

Calendar No. 504

104TH CONGRESS
2^D SESSION

H. R. 3675

[Report No. 104-325]

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

JUNE 28, 1996

Received; read twice and referred to the Committee on Appropriations

JULY 19, 1996

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

JUNE 28, 1996

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JULY 19, 1996

Reported by Mr. HATFIELD, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1997, and for other pur-
6 poses, namely:

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

5 For necessary expenses of the Office of the Secretary,
6 ~~\$53,816,000~~ \$53,376,000, of which not to exceed \$40,000
7 shall be available as the Secretary may determine for allo-
8 cation within the Department for official reception and
9 representation expenses: *Provided*, That notwithstanding
10 any other provision of law, there may be credited to this
11 appropriation up to \$1,000,000 in funds received in user
12 fees established to support the electronic tariff filing sys-
13 tem: *Provided further*, That none of the funds appro-
14 priated in this Act or otherwise made available may be
15 used to maintain custody of airline tariffs that are already
16 available for public and departmental access at no cost;
17 to secure them against detection, alteration, or tampering;
18 and open to inspection by the Department.

19 OFFICE OF CIVIL RIGHTS

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

22 TRANSPORTATION PLANNING, RESEARCH, AND
23 DEVELOPMENT

24 For necessary expenses for conducting transportation
25 planning, research, systems development, and development

1 activities, to remain available until expended, ~~\$3,000,000~~
2 \$4,158,000.

3 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

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

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

5 For liquidation of obligations incurred for payments
6 to air carriers of so much of the compensation fixed and
7 determined under subchapter II of chapter 417 of title 49,
8 United States Code, as is payable by the Department of
9 Transportation, ~~\$10,000,000~~ \$25,900,000, to remain avail-
10 able until expended and to be derived from the Airport
11 and Airway Trust Fund: *Provided*, That none of the funds
12 in this Act shall be available for the implementation or
13 execution of programs in excess of ~~\$10,000,000~~
14 \$25,900,000 for the Payments to Air Carriers program in
15 fiscal year 1997: *Provided further*, That none of the funds
16 in this Act shall be used by the Secretary of Transpor-
17 tation to make payment of compensation under subchapter
18 II of chapter 417 of title 49, United States Code, in excess
19 of the appropriation in this Act for liquidation of obliga-
20 tions incurred under the “Payments to air carriers” pro-
21 gram: *Provided further*, That none of the funds in this Act
22 shall be used for the payment of claims for such com-
23 pensation except in accordance with this provision: *Pro-*
24 *vided further*, That none of the funds in this Act shall be
25 available for service to communities in the forty-eight con-
26 tiguous States that are located fewer than seventy high-

1 way miles from the nearest large or medium hub airport,
2 or that require a rate of subsidy per passenger in excess
3 of \$200 unless such point is greater than two hundred
4 and ten miles from the nearest large or medium hub air-
5 port: *Provided further*, That of funds provided for “Small
6 Community Air Service” by Public Law 101–508,
7 ~~\$28,600,000~~ \$12,700,000 in fiscal year 1997 is hereby re-
8 scinded.

9 PAYMENTS TO AIR CARRIERS

10 (RESCISSION)

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

13 RENTAL PAYMENTS

14 For necessary expenses for rental of headquarters
15 and field space not to exceed 8,580,000 square feet and
16 for related services assessed by the General Services Ad-
17 ministration, ~~\$127,447,000~~ \$132,500,000: *Provided*, That
18 of this amount, \$2,022,000 shall be derived from the
19 Highway Trust Fund, \$39,113,000 shall be derived from
20 the Airport and Airway Trust Fund, \$840,000 shall be
21 derived from the Pipeline Safety Fund, and \$193,000
22 shall be derived from the Harbor Maintenance Trust
23 Fund: *Provided further*, That in addition, for assessments
24 by the General Services Administration related to the
25 space needs of the Federal Highway Administration,

1 ~~\$17,294,000~~ \$17,192,000, to be derived from “Federal-aid
2 Highways”, subject to the “Limitation on General Operat-
3 ing Expenses”.

4 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

14 MINORITY BUSINESS OUTREACH

15 For necessary expenses of the Minority Business Re-
16 source Center outreach activities, \$2,900,000, of which
17 \$2,635,000 shall remain available until September 30,
18 1998: *Provided*, That notwithstanding 49 U.S.C. 332,
19 these funds may be used for business opportunities related
20 to any mode of transportation.

21 COAST GUARD

22 OPERATING EXPENSES

23 For necessary expenses for the operation and mainte-
24 nance of the Coast Guard, not otherwise provided for; pur-
25 chase of not to exceed five passenger motor vehicles for

1 replacement only; payments pursuant to section 156 of
2 Public Law 97–377, as amended (42 U.S.C. 402 note),
3 and section 229(b) of the Social Security Act (42 U.S.C.
4 429(b)); and recreation and welfare; ~~\$2,609,100,000~~
5 ~~\$2,331,350,000~~, of which \$25,000,000 shall be derived
6 from the Oil Spill Liability Trust Fund: *Provided*, That
7 the number of aircraft on hand at any one time shall not
8 exceed two hundred and eighteen, exclusive of aircraft and
9 parts stored to meet future attrition: *Provided further*,
10 That none of the funds appropriated in this or any other
11 Act shall be available for pay or administrative expenses
12 in connection with shipping commissioners in the United
13 States: *Provided further*, That none of the funds provided
14 in this Act shall be available for expenses incurred for
15 yacht documentation under 46 U.S.C. 12109, except to
16 the extent fees are collected from yacht owners and cred-
17 ited to this appropriation: *Provided further*, That the Com-
18 mandant shall reduce both military and civilian employ-
19 ment levels for the purpose of complying with Executive
20 Order No. 12839.

21 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of acquisition, construction,
23 renovation, and improvement of aids to navigation, shore
24 facilities, vessels, and aircraft, including equipment related
25 thereto, ~~\$358,000,000~~ \$393,100,000, of which

1 \$20,000,000 shall be derived from the Oil Spill Liability
2 Trust Fund; of which ~~\$205,600,000~~ \$227,960,000 shall be
3 available to acquire, repair, renovate or improve vessels,
4 small boats and related equipment, to remain available
5 until September 30, 2001; ~~\$18,300,000~~ \$19,040,000 shall
6 be available to acquire new aircraft and increase aviation
7 capability, to remain available until September 30, 1999;
8 ~~\$39,900,000~~ \$46,200,000 shall be available for other
9 equipment, to remain available until September 30, 1999;
10 ~~\$47,950,000~~ \$52,900,000 shall be available for shore facili-
11 ties and aids to navigation facilities, to remain available
12 until September 30, 1999; and ~~\$46,250,000~~ \$47,000,000
13 shall remain available for personnel compensation and
14 benefits and related costs, to remain available until Sep-
15 tember 30, 1998: *Provided*, That funds received from the
16 sale of the VC-11A and HU-25 aircraft shall be credited
17 to this appropriation for the purpose of acquiring new air-
18 craft and increasing aviation capacity: *Provided further*,
19 That the Commandant may dispose of surplus real prop-
20 erty by sale or lease and the proceeds of such sale or lease
21 shall be credited to this appropriation: ~~*Provided further*,~~
22 ~~That the property in Wildwood, New Jersey shall be dis-~~
23 ~~posed of in a manner resulting in a final fiscal year 1997~~
24 ~~appropriation estimated at \$338,000,000: *Provided fur-*~~
25 ~~*ther*,~~ That none of the funds in this Act may be obligated

1 or expended to continue the “Vessel Traffic Service 2000”
2 Program.

3 ~~ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS~~

4 ~~(RESCISSIONS)~~

5 Of the available balances under this heading provided
6 in Public Law 104–50, \$3,400,000 are rescinded.

7 Of the available balances under this heading provided
8 in Public Law 103–331, \$355,000 are rescinded.

9 ENVIRONMENTAL COMPLIANCE AND RESTORATION

10 For necessary expenses to carry out the Coast
11 Guard’s environmental compliance and restoration func-
12 tions under chapter 19 of title 14, United States Code,
13 ~~\$21,000,000~~ \$23,000,000, to remain available until ex-
14 pended.

15 *PORT SAFETY DEVELOPMENT*

16 *For necessary expenses for debt retirement of the Port*
17 *of Portland, Oregon, \$5,000,000, to remain available until*
18 *expended.*

19 ALTERATION OF BRIDGES

20 For necessary expenses for alteration or removal of
21 obstructive bridges, ~~\$16,000,000~~ \$10,000,000, to remain
22 available until expended.

23 RETIRED PAY

24 For retired pay, including the payment of obligations
25 therefor otherwise chargeable to lapsed appropriations for

1 this purpose, and payments under the Retired Service-
2 man's Family Protection and Survivor Benefits Plans, and
3 for payments for medical care of retired personnel and
4 their dependents under the Dependents Medical Care Act
5 (10 U.S.C. ch. 55) \$608,084,000.

6 RESERVE TRAINING

7 For all necessary expenses for the Coast Guard Re-
8 serve, as authorized by law; maintenance and operation
9 of facilities; and supplies, equipment, and services;
10 \$65,890,000.

11 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

1 BOAT SAFETY

2 (AQUATIC RESOURCES TRUST FUND)

3 For payment of necessary expenses incurred for rec-
 4 reational boating safety assistance under Public Law 92-
 5 75, as amended, ~~\$35,000,000~~ \$10,000,000, to be derived
 6 from the Boat Safety Account and to remain available
 7 until expended.

8 FEDERAL AVIATION ADMINISTRATION

9 OPERATIONS

10 For necessary expenses of the Federal Aviation Ad-
 11 ministration, not otherwise provided for, including oper-
 12 ations and research activities related to commercial space
 13 transportation, administrative expenses for research and
 14 development, establishment of air navigation facilities and
 15 the operation (including leasing) and maintenance of air-
 16 craft, and carrying out the provisions of subchapter I of
 17 chapter 471 of title 49, United States Code, or other pro-
 18 visions of law authorizing the obligation of funds for simi-
 19 lar programs of airport and airway development or im-
 20 provement, lease or purchase of four passenger motor ve-
 21 hicles for replacement only, ~~\$4,900,000,000~~
 22 \$4,899,957,000, of which ~~\$1,642,500,000~~ \$2,742,602,000
 23 shall be derived from the Airport and Airway Trust Fund:
 24 *Provided*, That notwithstanding any other provision of
 25 law, not to exceed ~~\$30,000,000~~ \$75,000,000 from addi-

1 tional user fees to be established by the Administrator of
2 the Federal Aviation Administration shall be credited to
3 this appropriation as offsetting collections and used for
4 necessary and authorized expenses under this heading:
5 *Provided further*, That the sum herein appropriated from
6 the general fund shall be reduced on a dollar for dollar
7 basis as such offsetting collections are received during fis-
8 cal year 1997, to result in a final fiscal year 1997 appro-
9 priation from the general fund estimated at not more than
10 ~~\$2,127,398,000~~ \$2,082,355,000: ~~*Provided further*, That~~
11 ~~the only additional user fees authorized as offsetting col-~~
12 ~~lections are fees for services provided to aircraft that nei-~~
13 ~~ther take off from, nor land in, the United States: *Pro-*~~
14 ~~*vided further*, That there may be credited to this appro-~~
15 ~~priation, funds received from States, counties, municipali-~~
16 ~~ties, foreign authorities, other public authorities, and pri-~~
17 ~~vate sources, for expenses incurred in the provision of~~
18 ~~agency services, including receipts for the maintenance~~
19 ~~and operation of air navigation facilities and, for issuance,~~
20 ~~renewal or modification of certificates, including airman,~~
21 ~~aircraft, and repair station certificates, or for tests related~~
22 ~~thereto, or for processing major repair or alteration forms:~~
23 *Provided further*, That funds may be used to enter into
24 a grant agreement with a nonprofit standard setting orga-
25 nization to assist in the development of aviation safety

1 standards: *Provided further*, That none of the funds in this
2 Act shall be available for new applicants for the second
3 career training program: *Provided further*, That none of
4 the funds in this Act shall be available for paying premium
5 pay under 5 U.S.C. 5546(a) to any Federal Aviation Ad-
6 ministration employee unless such employee actually per-
7 formed work during the time corresponding to such pre-
8 mium pay: *Provided further*, That none of the funds in
9 this Act may be obligated or expended to operate a
10 manned auxiliary flight service station in the contiguous
11 United States: *Provided further*, That none of the funds
12 derived from the Airport and Airway Trust Fund may be
13 used to support the operations and activities of the Associ-
14 ate Administrator for Commercial Space Transportation.

15 FACILITIES AND EQUIPMENT

16 (AIRPORT AND AIRWAY TRUST FUND)

17 For necessary expenses, not otherwise provided for,
18 for acquisition, establishment, and improvement by con-
19 tract or purchase, and hire of air navigation and experi-
20 mental facilities and equipment as authorized under part
21 A of subtitle VII of title 49, United States Code, including
22 initial acquisition of necessary sites by lease or grant; en-
23 gineering and service testing, including construction of
24 test facilities and acquisition of necessary sites by lease
25 or grant; and construction and furnishing of quarters and

1 related accommodations for officers and employees of the
 2 Federal Aviation Administration stationed at remote local-
 3 ities where such accommodations are not available; and
 4 the purchase, lease, or transfer of aircraft from funds
 5 available under this head; to be derived from the Airport
 6 and Airway Trust Fund, ~~\$1,800,000,000~~ \$1,788,700,000,
 7 of which ~~\$1,583,000,000~~ \$1,571,700,000 shall remain
 8 available until September 30, 1999, and of which
 9 \$217,000,000 shall remain available until September 30,
 10 1997: *Provided*, That there may be credited to this appro-
 11 priation funds received from States, counties, municipali-
 12 ties, other public authorities, and private sources, for ex-
 13 penses incurred in the establishment and modernization
 14 of air navigation facilities.

15 RESEARCH, ENGINEERING, AND DEVELOPMENT

16 (AIRPORT AND AIRWAY TRUST FUND)

17 For necessary expenses, not otherwise provided for,
 18 for research, engineering, and development, as authorized
 19 under part A of subtitle VII of title 49, United States
 20 Code, including construction of experimental facilities and
 21 acquisition of necessary sites by lease or grant,
 22 ~~\$185,000,000~~ \$187,000,000, to be derived from the Air-
 23 port and Airway Trust Fund and to remain available until
 24 September 30, 1999: *Provided*, That there may be credited
 25 to this appropriation funds received from States, counties,

1 municipalities, other public authorities, and private
2 sources, for expenses incurred for research, engineering,
3 and development.

4 GRANTS-IN-AID FOR AIRPORTS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (AIRPORT AND AIRWAY TRUST FUND)

7 For liquidation of obligations incurred for grants-in-
8 aid for airport planning and development, and for noise
9 compatibility planning and programs as authorized under
10 subchapter I of chapter 471 and subchapter I of chapter
11 475 of title 49, United States Code, and under other law
12 authorizing such obligations, \$1,500,000,000, to be de-
13 rived from the Airport and Airway Trust Fund and to re-
14 main available until expended: *Provided*, That none of the
15 funds in this Act shall be available for the planning or
16 execution of programs the obligations for which are in ex-
17 cess of ~~\$1,300,000,000~~ \$1,460,000,000 in fiscal year 1997
18 for grants-in-aid for airport planning and development,
19 and noise compatibility planning and programs, notwith-
20 standing section 47117(h) of title 49, United States Code.

21 AVIATION INSURANCE REVOLVING FUND

22 The Secretary of Transportation is hereby authorized
23 to make such expenditures and investments, within the
24 limits of funds available pursuant to 49 U.S.C. 44307, and
25 in accordance with section 104 of the Government Cor-

1 poration Control Act, as amended (31 U.S.C. 9104), as
2 may be necessary in carrying out the program for aviation
3 insurance activities under chapter 443 of title 49, United
4 States Code.

5 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

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

8 *ADMINISTRATIVE SERVICES FRANCHISE FUND*

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

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

17 **FEDERAL HIGHWAY ADMINISTRATION**

18 **LIMITATION ON GENERAL OPERATING EXPENSES**

19 Necessary expenses for administration, operation, in-
 20 cluding motor carrier safety program operations, and re-
 21 search of the Federal Highway Administration not to ex-
 22 ceed ~~\$510,981,000~~ \$534,846,000 shall be paid in accord-
 23 ance with law from appropriations made available by this
 24 Act to the Federal Highway Administration together with
 25 advances and reimbursements received by the Federal

1 Highway Administration: *Provided*, That ~~\$214,698,000~~
 2 ~~\$234,840,000~~ of the amount provided herein shall remain
 3 available until September 30, 1999.

4 HIGHWAY-RELATED SAFETY GRANTS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (HIGHWAY TRUST FUND)

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

12 FEDERAL-AID HIGHWAYS

13 (LIMITATION ON OBLIGATIONS)

14 (HIGHWAY TRUST FUND)

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

20 FEDERAL-AID HIGHWAYS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (HIGHWAY TRUST FUND)

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

1 Highway as authorized by 23 U.S.C. 148, not otherwise
2 provided, including reimbursements for sums expended
3 pursuant to the provisions of 23 U.S.C. 308,
4 \$19,800,000,000 or so much thereof as may be available
5 in and derived from the Highway Trust Fund, to remain
6 available until expended.

7 RIGHT-OF-WAY REVOLVING FUND

8 (LIMITATION ON DIRECT LOANS)

9 (HIGHWAY TRUST FUND)

10 None of the funds under this head are available for
11 *net* obligations for right-of-way acquisition during fiscal
12 year 1997.

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 ~~\$77,425,000~~ \$79,000,000 for “Motor Carrier Safety
23 Grants”.

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

1 *To carry out the State Infrastructure Bank Pilot Pro-*
2 *gram (Public Law 104–59, section 350), \$250,000,000, to*
3 *be derived from the Highway Trust Fund and to remain*
4 *available until expended, to be distributed by the Secretary*
5 *to more than 10 States: Provided, That these funds shall*
6 *be used to advance projects or programs under the terms*
7 *and conditions of section 350: Provided further, That any*
8 *State that receives such funds may deposit any portion of*
9 *those funds into either the highway or transit account of*
10 *the State Infrastructure Bank: Provided further, That the*
11 *funds appropriated and deposited into transit accounts au-*
12 *thorized by section 350(b)(3) shall be drawn from the Mass*
13 *Transit account of the Highway Trust Fund and that funds*
14 *appropriated and deposited into highway accounts author-*
15 *ized by section 350(b)(2) shall be drawn from the Highway*
16 *Trust Fund (other than the Mass Transit Account): Pro-*
17 *vided further, That the Secretary shall ensure that the Fed-*
18 *eral disbursements shall be at a rate consistent with historic*
19 *rates for the Federal-aid highways program.*
20
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 ~~\$81,895,000~~ \$80,000,000, of which \$45,646,000 shall re-
9 main available until September 30, 1999: *Provided*, That
10 none of the funds appropriated by this Act may be obli-
11 gated or expended to plan, finalize, or implement any rule-
12 making to add to section 575.104 of title 49 of the Code
13 of Federal Regulations any requirement pertaining to a
14 grading standard that is different from the three grading
15 standards (treadwear, traction, and temperature resist-
16 ance) 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, ~~\$50,377,000~~ \$53,195,000, of which \$27,066,000
25 shall remain available until September 30, 1999.

1 HIGHWAY TRAFFIC SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)

4 For payment of obligations incurred carrying out the
5 provisions of 23 U.S.C. 153, 402, 408, and 410, chapter
6 303 of title 49, United States Code, and section 209 of
7 Public Law 95–599, as amended, to remain available until
8 expended, ~~\$167,100,000~~ \$169,100,000, to be derived from
9 the Highway Trust Fund: *Provided*, That, notwithstand-
10 ing subsection 2009(b) of the Intermodal Surface Trans-
11 portation Efficiency Act of 1991, none of the funds in this
12 Act shall be available for the planning or execution of pro-
13 grams the total obligations for which, in fiscal year 1997,
14 are in excess of ~~\$167,100,000~~ \$169,100,000 for programs
15 authorized under 23 U.S.C. 402 and 410, as amended,
16 of which ~~\$127,700,000~~ \$129,700,000 shall be for “State
17 and community highway safety grants”, \$2,400,000 shall
18 be for the “National Driver Register”, ~~\$11,000,000~~
19 \$12,000,000 shall be for highway safety grants as author-
20 ized by section 1003(a)(7) of Public Law 102–240, and
21 ~~\$26,000,000~~ \$25,000,000 shall be for section 410 “Alco-
22 hol-impaired driving counter-measures programs”: *Pro-*
23 *vided further*, That none of these funds shall be used for
24 construction, rehabilitation or remodeling costs, or for of-
25 fice furnishings and fixtures for State, local, or private

1 buildings or structures: *Provided further*, That not to ex-
2 ceed ~~\$5,268,000~~ \$5,468,000 of the funds made available
3 for section 402 may be available for administering “State
4 and community highway safety grants”: *Provided further*,
5 That not to exceed \$150,000 of the funds made available
6 for section 402 may be available for administering the
7 highway safety grants authorized by section 1003(a)(7) of
8 Public Law 102–240: *Provided further*, That the unobli-
9 gated balances of the appropriation “Highway-Related
10 Safety Grants” shall be transferred to and merged with
11 this “Highway Traffic Safety Grants” appropriation: *Pro-*
12 *vided further*, That not to exceed \$500,000 of the funds
13 made available for section 410 “Alcohol-impaired driving
14 counter-measures programs” shall be available for tech-
15 nical assistance to the States.

16 FEDERAL RAILROAD ADMINISTRATION

17 OFFICE OF THE ADMINISTRATOR

18 For necessary expenses of the Federal Railroad Ad-
19 ministration, not otherwise provided for, ~~\$16,469,000~~
20 \$16,739,000, of which \$1,523,000 shall remain available
21 until expended: *Provided*, That none of the funds in this
22 Act shall be available for the planning or execution of a
23 program making commitments to guarantee new loans
24 under the Emergency Rail Services Act of 1970, as
25 amended, and no new commitments to guarantee loans

1 under section 211(a) or 211(h) of the Regional Rail Reor-
2 ganization Act of 1973, as amended, shall be made: *Pro-*
3 *vided further*, That, as part of the Washington Union Sta-
4 tion transaction in which the Secretary assumed the first
5 deed of trust on the property and, where the Union Sta-
6 tion Redevelopment Corporation or any successor is obli-
7 gated to make payments on such deed of trust on the Sec-
8 retary's behalf, including payments on and after Septem-
9 ber 30, 1988, the Secretary is authorized to receive such
10 payments directly from the Union Station Redevelopment
11 Corporation, credit them to the appropriation charged for
12 the first deed of trust, and make payments on the first
13 deed of trust with those funds: *Provided further*, That such
14 additional sums as may be necessary for payment on the
15 first deed of trust may be advanced by the Administrator
16 from unobligated balances available to the Federal Rail-
17 road Administration, to be reimbursed from payments re-
18 ceived from the Union Station Redevelopment Corpora-
19 tion.

20 RAILROAD SAFETY

21 For necessary expenses in connection with railroad
22 safety, not otherwise provided for, \$51,407,000, of which
23 \$2,476,000 shall remain available until expended: *Pro-*
24 *vided*, That notwithstanding any other law, funds appro-
25 priated under this heading are available for the reimburse-

1 ment of out-of-state travel and per diem costs incurred
2 by employees of state governments directly supporting the
3 Federal railroad safety program, including regulatory de-
4 velopment and compliance-related activities.

5 RAILROAD RESEARCH AND DEVELOPMENT

6 For necessary expenses for railroad research and de-
7 velopment, ~~\$20,341,000~~ \$20,000,000, to remain available
8 until expended.

9 *NORTHEAST CORRIDOR IMPROVEMENT PROGRAM*

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

15 HIGH-SPEED RAIL TRAINSETS AND FACILITIES

16 For the National Railroad Passenger Corporation,
17 \$80,000,000, to remain available until September 30,
18 1999, to pursue public/private partnerships for high-speed
19 rail trainset and maintenance facility financing arrange-
20 ments.

21 RAILROAD REHABILITATION AND IMPROVEMENT

22 PROGRAM

23 The Secretary of Transportation is authorized to
24 issue to the Secretary of the Treasury notes or other obli-
25 gations pursuant to section 512 of the Railroad Revitaliza-

1 tion and Regulatory Reform Act of 1976 (Public Law 94–
 2 210), as amended, in such amounts and at such times as
 3 may be necessary to pay any amounts required pursuant
 4 to the guarantee of the principal amount of obligations
 5 under sections 511 through 513 of such Act, such author-
 6 ity to exist as long as any such guaranteed obligation is
 7 outstanding: *Provided*, That no new loan guarantee com-
 8 mitments shall be made during fiscal year 1997.

9 NEXT GENERATION HIGH-SPEED RAIL

10 For necessary expenses for Next Generation High-
 11 Speed Rail studies, corridor planning, development, dem-
 12 onstration, and implementation, ~~\$19,757,000~~ \$26,525,000,
 13 to remain available until expended: *Provided*, That funds
 14 under this head may be made available for grants to
 15 States for high-speed rail corridor design, feasibility stud-
 16 ies, environmental analyses, and ~~track and signal track~~,
 17 *signal and station* improvements.

18 TRUST FUND SHARE OF NEXT GENERATION HIGH-

19 SPEED RAIL

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For grants and payment of obligations incurred in car-
 23 rying out the provisions of the High-Speed Ground Trans-
 24 portation program as defined in subsections 1036(c) and
 25 1036(d)(1)(B) of the Intermodal Surface Transportation

1 Efficiency Act of 1991, including planning and environ-
2 mental analyses, \$2,855,000, to be derived from the High-
3 way Trust Fund and to remain available until expended.

4 *ALASKA RAILROAD REHABILITATION*

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

9 *RHODE ISLAND RAIL DEVELOPMENT*

10 For the costs associated with construction of a third
11 track on the Northeast Corridor between Davisville and
12 Central Falls, Rhode Island, with sufficient clearance to
13 accommodate double stack freight cars, ~~\$4,000,000~~
14 *\$10,000,000* to be matched by the State of Rhode Island
15 or its designee on a dollar for dollar basis and to remain
16 available until expended: *Provided*, That as a condition of
17 accepting such funds, the Providence and Worcester
18 (P&W) Railroad shall enter into an agreement with the
19 Secretary to reimburse Amtrak and/or the Federal Rail-
20 road Administration, on a dollar for dollar basis, up to
21 the first ~~\$10,000,000~~ *\$16,000,000* in damages resulting
22 from the legal action initiated by the P&W Railroad under
23 its existing contracts with Amtrak relating to the provision
24 of vertical clearances between Davisville and Central Falls
25 in excess of those required for present freight operations.

1 DIRECT LOAN FINANCING PROGRAM

2 Notwithstanding any other provision of law,
 3 \$58,680,000, for direct loans not to exceed \$400,000,000
 4 consistent with the purposes of section 505 of the Railroad
 5 Revitalization and Regulatory Reform Act of 1976 (45
 6 U.S.C. 825) as in effect on September 30, 1988, to the
 7 Alameda Corridor Transportation Authority to continue
 8 the Alameda Corridor Project, including replacement of
 9 at-grade rail lines with a below-grade corridor and widen-
 10 ing of the adjacent major highway: *Provided*, That loans
 11 not to exceed the following amounts shall be made on or
 12 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

13 *Provided further*, That any loan authorized under this sec-
 14 tion shall be structured with a maximum 30-year repay-
 15 ment after completion of construction at an annual inter-
 16 est rate of not to exceed the 30-year United States Treas-
 17 ury rate and on such terms and conditions as deemed ap-
 18 propriate by the Secretary of Transportation: *Provided*
 19 *further*, That specific provisions of section 505(a)(b) and
 20 (d) shall not apply: *Provided further*, That the Alameda
 21 Corridor Transportation Authority shall be deemed to be
 22 a financially responsible person for purposes of section
 23 505 of the Act.

1 GRANTS TO THE NATIONAL RAILROAD PASSENGER
2 CORPORATION

3 To enable the Secretary of Transportation to make
4 grants to the National Railroad Passenger Corporation
5 authorized by 49 U.S.C. 24104, ~~\$462,000,000~~
6 ~~\$592,000,000~~, to remain available until expended, of which
7 \$342,000,000 shall be available for operating losses and
8 for mandatory passenger rail service payments, and
9 ~~\$120,000,000~~ \$250,000,000 shall be for capital improve-
10 ments: *Provided*, That funding under this head for capital
11 improvements shall not be made available before July 1,
12 1997: *Provided further*, That none of the funds herein ap-
13 propriated shall be used for lease or purchase of passenger
14 motor vehicles or for the hire of vehicle operators for any
15 officer or employee, other than the president of the Cor-
16 poration, excluding the lease of passenger motor vehicles
17 for those officers or employees while in official travel sta-
18 tus.

19 FEDERAL TRANSIT ADMINISTRATION
20 ADMINISTRATIVE EXPENSES

21 For necessary administrative expenses of the Federal
22 Transit Administration's programs authorized by chapter
23 53 of title 49, United States Code, ~~\$41,367,000~~
24 \$42,147,000.

FORMULA GRANTS

1
2 For necessary expenses to carry out 49 U.S.C. 5307,
3 5310(a)(2), 5311, and 5336, to remain available until ex-
4 pended, ~~\$490,000,000~~ \$218,335,000: *Provided*, That no
5 more than ~~\$2,052,925,000~~ \$2,149,185,000 of budget au-
6 thority shall be available for these purposes: *Provided fur-*
7 *ther*, That, *notwithstanding any other provision of law*, of
8 the funds provided under this head for formula grants,
9 no more than \$400,000,000 may be used for operating
10 assistance under 49 U.S.C. 5336(d): *Provided further*,
11 That the limitation on operating assistance provided under
12 this heading shall, for urbanized areas of less than
13 200,000 in population, be no less than seventy-five percent
14 of the amount of operating assistance such areas are eligi-
15 ble to receive under Public Law 103–331: *Provided fur-*
16 *ther*, That in the distribution of the limitation provided
17 under this heading to urbanized areas that had a popu-
18 lation under the 1990 census of 1,000,000 or more, the
19 Secretary shall direct each such area to give priority con-
20 sideration to the impact of reductions in operating assist-
21 ance on smaller transit authorities operating within the
22 area and to consider the needs and resources of such tran-
23 sit authorities when the limitation is distributed among
24 all transit authorities operating in the area.

1 UNIVERSITY TRANSPORTATION CENTERS

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

5 TRANSIT PLANNING AND RESEARCH

6 For necessary expenses for transit planning and re-
7 search as authorized by 49 U.S.C. 5303, 5311, 5313,
8 5314, and 5315, to remain available until expended,
9 \$85,500,000, of which \$39,500,000 shall be for activities
10 under Metropolitan Planning (49 U.S.C. 5303);
11 \$4,500,000 for activities under Rural Transit Assistance
12 (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under
13 State Planning and Research (49 U.S.C. 5313(b));
14 \$22,000,000 for activities under National Planning and
15 Research (49 U.S.C. 5314); \$8,250,000 for activities
16 under Transit Cooperative Research (49 U.S.C. 5313(a));
17 and \$3,000,000 for National Transit Institute (49 U.S.C.
18 5315).

19 TRUST FUND SHARE OF EXPENSES

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out
23 49 U.S.C. 5338(a), \$1,920,000,000, to remain available
24 until expended and to be derived from the Highway Trust
25 Fund: *Provided*, That \$1,920,000,000 shall be paid from

1 the Mass Transit Account of the Highway Trust Fund to
 2 the Federal Transit Administration's formula grants ac-
 3 count.

4 DISCRETIONARY GRANTS

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 None of the funds in this Act shall be available for
 8 the implementation or execution of programs the obliga-
 9 tions for which are in excess of ~~\$1,665,000,000~~
 10 \$1,900,000,000 in fiscal year 1997 for grants under the
 11 contract authority in 49 U.S.C. 5338(b): *Provided*, That
 12 *notwithstanding any provision of law*, there shall be avail-
 13 able for fixed guideway modernization, ~~\$666,000,000~~
 14 \$725,000,000; there shall be available for the replacement,
 15 rehabilitation, and purchase of buses and related equip-
 16 ment and the construction of bus-related facilities,
 17 ~~\$333,000,000~~ \$375,000,000; and, notwithstanding any
 18 other provision of law, except for fixed guideway mod-
 19 ernization projects, ~~\$10,510,000~~ \$8,890,000 made avail-
 20 able under Public Law 102-240 and Public Law 102-143
 21 under "Federal Transit Administration, Discretionary
 22 Grants" for projects specified in those Acts or identified
 23 in reports accompanying those Acts, not obligated by Sep-
 24 tember 30, 1996; together with, notwithstanding any other
 25 provision of law, \$744,000 funds made available for the

1 “New Bedford and Fall River Massachusetts commuter
 2 rail extension” under Public Law 103–331; together with,
 3 notwithstanding any other provision of law, \$47,322,000
 4 funds made available for the “Chicago Central Area
 5 Circulator Project” in Public Law 103–122 and Public
 6 Law 103–331, shall be made available for new fixed guide-
 7 way systems together with the ~~\$666,000,000~~ \$800,000,000
 8 made available for new fixed guideway systems in this Act,
 9 to be available as follows:

10 \$6,390,000 for the *Alaska-Hollis to Ketchikan*
 11 *ferry project*;

12 ~~\$66,820,000~~ \$62,000,000 for the Atlanta-North
 13 Springs project;

14 ~~\$10,260,000~~ \$5,000,000 for the Baltimore-LRT
 15 Extension project;

16 ~~\$40,181,000~~ \$30,000,000 for the Boston Piers-
 17 MOS–2 project;

18 \$2,000,000 for the *Burlington-Charlotte, Vermont*
 19 *commuter rail project*;

20 ~~\$5,500,000~~ for the ~~Canton-Akron-Cleveland~~
 21 ~~commuter rail project~~;

22 ~~\$25,000,000,~~ \$20,000,000 notwithstanding any
 23 other provision of law, for transit improvements in
 24 the Chicago downtown area;

1 \$3,000,000 for the Cincinnati Northeast-North-
2 ern Kentucky rail line project;
3 ~~\$10,000,000~~ *\$12,000,000* for the DART North
4 Central light rail extension project;
5 ~~\$12,500,000~~ *\$18,000,000* for the Dallas-Fort
6 Worth RAILTRAN project;
7 ~~\$1,000,000~~ for the DeKalb County, Georgia
8 light rail project;
9 ~~\$3,000,000~~ for the Denver Southwest Corridor
10 project;
11 ~~\$9,000,000~~ *\$20,000,000* for the Florida Tri-
12 County commuter rail project;
13 ~~\$2,000,000~~ for the Griffin light rail project;
14 ~~\$40,590,000~~ *\$24,000,000* for the Houston Re-
15 gional Bus project;
16 ~~\$7,400,000~~ for the Jackson, Mississippi Inter-
17 modal Corridor;
18 ~~\$15,300,000~~ for the Jacksonville ASE extension
19 project;
20 ~~\$1,500,000~~ *\$3,600,000* for the Kansas City
21 Southtown corridor project;
22 ~~\$6,000,000~~ for the Little Rock, Arkansas Junc-
23 tion Bridge project;
24 ~~\$90,000,000~~ *\$55,000,000* for the Los Angeles-
25 MOS-3 project;

- 1 ~~\$1,500,000~~ for the Los Angeles-San Diego com-
2 muter rail project;
- 3 ~~\$27,000,000~~ *\$50,000,000* for the MARC Com-
4 muter Rail Improvements project;
- 5 *\$5,000,000 for the Metro-Dade Transit east-west*
6 *corridor, Florida project;*
- 7 ~~\$1,000,000~~ for the Miami-North 27th Avenue
8 project;
- 9 ~~\$2,000,000~~ *\$6,400,000* for the Memphis, Ten-
10 nessee Regional Rail Plan;
- 11 *\$4,240,000 for the Morgantown, West Virginia*
12 *Personal Rapid Transit System;*
- 13 \$10,000,000 for the New Jersey Urban Core/
14 Hudson-Bergen LRT project;
- 15 \$105,530,000 for the New Jersey Urban Core/
16 Secaucus project;
- 17 ~~\$1,000,000~~ for the New Jersey West Trenton
18 commuter rail project;
- 19 ~~\$8,000,000~~ *\$10,000,000* for the New Orleans
20 Canal Street Corridor project;
- 21 ~~\$2,000,000~~ for the New Orleans Desire Street-
22 ear project;
- 23 \$35,020,000 for the New York-Queens Connec-
24 tion project;

1 ~~\$500,000~~ for the Northern Indiana commuter
2 rail project;

3 ~~\$10,000,000~~ for the Oklahoma City, MAPS cor-
4 ridor transit system;

5 ~~\$5,000,000~~ for the Orange County transitway
6 project;

7 ~~\$2,000,000~~ for the Orlando Lynx light rail
8 project;

9 ~~\$15,100,000~~ for the Pittsburgh Airport busway
10 project;

11 ~~\$6,000,000~~ for the Portland South/North light
12 rail transit project;

13 ~~\$90,000,000~~ ~~\$138,000,000~~ for the Portland-
14 Westside/Hillsboro Extension project;

15 ~~\$5,000,000~~ for the Research Triangle Park,
16 North Carolina regional transit plan;

17 ~~\$6,000,000~~ ~~\$7,000,000~~ for the Sacramento LRT
18 Extension project;

19 ~~\$20,000,000~~ ~~\$58,000,000~~ for the Salt Lake
20 City-South LRT project, ~~of which not less than~~
21 ~~\$10,000,000~~ shall be available only for high-occu-
22 paney vehicle lane and corridor design costs;

23 ~~\$30,000,000~~ for St. Louis Metrolink;

24 ~~\$20,000,000~~ ~~\$45,000,000~~ for the St. Louis-St.
25 Clair Extension project;

1 ~~\$35,000,000~~ *\$20,000,000* for the San Francisco
 2 Area-BART airport extension/San Jose Tasman
 3 West LRT projects;

4 ~~\$3,000,000~~ for the ~~San Diego-Mid-Coast Cor-~~
 5 ~~ridor~~ project;

6 ~~\$9,500,000~~ for the ~~San Juan Tren Urbano~~
 7 ~~project~~;

8 ~~\$5,000,000~~ *for the Seattle-Renton-Tacoma light*
 9 *rail project*;

10 ~~\$375,000~~ for the ~~Staten Island-Midtown Ferry~~
 11 ~~service~~ project;

12 \$2,000,000 for the Tampa to Lakeland com-
 13 muter rail project; and

14 ~~\$8,000,000~~ *for the Virginia Rail Express Rich-*
 15 *mond to Washington commuter rail project*; and

16 ~~\$2,500,000~~ *\$5,000,000* for the Whitehall ferry
 17 terminal, New York, New York.

18 MASS TRANSIT CAPITAL FUND

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in carrying out
 22 49 U.S.C. 5338(b) administered by the Federal Transit
 23 Administration, ~~\$2,000,000,000~~ *\$2,300,000,000*, to be de-
 24 rived from the Highway Trust Fund and to remain avail-
 25 able until expended.

1 WASHINGTON METROPOLITAN AREA TRANSIT
2 AUTHORITY

3 For necessary expenses to carry out the provisions
4 of section 14 of Public Law 96–184 and Public Law 101–
5 551, \$200,000,000, to remain available until expended.

6 SAINT LAWRENCE SEAWAY DEVELOPMENT
7 CORPORATION

8 The Saint Lawrence Seaway Development Corpora-
9 tion is hereby authorized to make such expenditures, with-
10 in the limits of funds and borrowing authority available
11 to the Corporation, and in accord with law, and to make
12 such contracts and commitments without regard to fiscal
13 year limitations as provided by section 104 of the Govern-
14 ment Corporation Control Act, as amended, as may be
15 necessary in carrying out the programs set forth in the
16 Corporation’s budget for the current fiscal year.

17 OPERATIONS AND MAINTENANCE
18 (HARBOR MAINTENANCE TRUST FUND)

19 For necessary expenses for operation and maintenance
20 of those portions of the Saint Lawrence Seaway operated
21 and maintained by the Saint Lawrence Seaway Develop-
22 ment Corporation, including the Great Lakes Pilotage
23 functions delegated by the Secretary of Transportation,
24 ~~\$10,037,000~~ \$10,337,000, to be derived from the Harbor

1 Maintenance Trust Fund, pursuant to Public Law 99–
2 662.

3 RESEARCH AND SPECIAL PROGRAMS

4 ADMINISTRATION

5 RESEARCH AND SPECIAL PROGRAMS

6 For expenses necessary to discharge the functions of
7 the Research and Special Programs Administration,
8 ~~\$23,929,000~~ \$27,675,000, of which \$574,000 shall be de-
9 rived from the Pipeline Safety Fund, and of which
10 \$7,101,000 shall remain available until September 30,
11 1999: *Provided*, That up to \$1,200,000 in fees collected
12 under 49 U.S.C. 5108(g) shall be deposited in the general
13 fund of the Treasury as offsetting receipts: *Provided fur-*
14 *ther*, That there may be credited to this appropriation
15 funds received from States, counties, municipalities, other
16 public authorities, and private sources for expenses in-
17 curred for training, for reports publication and dissemina-
18 tion.

19 PIPELINE SAFETY

20 (PIPELINE SAFETY FUND)

21 For expenses necessary to conduct the functions of the
22 pipeline safety program, for grants-in-aid to carry out a
23 pipeline safety program, as authorized by 49 U.S.C.
24 60107, and to discharge the pipeline program responsibil-
25 ities of the Oil Pollution Act of 1990, ~~\$30,988,000~~

1 \$31,278,000, of which \$2,528,000 shall be derived from
2 the Oil Spill Liability Trust Fund and shall remain avail-
3 able until September 30, 1999; and of which ~~\$28,460,000~~
4 \$28,750,000 shall be derived from the Pipeline Safety
5 Fund, of which \$15,500,000 shall remain available until
6 September 30, 1999: *Provided*, That in addition to
7 amounts made available for the Pipeline Safety Fund,
8 \$1,000,000 shall be available for grants to States for the
9 development and establishment of one-call notification sys-
10 tems and shall be derived from amounts previously col-
11 lected under section 7005 of the Consolidated Omnibus
12 Budget Reconciliation Act of 1985.

13 EMERGENCY PREPAREDNESS GRANTS

14 (EMERGENCY PREPAREDNESS FUND)

15 For necessary expenses to carry out 49 U.S.C. 5127(c),
16 \$200,000, to be derived from the Emergency Prepared-
17 ness Fund, to remain available until September 30, 1999:
18 *Provided*, That none of the funds made available by 49
19 U.S.C. 5116(i) and 5127(d) shall be made available for
20 obligation by individuals other than the Secretary of
21 Transportation, or his designee.

22 OFFICE OF INSPECTOR GENERAL

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Inspector Gen-
25 eral to carry out the provisions of the Inspector General

1 Act of 1978, as amended, ~~\$39,450,000~~ \$39,700,000: *Pro-*
 2 *vided*, That none of the funds under this heading shall
 3 be for the conduct of contract audits of which \$1,900,000
 4 shall be for the conduct of contract audits.

5 SURFACE TRANSPORTATION BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Surface Transpor-
 8 tation Board, including services authorized by 5 U.S.C.
 9 3109, \$12,344,000: *Provided*, That \$3,000,000 in fees col-
 10 lected in fiscal year 1997 by the Surface Transportation
 11 Board pursuant to 31 U.S.C. 9701 shall be made available
 12 to this appropriation in fiscal year 1997: *Provided further*,
 13 That any fees received in excess of \$3,000,000 in fiscal
 14 year 1997 shall remain available until expended, but shall
 15 not be available for obligation until October 1, 1997.

16 TITLE II

17 RELATED AGENCIES

18 ARCHITECTURAL AND TRANSPORTATION

19 BARRIERS COMPLIANCE BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary for the Architectural and
 22 Transportation Barriers Compliance Board, as authorized
 23 by section 502 of the Rehabilitation Act of 1973, as
 24 amended, \$3,540,000: *Provided*, That, notwithstanding
 25 any other provision of law, there may be credited to this

1 appropriation funds received for publications and training
2 expenses.

3 NATIONAL TRANSPORTATION SAFETY BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses of the National Transpor-
6 tation Safety Board, including hire of passenger motor ve-
7 hicles and aircraft; services as authorized by 5 U.S.C.
8 3109, but at rates for individuals not to exceed the per
9 diem rate equivalent to the rate for a GS-18; uniforms,
10 or allowances therefor, as authorized by law (5 U.S.C.
11 5901-5902), \$42,407,000, of which not to exceed \$2,000
12 may be used for official reception and representation ex-
13 penses.

14 TITLE III—GENERAL PROVISIONS

15 (INCLUDING TRANSFERS OF FUNDS)

16 SEC. 301. During the current fiscal year applicable
17 appropriations to the Department of Transportation shall
18 be available for maintenance and operation of aircraft;
19 hire of passenger motor vehicles and aircraft; purchase of
20 liability insurance for motor vehicles operating in foreign
21 countries on official department business; and uniforms,
22 or allowances therefor, as authorized by law (5 U.S.C.
23 5901-5902).

24 SEC. 302. Such sums as may be necessary for fiscal
25 year 1997 pay raises for programs funded in this Act shall

1 be absorbed within the levels appropriated in this Act or
2 previous appropriations Acts.

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

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

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

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

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

16 SEC. 308. The Secretary of Transportation may enter
17 into grants, cooperative agreements, and other trans-
18 actions with any person, agency, or instrumentality of the
19 United States, any unit of State or local government, any
20 educational institution, and any other entity in execution
21 of the Technology Reinvestment Project authorized under
22 the Defense Conversion, Reinvestment and Transition As-
23 sistance Act of 1992 and related legislation: *Provided*,
24 That the authority provided in this section may be exer-

1 cised without regard to section 3324 of title 31, United
2 States Code.

3 SEC. 309. The expenditure of any appropriation
4 under this Act for any consulting service through procure-
5 ment contract pursuant to section 3109 of title 5, United
6 States Code, shall be limited to those contracts where such
7 expenditures are a matter of public record and available
8 for public inspection, except where otherwise provided
9 under existing law, or under existing Executive order is-
10 sued pursuant to existing law.

11 SEC. 310. (a) For fiscal year 1997 the Secretary of
12 Transportation shall distribute the obligation limitation
13 for Federal-aid highways by allocation in the ratio which
14 sums authorized to be appropriated for Federal-aid high-
15 ways that are apportioned or allocated to each State for
16 such fiscal year bear to the total of the sums authorized
17 to be appropriated for Federal-aid highways that are ap-
18 portioned or allocated to all the States for such fiscal year.

19 (b) During the period October 1 through December
20 31, 1996, no State shall obligate more than 25 per centum
21 of the amount distributed to such State under subsection
22 (a), and the total of all State obligations during such pe-
23 riod shall not exceed 12 per centum of the total amount
24 distributed to all States under such subsection.

1 (c) Notwithstanding subsections (a) and (b), the Sec-
2 retary shall—

3 (1) provide all States with authority sufficient
4 to prevent lapses of sums authorized to be appro-
5 priated for Federal-aid highways that have been ap-
6 portioned to a State;

7 (2) after August 1, 1997, revise a distribution
8 of the funds made available under subsection (a) if
9 a State will not obligate the amount distributed dur-
10 ing that fiscal year and redistribute sufficient
11 amounts to those States able to obligate amounts in
12 addition to those previously distributed during that
13 fiscal year giving priority to those States having
14 large unobligated balances of funds apportioned
15 under sections 103(e)(4), 104, and 144 of title 23,
16 United States Code, and under sections 1013(c) and
17 1015 of Public Law 102–240; and

18 (3) not distribute amounts authorized for ad-
19 ministrative expenses and funded from the adminis-
20 trative takedown authorized by section 104(a), title
21 23 U.S.C., the Federal lands highway ~~program~~, *pro-*
22 *gram*; the intelligent transportation systems ~~pro-~~
23 ~~gram~~, *and program*; amounts made available under
24 sections 1040, 1047, 1064, 6001, 6005, 6006, 6023,
25 and 6024 of Public Law 102–240, and 49 U.S.C.

1 5316, 5317, and 5338; \$5,000,000 for activities au-
2 thORIZED by section 140(b) of title 23, United States
3 Code; \$5,000,000 for activities authorized by section
4 1012(b) of Public Law 102–240; and \$50,000,000 of
5 the obligation limitation established by this Act for
6 Federal-aid highways and highway safety construc-
7 tion: *Provided, That* \$15,000,000 of such undistrib-
8 uted obligation limitation shall be available for ad-
9 ministrative costs and allocation to States under sec-
10 tion 104(I) of title 23, United States Code;
11 \$30,000,000 shall be available for allocation to States
12 authorized by section 1069(y) of Public Law 102–240;
13 and \$5,000,000 shall be available for administrative
14 costs and allocation to States under section 1302(d)
15 of the Symms National Recreational Trails Act of
16 1991: ~~Provided~~ *Provided further*, That amounts made
17 available under section 6005 of Public Law 102–240
18 shall be subject to the obligation limitation for Fed-
19 eral-aid highways and highway safety construction
20 programs under the head “Federal-Aid Highways”
21 in this Act.

22 (d) During the period October 1 through December
23 31, 1996, the aggregate amount of obligations under sec-
24 tion 157 of title 23, United States Code, for projects cov-
25 ered under section 147 of the Surface Transportation As-

1 sistance Act of 1978, section 9 of the Federal-Aid High-
2 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-
3 lic Law 97–424, sections 1061, 1103 through 1108, 4008,
4 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,
5 and for projects authorized by Public Law 99–500 and
6 Public Law 100–17, shall not exceed \$277,431,840.

7 (e) During the period August 2 through September
8 30, 1997, the aggregate amount which may be obligated
9 by all States shall not exceed 2.5 percent of the aggregate
10 amount of funds apportioned or allocated to all States—

11 (1) under sections 104 and 144 of title 23,
12 United States Code, and 1013(c) and 1015 of Public
13 Law 102–240, and

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

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

23 (g) *INCREASE IN ADMINISTRATIVE TAKEDOWN.*—

24 (1) *IN GENERAL.*—*Notwithstanding any other*
25 *provision of law, for fiscal year 1997 only, whenever*

1 *an allocation is made of the sums authorized to be*
2 *appropriated for expenditure on the Federal lands*
3 *highways program, and whenever an apportionment*
4 *is made of the sums authorized to be appropriated for*
5 *expenditure on the surface transportation program,*
6 *the congestion mitigation and air quality improve-*
7 *ment program, the National Highway System, the*
8 *Interstate maintenance program, the Interstate reim-*
9 *bursement program, the highway bridge replacement*
10 *and rehabilitation program, and the donor State*
11 *bonus program, the Secretary of Transportation shall*
12 *deduct a sum in such amount not to exceed 4³/₄ per*
13 *centum of all sums to be authorized as the Secretary*
14 *may determine necessary for administering the provi-*
15 *sions of law to be financed from appropriations for*
16 *the Federal-Aid Highway Program and for carrying*
17 *on the research authorized by subsections (a) and (b)*
18 *of section 307 of title 23, United States Code. In mak-*
19 *ing such determination, the Secretary shall take into*
20 *account the unobligated balance of any sums deducted*
21 *for such purposes in prior years. The sum so deducted*
22 *shall remain available until expended.*

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

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

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

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

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

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

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

21 SEC. 317. Notwithstanding any other provision of
22 law, and except for fixed guideway modernization projects,
23 funds made available by this Act under "Federal Transit
24 Administration, Discretionary grants" for projects speci-
25 fied in this Act or identified in reports accompanying this

1 Act not obligated by September 30, 1999, shall be made
2 available for other projects under 49 U.S.C. 5309.

3 SEC. 318. Notwithstanding any other provision of
4 law, any funds appropriated before October 1, 1993, under
5 any section of chapter 53 of title 49 U.S.C., that remain
6 available for expenditure may be transferred to and ad-
7 ministered under the most recent appropriation heading
8 for any such section.

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

18 SEC. 320. None of the funds in this Act may be used
19 to compensate in excess of 335 technical staff years under
20 the federally-funded research and development center
21 contract between the Federal Aviation Administration
22 and the Center for Advanced Aviation Systems Develop-
23 ment during fiscal year 1997.

24 SEC. 321. Funds provided in this Act for the Trans-
25 portation Administrative Service Center (TASC) shall be

1 reduced by \$10,000,000, which limits fiscal year 1997
2 TASC obligational authority for elements of the Depart-
3 ment of Transportation funded in this Act to no more
4 than \$114,812,000: *Provided*, That such reductions from
5 the budget request shall be allocated by the Department
6 of Transportation to each appropriations account in pro-
7 portion to the amount included in each account for the
8 transportation administrative service center.

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

21 ~~SEC. 323. None of the funds in this Act shall be avail-~~
22 ~~able to prepare, propose, or promulgate any regulations~~
23 ~~pursuant to title V of the Motor Vehicle Information and~~
24 ~~Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing~~
25 ~~corporate average fuel economy standards for automobiles,~~

1 as defined in such title, in any model year that differs
2 from standards promulgated for such automobiles prior to
3 enactment of this section.

4 SEC. 324. None of the funds in this Act may be used
5 for planning, engineering, design, or construction of a
6 sixth runway at the new Denver International Airport,
7 Denver, Colorado: *Provided, That this provision shall not*
8 *apply in any case where the Administrator of the Federal*
9 *Aviation Administration determines, in writing, that safety*
10 *conditions warrant obligation of such funds.*

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

1 ~~and credited as offsetting collections~~ *That of the funds pro-*
2 *vided by section 6006(b) of Public Law 102–240, not to ex-*
3 *ceed \$3,100,000 may be incurred to conduct activities relat-*
4 *ed to airline statistics.*

5 SEC. 326. The Secretary of Transportation is author-
6 ized to transfer funds appropriated in this Act to “Rental
7 payments” for any expense authorized by that appropria-
8 tion in excess of the amounts provided in this Act: *Pro-*
9 *vided*, That prior to any such transfer, notification shall
10 be provided to the House and Senate Committees on Ap-
11 propriations.

12 SEC. 327. None of the funds in this Act may be obli-
13 gated or expended for employee training which: (a) does
14 not meet identified needs for knowledge, skills and abilities
15 bearing directly upon the performance of official duties;
16 (b) contains elements likely to induce high levels of emo-
17 tional response or psychological stress in some partici-
18 pants; (c) does not require prior employee notification of
19 the content and methods to be used in the training and
20 written end of course evaluations; (d) contains any meth-
21 ods or content associated with religious or quasi-religious
22 belief systems or “new age” belief systems as defined in
23 Equal Employment Opportunity Commission Notice N–
24 915.022, dated September 2, 1988; (e) is offensive to, or
25 designed to change, participants’ personal values or life-

1 style outside the workplace; or (f) includes content related
2 to human immunodeficiency virus/acquired immune defi-
3 ciency syndrome (HIV/AIDS) other than that necessary
4 to make employees more aware of the medical ramifica-
5 tions of HIV/AIDS and the workplace rights of HIV-posi-
6 tive employees.

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

23 SEC. 329. None of the funds in this Act may be used
24 to support Federal Transit Administration's field oper-
25 ations and oversight of the Washington Metropolitan Area

1 Transit Authority in any location other than from the
2 Washington, D.C. metropolitan area.

3 ~~SEC. 330. None of the funds made available in this~~
4 ~~Act may be used for improvements to the Miller Highway~~
5 ~~in New York City, New York.~~

6 SEC. 331. Not to exceed ~~\$850,000~~ \$1,050,000 of the
7 funds provided in this Act for the Department of Trans-
8 portation shall be available for the necessary expenses of
9 advisory committees.

10 SEC. 332. Notwithstanding any other provision of
11 law, the Secretary may use funds appropriated under this
12 Act, or any subsequent Act, to administer and implement
13 the exemption provisions of 49 CFR 580.6 and to adopt
14 or amend exemptions from the disclosure requirements of
15 49 CFR part 580 for any class or category of vehicles
16 that the Secretary deems appropriate.

17 ~~SEC. 333. No funds other than those appropriated~~
18 ~~to the Surface Transportation Board shall be used for con-~~
19 ~~ducting the activities of the Board.~~

20 *SEC. 333. Section 24902 of title 49, United States*
21 *Code, is amended by adding at the end the following new*
22 *subsection:*

23 *“(m) APPLICABLE PROCEDURES.—No State or local*
24 *building, zoning, subdivision, or similar or related law, nor*
25 *any other State or local law from which a project would*

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

1 *Amtrak receives a Federal operating subsidy in the fiscal*
2 *year in which Amtrak commits to or initiates such im-*
3 *provement.”*

4 SEC. 334. None of the funds made available in this
5 Act may be used to construct, or to pay the salaries or
6 expenses of Department of Transportation personnel who
7 approve or facilitate the construction of, a third track on
8 the Metro-North Railroad Harlem Line in the vicinity of
9 Bronxville, New York, when it is made known to the Fed-
10 eral official having authority to obligate or expend such
11 funds that a final environmental impact statement has not
12 been completed for such construction project.

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

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

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

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

21 *SEC. 335a. Section 3035(b) of Public Law 102–240 is*
22 *hereby amended by striking “\$515,000,000” and inserting*
23 *in lieu thereof “\$555,000,000”.*

24 SEC. 336. Notwithstanding any other provision of
25 law, of the funds made available to Cleveland for the

1 “Cleveland Dual Hub Corridor Project” or “Cleveland
2 Dual Hub Rail Project,” \$4,023,030 in funds made avail-
3 able in fiscal years 1991, 1992, and 1994, under Public
4 Laws 101–516, 102–143, 102–240, 103–122, and accom-
5 panying reports, shall be made available for the Berea Red
6 Line Extension and the Euclid Corridor Improvement
7 projects.

8 ~~SEC. 337. Notwithstanding any other provision of~~
9 ~~law, funds made available under section 3035(kk) of Pub-~~
10 ~~lic Law 102–240 for fiscal year 1997 to the State of~~
11 ~~Michigan shall be for the purchase of buses and bus-relat-~~
12 ~~ed equipment and facilities.~~

13 ~~SEC. 338. In addition to amounts otherwise provided~~
14 ~~in this Act, there is hereby appropriated \$2,400,000 for~~
15 ~~activities of the National Civil Aviation Review Commis-~~
16 ~~sion, to remain available until expended.~~

17 ~~SEC. 338. Of the amounts made available under the~~
18 ~~Federal Transit Administration’s Discretionary Grants~~
19 ~~program for Kauai, Hawaii, in Public Law 103–122 and~~
20 ~~Public Law 103–311, \$3,250,000 shall be transferred to and~~
21 ~~administered in accordance with 49 U.S.C. 5307 and made~~
22 ~~available to Kauai, Hawaii.~~

23 ~~SEC. 339. Section 423 of H.R. 1361, as passed the~~
24 ~~House of Representatives on May 9, 1995, is hereby en-~~
25 ~~acted into law.~~

1 *SEC. 339. Improvements identified as highest priority*
2 *by section 1069(t) of Public Law 102–240 and funded pur-*
3 *suant to section 118(c)(2) of title 23, United States Code,*
4 *shall not be treated as an allocation for Interstate mainte-*
5 *nance for such fiscal year under section 157(a)(4) of title*
6 *23, United States Code, and sections 1013(c), 1015(a)(1),*
7 *and 1015(b)(1) of Public Law 102–240: Provided, That any*
8 *discretionary grant made pursuant to Public Law 99–663*
9 *shall not be subject to section 1015 of Public Law 102–240.*

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

15 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
16 ING NOTICE.—

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

1 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

2 In providing financial assistance using funds made
3 available in this Act, the head of each Federal agen-
4 cy shall provide to each recipient of the assistance
5 a notice describing the statement made in paragraph
6 (1) by the Congress.

7 (c) PROHIBITION OF CONTRACTS WITH PERSONS
8 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

9 If it has been finally determined by a court or Federal
10 agency that any person intentionally affixed a label bear-
11 ing a “Made in America” inscription, or any inscription
12 with the same meaning, to any product sold in or shipped
13 to the United States that is not made in the United
14 States, the person shall be ineligible to receive any con-
15 tract or subcontract made with funds made available in
16 this Act, pursuant to the debarment, suspension, and ineli-
17 gibility procedures described in sections 9.400 through
18 9.409 of title 48, Code of Federal Regulations.

19 *SEC. 341. Notwithstanding any other provision of law,*
20 *receipts, in amounts determined by the Secretary, collected*
21 *from users of fitness centers operated by or for the Depart-*
22 *ment of Transportation shall be available to support the*
23 *operation and maintenance of those facilities.*

24 *SEC. 342. None of the funds made available in this*
25 *Act may be used by the National Transportation Safety*

1 *Board to plan, conduct, or enter into any contract for a*
2 *study to determine the feasibility of allowing individuals*
3 *who are more than 60 years of age to pilot commercial air-*
4 *craft.*

5 *SEC. 343. Funds provided in this Act for bonuses and*
6 *cash awards for employees of the Department of Transpor-*
7 *tation shall be reduced by \$513,604 which limits fiscal year*
8 *1997 obligation authority to no more than \$25,448,300:*
9 *Provided, That this provision shall be applied to funds for*
10 *Senior Executive Service bonuses, merit pay, and other bo-*
11 *nuses and cash awards.*

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

21 *SEC. 345. Notwithstanding any other provision in law,*
22 *of the amounts made available under the Federal Aviation*
23 *Administration's operations account, the FAA shall provide*
24 *personnel at Dutch Harbor, Arkansas to provide real-time*

1 *weather and runway observation and other such functions*
2 *to help ensure the safety of aviation operations.*

3 *SEC. 346. VOLUNTARY SEPARATION INCENTIVES FOR*
4 *EMPLOYEES.—*

5 *(a) AUTHORITY.—Notwithstanding any other*
6 *provision of law, in order to avoid or minimize the*
7 *need for involuntary separations due to a reduction*
8 *in force, reorganization, transfer of function, or other*
9 *similar action, the Secretary of Transportation may*
10 *pay, or authorize the payment of, voluntary separa-*
11 *tion incentive payments to employees of the United*
12 *States Coast Guard, Research and Special Programs*
13 *Administration, St. Lawrence Seaway Development*
14 *Corporation, Office of the Secretary, Federal Railroad*
15 *Administration, and employees of the Department in*
16 *positions targeted for reduction under the National*
17 *Performance Review who separate from Federal serv-*
18 *ice voluntarily through September 30, 2000 (whether*
19 *by retirement or resignation).*

20 *(b) AGENCY STRATEGIC PLAN.—The Secretary*
21 *shall submit, for review and approval, a strategic*
22 *plan to the Director of the Office of Management and*
23 *Budget prior to obligating any resources for vol-*
24 *untary separation incentive payments allowed under*
25 *this Act.*

1 (1) *The plan shall—*

2 (A) *include the number and amounts*
3 *of voluntary separation incentive payments*
4 *to be offered;*

5 (B) *specify how the voluntary separa-*
6 *tion incentives will achieve downsizing*
7 *goals;*

8 (C) *include a proposed time period for*
9 *the payment of such incentives; and*

10 (D) *include the positions and functions*
11 *to be reduced or eliminated identified by or-*
12 *ganizational unit, geographic location or*
13 *occupational category and grade level.*

14 (2) *A voluntary separation incentive pay-*
15 *ment under this section may be paid to any eli-*
16 *gible employee only to the extent necessary to*
17 *eliminate the positions and functions identified*
18 *by the strategic plan.*

19 (c) *CONDITIONS AND AMOUNT OF PAYMENTS.—In*
20 *order to receive a voluntary separation incentive pay-*
21 *ment, an employee must separate from service with*
22 *the Department (whether by retirement or resigna-*
23 *tion) within the applicable period of time specified in*
24 *the agency plan. An employee's agreement to separate*
25 *with an incentive payment is binding upon the em-*

1 *ployee and the Department, unless the employee and*
2 *the Department mutually agree otherwise.*

3 *(1) A voluntary separation incentive pay-*
4 *ment shall be paid in a lump sum after the em-*
5 *ployee's separation and be equal to the lesser*
6 *of—*

7 *(A) an amount equal to the amount the*
8 *employee would have been entitled to receive*
9 *under section 5595(c) of title 5, United*
10 *States Code (without adjustment for any*
11 *previous payment made under such section),*
12 *if the employee were entitled to payment*
13 *under such section; or*

14 *(B) if the employee separates during—*

15 *(i) fiscal year 1997, \$25,000;*

16 *(ii) fiscal year 1998, \$20,000;*

17 *(iii) fiscal year 1999, \$15,000;*

18 *(iv) fiscal year 2000, \$10,000;*

19 *(3) not be a basis for payment, and shall*
20 *not be included in the computation of any other*
21 *type of benefit;*

22 *(4) not be taken into account in determin-*
23 *ing the amount of any severance pay to which*
24 *the employee may be entitled under section 5595*

1 *of title 5, United States Code, based on any other*
2 *separation;*

3 (5) *be available from appropriations or*
4 *funds available for the payment of the basic pay*
5 *of the employee.*

6 (d) *EFFECT OF SUBSEQUENT EMPLOYMENT WITH*
7 *THE GOVERNMENT.—An employee who has received a*
8 *voluntary separation incentive payment under this*
9 *section and accepts employment with, or enters into*
10 *a personal services contract with, any Federal agency*
11 *or instrumentality of the United States within 5*
12 *years after the date of the separation on which the*
13 *payment is based shall be required to repay the entire*
14 *amount of the incentive payment to the Department.*

15 (1) *The repayment required under this sub-*
16 *section may be waived only by the Secretary.*

17 (e) *ADDITIONAL AGENCY CONTRIBUTIONS TO THE*
18 *RETIREMENT FUND.—*

19 (1) *IN GENERAL.—In addition to any other*
20 *payments which it is required to make under*
21 *subchapter III of chapter 83 or chapter 84 of*
22 *title 5, United States Code, the Department shall*
23 *remit to the Office of Personnel Management for*
24 *deposit in the Treasury of the United States to*
25 *the credit of the Civil Service Retirement and*

1 *Disability Fund an amount equal to 15 percent*
2 *of the final basic pay of each employee of the De-*
3 *partment covered by chapters 83 or 84 of title 5,*
4 *United States Code, to whom a voluntary sepa-*
5 *ration incentive payment has been made.*

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

14 (f) *VOLUNTARY RELEASE PROGRAM.—Notwith-*
15 *standing any other provision of law, the Department*
16 *shall implement regulations that shall permit its em-*
17 *ployees, who are not scheduled for separation by RIF,*
18 *to volunteer for RIF separation in place of other em-*
19 *ployees who are scheduled for RIF separation until*
20 *September 30, 2000.*

21 (g) *CONTINUANCE OF GOVERNMENT SHARE OF*
22 *HEALTH BENEFITS COVERAGE.—Notwithstanding any*
23 *other provision of law, the Department shall pay the*
24 *Government share of the health benefits coverage of*
25 *any of its employees separated by RIF for up to 18*

1 *months following the employee’s separation from Fed-*
2 *eral service, provided that the employee pays his req-*
3 *uisite share of such costs over the same 18 month pe-*
4 *riod.*

5 TITLE IV—MISCELLANEOUS HIGHWAY

6 PROVISIONS

7 ~~SEC. 401.~~ Notwithstanding any other provision of
8 law, semitrailer units operating in a truck tractor-
9 semitrailer combination whose semitrailer unit is more
10 than forty-eight feet in length and truck tractor-
11 semitrailer-trailer combinations specified in section
12 ~~31111(b)(1)~~ of title 49, United States Code, may not oper-
13 ate on United States Route 15 in Virginia between the
14 Maryland border and the intersection with United States
15 Route 29.

16 ~~SEC. 402.~~ Item 30 of the table contained in section
17 1107(b) of the Intermodal Surface Transportation Effi-
18 ciency Act of 1991 (105 Stat. 2050), relating to Mobile,
19 Alabama, is amended in the second column by inserting
20 after “Alabama” the following: “and for feasibility studies,
21 preliminary engineering, and construction of a new bridge
22 and approaches over the Mobile River”.

23 ~~SEC. 403.~~ Item 94 of the table contained in section
24 1107(b) of the Intermodal Surface Transportation Effi-

1 efficiency Act of 1991 (105 Stat. 2052), relating to St. Thom-
2 as, Virgin Islands, is amended—

3 (1) by striking “St. Thomas,”; and

4 (2) by inserting after “the island” the follow-
5 ing: “of St. Thomas and improvements to the VIPA
6 Molasses Dock intermodal port facility on the island
7 of St. Croix to make the facility capable of handling
8 multiple cargo tasks”.

9 SEC. 403. *The funds authorized to be appropriated for*
10 *highway-railroad grade crossing separations in Mineola,*
11 *New York, under the head “Highway-Railroad Grade Cross-*
12 *ing Safety Demonstration Project (Highway Trust Fund)”*
13 *in House Report 99–976 and section 302(l) of Public Law*
14 *99–591 are hereby also authorized to be appropriated for*
15 *other grade crossing improvements in Nassau and Suffolk*
16 *Counties in New York and shall be available in accordance*
17 *with the terms of the original authorizaton in House Re-*
18 *port 99–976.*

19 SEC. 404. The Secretary of Transportation is hereby
20 authorized to enter into an agreement modifying the
21 agreement entered into pursuant to section 336 of the De-
22 partment of Transportation and Related Agencies Appro-
23 priations Act, 1995 (Public Law 103–331) and section
24 356 of the Department of Transportation and Related
25 Agencies Appropriations Act, 1996 (Public Law 104–50)

1 to provide an additional line of credit not to exceed
2 \$25,000,000, which may be used to replace otherwise re-
3 quired contingency reserves; provided, however, that the
4 Secretary may only enter into such modification if it is
5 supported by the amount of the original appropriation
6 (provided by section 336 of Public Law 103-331). No ad-
7 ditional appropriation is made by this section. In imple-
8 menting this section, the Secretary may enter into an
9 agreement requiring an interest rate, on both the original
10 line of credit and the additional amount provided for here-
11 in, higher than that currently in force and higher than
12 that specified in the original appropriation. An agreement
13 entered into pursuant to this section may not obligate the
14 Secretary to make any funds available until all remaining
15 contingency reserves are exhausted, and in no event shall
16 any funds be made available before October 1, 1998.

17 ~~SEC. 405. Public Law 100-202 is amended in the~~
18 ~~item relating to “Traffic Improvement Demonstration~~
19 ~~Project” by inserting after “project” the following: “or up-~~
20 ~~grade existing local roads”.~~

21 *SEC. 406. The amount appropriated for the Lake*
22 *Shore Drive extension study, Whiting, Indiana, under the*
23 *matter under the heading “SURFACE TRANSPORTATION*
24 *PROJECTS” under the heading “FEDERAL HIGHWAY*
25 *ADMINISTRATION” in title I of the Department of*

1 *Transportation and Related Agencies Appropriations Act,*
2 *1995 (Public Law 103–331; 108 Stat. 2478), shall be made*
3 *available to carry out the congestion relief project for the*
4 *construction of a 4-lane road and overpass at Merrillville,*
5 *Indiana, authorized by item 35 of section 1104(b) of the*
6 *Intermodal Surface Transportation Efficiency Act of 1991*
7 *(Public Law 102–240; 105 Stat. 2030).*

8 **TITLE V—ADDITIONAL GENERAL PROVISIONS**

9 **SEC. 501. (a) LIMITATION ON NEW LOAN GUARAN-**
10 **TEES FOR CERTAIN RAILROAD PROJECTS.—**None of the
11 funds made available in this Act may be used for the cost
12 of any new loan guarantee commitment for any railroad
13 project, when it is made known to the Federal official hav-
14 ing authority to obligate or expend such funds that such
15 railroad project is an international railroad project of the
16 United States and another country, or a railroad project
17 in the United States in the vicinity of the United States
18 border with another country.

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

22 **(1)** a comprehensive study has been conducted
23 after the date of the enactment of this Act regarding
24 criminal activities that have occurred on existing
25 railroads of such type, including—

1 (A) the use of such railroads to facilitate
2 the smuggling of illegal aliens and illegal drugs
3 into the United States; and the impact of such
4 smuggling on the total number of illegal aliens,
5 and the total amount of illegal drugs, entering
6 the United States; and

7 (B) the commission of robberies against
8 such railroads; and

9 (2) a detailed report setting forth the results of
10 such study has been issued and made available to
11 the public.

12 SEC. 502. None of the funds made available in this
13 Act may be used by the National Transportation Safety
14 Board to plan, conduct, or enter into any contract for a
15 study to determine the feasibility of allowing individuals
16 who are more than 60 years of age to pilot commercial
17 aircraft.

18 This Act may be cited as the “Department of Trans-
19 portation and Related Agencies Appropriations Act,
20 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.

[COMMITTEE PRINT]

Calendar No.

104TH CONGRESS
2^D SESSION

H. R. 3675

[Report No. 104-]

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

JUNE 28, 1996

Received; read twice and referred to the Committee on Appropriations

JULY 00 (legislative day, JULY 00), 1996
Reported with amendments