of this amendment exceeds the jurisdictional boundaries of the underlying bill. In fact, it exceeds the jurisdictional boundaries of the Committee on Transportation and Infrastructure.

It appears to amend all laws administered by all Federal agencies that may use information from this program in a human health or environmental assessment. This is a poor precedent to establish.

If we have concerns about Federal agencies using high-quality scientific information, we should address those concerns through oversight and legislation done in our respective committees in a manner tailored to fit the individual agencies where the laws were administered.

This amendment will do nothing to improve the quality of science produced by this program or ensure the proper use by the Federal agencies. For that reason, I would ask that this amendment be defeated.

Mr. BARTON of Texas. Mr. Chairman, I believe I have the right to close, and I am ready to close if the gentleman from Minnesota is ready.

Mr. OBERSTAR. Mr. Chairman, our side has the right to close. I await the arguments on the part of the gentleman from Texas.

The Acting CHAIRMAN. The gentleman from Minnesota has the right to close.

Mr. BARTON of Texas. I thought the author of the amendment had the right to close.

The Acting CHAIRMAN. The manager in opposition has the right to close.

Mr. BARTON of Texas. Mr. Chairman, I yield myself the remaining time.

My first response to my good friend, the gentleman from Tennessee (Mr. GORDON), who is a member of both the Committee on Science and the Committee on Energy and Commerce, is that he is right that this amendment exceeds the jurisdiction of the Committee on Transportation and Infrastructure. That is why it was offered by the chairman of the Committee on Energy and Commerce, because it does not exceed the jurisdiction of the committee that I chair and has been worked out in conjunction with the chairman of the Committee on Transportation and Infrastructure and the chairman of the Committee on Science. So if you put us all in the same tent collectively, it does not exceed the jurisdiction.

The language that we are using is language that was put forward initially by a Presidential commission under President Clinton's administration in the mid-1990s, and it is their language that we are incorporating into the amendment. So this is not some subterfuge to use Republican language or conservative language; it is language that was originally adopted and supported by President Clinton in his administration.

All we are trying to do with this amendment is make sure that as various projects come forward and we need to do investigations and risk assessments, that it be done based on sound scientific principles. I think that is an issue that both sides can agree upon, and I would urge a "yes" vote on the amendment.

In my view, the CMAQ program—like any use of tax dollars—should be applied as cost effectively as possible to achieve appropriate Federal policy goals.

A recent study suggests some CMAQ uses—such as building bike paths—do little to relieve either congestion or air pollution, which are the policy goals of CMAQ. The Transportation Research Board study estimates that bike paths funded with CMAQ money cost the taxpayer on average \$80,000 per ton of pollution removed. If this study is correct, in my

view, CMAQ dollars can and should be better spent.

New technologies have recently proven very cost effective in reducing pollution. For example, diesel retrofit and anti-idling technologies are having positive results around the Nation. Retrofit technologies—which are being used in the President's Clean School Bus program are much like the catalytic converter on your car. These devices are capable of removing 80 to 90 percent of the pollutants from the exhaust of a diesel engine. The increased use of these technologies in other sectors of the economy should be encouraged.

Any steps we can take to clarify that CMAQ money can be spent to deploy a new crop of technologies including retrofits and anti-idling devices that are highly effective at reducing emissions from diesel engines makes good sense. Our states are scrambling to find ways to deal with the new EPA designations without jeopardizing economic development. Using CMAQ funds more wisely may help us out a great deal.

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I believe this would become the lawyers' full employment act, and the other side of the aisle is not usually avidly supporting the lawyers, because this is so vague, a description of the weight of scientific evidence. How would we weigh it? Do we weigh it physically? Do we weigh it on a molecular basis? What is the weight?

I expect that this would lead to lengthy and contentious litigation at great expense to the taxpayers and basically inhibit government agencies from using the best available science. It is too vague. It should be defeated.

Mr. OBERSTAR. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Minnesota has 2 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield myself the remaining time.

Let me first make it clear that the language of this amendment was not worked out with staff on our side, nor by the majority staff. I represent on this issue the bipartisan position of the committee in opposition.

We have seen the dangers of manipulated science. The tobacco industry produced study after study trashing the impact of smoking and secondhand smoke, only to be overturned in case after case and by Federal Government health agencies. This year, we have seen the dangers of industry-funded studies on Vioxx and Celebrex, and those two drugs have been withdrawn. Was that done on the basis of weight of evidence? Such a vague and subjective standard.

Mr. Chairman, the National Academy of Sciences is the authority that we frequently turn to in the Committee on Transportation and Infrastructure and in the transportation community. They oversee transportation environmental research. They, the National Academy of Sciences, truly are the gold standard. They do not play around

the edges with such vague terms as "weight of evidence." They evaluate the evidence. They make scientific judgments. They come to good science-based conclusions. That is where we ought to go; and if the gentleman were serious about this issue of getting very objective scientific evidence to bear on environmental issues of health or environment, subject it to review of the National Academy of Sciences. That would be standard enough for us. We would let it ride at that. But as it stands, I must oppose the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. BARTON) will be postponed.

It is now in order to consider amendment No. 11 printed in House Report 109-15.

AMENDMENT NO. 11 OFFERED BY MR. SHADEGG

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. SHADEGG: At the end of subtitle A of title I, add the following (and conform the table of contents of the bill accordingly):

SEC. 1126. ADDITION OF PARTICULATE MATTER AREAS TO CMAQ.

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

(1) in subparagraph (B)—

(A) in the matter preceding clause (i) by striking "ozone or carbon monoxide" and inserting "ozone, carbon monoxide, or particulate matter (in this paragraph referred to as 'PM-2.5 or PM-10')";

(B) by striking clause (i) and inserting the following:

“(i) 1.0, if at the time of apportionment, the area is a maintenance area;”;

(C) in clause (vi) by striking "or" after the semicolon;

(D) in clause (vii)—

(i) by striking "area as described in section 149(b) for ozone" and inserting "area for ozone (as described in section 149(b)) or for PM-2.5 or PM-10"; and

(ii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(viii) 1.0 if, at the time of apportionment, any county that is not designated as a nonattainment or maintenance area under the 1-hour ozone standard is designated as nonattainment under the 8-hour ozone standard; or

“(ix) 1.2 if, at the time of apportionment, the area is not a nonattainment or maintenance area as described in section 149(b) for ozone or carbon monoxide, but is an area designated as nonattainment under the PM-2.5 or PM-10 standard.”;

(2) by striking subparagraph (C) and inserting the following:

“(C) ADDITIONAL ADJUSTMENT FOR CARBON MONOXIDE AREAS.—If, in addition to being

designated as a nonattainment or maintenance area for ozone as described in section 149(b), any county within the area was also classified under subpart 3 of part D of title I of the Clean Air Act (42 U.S.C. 7512 et seq.) as a nonattainment or maintenance area described in section 149(b) for carbon monoxide, the weighted nonattainment or maintenance area population of the county, as determined under clauses (i) through (vi) or (viii) of subparagraph (B), shall be further multiplied by a factor of 1.2.”;

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(4) by inserting after subparagraph (C) the following:

“(D) ADDITIONAL ADJUSTMENT FOR PM-2.5 OR PM-10 AREAS.—If, in addition to being designated as a nonattainment or maintenance area for ozone or carbon monoxide, or both, as described in section 149(b), any county within the area was also designated under the PM-2.5 or PM-10 standard as a nonattainment or maintenance area, the weighted nonattainment or maintenance area population of those counties shall be further multiplied by a factor of 1.2.”.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Arizona (Mr. SHADEGG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. SHADEGG).

□ 1300

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

Mr. Chairman, my amendment seeks to address a significant air quality issue facing many of our communities and our constituents.

Our Nation faces a serious air quality problem with tiny particles of dust and chemicals otherwise known as particulate matter. Particulate matter is a health hazard because people breathe it in and the human respiratory system cannot filter the particles out because they are so small.

Thirty States have areas with particulate matter problems and over 100 million Americans live in communities facing this issue. Many scientific studies have linked the breathing of particulate matter to a series of health problems, including aggravated asthma, chronic bronchitis, decreased lung function and also premature death.

Particulate matter is also the major cause of haze and reduced visibility in many parts of the country. That is precisely the reason why Congress required communities to achieve air quality standards for these small particulate matters under the Clean Air Act.

The EPA has accordingly established two standards for particulate matter. One is PM-10, which is a fairly fine particulate matter, and the second is PM-2.5 which is extremely fine particulate matter. Both are produced by vehicles driving on both paved and unpaved roads, and neither PM-10 nor PM-2.5 can be filtered out by the human respiratory system.

Current law allows States to use funds provided through the Congestion Management Air Quality Improvement

program, known as CMAQ, to achieve compliance with particulate matter. However, the current allocation formula for funding under that law does not make any reference to or include particulate matter. This leads to significant funding shortfalls with regard to dealing with particulate matter problems.

My amendment seeks to correct this inequity by adding both the EPA standards for particulate matter for PM-10 and PM-2.5 to this allocation formula. The language is essential because it will greatly aid areas with particulate matter pollution problems in meeting the air quality standards, particularly the emissions of these pollutants from roads.

Measures which States and counties are required by law to take to deal with particulate matter problems include purchasing specially designed street sweepers; curbing, paving and stabilizing the shoulders of paved roads; paving, vegetating and chemically stabilizing access points and unpaved roads; the timing of traffic lights; and using unformulated gasoline.

Again, this is a serious issue facing our communities. It directly affects my constituents and those of many of my fellow colleagues.

My amendment would make the CMAQ program more equitable in its allocation of resources and would recognize the significant air quality concern which is currently overlooked in the programs' funding formula.

I urge my colleagues to support the amendment.

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

Mr. OBERSTAR. Mr. Chairman, I claim time in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Arizona (Mr. SHADEGG) raises a very serious matter, modifying the Congestion Management and Air Quality Improvement provisions in current law and the formula.

The manner in which the gentleman proposes to do this is a little more complicated than I think is appropriate to resolve in amendment form on the floor. But I, in cooperation with the chairman of the full committee, believe we can work this out with the gentleman from Arizona (Mr. SHADEGG) as we proceed to conference.

If the gentleman is inclined to withdraw the amendment, having given a very thoughtful discussion of it, I believe as we did last year in the effort to reach a bill which we ultimately did not, not for this reason but for other reasons, that we can work this matter out.

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

Mr. OBERSTAR. I yield to the gentleman from Arizona.

Mr. SHADEGG. Mr. Chairman, as we have discussed, this is an issue which I raised last year and on which the gen-

tleman graciously agreed to address, both the gentleman and the full committee chairman, in the conference.

It is a complicated issue. When we dealt with this issue last year, one of these two pollutants had been included in the bill on the Senate side; the other had not. So our concern was to make sure that, if we dealt with one, we should deal with both because some States are confronted by a problem by one of those, and some States are confronted by a problem with the other. Quite frankly, some States have both. But I am prepared at the right point in time to withdraw the amendment based on my understanding from both the full committee chairman and the ranking member that this is an issue which can be addressed. It is indeed a more complicated issue than can be dealt with in a floor amendment and it can be addressed in conference. And based on the assurances I received I am more than willing to do that.

I am not anxious to do it now because I have one gentleman who would like to speak to the issue, but once he has had a chance to do so I will be happy to proceed as agreed.

Mr. OBERSTAR. Mr. Chairman, I assure the gentleman that we will reach in every good faith a resolution to this matter.

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

Mr. SHADEGG. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I thank the gentleman from Arizona (Mr. SHADEGG) for yielding me time.

Mr. Speaker, I rise in support of the gentleman's amendment. I believe that the Federal government and the Congress need to be part of the solution to cities around the country that are in non-attainment status.

This amendment is a good step in providing relief for cities such as Columbus, Georgia, in Muskogee County, part of my 11th Congressional District, that only recently has been designated non-attainment, and it is non-attainment of this PM-2.5 that the gentleman from Arizona (Mr. SHADEGG) was just talking about, these tiny 2.5 or below microparticulate matter.

We can save for another day, I guess, the debate over particulate matter non-attainment and whether cities such as Columbus should be designated as such. But today, I would like to say thank you to the gentleman from Arizona (Mr. SHADEGG) for offering this amendment that will allow funding to be provided to these cities.

I understand the gentleman may withdraw the amendment. I appreciate the ranking member being willing to work with him on trying to resolve this. But on behalf of the people of Muskogee County and the City Columbus and Phoenix City, Alabama, as well, I think this is a good idea and I commend the amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I affirm my willingness to work with the gentleman and the chairman to resolve this matter as we proceed to conference on withdrawal of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SHADEGG. Mr. Chairman, based on the representations of both the chairman of the committee and the ranking member, their gracious willingness to work on this issue as it moves to conference and their acknowledgment that it is a serious concern, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN (Mr. HEFLEY). Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIRMAN. It is now in order to consider amendment number 12 printed in House Report 109-15.

AMENDMENT NO. 12 OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. FLAKE:

At the end of section 1103 of the bill, add the following:

(e) SUBTRACTION OF EARMARKS FROM SURFACE TRANSPORTATION PROGRAM FUNDING.—Section 104(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (B) by striking “subparagraph (A)” and inserting “subparagraphs (A) and (C)”; and

(2) by adding at the end the following:

“(C) SUBTRACTION OF EARMARKS.—

“(i) IN GENERAL.—Amounts to be apportioned to a State under subparagraph (A) for each of fiscal years 2004 through 2009 shall be reduced by the aggregate amount made available to the State (and recipients in the State) out of the Highway Trust Fund for that fiscal year for projects described in sections 1702, 3037, and 3038 of the Transportation Equity Act: A Legacy for Users.

“(ii) EFFECT ON MINIMUM GUARANTEE.—In determining a State's percentage return from the Highway Trust Fund (other than the Mass Transit Account) for purposes of section 105 for a fiscal year, the Secretary shall treat amounts subtracted under clause (i) for that fiscal year as amounts apportioned to the State for the surface transportation program for that fiscal year.

“(iii) REAPPORTIONMENT.—Amounts subtracted from a State for a fiscal year under this subparagraph shall be reapportioned among the States under the formula in subparagraph (A).”.

The Acting CHAIRMAN. Pursuant to House Resolution 144, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

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

Mr. Chairman, in years past, I have offered this amendment as well. My concern with the highway bill is that there are so many earmarks totaling over \$11 million in last year's bill and somewhere similar this year that those earmarks come off the top, and it decreases the amount of money made available to Arizona in the end.

My amendment would fund the earmarks under the line, meaning that the earmarks would come out of a State's formula, not off the top, meaning that my formula in Arizona would be diminished for earmarks in Vermont or Alaska or another State.

My amendment, I should point out, would neither strike nor prevent Members from securing earmarks for their district. It would, however, put the discussion for State priorities where it belongs, at the State levels or among State delegations. Members of my delegation from Arizona, for example, could get together and say we are not convinced that our State Department of Transportation is putting the right priority on this area or this area, or, politically, they are ignoring my district, for example. Those are decisions that could be made there; but other States should not be penalized by our earmarks. And that is what has happened in years past. I just want to make sure that it does not.

I would like to ask the chairman or the ranking minority member if they are willing, after offering this amendment, my understanding is that the manager's amendment actually contains language to fund earmarks below the line and do much of what my amendment intended to do.

My concern is that the criteria for earmarks that will still be funded above the line may be a little too loose and that, in the end, those earmarks will end up coming out of my State's formula as well.

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

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. Chairman, this amendment gets to the guts of the bill that we are presenting to the House today. A similar amendment, maybe even the exact language of this amendment, was overwhelmingly defeated last year by a vote of 367 to 60. The intent of the amendment is simply to reduce a State's apportionment under the Surface Transportation Program dollar for dollar by the authorizations that Members of that State receive for highways and transit high-priority projects and require the Secretary to use a revised apportionment that includes the offset in determining the State's rate of return.

The amendment punishes States that do well in high-priority projects and transit new starts and redistributes those dollars elsewhere. That is contrary to the entire intent of this legislation. Members should have a say in the distribution of the dollars under this legislation.

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

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

Mr. Chairman, my understanding of the gentleman from Minnesota (Mr. OBERSTAR), if he will clarify, my under-

standing is that the manager's amendment did contain language to actually fund the earmarks below the line, meaning that they actually will and much of this amendment is actually contained in the bill already. Is that not the case? Because if so, there is no way we can come anywhere close to reaching the 92.6 that has been, if not guaranteed, bandied about.

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

Mr. FLAKE. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, we reached a delicate balance in extensive negotiation between the majority and minority, between the leadership in a formula that is spelled out in the manager's amendment that accomplishes the goal in real terms of achieving 92.6 percent return for all States.

Mr. FLAKE. Reclaiming my time, if the chairman would chair, my understanding is, and if the gentleman would clarify, that the guts of this amendment is already contained in the manager's amendment. If that is the case, then I am willing to consider withdrawing. But what I want to make sure is that the earmarks that are still funded, and according to news reports this morning, earmarks will still be funded above the line that are regional in nature or regional in national significance. I just want to make sure there is criteria for those that will not start pulling other earmarks above the line, therefore diminishing the amount of return that my State gets.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I do not believe the gentleman's State will get any less money under what we propose. It will be at 92.6, and the problem with this amendment is that it is the Flake amendment and that is the number one problem. I will tell you very frankly, after stressing that we worked very closely with the leadership, with everybody trying to reach a solution with the amount of dollars we have and still in fact take care of those Members that believe in fact they should have a say about some monies that go into their State and where it goes. The idea that collectively you will sit down with your fellow Members and you will arrive at a decision and you have got two senators over there, you can forget it because that is not going to happen. And this is the one time Members themselves have an opportunity to make a decision for the State in their district.

California, in which I believe has 52 Congressmen now, I have some areas that have never got a nickel of Federal monies because of Caltrain who spends it all in the larger populated areas. That is the unfortunate fact of life. Because the Department of Transportation is not always right on the transportation needs for individual districts, and this is the House of the people. And

if I thought for one moment that any of these dollars were spent for anything other than transportation, I would be frankly against it. But every dollar being spent is for transportation. And this is the one time every 6 years that there is an opportunity to, in fact, advance for each of the Members' district, and if you do not choose to do that, that is your prerogative. But to have other Members to be deprived of that opportunity, I think, is inappropriate.

□ 1315

The gentleman and I have discussed this amendment for quite a while, and I can just about assure him I have committed to the donor States that we would be able to, in fact, reach that 92.6, and it will be in the final version of the bill when it goes to the President's desk.

The Acting CHAIRMAN (Mr. HEFLEY). The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, how much time remains on my side?

The Acting CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 4 minutes remaining.

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

The chairman of the full committee has explained the issue very well. The point of inviting Members to submit for designation by the committee projects of great significance within their districts acknowledges the reality that not all wisdom in investing transportation dollars resides in State DOTs.

That is why the Federal Highway Administration does not make these decisions. The dollars go from the Highway Trust Fund through the Federal Highway Administration out to the States to make decisions and when a road or a bridge is not built or improved, or a transit system investment is not made, our constituents come to us, Members of Congress, you are out there in Washington, you vote on this legislation, you vote for the Highway Trust Fund, you set up the policies by which those dollars are invested, and we are not getting the investment that we need. So they come to us, and it is for us to serve as a correction to State DOTs, and that is what we do in this process.

Now, in including Member high-priority projects in the minimum guarantee, we have reached the 92.6 percent return on equity to the States, resolving the issue and the problem the gentleman from Arizona has raised.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, in all due respects to my good colleague from Arizona, I would appreciate it if he would withdraw the amendment. We know what he is trying to do, and I have told the leadership we are going to get to where he

wants to go. If my colleague insists on a vote, I will reluctantly have to vigorously oppose it.

So I would like to make a suggestion. Discretion is the better part of valor.

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

Mr. OBERSTAR. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I do, with the understanding that we do reach the 92.6 and understanding that we can only do that if we include earmarks under the line. Frankly, if my colleagues do the math, that is the only way we can. That is why I was pleased to see that the manager's amendment did contain that provision.

My concern is, and the gentleman from Alaska, my good friend, did mention that every dollar goes toward transportation. It is simply not the case. I read the bill last night, and some of it, some of it, but I did not have to read all of it.

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, I think the gentleman has made his case. Our side has made the case, and we have the right to close, and I assure the gentleman from Arizona that the interests of the State of Arizona are well cared for in this legislation and of all the States and the agreement that is embodied in the manager's amendment was reached at the very highest levels of policy within this body and on the majority side, and we have to reject the gentleman's amendment, and I would, in fact, urge him to withdraw the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. HEFLEY). Does the gentleman from Arizona (Mr. FLAKE) withdraw the amendment?

Mr. FLAKE. I have the right to close. I do have a minute to close.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. FLAKE. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT NO. 10 OFFERED BY MR. BARTON OF TEXAS

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent to vacate the proceedings by which a recorded vote was requested on the Barton amendment.

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

There was no objection.

The Acting CHAIRMAN. Without objection, the request for a recorded vote is vacated and the amendment is adopted pursuant to the voice vote announced by the Chair.

Mr. YOUNG of Alaska. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHUGH) having assumed the chair, Mr. HEFLEY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, had come to no resolution thereon.

MODIFICATIONS TO AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF ALASKA TO H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3 in the Committee of the Whole pursuant to House Resolution 144, the first amendment printed in House Report 109-15 be considered to have been adopted with the modifications I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modifications.

The Clerk read as follows:

Modifications to amendment No. 1 offered by Mr. YOUNG of Alaska:

In the first paragraph on page 25 of the amendment, strike "and strike '\$1,250,000'" and all that follows through "'\$2,750,000'".

On page 69 of the manager's amendment, after the amendment relating to item 864 of the table contained in section 1702 of the bill, insert the following:

In item number 492 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 498 of such table, strike "\$2,500,000" and insert "\$3,500,000".

In item number 1830 of such table, strike "\$2,000,000" and insert "\$3,000,000".

In item number 2767 of such table, strike "\$3,000,000" and insert "\$4,000,000".

In item number 3442 of such table, strike "\$400,000" and insert "\$500,000".

In item number 3443 of such table, strike "\$300,000" and insert "\$1,500,000".

In item number 968 of such table, strike "\$5,000,000" and insert "\$7,000,000".

In item number 508 of such table, strike "\$1,107,000" and insert "\$1,827,000".

In item number 1632 of such table, strike "\$2,000,000" and insert "\$2,880,000".

On page 89 of the manager's amendment, at the end of such table add the following:

HIGH PRIORITY PROJECTS

No.	State	Project Description	Amount
3632	CA	Reconstruct SR 1 from Westport to Marshall	\$9,000,000
3633	IL	Highway Construction on RT 1 between RT 14 and RT 9	\$9,000,000
3634	IL	SR 127 from Raymond to Unity	\$9,000,000
3635	CA	Improvements to US 101	\$11,000,000
3636	IA	Construct Rt 20 from Rockway City to Epworth	\$5,000,000
3637	CA	I-8 from San Diego to Kama	\$8,000,000
3638	CA	I-15 from Escondido to Barstow	\$12,000,000
3639	CA	Widening and improvements to RT 14 from RT 126 to RT 178	\$9,525,000
3640	IL	Bicycle and Pedestrian improvements in Georgetown and Middletown	\$6,000,000
3641	AZ	Safety Improvements to I-10 from SR 60 to Route 83	\$11,000,000
3642	KS	Northwest Bypass between K96 and 119th Street West	\$2,000,000
3643	CA	Safety improvements to SR 99	\$12,000,000
3644	IL	Construct I-70 from Greenville to Marshall	\$9,000,000
3645	CA	I-40 from Barstow to Needles	\$9,000,000
3646	AZ	Improvements on I-40 from Kingston to Navajo	\$8,000,000
3647	AZ	ITS related improvements on Interstates in AZ	\$6,000,000
3648	IA	Rehabilitate US 680 from SR59 to Des Moines	\$5,000,000
3649	CA	Resurfacing and Reconstruction of US 395 from RT 18 to RT 168	\$12,000,000
3650	IL	Improve I-74 from Colona to Mahomet	\$8,000,000
3651	CA	Safety improvements to I-5 from Santa Clarita to Haron	\$11,000,000
3652	IL	US 67 highway safety improvements from Godfrey to Viola	\$10,000,000
3653	OH	Safety improvements to US 35 from Jamestown to Winchester	\$8,000,000
3654	CA	Construct Transportation Enhancements on SR 1 between RT 246 and RT 192	\$8,000,000