

Union Calendar No. 115

105TH CONGRESS
1ST SESSION

H. R. 2169

[Report No. 105-188]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 1997

Mr. WOLF, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1998, and for other pur-
6 poses, namely:

1 TITLE I
2 OFFICE OF THE SECRETARY
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of the Secretary,
5 \$60,009,000, of which not to exceed \$40,000 shall be
6 available as the Secretary may determine for allocation
7 within the Department for official reception and represen-
8 tation expenses: *Provided*, That notwithstanding any other
9 provision of law, there may be credited to this appropria-
10 tion up to \$1,000,000 in funds received in user fees: *Pro-*
11 *vided further*, That no more than \$606,000 shall be avail-
12 able for the Office of Acquisition and Grants Management,
13 solely for department-wide grants management activities:
14 *Provided further*, That none of the funds appropriated in
15 this Act or otherwise made available may be used to main-
16 tain custody of airline tariffs that are already available
17 for public and departmental access at no cost; to secure
18 them against detection, alteration, or tampering; and open
19 to inspection by the Department.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,
22 \$5,574,000.

1 PAYMENTS TO AIR CARRIERS
2 (AIRPORT AND AIRWAY TRUST FUND)
3 (RESCISSION OF CONTRACT AUTHORIZATION)

4 Of the budgetary resources provided for “Small Com-
5 munity Air Service” in Public Law 101–508 for fiscal year
6 1998, \$38,600,000 are rescinded.

7 MINORITY BUSINESS RESOURCE CENTER PROGRAM

8 For the cost of direct loans, \$1,500,000, as author-
9 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-
10 ing the cost of modifying such loans, shall be as defined
11 in section 502 of the Congressional Budget Act of 1974:
12 *Provided further*, That these funds are available to sub-
13 sidize gross obligations for the principal amount of direct
14 loans not to exceed \$15,000,000. In addition, for adminis-
15 trative expenses to carry out the direct loan program,
16 \$400,000.

17 MINORITY BUSINESS OUTREACH

18 For necessary expenses of Minority Business Re-
19 source Center outreach activities, \$2,900,000, of which
20 \$2,635,000 shall remain available until September 30,
21 1999: *Provided*, That notwithstanding 49 U.S.C. 332,
22 these funds may be used for business opportunities related
23 to any mode of transportation.

1 COAST GUARD
2 OPERATING EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for the operation and mainte-
5 nance of the Coast Guard, not otherwise provided for; pur-
6 chase of not to exceed five passenger motor vehicles for
7 replacement only; payments pursuant to section 156 of
8 Public Law 97–377, as amended (42 U.S.C. 402 note),
9 and section 229(b) of the Social Security Act (42 U.S.C.
10 429(b)); and recreation and welfare; \$2,708,000,000, of
11 which \$300,000,000 shall be available for defense-related
12 activities and \$25,000,000 shall be derived from the Oil
13 Spill Liability Trust Fund: *Provided*, That the number of
14 aircraft on hand at any one time shall not exceed two hun-
15 dred and twelve, exclusive of aircraft and parts stored to
16 meet future attrition: *Provided further*, That none of the
17 funds appropriated in this or any other Act shall be avail-
18 able for pay or administrative expenses in connection with
19 shipping commissioners in the United States: *Provided*
20 *further*, That none of the funds provided in this Act shall
21 be available for expenses incurred for yacht documentation
22 under 46 U.S.C. 12109, except to the extent fees are col-
23 lected from yacht owners and credited to this appropria-
24 tion: *Provided further*, That the Commandant shall reduce
25 both military and civilian employment levels for the pur-

1 pose of complying with Executive Order No. 12839: *Pro-*
2 *vided further*, That \$34,300,000 of the funds provided
3 under this heading for increased drug interdiction activi-
4 ties are not available for obligation until the Director, Of-
5 fice of National Drug Control Policy: (1) reviews the spe-
6 cific activities and associated costs and benefits proposed
7 by the Coast Guard; (2) compares those activities to other
8 drug interdiction efforts government-wide; and (3) cer-
9 tifies, in writing, to the House and Senate Committees on
10 Appropriations that such expenditures represent the best
11 investment relative to other options: *Provided further*,
12 That should the Director, Office of National Drug Control
13 Policy decline to make such certification, after notification
14 in writing to the House and Senate Committees on Appro-
15 priations, the Director may transfer, at his discretion, up
16 to \$34,300,000 of funds provided herein for Coast Guard
17 drug interdiction activities to any other entity of the Fed-
18 eral Government for drug interdiction activities: *Provided*
19 *further*, That up to \$615,000 in user fees collected pursu-
20 ant to section 1111 of Public Law 104-324 shall be cred-
21 ited to this appropriation as offsetting collections in fiscal
22 year 1998.

23 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

24 For necessary expenses of acquisition, construction,
25 renovation, and improvement of aids to navigation, shore

1 facilities, vessels, and aircraft, including equipment related
2 thereto, \$379,000,000, of which \$20,000,000 shall be de-
3 rived from the Oil Spill Liability Trust Fund; of which
4 \$191,650,000 shall be available to acquire, repair, ren-
5 ovate or improve vessels, small boats and related equip-
6 ment, to remain available until September 30, 2002;
7 \$33,900,000 shall be available to acquire new aircraft and
8 increase aviation capability, to remain available until Sep-
9 tember 30, 2000; \$47,050,000 shall be available for other
10 equipment, to remain available until September 30, 2000;
11 \$59,400,000 shall be available for shore facilities and aids
12 to navigation facilities, to remain available until Septem-
13 ber 30, 2000; and \$47,000,000 shall be available for per-
14 sonnel compensation and benefits and related costs, to re-
15 main available until September 30, 1999: *Provided*, That
16 funds received from the sale of HU-25 aircraft shall be
17 credited to this appropriation for the purpose of acquiring
18 new aircraft and increasing aviation capacity: *Provided*
19 *further*, That the Commandant may dispose of surplus real
20 property by sale or lease and the proceeds shall be credited
21 to this appropriation, of which not more than \$9,000,000
22 shall be credited as offsetting collections to this account,
23 to be available for the purposes of this account: *Provided*
24 *further*, That the amount herein appropriated from the
25 General Fund shall be reduced by such amount so as to

1 result in a final fiscal year 1998 appropriation from the
2 General Fund of \$370,000,000: *Provided further*, That
3 any proceeds from the sale or lease of Coast Guard surplus
4 real property in excess of \$9,000,000 shall be retained and
5 remain available until expended, but shall not be available
6 for obligation until October 1, 1998.

7 ENVIRONMENTAL COMPLIANCE AND RESTORATION

8 For necessary expenses to carry out the Coast
9 Guard's environmental compliance and restoration func-
10 tions under chapter 19 of title 14, United States Code,
11 \$21,000,000, to remain available until expended.

12 ALTERATION OF BRIDGES

13 For necessary expenses for alteration or removal of
14 obstructive bridges, \$16,000,000, to remain available until
15 expended.

16 RETIRED PAY

17 For retired pay, including the payment of obligations
18 therefor otherwise chargeable to lapsed appropriations for
19 this purpose, and payments under the Retired Service-
20 man's Family Protection and Survivor Benefits Plans, and
21 for payments for medical care of retired personnel and
22 their dependents under the Dependents Medical Care Act
23 (10 U.S.C. ch. 55); \$645,696,000.

1 RESERVE TRAINING

2 (INCLUDING TRANSFER OF FUNDS)

3 For all necessary expenses of the Coast Guard Re-
4 serve, as authorized by law; maintenance and operation
5 of facilities; and supplies, equipment, and services;
6 \$67,000,000: *Provided*, That no more than \$20,000,000
7 of funds made available under this heading may be trans-
8 ferred to Coast Guard “Operating expenses” or otherwise
9 made available to reimburse the Coast Guard for financial
10 support of the Coast Guard Reserve.

11 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

12 For necessary expenses, not otherwise provided for,
13 for applied scientific research, development, test, and eval-
14 uation; maintenance, rehabilitation, lease and operation of
15 facilities and equipment, as authorized by law,
16 \$19,000,000, to remain available until expended, of which
17 \$3,500,000 shall be derived from the Oil Spill Liability
18 Trust Fund: *Provided*, That there may be credited to this
19 appropriation funds received from State and local govern-
20 ments, other public authorities, private sources, and for-
21 eign countries, for expenses incurred for research, develop-
22 ment, testing, and evaluation.

1 BOAT SAFETY

2 (AQUATIC RESOURCES TRUST FUND)

3 For payment of necessary expenses incurred for rec-
4 reational boating safety assistance under Public Law 92-
5 75, as amended, \$35,000,000, to be derived from the Boat
6 Safety Account and to remain available until expended.

7 FEDERAL AVIATION ADMINISTRATION

8 OPERATIONS

9 For necessary expenses of the Federal Aviation Ad-
10 ministration, not otherwise provided for, including oper-
11 ations and research activities related to commercial space
12 transportation, administrative expenses for research and
13 development, establishment of air navigation facilities and
14 the operation (including leasing) and maintenance of air-
15 craft, and carrying out the provisions of subchapter I of
16 chapter 471 of title 49, United States Code, or other pro-
17 visions of law authorizing the obligation of funds for simi-
18 lar programs of airport and airway development or im-
19 provement, lease or purchase of four passenger motor ve-
20 hicles for replacement only, \$5,300,000,000, of which not-
21 withstanding 49 U.S.C. 48104(c), \$3,425,000,000 shall be
22 derived from the Airport and Airway Trust Fund: *Pro-*
23 *vided*, That none of the funds in this Act shall be available
24 for the Federal Aviation Administration to plan, finalize,
25 or implement any regulation that would promulgate new

1 aviation user fees not specifically authorized by law after
2 the date of enactment of this Act: *Provided further*, That
3 there may be credited to this appropriation funds received
4 from States, counties, municipalities, foreign authorities,
5 other public authorities, and private sources, for expenses
6 incurred in the provision of agency services, including re-
7 ceipts for the maintenance and operation of air navigation
8 facilities, and for issuance, renewal or modification of cer-
9 tificates, including airman, aircraft, and repair station cer-
10 tificates, or for tests related thereto, or for processing
11 major repair or alteration forms: *Provided further*, That
12 funds may be used to enter into a grant agreement with
13 a nonprofit standard-setting organization to assist in the
14 development of aviation safety standards: *Provided fur-*
15 *ther*, That none of the funds in this Act shall be available
16 for new applicants for the second career training program:
17 *Provided further*, That none of the funds in this Act shall
18 be available for paying premium pay under 5 U.S.C.
19 5546(a) to any Federal Aviation Administration employee
20 unless such employee actually performed work during the
21 time corresponding to such premium pay: *Provided fur-*
22 *ther*, That none of the funds in this Act may be obligated
23 or expended to operate a manned auxiliary flight service
24 station in the contiguous United States: *Provided further*,
25 That none of the funds derived from the Airport and Air-

1 way Trust Fund may be used to support the operations
2 and activities of the Associate Administrator for Commer-
3 cial Space Transportation.

4 FACILITIES AND EQUIPMENT

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses, not otherwise provided for,
7 for acquisition, establishment, and improvement by con-
8 tract or purchase, and hire of air navigation and experi-
9 mental facilities and equipment as authorized under part
10 A of subtitle VII of title 49, United States Code, including
11 initial acquisition of necessary sites by lease or grant; en-
12 gineering and service testing, including construction of
13 test facilities and acquisition of necessary sites by lease
14 or grant; and construction and furnishing of quarters and
15 related accommodations for officers and employees of the
16 Federal Aviation Administration stationed at remote local-
17 ities where such accommodations are not available; and
18 the purchase, lease, or transfer of aircraft from funds
19 available under this head; to be derived from the Airport
20 and Airway Trust Fund, \$1,875,000,000, of which
21 \$1,655,890,000 shall remain available until September 30,
22 2000, and of which \$219,110,000 shall remain available
23 until September 30, 1998: *Provided*, That there may be
24 credited to this appropriation funds received from States,
25 counties, municipalities, other public authorities, and pri-

1 vate sources, for expenses incurred in the establishment
2 and modernization of air navigation facilities.

3 RESEARCH, ENGINEERING, AND DEVELOPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for,
6 for research, engineering, and development, as authorized
7 under part A of subtitle VII of title 49, United States
8 Code, including construction of experimental facilities and
9 acquisition of necessary sites by lease or grant,
10 \$185,000,000, to be derived from the Airport and Airway
11 Trust Fund and to remain available until September 30,
12 2000: *Provided*, That there may be credited to this appro-
13 priation funds received from States, counties, municipali-
14 ties, other public authorities, and private sources, for ex-
15 penses incurred for research, engineering, and develop-
16 ment: *Provided further*, That none of the funds in this Act
17 may be obligated or expended for the “Flight 2000” Pro-
18 gram.

19 GRANTS-IN-AID FOR AIRPORTS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (AIRPORT AND AIRWAY TRUST FUND)

22 For liquidation of obligations incurred for grants-in-
23 aid for airport planning and development, and for noise
24 compatibility planning and programs as authorized under
25 subchapter I of chapter 471 and subchapter I of chapter
26 475 of title 49, United States Code, and under other law

1 authorizing such obligations, \$1,600,000,000, to be de-
2 rived from the Airport and Airway Trust Fund and to re-
3 main available until expended: *Provided*, That none of the
4 funds in this Act shall be available for the planning or
5 execution of programs the obligations for which are in ex-
6 cess of \$1,700,000,000 in fiscal year 1998 for grants-in-
7 aid for airport planning and development, and noise com-
8 patibility planning and programs, notwithstanding section
9 47117(h) of title 49, United States Code.

10 AVIATION INSURANCE REVOLVING FUND

11 The Secretary of Transportation is hereby authorized
12 to make such expenditures and investments, within the
13 limits of funds available pursuant to 49 U.S.C. 44307, and
14 in accordance with section 104 of the Government Cor-
15 poration Control Act, as amended (31 U.S.C. 9104), as
16 may be necessary in carrying out the program for aviation
17 insurance activities under chapter 443 of title 49, United
18 States Code.

19 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

20 None of the funds in this Act shall be available for
21 activities under this heading during fiscal year 1998.

22 ADMINISTRATIVE SERVICES FRANCHISE FUND

23 None of the funds in this Act shall be available to
24 establish new activities under the Administrative Services
25 Franchise Fund during fiscal year 1998.

1 FEDERAL HIGHWAY ADMINISTRATION
2 LIMITATION ON GENERAL OPERATING EXPENSES

3 Necessary expenses for administration, operation, in-
4 cluding motor carrier safety program operations, and re-
5 search of the Federal Highway Administration not to ex-
6 ceed \$510,313,000 shall be paid in accordance with law
7 from appropriations made available by this Act to the Fed-
8 eral Highway Administration together with advances and
9 reimbursements received by the Federal Highway Admin-
10 istration: *Provided*, That \$202,226,000 of the amount pro-
11 vided herein shall remain available until September 30,
12 2000.

13 FEDERAL-AID HIGHWAYS
14 (LIMITATION ON OBLIGATIONS)
15 (HIGHWAY TRUST FUND)

16 None of the funds in this Act shall be available for
17 the implementation or execution of programs the obliga-
18 tions for which are in excess of \$21,500,000,000 for Fed-
19 eral-aid highways and highway safety construction pro-
20 grams for fiscal year 1998.

21 FEDERAL-AID HIGHWAYS
22 (LIQUIDATION OF CONTRACT AUTHORIZATION)
23 (HIGHWAY TRUST FUND)

24 For carrying out the provisions of title 23, United
25 States Code, that are attributable to Federal-aid high-
26 ways, including the National Scenic and Recreational

1 Highway as authorized by 23 U.S.C. 148, not otherwise
2 provided, including reimbursements for sums expended
3 pursuant to the provisions of 23 U.S.C. 308,
4 \$20,800,000,000 or so much thereof as may be available
5 in and derived from the Highway Trust Fund, to remain
6 available until expended.

7 RIGHT-OF-WAY REVOLVING FUND

8 (LIMITATION ON DIRECT LOANS)

9 (HIGHWAY TRUST FUND)

10 None of the funds under this head are available for obli-
11 gations for right-of-way acquisition during fiscal year
12 1998.

13 MOTOR CARRIER SAFETY GRANTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in carrying out
17 49 U.S.C. 31102, \$85,000,000, to be derived from the
18 Highway Trust Fund and to remain available until ex-
19 pended: *Provided*, That none of the funds in this Act shall
20 be available for the implementation or execution of pro-
21 grams the obligations for which are in excess of
22 \$85,325,000 for “Motor Carrier Safety Grants”.

1 NATIONAL HIGHWAY TRAFFIC SAFETY
2 ADMINISTRATION
3 OPERATIONS AND RESEARCH

4 For expenses necessary to discharge the functions of
5 the Secretary with respect to traffic and highway safety
6 under part C of subtitle VI of title 49, United States Code,
7 and chapter 301 of title 49, United States Code,
8 \$74,492,000, of which \$40,674,000 shall remain available
9 until September 30, 2000: *Provided*, That none of the
10 funds appropriated by this Act may be obligated or ex-
11 pended to plan, finalize, or implement any rulemaking to
12 add to section 575.104 of title 49 of the Code of Federal
13 Regulations any requirement pertaining to a grading
14 standard that is different from the three grading stand-
15 ards (treadwear, traction, and temperature resistance) al-
16 ready in effect.

17 OPERATIONS AND RESEARCH
18 (HIGHWAY TRUST FUND)

19 For expenses necessary to discharge the functions of
20 the Secretary with respect to traffic and highway safety
21 under 23 U.S.C. 403 and section 2006 of the Intermodal
22 Surface Transportation Efficiency Act of 1991 (Public
23 Law 102–240), to be derived from the Highway Trust
24 Fund, \$72,415,000, of which \$49,520,000 shall remain
25 available until September 30, 2000.

1 HIGHWAY TRAFFIC SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred carrying out the
6 provisions of 23 U.S.C. 153, 402, 408, and 410, and chap-
7 ter 303 of title 49, United States Code, to remain available
8 until expended, \$186,000,000, to be derived from the
9 Highway Trust Fund: *Provided*, That, notwithstanding
10 subsection 2009(b) of the Intermodal Surface Transpor-
11 tation Efficiency Act of 1991, none of the funds in this
12 Act shall be available for the planning or execution of pro-
13 grams the total obligations for which, in fiscal year 1998,
14 are in excess of \$186,500,000 for programs authorized
15 under 23 U.S.C. 402, 410, and chapter 303 of title 49,
16 U.S.C., of which \$140,200,000 shall be for “State and
17 community highway safety grants”, \$2,300,000 shall be
18 for the “National Driver Register”, \$9,000,000 shall be
19 for “Occupant Protection Incentive Grants”, subject to
20 authorization, and \$35,000,000 shall be for section 410
21 “Alcohol-impaired driving counter-measures programs”:
22 *Provided further*, That none of these funds shall be used
23 for construction, rehabilitation or remodeling costs, or for
24 office furnishings and fixtures for State, local, or private
25 buildings or structures: *Provided further*, That not to ex-
26 ceed \$5,268,000 of the funds made available for section

1 402 may be available for administering “State and com-
2 munity highway safety grants”: *Provided further*, That not
3 to exceed \$150,000 of the funds made available for section
4 402 may be available for administering the highway safety
5 grants authorized by section 1003(a)(7) of Public Law
6 102–240: *Provided further*, That not to exceed \$500,000
7 of the funds made available for section 410 “Alcohol-im-
8 paired driving counter-measures programs” shall be avail-
9 able for technical assistance to the States.

10 FEDERAL RAILROAD ADMINISTRATION

11 OFFICE OF THE ADMINISTRATOR

12 For necessary expenses of the Federal Railroad Ad-
13 ministration, not otherwise provided for, \$19,434,000, of
14 which \$1,389,000 shall remain available until expended:
15 *Provided*, That none of the funds in this Act shall be avail-
16 able for the planning or execution of a program making
17 commitments to guarantee new loans under the Emer-
18 gency Rail Services Act of 1970, as amended, and no new
19 commitments to guarantee loans under section 211(a) or
20 211(h) of the Regional Rail Reorganization Act of 1973,
21 as amended, shall be made: *Provided further*, That, as part
22 of the Washington Union Station transaction in which the
23 Secretary assumed the first deed of trust on the property
24 and, where the Union Station Redevelopment Corporation
25 or any successor is obligated to make payments on such

1 deed of trust on the Secretary's behalf, including pay-
2 ments on and after September 30, 1988, the Secretary
3 is authorized to receive such payments directly from the
4 Union Station Redevelopment Corporation, credit them to
5 the appropriation charged for the first deed of trust, and
6 make payments on the first deed of trust with those funds:
7 *Provided further*, That such additional sums as may be
8 necessary for payment on the first deed of trust may be
9 advanced by the Administrator from unobligated balances
10 available to the Federal Railroad Administration, to be re-
11 imbursed from payments received from the Union Station
12 Redevelopment Corporation: *Provided further*, That none
13 of the funds for rental payments to the General Services
14 Administration provided herein shall be used to pay the
15 expenses of headquarters' employees outside of the Nassif
16 building after January 1, 1998.

17 **RAILROAD SAFETY**

18 For necessary expenses in connection with railroad
19 safety, not otherwise provided for, \$56,967,000, of which
20 \$5,511,000 shall remain available until expended: *Pro-*
21 *vided*, That notwithstanding any other provision of law,
22 funds appropriated under this heading are available for
23 the reimbursement of out-of-state travel and per diem
24 costs incurred by employees of State governments directly

1 supporting the Federal railroad safety program, including
2 regulatory development and compliance-related activities.

3 RAILROAD RESEARCH AND DEVELOPMENT

4 For necessary expenses for railroad research and de-
5 velopment, \$21,038,000, to remain available until ex-
6 pended.

7 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

8 For necessary expenses related to Northeast Corridor
9 improvements authorized by title VII of the Railroad Revi-
10 talization and Regulatory Reform Act of 1976, as amend-
11 ed (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909,
12 \$250,000,000, to remain available until September 30,
13 2000.

14 RAILROAD REHABILITATION AND IMPROVEMENT
15 PROGRAM

16 The Secretary of Transportation is authorized to
17 issue to the Secretary of the Treasury notes or other obli-
18 gations pursuant to section 512 of the Railroad Revitaliza-
19 tion and Regulatory Reform Act of 1976 (Public Law 94-
20 210), as amended, in such amounts and at such times as
21 may be necessary to pay any amounts required pursuant
22 to the guarantee of the principal amount of obligations
23 under sections 511 through 513 of such Act, such author-
24 ity to exist as long as any such guaranteed obligation is

1 outstanding: *Provided*, That no new loan guarantee com-
2 mitments shall be made during fiscal year 1998.

3 NEXT GENERATION HIGH-SPEED RAIL

4 For necessary expenses for Next Generation High-
5 Speed Rail studies, corridor planning, development, dem-
6 onstration, and implementation, \$18,395,000, to remain
7 available until expended: *Provided*, That funds under this
8 head may be made available for grants to States for high-
9 speed rail corridor design, feasibility studies, environ-
10 mental analyses, and track and signal improvements.

11 RHODE ISLAND RAIL DEVELOPMENT

12 For the costs associated with construction of a third
13 track on the Northeast Corridor between Davisville and
14 Central Falls, Rhode Island, with sufficient clearance to
15 accommodate double stack freight cars, \$10,000,000, to
16 be matched by the State of Rhode Island or its designee
17 on a dollar for dollar basis and to remain available until
18 expended: *Provided*, That as a condition of accepting such
19 funds, the Providence and Worcester (P&W) Railroad
20 shall enter into an agreement with the Secretary to reim-
21 burse Amtrak and/or the Federal Railroad Administra-
22 tion, on a dollar for dollar basis, up to the first
23 \$23,000,000 in damages resulting from the legal action
24 initiated by the P&W Railroad under its existing contracts
25 with Amtrak relating to the provision of vertical clearances

1 between Davisville and Central Falls in excess of those re-
2 quired for present freight operations.

3 GRANTS TO THE NATIONAL RAILROAD PASSENGER
4 CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation
7 authorized by 49 U.S.C. 24104, \$543,000,000, to remain
8 available until expended, of which \$202,000,000 shall be
9 available for operating losses, \$81,000,000 shall be avail-
10 able for mandatory passenger rail service payments, and
11 \$260,000,000 shall be for capital improvements: *Provided*,
12 That none of the funds herein appropriated for mandatory
13 railroad retirement payments shall be used for payments
14 for National Railroad Passenger Corporation employees:
15 *Provided further*, That none of the funds in this Act may
16 be obligated or expended for operating losses in excess of
17 the amounts specifically provided herein: *Provided further*,
18 That none of the funds provided for capital improvements
19 may be transferred to operating losses to pay for debt
20 service interest unless specifically authorized by law after
21 the date of enactment of this Act: *Provided further*, That
22 the incurring of any obligation or commitment by the Cor-
23 poration for the purchase of capital improvements prohib-
24 ited by this Act or not expressly provided for in an appro-
25 priations Act shall be deemed a violation of 31 U.S.C.

1 1341: *Provided further*, That funding under this head for
2 capital improvements shall not be made available before
3 July 1, 1998: *Provided further*, That the Administrator
4 of the Federal Railroad Administration shall submit a
5 quarterly report to the House and Senate Committees on
6 Appropriations detailing the financial status of, and future
7 business forecasts for, the National Railroad Passenger
8 Corporation as well as recommendations for reducing op-
9 erating losses in the near-term and Federal financial sup-
10 port in the long-term: *Provided further*, That none of the
11 funds herein appropriated shall be used for lease or pur-
12 chase of passenger motor vehicles or for the hire of vehicle
13 operators for any officer or employee, other than the presi-
14 dent of the Corporation, excluding the lease of passenger
15 motor vehicles for those officers or employees while in offi-
16 cial travel status.

17 FEDERAL TRANSIT ADMINISTRATION

18 ADMINISTRATIVE EXPENSES

19 For necessary administrative expenses of the Federal
20 Transit Administration's programs authorized by chapter
21 53 of title 49, United States Code, \$45,738,000: *Provided*,
22 That none of the funds in this Act shall be available for
23 the execution of contracts under section 5327(c) of title
24 49, United States Code, in an aggregate amount that ex-
25 ceeds \$15,000,000.

1 UNIVERSITY TRANSPORTATION CENTERS

2 For necessary expenses for university transportation
3 centers as authorized by 49 U.S.C. 5317(b), to remain
4 available until expended, \$6,000,000.

5 TRANSIT PLANNING AND RESEARCH

6 For necessary expenses for transit planning and re-
7 search as authorized by 49 U.S.C. 5303, 5311, 5313,
8 5314, and 5315, to remain available until expended,
9 \$86,000,000, of which \$39,500,000 shall be for activities
10 under Metropolitan Planning (49 U.S.C. 5303);
11 \$4,500,000 for activities under Rural Transit Assistance
12 (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under
13 State Planning and Research (49 U.S.C. 5313(b));
14 \$22,500,000 for activities under National Planning and
15 Research (49 U.S.C. 5314); \$8,250,000 for activities
16 under Transit Cooperative Research (49 U.S.C. 5313(a));
17 and \$3,000,000 for National Transit Institute (49 U.S.C.
18 5315).

19 TRUST FUND SHARE OF EXPENSES

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out
23 49 U.S.C. 5338(a), \$2,210,000,000, to remain available
24 until expended and to be derived from the Highway Trust
25 Fund: *Provided*, That \$2,210,000,000 shall be paid from
26 the Mass Transit Account of the Highway Trust Fund to

1 the Federal Transit Administration's formula grants ac-
2 count.

3 DISCRETIONARY GRANTS

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 None of the funds in this Act shall be available for
7 the implementation or execution of programs the obliga-
8 tions for which are in excess of \$2,000,000,000 in fiscal
9 year 1998 for grants under the contract authority in 49
10 U.S.C. 5338(b): *Provided*, That there shall be available for
11 fixed guideway modernization, \$800,000,000; there shall
12 be available for the replacement, rehabilitation, and pur-
13 chase of buses and related equipment and the construction
14 of bus-related facilities, \$400,000,000; and there shall be
15 available for new fixed guideway systems \$800,000,000,
16 to be available as follows:

17 \$44,600,000 for the Atlanta-North Springs
18 project (subject to authorization);

19 \$46,300,000 for the Boston Piers MOS-2
20 project (subject to authorization);

21 \$2,300,000 for the Canton-Akron-Cleveland
22 commuter rail project (subject to authorization);

23 \$1,000,000 for the Charlotte South corridor
24 transitway project (subject to authorization);

1 \$500,000 for the Cincinnati Northeast/North-
2 ern Kentucky rail line project (subject to authoriza-
3 tion);

4 \$5,000,000 for the Clark County, Nevada fixed
5 guideway project (subject to authorization);

6 \$800,000 for the Cleveland Blue Line extension
7 to Highland Hills project (subject to authorization);

8 \$700,000 for the Cleveland Berea Red Line ex-
9 tension to Hopkins International Airport (subject to
10 authorization);

11 \$1,200,000 for the Cleveland Waterfront Line
12 extension project (subject to authorization);

13 \$14,000,000 for the Dallas-Fort Worth
14 RAILTRAN project (subject to authorization);

15 \$8,000,000 for the DART North Central light
16 rail extension project (subject to authorization);

17 \$1,500,000 for the DeKalb County, Georgia
18 light rail project (subject to authorization);

19 \$21,400,000 for the Denver Southwest Corridor
20 project (subject to authorization);

21 \$7,000,000 for the Florida Tri-County com-
22 muter rail project (subject to authorization);

23 \$1,000,000 for the Galveston, Texas rail trolley
24 system project (subject to authorization);

- 1 \$1,000,000 for the Houston Advanced Regional
2 Bus Plan project (subject to authorization);
- 3 \$51,100,000 for the Houston Regional Bus
4 project (subject to authorization);
- 5 \$1,000,000 for the Indianapolis Northeast cor-
6 ridor project (subject to authorization);
- 7 \$4,000,000 for the Jackson, Mississippi inter-
8 modal corridor project (subject to authorization);
- 9 \$76,000,000 for the Los Angeles MOS-3
10 project (subject to authorization);
- 11 \$27,000,000 for MARC commuter rail improve-
12 ments (subject to authorization);
- 13 \$1,000,000 for the Memphis, Tennessee re-
14 gional rail project (subject to authorization);
- 15 \$9,000,000 for the Metro-Dade Transit east-
16 west corridor project (subject to authorization);
- 17 \$9,000,000 for the Miami-North 27th Avenue
18 project (subject to authorization);
- 19 \$1,000,000 for the Mission Valley East corridor
20 project (subject to authorization);
- 21 \$54,800,000 for the New Jersey-Hudson-Ber-
22 gen project (subject to authorization);
- 23 \$27,000,000 for the New Jersey Secaucus
24 project (subject to authorization);

1 \$8,000,000 for the New Orleans Canal Street
2 corridor project (subject to authorization);

3 \$2,000,000 for the New Orleans Desire Street-
4 car project (subject to authorization);

5 \$6,000,000 for the North Carolina Research
6 Triangle Park project (subject to authorization);

7 \$2,000,000 for the Northern Indiana South
8 Shore commuter rail project (subject to authoriza-
9 tion);

10 \$5,000,000 for the Oceanside-Escondido light
11 rail project (subject to authorization);

12 \$1,600,000 for the Oklahoma City MAPS cor-
13 ridor transit project (subject to authorization);

14 \$4,000,000 for the Orange County transitway
15 project (subject to authorization);

16 \$31,800,000 for the Orlando Lynx light rail
17 project (subject to authorization);

18 \$500,000 for the Pennsylvania Strawberry Hill/
19 Diamond Branch rail project (subject to authoriza-
20 tion);

21 \$8,000,000 for the Phoenix metropolitan area
22 transit project (subject to authorization);

23 \$3,000,000 for the Pittsburgh airport busway
24 project (subject to authorization);

1 \$63,400,000 for the Portland-Westside/Hills-
2 boro project (subject to authorization);

3 \$20,300,000 for the Sacramento LRT project
4 (subject to authorization);

5 \$42,800,000 for the Salt Lake City South LRT
6 project (subject to authorization);

7 \$1,000,000 for the San Bernardino Metrolink
8 project (subject to authorization);

9 \$3,000,000 for the San Diego Mid-Coast cor-
10 ridor project (subject to authorization);

11 \$54,800,000 for the San Francisco BART ex-
12 tension to the airport project (subject to authoriza-
13 tion);

14 \$25,700,000 for the San Juan Tren Urbano
15 (subject to authorization);

16 \$21,400,000 for the San Jose Tasman LRT
17 project (subject to authorization);

18 \$4,000,000 for the Seattle-Tacoma commuter
19 rail project (subject to authorization);

20 \$2,000,000 for the Seattle-Tacoma light rail
21 project (subject to authorization);

22 \$30,000,000 for the St. Louis-St. Clair LRT
23 extension project (subject to authorization);

24 \$5,000,000 for the Staten Island-Midtown
25 Ferry service project (subject to authorization);

1 \$2,000,000 for the Tampa Bay regional rail
2 project (subject to authorization);

3 \$2,000,000 for the Tidewater, Virginia rail
4 project (subject to authorization);

5 \$1,000,000 for the Toledo, Ohio rail project
6 (subject to authorization);

7 \$20,000,000 for the Twin Cities transitways
8 projects (subject to authorization);

9 \$2,500,000 for the Virginia Rail Express Fred-
10 ericksburg to Washington commuter rail project
11 (subject to authorization);

12 \$5,000,000 for the Whitehall ferry terminal
13 project (subject to authorization); and

14 \$5,000,000 for the Wisconsin central commuter
15 rail project (subject to authorization).

16 MASS TRANSIT CAPITAL FUND

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out
20 49 U.S.C. 5338(b) administered by the Federal Transit
21 Administration, \$2,350,000,000, to be derived from the
22 Highway Trust Fund and to remain available until ex-
23 pended.

1 tation, \$11,200,000, to be derived from the Harbor Main-
2 tenance Trust Fund, pursuant to Public Law 99-662.

3 RESEARCH AND SPECIAL PROGRAMS

4 ADMINISTRATION

5 RESEARCH AND SPECIAL PROGRAMS

6 For expenses necessary to discharge the functions of
7 the Research and Special Programs Administration,
8 \$27,934,000, of which \$574,000 shall be derived from the
9 Pipeline Safety Fund, and of which \$4,950,000 shall re-
10 main available until September 30, 2000: *Provided*, That
11 up to \$1,200,000 in fees collected under 49 U.S.C.
12 5108(g) shall be deposited in the general fund of the
13 Treasury as offsetting receipts: *Provided further*, That
14 there may be credited to this appropriation, to be available
15 until expended, funds received from States, counties, mu-
16 nicipalities, other public authorities, and private sources
17 for expenses incurred for training, for reports publication
18 and dissemination, and for travel expenses incurred in per-
19 formance of hazardous materials exemptions and approv-
20 als functions.

21 PIPELINE SAFETY

22 (PIPELINE SAFETY FUND)

23 For expenses necessary to conduct the functions of
24 the pipeline safety program, for grants-in-aid to carry out
25 a pipeline safety program, as authorized by 49 U.S.C.

1 60107, and to discharge the pipeline program responsibil-
2 ities of the Oil Pollution Act of 1990, \$31,486,000, of
3 which \$3,300,000 shall be derived from the Oil Spill Li-
4 ability Trust Fund and shall remain available until Sep-
5 tember 30, 2000; and of which \$28,186,000 shall be de-
6 rived from the Pipeline Safety Fund, of which
7 \$14,839,000 shall remain available until September 30,
8 2000: *Provided*, That in addition to amounts made avail-
9 able for the Pipeline Safety Fund, \$1,000,000 shall be
10 available for grants to States for the development and es-
11 tablishment of one-call notification systems and shall be
12 derived from amounts previously collected under section
13 7005 of the Consolidated Omnibus Budget Reconciliation
14 Act of 1985.

15 EMERGENCY PREPAREDNESS GRANTS

16 (EMERGENCY PREPAREDNESS FUND)

17 For necessary expenses to carry out 49 U.S.C.
18 5127(c), \$200,000, to be derived from the Emergency
19 Preparedness Fund, to remain available until September
20 30, 2000: *Provided*, That none of the funds made available
21 by 49 U.S.C. 5116(i) and 5127(d) shall be made available
22 for obligation by individuals other than the Secretary of
23 Transportation, or his designee.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector
4 General to carry out the provisions of the Inspector Gen-
5 eral Act of 1978, as amended, \$42,000,000: *Provided*,
6 That none of the funds under this heading shall be for
7 the conduct of contract audits.

8 SURFACE TRANSPORTATION BOARD

9 SALARIES AND EXPENSES

10 For necessary expenses of the Surface Transpor-
11 tation Board, including services authorized by 5 U.S.C.
12 3109, \$15,853,000: *Provided*, That notwithstanding any
13 other provision of law, not to exceed \$2,000,000 from fees
14 established by the Chairman of the Surface Transpor-
15 tation Board shall be credited to this appropriation as off-
16 setting collections and used for necessary and authorized
17 expenses under this heading: *Provided further*, That the
18 sum herein appropriated for the general fund shall be re-
19 duced on a dollar for dollar basis as such offsetting collec-
20 tions are received during fiscal year 1998, to result in a
21 final appropriation from the general fund estimated at no
22 more than \$13,853,000: *Provided further*, That any fees
23 received in excess of \$2,000,000 in fiscal year 1998 shall
24 remain available until expended, but shall not be available
25 for obligation until October 1, 1998.

1 TITLE II
2 RELATED AGENCIES
3 ARCHITECTURAL AND TRANSPORTATION
4 BARRIERS COMPLIANCE BOARD
5 SALARIES AND EXPENSES

6 For expenses necessary for the Architectural and
7 Transportation Barriers Compliance Board, as authorized
8 by section 502 of the Rehabilitation Act of 1973, as
9 amended, \$3,640,000: *Provided*, That, notwithstanding
10 any other provision of law, there may be credited to this
11 appropriation funds received for publications and training
12 expenses.

13 NATIONAL TRANSPORTATION SAFETY BOARD
14 SALARIES AND EXPENSES

15 For necessary expenses of the National Transpor-
16 tation Safety Board, including hire of passenger motor ve-
17 hicles and aircraft; services as authorized by 5 U.S.C.
18 3109, but at rates for individuals not to exceed the per
19 diem rate equivalent to the rate for a GS-18; uniforms,
20 or allowances therefor, as authorized by law (5 U.S.C.
21 5901-5902) \$46,000,000, of which not to exceed \$2,000
22 may be used for official reception and representation ex-
23 penses.

1 SEC. 303. Funds appropriated under this Act for ex-
2 penditures by the Federal Aviation Administration shall
3 be available (1) except as otherwise authorized by title
4 VIII of the Elementary and Secondary Education Act of
5 1965, 20 U.S.C. 7701, et seq., for expenses of primary
6 and secondary schooling for dependents of Federal Avia-
7 tion Administration personnel stationed outside the con-
8 tinental United States at costs for any given area not in
9 excess of those of the Department of Defense for the same
10 area, when it is determined by the Secretary that the
11 schools, if any, available in the locality are unable to pro-
12 vide adequately for the education of such dependents, and
13 (2) for transportation of said dependents between schools
14 serving the area that they attend and their places of resi-
15 dence when the Secretary, under such regulations as may
16 be prescribed, determines that such schools are not acces-
17 sible by public means of transportation on a regular basis.

18 SEC. 304. Appropriations contained in this Act for
19 the Department of Transportation shall be available for
20 services as authorized by 5 U.S.C. 3109, but at rates for
21 individuals not to exceed the per diem rate equivalent to
22 the rate for an Executive Level IV.

23 SEC. 305. None of the funds in this Act shall be avail-
24 able for salaries and expenses of more than one hundred
25 seven political and Presidential appointees in the Depart-

1 ment of Transportation: *Provided*, That none of the per-
2 sonnel covered by this provision may be assigned on tem-
3 porary detail outside the Department of Transportation.

4 SEC. 306. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

9 SEC. 307. None of the funds appropriated in this Act
10 shall remain available for obligation beyond the current
11 fiscal year, nor may any be transferred to other appropria-
12 tions, unless expressly so provided herein.

13 SEC. 308. The Secretary of Transportation may enter
14 into grants, cooperative agreements, and other trans-
15 actions with any person, agency, or instrumentality of the
16 United States, any unit of State or local government, any
17 educational institution, and any other entity in execution
18 of the Technology Reinvestment Project authorized under
19 the Defense Conversion, Reinvestment and Transition As-
20 sistance Act of 1992 and related legislation: *Provided*,
21 That the authority provided in this section may be exer-
22 cised without regard to section 3324 of title 31, United
23 States Code.

24 SEC. 309. The expenditure of any appropriation
25 under this Act for any consulting service through procure-

1 ment contract pursuant to section 3109 of title 5, United
2 States Code, shall be limited to those contracts where such
3 expenditures are a matter of public record and available
4 for public inspection, except where otherwise provided
5 under existing law, or under existing Executive Order is-
6 sued pursuant to existing law.

7 SEC. 310. (a) For fiscal year 1998 the Secretary of
8 Transportation shall distribute the obligation limitation
9 for Federal-aid highways by allocation in the ratio which
10 sums authorized to be appropriated for Federal-aid high-
11 ways that are apportioned or allocated to each State for
12 such fiscal year bear to the total of the sums authorized
13 to be appropriated for Federal-aid highways that are ap-
14 portioned or allocated to all the States for such fiscal year.

15 (b) During the period October 1 through December
16 31, 1997, no State shall obligate more than 25 per centum
17 of the amount distributed to such State under subsection
18 (a), and the total of all State obligations during such pe-
19 riod shall not exceed 12 per centum of the total amount
20 distributed to all States under such subsection.

21 (c) Notwithstanding subsections (a) and (b), the Sec-
22 retary shall—

23 (1) provide all States with authority sufficient
24 to prevent lapses of sums authorized to be appro-

1 apriated for Federal-aid highways that have been ap-
2 portioned to a State;

3 (2) after August 1, 1998, revise a distribution
4 of the funds made available under subsection (a) if
5 a State will not obligate the amount distributed dur-
6 ing that fiscal year and redistribute sufficient
7 amounts to those States able to obligate amounts in
8 addition to those previously distributed during that
9 fiscal year giving priority to those States having
10 large unobligated balances of funds apportioned
11 under sections 103(e)(4), 104, and 144 of title 23,
12 United States Code, and under sections 1013(c) and
13 1015 of Public Law 102–240; and

14 (3) not distribute amounts authorized for ad-
15 ministrative expenses and funded from the adminis-
16 trative takedown authorized by section 104(a) of
17 title 23, United States Code, the Federal lands high-
18 way program, the intelligent transportation systems
19 program, and amounts made available under sec-
20 tions 1040, 1047, 1064, 6001, 6005, 6006, 6023,
21 and 6024 of Public Law 102–240, and 49 U.S.C.
22 5316, 5317, and 5338: *Provided*, That amounts
23 made available under section 6005 of Public Law
24 102–240 shall be subject to the obligation limitation
25 for Federal-aid highways and highway safety con-

1 construction programs under the head “Federal-Aid
2 Highways” in this Act.

3 (d) During the period October 1 through December
4 31, 1997, the aggregate amount of obligations under sec-
5 tion 157 of title 23, United States Code, for projects cov-
6 ered under section 147 of the Surface Transportation As-
7 sistance Act of 1978, section 9 of the Federal-Aid High-
8 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-
9 lic Law 97–424, sections 1061, 1103 through 1108, 4008,
10 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,
11 and for projects authorized by Public Law 99–500 and
12 Public Law 100–17, shall not exceed \$277,431,840.

13 (e) During the period August 2 through September
14 30, 1998, the aggregate amount which may be obligated
15 by all States shall not exceed 2.5 percent of the aggregate
16 amount of funds apportioned or allocated to all States—

17 (1) under sections 104 and 144 of title 23,
18 United States Code, and 1013(c) and 1015 of Public
19 Law 102–240, and

20 (2) for highway assistance projects under sec-
21 tion 103(e)(4) of title 23, United States Code, which
22 would not be obligated in fiscal year 1998 if the
23 total amount of the obligation limitation provided for
24 such fiscal year in this Act were utilized.

1 (f) Paragraph (e) shall not apply to any State which
2 on or after August 1, 1998, has the amount distributed
3 to such State under paragraph (a) for fiscal year 1998
4 reduced under paragraph (c)(2).

5 SEC. 311. The limitation on obligations for the pro-
6 grams of the Federal Transit Administration shall not
7 apply to any authority under 49 U.S.C. 5338, previously
8 made available for obligation, or to any other authority
9 previously made available for obligation under the discre-
10 tionary grants program.

11 SEC. 312. None of the funds in this Act shall be used
12 to implement section 404 of title 23, United States Code.

13 SEC. 313. None of the funds in this Act shall be avail-
14 able to plan, finalize, or implement regulations that would
15 establish a vessel traffic safety fairway less than five miles
16 wide between the Santa Barbara Traffic Separation
17 Scheme and the San Francisco Traffic Separation
18 Scheme.

19 SEC. 314. Notwithstanding any other provision of
20 law, airports may transfer, without consideration, to the
21 Federal Aviation Administration (FAA) instrument land-
22 ing systems (along with associated approach lighting
23 equipment and runway visual range equipment) which
24 conform to FAA design and performance specifications,
25 the purchase of which was assisted by a Federal airport-

1 aid program, airport development aid program or airport
2 improvement program grant. The FAA shall accept such
3 equipment, which shall thereafter be operated and main-
4 tained by the FAA in accordance with agency criteria.

5 SEC. 315. None of the funds in this Act shall be avail-
6 able to award a multiyear contract for production end
7 items that (1) includes economic order quantity or long
8 lead time material procurement in excess of \$10,000,000
9 in any one year of the contract or (2) includes a cancella-
10 tion charge greater than \$10,000,000 which at the time
11 of obligation has not been appropriated to the limits of
12 the Government's liability or (3) includes a requirement
13 that permits performance under the contract during the
14 second and subsequent years of the contract without con-
15 ditioning such performance upon the appropriation of
16 funds: *Provided*, That this limitation does not apply to a
17 contract in which the Federal Government incurs no fi-
18 nancial liability from not buying additional systems, sub-
19 systems, or components beyond the basic contract require-
20 ments.

21 SEC. 316. Notwithstanding any other provision of
22 law, and except for fixed guideway modernization projects,
23 funds made available by this Act under "Federal Transit
24 Administration, Discretionary grants" for projects speci-
25 fied in this Act or identified in reports accompanying this

1 Act not obligated by September 30, 2000, shall be made
2 available for other projects under 49 U.S.C. 5309.

3 SEC. 317. Notwithstanding any other provision of
4 law, any funds appropriated before October 1, 1993, under
5 any section of chapter 53 of title 49, United States Code,
6 that remain available for expenditure may be transferred
7 to and administered under the most recent appropriation
8 heading for any such section.

9 SEC. 318. None of the funds in this Act may be used
10 to compensate in excess of 350 technical staff years under
11 the federally-funded research and development center con-
12 tract between the Federal Aviation Administration and the
13 Center for Advanced Aviation Systems Development dur-
14 ing fiscal year 1998.

15 SEC. 319. Funds provided in this Act for the Trans-
16 portation Administrative Service Center (TASC) shall be
17 reduced by \$25,000,000, which limits fiscal year 1998
18 TASC obligational authority for elements of the Depart-
19 ment of Transportation funded in this Act to no more
20 than \$96,800,000: *Provided*, That such reductions from
21 the budget request shall be allocated by the Department
22 of Transportation to each appropriations account in pro-
23 portion to the amount included in each account for the
24 Transportation Administrative Service Center.

1 SEC. 320. Funds received by the Federal Highway
2 Administration, Federal Transit Administration, and Fed-
3 eral Railroad Administration from States, counties, mu-
4 nicipalities, other public authorities, and private sources
5 for expenses incurred for training may be credited respec-
6 tively to the Federal Highway Administration’s “Limita-
7 tion on General Operating Expenses” account, the Federal
8 Transit Administration’s “Transit Planning and Re-
9 search” account, and to the Federal Railroad Administra-
10 tion’s “Railroad Safety” account, except for State rail
11 safety inspectors participating in training pursuant to 49
12 U.S.C. 20105.

13 SEC. 321. None of the funds in this Act shall be avail-
14 able to prepare, propose, or promulgate any regulations
15 pursuant to title V of the Motor Vehicle Information and
16 Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing
17 corporate average fuel economy standards for automobiles,
18 as defined in such title, in any model year that differs
19 from standards promulgated for such automobiles prior to
20 enactment of this section.

21 SEC. 322. None of the funds in this Act may be used
22 for planning, engineering, design, or construction of a
23 sixth runway at the Denver International Airport, Denver,
24 Colorado: *Provided*, That this provision shall not apply in
25 any case where the Administrator of the Federal Aviation

1 Administration determines, in writing, that safety condi-
2 tions warrant obligation of such funds: *Provided further*,
3 That funds may be used for activities related to planning
4 or analysis of airport noise issues related to the sixth run-
5 way project.

6 SEC. 323. Notwithstanding 31 U.S.C. 3302, funds re-
7 ceived by the Bureau of Transportation Statistics from the
8 sale of data products, for necessary expenses incurred pur-
9 suant to the provisions of section 6006 of the Intermodal
10 Surface Transportation Efficiency Act of 1991, may be
11 credited to the Federal-aid highways account for the pur-
12 pose of reimbursing the Bureau for such expenses: *Pro-*
13 *vided*, That such funds shall not be subject to the obliga-
14 tion limitation for Federal-aid highways and highway safe-
15 ty construction.

16 SEC. 324. None of the funds in this Act may be obli-
17 gated or expended for employee training which: (a) does
18 not meet identified needs for knowledge, skills and abilities
19 bearing directly upon the performance of official duties;
20 (b) contains elements likely to induce high levels of emo-
21 tional response or psychological stress in some partici-
22 pants; (c) does not require prior employee notification of
23 the content and methods to be used in the training and
24 written end of course evaluations; (d) contains any meth-
25 ods or content associated with religious or quasi-religious

1 belief systems or “new age” belief systems as defined in
2 Equal Employment Opportunity Commission Notice N-
3 915.022, dated September 2, 1988; (e) is offensive to, or
4 designed to change, participants’ personal values or life-
5 style outside the workplace; or (f) includes content related
6 to human immunodeficiency virus/acquired immune defi-
7 ciency syndrome (HIV/AIDS) other than that necessary
8 to make employees more aware of the medical ramifica-
9 tions of HIV/AIDS and the workplace rights of HIV-posi-
10 tive employees.

11 SEC. 325. None of the funds in this Act shall, in the
12 absence of express authorization by Congress, be used di-
13 rectly or indirectly to pay for any personal service, adver-
14 tisement, telegram, telephone, letter, printed or written
15 matter, or other device, intended or designed to influence
16 in any manner a Member of Congress, to favor or oppose,
17 by vote or otherwise, any legislation or appropriation by
18 Congress, whether before or after the introduction of any
19 bill or resolution proposing such legislation or appropria-
20 tion: *Provided*, That this shall not prevent officers or em-
21 ployees of the Department of Transportation or related
22 agencies funded in this Act from communicating to Mem-
23 bers of Congress on the request of any Member or to Con-
24 gress, through the proper official channels, requests for

1 legislation or appropriations which they deem necessary
2 for the efficient conduct of the public business.

3 SEC. 326. None of the funds in this Act may be used
4 to support Federal Transit Administration's field oper-
5 ations and oversight of the Washington Metropolitan Area
6 Transit Authority in any location other than from the
7 Washington, D.C. metropolitan area.

8 SEC. 327. Notwithstanding any other provision of
9 law, the Secretary may use funds appropriated under this
10 Act, or any subsequent Act, to administer and implement
11 the exemption provisions of 49 CFR 580.6 and to adopt
12 or amend exemptions from the disclosure requirements of
13 49 CFR part 580 for any class or category of vehicles
14 that the Secretary deems appropriate.

15 SEC. 328. No funds other than those appropriated
16 to the Surface Transportation Board shall be used for con-
17 ducting the activities of the Board.

18 SEC. 329. (a) COMPLIANCE WITH BUY AMERICAN
19 ACT.—None of the funds made available in this Act may
20 be expended by an entity unless the entity agrees that in
21 expending the funds the entity will comply with the Buy
22 American Act (41 U.S.C. 10a–10c).

23 (b) SENSE OF CONGRESS: REQUIREMENT REGARDING
24 NOTICE.—

1 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
2 AND PRODUCTS.—In the case of any equipment or
3 product that may be authorized to be purchased
4 with financial assistance provided using funds made
5 available in this Act, it is the sense of the Congress
6 that entities receiving the assistance should, in ex-
7 pending the assistance, purchase only American-
8 made equipment and products to the greatest extent
9 practicable.

10 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
11 In providing financial assistance using funds made
12 available in this Act, the head of each Federal agen-
13 cy shall provide to each recipient of the assistance
14 a notice describing the statement made in paragraph
15 (1) by the Congress.

16 (c) PROHIBITION OF CONTRACTS WITH PERSONS
17 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
18 If it has been finally determined by a court or Federal
19 agency that any person intentionally affixed a label bear-
20 ing a “Made in America” inscription, or any inscription
21 with the same meaning, to any product sold in or shipped
22 to the United States that is not made in the United
23 States, the person shall be ineligible to receive any con-
24 tract or subcontract made with funds made available in
25 this Act, pursuant to the debarment, suspension, and ineli-

1 gibility procedures described in sections 9.400 through
2 9.409 of title 48, Code of Federal Regulations.

3 SEC. 330. Notwithstanding any other provision of
4 law, receipts, in amounts determined by the Secretary, col-
5 lected from users of fitness centers operated by or for the
6 Department of Transportation shall be available to sup-
7 port the operation and maintenance of those facilities.

8 SEC. 331. Notwithstanding 49 U.S.C. 41742, no es-
9 sential air service shall be provided to communities in the
10 forty-eight contiguous States that are located fewer than
11 seventy highway miles from the nearest large and medium
12 hub airport, or that require a rate of subsidy per pas-
13 senger in excess of \$200 unless such point is greater than
14 two hundred and ten miles from the nearest large or me-
15 dium hub airport.

16 SEC. 332. None of the funds made available in this
17 Act may be used for improvements to the Miller Highway
18 in New York City, New York.

19 SEC. 333. None of the funds in this Act shall be avail-
20 able to implement or enforce regulations that would result
21 in the withdrawal of a slot from an air carrier at O'Hare
22 International Airport under section 93.223 of title 14 of
23 the Code of Federal Regulations in excess of the total slots
24 withdrawn from that air carrier as of October 31, 1993
25 if such additional slot is to be allocated to an air carrier

1 or foreign air carrier under section 93.217 of title 14 of
2 the Code of Federal Regulations.

3 **TITLE IV**

4 **AMTRAK ROUTE CLOSURE AND REALIGNMENT**

5 **SECTION 1. SHORT TITLE.**

6 This Act may be cited as the “Amtrak Route Closure
7 and Realignment Act of 1997”.

8 **SEC. 2. THE COMMISSION.**

9 (a) **ESTABLISHMENT.**—There is established an inde-
10 pendent commission to be known as the “Total Realign-
11 ment of Amtrak Commission” (in this Act referred to as
12 the “Commission”).

13 (b) **APPOINTMENT.**—The Commission shall be com-
14 posed of eleven members as follows:

15 (1) Three individuals appointed by the Presi-
16 dent, including—

17 (A) the Secretary of Transportation;

18 (B) one representative of a rail labor
19 union; and

20 (C) one representative of a rail manage-
21 ment.

22 (2) Four individuals who collectively have ex-
23 pertise in rail finance, economic analysis, legal is-
24 sues, and other relevant areas, of which three shall
25 be appointed by the Majority Leader of the Senate

1 and one shall be appointed by the Minority Leader
2 of the Senate.

3 (3) Four individuals who collectively have ex-
4 pertise in rail finance, economic analysis, legal is-
5 sues, and other relevant areas, of which three shall
6 be appointed by the Speaker of the House of Rep-
7 resentatives and one shall be appointed by the Mi-
8 nority Leader of the House of Representatives.

9 Appointments under this subsection shall be made within
10 15 days after the date of the enactment of this Act. Indi-
11 viduals appointed under paragraphs (2) and (3) shall not
12 be employees of the Department of Transportation or rep-
13 resentatives of a rail labor union or rail management.

14 (c) CHAIRMAN.—Within 10 days after the 15-day pe-
15 riod described in subsection (b), or the appointment of the
16 last member of the Commission under such subsection,
17 whichever occurs first, a majority of the members of the
18 Commission may elect a chairman from among its mem-
19 bership. If a chairman is not elected within such 10-day
20 period, the President shall select a chairman for the Com-
21 mission from among its membership.

22 (d) MEETINGS.—(1) Each meeting of the Commis-
23 sion shall be open to the public.

24 (2) All the proceedings, information, and delibera-
25 tions of the Commission shall be open or available, upon

1 request, to the Committee on Commerce, Science, and
2 Transportation and the Committee on Appropriations of
3 the Senate, and to the Committee on Transportation and
4 Infrastructure and the Committee on Appropriations of
5 the House of Representatives.

6 (e) PAY AND TRAVEL EXPENSES.—(1)(A) Each
7 member, other than the Chairman, shall be paid at a rate
8 equal to the daily equivalent of the minimum annual rate
9 of basic pay payable for level IV of the Executive Schedule
10 under section 5315 of title 5, United States Code, for each
11 day (including travel time) during which the member is
12 engaged in the actual performance of duties vested in the
13 Commission.

14 (B) The Chairman shall be paid for each day referred
15 to in subparagraph (A) at a rate equal to the daily equiva-
16 lent of the minimum annual rate of basic pay payable for
17 level III of the Executive Schedule under section 5314 of
18 title 5, United States Code.

19 (C) Notwithstanding subparagraphs (A) and (B), of-
20 ficers and employees of the Federal Government shall not
21 be paid under this paragraph for service on the Commis-
22 sion.

23 (2) Members shall receive travel expenses, including
24 per diem in lieu of subsistence, in accordance with sections
25 5702 and 5703 of title 5, United States Code.

1 (f) DIRECTOR OF STAFF.—The Commission shall ap-
2 point a Director, who shall be paid at the rate of basic
3 pay payable for level IV of the Executive Schedule under
4 section 5315 of title 5, United States Code.

5 (g) STAFF.—(1) Subject to paragraph (2), the Direc-
6 tor, with the approval of the Commission, may appoint
7 and fix the pay of not more than 5 additional employees.

8 (2) The Director may make such appointments with-
9 out regard to the provisions of title 5, United States Code,
10 governing appointments in the competitive service, and
11 any personnel so appointed may be paid without regard
12 to the provisions of chapter 51 and subchapter III of chap-
13 ter 53 of that title relating to classification and General
14 Schedule pay rates, except that an individual so appointed
15 may not receive pay in excess of the annual rate of basic
16 pay payable for level V of the Executive Schedule under
17 section 5316 of title 5, United States Code.

18 (h) HEARINGS AND SESSIONS.—The Commission
19 may, for the purpose of carrying out this Act, hold hear-
20 ings, sit and act at times and places, take testimony, and
21 receive evidence as the Commission considers appropriate.
22 The Commission may administer oaths or affirmations to
23 witnesses appearing before it.

24 (i) INFORMATION.—The Commission may secure di-
25 rectly from any department or agency of the United States

1 information necessary to enable it to carry out this Act.
2 Upon request of the Chairman of the Commission, the
3 head of that department or agency shall furnish that infor-
4 mation to the Commission to the extent otherwise per-
5 mitted by law.

6 (j) **MAILS.**—The Commission may use the United
7 States mails in the same manner and under the same con-
8 ditions as other departments and agencies of the United
9 States.

10 (k) **ADMINISTRATIVE SUPPORT SERVICES.**—The Ad-
11 ministrator of General Services shall provide to the Com-
12 mission, on a reimbursable basis, such administrative sup-
13 port services as the Commission may request.

14 (l) **EXPERTS OR CONSULTANTS.**—The Commission
15 may procure by contract, to the extent funds are available,
16 the temporary or intermittent services of experts or con-
17 sultants pursuant to section 3109 of title 5, United States
18 Code.

19 (m) **TERMINATION.**—The Commission shall termi-
20 nate 30 days after transmitting a report under section
21 3(e).

22 **SEC. 3. DUTIES.**

23 (a) **ECONOMIC PERFORMANCE RANKINGS.**—The
24 Commission shall examine economic data for Amtrak's

1 system and develop system-wide performance rankings of
2 all routes based on long-term economic loss.

3 (b) IDENTIFICATION OF CANDIDATE ROUTES FOR
4 CLOSURE OR REALIGNMENT.—(1) The Commission shall
5 identify routes which are candidates for closure or realign-
6 ment, based on the performance rankings developed under
7 subsection (a) and on the following principles:

8 (A) The system which remains after closure and
9 realignment of routes shall not be required to be a
10 national, interconnected system.

11 (B) Federal operating subsidies for Amtrak
12 shall be assumed to decline over the 4-year period to
13 the point of zero Federal operating subsidy by the
14 year 2002.

15 (C) The rail labor protection costs of Amtrak
16 shall be calculated both—

17 (i) at the level required under rail labor
18 laws as in effect when the Commission is identi-
19 fying routes under this subsection; and

20 (ii) at the level which would be required if
21 amendments to rail labor laws were enacted
22 that—

23 (I) limit to a maximum of 6 months
24 any wage continuation or severance benefit
25 for an employee of Amtrak whose employ-

1 ment is terminated as a result of a dis-
2 continuance of intercity rail passenger
3 service; and

4 (II) permit Amtrak to require any em-
5 ployee whose position is eliminated as a re-
6 sult of such a discontinuance to transfer to
7 another part of Amtrak's system.

8 (2) The Commission shall specifically examine rider-
9 ship forecasts and other assumptions supporting contin-
10 ued service on the Northeast Corridor, particularly with
11 respect to the continuation of the electrification of the
12 Northeast Corridor between New Haven, Connecticut, and
13 Boston, Massachusetts.

14 (c) CONSIDERATION OF QUALITY OF LIFE FAC-
15 TORS.—(1) Each route identified under subsection (b) as
16 a candidate for closure or realignment shall be reviewed
17 to determine whether there are important social, environ-
18 mental, or other quality of life factors which should be
19 considered in determining whether to close or realign the
20 route. The commission shall also consider the effect on
21 airport congestion and the availability of alternative modes
22 of transportation, especially in rural areas, before rec-
23 ommending any closure or realignment.

24 (2) The Commission shall hold public hearings to ob-
25 tain testimony from State and local officials, and other

1 interested parties, with respect to factors described in
2 paragraph (1).

3 (d) OPTIONAL USES FOR ABANDONED RAIL
4 LINES.—The Commission shall also examine optional uses
5 for abandoned rail lines.

6 (e) RECOMMENDATIONS.—The Commission shall,
7 within 120 days after the election or selection of its chair-
8 man under section 2(c), transmit to the Congress and the
9 President a report on its activities under this Act, includ-
10 ing recommendations developed under this section for the
11 closure and realignment of routes in Amtrak’s passenger
12 rail system.

13 **SEC. 4. CONGRESSIONAL CONSIDERATION OF COMMISSION**
14 **RECOMMENDATIONS.**

15 (a) TERMS OF THE RESOLUTION.—For purposes of
16 this section, the term “joint resolution” means only a joint
17 resolution which is introduced within the 10-day period
18 beginning on the date on which the Commission transmits
19 its recommendations to the Congress under section 3(e),
20 and—

21 (1) which does not have a preamble;

22 (2) the matter after the resolving clause of
23 which is as follows: “That Congress approves the
24 recommendations of the Total Realignment of Am-
25 trak Commission as submitted on _____”, the

1 blank space being filled in with the appropriate date;
2 and

3 (3) the title of which is as follows: “Joint reso-
4 lution approving the recommendations of the Total
5 Realignment of Amtrak Commission.”.

6 (b) REFERRAL.—A resolution described in subsection
7 (a) that is introduced in the House of Representatives
8 shall be referred to the Committee on Transportation and
9 Infrastructure of the House of Representatives. A resolu-
10 tion described in subsection (a) introduced in the Senate
11 shall be referred to the Committee on Commerce, Science,
12 and Transportation of the Senate.

13 (c) DISCHARGE.—If the committee to which a resolu-
14 tion described in subsection (a) is referred has not re-
15 ported such resolution (or an identical resolution) by the
16 end of the 20-day period beginning on the date on which
17 the Commission transmits the report to the Congress
18 under section 3(e), such committee shall be, at the end
19 of such period, discharged from further consideration of
20 such resolution, and such resolution shall be placed on the
21 appropriate calendar of the House involved.

22 (d) CONSIDERATION.—(1) On or after the third day
23 after the date on which the committee to which such a
24 resolution is referred has reported, or has been discharged
25 (under subsection (c)) from further consideration of, such

1 a resolution, it is in order (even though a previous motion
2 to the same effect has been disagreed to) for any Member
3 of the respective House to move to proceed to the consider-
4 ation of the resolution. A Member may make the motion
5 only on the day after the calendar day on which the Mem-
6 ber announces to the House concerned the Member's in-
7 tention to make the motion. All points of order against
8 the resolution (and against consideration of the resolution)
9 are waived. The motion is highly privileged in the House
10 of Representatives and is privileged in the Senate and is
11 not debatable. The motion is not subject to amendment,
12 or to a motion to postpone, or to a motion to proceed to
13 the consideration of other business. A motion to reconsider
14 the vote by which the motion is agreed to or disagreed
15 to shall not be in order. If a motion to proceed to the
16 consideration of the resolution is agreed to, the respective
17 House shall immediately proceed to consideration of the
18 joint resolution without intervening motion, order, or other
19 business, and the resolution shall remain the unfinished
20 business of the respective House until disposed of.

21 (2) Debate on the resolution, and on all debatable
22 motions and appeals in connection therewith, shall be lim-
23 ited to not more than 2 hours, which shall be divided
24 equally between those favoring and those opposing the res-
25 olution. An amendment to the resolution is not in order.

1 A motion further to limit debate is in order and not debat-
2 able. A motion to postpone, or a motion to proceed to the
3 consideration of other business, or a motion to recommit
4 the resolution is not in order. A motion to reconsider the
5 vote by which the resolution is agreed to or disagreed to
6 is not in order.

7 (3) Immediately following the conclusion of the de-
8 bate on a resolution described in subsection (a) and a sin-
9 gle quorum call at the conclusion of the debate if re-
10 quested in accordance with the rules of the appropriate
11 House, the vote on final passage of the resolution shall
12 occur.

13 (4) Appeals from the decisions of the Chair relating
14 to the application of the rules of the Senate or the House
15 of Representatives, as the case may be, to the procedure
16 relating to a resolution described in subsection (a) shall
17 be decided without debate.

18 (e) CONSIDERATION BY OTHER HOUSE.—(1) If, be-
19 fore the passage by one House of a resolution of that
20 House described in subsection (a), that House receives
21 from the other House a resolution described in subsection
22 (a), then the following procedures shall apply:

23 (A) The resolution of the other House shall not
24 be referred to a committee and may not be consid-

1 ered in the House receiving it except in the case of
2 final passage as provided in subparagraph (B)(ii).

3 (B) With respect to a resolution described in
4 subsection (a) of the House receiving the resolu-
5 tion—

6 (i) the procedure in that House shall be
7 the same as if no resolution had been received
8 from the other House; but

9 (ii) the vote on final passage shall be on
10 the resolution of the other House.

11 (2) Upon disposition of the resolution received from
12 the other House, it shall no longer be in order to consider
13 the resolution that originated in the receiving House.

14 (f) RULES OF THE SENATE AND HOUSE.—This sec-
15 tion is enacted by Congress—

16 (1) as an exercise of the rulemaking power of
17 the Senate and House of Representatives, respec-
18 tively, and as such it is deemed a part of the rules
19 of each House, respectively, but applicable only with
20 respect to the procedure to be followed in that
21 House in the case of a resolution described in sub-
22 section (a), and it supersedes other rules only to the
23 extent that it is inconsistent with such rules; and

24 (2) with full recognition of the constitutional
25 right of either House to change the rules (so far as

1 relating to the procedure of that House) at any time,
2 in the same manner, and to the same extent as in
3 the case of any other rule of that House.

4 **SEC. 5. MAKING APPROPRIATIONS FOR THE COMMISSION.**

5 There are appropriated \$1,000,000 for carrying out
6 this title.

7 This Act may be cited as the “Department of Trans-
8 portation and Related Agencies Appropriations Act,
9 1998”.

Union Calendar No. 115

105TH CONGRESS
1ST Session

H. R. 2169

[Report No. 105-188]

A BILL

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

JULY 16, 1997

Reported from the Committee on Appropriations; committed to the Committee of the Whole House on the State of the Union and ordered to be printed