

thousands and even hundreds of thousands, of Utahns who have gathered together to support the Olympic bid. We lost it for the 1998 Olympics by one vote. We have learned here in this body how elections can be decided by one vote. There are some who suggested that the awarding of the Summer Olympics to Atlanta in 1996 hurt our bid, as the International Committee felt they did not want to have Winter and Summer Olympics back-to-back in the same country. Be that as it may, the disappointment of losing in 1998 has now been washed away in the excitement of winning in the year 2002.

We have a slogan in Utah that has been prepared for the Olympics. It is emblazoned on the banners as you come into our city. It is in the airports. It is all over the State. It is: "The world is welcome here." We are delighted to be able to announce that the world that has been welcome in Utah is now coming to Utah. We are looking for the most exciting Winter Olympics in history in the State of Utah in just a few short years.

We were so excited I had to come over to share this news with the Members of the Senate. I thank the Chair and the Members for the opportunity to express this. It is a great day for the people of our State and, frankly, for the people of our Nation as well. This is the first time the Winter Olympics have come back to America since Lake Placid in 1980. I think that is a long enough wait. We are delighted to be able to say, as I said, the world is welcome in Utah. And the world is coming to Utah.

#### WINTER OLYMPICS IN UTAH

Mr. WARNER. Mr. President, may I be among the first to congratulate the people of Utah and, indeed, their Senator, who is here today. I shared with him the joy in his heart when I happened to hear him speak a few moments ago. Having had the pleasure of visiting his State on a number of occasions, it will be a marvelous place to host the world. Now, only the weather remains a question. You usually have a very constant weather pattern during that period of the year.

Mr. BENNETT. We do, Mr. President. Winter snows are not unknown in Utah. We hope in 2002 they do not desert us.

The Senator from Virginia is very generous in his remarks. He has been to the Senators' Ski Cup and, indeed, has an award named after him for his activity there.

Mr. WARNER. That is true.

Mr. BENNETT. We hope he not only comes to celebrate with us in 2002, but if I may, Mr. President, I hope he comes as a Senator in 2002, having been safely reelected between now and then.

Mr. WARNER. Mr. President, I thank my dear colleague. I would only say the quality and the quantity of the snow in your State, I think, is almost

unmatched anywhere in the world, and will be there to greet the Olympians.

Momentarily I will address the Senate with respect to the calendar on Monday.

At this time I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

#### VITIATION OF CLOTURE VOTE

Mr. WARNER. Mr. President, I ask unanimous consent that the cloture vote scheduled for 3 p.m. Monday be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL HIGHWAY SYSTEM DESIGNATION ACT

Mr. WARNER. I now ask unanimous consent that the Senate proceed to S. 440, the highway bill.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 440) to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Human Resources, with an amendment to strike out all after the enacting clause and inserting in lieu thereof the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. *Short title; table of contents.*

#### TITLE I—HIGHWAY PROVISIONS

Sec. 101. *National Highway System designation.*

Sec. 102. *Eligible projects for the National Highway System.*

Sec. 103. *Transferability of apportionments.*

Sec. 104. *Design criteria for the National Highway System.*

Sec. 105. *Applicability of transportation conformity requirements.*

Sec. 106. *Use of recycled paving material.*

Sec. 107. *Inapplicability of Davis-Bacon Act.*

Sec. 108. *Limitation on advance construction.*

Sec. 109. *Preventive maintenance.*

Sec. 110. *Eligibility of bond and other debt instrument financing for reimbursement as construction expenses.*

Sec. 111. *Federal share for highways, bridges, and tunnels.*

Sec. 112. *Streamlining for transportation enhancement projects.*

Sec. 113. *Non-Federal share for certain toll bridge projects.*

Sec. 114. *Congestion mitigation and air quality improvement program.*

Sec. 115. *Repeal of national maximum speed limit.*

Sec. 116. *Federal share for bicycle transportation facilities and pedestrian walkways.*

Sec. 117. *Repeal of restrictions on toll facilities.*

Sec. 118. *Suspension of management systems.*

Sec. 119. *Intelligent vehicle-highway systems.*

Sec. 120. *Donations of funds, materials, or services for federally assisted activities.*

Sec. 121. *Metric conversion of traffic control signs.*

Sec. 122. *Identification of high priority corridors.*

Sec. 123. *Revision of authority for innovative project in Florida.*

Sec. 124. *Revision of authority for priority intermodal project in California.*

Sec. 125. *National recreational trails funding program.*

Sec. 126. *Intermodal facility in New York.*

Sec. 127. *Clarification of eligibility.*

Sec. 128. *Bristol, Rhode Island, street marking.*

Sec. 129. *Public use of rest areas.*

Sec. 130. *Collection of tolls to finance certain environmental projects in Florida.*

Sec. 131. *Hours of service of drivers of ground water well drilling rigs.*

#### TITLE II—NATIONAL CAPITAL REGION INTERSTATE TRANSPORTATION AUTHORITY

Sec. 201. *Short title.*

Sec. 202. *Findings.*

Sec. 203. *Purposes.*

Sec. 204. *Definitions.*

Sec. 205. *Establishment of Authority.*

Sec. 206. *Government of Authority.*

Sec. 207. *Ownership of Bridge.*

Sec. 208. *Capital improvements and construction.*

Sec. 209. *Additional powers and responsibilities of Authority.*

Sec. 210. *Funding.*

Sec. 211. *Availability of prior authorizations.*

#### TITLE I—HIGHWAY PROVISIONS

##### SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.

Section 103 of title 23, United States Code, is amended by inserting after subsection (b) the following:

"(c) NATIONAL HIGHWAY SYSTEM DESIGNATION.—

"(1) DESIGNATION.—The most recent National Highway System (as of the date of enactment of this Act) as submitted by the Secretary of Transportation pursuant to this section is designated as the National Highway System.

"(2) MODIFICATIONS.—

"(A) IN GENERAL.—At the request of a State, the Secretary may—

"(i) add a new route segment to the National Highway System, including a new intermodal connection; or

"(ii) delete a route segment in existence on the date of the request and any connection to the route segment;

if the total mileage of the National Highway System (including any route segment or connection proposed to be added under this subparagraph) does not exceed 165,000 miles (265,542 kilometers).

"(B) PROCEDURES FOR CHANGES REQUESTED BY STATES.—Each State that makes a request for a change in the National Highway System pursuant to subparagraph (A) shall establish that each change in a route segment or connection referred to in the subparagraph has been identified by the State, in cooperation with local officials, pursuant to applicable transportation planning activities for metropolitan areas carried out under section 134 and statewide planning processes carried out under section 135.

"(3) APPROVAL BY THE SECRETARY.—The Secretary may approve a request made by a State for a change in the National Highway System pursuant to paragraph (2) if the Secretary determines that the change—

“(A) meets the criteria established for the National Highway System under this title; and

“(B) enhances the national transportation characteristics of the National Highway System.”.

**SEC. 102. ELIGIBLE PROJECTS FOR THE NATIONAL HIGHWAY SYSTEM.**

(a) *IN GENERAL.*—Section 103(i) of title 23, United States Code, is amended—

(1) by striking paragraph (8) and inserting the following:

“(8) Capital and operating costs for traffic monitoring, management, and control facilities and programs.”; and

(2) by adding at the end the following:

“(14) Construction, reconstruction, resurfacing, restoration, and rehabilitation of, and operational improvements for, public highways connecting the National Highway System to—

“(A) ports, airports, and rail, truck, and other intermodal freight transportation facilities; and

“(B) public transportation facilities.

“(15) Construction of, and operational improvements for, the Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate 10, Los Angeles, California. The Federal share of the cost of the construction and improvements shall be determined in accordance with section 120(b).”.

(b) *DEFINITION.*—Section 101(a) of title 23, United States Code, is amended by striking the undesignated paragraph defining “startup costs for traffic management and control” and inserting the following:

“The term ‘operating costs for traffic monitoring, management, and control’ includes labor costs, administrative costs, costs of utilities and rent, and other costs associated with the continuous operation of traffic control activities, such as integrated traffic control systems, incident management programs, and traffic control centers.”.

**SEC. 103. TRANSFERABILITY OF APPORTIONMENTS.**

The third sentence of section 104(g) of title 23, United States Code, is amended by striking “40 percent” and inserting “60 percent”.

**SEC. 104. DESIGN CRITERIA FOR THE NATIONAL HIGHWAY SYSTEM.**

Section 109 of title 23, United States Code, is amended—

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

“(a) *IN GENERAL.*—The Secretary shall ensure that the plans and specifications for each proposed highway project under this chapter provide for a facility that will—

“(1) adequately serve the existing and planned future traffic of the highway in a manner that is conducive to safety, durability, and economy of maintenance; and

“(2) be designed and constructed in accordance with criteria best suited to accomplish the objectives described in paragraph (1) and to conform to the particular needs of each locality.”;

(2) by striking subsection (c) and inserting the following:

“(c) *DESIGN CRITERIA FOR THE NATIONAL HIGHWAY SYSTEM.*—

“(1) *IN GENERAL.*—A design for new construction, reconstruction, resurfacing (except for maintenance resurfacing), restoration, or rehabilitation of a highway on the National Highway System (other than a highway also on the Interstate System) shall take into account, in addition to the criteria described in subsection (a)—

“(A) the constructed and natural environment of the area;

“(B) the environmental, scenic, aesthetic, historic, community, and preservation impacts of the activity; and

“(C) as appropriate, access for other modes of transportation.

“(2) *DEVELOPMENT OF CRITERIA.*—The Secretary, in cooperation with State highway agen-

cies, shall develop criteria to implement paragraph (1). In developing the criteria, the Secretary shall consider the results of the committee process of the American Association of State Highway and Transportation Officials as adopted and published in ‘A Policy on Geometric Design of Highways and Streets’, after adequate opportunity for input by interested parties.”; and

(3) by striking subsection (q) and inserting the following:

“(q) *ENVIRONMENTAL, SCENIC, AND HISTORIC VALUES.*—Notwithstanding subsections (b) and (c), the Secretary may approve a project for the National Highway System if the project is designed to—

“(1) allow for the preservation of environmental, scenic, or historic values;

“(2) ensure safe use of the facility; and

“(3) comply with subsection (a).”.

**SEC. 105. APPLICABILITY OF TRANSPORTATION CONFORMITY REQUIREMENTS.**

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

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

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

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

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

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

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

**SEC. 106. USE OF RECYCLED PAVING MATERIAL.**

(a) *IN GENERAL.*—Section 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 23 U.S.C. 109 note) is amended—

(1) by striking subsection (d) and inserting the following:

“(d) *ASPHALT PAVEMENT CONTAINING RECYCLED RUBBER.*—

“(1) *CRUMB RUBBER MODIFIER RESEARCH.*—Not later than 180 days after the date of enactment of the National Highway System Designation Act of 1995, the Administrator of the Federal Highway Administration shall develop testing procedures and conduct research to develop performance grade classifications, in accordance with the strategic highway research program carried out under section 307(d) of title 23, United States Code, for crumb rubber modifier binders. The testing procedures and performance grade classifications should be developed in consultation with representatives of the crumb rubber modifier industry and other interested parties (including the asphalt paving industry) with experience in the development of the procedures and classifications.

“(2) *CRUMB RUBBER MODIFIER PROGRAM DEVELOPMENT.*—

“(A) *IN GENERAL.*—The Administrator of the Federal Highway Administration shall make

grants to States to develop programs to use crumb rubber from scrap tires to modify asphalt pavements. Each State may receive not more than \$500,000 under this paragraph.

“(B) *USE OF GRANT FUNDS.*—Grant funds made available to States under this paragraph may be used—

“(i) to develop mix designs for crumb rubber modified asphalt pavements;

“(ii) for the placement and evaluation of crumb rubber modified asphalt pavement field tests; and

“(iii) for the expansion of State crumb rubber modifier programs in existence on the date the grant is made available.”; and

(2) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) the term ‘asphalt pavement containing recycled rubber’ means any mixture of asphalt and crumb rubber derived from whole scrap tires, such that the physical properties of the asphalt are modified through the mixture, for use in pavement maintenance, rehabilitation, or construction applications; and”.

(b) *FUNDING.*—Section 307(e)(13) of title 23, United States Code, is amended by inserting after the second sentence the following: “Of the amounts authorized to be expended under this paragraph, \$500,000 shall be expended in fiscal year 1996 to carry out section 1038(d)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 23 U.S.C. 109 note) and \$10,000,000 shall be expended in each of fiscal years 1996 and 1997 to carry out section 1038(d)(2) of the Act.”.

**SEC. 107. INAPPLICABILITY OF DAVIS-BACON ACT.**

Section 113 of title 23, United States Code, is amended to read as follows:

**“§ 113. Prevailing rate of wage**

“The Act entitled ‘An Act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes’, approved March 3, 1931 (commonly known as the ‘Davis-Bacon Act’) (40 U.S.C. 276a et seq.), shall not apply with respect to any project carried out or assisted under any chapter of this title.”.

**SEC. 108. LIMITATION ON ADVANCE CONSTRUCTION.**

Section 115(d) of title 23, United States Code, is amended to read as follows:

“(d) *REQUIREMENT OF INCLUSION IN TRANSPORTATION IMPROVEMENT PROGRAM.*—The Secretary may not approve an application under this section unless the project is included in the transportation improvement program of the State developed under section 135(f).”.

**SEC. 109. PREVENTIVE MAINTENANCE.**

Section 116 of title 23, United States Code, is amended by adding at the end the following:

“(d) *PREVENTIVE MAINTENANCE.*—A preventive maintenance activity shall be eligible for Federal assistance under this title if the State demonstrates to the satisfaction of the Secretary that the activity is a cost-effective means of extending the life of a Federal-aid highway.”.

**SEC. 110. ELIGIBILITY OF BOND AND OTHER DEBT INSTRUMENT FINANCING FOR REIMBURSEMENT AS CONSTRUCTION EXPENSES.**

(a) *IN GENERAL.*—Section 122 of title 23, United States Code, is amended to read as follows:

**“SEC. 122. PAYMENTS TO STATES FOR BOND AND OTHER DEBT INSTRUMENT FINANCING.**

“(a) *DEFINITION OF ELIGIBLE DEBT FINANCING INSTRUMENT.*—In this section, the term ‘eligible debt financing instrument’ means a bond or other debt financing instrument, including a note, certificate, mortgage, or lease agreement, issued by a State or political subdivision of a State, the proceeds of which are used for an eligible Federal-aid project under this title.

“(b) *FEDERAL REIMBURSEMENT.*—Subject to subsections (c) and (d), the Secretary may reimburse a State for expenses and costs incurred by

the State or a political subdivision of the State, for—

“(1) interest payments under an eligible debt financing instrument;

“(2) the retirement of principal of an eligible debt financing instrument;

“(3) the cost of the issuance of an eligible debt financing instrument;

“(4) the cost of insurance for an eligible debt financing instrument; and

“(5) any other cost incidental to the sale of an eligible debt financing instrument (as determined by the Secretary).

“(c) **CONDITIONS ON PAYMENT.**—The Secretary may reimburse a State under subsection (b) with respect to a project funded by an eligible debt financing instrument after the State has complied with this title to the extent and in the manner that would be required if payment were to be made under section 121.

“(d) **FEDERAL SHARE.**—The Federal share of the cost of a project payable under this section shall not exceed the pro-rata basis of payment authorized in section 120.

“(e) **STATUTORY CONSTRUCTION.**—Notwithstanding any other law, the eligibility of an eligible debt financing instrument for reimbursement under subsection (a) shall not—

“(1) constitute a commitment, guarantee, or obligation on the part of the United States to provide for payment of principal or interest on the eligible debt financing instrument; or

“(2) create any right of a third party against the United States for payment under the eligible debt financing instrument.”

(b) **DEFINITION OF CONSTRUCTION.**—The first sentence of the undesignated paragraph defining “construction” of section 101(a) of title 23, United States Code, is amended by inserting “bond costs and other costs relating to the issuance of bonds or other debt instrument financing in accordance with section 122,” after “highway, including”.

(c) **CONFORMING AMENDMENT.**—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 122 and inserting the following:

“122. Payments to States for bond and other debt instrument financing.”

**SEC. 111. FEDERAL SHARE FOR HIGHWAYS, BRIDGES, AND TUNNELS.**

Section 129(a) of title 23, United States Code, is amended by striking paragraph (5) and inserting the following:

“(5) **LIMITATION ON FEDERAL SHARE.**—The Federal share payable for an activity described in paragraph (1) shall be a percentage determined by the State, but not to exceed 80 percent.”

**SEC. 112. STREAMLINING FOR TRANSPORTATION ENHANCEMENT PROJECTS.**

Section 133(e) of title 23, United States Code, is amended—

(1) in paragraph (3)—

(A) by striking “(3) **PAYMENTS.**—The” and inserting the following:

“(3) **PAYMENTS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the”; and

(B) by adding at the end the following:

“(B) **ADVANCE PAYMENT OPTION FOR TRANSPORTATION ENHANCEMENT ACTIVITIES.**—

“(i) **IN GENERAL.**—The Secretary may advance funds to the State for transportation enhancement activities funded from the allocation required by subsection (d)(2) for a fiscal year if the Secretary certifies for the fiscal year that the State has authorized and uses a process for the selection of transportation enhancement projects that involves representatives of affected public entities, and private citizens, with expertise related to transportation enhancement activities.

“(ii) **LIMITATION ON AMOUNTS.**—Amounts advanced under this subparagraph shall be limited to such amounts as are necessary to make prompt payments for project costs.

“(iii) **EFFECT ON OTHER REQUIREMENTS.**—This subparagraph shall not exempt a State from other requirements of this title relating to the surface transportation program.”; and

(2) by adding at the end the following:

“(5) **TRANSPORTATION ENHANCEMENT ACTIVITIES.**—

“(A) **CATEGORICAL EXCLUSIONS.**—To the extent appropriate, the Secretary shall develop categorical exclusions from the requirement that an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) be prepared for transportation enhancement activities funded from the allocation required by subsection (d)(2).

“(B) **NATIONWIDE PROGRAMMATIC AGREEMENT.**—The Administrator of the Federal Highway Administration, in consultation with the National Conference of State Historic Preservation Officers and the Advisory Council on Historic Preservation established under title II of the National Historic Preservation Act (16 U.S.C. 470i et seq.), shall develop a nationwide programmatic agreement governing the review of transportation enhancement activities funded from the allocation required by subsection (d)(2), in accordance with—

“(i) section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

“(ii) the regulations of the Advisory Council on Historic Preservation.”

**SEC. 113. NON-FEDERAL SHARE FOR CERTAIN TOLL BRIDGE PROJECTS.**

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

**SEC. 114. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.**

(a) **AREAS ELIGIBLE FOR FUNDS.**—

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

(A) by inserting “for areas in the State that were designated as nonattainment areas under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d))” after “may obligate funds”; and

(B) in paragraph (1)(A)—

(i) by striking “contribute to the” and inserting the following: “contribute to—

“(i) the”; and

(ii) by adding at the end the following:

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

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

(A) in the second sentence, by striking “is a nonattainment area (as defined in the Clean Air Act) for ozone” and inserting “was a nonattainment area (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2))) for ozone during any part of fiscal year 1995”; and

(B) in the third sentence—

(i) by striking “is also” and inserting “was also”; and

(ii) by inserting “during any part of fiscal year 1995” after “monoxide”.

(b) **REMOVAL OF CERTAIN FUNDING LIMITATIONS.**—Section 149(b)(1)(A) of title 23, United States Code, is amended by striking “(other than clauses (xii) and (xvi) of such section), that the project or program” and inserting “, that the publicly sponsored project or program”.

**SEC. 115. REPEAL OF NATIONAL MAXIMUM SPEED LIMIT.**

(a) **IN GENERAL.**—Section 154 of title 23, United States Code, is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 154.

(2) Section 141 of title 23, United States Code, is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively; and

(C) in subsection (b) (as so redesignated), by striking “subsection (b)” each place it appears and inserting “subsection (a)”.

(3) Section 123(c)(3) of the Federal-Aid Highway Act of 1978 (Public Law 95-599; 23 U.S.C. 141 note) is amended by striking “section 141(b)” and inserting “section 141(a)”.

(4) Section 153(i)(2) of title 23, United States Code, is amended to read as follows:

“(2) **MOTOR VEHICLE.**—The term ‘motor vehicle’ means any vehicle driven or drawn by mechanical power manufactured primarily for use on public highways, except any vehicle operated exclusively on a rail or rails.”

(5) Section 1029 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 23 U.S.C. 154 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

(6) Section 157(d) of title 23, United States Code, is amended by striking “154(f) or”.

(7) Section 410(i)(3) of title 23, United States Code, is amended to read as follows:

“(3) **MOTOR VEHICLE.**—The term ‘motor vehicle’ means any vehicle driven or drawn by mechanical power manufactured primarily for use on public highways, except any vehicle operated exclusively on a rail or rails.”

**SEC. 116. FEDERAL SHARE FOR BICYCLE TRANSPORTATION FACILITIES AND PEDESTRIAN WALKWAYS.**

Section 217(f) of title 23, United States Code, is amended by striking “80 percent” and inserting “determined in accordance with section 120(b)”.

**SEC. 117. REPEAL OF RESTRICTIONS ON TOLL FACILITIES.**

(a) **IN GENERAL.**—Section 301 of title 23, United States Code, is repealed.

(b) **AUTHORIZATION FOR FEDERAL PARTICIPATION.**—Section 129(a)(1) of title 23, United States Code, is amended to read as follows:

“(1) **AUTHORIZATION FOR FEDERAL PARTICIPATION.**—Subject to the other provisions of this section, the Secretary shall permit Federal participation in Federal-aid projects involving toll highways, bridges, and tunnels on the same basis and in the same manner as in the construction of free highways under this chapter.”

(c) **CONFORMING AMENDMENTS.**—

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

(A) in subsection (b), by striking “Notwithstanding the provisions of section 301 of this title, the” and inserting “The”; and

(B) in subsection (c), by striking “Notwithstanding section 301 of this title, the” and inserting “The”.

(2) The analysis for chapter 3 of title 23, United States Code, is amended by striking the item relating to section 301.

**SEC. 118. SUSPENSION OF MANAGEMENT SYSTEMS.**

Section 303 of title 23, United States Code, is amended—

(1) by striking subsection (c) and inserting the following:

“(c) **STATE ELECTION.**—A State may, at the option of the State, elect, at any time, not to implement, in whole or in part, 1 or more of the management systems required under this section. The Secretary may not impose any sanction on, or withhold any benefit from, a State on the basis of such an election.”; and

(2) in subsection (f)—

(A) by striking “(f) **ANNUAL REPORT.**—Not” and inserting the following:

“(f) REPORTS.—

“(1) ANNUAL REPORTS.—Not”; and

(B) by adding at the end the following:

“(2) REPORT ON IMPLEMENTATION.—Not later than October 1, 1996, the Secretary, in consultation with States, shall transmit to Congress a report on the management systems required under this section that makes recommendations as to whether, to what extent, and how the management systems should be implemented.”.

**SEC. 119. INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.**

(a) IMPROVED COLLABORATION IN INTELLIGENT VEHICLE-HIGHWAY SYSTEMS RESEARCH AND DEVELOPMENT.—Section 6054 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 23 U.S.C. 307 note) is amended by adding at the end the following:

“(e) COLLABORATIVE RESEARCH AND DEVELOPMENT.—In carrying out this part, the Secretary may carry out collaborative research and development in accordance with section 307(a)(2) of title 23, United States Code.”.

(b) TIME LIMIT FOR OBLIGATION OF FUNDS FOR INTELLIGENT VEHICLE-HIGHWAY SYSTEMS PROJECTS.—Section 6058 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 23 U.S.C. 307 note) is amended by adding at the end the following:

“(f) OBLIGATION OF FUNDS.—

“(1) IN GENERAL.—Funds made available pursuant to subsections (a) and (b) after the date of enactment of this subsection, and other funds made available after that date to carry out specific intelligent vehicle-highway systems projects, shall be obligated not later than the last day of the fiscal year following the fiscal year with respect to which the funds are made available.

“(2) REALLOCATION OF FUNDS.—If funds described in paragraph (1) are not obligated by the date described in the paragraph, the Secretary may make the funds available to carry out any other activity with respect to which funds may be made available under subsection (a) or (b).”.

**SEC. 120. DONATIONS OF FUNDS, MATERIALS, OR SERVICES FOR FEDERALLY ASSISTED ACTIVITIES.**

Section 323 of title 23, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

“(c) CREDIT FOR DONATIONS OF FUNDS, MATERIALS, OR SERVICES.—Nothing in this title or any other law shall prevent a person from offering to donate funds, materials, or services in connection with an activity eligible for Federal assistance under this title. In the case of such an activity with respect to which the Federal Government and the State share in paying the cost, any donated funds, or the fair market value of any donated materials or services, that are accepted and incorporated into the activity by the State highway agency shall be credited against the State share.”.

**SEC. 121. METRIC CONVERSION OF TRAFFIC CONTROL SIGNS.**

Notwithstanding section 3(2) of the Metric Conversion Act of 1975 (15 U.S.C. 205b(2)) or any other law, no State shall be required to—

(1) erect any highway sign that establishes any speed limit, distance, or other measurement using the metric system; or

(2) modify any highway sign that establishes any speed limit, distance, or other measurement so that the sign uses the metric system.

**SEC. 122. IDENTIFICATION OF HIGH PRIORITY CORRIDORS.**

Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Pub. L. 102-240; 105 Stat. 2032) is amended—

(1) by striking paragraph (5) and inserting the following:

“(5)(A) I-73/74 North-South Corridor from Charleston, South Carolina, through Winston-

Salem, North Carolina, to Portsmouth, Ohio, to Cincinnati, Ohio, and Detroit, Michigan.

“(B)(i) In the Commonwealth of Virginia, the Corridor shall generally follow—

“(I) United States Route 220 from the Virginia-North Carolina border to I-581 south of Roanoke;

“(II) I-581 to I-81 in the vicinity of Roanoke;

“(III) I-81 to the proposed highway to demonstrate intelligent vehicle-highway systems authorized by item 29 of the table in section 1107(b) in the vicinity of Christiansburg to United States Route 460 in the vicinity of Blacksburg; and

“(IV) United States Route 460 to the West Virginia State line.

“(ii) In the States of West Virginia, Kentucky, and Ohio, the Corridor shall generally follow—

“(I) United States Route 460 from the West Virginia State line to United States Route 52 at Bluefield, West Virginia; and

“(II) United States Route 52 to United States Route 23 at Portsmouth, Ohio.

“(iii) In the State of North Carolina, the Corridor shall generally follow—

“(I) in the case of I-73—

“(aa) United States Route 220 from the Virginia State line to State Route 68 in the vicinity of Greensboro;

“(bb) State Route 68 to I-40;

“(cc) I-40 to United States Route 220 in Greensboro;

“(dd) United States Route 220 to United States Route 74 near Rockingham;

“(ee) United States Route 74 to United States Route 76 near Whiteville;

“(ff) United States Route 74/76 to United States Route 17 near Calabash; and

“(gg) United States Route 17 to the South Carolina State line; and

“(II) in the case of I-74—

“(aa) I-77 from Bluefield, West Virginia, to the junction of I-77 and the United States Route 52 connector in Surry County, North Carolina;

“(bb) the I-77/United States Route 52 connector to United States Route 52 south of Mount Airy, North Carolina;

“(cc) United States Route 52 to United States Route 311 in Winston-Salem, North Carolina; and

“(dd) United States Route 311 to United States Route 220 in the vicinity of Randleman, North Carolina.

“(iv) Each route segment referred to in clause (i), (ii), or (iii) that is not a part of the Interstate System shall be designated as a route included in the Interstate System, at such time as the Secretary determines that the route segment—

“(I) meets Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

“(II) meets the criteria for designation pursuant to section 139 of title 23, United States Code, except that the determination shall be made without regard to whether the route segment is a logical addition or connection to the Interstate System.”; and

(2) by adding at the end the following:

“(22) The Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate 10, Los Angeles, California.

“(23) The Interstate Route 35 Corridor from Laredo, Texas, through Oklahoma City, Oklahoma, to Wichita, Kansas, to Kansas City, Kansas/Missouri, to Des Moines, Iowa, to Minneapolis, Minnesota, to Duluth, Minnesota.”.

**SEC. 123. REVISION OF AUTHORITY FOR INNOVATIVE PROJECT IN FLORIDA.**

Item 196 of the table in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2058) is amended—

(1) by striking “Orlando.”; and

(2) by striking “Land & right-of-way acquisition & guideway construction for magnetic limitation project” and inserting “1 or more region-

ally significant, intercity ground transportation projects”.

**SEC. 124. REVISION OF AUTHORITY FOR PRIORITY INTERMODAL PROJECT IN CALIFORNIA.**

Item 31 of the table in section 1108(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2062) is amended by striking “To improve ground access from Sepulveda Blvd. to Los Angeles, California” and inserting the following: “For the Los Angeles International Airport central terminal ramp access project, \$3,500,000; for the widening of Aviation Boulevard south of Imperial Highway, \$3,500,000; for the widening of Aviation Boulevard north of Imperial Highway, \$1,000,000; and for transportation systems management improvements in the vicinity of the Sepulveda Boulevard/Los Angeles International Airport tunnel, \$950,000”.

**SEC. 125. NATIONAL RECREATIONAL TRAILS FUNDING PROGRAM.**

(a) CONTRACT AUTHORITY.—Section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261) is amended—

(1) by redesignating subsection (g) as subsection (i); and

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

“(g) CONTRACT AUTHORITY.—Funds authorized to be appropriated under this section shall be available for obligation in the manner as if the funds were apportioned under title 23, United States Code, except that the Federal share of any project under this section shall be determined in accordance with this section and shall not be subject to any limitation on obligation applicable generally to the Federal-aid highway program.

“(h) FEDERAL SHARE.—The Federal share of the cost of a project under this section shall be 50 percent.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261) is amended—

(A) by striking subsection (c) and inserting the following:

“(c) STATE ELIGIBILITY.—A State shall be eligible to receive moneys under this part if—

“(1) the Governor of the State has designated the State agency responsible for administering allocations under this section;

“(2) the State proposes to obligate and ultimately obligates any allocations received in accordance with subsection (e); and

“(3) a recreational trail advisory board on which both motorized and nonmotorized recreational trail users are represented exists in the State.”;

(B) in subsection (d), by striking paragraph (3);

(C) in subsection (e)—

(i) in paragraphs (3)(A), (5)(B), and (8)(B), by striking “(c)(2)(A) of this section” and inserting “(c)(3)”;

(ii) in paragraph (5)(A)(i), by striking “(g)(5)” and inserting “(i)(5)”;

(D) in subsection (i) (as redesignated by subsection (a)(1)), by striking paragraph (1) and inserting the following:

“(1) ELIGIBLE STATE.—The term ‘eligible State’ means a State (as defined in section 101 of title 23, United States Code) that meets the requirements of subsection (c).”.

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

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following:

“(h) NATIONAL RECREATIONAL TRAILS FUNDING.—The Secretary shall expend, from administrative funds deducted under subsection (a), to carry out section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261) \$15,000,000 for each of fiscal years 1996 and 1997.”.

(3) Section 9511(c) of the Trust Fund Code of 1981 is amended by striking “”, as provided in appropriation Acts.”.

**SEC. 126. INTERMODAL FACILITY IN NEW YORK.**

(a) *IN GENERAL.*—The Secretary of Transportation shall make grants to the National Railroad Passenger Corporation for—

(1) engineering, design, and construction activities to permit the James A. Farley Post Office in New York, New York, to be used as an intermodal transportation facility and commercial center; and

(2) necessary improvements to and redevelopment of Pennsylvania Station and associated service buildings in New York, New York.

(b) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated to carry out this section a total of \$69,500,000 for fiscal years following fiscal year 1995, to remain available until expended.

**SEC. 127. CLARIFICATION OF ELIGIBILITY.**

The improvements to, or adjacent to, the main line of the National Railroad Passenger Corporation between milepost 190.23 at Central Falls, Rhode Island, and milepost 168.53 at Davisville, Rhode Island, that are necessary to support the rail movement of freight shall be eligible for funding under sections 103(e)(4), 104(b), and 144 of title 23, United States Code.

**SEC. 128. BRISTOL, RHODE ISLAND, STREET MARKING.**

Notwithstanding any other law, a red, white, and blue center line in the Main Street of Bristol, Rhode Island, shall be deemed to comply with the requirements of section 3B-1 of the Manual on Uniform Traffic Control Devices of the Department of Transportation.

**SEC. 129. PUBLIC USE OF REST AREAS.**

Notwithstanding section 111 of title 23, United States Code, or any project agreement under the section, the Secretary of Transportation shall permit the conversion of any safety rest area adjacent to Interstate Route 95 within the State of Rhode Island that was closed as of May 1, 1995, to use as a motor vehicle emissions testing facility. At the option of the State, vehicles shall be permitted to gain access to and from any such testing facility directly from Interstate Route 95.

**SEC. 130. COLLECTION OF TOLLS TO FINANCE CERTAIN ENVIRONMENTAL PROJECTS IN FLORIDA.**

Notwithstanding section 129(a) of title 23, United States Code, on request of the Governor of the State of Florida, the Secretary of Transportation shall modify the agreement entered into with the transportation department of the State and described in section 129(a)(3) of the title to permit the collection of tolls to liquidate such indebtedness as may be incurred to finance any cost associated with a feature of an environmental project that is carried out under State law and approved by the Secretary of the Interior.

**SEC. 131. HOURS OF SERVICE OF DRIVERS OF GROUND WATER WELL DRILLING RIGS.**

(a) *DEFINITIONS.*—In this section:

(1) *8 CONSECUTIVE DAYS.*—The term “8 consecutive days” means the period of 8 consecutive days beginning on any day at the time designated by the motor carrier for a 24-hour period.

(2) *24-HOUR PERIOD.*—The term “24-hour period” means any 24-consecutive-hour period beginning at the time designated by the motor carrier for the terminal from which the driver is normally dispatched.

(3) *GROUND WATER WELL DRILLING RIG.*—The term “ground water well drilling rig” means any vehicle, machine, tractor, trailer, semi-trailer, or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport water well field operating equipment, including water well drilling and pump service rigs equipped to access ground water.

(b) *GENERAL RULE.*—In the case of a driver of a commercial motor vehicle subject to regula-

tions prescribed by the Secretary of Transportation under sections 31136 and 31502 of title 49, United States Code, who is used primarily in the transportation and operation of a ground water well drilling rig, for the purpose of the regulations, any period of 8 consecutive days may end with the beginning of an off-duty period of 24 or more consecutive hours.

(c) *REPORT.*—The Secretary of Transportation shall monitor the commercial motor vehicle safety performance of drivers of ground water well drilling rigs. If the Secretary determines that public safety has been adversely affected by the general rule established by subsection (b), the Secretary shall report to Congress on the determination.

**TITLE II—NATIONAL CAPITAL REGION INTERSTATE TRANSPORTATION AUTHORITY**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “National Capital Region Interstate Transportation Authority Act of 1995”.

**SEC. 202. FINDINGS.**

Congress finds that—

(1) traffic congestion imposes serious economic burdens on the metropolitan Washington, D.C., area, costing each commuter an estimated \$1,000 per year;

(2) the volume of traffic in the metropolitan Washington, D.C., area is expected to increase by more than 70 percent between 1990 and 2020;

(3) the deterioration of the Woodrow Wilson Memorial Bridge and the growing population of the metropolitan Washington, D.C., area contribute significantly to traffic congestion;

(4) the Bridge serves as a vital link in the Interstate System and in the Northeast corridor;

(5) identifying alternative methods for maintaining this vital link of the Interstate System is critical to addressing the traffic congestion of the area;

(6) the Bridge is—

(A) the only drawbridge in the metropolitan Washington, D.C., area on the Interstate System;

(B) the only segment of the Capital Beltway with only 6 lanes; and

(C) the only segment of the Capital Beltway with a remaining expected life of less than 10 years;

(7) the Bridge is the only part of the Interstate System owned by the Federal Government;

(8)(A) the Bridge was constructed by the Federal Government;

(B) prior to the date of enactment of this Act, the Federal Government has contributed 100 percent of the cost of building and rehabilitating the Bridge; and

(C) the Federal Government has a continuing responsibility to fund future costs associated with the upgrading of the Interstate Route 95 crossing, including the rehabilitation and reconstruction of the Bridge;

(9) the Woodrow Wilson Bridge Coordination Committee, established by the Federal Highway Administration and comprised of representatives of Federal, State, and local governments, is undertaking planning studies pertaining to the Bridge, consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable Federal laws;

(10) the transfer of ownership of the Bridge to a regional entity under the terms and conditions described in this title would foster regional transportation planning efforts to identify solutions to the growing problem of traffic congestion on and around the Bridge;

(11) any material change to the Bridge must take into account the interests of nearby communities, the commuting public, Federal, State, and local government organizations, and other affected groups; and

(12) a commission of congressional, State, and local officials and transportation representatives has recommended to the Secretary of Transportation that the Bridge be transferred to

an independent authority to be established by the Capital Region jurisdictions.

**SEC. 203. PURPOSES.**

The purposes of this title are—

(1) to grant consent to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to establish the National Capital Region Interstate Transportation Authority; and

(2) to authorize the transfer of ownership of the Bridge to the Authority for the purposes of owning, constructing, maintaining, and operating a bridge or tunnel or a bridge and tunnel project across the Potomac River.

**SEC. 204. DEFINITIONS.**

In this title:

(1) *AUTHORITY.*—The term “Authority” means the National Capital Region Interstate Transportation Authority authorized by this title and by similar enactment by each of the Capital Region jurisdictions.

(2) *AUTHORITY FACILITY.*—The term “Authority facility” means—

(A) the Bridge (as in existence on the date of enactment of this Act);

(B) any southern Capital Beltway crossing of the Potomac River constructed in the vicinity of the Bridge after the date of enactment of this Act; or

(C) any building, improvement, addition, extension, replacement, appurtenance, land, interest in land, water right, air right, franchise, machinery, equipment, furnishing, landscaping, easement, utility, approach, roadway, or other facility necessary or desirable in connection with or incidental to a facility described in subparagraph (A) or (B).

(3) *BOARD.*—The term “Board” means the board of directors of the Authority established under section 206.

(4) *BRIDGE.*—The term “Bridge” means the Woodrow Wilson Memorial Bridge across the Potomac River.

(5) *CAPITAL REGION JURISDICTION.*—The term “Capital Region jurisdiction” means—

(A) the Commonwealth of Virginia;

(B) the State of Maryland; or

(C) the District of Columbia.

(6) *INTERSTATE SYSTEM.*—The term “Interstate System” means the Dwight D. Eisenhower National System of Interstate and Defense Highways designated under section 103(e) of title 23, United States Code.

(7) *NATIONAL CAPITAL REGION.*—The term “National Capital Region” means the region consisting of the metropolitan areas of—

(A)(i) the cities of Alexandria, Fairfax, and Falls Church, Virginia; and

(ii) the counties of Arlington and Fairfax, Virginia, and the political subdivisions of the Commonwealth of Virginia located in the counties;

(B) the counties of Montgomery and Prince Georges, Maryland, and the political subdivisions of the State of Maryland located in the counties; and

(C) the District of Columbia.

(8) *SECRETARY.*—The term “Secretary” means the Secretary of Transportation.

**SEC. 205. ESTABLISHMENT OF AUTHORITY.**

(a) *CONSENT TO AGREEMENT.*—Congress grants consent to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into an interstate agreement or compact to establish the National Capital Region Interstate Transportation Authority in accordance with this title.

(b) *ESTABLISHMENT OF AUTHORITY.*—

(1) *IN GENERAL.*—On execution of the interstate agreement or compact described in subsection (a), the Authority shall be considered to be established.

(2) *GENERAL POWERS.*—The Authority shall be a body corporate and politic, independent of all other bodies and jurisdictions, having the powers and jurisdiction described in this title and such additional powers as are conferred on the Authority by the Capital Region jurisdictions, to

the extent that the additional powers are consistent with this title.

**SEC. 206. GOVERNMENT OF AUTHORITY.**

(a) *IN GENERAL.*—The Authority shall be governed in accordance with this section and with the terms of any interstate agreement or compact relating to the Authority that is consistent with this title.

(b) *BOARD.*—The Authority shall be governed by a board of directors consisting of 12 members appointed by the Capital Region jurisdictions and 1 member appointed by the Secretary.

(c) *QUALIFICATIONS.*—One member of the Board shall have an appropriate background in finance, construction lending, or infrastructure policy.

(d) *CHAIRPERSON.*—The chairperson of the Board shall be elected biennially by the members of the Board.

(e) *SECRETARY AND TREASURER.*—The Board may—

(1) biennially elect a secretary and a treasurer, or a secretary-treasurer, without regard to whether the individual is a member of the Board; and

(2) prescribe the powers and duties of the secretary and treasurer, or the secretary-treasurer.

(f) *TERMS.*—

(1) *IN GENERAL.*—Except as provided in paragraph (2), a member of the Board shall serve for a 6-year term, and shall continue to serve until the successor of the member has been appointed in accordance with this subsection.

(2) *INITIAL APPOINTMENTS.*—

(A) *BY CAPITAL REGION JURISDICTIONS.*—Members initially appointed to the Board by a Capital Region jurisdiction shall be appointed for the following terms:

(i) 1 member shall be appointed for a 6-year term.

(ii) 1 member shall be appointed for a 4-year term.

(iii) 2 members shall each be appointed for a 2-year term.

(B) *BY SECRETARY.*—The member of the Board appointed by the Secretary shall be appointed for a 6-year term.

(3) *FAILURE TO APPOINT.*—The failure of a Capital Region jurisdiction to appoint 1 or more members of the Board, as provided in this subsection, shall not impair the establishment of the Authority if the condition of the establishment described in section 205(b)(1) has been met.

(4) *VACANCIES.*—Subject to paragraph (5), a person appointed to fill a vacancy on the Board shall serve for the unexpired term.

(5) *REAPPOINTMENTS.*—A member of the Board shall be eligible for reappointment for 1 additional term.

(6) *PERSONAL LIABILITY OF MEMBERS.*—A member of the Board, including any nonvoting member, shall not be personally liable for—

(A) any action taken in the capacity of the member as a member of the Board; or

(B) any note, bond, or other financial obligation of the Authority.

(7) *QUORUM.*—

(A) *IN GENERAL.*—Subject to subparagraph (B), for the purpose of carrying out the business of the Authority, 7 members of the Board shall constitute a quorum.

(B) *APPROVAL OF BOND ISSUES AND BUDGET.*—Eight affirmative votes of the members of the Board shall be required to approve bond issues and the annual budget of the Authority.

(8) *COMPENSATION.*—A member of the Board shall serve without compensation and shall reside within a Capital Region jurisdiction.

(9) *EXPENSES.*—A member of the Board shall be entitled to reimbursement for the expenses of the member incurred in attending a meeting of the Board or while otherwise engaged in carrying out the duties of the Board.

**SEC. 207. OWNERSHIP OF BRIDGE.**

(a) *CONVEYANCE BY SECRETARY.*—

(1) *IN GENERAL.*—After the Capital Region jurisdictions enter into the agreement described in

subsection (c), the Secretary shall convey all right, title, and interest of the Department of Transportation in and to the Bridge to the Authority. Except as provided in paragraph (2), upon conveyance by the Secretary, the Authority shall accept the right, title, and interest in and to the Bridge, and all duties and responsibilities associated with the Bridge.

(2) *INTERIM RESPONSIBILITIES.*—Until such time as a new crossing of the Potomac River described in section 208 is constructed and operational, the conveyance under paragraph (1) shall in no way—

(A) relieve the Capital Region jurisdictions of the sole and exclusive responsibility to maintain and operate the Bridge; or

(B) relieve the Secretary of the responsibility to rehabilitate the Bridge or to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and all other requirements applicable with respect to the Bridge.

(b) *CONVEYANCE BY THE SECRETARY OF THE INTERIOR.*—At the same time as the conveyance of the Bridge by the Secretary under subsection (a), the Secretary of the Interior shall transfer to the Authority all right, title, and interest of the Department of the Interior in and to such land under or adjacent to the Bridge as is necessary to carry out section 208. Upon conveyance by the Secretary of the Interior, the Authority shall accept the right, title, and interest in and to the land.

(c) *AGREEMENT.*—The agreement referred to in subsection (a) is an agreement among the Secretary, the Governors of the Commonwealth of Virginia and the State of Maryland, and the Mayor of the District of Columbia as to the Federal share of the cost of the activities carried out under section 208.

**SEC. 208. CAPITAL IMPROVEMENTS AND CONSTRUCTION.**

The Authority shall take such action as is necessary to address the need of the National Capital Region for an enhanced southern Capital Beltway crossing of the Potomac River that serves the traffic corridor of the Bridge (as in existence on the date of enactment of this Act), in accordance with the recommendations in the final environmental impact statement prepared by the Secretary. The Authority shall have the sole responsibility for the ownership, construction, operation, and maintenance of a new crossing of the Potomac River.

**SEC. 209. ADDITIONAL POWERS AND RESPONSIBILITIES OF AUTHORITY.**

In addition to the powers and responsibilities of the Authority under the other provisions of this title and under any interstate agreement or compact relating to the Authority that is consistent with this title, the Authority shall have all powers necessary and appropriate to carry out the duties of the Authority, including the power—

(1) to adopt and amend any bylaw that is necessary for the regulation of the affairs of the Authority and the conduct of the business of the Authority;

(2) to adopt and amend any regulation that is necessary to carry out the powers of the Authority;

(3) subject to section 207(a)(2), to plan, establish, finance, operate, develop, construct, enlarge, maintain, equip, or protect the Bridge or a new crossing of the Potomac River described in section 208;

(4) to employ, in the discretion of the Authority, a consulting engineer, attorney, accountant, construction or financial expert, superintendent, or manager, or such other employee or agent as is necessary, and to fix the compensation and benefits of the employee or agent, except that—

(A) an employee of the Authority shall not engage in an activity described in section 7116(b)(7) of title 5, United States Code, with respect to the Authority; and

(B) an employment agreement entered into by the Authority shall contain an explicit prohibi-

tion against an activity described in subparagraph (A) with respect to the Authority by an employee covered by the agreement;

(5) to—

(A) acquire personal and real property (including land lying under water and riparian rights), or any easement or other interest in real property, by purchase, lease, gift, transfer, or exchange; and

(B) exercise such powers of eminent domain in the Capital Region jurisdictions as are conferred on the Authority by the Capital Region jurisdictions, in the exercise of the powers and the performance of the duties of the Authority;

(6) to apply for and accept any property, material, service, payment, appropriation, grant, gift, loan, advance, or other fund that is transferred or made available to the Authority by the Federal Government or by any other public or private entity or individual;

(7) to borrow money on a short-term basis and issue notes of the Authority for the borrowing payable on such terms and conditions as the Board considers advisable, and to issue bonds in the discretion of the Authority for any purpose consistent with this title, which notes and bonds—

(A) shall not constitute a debt of the United States, a Capital Region jurisdiction, or any political subdivision of the United States or a Capital Region jurisdiction;

(B) may be secured solely by the general revenues of the Authority, or solely by the income and revenues of the Bridge or a new crossing of the Potomac River described in section 208; and

(C) shall be exempt as to principal and interest from all taxation (except estate and gift taxes) by the United States;

(8) to fix, revise, charge, and collect any reasonable toll or other charge;

(9) to enter into any contract or agreement necessary or appropriate to the performance of the duties of the Authority or the proper operation of the Bridge or a new crossing of the Potomac River described in section 208;

(10) to make any payment necessary to reimburse a local political subdivision having jurisdiction over an area where the Bridge or a new crossing of the Potomac River is situated for any extraordinary law enforcement cost incurred by the subdivision in connection with the Authority facility;

(11) to enter into partnerships or grant concessions between the public and private sectors for the purpose of—

(A) financing, constructing, maintaining, improving, or operating the Bridge or a new crossing of the Potomac River described in section 208; or

(B) fostering development of a new transportation technology;

(12) to obtain any necessary Federal authorization, permit, or approval for the construction, repair, maintenance, or operation of the Bridge or a new crossing of the Potomac River described in section 208;

(13) to adopt an official seal and alter the seal, as the Board considers appropriate;

(14) to appoint 1 or more advisory committees;

(15) to sue and be sued in the name of the Authority; and

(16) to carry out any activity necessary or appropriate to the exercise of the powers or performance of the duties of the Authority under this title and under any interstate agreement or compact relating to the Authority that is consistent with this title, if the activity is coordinated and consistent with the transportation planning process implemented by the metropolitan planning organization for the Washington, District of Columbia, metropolitan area under section 134 of title 23, United States Code, and section 5303 of title 49, United States Code.

**SEC. 210. FUNDING.**

(a) *SET-ASIDE.*—Section 104 of title 23, United States Code (as amended by section 125(b)(2)(A)), is further amended—

(1) in the first sentence of subsection (b), by striking "subsection (f) of this section" and inserting "subsections (f) and (i)";

(2) by redesignating subsection (i) as subsection (j); and

(3) by inserting before subsection (j) the following:

"(i) WOODROW WILSON MEMORIAL BRIDGE.—Before making an apportionment of funds under subsection (b), the Secretary shall set aside \$17,550,000 for fiscal year 1996 and \$80,050,000 for fiscal year 1997 for the rehabilitation of the Woodrow Wilson Memorial Bridge and for the planning, preliminary design, engineering, and acquisition of a right-of-way for, and construction of, a new crossing of the Potomac River."

(b) APPLICABILITY OF TITLE 23.—Funds made available under this section shall be available for obligation in the manner provided for funds apportioned under chapter 1 of title 23, United States Code, except that—

(1) the Federal share of the cost of any project funded under this section shall be 100 percent; and

(2) the funds made available under this section shall remain available until expended.

(c) STUDY.—Not later than May 31, 1997, the Secretary, in consultation with each of the Capital Region jurisdictions, shall prepare and submit to Congress a report identifying the necessary Federal share of the cost of the activities to be carried out under section 208.

(d) DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1002(e)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 23 U.S.C. 104 note) is amended by inserting before the period at the end the following: "and the National Capital Region Interstate Transportation Authority Act of 1995".

(e) REMOVAL OF ISTEVA AUTHORIZATION FOR BRIDGE REHABILITATION.—Section 1069 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2009) is amended by striking subsection (i).

#### SEC. 211. AVAILABILITY OF PRIOR AUTHORIZATIONS.

In addition to the funds made available under section 210, any funds made available for the rehabilitation of the Bridge under sections 1069(i) and 1103(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2009 and 2028) (as in effect prior to the amendment made by section 210(e)) shall continue to be available after the conveyance of the Bridge to the Authority under section 207(a), in accordance with the terms under which the funds were made available under the Act.

Mr. WARNER. Mr. President, I now ask unanimous consent that the committee substitute be modified to delete section 107 of the bill. That is the section which contains the amendment of the Senator from Virginia, the Davis-Bacon amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. WARNER. I further ask unanimous consent that during the Senate's consideration of S. 440 no Davis-Bacon related amendments be in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. WARNER. Mr. President, I recommended this action after consultation with the managers of the bill and the chairmen of the respective committees and the leadership of the Senate, because I am very anxious that consideration of the National Highway System bill be moved forward expeditiously.

The Senate will have further opportunity to consider issues related to Davis-Bacon on other pieces of legislation, most notably S. 141, a bill reported from the Labor and Human Resources Committee.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SARBANES (for himself, Ms. MIKULSKI, and Mr. ROBB):

S. 934. A bill to authorize the establishment of a pilot program to provide environmental assistance to non-Federal interests in the Chesapeake Bay watershed, and for other purposes; to the Committee on Environment and Public Works.

S. 935. A bill to amend the Food Security Act of 1985 to require the Secretary to establish a program to promote the development of riparian forest buffers in conservation priority areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SARBANES (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. ROBB):

S. 936. A bill to amend the Federal Water Pollution Control Act to assist in the restoration of the Chesapeake Bay, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SARBANES (for himself, Ms. MIKULSKI, and Mr. ROBB):

S. 937. A bill to reauthorize the National Oceanic and Atmospheric Administration Chesapeake Bay Estuarine Resources Office, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SARBANES (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. ROBB):

S. 938. A bill to provide for ballast water management to prevent aquatic nonindigenous species from being introduced and spread into the waters of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SMITH (for himself and Mr. GRAMM):

S. 939. A bill to amend title 18, United States Code, to ban partial-birth abortions; read the first time.

By Mr. LEAHY (for himself, Mr. BRADLEY, Mr. GRAHAM, Mr. DASCHLE, Mr. SIMON, Mr. INOUE, Mr. JEFFORDS, Mr. REID, Mr. HATFIELD, Mr. FORD, Mr. HARKIN, Mr. SARBANES, Mr. FEINGOLD, Mr. KOHL, Mr. LAUTENBERG, Mr. DODD, Mr. KERRY, Mrs. KASSEBAUM, Ms. MOSELEY-BRAUN, Mr. BUMPERS, Mr. KENNEDY, Mrs. BOXER, Mr. PELL, Mr. CHAFEE, Mr. DORGAN, Ms. MIKULSKI, Mr. WELLSTONE, Mr. SIMPSON, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. BRYAN, Mr. MOYNIHAN, Mr. KERREY, Mrs. FEINSTEIN, Mr. AKAKA, Mr. CONRAD, Mr. JOHNSTON, Mr. PRYOR, Mr. BREAUX, Mr. EXON, and Mr. CAMPBELL):

S. 940. A bill to support proposals to implement the United States goal of eventually eliminating antipersonnel landmines; to impose a moratorium on use of antipersonnel landmines except in limited circumstances; to provide for sanctions against foreign governments that export antipersonnel landmines, and for other purposes; to the Committee on Foreign Relations.

By Mr. DODD (for himself and Mr. KENNEDY):

S. 941. A bill to provide for the termination of the status of the College Construction Loan Insurance Association ("the Corporation") as a Government Sponsored Enterprise, to require the Secretary of Education to divest himself of the Corporation's stock, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BOND (for himself, Mr. DOMENICI, Mr. WARNER, Mrs. HUTCHISON, Mr. BURNS, Mr. FRIST, and Mr. COVERDELL):

S. 942. A bill to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, and for other purposes; to the Committee on Small Business.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SARBANES (for himself, Ms. MIKULSKI, and Mr. ROBB):

S. 934. A bill to authorize the establishment of a pilot program to provide environmental assistance to non-Federal interests in the Chesapeake Bay watershed, and for other purposes; to the Committee on Environment and Public Works.

S. 935. A bill to amend the Food Security Act of 1985 to require the Secretary to establish a program to promote the development of riparian forest buffers in conservation priority areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SARBANES (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. ROBB):

S. 936. A bill to amend the Federal Water Pollution Control Act to assist in the restoration of the Chesapeake Bay, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SARBANES (for himself, Ms. MIKULSKI, and Mr. ROBB):

S. 937. A bill to reauthorize the National Oceanic and Atmospheric Administration Chesapeake Bay Estuarine Resources Office, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SARBANES (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. ROBB):

S. 938. A bill to provide for ballast water management to prevent aquatic nonindigenous species from being introduced and spread into the waters of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### CHESAPEAKE BAY LEGISLATION

Mr. SARBANES.

Mr. President, today, I am introducing, along with a number of my colleagues, a package of five bills directed to continuing and enhancing the efforts to clean up the Chesapeake Bay.