



1 *sums as necessary shall be used to investigate anticompeti-*  
2 *tive practices in air transportation, enforce section 41712*  
3 *of title 49, and report to Congress by the end of the fiscal*  
4 *year on its progress to address anticompetitive practices,*  
5 *and of which not to exceed \$40,000 shall be available as*  
6 *the Secretary may determine for allocation within the De-*  
7 *partment for official reception and representation ex-*  
8 *penses: Provided, That notwithstanding any other provi-*  
9 *sion of law, there may be credited to this appropriation*  
10 *up to \$1,000,000 in funds received in user fees established*  
11 *to support the electronic tariff filing system: Provided fur-*  
12 *ther, That none of the funds appropriated in this Act or*  
13 *otherwise made available may be used to maintain custody*  
14 *of airline tariffs that are already available for public and*  
15 *departmental access at no cost; to secure them against de-*  
16 *tection, alteration, or tampering; and open to inspection*  
17 *by the Department.*

18 OFFICE OF CIVIL RIGHTS

19 For necessary expenses of the Office of Civil Rights,  
20 \$5,574,000.

21 TRANSPORTATION PLANNING, RESEARCH, AND

22 DEVELOPMENT

23 For necessary expenses for conducting transportation  
24 planning, research, systems development, and development  
25 activities, to remain available until expended, \$3,000,000.

## 1 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

2 Necessary expenses for operating costs and capital  
3 outlays of the Transportation Administrative Service Cen-  
4 ter, not to exceed \$124,812,000, shall be paid from appro-  
5 priations made available to the Department of Transpor-  
6 tation: *Provided*, That such services shall be provided on  
7 a competitive basis to entities within the Department of  
8 Transportation: *Provided further*, That the above limita-  
9 tion on operating expenses shall not apply to non-DOT  
10 entities: *Provided further*, That no funds appropriated in  
11 this Act to an agency of the Department shall be trans-  
12 ferred to the Transportation Administrative Service Cen-  
13 ter without the approval of the agency modal adminis-  
14 trator: *Provided further*, That no assessments may be lev-  
15 ied against any program, budget activity, subactivity or  
16 project funded by this Act unless notice of such assess-  
17 ments and the basis therefor are presented to the House  
18 and Senate Committees on Appropriations and are ap-  
19 proved by such Committees.

## 20 PAYMENTS TO AIR CARRIERS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (AIRPORT AND AIRWAY TRUST FUND)

23 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

24 For liquidation of obligations incurred for payments  
25 to air carriers of so much of the compensation fixed and  
26 determined under subchapter II of chapter 417 of title 49,

1 United States Code, as is payable by the Department of  
2 Transportation, ~~(3)\$10,000,000~~ \$25,900,000, to remain  
3 available until expended and to be derived from the Air-  
4 port and Airway Trust Fund: *Provided*, That none of the  
5 funds in this Act shall be available for the implementation  
6 or execution of programs in excess of ~~(4)\$10,000,000~~  
7 \$25,900,000 for the Payments to Air Carriers program in  
8 fiscal year 1997: *Provided further*, That none of the funds  
9 in this Act shall be used by the Secretary of Transpor-  
10 tation to make payment of compensation under subchapter  
11 II of chapter 417 of title 49, United States Code, in excess  
12 of the appropriation in this Act for liquidation of obliga-  
13 tions incurred under the “Payments to air carriers” pro-  
14 gram: *Provided further*, That none of the funds in this Act  
15 shall be used for the payment of claims for such com-  
16 pensation except in accordance with this provision: *Pro-*  
17 *vided further*, That none of the funds in this Act shall be  
18 available for service to communities in the forty-eight con-  
19 tiguous States that are located fewer than seventy high-  
20 way miles from the nearest large or medium hub airport,  
21 or that require a rate of subsidy per passenger in excess  
22 of \$200 unless such point is greater than two hundred  
23 and ten miles from the nearest large or medium hub air-  
24 port: *Provided further*, That of funds provided for “Small  
25 Community Air Service” by Public Law 101–

1 508, ~~(5)\$28,600,000~~ \$12,700,000 in fiscal year 1997 is  
 2 hereby rescinded.

3 PAYMENTS TO AIR CARRIERS

4 (RESCISSION)

5 Of the budgetary resources remaining available under  
 6 this heading, \$1,133,000 are rescinded.

7 RENTAL PAYMENTS

8 For necessary expenses for rental of headquarters  
 9 and field space not to exceed 8,580,000 square feet and  
 10 for related services assessed by the General Services Ad-  
 11 ministration, ~~(6)\$127,447,000~~ \$129,500,000: *Provided*,  
 12 That of this amount, \$2,022,000 shall be derived from the  
 13 Highway Trust Fund, \$39,113,000 shall be derived from  
 14 the Airport and Airway Trust Fund, \$840,000 shall be  
 15 derived from the Pipeline Safety Fund, and \$193,000  
 16 shall be derived from the Harbor Maintenance Trust  
 17 Fund: *Provided further*, That in addition, for assessments  
 18 by the General Services Administration related to the  
 19 space needs of the Federal Highway Administration,  
 20 ~~(7)\$17,294,000~~ \$17,192,000, to be derived from “Fed-  
 21 eral-aid Highways”, subject to the “Limitation on General  
 22 Operating Expenses”.

23 MINORITY BUSINESS RESOURCE CENTER PROGRAM

24 For the cost of direct loans, \$1,500,000, as author-  
 25 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-

1 ing the cost of modifying such loans, shall be as defined  
 2 in section 502 of the Congressional Budget Act of 1974:  
 3 *Provided further*, That these funds are available to sub-  
 4 sidize gross obligations for the principal amount of direct  
 5 loans not to exceed \$15,000,000. In addition, for adminis-  
 6 trative expenses to carry out the direct loan program,  
 7 \$400,000.

#### 8 MINORITY BUSINESS OUTREACH

9 For necessary expenses of the Minority Business Re-  
 10 source Center outreach activities, \$2,900,000, of which  
 11 \$2,635,000 shall remain available until September 30,  
 12 1998: *Provided*, That notwithstanding 49 U.S.C. 332,  
 13 these funds may be used for business opportunities related  
 14 to any mode of transportation.

#### 15 COAST GUARD

#### 16 OPERATING EXPENSES

17 For necessary expenses for the operation and mainte-  
 18 nance of the Coast Guard, not otherwise provided for; pur-  
 19 chase of not to exceed five passenger motor vehicles for  
 20 replacement only; payments pursuant to section 156 of  
 21 Public Law 97-377, as amended (42 U.S.C. 402 note),  
 22 and section 229(b) of the Social Security Act (42 U.S.C.  
 23 429(b)); and recreation and welfare; ~~(8)\$2,609,100,000~~  
 24 \$2,331,350,000, of which \$25,000,000 shall be derived  
 25 from the Oil Spill Liability Trust Fund: *Provided*, That

1 the number of aircraft on hand at any one time shall not  
 2 exceed two hundred and eighteen, exclusive of aircraft and  
 3 parts stored to meet future attrition: *Provided further,*  
 4 That none of the funds appropriated in this or any other  
 5 Act shall be available for pay or administrative expenses  
 6 in connection with shipping commissioners in the United  
 7 States: *Provided further,* That none of the funds provided  
 8 in this Act shall be available for expenses incurred for  
 9 yacht documentation under 46 U.S.C. 12109, except to  
 10 the extent fees are collected from yacht owners and cred-  
 11 ited to this appropriation: *Provided further,* That the Com-  
 12 mandant shall reduce both military and civilian employ-  
 13 ment levels for the purpose of complying with Executive  
 14 Order No. 12839.

15 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of acquisition, construction,  
 17 renovation, and improvement of aids to navigation, shore  
 18 facilities, vessels, and aircraft, including equipment related  
 19 thereto, ~~(9)\$358,000,000~~ \$393,100,000, of which  
 20 \$20,000,000 shall be derived from the Oil Spill Liability  
 21 Trust Fund; of which ~~(10)\$205,600,000~~ \$227,960,000  
 22 shall be available to acquire, repair, renovate or improve  
 23 vessels, small boats and related equipment, to remain  
 24 available until September 30, 2001; ~~(11)\$18,300,000~~  
 25 \$19,040,000 shall be available to acquire new aircraft and

1 increase aviation capability, to remain available until Sep-  
 2 tember 30, 1999; ~~(12)\$39,900,000~~ \$46,200,000 shall be  
 3 available for other equipment, to remain available until  
 4 September 30, 1999; ~~(13)\$47,950,000~~ \$52,900,000 shall  
 5 be available for shore facilities and aids to navigation fa-  
 6 cilities, to remain available until September 30, 1999; and  
 7 ~~(14)\$46,250,000~~ \$47,000,000 shall remain available for  
 8 personnel compensation and benefits and related costs, to  
 9 remain available until September 30, 1998: *Provided*,  
 10 That funds received from the sale of the VC-11A and  
 11 HU-25 aircraft shall be credited to this appropriation for  
 12 the purpose of acquiring new aircraft and increasing avia-  
 13 tion capacity: *Provided further*, That the Commandant  
 14 may dispose of surplus real property by sale or lease and  
 15 the proceeds of such sale or lease shall be credited to this  
 16 appropriation ~~(15):~~ ~~*Provided further*~~, That the property in  
 17 Wildwood, New Jersey shall be disposed of in a manner  
 18 resulting in a final fiscal year 1997 appropriation esti-  
 19 mated at ~~\$338,000,000~~ ~~(16):~~ *Provided further*, That none  
 20 of the funds in this Act may be obligated or expended to  
 21 continue the “Vessel Traffic Service 2000” Program.

22 ~~(17)Acquisition, Construction, and Improvements~~

23 ~~(RESCISSIONS)~~

24 ~~Of the available balances under this heading provided~~  
 25 ~~in Public Law 104-50, \$3,400,000 are rescinded.~~



1       Of the available balances under this heading provided  
 2 in Public Law 103-331, \$355,000 are rescinded.

3       ENVIRONMENTAL COMPLIANCE AND RESTORATION

4       For necessary expenses to carry out the Coast  
 5 Guard's environmental compliance and restoration func-  
 6 tions under chapter 19 of title 14, United States Code,  
 7 ~~(18)\$21,000,000~~ \$23,000,000, to remain available until  
 8 expended.

9                       **(19)***PORT SAFETY DEVELOPMENT*

10       *For necessary expenses for debt retirement of the Port*  
 11 *of Portland, Oregon, \$5,000,000, to remain available until*  
 12 *expended.*

13                       ALTERATION OF BRIDGES

14       For necessary expenses for alteration or removal of  
 15 obstructive bridges, ~~(20)\$16,000,000~~ \$10,000,000, to re-  
 16 main available until expended.

17                       RETIRED PAY

18       For retired pay, including the payment of obligations  
 19 therefor otherwise chargeable to lapsed appropriations for  
 20 this purpose, and payments under the Retired Service-  
 21 man's Family Protection and Survivor Benefits Plans, and  
 22 for payments for medical care of retired personnel and  
 23 their dependents under the Dependents Medical Care Act  
 24 (10 U.S.C. ch. 55) \$608,084,000.

1 RESERVE TRAINING

2 For all necessary expenses for the Coast Guard Re-  
 3 serve, as authorized by law; maintenance and operation  
 4 of facilities; and supplies, equipment, and services;  
 5 \$65,890,000.

6 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

7 For necessary expenses, not otherwise provided for,  
 8 for applied scientific research, development, test, and eval-  
 9 uation; maintenance, rehabilitation, lease and operation of  
 10 facilities and equipment, as authorized by law,  
 11 ~~(21)\$19,000,000~~ \$19,550,000, to remain available until  
 12 expended, of which \$5,020,000 shall be derived from the  
 13 Oil Spill Liability Trust Fund: *Provided*, That there may  
 14 be credited to this appropriation funds received from State  
 15 and local governments, other public authorities, private  
 16 sources, and foreign countries, for expenses incurred for  
 17 research, development, testing, and evaluation.

18 BOAT SAFETY

19 (AQUATIC RESOURCES TRUST FUND)

20 For payment of necessary expenses incurred for rec-  
 21 reational boating safety assistance under Public Law 92-  
 22 75, as amended, ~~(22)\$35,000,000~~ \$10,000,000, to be de-  
 23 rived from the Boat Safety Account and to remain avail-  
 24 able until expended.



1 received during fiscal year 1997, to result in a final fiscal  
2 year 1997 appropriation from the general fund estimated  
3 at not more than ~~(26)~~\$2,127,398,000  
4 \$2,082,355,000~~(27)~~:~~Provided further, That the only addi-~~  
5 ~~tional user fees authorized as offsetting collections are fees~~  
6 ~~for services provided to aircraft that neither take off from,~~  
7 ~~nor land in, the United States: Provided further, That~~  
8 there may be credited to this appropriation, funds received  
9 from States, counties, municipalities, foreign authorities,  
10 other public authorities, and private sources, for expenses  
11 incurred in the provision of agency services, including re-  
12 ceipts for the maintenance and operation of air navigation  
13 facilities and, for issuance, renewal or modification of cer-  
14 tificates, including airman, aircraft, and repair station cer-  
15 tificates, or for tests related thereto, or for processing  
16 major repair or alteration forms: *Provided further, That*  
17 funds may be used to enter into a grant agreement with  
18 a nonprofit standard setting organization to assist in the  
19 development of aviation safety standards: *Provided fur-*  
20 *ther, That none of the funds in this Act shall be available*  
21 *for new applicants for the second career training program:*  
22 *Provided further, That none of the funds in this Act shall*  
23 *be available for paying premium pay under 5 U.S.C.*  
24 *5546(a) to any Federal Aviation Administration employee*  
25 *unless such employee actually performed work during the*

1 time corresponding to such premium pay: *Provided fur-*  
 2 *ther*, That none of the funds in this Act may be obligated  
 3 or expended to operate a manned auxiliary flight service  
 4 station in the contiguous United States: *Provided further*,  
 5 That none of the funds derived from the Airport and Air-  
 6 way Trust Fund may be used to support the operations  
 7 and activities of the Associate Administrator for Commer-  
 8 cial Space Transportation.

#### 9 FACILITIES AND EQUIPMENT

##### 10 (AIRPORT AND AIRWAY TRUST FUND)

11 For necessary expenses, not otherwise provided for,  
 12 for acquisition, establishment, and improvement by con-  
 13 tract or purchase, and hire of air navigation and experi-  
 14 mental facilities and equipment as authorized under part  
 15 A of subtitle VII of title 49, United States Code, including  
 16 initial acquisition of necessary sites by lease or grant; en-  
 17 gineering and service testing, including construction of  
 18 test facilities and acquisition of necessary sites by lease  
 19 or grant; and construction and furnishing of quarters and  
 20 related accommodations for officers and employees of the  
 21 Federal Aviation Administration stationed at remote local-  
 22 ities where such accommodations are not available; and  
 23 the purchase, lease, or transfer of aircraft from funds  
 24 available under this head; to be derived from the Airport  
 25 and Airway Trust Fund, ~~(28)~~\$1,800,000,000

1 \$1,788,700,000, of which ~~(29)\$1,583,000,000~~  
2 \$1,571,700,000 shall remain available until September 30,  
3 1999, and of which \$217,000,000 shall remain available  
4 until September 30, 1997: *Provided*, That there may be  
5 credited to this appropriation funds received from States,  
6 counties, municipalities, other public authorities, and pri-  
7 vate sources, for expenses incurred in the establishment  
8 and modernization of air navigation facilities.

9 RESEARCH, ENGINEERING, AND DEVELOPMENT

10 (AIRPORT AND AIRWAY TRUST FUND)

11 For necessary expenses, not otherwise provided for,  
12 for research, engineering, and development, as authorized  
13 under part A of subtitle VII of title 49, United States  
14 Code, including construction of experimental facilities and  
15 acquisition of necessary sites by lease or grant,  
16 ~~(30)\$185,000,000~~ \$188,490,000, to be derived from the  
17 Airport and Airway Trust Fund and to remain available  
18 until September 30, 1999: *Provided*, That there may be  
19 credited to this appropriation funds received from States,  
20 counties, municipalities, other public authorities, and pri-  
21 vate sources, for expenses incurred for research, engineer-  
22 ing, and development.

1                                   GRANTS-IN-AID FOR AIRPORTS  
2                   (LIQUIDATION OF CONTRACT AUTHORIZATION)  
3                   (AIRPORT AND AIRWAY TRUST FUND)

4           For liquidation of obligations incurred for grants-in-  
5 aid for airport planning and development, and for noise  
6 compatibility planning and programs as authorized under  
7 subchapter I of chapter 471 and subchapter I of chapter  
8 475 of title 49, United States Code, and under other law  
9 authorizing such obligations, \$1,500,000,000, to be de-  
10 rived from the Airport and Airway Trust Fund and to re-  
11 main available until expended: *Provided*, That none of the  
12 funds in this Act shall be available for the planning or  
13 execution of programs the obligations for which are in ex-  
14 cess of ~~(31)\$1,300,000,000~~ \$1,460,000,000 in fiscal year  
15 1997 for grants-in-aid for airport planning and develop-  
16 ment, and noise compatibility planning and programs, not-  
17 withstanding section 47117(h) of title 49, United States  
18 Code.

19                                   AVIATION INSURANCE REVOLVING FUND

20           The Secretary of Transportation is hereby authorized  
21 to make such expenditures and investments, within the  
22 limits of funds available pursuant to 49 U.S.C. 44307, and  
23 in accordance with section 104 of the Government Cor-  
24 poration Control Act, as amended (31 U.S.C. 9104), as  
25 may be necessary in carrying out the program for aviation

1 insurance activities under chapter 443 of title 49, United  
2 States Code.

3 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

4 None of the funds in this Act shall be available for  
5 activities under this heading during fiscal year 1997.

6 ~~(32)~~ADMINISTRATIVE SERVICES FRANCHISE FUND

7 *There is hereby established in the Treasury a fund, to*  
8 *be available without fiscal year limitation, for the costs of*  
9 *capitalizing and operating such administrative services as*  
10 *the FAA Administrator determines may be performed more*  
11 *advantageously as centralized services, including account-*  
12 *ing, international training, payroll, travel, duplicating,*  
13 *multimedia and information technology services: Provided,*  
14 *That any inventories, equipment, and other assets pertain-*  
15 *ing to the services to be provided by such fund, either on*  
16 *hand or on order, less the related liabilities or unpaid obli-*  
17 *gations, and any appropriations made prior to the current*  
18 *year for the purpose of providing capital shall be used to*  
19 *capitalize such fund: Provided further, That such fund shall*  
20 *be paid in advance from funds available to the FAA and*  
21 *other Federal agencies for which such centralized services*  
22 *are performed, at rates which will return in full all expenses*  
23 *of operation, including accrued leave, depreciation of fund*  
24 *plant and equipment, amortization of Automated Data*  
25 *Processing (ADP) software and systems (either required or*



1 *donated), and an amount necessary to maintain a reason-*  
 2 *able operating reserve, as determined by the FAA Adminis-*  
 3 *trator: Provided further, That such fund shall provide serv-*  
 4 *ices on a competitive basis: Provided further, That an*  
 5 *amount not to exceed four percent of the total annual in-*  
 6 *come to such fund may be retained in the fund for fiscal*  
 7 *year 1997 and each year thereafter, to remain available*  
 8 *until expended, to be used for the acquisition of capital*  
 9 *equipment and for the improvement and implementation*  
 10 *of FAA financial management, ADP, and support systems:*  
 11 *Provided further, That no later than thirty days after the*  
 12 *end of each fiscal year, amounts in excess of this reserve*  
 13 *limitation shall be transferred to miscellaneous receipts in*  
 14 *the Treasury.*

15           FEDERAL HIGHWAY ADMINISTRATION

16           LIMITATION ON GENERAL OPERATING EXPENSES

17           Necessary expenses for administration, operation, in-  
 18 cluding motor carrier safety program operations, and re-  
 19 search of the Federal Highway Administration not to ex-  
 20 ceed ~~(33)\$510,981,000~~ \$534,846,000 shall be paid in ac-  
 21 cordance with law from appropriations made available by  
 22 this Act to the Federal Highway Administration together  
 23 with advances and reimbursements received by the Fed-  
 24 eral Highway Administration: *Provided, That*

1 ~~(34)\$214,698,000~~ *\$234,840,000* of the amount provided  
 2 herein shall remain available until September 30, 1999.

3 HIGHWAY-RELATED SAFETY GRANTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred in carrying out  
 7 the provisions of title 23, United States Code, section 402  
 8 administered by the Federal Highway Administration, to  
 9 remain available until expended, \$2,049,000 to be derived  
 10 from the Highway Trust Fund.

11 FEDERAL-AID HIGHWAYS

12 (LIMITATION ON OBLIGATIONS)

13 (HIGHWAY TRUST FUND)

14 None of the funds in this Act shall be available for  
 15 the implementation or execution of programs the obliga-  
 16 tions for which are in excess of ~~(35)\$17,550,000,000~~  
 17 *\$17,650,000,000* for Federal-aid highways and highway  
 18 safety construction programs for fiscal year 1997.

19 FEDERAL-AID HIGHWAYS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For carrying out the provisions of title 23, United  
 23 States Code, that are attributable to Federal-aid high-  
 24 ways, including the National Scenic and Recreational  
 25 Highway as authorized by 23 U.S.C. 148, not otherwise

1 provided, including reimbursements for sums expended  
 2 pursuant to the provisions of 23 U.S.C. 308,  
 3 \$19,800,000,000 or so much thereof as may be available  
 4 in and derived from the Highway Trust Fund, to remain  
 5 available until expended.

6                   RIGHT-OF-WAY REVOLVING FUND

7                   (LIMITATION ON DIRECT LOANS)

8                   (HIGHWAY TRUST FUND)

9           **(36)**~~None of the funds under this head are available~~  
 10 ~~for obligations for right-of-way acquisition during fiscal~~  
 11 ~~year 1997. For the cost of direct loans, \$8,000,000, as au-~~  
 12 ~~thorized by section 108 of title 23, United States Code.~~

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, \$74,000,000, 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 **(37)**~~\$77,425,000~~ \$79,000,000 for “Motor Carrier Safety  
 23 Grants”.

**(38) STATE INFRASTRUCTURE BANKS***(HIGHWAY TRUST FUND)*

1           *To carry out the State Infrastructure Bank Pilot Pro-*  
2  
3           *gram (Public Law 104–59, section 350), \$250,000,000, to*  
4           *be derived from the Highway Trust Fund and to remain*  
5           *available until expended, to be distributed by the Secretary*  
6           *to more than 10 States: Provided, That these funds shall*  
7           *be used to advance projects or programs under the terms*  
8           *and conditions of section 350: Provided further, That any*  
9           *State that receives such funds may deposit any portion of*  
10           *those funds into either the highway or transit account of*  
11           *the State Infrastructure Bank: Provided further, That the*  
12           *funds appropriated and deposited into transit accounts au-*  
13           *thorized by section 350(b)(3) shall be drawn from the Mass*  
14           *Transit account of the Highway Trust Fund and that funds*  
15           *appropriated and deposited into highway accounts author-*  
16           *ized by section 350(b)(2) shall be drawn from the Highway*  
17           *Trust Fund (other than the Mass Transit Account): Pro-*  
18           *vided further, That the Secretary shall ensure that the Fed-*  
19           *eral disbursements shall be at a rate consistent with historic*  
20           *rates for the Federal-aid highways program.*  
21

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 ~~(39)\$81,895,000~~ \$80,000,000, of which \$45,646,000 shall  
9 remain available until September 30, 1999: *Provided*,  
10 That none of the funds appropriated by this Act may be  
11 obligated or expended to plan, finalize, or implement any  
12 rulemaking to add to section 575.104 of title 49 of the  
13 Code of Federal Regulations any requirement pertaining  
14 to a grading standard that is different from the three  
15 grading standards (treadwear, traction, and temperature  
16 resistance) already 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, ~~(40)\$50,377,000~~ \$53,195,000, of which

1 \$27,066,000 shall remain available until September 30,  
2 1999.

3 HIGHWAY TRAFFIC SAFETY GRANTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred carrying out the  
7 provisions of 23 U.S.C. 153, 402, 408, and 410, chapter  
8 303 of title 49, United States Code, and section 209 of  
9 Public Law 95-599, as amended, to remain available until  
10 expended, ~~(41)\$167,100,000~~ \$169,100,000, to be derived  
11 from the Highway Trust Fund: *Provided*, That, notwith-  
12 standing subsection 2009(b) of the Intermodal Surface  
13 Transportation Efficiency Act of 1991, none of the funds  
14 in this Act shall be available for the planning or execution  
15 of programs the total obligations for which, in fiscal year  
16 1997, are in excess of ~~(42)\$167,100,000~~ \$169,100,000 for  
17 programs authorized under 23 U.S.C. 402 and 410, as  
18 amended, of which ~~(43)\$127,700,000~~ \$129,700,000 shall  
19 be for “State and community highway safety grants”,  
20 \$2,400,000 shall be for the “National Driver Register”,  
21 ~~(44)\$11,000,000~~ \$12,000,000 shall be for highway safety  
22 grants as authorized by section 1003(a)(7) of Public Law  
23 102-240, and ~~(45)\$26,000,000~~ \$25,000,000 shall be for  
24 section 410 “Alcohol-impaired driving counter-measures  
25 programs”: *Provided further*, That none of these funds

1 shall be used for construction, rehabilitation or remodeling  
 2 costs, or for office furnishings and fixtures for State, local,  
 3 or private buildings or structures: *Provided further*, That  
 4 not to exceed ~~(46)\$5,268,000~~ \$5,468,000 of the funds  
 5 made available for section 402 may be available for admin-  
 6 istering “State and community highway safety grants”:  
 7 *Provided further*, That not to exceed \$150,000 of the  
 8 funds made available for section 402 may be available for  
 9 administering the highway safety grants authorized by  
 10 section 1003(a)(7) of Public Law 102–240: *Provided fur-*  
 11 *ther*, That the unobligated balances of the appropriation  
 12 “Highway-Related Safety Grants” shall be transferred to  
 13 and merged with this “Highway Traffic Safety Grants”  
 14 appropriation: *Provided further*, That not to exceed  
 15 \$500,000 of the funds made available for section 410 “Al-  
 16 cohol-impaired driving counter-measures programs” shall  
 17 be available for technical assistance to the States.

18 FEDERAL RAILROAD ADMINISTRATION

19 OFFICE OF THE ADMINISTRATOR

20 For necessary expenses of the Federal Railroad Ad-  
 21 ministration, not otherwise provided for,  
 22 ~~(47)\$16,469,000~~ \$16,739,000, of which \$1,523,000 shall  
 23 remain available until expended: *Provided*, That none of  
 24 the funds in this Act shall be available for the planning  
 25 or execution of a program making commitments to guar-

1 antee new loans under the Emergency Rail Services Act  
2 of 1970, as amended, and no new commitments to guaran-  
3 tee loans under section 211(a) or 211(h) of the Regional  
4 Rail Reorganization Act of 1973, as amended, shall be  
5 made: *Provided further*, That, as part of the Washington  
6 Union Station transaction in which the Secretary assumed  
7 the first deed of trust on the property and, where the  
8 Union Station Redevelopment Corporation or any succes-  
9 sor is obligated to make payments on such deed of trust  
10 on the Secretary's behalf, including payments on and after  
11 September 30, 1988, the Secretary is authorized to receive  
12 such payments directly from the Union Station Redevelop-  
13 ment Corporation, credit them to the appropriation  
14 charged for the first deed of trust, and make payments  
15 on the first deed of trust with those funds: *Provided fur-*  
16 *ther*, That such additional sums as may be necessary for  
17 payment on the first deed of trust may be advanced by  
18 the Administrator from unobligated balances available to  
19 the Federal Railroad Administration, to be reimbursed  
20 from payments received from the Union Station Redevel-  
21 opment Corporation.

#### 22 RAILROAD SAFETY

23 For necessary expenses in connection with railroad  
24 safety, not otherwise provided for, \$51,407,000, of which  
25 \$2,476,000 shall remain available until expended: *Pro-*



1 *vided*, That notwithstanding any other law, funds appro-  
 2 priated under this heading are available for the reimburse-  
 3 ment of out-of-state travel and per diem costs incurred  
 4 by employees of state governments directly supporting the  
 5 Federal railroad safety program, including regulatory de-  
 6 velopment and compliance-related activities.

7           RAILROAD RESEARCH AND DEVELOPMENT

8           For necessary expenses for railroad research and de-  
 9 velopment, ~~(48)\$20,341,000~~ \$20,000,000, to remain  
 10 available until expended.

11       **(49)***NORTHEAST CORRIDOR IMPROVEMENT PROGRAM*

12           *For necessary expenses related to Northeast Corridor*  
 13 *improvements authorized by title VII of the Railroad Revi-*  
 14 *talization and Regulatory Reform Act of 1976, as amended*  
 15 *(45 U.S.C. 851 et seq.) and 49 U.S.C. 24909, \$200,000,000,*  
 16 *to remain available until September 30, 1999.*

17           HIGH-SPEED RAIL TRAINSETS AND FACILITIES

18           For the National Railroad Passenger Corporation,  
 19 \$80,000,000, to remain available until September 30,  
 20 1999, to pursue public/private partnerships for high-speed  
 21 rail trainset and maintenance facility financing arrange-  
 22 ments.

1 RAILROAD REHABILITATION AND IMPROVEMENT  
2 PROGRAM

3 The Secretary of Transportation is authorized to  
4 issue to the Secretary of the Treasury notes or other obli-  
5 gations pursuant to section 512 of the Railroad Revitaliza-  
6 tion and Regulatory Reform Act of 1976 (Public Law 94-  
7 210), as amended, in such amounts and at such times as  
8 may be necessary to pay any amounts required pursuant  
9 to the guarantee of the principal amount of obligations  
10 under sections 511 through 513 of such Act, such author-  
11 ity to exist as long as any such guaranteed obligation is  
12 outstanding: *Provided*, That no new loan guarantee com-  
13 mitments shall be made during fiscal year ~~(50)1997-~~  
14 *1997, except for up to \$75,000,000 in loan guarantee com-*  
15 *mitments during such fiscal year (and \$4,158,000 is hereby*  
16 *made available for the cost of such loan guarantee commit-*  
17 *ments).*

18 NEXT GENERATION HIGH-SPEED RAIL

19 For necessary expenses for Next Generation High-  
20 Speed Rail studies, corridor planning, development, dem-  
21 onstration, and implementation, ~~(51)\$19,757,000~~  
22 *\$26,525,000*, to remain available until expended: *Provided*,  
23 That funds under this head may be made available for  
24 grants to States for high-speed rail corridor design, fea-

1 sibility studies, environmental analyses, and ~~(52) track~~  
 2 ~~and signal track, signal and station~~ improvements.

3 TRUST FUND SHARE OF NEXT GENERATION HIGH-  
 4 SPEED RAIL  
 5 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
 6 (HIGHWAY TRUST FUND)

7 For grants and payment of obligations incurred in car-  
 8 rying out the provisions of the High-Speed Ground Trans-  
 9 portation program as defined in subsections 1036(c) and  
 10 1036(d)(1)(B) of the Intermodal Surface Transportation  
 11 Efficiency Act of 1991, including planning and environ-  
 12 mental analyses, \$2,855,000, to be derived from the High-  
 13 way Trust Fund and to remain available until expended.

14 ~~(53)~~ALASKA RAILROAD REHABILITATION

15 *To enable the Secretary of Transportation to make*  
 16 *grants to the Alaska Railroad, \$10,000,000 shall be for cap-*  
 17 *ital rehabilitation and improvements benefiting its pas-*  
 18 *senger operations.*

19 RHODE ISLAND RAIL DEVELOPMENT

20 For the costs associated with construction of a third  
 21 track on the Northeast Corridor between Davisville and  
 22 Central Falls, Rhode Island, with sufficient clearance to  
 23 accommodate double stack freight cars, ~~(54)~~\$4,000,000  
 24 \$10,000,000 to be matched by the State of Rhode Island  
 25 or its designee on a dollar for dollar basis and to remain

1 available until expended: *Provided*, That as a condition of  
 2 accepting such funds, the Providence and Worcester  
 3 (P&W) Railroad shall enter into an agreement with the  
 4 Secretary to reimburse Amtrak and/or the Federal Rail-  
 5 road Administration, on a dollar for dollar basis, up to  
 6 the first ~~(55)\$10,000,000~~ \$16,000,000 in damages result-  
 7 ing from the legal action initiated by the P&W Railroad  
 8 under its existing contracts with Amtrak relating to the  
 9 provision of vertical clearances between Davisville and  
 10 Central Falls in excess of those required for present  
 11 freight operations.

12 ~~(56)DIRECT LOAN FINANCING PROGRAM~~

13 Notwithstanding any other provision of law,  
 14 \$58,680,000, for direct loans not to exceed \$400,000,000  
 15 consistent with the purposes of section 505 of the Railroad  
 16 Revitalization and Regulatory Reform Act of 1976 (45  
 17 U.S.C. 825) as in effect on September 30, 1988, to the  
 18 Alameda Corridor Transportation Authority to continue  
 19 the Alameda Corridor Project, including replacement of  
 20 at-grade rail lines with a below-grade corridor and widen-  
 21 ing of the adjacent major highway: *Provided*, That loans  
 22 not to exceed the following amounts shall be made on or  
 23 after the first day of the fiscal year indicated:

Fiscal year 1997 .....	\$140,000,000
Fiscal year 1998 .....	\$140,000,000
Fiscal year 1999 .....	\$120,000,000

1 *Provided further*, That any loan authorized under this sec-  
 2 tion shall be structured with a maximum 30-year repay-  
 3 ment after completion of construction at an annual inter-  
 4 est rate of not to exceed the 30-year United States Treas-  
 5 ury rate and on such terms and conditions as deemed ap-  
 6 propriate by the Secretary of Transportation: *Provided*  
 7 *further*, That specific provisions of section 505(a)(b) and  
 8 (d) shall not apply: *Provided further*, That the Alameda  
 9 Corridor Transportation Authority shall be deemed to be  
 10 a financially responsible person for purposes of section  
 11 505 of the Act.

12 GRANTS TO THE NATIONAL RAILROAD PASSENGER  
 13 CORPORATION

14 To enable the Secretary of Transportation to make  
 15 grants to the National Railroad Passenger Corporation  
 16 authorized by 49 U.S.C. 24104, ~~(57)~~\$462,000,000  
 17 \$592,000,000, to remain available until expended, of which  
 18 \$342,000,000 shall be available for operating losses and  
 19 for mandatory passenger rail service payments, and  
 20 ~~(58)~~\$120,000,000 \$250,000,000 shall be for capital im-  
 21 provements: *Provided*, That funding under this head for  
 22 capital improvements shall not be made available before  
 23 July 1, 1997: *Provided further*, That none of the funds  
 24 herein appropriated shall be used for lease or purchase  
 25 of passenger motor vehicles or for the hire of vehicle oper-

1 ators for any officer or employee, other than the president  
 2 of the Corporation, excluding the lease of passenger motor  
 3 vehicles for those officers or employees while in official  
 4 travel status.

5 FEDERAL TRANSIT ADMINISTRATION

6 ADMINISTRATIVE EXPENSES

7 For necessary administrative expenses of the Federal  
 8 Transit Administration's programs authorized by chapter  
 9 53 of title 49, United States Code, ~~(59)\$41,367,000~~  
 10 \$42,147,000.

11 FORMULA GRANTS

12 For necessary expenses to carry out 49 U.S.C. 5307,  
 13 5310(a)(2), 5311, and 5336, to remain available until ex-  
 14 pended, ~~(60)\$490,000,000~~ \$218,335,000: *Provided*, That  
 15 no more than ~~(61)\$2,052,925,000~~ \$2,149,185,000 of  
 16 budget authority shall be available for these purposes: *Pro-*  
 17 *vided further*, That ~~(62)~~, *notwithstanding any other provi-*  
 18 *sion of law*, of the funds provided under this head for for-  
 19 mula grants, no more than \$400,000,000 may be used for  
 20 operating assistance under 49 U.S.C. 5336(d): *Provided*  
 21 *further*, That the limitation on operating assistance pro-  
 22 vided under this heading shall, for urbanized areas of less  
 23 than 200,000 in population, be no less than seventy-five  
 24 percent of the amount of operating assistance such areas  
 25 are eligible to receive under Public Law 103-331: *Pro-*

1 *vided further*, That in the distribution of the limitation  
2 provided under this heading to urbanized areas that had  
3 a population under the 1990 census of 1,000,000 or more,  
4 the Secretary shall direct each such area to give priority  
5 consideration to the impact of reductions in operating as-  
6 sistance on smaller transit authorities operating within the  
7 area and to consider the needs and resources of such tran-  
8 sit authorities when the limitation is distributed among  
9 all transit authorities operating in the area.

10 UNIVERSITY TRANSPORTATION CENTERS

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

14 TRANSIT PLANNING AND RESEARCH

15 For necessary expenses for transit planning and re-  
16 search as authorized by 49 U.S.C. 5303, 5311, 5313,  
17 5314, and 5315, to remain available until expended,  
18 \$85,500,000, of which \$39,500,000 shall be for activities  
19 under Metropolitan Planning (49 U.S.C. 5303);  
20 \$4,500,000 for activities under Rural Transit Assistance  
21 (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under  
22 State Planning and Research (49 U.S.C. 5313(b));  
23 \$22,000,000 for activities under National Planning and  
24 Research (49 U.S.C. 5314); \$8,250,000 for activities  
25 under Transit Cooperative Research (49 U.S.C. 5313(a));

1 and \$3,000,000 for National Transit Institute (49 U.S.C.  
2 5315).

3 TRUST FUND SHARE OF EXPENSES

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred in carrying out  
7 49 U.S.C. 5338(a), \$1,920,000,000, to remain available  
8 until expended and to be derived from the Highway Trust  
9 Fund: *Provided*, That \$1,920,000,000 shall be paid from  
10 the Mass Transit Account of the Highway Trust Fund to  
11 the Federal Transit Administration's formula grants ac-  
12 count.

13 DISCRETIONARY GRANTS

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 ~~(63)\$1,665,000,000~~  
19 \$1,900,000,000 in fiscal year 1997 for grants under the  
20 contract authority in 49 U.S.C. 5338(b): *Provided*, That  
21 ~~(64)~~*notwithstanding any provision of law*, there shall be  
22 available for fixed guideway modernization,  
23 ~~(65)\$666,000,000~~ \$725,000,000; there shall be available  
24 for the replacement, rehabilitation, and purchase of buses  
25 and related equipment and the construction of bus-related



1 facilities, ~~(66)\$333,000,000~~ \$375,000,000; and, notwith-  
 2 standing any other provision of law, except for fixed guide-  
 3 way modernization projects, ~~(67)\$10,510,000~~ \$8,890,000  
 4 made available under Public Law 102–240 and Public  
 5 Law 102–143 under “Federal Transit Administration,  
 6 Discretionary Grants” for projects specified in those Acts  
 7 or identified in reports accompanying those Acts, not obli-  
 8 gated by September 30, 1996; together with, notwith-  
 9 standing any other provision of law, \$744,000 funds made  
 10 available for the “New Bedford and Fall River Massachu-  
 11 setts commuter rail extension” under Public Law 103–  
 12 331; together with, notwithstanding any other provision  
 13 of law, \$47,322,000 funds made available for the “Chi-  
 14 cago Central Area Circulator Project” in Public Law 103–  
 15 122 and Public Law 103–331, shall be made available for  
 16 new fixed guideway systems together with the  
 17 ~~(68)\$666,000,000~~ \$800,000,000 made available for new  
 18 fixed guideway systems in this Act, to be available as fol-  
 19 lows:

20           **(69)**\$6,390,000 for the Alaska-Hollis to Ketch-  
 21           *ikan ferry project;*

22           **(70)**\$66,820,000 \$62,000,000 for the Atlanta-  
 23           North Springs project;

24           **(71)**\$10,260,000 \$5,000,000 for the Baltimore-  
 25           LRT Extension project;

- 1            ~~(72)~~\$40,181,000 *\$30,000,000* for the Boston  
2 Piers-MOS-2 project;
- 3            ~~(73)~~\$2,000,000 for the ~~Burlington-Charlotte,~~  
4 ~~Vermont commuter rail project;~~
- 5            ~~(74)~~\$5,500,000 for the ~~Canton-Akron-Cleve-~~  
6 ~~land commuter rail project;~~
- 7            ~~(75)~~\$25,000,000, *\$20,000,000* notwithstanding  
8 any other provision of law, for transit improvements  
9 in the Chicago downtown area;
- 10            \$3,000,000 for the Cincinnati Northeast-North-  
11 ern Kentucky rail line project;
- 12            ~~(76)~~\$10,000,000 *\$12,000,000* for the DART  
13 North Central light rail extension project;
- 14            ~~(77)~~\$12,500,000 *\$18,000,000* for the Dallas-  
15 Fort Worth RAILTRAN project;
- 16            ~~(78)~~\$1,000,000 for the ~~DeKalb County, Geor-~~  
17 ~~gia light rail project;~~
- 18            ~~(79)~~\$3,000,000 for the ~~Denver Southwest Cor-~~  
19 ~~ridor project;~~
- 20            ~~(80)~~\$9,000,000 *\$20,000,000* for the Florida  
21 Tri-County commuter rail project;
- 22            ~~(81)~~\$2,000,000 for the ~~Griffin light rail~~  
23 ~~project;~~
- 24            ~~(82)~~\$40,590,000 *\$24,000,000* for the Houston  
25 Regional Bus project;

1           ~~(83)~~\$7,400,000 for the Jackson, Mississippi  
2 Intermodal Corridor;

3           ~~(84)~~\$15,300,000 for the Jacksonville ASE ex-  
4 tension project;

5           ~~(85)~~\$1,500,000 \$3,600,000 for the Kansas City  
6 Southtown corridor project;

7           ~~(86)~~\$6,000,000 for the Little Rock, Arkansas  
8 Junction Bridge project;

9           ~~(87)~~\$90,000,000 \$55,000,000 for the Los An-  
10 geles-MOS-3 project;

11           ~~(88)~~\$1,500,000 for the Los Angeles-San Diego  
12 commuter rail project;

13           ~~(89)~~\$27,000,000 \$50,000,000 for the MARC  
14 Commuter Rail Improvements project;

15           ~~(90)~~\$5,000,000 for the Metro-Dade Transit east-  
16 west corridor, Florida project;

17           ~~(91)~~\$1,000,000 for the Miami-North 27th Av-  
18 enue project;

19           ~~(92)~~\$2,000,000 \$6,400,000 for the Memphis,  
20 Tennessee Regional Rail Plan;

21           ~~(93)~~\$4,240,000 for the Morgantown, West Vir-  
22 ginia Personal Rapid Transit System;

23           \$10,000,000 for the New Jersey Urban Core/  
24 Hudson-Bergen LRT project;

1           \$105,530,000 for the New Jersey Urban Core/  
2       Secaucus project;

3           ~~(94)\$1,000,000 for the New Jersey West~~  
4       ~~Trenton commuter rail project;~~

5           ~~(95)\$8,000,000~~ \$10,000,000 for the New Orle-  
6       ans Canal Street Corridor project;

7           ~~(96)\$2,000,000 for the New Orleans Desire~~  
8       ~~Streetcar project;~~

9           \$35,020,000 for the New York-Queens Connec-  
10      tion project;

11          ~~(97)\$500,000 for the Northern Indiana com-~~  
12      ~~muter rail project;~~

13          ~~(98)\$10,000,000 for the Oklahoma City, MAPS~~  
14      ~~corridor transit system;~~

15          ~~(99)\$5,000,000 for the Orange County~~  
16      ~~transitway project;~~

17          \$2,000,000 for the Orlando Lynx light rail  
18      project;

19          ~~(100)\$15,100,000 for the Pittsburgh Airport~~  
20      ~~busway project;~~

21          ~~(101)\$6,000,000 for the Portland South/North~~  
22      ~~light rail transit project;~~

23          ~~(102)\$90,000,000~~ \$138,000,000 for the Port-  
24      land-Westside/Hillsboro Extension project;

1           **(103)**\$5,000,000 for the Research Triangle  
2           *Park, North Carolina regional transit plan;*

3           **(104)**~~\$6,000,000~~ \$7,000,000 for the Sac-  
4           ramento LRT Extension project;

5           **(105)**~~\$20,000,000~~ \$58,000,000 for the Salt  
6           Lake City-South LRT project**(106)**,—of which not  
7           less than \$10,000,000 shall be available only for  
8           high-occupancy vehicle lane and corridor design  
9           costs;

10           **(107)**\$30,000,000 for *St. Louis Metrolink;*

11           **(108)**~~\$20,000,000~~ \$45,000,000 for the St.  
12           Louis-St. Clair Extension project;

13           **(109)**~~\$35,000,000~~ \$20,000,000 for the San  
14           Francisco Area-BART airport extension/San Jose  
15           Tasman West LRT projects;

16           **(110)**~~\$3,000,000~~ for the San Diego Mid-Coast  
17           Corridor project;

18           **(111)**~~\$9,500,000~~ for the San Juan Tren  
19           Urbano project;

20           **(112)**\$5,000,000 for the *Seattle-Renton-Tacoma*  
21           *light rail project;*

22           **(113)**~~\$375,000~~ for the Staten Island-Midtown  
23           Ferry service project;

24           \$2,000,000 for the Tampa to Lakeland com-  
25           muter rail project; **(114)**and

1           **(115)**~~\$8,000,000~~ *for the Virginia Rail Express*  
 2           *Richmond to Washington commuter rail project; and*

3           **(116)**~~\$2,500,000~~ *\$5,000,000 for the Whitehall*  
 4           *ferry terminal, New York, New York.*

5                           MASS TRANSIT CAPITAL FUND

6           (LIQUIDATION OF CONTRACT AUTHORIZATION)

7                           (HIGHWAY TRUST FUND)

8           For payment of obligations incurred in carrying out  
 9 49 U.S.C. 5338(b) administered by the Federal Transit  
 10 Administration, **(117)**~~\$2,000,000,000~~ *\$2,300,000,000*, to  
 11 be derived from the Highway Trust Fund and to remain  
 12 available until expended.

13                          WASHINGTON METROPOLITAN AREA TRANSIT

14   AUTHORITY

15           For necessary expenses to carry out the provisions  
 16 of section 14 of Public Law 96–184 and Public Law 101–  
 17 551, **(118)**~~\$200,000,000~~ *\$198,510,000*, to remain avail-  
 18 able until expended.

19                          SAINT LAWRENCE SEAWAY DEVELOPMENT

20   CORPORATION

21           The Saint Lawrence Seaway Development Corpora-  
 22 tion is hereby authorized to make such expenditures, with-  
 23 in the limits of funds and borrowing authority available  
 24 to the Corporation, and in accord with law, and to make  
 25 such contracts and commitments without regard to fiscal

1 year limitations as provided by section 104 of the Govern-  
 2 ment Corporation Control Act, as amended, as may be  
 3 necessary in carrying out the programs set forth in the  
 4 Corporation's budget for the current fiscal year.

5 OPERATIONS AND MAINTENANCE

6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses for operation and maintenance  
 8 of those portions of the Saint Lawrence Seaway operated  
 9 and maintained by the Saint Lawrence Seaway Develop-  
 10 ment Corporation, including the Great Lakes Pilotage  
 11 functions delegated by the Secretary of Transportation,  
 12 ~~(119)\$10,037,000~~ \$10,337,000, to be derived from the  
 13 Harbor Maintenance Trust Fund, pursuant to Public Law  
 14 99-662.

15 RESEARCH AND SPECIAL PROGRAMS

16 ADMINISTRATION

17 RESEARCH AND SPECIAL PROGRAMS

18 For expenses necessary to discharge the functions of  
 19 the Research and Special Programs Administration,  
 20 ~~(120)\$23,929,000~~ \$27,675,000, of which \$574,000 shall  
 21 be derived from the Pipeline Safety Fund, and of which  
 22 \$7,101,000 shall remain available until September 30,  
 23 1999: *Provided*, That up to \$1,200,000 in fees collected  
 24 under 49 U.S.C. 5108(g) shall be deposited in the general  
 25 fund of the Treasury as offsetting receipts: *Provided fur-*

1 *ther*, That there may be credited to this appropriation  
 2 funds received from States, counties, municipalities, other  
 3 public authorities, and private sources for expenses in-  
 4 curred for training, for reports publication and dissemina-  
 5 tion.

6 PIPELINE SAFETY

7 (PIPELINE SAFETY FUND)

8 For expenses necessary to conduct the functions of the  
 9 pipeline safety program, for grants-in-aid to carry out a  
 10 pipeline safety program, as authorized by 49 U.S.C.  
 11 60107, and to discharge the pipeline program responsibil-  
 12 ities of the Oil Pollution Act of 1990, ~~(121)\$30,988,000~~  
 13 \$31,278,000, of which \$2,528,000 shall be derived from  
 14 the Oil Spill Liability Trust Fund and shall remain avail-  
 15 able until September 30, 1999; and of which  
 16 ~~(122)\$28,460,000~~ \$28,750,000 shall be derived from the  
 17 Pipeline Safety Fund, of which \$15,500,000 shall remain  
 18 available until September 30, 1999: *Provided*, That in ad-  
 19 dition to amounts made available for the Pipeline Safety  
 20 Fund, \$1,000,000 shall be available for grants to States  
 21 for the development and establishment of one-call notifica-  
 22 tion systems and shall be derived from amounts previously  
 23 collected under section 7005 of the Consolidated Omnibus  
 24 Budget Reconciliation Act of 1985.



## 1                   EMERGENCY PREPAREDNESS GRANTS

## 2                   (EMERGENCY PREPAREDNESS FUND)

3     For necessary expenses to carry out 49 U.S.C. 5127(c),  
 4     \$200,000, to be derived from the Emergency Prepared-  
 5     ness Fund, to remain available until September 30, 1999:  
 6     *Provided*, That none of the funds made available by 49  
 7     U.S.C. 5116(i) and 5127(d) shall be made available for  
 8     obligation by individuals other than the Secretary of  
 9     Transportation, or his designee.

## 10                  OFFICE OF INSPECTOR GENERAL

## 11                  SALARIES AND EXPENSES

12     For necessary expenses of the Office of Inspector Gen-  
 13     eral to carry out the provisions of the Inspector General  
 14     Act of 1978, as amended, ~~(123)\$39,450,000~~ \$39,700,000:  
 15     *Provided*, That ~~(124)none of the funds under this head-~~  
 16     ing shall be for the conduct of contract audits of which  
 17     \$1,900,000 shall be for the conduct of contract audits.

## 18                  SURFACE TRANSPORTATION BOARD

## 19                  SALARIES AND EXPENSES

20     For necessary expenses of the Surface Transpor-  
 21     tation Board, including services authorized by 5 U.S.C.  
 22     3109, \$12,344,000: *Provided*, That \$3,000,000 in fees col-  
 23     lected in fiscal year 1997 by the Surface Transportation  
 24     Board pursuant to 31 U.S.C. 9701 shall be made available  
 25     to this appropriation in fiscal year 1997: ~~(125)~~*Provided*

1 *further, That none of the funds appropriated in this Act*  
2 *or otherwise made available may be used to increase fees*  
3 *for services in connection with rail maximum rate com-*  
4 *plaints, pursuant to 49 CFR part 1002, STB Ex Parte No.*  
5 *542: Provided further, That any fees received in excess of*  
6 *\$3,000,000 in fiscal year 1997 shall remain available until*  
7 *expended, but shall not be available for obligation until*  
8 *October 1, 1997.*

## 9 TITLE II

### 10 RELATED AGENCIES

#### 11 ARCHITECTURAL AND TRANSPORTATION

##### 12 BARRIERS COMPLIANCE BOARD

###### 13 SALARIES AND EXPENSES

14 For expenses necessary for the Architectural and  
15 Transportation Barriers Compliance Board, as authorized  
16 by section 502 of the Rehabilitation Act of 1973, as  
17 amended, \$3,540,000: *Provided, That, notwithstanding*  
18 *any other provision of law, there may be credited to this*  
19 *appropriation funds received for publications and training*  
20 *expenses.*

#### 21 NATIONAL TRANSPORTATION SAFETY BOARD

##### 22 SALARIES AND EXPENSES

23 For necessary expenses of the National Transpor-  
24 tation Safety Board, including hire of passenger motor ve-  
25 hicles and aircraft; services as authorized by 5 U.S.C.

1 3109, but at rates for individuals not to exceed the per  
2 diem rate equivalent to the rate for a GS-18; uniforms,  
3 or allowances therefor, as authorized by law (5 U.S.C.  
4 5901-5902), \$42,407,000, of which not to exceed \$2,000  
5 may be used for official reception and representation ex-  
6 penses.

### 7 TITLE III—GENERAL PROVISIONS

#### 8 (INCLUDING TRANSFERS OF FUNDS)

9 SEC. 301. During the current fiscal year applicable  
10 appropriations to the Department of Transportation shall  
11 be available for maintenance and operation of aircraft;  
12 hire of passenger motor vehicles and aircraft; purchase of  
13 liability insurance for motor vehicles operating in foreign  
14 countries on official department business; and uniforms,  
15 or allowances therefor, as authorized by law (5 U.S.C.  
16 5901-5902).

17 SEC. 302. Such sums as may be necessary for fiscal  
18 year 1997 pay raises for programs funded in this Act shall  
19 be absorbed within the levels appropriated in this Act or  
20 previous appropriations Acts.

21 SEC. 303. Funds appropriated under this Act for ex-  
22 penditures by the Federal Aviation Administration shall  
23 be available (1) except as otherwise authorized by title  
24 VIII of the Elementary and Secondary Education Act of  
25 1965, 20 U.S.C. 7701, et seq., for expenses of primary

1 and secondary schooling for dependents of Federal Avia-  
2 tion Administration personnel stationed outside the con-  
3 tinental United States at costs for any given area not in  
4 excess of those of the Department of Defense for the same  
5 area, when it is determined by the Secretary that the  
6 schools, if any, available in the locality are unable to pro-  
7 vide adequately for the education of such dependents, and  
8 (2) for transportation of said dependents between schools  
9 serving the area that they attend and their places of resi-  
10 dence when the Secretary, under such regulations as may  
11 be prescribed, determines that such schools are not acces-  
12 sible by public means of transportation on a regular basis.

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

18 SEC. 305. None of the funds in this Act shall be avail-  
19 able for salaries and expenses of more than one hundred  
20 seven political and Presidential appointees in the Depart-  
21 ment of Transportation: *Provided*, That none of the per-  
22 sonnel covered by this provision may be assigned on tem-  
23 porary detail outside the Department of Transportation.

24 SEC. 306. None of the funds in this Act shall be used  
25 for the planning or execution of any program to pay the

1 expenses of, or otherwise compensate, non-Federal parties  
2 intervening in regulatory or adjudicatory proceedings  
3 funded in this Act.

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

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

19 SEC. 309. The expenditure of any appropriation  
20 under this Act for any consulting service through procure-  
21 ment contract pursuant to section 3109 of title 5, United  
22 States Code, shall be limited to those contracts where such  
23 expenditures are a matter of public record and available  
24 for public inspection, except where otherwise provided

1 under existing law, or under existing Executive order is-  
2 sued pursuant to existing law.

3       SEC. 310. (a) For fiscal year 1997 the Secretary of  
4 Transportation shall distribute the obligation limitation  
5 for Federal-aid highways by allocation in the ratio which  
6 sums authorized to be appropriated for Federal-aid high-  
7 ways that are apportioned or allocated to each State for  
8 such fiscal year bear to the total of the sums authorized  
9 to be appropriated for Federal-aid highways that are ap-  
10 portioned or allocated to all the States for such fiscal year.

11       (b) During the period October 1 through December  
12 31, 1996, no State shall obligate more than 25 per centum  
13 of the amount distributed to such State under subsection  
14 (a), and the total of all State obligations during such pe-  
15 riod shall not exceed 12 per centum of the total amount  
16 distributed to all States under such subsection.

17       (c) Notwithstanding subsections (a) and (b), the Sec-  
18 retary shall—

19               (1) provide all States with authority sufficient  
20 to prevent lapses of sums authorized to be appro-  
21 priated for Federal-aid highways that have been ap-  
22 portioned to a State;

23               (2) after August 1, 1997, revise a distribution  
24 of the funds made available under subsection (a) if  
25 a State will not obligate the amount distributed dur-

1 ing that fiscal year and redistribute sufficient  
2 amounts to those States able to obligate amounts in  
3 addition to those previously distributed during that  
4 fiscal year giving priority to those States having  
5 large unobligated balances of funds apportioned  
6 under sections 103(e)(4), 104, and 144 of title 23,  
7 United States Code, and under sections 1013(c) and  
8 1015 of Public Law 102–240; and

9 (3) not distribute amounts authorized for ad-  
10 ministrative expenses and funded from the adminis-  
11 trative takedown authorized by section 104(a), title  
12 23 U.S.C., the Federal lands highway  
13 ~~(126)program, program;~~ the intelligent transpor-  
14 tation systems ~~(127)program, and program;~~  
15 amounts made available under sections 1040, 1047,  
16 1064, 6001, 6005, 6006, 6023, and 6024 of Public  
17 Law 102–240, and 49 U.S.C. 5316, 5317, and  
18 5338~~(128)~~; *\$5,000,000 for activities authorized by*  
19 *section 140(b) of title 23, United States Code;*  
20 *\$5,000,000 for activities authorized by section 1012(b)*  
21 *of Public Law 102–240; and \$50,000,000 of the obli-*  
22 *gation limitation established by this Act for Federal-*  
23 *aid highways and highway safety construction: Pro-*  
24 *vided, That \$15,000,000 of such undistributed obli-*  
25 *gation limitation shall be available for administrative*

1 *costs and allocation to States under section 104(I) of*  
2 *title 23, United States Code; \$30,000,000 shall be*  
3 *available for allocation to States authorized by section*  
4 *1069(y) of Public Law 102–240; and \$5,000,000 shall*  
5 *be available for administrative costs and allocation to*  
6 *States under section 1302(d) of the Symms National*  
7 *Recreational Trails Act of 1991: ~~(129)Provided Pro-~~*  
8 *vided further, That amounts made available under*  
9 *section 6005 of Public Law 102–240 shall be subject*  
10 *to the obligation limitation for Federal-aid highways*  
11 *and highway safety construction programs under the*  
12 *head “Federal-Aid Highways” in this Act.*

13 (d) During the period October 1 through December  
14 31, 1996, the aggregate amount of obligations under sec-  
15 tion 157 of title 23, United States Code, for projects cov-  
16 ered under section 147 of the Surface Transportation As-  
17 sistance Act of 1978, section 9 of the Federal-Aid High-  
18 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-  
19 lic Law 97–424, sections 1061, 1103 through 1108, 4008,  
20 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,  
21 and for projects authorized by Public Law 99–500 and  
22 Public Law 100–17, shall not exceed \$277,431,840.

23 (e) During the period August 2 through September  
24 30, 1997, the aggregate amount which may be obligated



1 by all States shall not exceed 2.5 percent of the aggregate  
2 amount of funds apportioned or allocated to all States—

3 (1) under sections 104 and 144 of title 23,  
4 United States Code, and 1013(c) and 1015 of Public  
5 Law 102–240, and

6 (2) for highway assistance projects under sec-  
7 tion 103(e)(4) of title 23, United States Code,  
8 which would not be obligated in fiscal year 1997 if the  
9 total amount of the obligation limitation provided for such  
10 fiscal year in this Act were utilized.

11 (f) Paragraph (e) shall not apply to any State which  
12 on or after August 1, 1997, has the amount distributed  
13 to such State under paragraph (a) for fiscal year 1997  
14 reduced under paragraph (c)(2).

15 **(130)(g)** *INCREASE IN ADMINISTRATIVE TAKE-*  
16 *DOWN.—*

17 (1) *IN GENERAL.—Notwithstanding any other*  
18 *provision of law, for fiscal year 1997 only, whenever*  
19 *an allocation is made of the sums authorized to be*  
20 *appropriated for expenditure on the Federal lands*  
21 *highways program, and whenever an apportionment*  
22 *is made of the sums authorized to be appropriated for*  
23 *expenditure on the surface transportation program,*  
24 *the congestion mitigation and air quality improve-*  
25 *ment program, the National Highway System, the*

1        *Interstate maintenance program, the Interstate reim-*  
2        *bursement program, the highway bridge replacement*  
3        *and rehabilitation program, and the donor State*  
4        *bonus program, the Secretary of Transportation shall*  
5        *deduct a sum in such amount not to exceed 4<sup>3</sup>/<sub>4</sub> per*  
6        *centum of all sums to be authorized as the Secretary*  
7        *may determine necessary for administering the provi-*  
8        *sions of law to be financed from appropriations for*  
9        *the Federal-Aid Highway Program and for carrying*  
10       *on the research authorized by subsections (a) and (b)*  
11       *of section 307 of title 23, United States Code. In mak-*  
12       *ing such determination, the Secretary shall take into*  
13       *account the unobligated balance of any sums deducted*  
14       *for such purposes in prior years. The sum so deducted*  
15       *shall remain available until expended.*

16            (2) *EFFECT.—Any deduction by the Secretary of*  
17        *Transportation in accordance with this Act shall be*  
18        *deemed to be a deduction under 23 U.S.C. § 104(a).*

19        SEC. 311. The limitation on obligations for the pro-  
20        grams of the Federal Transit Administration shall not  
21        apply to any authority under 49 U.S.C. 5338, previously  
22        made available for obligation, or to any other authority  
23        previously made available for obligation under the discre-  
24        tionary grants program.

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

3        SEC. 313. None of the funds in this Act shall be avail-  
4 able to plan, finalize, or implement regulations that would  
5 establish a vessel traffic safety fairway less than five miles  
6 wide between the Santa Barbara Traffic Separation  
7 Scheme and the San Francisco Traffic Separation  
8 Scheme.

9        SEC. 314. Notwithstanding any other provision of  
10 law, airports may transfer, without consideration, to the  
11 Federal Aviation Administration (FAA) instrument land-  
12 ing systems (along with associated approach lighting  
13 equipment and runway visual range equipment) which  
14 conform to FAA design and performance specifications,  
15 the purchase of which was assisted by a Federal airport  
16 aid program, airport development aid program or airport  
17 improvement program grant. The FAA shall accept such  
18 equipment, which shall thereafter be operated and main-  
19 tained by the FAA in accordance with agency criteria.

20        SEC. 315. None of the funds in this Act shall be avail-  
21 able to award a multiyear contract for production end  
22 items that (1) includes economic order quantity or long  
23 lead time material procurement in excess of \$10,000,000  
24 in any one year of the contract or (2) includes a cancella-  
25 tion charge greater than \$10,000,000 which at the time

1 of obligation has not been appropriated to the limits of  
2 the government's liability or (3) includes a requirement  
3 that permits performance under the contract during the  
4 second and subsequent years of the contract without con-  
5 ditioning such performance upon the appropriation of  
6 funds: *Provided*, That this limitation does not apply to a  
7 contract in which the Federal Government incurs no fi-  
8 nancial liability from not buying additional systems, sub-  
9 systems, or components beyond the basic contract require-  
10 ments.

11 SEC. 316. None of the funds provided in this Act  
12 shall be made available for planning and executing a pas-  
13 senger manifest program by the Department of Transpor-  
14 tation that only applies to United States flag carriers.

15 SEC. 317. Notwithstanding any other provision of  
16 law, and except for fixed guideway modernization projects,  
17 funds made available by this Act under "Federal Transit  
18 Administration, Discretionary grants" for projects speci-  
19 fied in this Act or identified in reports accompanying this  
20 Act not obligated by September 30, 1999, shall be made  
21 available for other projects under 49 U.S.C. 5309.

22 SEC. 318. Notwithstanding any other provision of  
23 law, any funds appropriated before October 1, 1993, under  
24 any section of chapter 53 of title 49 U.S.C., that remain  
25 available for expenditure may be transferred to and ad-

1 ministered under the most recent appropriation heading  
2 for any such section.

3       SEC. 319. None of the funds in this Act shall be avail-  
4 able to implement or enforce regulations that would result  
5 in the withdrawal of a slot from an air carrier at O'Hare  
6 International Airport under section 93.223 of title 14 of  
7 the Code of Federal Regulations in excess of the total slots  
8 withdrawn from that air carrier as of October 31, 1993  
9 if such additional slot is to be allocated to an air carrier  
10 or foreign air carrier under section 93.217 of title 14 of  
11 the Code of Federal Regulations.

12       SEC. 320. None of the funds in this Act may be used  
13 to compensate in excess of 335 technical staff years under  
14 the federally-funded research and development center  
15 contract between the Federal Aviation Administration  
16 and the Center for Advanced Aviation Systems Develop-  
17 ment during fiscal year 1997.

18       SEC. 321. Funds provided in this Act for the Trans-  
19 portation Administrative Service Center (TASC) shall be  
20 reduced by \$10,000,000, which limits fiscal year 1997  
21 TASC obligational authority for elements of the Depart-  
22 ment of Transportation funded in this Act to no more  
23 than \$114,812,000: *Provided*, That such reductions from  
24 the budget request shall be allocated by the Department  
25 of Transportation to each appropriations account in pro-

1 portion to the amount included in each account for the  
2 transportation administrative service center.

3       SEC. 322. Funds received by the Federal Highway  
4 Administration, Federal Transit Administration, and Fed-  
5 eral Railroad Administration from States, counties, mu-  
6 nicipalities, other public authorities, and private sources  
7 for expenses incurred for training may be credited respec-  
8 tively to the Federal Highway Administration’s “Limita-  
9 tion on General Operating Expenses” account, the Federal  
10 Transit Administration’s “Transit Planning and Re-  
11 search” account, and to the Federal Railroad Administra-  
12 tion’s “Railroad Safety” account, except for State rail  
13 safety inspectors participating in training pursuant to 49  
14 U.S.C. 20105.

15       ~~(131)SEC. 323. None of the funds in this Act shall~~  
16 ~~be available to prepare, propose, or promulgate any regu-~~  
17 ~~lations pursuant to title V of the Motor Vehicle Informa-~~  
18 ~~tion and Cost Savings Act (49 U.S.C. 32901, et seq.) pre-~~  
19 ~~scribing corporate average fuel economy standards for~~  
20 ~~automobiles, as defined in such title, in any model year~~  
21 ~~that differs from standards promulgated for such auto-~~  
22 ~~mobiles prior to enactment of this section.~~

23       SEC. 324. None of the funds in this Act may be used  
24 for planning, engineering, design, or construction of a  
25 sixth runway at the new Denver International Airport,

1 Denver, Colorado~~(132)~~: *Provided, That this provision*  
 2 *shall not apply in any case where the Administrator of the*  
 3 *Federal Aviation Administration determines, in writing,*  
 4 *that safety conditions warrant obligation of such funds.*

5       SEC. 325. Notwithstanding 31 U.S.C. 3302, funds re-  
 6 ceived by the Bureau of Transportation Statistics from the  
 7 sale of data products, for necessary expenses incurred pur-  
 8 suant to the provisions of section 6006 of the Intermodal  
 9 Surface Transportation Efficiency Act of 1991, may be  
 10 credited to the Federal-aid highways account for the pur-  
 11 pose of reimbursing the Bureau for such expenses: *Pro-*  
 12 *vided, That such funds shall not be subject to the obliga-*  
 13 *tion limitation for Federal-aid highways and highway safe-*  
 14 *ty construction: Provided further, (133)That in addition*  
 15 *to amounts otherwise provided in this Act, not to exceed*  
 16 *\$3,100,000 in expenses of the Bureau of Transportation*  
 17 *Statistics necessary to conduct activities related to airline*  
 18 *statistics may be incurred, but only to the extent such ex-*  
 19 *penses are offset by user fees charged for those activities*  
 20 *and credited as offsetting collections That of the funds pro-*  
 21 *vided by section 6006(b) of Public Law 102-240, not to ex-*  
 22 *ceed \$3,100,000 may be incurred to conduct activities relat-*  
 23 *ed to airline statistics.*

24       SEC. 326. The Secretary of Transportation is author-  
 25 ized to transfer funds appropriated in this Act to “Rental

1 payments” for any expense authorized by that appropria-  
2 tion in excess of the amounts provided in this Act: *Pro-*  
3 *vided*, That prior to any such transfer, notification shall  
4 be provided to the House and Senate Committees on Ap-  
5 propriations.

6 SEC. 327. None of the funds in this Act may be obli-  
7 gated or expended for employee training which: (a) does  
8 not meet identified needs for knowledge, skills and abilities  
9 bearing directly upon the performance of official duties;  
10 (b) contains elements likely to induce high levels of emo-  
11 tional response or psychological stress in some partici-  
12 pants; (c) does not require prior employee notification of  
13 the content and methods to be used in the training and  
14 written end of course evaluations; (d) contains any meth-  
15 ods or content associated with religious or quasi-religious  
16 belief systems or “new age” belief systems as defined in  
17 Equal Employment Opportunity Commission Notice N-  
18 915.022, dated September 2, 1988; (e) is offensive to, or  
19 designed to change, participants’ personal values or life-  
20 style outside the workplace; or (f) includes content related  
21 to human immunodeficiency virus/acquired immune defi-  
22 ciency syndrome (HIV/AIDS) other than that necessary  
23 to make employees more aware of the medical ramifica-  
24 tions of HIV/AIDS and the workplace rights of HIV-posi-  
25 tive employees.



1        SEC. 328. None of the funds in this Act shall, in the  
2 absence of express authorization by Congress, be used di-  
3 rectly or indirectly to pay for any personal service, adver-  
4 tisement, telegram, telephone, letter, printed or written  
5 matter, or other device, intended or designed to influence  
6 in any manner a Member of Congress, to favor or oppose,  
7 by vote or otherwise, any legislation or appropriation by  
8 Congress, whether before or after the introduction of any  
9 bill or resolution proposing such legislation or appropria-  
10 tion: *Provided*, That this shall not prevent officers or em-  
11 ployees of the Department of Transportation or related  
12 agencies funded in this Act from communicating to Mem-  
13 bers of Congress on the request of any Member or to Con-  
14 gress, through the proper official channels, requests for  
15 legislation or appropriations which they deem necessary  
16 for the efficient conduct of the public business.

17        SEC. 329. None of the funds in this Act may be used  
18 to support Federal Transit Administration's field oper-  
19 ations and oversight of the Washington Metropolitan Area  
20 Transit Authority in any location other than from the  
21 Washington, D.C. metropolitan area.

22        ~~(134)SEC. 330. None of the funds made available~~  
23 ~~in this Act may be used for improvements to the Miller~~  
24 ~~Highway in New York City, New York.~~

1       SEC. 331. Not to exceed ~~(135)\$850,000~~ \$1,050,000  
2 of the funds provided in this Act for the Department of  
3 Transportation shall be available for the necessary ex-  
4 penses of advisory committees.

5       SEC. 332. Notwithstanding any other provision of  
6 law, the Secretary may use funds appropriated under this  
7 Act, or any subsequent Act, to administer and implement  
8 the exemption provisions of 49 CFR 580.6 and to adopt  
9 or amend exemptions from the disclosure requirements of  
10 49 CFR part 580 for any class or category of vehicles  
11 that the Secretary deems appropriate.

12       ~~(136)SEC. 333. No funds other than those appro-~~  
13 ~~riated to the Surface Transportation Board shall be used~~  
14 ~~for conducting the activities of the Board.~~

15       (137)SEC. 333. *Section 24902 of title 49, United*  
16 *States Code, is amended by adding at the end the following*  
17 *new subsection:*

18       “(m) *APPLICABLE PROCEDURES.—No State or local*  
19 *building, zoning, subdivision, or similar or related law, nor*  
20 *any other State or local law from which a project would*  
21 *be exempt if undertaken by the Federal Government or an*  
22 *agency thereof within a Federal enclave wherein Federal ju-*  
23 *risdiction is exclusive, including without limitation with*  
24 *respect to all such laws referenced herein above requirements*  
25 *for permits, actions, approvals or filings, shall apply in*

1 connection with the construction, ownership, use, operation,  
2 financing, leasing, conveying, mortgaging or enforcing a  
3 mortgage of (i) any improvement undertaken by or for the  
4 benefit of Amtrak as part of, or in furtherance of, the North-  
5 east Corridor Improvement Project (including without limi-  
6 tation maintenance, service, inspection or similar facilities  
7 acquired, constructed or used for high speed trainsets) or  
8 chapter 241, 243, or 247 of this title or (ii) any land (and  
9 right, title or interest created with respect thereto) on which  
10 such improvement is located and adjoining, surrounding or  
11 any related land. These exemptions shall remain in effect  
12 and be applicable with respect to such land and improve-  
13 ments for the benefit of any mortgagee before, upon and  
14 after coming into possession of such improvements or land,  
15 any third party purchasers thereof in foreclosure (or  
16 through a deed in lieu of foreclosure), and their respective  
17 successors and assigns, in each case to the extent the land  
18 or improvements are used, or held for use, for railroad pur-  
19 poses or purposes accessory thereto. This subsection (m)  
20 shall not apply to any improvement or related land unless  
21 Amtrak receives a Federal operating subsidy in the fiscal  
22 year in which Amtrak commits to or initiates such im-  
23 provement.”.

24 SEC. 334. None of the funds made available in this  
25 Act may be used to construct, or to pay the salaries or

1 expenses of Department of Transportation personnel who  
2 approve or facilitate the construction of, a third track on  
3 the Metro-North Railroad Harlem Line in the vicinity of  
4 Bronxville, New York, when it is made known to the Fed-  
5 eral official having authority to obligate or expend such  
6 funds that a final environmental impact statement has not  
7 been completed for such construction project.

8 SEC. 335. Section 5328(c)(1)(E) of title 49, United  
9 States Code, is amended—

10 (1) by striking “Westside” the first place it ap-  
11 pears;

12 (2) by striking “and” after “101–584,”; and

13 (3) by inserting before the period at the end the  
14 following: “, and the locally preferred alternative for  
15 the South/North Corridor Project”.

16 **(138)***SEC. 335a. Section 3035(b) of Public Law 102–*  
17 *240 is hereby amended by striking “\$515,000,000” and in-*  
18 *serting in lieu thereof “\$555,000,000”.*

19 SEC. 336. Notwithstanding any other provision of  
20 law, of the funds made available to Cleveland for the  
21 “Cleveland Dual Hub Corridor Project” or “Cleveland  
22 Dual Hub Rail Project,” \$4,023,030 in funds made avail-  
23 able in fiscal years 1991, 1992, and 1994, under Public  
24 Laws 101–516, 102–143, 102–240, 103–122, and accom-  
25 panying reports, shall be made available for the Berea Red

1 Line Extension and the Euclid Corridor Improvement  
2 projects.

3       **(139)**~~SEC. 337.~~ Notwithstanding any other provision  
4 of law, funds made available under section ~~3035(kk)~~ of  
5 Public Law 102–240 for fiscal year 1997 to the State of  
6 Michigan shall be for the purchase of buses and bus-relat-  
7 ed equipment and facilities.

8       **(140)**~~SEC. 338.~~ In addition to amounts otherwise  
9 provided in this Act, there is hereby appropriated  
10 \$2,400,000 for activities of the National Civil Aviation Re-  
11 view Commission, to remain available until expended.

12       **(141)**~~SEC. 338.~~ *Of the amounts made available under*  
13 *the Federal Transit Administration’s Discretionary Grants*  
14 *program for Kauai, Hawaii, in Public Law 103–122 and*  
15 *Public Law 103–331, \$3,250,000 shall be transferred to and*  
16 *administered in accordance with 49 U.S.C. 5311 and made*  
17 *available to Kauai, Hawaii.*

18       **(142)**~~SEC. 339.~~ Section ~~423~~ of H.R. ~~1361~~, as passed  
19 the House of Representatives on May 9, 1995, is hereby  
20 enacted into law.

21       **(143)**~~SEC. 339.~~ *Improvements identified as highest*  
22 *priority by section 1069(t) of Public Law 102–240 and*  
23 *funded pursuant to section 118(c)(2) of title 23, United*  
24 *States Code, shall not be treated as an allocation for Inter-*  
25 *state maintenance for such fiscal year under section*

1 157(a)(4) of title 23, United States Code, and sections  
2 1013(c), 1015(a)(1), and 1015(b)(1) of Public Law 102–  
3 240: *Provided*, That any discretionary grant made pursu-  
4 ant to Public Law 99–663 shall not be subject to section  
5 1015 of Public Law 102–240.

6 SEC. 340. (a) COMPLIANCE WITH BUY AMERICAN  
7 ACT.—None of the funds made available in this Act may  
8 be expended by an entity unless the entity agrees that in  
9 expending the funds the entity will comply with the Buy  
10 American Act (41 U.S.C. 10a–10c).

11 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-  
12 ING NOTICE.—

13 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT  
14 AND PRODUCTS.—In the case of any equipment or  
15 product that may be authorized to be purchased  
16 with financial assistance provided using funds made  
17 available in this Act, it is the sense of the Congress  
18 that entities receiving the assistance should, in ex-  
19 pending the assistance, purchase only American-  
20 made equipment and products to the greatest extent  
21 practicable.

22 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—  
23 In providing financial assistance using funds made  
24 available in this Act, the head of each Federal agen-  
25 cy shall provide to each recipient of the assistance

1 a notice describing the statement made in paragraph  
2 (1) by the Congress.

3 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
4 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
5 If it has been finally determined by a court or Federal  
6 agency that any person intentionally affixed a label bear-  
7 ing a “Made in America” inscription, or any inscription  
8 with the same meaning, to any product sold in or shipped  
9 to the United States that is not made in the United  
10 States, the person shall be ineligible to receive any con-  
11 tract or subcontract made with funds made available in  
12 this Act, pursuant to the debarment, suspension, and ineli-  
13 gibility procedures described in sections 9.400 through  
14 9.409 of title 48, Code of Federal Regulations.

15 ~~(144)~~SEC. 341. *Notwithstanding any other provision*  
16 *of law, receipts, in amounts determined by the Secretary,*  
17 *collected from users of fitness centers operated by or for the*  
18 *Department of Transportation shall be available to support*  
19 *the operation and maintenance of those facilities.*

20 ~~(145)~~SEC. 342. *None of the funds made available in*  
21 *this Act may be used by the National Transportation Safety*  
22 *Board to plan, conduct, or enter into any contract for a*  
23 *study to determine the feasibility of allowing individuals*  
24 *who are more than 60 years of age to pilot commercial air-*  
25 *craft.*

1       **(146)***SEC. 343. Funds provided in this Act for bo-*  
2 *nuses and cash awards for employees of the Department of*  
3 *Transportation shall be reduced by \$513,604 which limits*  
4 *fiscal year 1997 obligation authority to no more than*  
5 *\$25,448,300: Provided, That this provision shall be applied*  
6 *to funds for Senior Executive Service bonuses, merit pay,*  
7 *and other bonuses and cash awards.*

8       **(147)***SEC. 344. Hereinafter, the National Passenger*  
9 *Railroad Corporation shall be exempted from any State or*  
10 *local law relating to the payment or delivery of abandoned*  
11 *or unclaimed personal property to any government author-*  
12 *ity, including any provision for the enforcement thereof,*  
13 *with respect to passenger rail tickets for which no refund*  
14 *has been or may be claimed, and such law shall not apply*  
15 *to funds held by Amtrak as a result of the purchase of tickets*  
16 *after April 30, 1972 for which no refund has been claimed.*

17       **(148)***SEC. 345. Notwithstanding any other provision*  
18 *in law, of the amounts made available under the Federal*  
19 *Aviation Administration's operations account, the FAA*  
20 *shall provide personnel at Dutch Harbor, Alaska to provide*  
21 *real-time weather and runway observation and other such*  
22 *functions to help ensure the safety of aviation operations.*

23       **(149)****SEC. 346. DEPARTMENT OF TRANSPORTATION**  
24 **VOLUNTARY SEPARATION INCENTIVE PAYMENTS.**

25       *(a) DEFINITIONS.—For the purposes of this section—*



1           (1) the term “agency” means the following agen-  
2           cies of the Department of Transportation:

3                   (A) the United States Coast Guard;

4                   (B) the Research and Special Programs Ad-  
5                   ministration;

6                   (C) the St. Lawrence Seaway Development  
7                   Corporation;

8                   (D) the Office of the Secretary;

9                   (E) the Federal Railroad Administration;

10                  and

11                   (F) any other agency of the Department  
12                   with respect to employees of such agency in posi-  
13                   tions targeted for reduction under the National  
14                   Performance Review;

15           (2) the term “employee” means an employee (as  
16           defined by section 2105 of title 5, United States Code)  
17           who is employed by the agency serving under an ap-  
18           pointment without time limitation, and has been cur-  
19           rently employed for a continuous period of at least 3  
20           years, but does not include—

21                   (A) a reemployed annuitant under sub-  
22                   chapter III of chapter 83 or chapter 84 of title  
23                   5, United States Code, or another retirement sys-  
24                   tem for employees of the agency;

1           (B) an employee having a disability on the  
2 basis of which such employee is or would be eli-  
3 gible for disability retirement under the applica-  
4 ble retirement system referred to in subpara-  
5 graph (A);

6           (C) an employee who is in receipt of a spe-  
7 cific notice of involuntary separation for mis-  
8 conduct or unacceptable performance;

9           (D) an employee who, upon completing an  
10 additional period of service as referred to in sec-  
11 tion 3(b)(2)(B)(ii) of the Federal Workforce Re-  
12 structuring Act of 1994 (5 U.S.C. 5597 note),  
13 would qualify for a voluntary separation incen-  
14 tive payment under section 3 of such Act;

15           (E) an employee who has previously re-  
16 ceived any voluntary separation incentive pay-  
17 ment by the Federal Government under this sec-  
18 tion or any other authority and has not repaid  
19 such payment;

20           (F) an employee covered by statutory reem-  
21 ployment rights who is on transfer to another or-  
22 ganization; or

23           (G) any employee who, during the twenty  
24 four month period preceding the date of separa-  
25 tion, has received a recruitment or relocation

1           *bonus under section 5753 of title 5, United*  
2           *States Code, or who, within the twelve month pe-*  
3           *riod preceding the date of separation, received a*  
4           *retention allowance under section 5754 of title 5,*  
5           *United States Code.*

6           **(b) AGENCY STRATEGIC PLAN.—**

7           **(1) IN GENERAL.—***The head of an agency, prior*  
8           *to obligating any resources for voluntary separation*  
9           *incentive payments, shall submit to the House and*  
10          *Senate Committees on Appropriations and the Com-*  
11          *mittee on Governmental Affairs of the Senate and the*  
12          *Committee on Government Reform and Oversight of*  
13          *the House of Representatives a strategic plan outlin-*  
14          *ing the intended use of such incentive payments and*  
15          *a proposed organizational chart for the agency once*  
16          *such incentive payments have been completed.*

17          **(2) CONTENTS.—***The agency's plan shall in-*  
18          *clude—*

19                  **(A)** *the positions and functions to be re-*  
20                  *duced or eliminated, identified by organizational*  
21                  *unit, geographic location, occupational category*  
22                  *and grade level;*

23                  **(B)** *the number and amounts of voluntary*  
24                  *separation incentive payments to be offered; and*

1                   (C) a description of how the agency will op-  
2                   erate without the eliminated positions and func-  
3                   tions.

4           (c) *AUTHORITY TO PROVIDE VOLUNTARY SEPARATION*  
5 *INCENTIVE PAYMENTS.*—

6                   (1) *IN GENERAL.*—A voluntary separation incen-  
7                   tive payment under this section may be paid by an  
8                   agency to any employee only to the extent necessary  
9                   to eliminate the positions and functions identified by  
10                  the strategic plan.

11                  (2) *AMOUNT AND TREATMENT OF PAYMENTS.*—A  
12                  voluntary separation incentive payment—

13                       (A) shall be paid in a lump sum after the  
14                       employee's separation;

15                       (B) shall be paid from appropriations or  
16                       funds available for the payment of the basic pay  
17                       of the employees;

18                       (C) shall be equal to the lesser of—

19                               (i) an amount equal to the amount the  
20                               employee would be entitled to receive under  
21                               section 5595(c) of title 5, United States  
22                               Code; or

23                               (ii) an amount determined by an agen-  
24                               cy head not to exceed \$25,000 in fiscal year  
25                               1997, \$20,000 in fiscal year 1998, \$15,000

1           *in fiscal year 1999, or \$10,000 in fiscal*  
2           *year 2000;*

3           *(D) shall not be a basis for payment, and*  
4           *shall not be included in the computation, of any*  
5           *other type of Government benefit; and*

6           *(E) shall not be taken into account in deter-*  
7           *mining the amount of any severance pay to*  
8           *which the employee may be entitled under section*  
9           *5595 of title 5, United States Code, based on any*  
10          *other separation.*

11          *(3) LIMITATION.—No amount shall be payable*  
12          *under this section based on any separation occurring*  
13          *before the date of the enactment of this Act, or after*  
14          *September 30, 2000.*

15          *(d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE RE-*  
16          *TIREMENT FUND.—*

17                 *(1) IN GENERAL.—In addition to any other pay-*  
18                 *ments which it is required to make under subchapter*  
19                 *III of chapter 83 of title 5, United States Code, an*  
20                 *agency shall remit to the Office of Personnel Manage-*  
21                 *ment for deposit in the Treasury of the United States*  
22                 *to the credit of the Civil Service Retirement and Dis-*  
23                 *ability Fund an amount equal to 15 percent of the*  
24                 *final basic pay of each employee of the agency who*  
25                 *is covered under subchapter III of chapter 83 or chap-*

1        *ter 84 of title 5, United States Code, to whom a vol-*  
2        *untary separation incentive has been paid under this*  
3        *section.*

4            (2) *DEFINITION.*—*For the purpose of paragraph*  
5        *(1), the term “final basic pay”, with respect to an*  
6        *employee, means the total amount of basic pay which*  
7        *would be payable for a year of service by such em-*  
8        *ployee, computed using the employee’s final rate of*  
9        *basic pay, and, if last serving on other than a full-*  
10       *time basis, with appropriate adjustment therefor.*

11        (e) *EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE*  
12       *GOVERNMENT.*—*An individual who has received a vol-*  
13       *untary separation incentive payment under this section*  
14       *and accepts any employment for compensation with the*  
15       *Government of the United States, or who works for any*  
16       *agency of the United States Government through a personal*  
17       *services contract, within 5 years after the date of the separa-*  
18       *tion on which the payment is based shall be required to*  
19       *pay, prior to the individual’s first day of employment, the*  
20       *entire amount of the incentive payment to the agency that*  
21       *paid the incentive payment.*

22        (f) *REDUCTION OF AGENCY EMPLOYMENT LEVELS.*—

23            (1) *IN GENERAL.*—*The total number of funded*  
24        *employee positions in an agency shall be reduced by*  
25        *one position for each vacancy created by the separa-*

1        *tion of any employee who has received, or is due to*  
2        *receive, a voluntary separation incentive payment*  
3        *under this section. For the purposes of this subsection,*  
4        *positions shall be counted on a full-time-equivalent*  
5        *basis.*

6                (2) *ENFORCEMENT.—The President, through the*  
7        *Office of Management and Budget, shall monitor each*  
8        *agency and take any action necessary to ensure that*  
9        *the requirements of this subsection are met.*

10              (g) *EFFECTIVE DATE.—This section shall take effect*  
11        *October 1, 1996.*

12              (150) *SEC. 347. (a) REVIEW OF REPORTING OF EX-*  
13        *CISE TAX DATA.—Prior to September 30, 1996, the Sec-*  
14        *retary of the Treasury and the Secretary of Transportation*  
15        *shall conduct a review of the reporting of excise tax data*  
16        *by the Department of the Treasury to the Department of*  
17        *Transportation for fiscal year 1994 and its impact on the*  
18        *allocation of Federal aid highways. If the President certifies*  
19        *that all of the following conditions are met:*

20              (1) *A significant error was made by the Treas-*  
21        *ury in its estimate of Highway Trust Fund revenues*  
22        *collected in fiscal year 1994.*

23              (2) *The error is fundamentally different from er-*  
24        *rors routinely made in such estimates in the past.*

1           (3) *The error is significant enough to justify the*  
2 *fiscal year 1997 apportionments and allocations of*  
3 *Highway Trust Funds be adjusted; and finds that the*  
4 *provision in subsection (b) corrects these deficiencies,*  
5 *then subsection (b) will be operative.*

6           (b) *CALCULATION OF FEDERAL-AID HIGHWAY APPOR-*  
7 *TIONMENTS AND ALLOCATIONS.—*

8           (1) *IN GENERAL.—Except as provided in para-*  
9 *graph (2), for fiscal year 1997, the Secretary of*  
10 *Transportation shall determine the Federal-aid high-*  
11 *way apportionments and allocations to a State with-*  
12 *out regard to the approximately \$1,596,000,000 credit*  
13 *to the Highway Trust Fund (other than the Mass*  
14 *Transit Account) of estimated taxes paid by States*  
15 *that was made by the Secretary of the Treasury for*  
16 *fiscal year 1995 in correction of an accounting error*  
17 *made in fiscal year 1994.*

18           (2) *ADJUSTMENTS FOR EFFECTS IN 1996.—The*  
19 *Secretary of Transportation shall, for each State—*

20           (A) *determine whether the State would have*  
21 *been apportioned and allocated an increased or*  
22 *decreased amount for Federal-aid highways for*  
23 *fiscal year 1996 if the accounting error referred*  
24 *to in paragraph (1) had not been made (which*  
25 *determination shall take into account the effects*



1           *of section 1003(c) of the Intermodal Surface*  
2           *Transportation Efficiency Act of 1991 (Public*  
3           *Law 102–240; 105 Stat. 1921)); and*

4           *(B) after apportionments and allocations*  
5           *are determined in accordance with paragraph*  
6           *(1)—*

7                   *(i) adjust the amount apportioned and*  
8                   *allocated to the State for Federal-aid high-*  
9                   *ways for fiscal year 1997 by the amount of*  
10                  *the increase or decrease; and*

11                   *(ii) adjust accordingly the obligation*  
12                   *limitation for Federal-aid highways distrib-*  
13                   *uted to the State under this Act.*

14           *(3) NO EFFECT ON 1996 DISTRIBUTIONS.—Noth-*  
15           *ing in this section shall affect any apportionment, al-*  
16           *location, or distribution of obligation limitation, or*  
17           *reduction thereof, to a State for Federal-aid highways*  
18           *for fiscal year 1996.*

19           *(4) EFFECTIVE DATE.—This section shall take ef-*  
20           *fect on September 30, 1996.*

21           **(151)***SEC. 348. It is the sense of the Senate that Con-*  
22           *gress should actively consider legislation to establish the*  
23           *Saint Lawrence Seaway Development Corporation as a*  
24           *performance-based organization on a pilot basis beginning*  
25           *in fiscal year 1998.*

1 **(152)SEC. 349. FEDERAL AVIATION ADMINISTRA-**  
2 **TION PROCUREMENT.**

3 (a) *SENSE OF THE CONGRESS.*—*It is the sense of the*  
4 *Congress that the Administrator of the Federal Aviation*  
5 *Administration should promote and encourage the use of*  
6 *full and open competition as the preferred method of pro-*  
7 *curement for the Federal Aviation Administration.*

8 (b) *INDEPENDENT ASSESSMENT.*—*Not later than De-*  
9 *cember 31, 1997, the Administrator of the Federal Aviation*  
10 *Administration shall—*

11 (1) *take such action as may be necessary to pro-*  
12 *vide for an independent assessment of the acquisition*  
13 *management system of the Federal Aviation Adminis-*  
14 *tration that includes a review of any efforts of the Ad-*  
15 *ministrator in promoting and encouraging the use of*  
16 *full and open competition as the preferred method of*  
17 *procurement with respect to any contract that in-*  
18 *volves an amount greater than \$50,000,000; and*

19 (2) *submit to the Congress a report on the find-*  
20 *ings of that independent assessment.*

21 (c) *FULL AND OPEN COMPETITION DEFINED.*—*For*  
22 *purposes of this section, the term “full and open competi-*  
23 *tion” has the meaning provided that term in section 4(6)*  
24 *of the Office of Federal Procurement Policy Act (41 U.S.C.*  
25 *403(6)).*

1       **(153)**SEC. 350. 49 U.S.C. App. 2311 is amended by  
2 adding the following new subsection:

3               “(D) NEBRASKA.—In addition to vehicles  
4 which the State of Nebraska may continue to  
5 allow to be operated under paragraphs (1)(a)  
6 and (1)(B) of this section, the State of Nebraska  
7 may allow longer combination vehicles that were  
8 not in actual operation on June 1, 1991 to be  
9 operated within its boundaries to transport  
10 sugar beets from the field where such sugar beets  
11 are harvested to storage, market, factory or stock-  
12 pile or from stockpile to storage, market or fac-  
13 tory. This provision shall expire on September  
14 30, 1997.”.

15       **(154)**SEC. 351. (a) Section 120(c) of title 23, United  
16 States Code, is amended by inserting “rail-highway cross-  
17 ing closure,” after “carpooling and vanpooling,”.

18       (b) Section 130 of such title is amended by adding at  
19 the end the following:

20               “(i) INCENTIVE PAYMENTS FOR AT-GRADE CROSSING  
21 CLOSURES.—

22               “(1) IN GENERAL.—Notwithstanding any other  
23 provision of this section and subject to paragraphs (2)  
24 and (3), a State may, from sums available to the  
25 State under this section, make incentive payments to

1 *local governments in the State upon the permanent*  
2 *closure by such governments of public at-grade rail-*  
3 *way-highway crossings under the jurisdiction of such*  
4 *governments.*

5 “(2) *INCENTIVE PAYMENTS BY RAILROADS.*—A  
6 *State may not make an incentive payment under*  
7 *paragraph (1) to a local government with respect to*  
8 *the closure of a crossing unless the railroad owning*  
9 *the tracks on which the crossing is located makes an*  
10 *incentive payment to the government with respect to*  
11 *the closure.*

12 “(3) *AMOUNT OF STATE PAYMENT.*—*The amount*  
13 *of the incentive payment payable to a local govern-*  
14 *ment by a State under paragraph (1) with respect to*  
15 *a crossing may not exceed the lesser of—*

16 “(A) *the amount of the incentive payment*  
17 *paid to the government with respect to the cross-*  
18 *ing by the railroad concerned under paragraph*  
19 *(2); or*

20 “(B) *\$7,500.*

21 “(4) *USE OF STATE PAYMENTS.*—*A local govern-*  
22 *ment receiving an incentive payment from a State*  
23 *under paragraph (1) shall use the amount of the in-*  
24 *centive payment for transportation safety improve-*  
25 *ments.”.*

1 **(155)SEC. 352. LIMITATION ON FUNDS USED TO EN-**  
2 **FORCE REGULATIONS REGARDING ANIMAL**  
3 **FATS AND VEGETABLE OILS.**

4 *None of the funds made available in this Act may be*  
5 *used by the Coast Guard to issue, implement, or enforce*  
6 *a regulation or to establish an interpretation or guideline*  
7 *under the Edible Oil Regulatory Reform Act (Public Law*  
8 *104–55) or the amendments made by that Act that does not*  
9 *recognize and provide for, with respect to fats, oils, and*  
10 *greases (as described in that Act or the amendments made*  
11 *by that Act) differences in—*

12 *(1) physical, chemical, biological, and other rel-*  
13 *evant properties; and*

14 *(2) environmental effects.*

15 **(156)SEC. 353. (a)** *In cases where an emergency*  
16 *ocean condition causes erosion of a bank protecting a scenic*  
17 *highway or byway, fiscal year 1996 or fiscal year 1997 Fed-*  
18 *eral Highway Administration Emergency Relief funds can*  
19 *be used to halt the erosion and stabilize the bank if such*  
20 *action is necessary to protect the highway from imminent*  
21 *failure and is less expensive than highway relocation.*

22 *(b) In cases where an emergency condition causes in-*  
23 *undation of a roadway or saturation of the subgrade with*  
24 *further erosion due to abnormal freeze/thaw cycles and*  
25 *damage caused by traffic, fiscal year 1996 or fiscal year*

1 1997 Federal Highway Administration Emergency Relief  
2 funds can be used to repair such roadway.

3 (c) Not more than \$8,000,000 in Federal Highway  
4 Administration Emergency Relief funds may be used for  
5 each of the conditions referenced in subsections (a) and  
6 (b).

7 **(157)SEC. 354. THE RAILROAD SAFETY INSTITUTE.**

8 *Of the money available to the Federal Rail Adminis-*  
9 *tration up to \$500,000 shall be made available to establish*  
10 *and operate the Institute for Railroad Safety as authorized*  
11 *by the Swift Rail Development Act of 1994.*

12 **(158)SEC. 355. TRAIN WHISTLE REQUIREMENTS.**

13 *No funds shall be made available to implement the reg-*  
14 *ulations issued under section 20153(b) of title 49, United*  
15 *States Code, requiring audible warnings to be sounded by*  
16 *a locomotive horn at highway-rail grade crossings, unless—*

17 *(1) in implementing the regulations or providing*  
18 *an exception to the regulations under section 20153(c)*  
19 *of such title, the Secretary of Transportation takes*  
20 *into account, among other criteria—*

21 *(A) the interests of the communities that*  
22 *have in effect restrictions on the sounding of a*  
23 *locomotive horn at highway-rail grade crossings*  
24 *as of July 30, 1996; and*

1           (B) the past safety record at each grade  
2 crossing involved; and

3           (2) whenever the Secretary determines that sup-  
4 plementary safety measures (as that term is defined  
5 in section 20153(a) of title 49, United States Code)  
6 are necessary to provide an exception referred to in  
7 paragraph (1), the Secretary—

8           (A) having considered the extent to which  
9 local communities have established public aware-  
10 ness initiatives and highway-rail crossing traffic  
11 law enforcement programs allows for a period of  
12 not to exceed 3 years, beginning on the date of  
13 that determination, for the installation of those  
14 measures; and

15           (B) works in partnership with affected com-  
16 munities to provide technical assistance and to  
17 develop a reasonable schedule for the installation  
18 of those measures.

19       **(159)**SEC. 356. No funds appropriated under this Act  
20 shall be used to levy penalties prior to September 1, 1997,  
21 on the States of Maine or New Hampshire based on non-  
22 compliance with Federal vehicle weight limitations.

1 TITLE IV—MISCELLANEOUS HIGHWAY  
2 PROVISIONS

3 ~~(160)SEC. 401. Notwithstanding any other provision~~  
4 ~~of law, semitrailer units operating in a truck tractor-~~  
5 ~~semitrailer combination whose semitrailer unit is more~~  
6 ~~than forty-eight feet in length and truck tractor-~~  
7 ~~semitrailer-trailer combinations specified in section~~  
8 ~~31111(b)(1) of title 49, United States Code, may not oper-~~  
9 ~~ate on United States Route 15 in Virginia between the~~  
10 ~~Maryland border and the intersection with United States~~  
11 ~~Route 29.~~

12 ~~(161)SEC. 402. Item 30 of the table contained in~~  
13 ~~section 1107(b) of the Intermodal Surface Transportation~~  
14 ~~Efficiency Act of 1991 (105 Stat. 2050), relating to Mo-~~  
15 ~~bile, Alabama, is amended in the second column by insert-~~  
16 ~~ing after “Alabama” the following: “and for feasibility~~  
17 ~~studies, preliminary engineering, and construction of a~~  
18 ~~new bridge and approaches over the Mobile River”.~~

19 ~~(162)SEC. 403. Item 94 of the table contained in~~  
20 ~~section 1107(b) of the Intermodal Surface Transportation~~  
21 ~~Efficiency Act of 1991 (105 Stat. 2052), relating to St.~~  
22 ~~Thomas, Virgin Islands, is amended—~~

23 ~~(1) by striking “St. Thomas,”; and~~

24 ~~(2) by inserting after “the island” the follow-~~  
25 ~~ing: “of St. Thomas and improvements to the VIPA~~



1 Molasses Dock intermodal port facility on the island  
2 of St. Croix to make the facility capable of handling  
3 multiple cargo tasks”.

4 **(163)**SEC. 403. *The funds authorized to be appro-*  
5 *priated for highway-railroad grade crossing separations in*  
6 *Mineola, New York, under the head “Highway-Railroad*  
7 *Grade Crossing Safety Demonstration Project (Highway*  
8 *Trust Fund)” in House Report 99–976 and section 302(l)*  
9 *of Public Law 99–591 are hereby also authorized to be ap-*  
10 *propriated for other grade crossing improvements in Nas-*  
11 *sau and Suffolk Counties in New York and shall be avail-*  
12 *able in accordance with the terms of the original*  
13 *authorizaton in House Report 99–976.*

14 SEC. 404. The Secretary of Transportation is hereby  
15 authorized to enter into an agreement modifying the  
16 agreement entered into pursuant to section 336 of the De-  
17 partment of Transportation and Related Agencies Appro-  
18 priations Act, 1995 (Public Law 103–331) and section  
19 356 of the Department of Transportation and Related  
20 Agencies Appropriations Act, 1996 (Public Law 104–50)  
21 to provide an additional line of credit not to exceed  
22 \$25,000,000, which may be used to replace otherwise re-  
23 quired contingency reserves; provided, however, that the  
24 Secretary may only enter into such modification if it is  
25 supported by the amount of the original appropriation

1 (provided by section 336 of Public Law 103–331). No ad-  
2 ditional appropriation is made by this section. In imple-  
3 menting this section, the Secretary may enter into an  
4 agreement requiring an interest rate, on both the original  
5 line of credit and the additional amount provided for here-  
6 in, higher than that currently in force and higher than  
7 that specified in the original appropriation. An agreement  
8 entered into pursuant to this section may not obligate the  
9 Secretary to make any funds available until all remaining  
10 contingency reserves are exhausted, and in no event shall  
11 any funds be made available before October 1, 1998.

12       **(164)**SEC. 405. Public Law 100–202 is amended in  
13 the item relating to “Traffic Improvement Demonstration  
14 Project” by inserting after “project” the following: “or up-  
15 grade existing local roads”.

16       **(165)**SEC. 405. *The amount appropriated for the*  
17 *Lake Shore Drive extension study, Whiting, Indiana, under*  
18 *the matter under the heading “SURFACE TRANSPORTATION*  
19 *PROJECTS” under the heading “FEDERAL HIGHWAY*  
20 *ADMINISTRATION” in title I of the Department of*  
21 *Transportation and Related Agencies Appropriations Act,*  
22 *1995 (Public Law 103–331; 108 Stat. 2478), shall be*  
23 *made available to carry out the congestion relief project*  
24 *for the construction of a 4-lane road and overpass at*  
25 *Merrillville, Indiana, authorized by item 35 of section*

1 1104(b) of the Intermodal Surface Transportation Effi-  
2 ciency Act of 1991 (Public Law 102–240; 105 Stat.  
3 2030).

4 **(166)SEC. 406. HIGHWAY SAFETY IMPROVEMENT**  
5 **PROJECT, MICHIGAN.**

6 *Of the amount appropriated for the highway safety*  
7 *improvement project, Michigan, under the matter under the*  
8 *heading “SURFACE TRANSPORTATION PROJECTS” under the*  
9 *heading “FEDERAL HIGHWAY ADMINISTRATION” in*  
10 *title I of the Department of Transportation and Related*  
11 *Agencies Appropriations Act, 1995 (Public Law 103–331;*  
12 *108 Stat. 2478), for the purposes of right-of-way acquisition*  
13 *for Baldwin Road, and engineering, right-of-way acquisi-*  
14 *tion, and construction between Walton Boulevard and Dixie*  
15 *Highway, \$2,000,000 shall be made available for construc-*  
16 *tion of Baldwin Road.*

17 **(167)SEC. 407. TRANSFER OF FUNDS AMONG MIN-**  
18 **NESOTA HIGHWAY PROJECTS.**

19 *(a) IN GENERAL.—Such portions of the amounts ap-*  
20 *propriated for the Minnesota highway projects described in*  
21 *subsection (b) that have not been obligated as of December*  
22 *31, 1996, may, at the option of the Minnesota Department*  
23 *of Transportation, be made available to carry out the 34th*  
24 *Street Corridor Project in Moorhead, Minnesota, authorized*  
25 *by section 149(a)(5)(A)(iii) of the Surface Transportation*

1 *and Uniform Relocation Assistance Act of 1987 (Public*  
 2 *Law 100–17; 101 Stat. 181) (as amended by section 340(a)*  
 3 *of the National Highway System Designation Act of 1995*  
 4 *(Public Law 104–59; 109 Stat. 607)).*

5 (b) *PROJECTS.—The Minnesota highway projects de-*  
 6 *scribed in this subsection are—*

7 (1) *the project for Saint Louis County author-*  
 8 *ized by section 149(a)(76) of the Surface Transpor-*  
 9 *tation and Uniform Relocation Assistance Act of 1987*  
 10 *(Public Law 100–17; 101 Stat. 192); and*

11 (2) *the project for Nicollet County authorized by*  
 12 *item 159 of section 1107(b) of the Intermodal Surface*  
 13 *Transportation Efficiency Act of 1991 (Public Law*  
 14 *102–240; 105 Stat. 2056).*

15 ~~(168)TITLE V—ADDITIONAL GENERAL~~  
 16 ~~PROVISIONS~~

17 ~~(169)SEC. 501. (a) LIMITATION ON NEW LOAN~~  
 18 ~~GUARANTEES FOR CERTAIN RAILROAD PROJECTS.—None~~  
 19 ~~of the funds made available in this Act may be used for~~  
 20 ~~the cost of any new loan guarantee commitment for any~~  
 21 ~~railroad project, when it is made known to the Federal~~  
 22 ~~official having authority to obligate or expend such funds~~  
 23 ~~that such railroad project is an international railroad~~  
 24 ~~project of the United States and another country, or a~~

1 railroad project in the United States in the vicinity of the  
2 United States border with another country.

3 (b) EXCEPTION.—Subsection (a) shall not apply  
4 when it is made known to the Federal official having au-  
5 thority to obligate or expend such funds that—

6 (1) a comprehensive study has been conducted  
7 after the date of the enactment of this Act regarding  
8 criminal activities that have occurred on existing  
9 railroads of such type, including—

10 (A) the use of such railroads to facilitate  
11 the smuggling of illegal aliens and illegal drugs  
12 into the United States; and the impact of such  
13 smuggling on the total number of illegal aliens,  
14 and the total amount of illegal drugs, entering  
15 the United States; and

16 (B) the commission of robberies against  
17 such railroads; and

18 (2) a detailed report setting forth the results of  
19 such study has been issued and made available to  
20 the public.

21 ~~(170)~~SEC. 502. None of the funds made available  
22 in this Act may be used by the National Transportation  
23 Safety Board to plan, conduct, or enter into any contract  
24 for a study to determine the feasibility of allowing individ-

1 uals who are more than 60 years of age to pilot commer-  
2 cial aircraft.

3 This Act may be cited as the “Department of Trans-  
4 portation and Related Agencies Appropriations Act,  
5 1997”.

Passed the House of Representatives June 28 (legis-  
lative day of June 27), 1996.

Attest: ROBIN H. CARLE,  
*Clerk.*

By LINDA NAVE,  
*Deputy Clerk.*

Passed the Senate July 31, 1996.

Attest: KELLY D. JOHNSTON,  
*Secretary.*