

**Union Calendar No. 88**104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 2002****[Report No. 104-177]**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

JULY 11, 1995

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

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**A BILL**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, 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       Department of Transportation and related agencies for

1 the fiscal year ending September 30, 1996, and for other  
2 purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,  
8 \$55,011,500, of which not to exceed \$40,000 shall be  
9 available as the Secretary may determine for allocation  
10 within the Department for official reception and represen-  
11 tation expenses: *Provided*, That notwithstanding any other  
12 provision of law, there may be credited to this appropria-  
13 tion up to \$1,000,000 in funds received in user fees estab-  
14 lished to support the electronic tariff filing system: *Pro-*  
15 *vided further*, That none of the funds appropriated in this  
16 Act or otherwise made available may be used to maintain  
17 duplicate physical copies of airline tariffs that are already  
18 available for public and departmental access at no cost;  
19 to secure them against detection, alteration, or tampering;  
20 or open them to inspection by the Department.

21 OFFICE OF CIVIL RIGHTS

22 For necessary expenses of the Office of Civil Rights,  
23 \$6,554,000, and in addition, \$809,000, to be derived from  
24 “Federal-aid Highways” subject to the “Limitation on  
25 General Operating Expenses”.



1 Air Carriers program in fiscal year 1996: *Provided further,*  
2 That none of the funds in this Act shall be used by the  
3 Secretary of Transportation to make payment of com-  
4 pensation under subchapter II of chapter 417 of title 49,  
5 United States Code, in excess of the appropriation in this  
6 Act for liquidation of obligations incurred under the “Pay-  
7 ments to air carriers” program: *Provided further,* That  
8 none of the funds in this Act shall be used for the payment  
9 of claims for such compensation except in accordance with  
10 this provision: *Provided further,* That none of the funds  
11 in this Act shall be available for service to communities  
12 in the forty-eight contiguous States that are located fewer  
13 than seventy highway miles from the nearest large or me-  
14 dium hub airport, or that require a rate of subsidy per  
15 passenger in excess of \$200 unless such point is greater  
16 than two hundred and ten miles from the nearest large  
17 or medium hub airport: *Provided further,* That of funds  
18 provided for “Small Community Air Service” by Public  
19 Law 101–508, \$23,600,000 in fiscal year 1996 is hereby  
20 rescinded: *Provided further,* That, notwithstanding any  
21 other provision of law, effective January 1, 1996 no point  
22 in the 48 contiguous States and Hawaii eligible for com-  
23 pensated transportation in fiscal year 1996 under sub-  
24 chapter II of chapter 417 of title 49, United States Code,  
25 including 49 U.S.C. 41734(d), shall receive such transpor-

1 tation unless a State, local government, or other non-Fed-  
2 eral entity agrees to pay at least fifty percent of the cost  
3 of providing such transportation, as determined by the  
4 Secretary of Transportation: *Provided further*, That the  
5 Secretary may require the entity or entities agreeing to  
6 pay such amounts to make advance payments or provide  
7 other security to ensure that timely payments are made:  
8 *Provided further*, That, notwithstanding any other provi-  
9 sion of law, points covered by the cost-sharing provisions  
10 under this head for which no State, local government, or  
11 non-Federal entity agrees to pay at least fifty percent of  
12 the cost of providing such transportation shall receive a  
13 reduced level of service in fiscal year 1996, to be deter-  
14 mined by the Secretary as follows: The Secretary shall  
15 subtract from the funds made available in this Act so  
16 much as is needed to provide compensation to all eligible  
17 points for which a State, local government, or other non-  
18 Federal entity agrees to pay at least fifty percent of the  
19 cost of providing such transportation, and, with remaining  
20 funds, allocate to each other point an amount reduced by  
21 the ratio of the remainder calculated above to all funds  
22 made available in this Act: *Provided further*, That the Sec-  
23 retary shall allocate any funds that become unallocated as  
24 the year progresses to those points for which a State, local  
25 government, or other non-Federal entity does not agree

1 to pay at least fifty percent of the cost of such transpor-  
2 tation.

3 PAYMENTS TO AIR CARRIERS

4 (RESCISSION)

5 Of the budgetary resources remaining available under  
6 this heading, \$6,786,971 are rescinded.

7 RENTAL PAYMENTS

8 For necessary expenses for rental of headquarters  
9 and field space not to exceed 8,580,000 square feet and  
10 for related services assessed by the General Services Ad-  
11 ministration, \$130,803,000: *Provided*, That of this  
12 amount, \$1,897,000 shall be derived from the Highway  
13 Trust Fund, \$41,441,000 shall be derived from the Air-  
14 port and Airway Trust Fund, \$836,000 shall be derived  
15 from the Pipeline Safety Fund, and \$169,000 shall be de-  
16 rived from the Harbor Maintenance Trust Fund: *Provided*  
17 *further*, That in addition, for assessments by the General  
18 Services Administration related to the space needs of the  
19 Federal Highway Administration, \$17,099,000, to be de-  
20 rived from "Federal-aid Highways", subject to the "Limi-  
21 tation on General Operating Expenses".

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

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

7                                   MINORITY BUSINESS OUTREACH

8           For necessary expenses of the Minority Business Re-  
9 source Center outreach activities, \$2,900,000, of which  
10 \$2,642,000 shall remain available until September 30,  
11 1997.

12                                   COAST GUARD

13                                   OPERATING EXPENSES

14           For necessary expenses for the operation and mainte-  
15 nance of the Coast Guard, not otherwise provided for; pur-  
16 chase of not to exceed five passenger motor vehicles for  
17 replacement only; payments pursuant to section 156 of  
18 Public Law 97-377, as amended (42 U.S.C. 402 note),  
19 and section 229(b) of the Social Security Act (42 U.S.C.  
20 429(b)); and recreation and welfare; \$2,566,000,000, of  
21 which \$25,000,000 shall be derived from the Oil Spill Li-  
22 ability Trust Fund; and of which \$25,000,000 shall be ex-  
23 pended from the Boat Safety Account: *Provided*, That the  
24 number of aircraft on hand at any one time shall not ex-  
25 ceed two hundred and eighteen, exclusive of aircraft and

1 parts stored to meet future attrition: *Provided further,*  
2 That none of the funds appropriated in this or any other  
3 Act shall be available for pay or administrative expenses  
4 in connection with shipping commissioners in the United  
5 States: *Provided further,* That none of the funds provided  
6 in this Act shall be available for expenses incurred for  
7 yacht documentation under 46 U.S.C. 12109, except to  
8 the extent fees are collected from yacht owners and cred-  
9 ited to this appropriation: *Provided further,* That the Com-  
10 mandant shall reduce both military and civilian employ-  
11 ment levels for the purpose of complying with Executive  
12 Order No. 12839: *Provided further,* That of the funds pro-  
13 vided for operating expenses for fiscal year 1996, in this  
14 or any other Act, not less than \$314,200,000 shall be  
15 available for drug enforcement activities.

16 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS  
17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of acquisition, construction,  
19 renovation, and improvement of aids to navigation, shore  
20 facilities, vessels, and aircraft, including equipment related  
21 thereto, \$375,175,000, of which \$32,500,000 shall be de-  
22 rived from the Oil Spill Liability Trust Fund; of which  
23 \$191,200,000 shall be available to acquire, repair, ren-  
24 ovate or improve vessels, small boats and related equip-  
25 ment, to remain available until September 30, 2000;

1 \$16,500,000 shall be available to acquire new aircraft and  
2 increase aviation capability, to remain available until Sep-  
3 tember 30, 1998; \$42,200,000 shall be available for other  
4 equipment, to remain available until September 30, 1998;  
5 \$82,275,000 shall be available for shore facilities and aids  
6 to navigation facilities, to remain available until Septem-  
7 ber 30, 1998; and \$43,000,000 shall be available for per-  
8 sonnel compensation and benefits and related costs, to re-  
9 main available until September 30, 1996: *Provided*, That  
10 funds received from the sale of the VC-11A and HU-25  
11 aircraft shall be credited to this appropriation for the pur-  
12 pose of acquiring new aircraft and increasing aviation ca-  
13 pacity: *Provided further*, That the Secretary may transfer  
14 funds between projects under this head, not to exceed  
15 \$50,000,000 in total for the fiscal year, thirty days after  
16 notification to the House and Senate Committees on Ap-  
17 propriations, solely for the purpose of providing funds for  
18 facility renovation, construction, exit costs, and other im-  
19 plementation costs associated with Coast Guard streamlin-  
20 ing plans.

21 ENVIRONMENTAL COMPLIANCE AND RESTORATION

22 For necessary expenses to carry out the Coast  
23 Guard's environmental compliance and restoration func-  
24 tions under chapter 19 of title 14, United States Code,  
25 \$21,000,000, to remain available until expended.

## 1 ALTERATION OF BRIDGES

2 For necessary expenses for alteration or removal of  
3 obstructive bridges, \$16,000,000, to remain available until  
4 expended.

## 5 RETIRED PAY

6 For retired pay, including the payment of obligations  
7 therefor otherwise chargeable to lapsed appropriations for  
8 this purpose, and payments under the Retired Service-  
9 man's Family Protection and Survivor Benefits Plans, and  
10 for payments for medical care of retired personnel and  
11 their dependents under the Dependents Medical Care Act  
12 (10 U.S.C. ch. 55), \$582,022,000.

## 13 RESERVE TRAINING

14 For all necessary expenses for the Coast Guard Re-  
15 serve, as authorized by law; maintenance and operation  
16 of facilities; and supplies, equipment, and services;  
17 \$61,859,000.

## 18 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

19 For necessary expenses, not otherwise provided for,  
20 for applied scientific research, development, test, and eval-  
21 uation; maintenance, rehabilitation, lease and operation of  
22 facilities and equipment, as authorized by law,  
23 \$18,500,000, to remain available until expended, of which  
24 \$3,150,000 shall be derived from the Oil Spill Liability  
25 Trust Fund: *Provided*, That there may be credited to this

1 appropriation funds received from State and local govern-  
2 ments, other public authorities, private sources, and for-  
3 eign countries, for expenses incurred for research, develop-  
4 ment, testing, and evaluation.

5 BOAT SAFETY

6 (AQUATIC RESOURCES TRUST FUND)

7 For payment of necessary expenses incurred for rec-  
8 reational boating safety assistance under Public Law 92-  
9 75, as amended, \$20,000,000, to be derived from the Boat  
10 Safety Account and to remain available until expended.

11 EMERGENCY FUND

12 (LIMITATION ON PERMANENT APPROPRIATION)

13 (OIL SPILL LIABILITY TRUST FUND)

14 Except as provided in emergency supplemental appro-  
15 priations provided in other appropriations Acts for fiscal  
16 year 1996, not more than \$3,000,000 shall be obligated  
17 or expended in fiscal year 1996 pursuant to section  
18 6002(b) of the Oil Pollution Act of 1990 to carry out the  
19 provisions of section 1012(a)(4) of that Act.

20 FEDERAL AVIATION ADMINISTRATION

21 OPERATIONS

22 For necessary expenses of the Federal Aviation Ad-  
23 ministration, not otherwise provided for, including oper-  
24 ations and research activities related to commercial space  
25 transportation, administrative expenses for research and  
26 development, establishment of air navigation facilities and

1 the operation (including leasing) and maintenance of air-  
2 craft, and carrying out the provisions of subchapter I of  
3 chapter 471 of title 49, U.S. Code, or other provisions of  
4 law authorizing the obligation of funds for similar pro-  
5 grams of airport and airway development or improvement,  
6 lease or purchase of four passenger motor vehicles for re-  
7 placement only, \$4,600,000,000, of which \$1,871,500,000  
8 shall be derived from the Airport and Airway Trust Fund:  
9 *Provided*, That there may be credited to this appropriation  
10 funds received from States, counties, municipalities, for-  
11 eign authorities, other public authorities, and private  
12 sources, for expenses incurred in the provision of aviation  
13 services, including the maintenance and operation of air  
14 navigation facilities and for issuance, renewal or modifica-  
15 tion of certificates, including airman, aircraft, and repair  
16 station certificates, or for tests related thereto, or for proc-  
17 essing major repair or alteration forms: *Provided further*,  
18 That funds may be used to enter into a grant agreement  
19 with a nonprofit standard setting organization to assist  
20 in the development of aviation safety standards: *Provided*  
21 *further*, That none of the funds in this Act shall be avail-  
22 able for new applicants for the second career training pro-  
23 gram: *Provided further*, That none of the funds in this Act  
24 shall be available for paying premium pay under 5 U.S.C.  
25 5546(a) to any Federal Aviation Administration employee

1 unless such employee actually performed work during the  
2 time corresponding to such premium pay.

3 FACILITIES AND EQUIPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for,  
6 for acquisition, establishment, and improvement by con-  
7 tract or purchase, and hire of air navigation and experi-  
8 mental facilities and equipment as authorized under part  
9 A of subtitle VII of title 49, U.S. Code, including initial  
10 acquisition of necessary sites by lease or grant; engineer-  
11 ing and service testing, including construction of test fa-  
12 cilities and acquisition of necessary sites by lease or grant;  
13 and construction and furnishing of quarters and related  
14 accommodations for officers and employees of the Federal  
15 Aviation Administration stationed at remote localities  
16 where such accommodations are not available; and the  
17 purchase, lease, or transfer of aircraft from funds avail-  
18 able under this head; to be derived from the Airport and  
19 Airway Trust Fund, \$2,000,000,000, of which  
20 \$1,784,000,000 shall remain available until September 30,  
21 1998, and of which \$216,000,000 shall remain available  
22 until September 30, 1996: *Provided*, That there may be  
23 credited to this appropriation funds received from States,  
24 counties, municipalities, other public authorities, and pri-

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

3 FACILITIES AND EQUIPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 (RESCISSION)

6 Of the available balances under this heading,  
7 \$60,000,000 are rescinded.

8 RESEARCH, ENGINEERING, AND DEVELOPMENT

9 (AIRPORT AND AIRWAY TRUST FUND)

10 For necessary expenses, not otherwise provided for,  
11 for research, engineering, and development, as authorized  
12 under part A of subtitle VII of title 49, U.S.C., including  
13 construction of experimental facilities and acquisition of  
14 necessary sites by lease or grant, \$143,000,000, to be de-  
15 rived from the Airport and Airway Trust Fund and to re-  
16 main available until September 30, 1998: *Provided*, That  
17 there may be credited to this appropriation funds received  
18 from States, counties, municipalities, other public authori-  
19 ties, and private sources, for expenses incurred for re-  
20 search, engineering, and development.

21 GRANTS-IN-AID FOR AIRPORTS

22 (LIQUIDATION OF CONTRACT AUTHORIZATION)

23 (AIRPORT AND AIRWAY TRUST FUND)

24 For liquidation of obligations incurred for grants-in-  
25 aid for airport planning and development, and for noise  
26 compatibility planning and programs as authorized under

1 subchapter I of chapter 471 and subchapter I of chapter  
2 475 of title 49, U.S. Code, and under other law authoriz-  
3 ing such obligations, \$1,500,000,000, to be derived from  
4 the Airport and Airway Trust Fund and to remain avail-  
5 able until expended: *Provided*, That none of the funds in  
6 this Act shall be available for the planning or execution  
7 of programs the obligations for which are in excess of  
8 \$1,600,000,000 in fiscal year 1996 for grants-in-aid for  
9 airport planning and development, and noise compatibility  
10 planning and programs, notwithstanding section 47117(h)  
11 of title 49, U.S. Code.

12 AVIATION INSURANCE REVOLVING FUND

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

21 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

22 None of the funds in this Act shall be available for  
23 activities under this head the obligations for which are in  
24 excess of \$1,600,000 during fiscal year 1996.

## 1 FEDERAL HIGHWAY ADMINISTRATION

## 2 LIMITATION ON GENERAL OPERATING EXPENSES

3 Necessary expenses for administration, operation, in-  
4 cluding motor carrier safety program operations, and re-  
5 search of the Federal Highway Administration not to ex-  
6 ceed \$495,381,000 shall be paid in accordance with law  
7 from appropriations made available by this Act to the Fed-  
8 eral Highway Administration together with advances and  
9 reimbursements received by the Federal Highway Admin-  
10 istration: *Provided*, That \$190,667,000 of the amount pro-  
11 vided herein shall remain available until September 30,  
12 1998.

## 13 HIGHWAY-RELATED SAFETY GRANTS

## 14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

## 15 (HIGHWAY TRUST FUND)

## 16 (INCLUDING TRANSFER OF FUNDS)

17 For payment of obligations incurred in carrying out  
18 the provisions of title 23, United States Code, section 402  
19 administered by the Federal Highway Administration, to  
20 remain available until expended, \$10,000,000, to be de-  
21 rived from the Highway Trust Fund: *Provided*, That not  
22 to exceed \$100,000 of the amount made available herein  
23 shall be available for "Limitation on general operating ex-  
24 penses": *Provided further*, That none of the funds in this  
25 Act shall be available for the planning or execution of pro-  
26 grams the obligations for which are in excess of

1 \$10,000,000 in fiscal year 1996 for “Highway-Related  
2 Safety Grants”.

3 FEDERAL-AID HIGHWAYS

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 None of the funds in this Act shall be available for  
7 the implementation or execution of programs the obliga-  
8 tions for which are in excess of \$18,000,000,000 for Fed-  
9 eral-aid highways and highway safety construction pro-  
10 grams for fiscal year 1996.

11 FEDERAL-AID HIGHWAYS

12 (LIQUIDATION OF CONTRACT AUTHORIZATION)

13 (HIGHWAY TRUST FUND)

14 For carrying out the provisions of title 23, United  
15 States Code, that are attributable to Federal-aid high-  
16 ways, including the National Scenic and Recreational  
17 Highway as authorized by 23 U.S.C. 148, not otherwise  
18 provided, including reimbursements for sums expended  
19 pursuant to the provisions of 23 U.S.C. 308,  
20 \$19,200,000,000 or so much thereof as may be available  
21 in and derived from the Highway Trust Fund, to remain  
22 available until expended.

1                   RIGHT-OF-WAY REVOLVING FUND  
2                   (LIMITATION ON DIRECT LOANS)  
3                   (HIGHWAY TRUST FUND)

4           None of the funds under this head are available for  
5 obligations for right-of-way acquisition during fiscal year  
6 1996.

7                   MOTOR CARRIER SAFETY GRANTS  
8                   (LIQUIDATION OF CONTRACT AUTHORIZATION)  
9                   (HIGHWAY TRUST FUND)

10          For payment of obligations incurred in carrying out  
11 49 U.S.C. 31102, \$68,000,000, to be derived from the  
12 Highway Trust Fund and to remain available until ex-  
13 pended: *Provided*, That none of the funds in this Act shall  
14 be available for the implementation or execution of pro-  
15 grams the obligations for which are in excess of  
16 \$79,150,000 for “Motor Carrier Safety Grants”.

17                   NATIONAL HIGHWAY TRAFFIC SAFETY  
18                   ADMINISTRATION  
19                   OPERATIONS AND RESEARCH

20          For expenses necessary to discharge the functions of  
21 the Secretary with respect to traffic and highway safety  
22 under part C of subtitle VI of title 49, United States Code,  
23 and chapter 301 of title 49, United States Code,  
24 \$73,316,570, of which \$37,825,850 shall remain available  
25 until September 30, 1998: *Provided*, That none of the  
26 funds appropriated by this Act may be obligated or ex-

1 pended to plan, finalize, or implement any rulemaking to  
2 add to section 575.104 of title 49 of the Code of Federal  
3 Regulations any requirement pertaining to a grading  
4 standard that is different from the three grading stand-  
5 ards (treadwear, traction, and temperature resistance) al-  
6 ready in effect.

7 OPERATIONS AND RESEARCH

8 (HIGHWAY TRUST FUND)

9 For expenses necessary to discharge the functions of  
10 the Secretary with respect to traffic and highway safety  
11 under 23 U.S.C. 403 and section 2006 of the Intermodal  
12 Surface Transportation Efficiency Act of 1991 (Public  
13 Law 102-240), to be derived from the Highway Trust  
14 Fund, \$52,011,930, of which \$32,770,670 shall remain  
15 available until September 30, 1998.

16 OPERATIONS AND RESEARCH

17 (RESCISSIONS)

18 Of the amounts made available under this heading  
19 in Public Law 103-331, Public Law 102-388, and Public  
20 Law 101-516, \$4,547,185 are rescinded from the national  
21 advanced driving simulator project.

22 HIGHWAY TRAFFIC SAFETY GRANTS

23 (LIQUIDATION OF CONTRACT AUTHORIZATION)

24 (HIGHWAY TRUST FUND)

25 For payment of obligations incurred carrying out the  
26 provisions of 23 U.S.C. 153, 402, 408, and 410, Chapter

1 303 of title 49, United States Code, and section 209 of  
2 Public Law 95–599, as amended, to remain available until  
3 expended, \$153,400,000, to be derived from the Highway  
4 Trust Fund: *Provided*, That, notwithstanding subsection  
5 2009(b) of the Intermodal Surface Transportation Effi-  
6 ciency Act of 1991, none of the funds in this Act shall  
7 be available for the planning or execution of programs the  
8 total obligations for which, in fiscal year 1996, are in ex-  
9 cess of \$153,400,000 for programs authorized under 23  
10 U.S.C. 402 and 410, as amended, of which \$126,000,000  
11 shall be for “State and community highway safety  
12 grants”, \$2,400,000 shall be for the “National Driver  
13 Register”, and \$25,000,000 shall be for section 410 “Al-  
14 cohol-impaired driving countermeasures programs”: *Pro-*  
15 *vided further*, That from the \$126,000,000 provided under  
16 “State and community highway safety grants”,  
17 \$3,000,000 shall be made available for the “Safe commu-  
18 nities” program in three States, notwithstanding the pro-  
19 visions of 23 U.S.C. 402(c) and (g): *Provided further*, That  
20 none of these funds shall be used for construction, reha-  
21 bilitation or remodeling costs, or for office furnishings and  
22 fixtures for State, local, or private buildings or structures:  
23 *Provided further*, That none of these funds shall be used  
24 to purchase automobiles or motorcycles for state, local, or  
25 private usage: *Provided further*, That not to exceed

1 \$5,153,000 of the funds made available for section 402  
2 may be available for administering “State and community  
3 highway safety grants”: *Provided further*, That not to ex-  
4 ceed \$500,000 of the funds made available for section 410  
5 “Alcohol-impaired driving counter-measures programs”  
6 may be available for technical assistance to the States:  
7 *Provided further*, That not to exceed \$890,000 of the  
8 funds made available for the “National Driver Register”  
9 may be available for administrative expenses.

10 FEDERAL RAILROAD ADMINISTRATION

11 OFFICE OF THE ADMINISTRATOR

12 For necessary expenses of the Federal Railroad Ad-  
13 ministration, not otherwise provided for, \$14,000,000, of  
14 which \$1,508,000 shall remain available until expended:  
15 *Provided*, That none of the funds in this Act shall be avail-  
16 able for the planning or execution of a program making  
17 commitments to guarantee new loans under the Emer-  
18 gency Rail Services Act of 1970, as amended, and no new  
19 commitments to guarantee loans under section 211(a) or  
20 211(h) of the Regional Rail Reorganization Act of 1973,  
21 as amended, shall be made: *Provided further*, That, as part  
22 of the Washington Union Station transaction in which the  
23 Secretary assumed the first deed of trust on the property  
24 and, where the Union Station Redevelopment Corporation  
25 or any successor is obligated to make payments on such

1 deed of trust on the Secretary's behalf, including pay-  
2 ments on and after September 30, 1988, the Secretary  
3 is authorized to receive such payments directly from the  
4 Union Station Redevelopment Corporation, credit them to  
5 the appropriation charged for the first deed of trust, and  
6 make payments on the first deed of trust with those funds:  
7 *Provided further,* That such additional sums as may be  
8 necessary for payment on the first deed of trust may be  
9 advanced by the Administrator from unobligated balances  
10 available to the Federal Railroad Administration, to be re-  
11 imbursed from payments received from the Union Station  
12 Redevelopment Corporation.

13 RAILROAD SAFETY

14 For necessary expenses in connection with railroad  
15 safety, not otherwise provided for, \$49,940,660, of which  
16 \$2,687,000 shall remain available until expended.

17 RAILROAD RESEARCH AND DEVELOPMENT

18 For necessary expenses for railroad research and de-  
19 velopment, \$21,000,000, to remain available until ex-  
20 pended.

21 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

22 For necessary expenses related to Northeast Corridor  
23 improvements authorized by title VII of the Railroad Revi-  
24 talization and Regulatory Reform Act of 1976, as amend-  
25 ed (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909,

1 \$100,000,000, to remain available until September 30,  
2 1998.

3 RAILROAD REHABILITATION AND IMPROVEMENT  
4 PROGRAM

5 The Secretary of Transportation is authorized to  
6 issue to the Secretary of the Treasury notes or other obli-  
7 gations pursuant to section 512 of the Railroad Revitaliza-  
8 tion and Regulatory Reform Act of 1976 (Public Law 94-  
9 210), as amended, in such amounts and at such times as  
10 may be necessary to pay any amounts required pursuant  
11 to the guarantee of the principal amount of obligations  
12 under sections 511 through 513 of such Act, such author-  
13 ity to exist as long as any such guaranteed obligation is  
14 outstanding: *Provided*, That no new loan guarantee com-  
15 mitments shall be made during fiscal year 1996.

16 NATIONAL MAGNETIC LEVITATION PROTOTYPE  
17 DEVELOPMENT  
18 (LIMITATION ON OBLIGATIONS)  
19 (HIGHWAY TRUST FUND)

20 None of the funds in this Act shall be available for  
21 the planning or execution of the National Magnetic Levita-  
22 tion Prototype Development program as defined in sub-  
23 sections 1036(b) and 1036(d)(1)(A) of the Intermodal  
24 Surface Transportation Efficiency Act of 1991.

## 1 NEXT GENERATION HIGH SPEED RAIL

2 For necessary expenses for Next Generation High  
3 Speed Rail technology development and demonstrations,  
4 \$10,000,000, to remain available until expended.

5 TRUST FUND SHARE OF NEXT GENERATION HIGH  
6 SPEED RAIL

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (HIGHWAY TRUST FUND)

9 For grants and payment of obligations incurred in  
10 carrying out the provisions of the High Speed Ground  
11 Transportation program as defined in subsections 1036(c)  
12 and 1036(d)(1)(B) of the Intermodal Surface Transpor-  
13 tation Efficiency Act of 1991, including planning and en-  
14 vironmental analyses, \$5,000,000, to be derived from the  
15 Highway Trust Fund and to remain available until ex-  
16 pended: *Provided*, That none of the funds in this Act shall  
17 be available for the implementation or execution of pro-  
18 grams the obligations for which are in excess of  
19 \$5,000,000.

20 GRANTS TO THE NATIONAL RAILROAD PASSENGER  
21 CORPORATION

22 To enable the Secretary of Transportation to make  
23 grants to the National Railroad Passenger Corporation  
24 authorized by 49 U.S.C. 24104, \$628,000,000, of which  
25 \$336,000,000 shall be available for operating losses and  
26 for mandatory passenger rail service payments,

1 \$62,000,000 shall be for transition costs incurred by the  
2 Corporation, and \$230,000,000 shall be for capital im-  
3 provements: *Provided*, That none of the funds under this  
4 head shall be made available until significant reforms (in-  
5 cluding labor reforms) in authorizing legislation are en-  
6 acted to restructure the National Railroad Passenger Cor-  
7 poration: *Provided further*, That funding under this head  
8 for capital improvements shall not be made available be-  
9 fore July 1, 1996: *Provided further*, That none of the  
10 funds herein appropriated shall be used for lease or pur-  
11 chase of passenger motor vehicles or for the hire of vehicle  
12 operators for any officer or employee, other than the presi-  
13 dent of the Corporation, excluding the lease of passenger  
14 motor vehicles for those officers or employees while in offi-  
15 cial travel status.

16 FEDERAL TRANSIT ADMINISTRATION

17 ADMINISTRATIVE EXPENSES

18 For necessary administrative expenses of the Federal  
19 Transit Administration's programs authorized by chapter  
20 53 of title 49, United States Code, \$39,260,000.

21 FORMULA GRANTS

22 For necessary expenses to carry out 49 U.S.C. 5307,  
23 5310(a)(2), 5311, and 5336, to remain available until ex-  
24 pended, \$890,000,000: *Provided*, That no more than  
25 \$2,000,000,000 of budget authority shall be available for

1 these purposes: *Provided further*, That of the funds pro-  
2 vided under this head for formula grants, no more than  
3 \$400,000,000 may be used for operating assistance under  
4 49 U.S.C. 5336(d).

5 UNIVERSITY TRANSPORTATION CENTERS

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

9 TRANSIT PLANNING AND RESEARCH

10 For necessary expenses for transit planning and re-  
11 search as authorized by 49 U.S.C. 5303, 5311, 5313,  
12 5314, and 5315, to remain available until expended,  
13 \$82,250,000 of which \$39,436,250 shall be for activities  
14 under 49 U.S.C. 5303, \$4,381,250 for activities under 49  
15 U.S.C. 5311(b)(2), \$8,051,250 for activities under 49  
16 U.S.C. 5313(b), \$19,480,000 for activities under 49  
17 U.S.C. 5314, \$8,051,251 for activities under 49 U.S.C.  
18 5313(a), and \$2,850,000 for activities under 49 U.S.C.  
19 5315.

20 TRUST FUND SHARE OF EXPENSES

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (HIGHWAY TRUST FUND)

23 For payment of obligations incurred in carrying out  
24 49 U.S.C. 5338(a), \$1,120,850,000, to remain available  
25 until expended and to be derived from the Highway Trust  
26 Fund: *Provided*, That \$1,110,000,000 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 in fiscal  
10 year 1996 for grants under the contract authority in 49  
11 U.S.C. 5338(b): *Provided*, That there shall be available for  
12 fixed guideway modernization, \$666,000,000; there shall  
13 be available for the replacement, rehabilitation, and pur-  
14 chase of buses and related equipment and the construction  
15 of bus-related facilities, \$333,000,000; and there shall be  
16 available for new fixed guideway systems, \$666,000,000,  
17 to be available as follows:

18 \$42,410,000 for the Atlanta-North Springs  
19 project;

20 \$17,500,000 for the South Boston Piers  
21 (MOS-2) project;

22 \$6,500,000 for the Canton-Akron-Cleveland  
23 commuter rail project;

24 \$2,000,000 for the Cincinnati Northeast/North-  
25 ern Kentucky rail line project;

- 1           \$16,941,000 for the Dallas South Oak Cliff  
2           LRT project;
- 3           \$2,500,000 for the DART North Central light  
4           rail extension project;
- 5           \$5,000,000 for the Dallas-Fort Worth  
6           RAILTRAN project;
- 7           \$10,000,000 for the Florida Tri-County com-  
8           muter rail project;
- 9           \$22,630,000 for the Houston Regional Bus  
10          project;
- 11          \$12,500,000 for the Jacksonville ASE extension  
12          project;
- 13          \$125,000,000 for the Los Angeles Metro Rail  
14          (MOS-3);
- 15          \$10,000,000 for the Los Angeles-San Diego  
16          commuter rail project;
- 17          \$10,000,000 for the MARC commuter rail  
18          project;
- 19          \$3,000,000 for the Maryland Central Corridor  
20          LRT project;
- 21          \$2,000,000 for the Miami-North 27th Avenue  
22          project;
- 23          \$2,500,000 for the Memphis, Tennessee Re-  
24          gional Rail Plan;

1           \$75,000,000 for the New Jersey Urban Core-  
2       Secaucus project;  
3           \$10,000,000 for the New Orleans Canal Street  
4       Corridor project;  
5           \$114,989,000 for the New York Queens Con-  
6       nection project;  
7           \$5,000,000 for the Orange County Transitway  
8       project;  
9           \$22,630,000 for the Pittsburgh Airport Phase  
10      1 project;  
11          \$85,500,000 for the Portland Westside LRT  
12      project;  
13          \$2,000,000 for the Sacramento LRT extension  
14      project;  
15          \$10,000,000 for the St. Louis Metro Link LRT  
16      project;  
17          \$5,000,000 for the Salt Lake City light rail  
18      project: *Provided*, That such funding may be avail-  
19      able only for related high-occupancy vehicle lane and  
20      intermodal corridor design costs;  
21          \$10,000,000 for the San Francisco BART ex-  
22      tension to the San Francisco airport project;  
23          \$15,000,000 for the San Juan, Puerto Rico  
24      Tren Urbano project;

1           \$1,000,000 for the Tampa to Lakeland com-  
2           muter rail project;

3           \$5,000,000 for the Whitehall ferry terminal,  
4           New York, New York; and

5           \$14,400,000 for the Wisconsin central com-  
6           muter project.

7                           MASS TRANSIT CAPITAL FUND

8                   (LIQUIDATION OF CONTRACT AUTHORIZATION)

9                           (HIGHWAY TRUST FUND)

10          For payment of obligations incurred in carrying out  
11   49 U.S.C. 5338(b) administered by the Federal Transit  
12   Administration, \$2,000,000,000 to be derived from the  
13   Highway Trust Fund and to remain available until ex-  
14   pended.

15                   WASHINGTON METROPOLITAN AREA TRANSIT

16                           AUTHORITY

17          For necessary expenses to carry out the provisions  
18   of section 14 of Public Law 96-184 and Public Law 101-  
19   551, \$200,000,000, to remain available until expended.

20                   SAINT LAWRENCE SEAWAY DEVELOPMENT

21                           CORPORATION

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

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

5 OPERATIONS AND MAINTENANCE

6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses for operation and mainte-  
8 nance of those portions of the Saint Lawrence Seaway op-  
9 erated and maintained by the Saint Lawrence Seaway De-  
10 velopment Corporation, \$10,190,500, to be derived from  
11 the Harbor Maintenance Trust Fund, pursuant to Public  
12 Law 99-662.

13 RESEARCH AND SPECIAL PROGRAMS

14 ADMINISTRATION

15 RESEARCH AND SPECIAL PROGRAMS

16 For expenses necessary to discharge the functions of  
17 the Research and Special Programs Administration,  
18 \$26,030,000, of which \$574,000 shall be derived from the  
19 Pipeline Safety Fund, and of which \$7,606,000 shall re-  
20 main available until September 30, 1998: *Provided*, That  
21 \$2,322,000 shall be transferred to the Bureau of Trans-  
22 portation Statistics for the expenses necessary to conduct  
23 activities related to Airline Statistics, and of which  
24 \$272,000 shall remain available until expended: *Provided*  
25 *further*, That up to \$1,000,000 in fees collected under 49

1 U.S.C. 5108(g) shall be deposited in the general fund of  
2 the Treasury as offsetting receipts: *Provided further*, That  
3 there may be credited to this appropriation funds received  
4 from States, counties, municipalities, other public authori-  
5 ties, and private sources for expenses incurred for train-  
6 ing, for reports publication and dissemination.

7 PIPELINE SAFETY

8 (PIPELINE SAFETY FUND)

9 For expenses necessary to conduct the functions of  
10 the pipeline safety program for grants-in-aid to carry out  
11 a pipeline safety program, as authorized by 49 U.S.C.  
12 60107 and the Hazardous Liquid Pipeline Safety Act of  
13 1979, as amended, and to discharge the pipeline program  
14 responsibilities of the Oil Pollution Act of 1990,  
15 \$29,941,000, of which \$2,698,000 shall be derived from  
16 the Oil Spill Liability Trust Fund and shall remain avail-  
17 able until September 30, 1998; and of which \$27,243,000  
18 shall be derived from the Pipeline Safety Fund, of which  
19 \$19,423,000 shall remain available until September 30,  
20 1998: *Provided*, That from amounts made available herein  
21 from the Pipeline Safety Fund, not to exceed \$1,000,000  
22 shall be available for grants to States for the development  
23 and establishment of one-call notification systems.

## 1 EMERGENCY PREPAREDNESS GRANTS

## 2 (EMERGENCY PREPAREDNESS FUND)

3 For necessary expenses to carry out 49 U.S.C.  
4 5127(c), \$400,000 to be derived from the Emergency Pre-  
5 paredness Fund, to remain available until September 30,  
6 1998: *Provided*, That not more than \$8,890,000 shall be  
7 made available for obligation in fiscal year 1996 from  
8 amounts made available by 49 U.S.C. 5116(i) and  
9 5127(d): *Provided further*, That no such funds shall be  
10 made available for obligation by individuals other than the  
11 Secretary of Transportation, or his designees.

## 12 OFFICE OF INSPECTOR GENERAL

## 13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Inspector  
15 General to carry out the provisions of the Inspector Gen-  
16 eral Act of 1978, as amended, \$40,238,000.

## 17 TITLE II

## 18 RELATED AGENCIES

## 19 ARCHITECTURAL AND TRANSPORTATION

## 20 BARRIERS COMPLIANCE BOARD

## 21 SALARIES AND EXPENSES

22 For expenses necessary for the Architectural and  
23 Transportation Barriers Compliance Board, as authorized  
24 by section 502 of the Rehabilitation Act of 1973, as  
25 amended, \$3,656,000: *Provided*, That, notwithstanding

1 any other provision of law, there may be credited to this  
2 appropriation funds received for publications and training  
3 expenses.

4 NATIONAL TRANSPORTATION SAFETY BOARD  
5 SALARIES AND EXPENSES

6 For necessary expenses of the National Transpor-  
7 tation Safety Board, including hire of passenger motor ve-  
8 hicles and aircraft; services as authorized by 5 U.S.C.  
9 3109, but at rates for individuals not to exceed the per  
10 diem rate equivalent to the rate for a GS-18; uniforms,  
11 or allowances therefor, as authorized by law (5 U.S.C.  
12 5901-5902), \$38,774,000, of which not to exceed \$1,000  
13 may be used for official reception and representation ex-  
14 penses.

15 EMERGENCY FUND

16 For necessary expenses of the National Transpor-  
17 tation Safety Board for accident investigations, including  
18 hire of passenger motor vehicles and aircraft; services as  
19 authorized by 5 U.S.C. 3109, but at rates for individuals  
20 not to exceed the per diem rate equivalent to the rate for  
21 a GS-18; uniforms, or allowances therefor, as authorized  
22 by law (5 U.S.C. 5901-5902), \$160,802 to remain avail-  
23 able until expended.

## 1 INTERSTATE COMMERCE COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Interstate Commerce  
4 Commission, including services as authorized by 5 U.S.C.  
5 3109, hire of passenger motor vehicles as authorized by  
6 31 U.S.C. 1343(b), \$13,379,000, of which \$4,984,000  
7 shall be for severance and closing costs: *Provided*, That  
8 of the fees collected in fiscal year 1996 by the Interstate  
9 Commerce Commission pursuant to 31 U.S.C. 9701, one-  
10 twelfth of \$8,300,000 of those fees collected shall be made  
11 available for each month the Commission remains in exist-  
12 ence during fiscal year 1996.

## 13 PAYMENTS FOR DIRECTED RAIL SERVICE

## 14 (LIMITATION ON OBLIGATIONS)

15 None of the funds provided in this Act shall be avail-  
16 able for the execution of programs the obligations for  
17 which can reasonably be expected to exceed \$475,000 for  
18 directed rail service authorized under 49 U.S.C. 11125 or  
19 any other Act.

## 20 PANAMA CANAL COMMISSION

## 21 PANAMA CANAL REVOLVING FUND

22 For administrative expenses of the Panama Canal  
23 Commission, including not to exceed \$11,000 for official  
24 reception and representation expenses of the Board; not  
25 to exceed \$5,000 for official reception and representation

1 expenses of the Secretary; and not to exceed \$30,000 for  
2 official reception and representation expenses of the Ad-  
3 ministrator, \$50,741,000, to be derived from the Panama  
4 Canal Revolving Fund: *Provided*, That funds available to  
5 the Panama Canal Commission shall be available for the  
6 purchase of not to exceed 38 passenger motor vehicles for  
7 replacement only (including large heavy-duty vehicles used  
8 to transport Commission personnel across the Isthmus of  
9 Panama), the purchase price of which shall not exceed  
10 \$19,500 per vehicle.

### 11 TITLE III

#### 12 GENERAL PROVISIONS

13 (INCLUDING TRANSFERS OF FUNDS)

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

22 SEC. 302. Funds for the Panama Canal Commission  
23 may be apportioned notwithstanding 31 U.S.C. 1341 to  
24 the extent necessary to permit payment of such pay in-  
25 creases for officers or employees as may be authorized by

1 administrative action pursuant to law that are not in ex-  
2 cess of statutory increases granted for the same period  
3 in corresponding rates of compensation for other employ-  
4 ees of the Government in comparable positions.

5       SEC. 303. Funds appropriated under this Act for ex-  
6 penditures by the Federal Aviation Administration shall  
7 be available (1) except as otherwise authorized by the Act  
8 of September 30, 1950 (20 U.S.C. 236–244), for expenses  
9 of primary and secondary schooling for dependents of Fed-  
10 eral Aviation Administration personnel stationed outside  
11 the continental United States at costs for any given area  
12 not in excess of those of the Department of Defense for  
13 the same area, when it is determined by the Secretary that  
14 the schools, if any, available in the locality are unable to  
15 provide adequately for the education of such dependents,  
16 and (2) for transportation of said dependents between  
17 schools serving the area that they attend and their places  
18 of residence when the Secretary, under such regulations  
19 as may be prescribed, determines that such schools are  
20 not accessible by public means of transportation on a regu-  
21 lar basis.

22       SEC. 304. Appropriations contained in this Act for  
23 the Department of Transportation shall be available for  
24 services as authorized by 5 U.S.C. 3109, but at rates for

1 individuals not to exceed the per diem rate equivalent to  
2 the rate for an Executive Level IV.

3 SEC. 305. None of the funds for the Panama Canal  
4 Commission may be expended unless in conformance with  
5 the Panama Canal Treaties of 1977 and any law imple-  
6 menting those treaties.

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 1996 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, 1995, 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, 1996, 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;

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, the  
22 intelligent vehicle highway systems program, and  
23 amounts made available under sections 1040, 1047,  
24 1064, 6001, 6005, 6006, 6023, and 6024 of Public  
25 Law 102-240, and 49 U.S.C. 5316, 5317, and

1       5338: *Provided*, That amounts made available under  
2       section 6005 of Public Law 102–240 shall be subject  
3       to the obligation limitation for Federal-aid highways  
4       and highway safety construction programs under the  
5       head “Federal-Aid Highways” in this Act;

6       (d) During the period October 1 through December  
7       31, 1995, the aggregate amount of obligations under sec-  
8       tion 157 of title 23, United States Code, for projects cov-  
9       ered under section 147 of the Surface Transportation As-  
10       sistance Act of 1978, section 9 of the Federal-Aid High-  
11       way Act of 1981, sections 131(b), 131(j), and 404 of Pub-  
12       lic Law 97–424, sections 1061, 1103 through 1108, 4008,  
13       and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,  
14       and for projects authorized by Public Law 99–500 and  
15       Public Law 100–17, shall not exceed \$277,431,840.

16       (e) During the period August 2 through September  
17       30, 1996, the aggregate amount which may be obligated  
18       by all States pursuant to paragraph (d) shall not exceed  
19       2.5 percent of the aggregate amount of funds apportioned  
20       or allocated to all States—

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

24               (2) for highway assistance projects under sec-  
25       tion 103(e)(4) of title 23, United States Code,

1 which would not be obligated in fiscal year 1996 if the  
2 total amount of the obligation limitation provided for such  
3 fiscal year in this Act were utilized.

4 (f) Paragraph (e) shall not apply to any State which  
5 on or after August 1, 1996, has the amount distributed  
6 to such State under paragraph (a) for fiscal year 1996  
7 reduced under paragraph (c)(2).

8 SEC. 311. None of the funds in this Act shall be avail-  
9 able for salaries and expenses of more than one hundred  
10 and ten political and Presidential appointees in the De-  
11 partment of Transportation: *Provided*, That none of the  
12 personnel covered by this provision may be assigned on  
13 temporary detail outside the Department of Transpor-  
14 tation.

15 SEC. 312. The limitation on obligations for the pro-  
16 grams of the Federal Transit Administration shall not  
17 apply to any authority under 49 U.S.C. 5338, previously  
18 made available for obligation, or to any other authority  
19 previously made available for obligation under the discre-  
20 tionary grants program.

21 SEC. 313. None of the funds in this Act shall be used  
22 to implement section 404 of title 23, United States Code.

23 SEC. 314. Such sums as may be necessary for fiscal  
24 year 1996 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. 315. Funds received by the Research and Spe-  
4 cial Programs Administration from States, counties, mu-  
5 nicipalities, other public authorities, and private sources  
6 for expenses incurred for training and for reports' publica-  
7 tion and dissemination may be credited to the Research  
8 and Special Programs account.

9 SEC. 316. 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. 317. 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. 318. 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. 319. 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. 320. None of the funds made available in this  
22 Act may be used to implement, administer, or enforce the  
23 provisions of section 1038(d) of Public Law 102-240.

24        SEC. 321. Notwithstanding any other provision of  
25 law, and except for fixed guideway modernization projects,

1 funds made available by this Act under “Federal Transit  
2 Administration, Discretionary grants” for projects speci-  
3 fied in this Act or identified in reports accompanying this  
4 Act not obligated by September 30, 1998, shall be made  
5 available for other projects under 49 U.S.C. 5309.

6       SEC. 322. Notwithstanding any other provision of  
7 law, any funds appropriated before October 1, 1993, under  
8 any section of chapter 53 of title 49 U.S.C., that remain  
9 available for expenditure may be transferred to and ad-  
10 ministered under the most recent appropriation heading  
11 for any such section.

12       SEC. 323. None of the funds in this Act shall be avail-  
13 able to implement or enforce regulations that would result  
14 in the withdrawal of a slot from an air carrier at O’Hare  
15 International Airport under section 93.223 of title 14 of  
16 the Code of Federal Regulations in excess of the total slots  
17 withdrawn from that air carrier as of October 31, 1993  
18 if such additional slot is to be allocated to an air carrier  
19 or foreign air carrier under section 93.217 of title 14 of  
20 the Code of Federal Regulations.

21       SEC. 324. None of the funds made available by this  
22 Act may be obligated or expended to design, construct,  
23 erect, modify or otherwise place any sign in any State re-  
24 lating to any speed limit, distance, or other measurement

1 on any highway if such sign establishes such speed limit,  
2 distance, or other measurement using the metric system.

3 SEC. 325. Notwithstanding any other provisions of  
4 law, tolls collected for motor vehicles on any bridge con-  
5 necting the boroughs of Brooklyn, New York, and Staten  
6 Island, New York, shall continue to be collected for only  
7 those vehicles exiting from such bridge in Staten Island.

8 SEC. 326. None of the funds in this Act may be used  
9 to compensate in excess of 335 technical staff years under  
10 the federally-funded research and development center  
11 contract between the Federal Aviation Administration  
12 and the Center for Advanced Aviation Systems Develop-  
13 ment during fiscal year 1996.

14 SEC. 327. Funds provided in this Act for the Depart-  
15 ment of Transportation working capital fund (WCF) shall  
16 be reduced by \$10,000,000, which limits fiscal year 1996  
17 WCF obligational authority for elements of the Depart-  
18 ment of Transportation funded in this Act to no more  
19 than \$92,231,000: *Provided*, That such reductions from  
20 the budget request shall be allocated by the Department  
21 of Transportation to each appropriations account in pro-  
22 portion to the amount included in each account for the  
23 working capital fund.

24 SEC. 328. Funds received by the Federal Highway  
25 Administration, Federal Transit Administration, and Fed-

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

11 SEC. 329. (a) PURCHASE OF AMERICAN-MADE  
12 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-  
13 gress that, to the greatest extent practicable, all equip-  
14 ment and products purchased with funds made available  
15 in this Act should be American-made.

16 (b) NOTICE REQUIREMENT.—In providing financial  
17 assistance to, or entering into any contract with, any en-  
18 tity using funds made available in this Act, the head of  
19 each Federal agency, to the greatest extent practicable,  
20 shall provide to such entity a notice describing the state-  
21 ment made in subsection (a) by the Congress.

22 SEC. 330. None of the funds in this Act shall be avail-  
23 able to prepare, propose, or promulgate any regulations  
24 pursuant to title V of the Motor Vehicle Information and  
25 Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing

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

5 SEC. 331. Section 30308(a) of title 49, United States  
6 Code, is amended by inserting after “1995” “and  
7 \$2,400,000 for fiscal year 1996”.

8 SEC. 332. Notwithstanding 15 U.S.C. 631 et seq. and  
9 10 U.S.C. 2301 et seq. as amended, the United States  
10 Coast Guard acquisition of 47-foot Motor Life Boats for  
11 fiscal years 1995 through 2000 shall be subject to full and  
12 open competition for all U.S. shipyards. Accordingly, the  
13 Federal Acquisition Regulations (FAR) (including but not  
14 limited to FAR Part 19), shall not apply to the extent  
15 they are inconsistent with a full and open competition.

16 SEC. 333. None of the funds in this Act may be used  
17 for planning, engineering, design, or construction of a  
18 sixth runway at the new Denver International Airport,  
19 Denver, Colorado: *Provided*, That this provision shall not  
20 apply in any case where the Administrator of the Federal  
21 Aviation Administration determines, in writing, that safe-  
22 ty conditions warrant obligation of such funds.

23 SEC. 334. (a) Section 5302(a)(1) of title 49, United  
24 States Code, is amended by striking—

1 (1) in subparagraph (B), “that extends the eco-  
2 nomic life of the bus for at least 5 years”; and

3 (2) in subparagraph (C), “that extends the eco-  
4 nomic life of the bus for at least 8 years”.

5 (b) The amendments made by this section shall not  
6 take effect before March 31, 1996.

7 SEC. 335. Notwithstanding 31 U.S.C. 3302, funds re-  
8 ceived by the Bureau of Transportation Statistics from the  
9 sale of data products, for necessary expenses incurred pur-  
10 suant to the provisions of section 6006 of the Intermodal  
11 Surface Transportation Efficiency Act of 1991, may be  
12 credited to the Federal-aid highways account for the pur-  
13 pose of reimbursing the Bureau for such expenses: *Pro-*  
14 *vided*, That such funds shall not be subject to the obliga-  
15 tion limitation for Federal-aid highways and highway safe-  
16 ty construction.

17 SEC. 336. Of the budgetary resources provided to the  
18 Department of Transportation (excluding the Maritime  
19 Administration) during fiscal year 1996, \$25,000,000 are  
20 permanently canceled: *Provided*, That the Secretary of  
21 Transportation shall reduce the existing field office struc-  
22 ture, and to the extent practicable collocate the Depart-  
23 ment’s surface transportation field offices: *Provided fur-*  
24 *ther*, That the Secretary may for the purpose of consolida-  
25 tion of offices and facilities other than those at Head-

1 quarters, after notification to and approval of the House  
2 and Senate Committees on Appropriations, transfer the  
3 funds made available by this Act for civilian and military  
4 personnel compensation and benefits and other adminis-  
5 trative expenses to other appropriations made available to  
6 the Department of Transportation as the Secretary may  
7 designate, to be merged with and to be available for the  
8 same purposes and for the same time period as the appro-  
9 priations of funds to which transferred: *Provided further,*  
10 That no appropriation shall be increased or decreased by  
11 more than ten per centum by all such transfers.

12 SEC. 337. The Secretary of Transportation is author-  
13 ized to transfer funds appropriated for any office of the  
14 Office of the Secretary to “Rental payments” for any ex-  
15 pense authorized by that appropriation in excess of the  
16 amounts provided in this Act: *Provided,* That prior to any  
17 such transfer, notification shall be provided to the House  
18 and Senate Committees on Appropriations.

19 SEC. 338. None of the funds in this Act may be obli-  
20 gated or expended for employee training which: (a) does  
21 not meet identified needs for knowledge, skills and abilities  
22 bearing directly upon the performance of official duties;  
23 (b) contains elements likely to induce high levels of emo-  
24 tional response or psychological stress in some partici-  
25 pants; (c) does not require prior employee notification of

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

14 SEC. 339. Notwithstanding any other provision of  
15 law, facilities known as Kimery Park and Family Park lo-  
16 cated on property of Hot Springs Memorial Field in Hot  
17 Springs, Arkansas, shall not be considered airport prop-  
18 erty used for nonaeronautical purposes the use of which  
19 requires fair market rental value for the purposes of meet-  
20 ing requirements of the Airport and Airway Improvement  
21 Act of 1982, as amended, pertaining to airport revenue  
22 diversion and maximization of airport revenue.

23 SEC. 340. (a) Except as provided in subsection (b)  
24 of this section, 180 days after attaining eligibility for an  
25 immediate retirement annuity under 5 U.S.C. 8336 or 5

1 U.S.C. 8412, an individual shall not be eligible to receive  
2 compensation under 5 U.S.C. 8105–8106 resulting from  
3 work injuries associated with employment with the De-  
4 partment of Transportation (excluding the Maritime Ad-  
5 ministration).

6 (b) An individual who, on the date of enactment of  
7 this Act, is eligible to receive an immediate annuity de-  
8 scribed in subsection (a) may continue to receive such  
9 compensation under 5 U.S.C. 8105–8106 until March 31,  
10 1996.

11 SEC. 341. None of the funds in this Act shall be avail-  
12 able to pay the salaries and expenses of any individual  
13 to arrange tours of scientists or engineers employed by  
14 or working for the People’s Republic of China, to hire citi-  
15 zens of the People’s Republic of China to participate in  
16 research fellowships sponsored by the Federal Highway  
17 Administration or other modal administrations of the De-  
18 partment of Transportation, or to provide training or any  
19 form of technology transfer to scientists or engineers em-  
20 ployed by or working for the People’s Republic of China.

21 SEC. 342. None of the funds in this Act may be used  
22 to support Federal Transit Administration’s field oper-  
23 ations and oversight of the Washington Metropolitan Area  
24 Transit Authority in any location other than from the  
25 Washington, D.C. metropolitan area.

1        SEC. 343. (a) Subsection (b) of section 5333 of title  
2 49, United States Code, is hereby repealed.

3        (b) The repeal made by this section shall take effect  
4 on the date of enactment of this Act. Any labor protection  
5 agreement or arrangement entered into or imposed pursu-  
6 ant to the subsection repealed by this subsection, or sec-  
7 tion 13(c) of the Federal Transit Act, prior to such date  
8 of enactment shall be terminated, as of such date, and  
9 shall have no further force or effect, and no rights or du-  
10 ties shall exist on the basis of any such labor protection  
11 agreement or arrangement entered into or imposed pursu-  
12 ant to such subsection or such section 13(c) notwithstand-  
13 ing the provisions of any law.

14        SEC. 344. In addition to the sums made available to  
15 the Department of Transportation, \$8,421,000 shall be  
16 available on the effective date of legislation transferring  
17 certain rail and motor carrier functions from the Inter-  
18 state Commerce Commission to the Department of Trans-  
19 portation: *Provided*, That such amount shall be available  
20 only to the extent authorized by law: *Provided further*,  
21 That of the fees collected pursuant to 31 U.S.C. 9701 in  
22 fiscal year 1996 by the successors of the Interstate Com-  
23 merce Commission, one-twelfth of \$8,300,000 of those  
24 fees shall be made available for each month during fiscal  
25 year 1996 that the successors of the Interstate Commerce

1 Commission carry out the transferred rail and motor car-  
2 rier functions.

3       SEC. 345. The Secretary of Transportation shall not  
4 authorize funding of additional Federal-aid projects for  
5 the Central Artery/Third Harbor Tunnel Project in Bos-  
6 ton, Massachusetts, unless a financial plan is submitted  
7 by the Commonwealth of Massachusetts by October 30,  
8 1995, and approved by the Secretary: *Provided*, That for  
9 each fiscal year thereafter until the project is complete,  
10 the financial plan shall be updated bi-annually and sub-  
11 mitted to the Secretary by February 1 and August 1 of  
12 each fiscal year and further funding shall not be approved  
13 by the Secretary until the Secretary approves such up-  
14 dated plans: *Provided further*, That each such financial  
15 plan shall be based on a detailed annual estimate of the  
16 cost to complete the remaining elements of the project in-  
17 cluding all commitments contained in the approved project  
18 environmental documents, regardless of whether these ele-  
19 ments are to be federally funded: *Provided further*, That  
20 the financial plan shall be based on reasonable assump-  
21 tions of future cost increases, as determined by the Sec-  
22 retary, and shall identify the sources of available and pro-  
23 posed funding necessary to finance completion of the  
24 project while considering other State transportation needs.

1 **TITLE IV—PROVIDING FOR THE ADOPT-**  
2 **ION OF MANDATORY STANDARDS**  
3 **AND PROCEDURES GOVERNING THE**  
4 **ACTIONS OF ARBITRATORS IN THE AR-**  
5 **BITRATION OF LABOR DISPUTES IN-**  
6 **VOLVING TRANSIT AGENCIES OPERAT-**  
7 **ING IN THE NATIONAL CAPITAL AREA**

8 **SECTION 401. SHORT TITLE.**

9 This title may be cited as the “National Capital Area  
10 Interest Arbitration Standards Act of 1995”.

11 **SEC. 402. FINDINGS AND PURPOSES.**

12 (a) FINDINGS.—The Congress finds that—

13 (1) affordable public transportation is essential  
14 to the economic vitality of the national capital area  
15 and is an essential component of regional efforts to  
16 improve air quality to meet environmental require-  
17 ments and to improve the health of both residents  
18 of and visitors to the national capital area as well  
19 as to preserve the beauty and dignity of the Nation’s  
20 capital;

21 (2) use of mass transit by both residents of and  
22 visitors to the national capital area is substantially  
23 affected by the prices charged for such mass transit  
24 services, prices that are substantially affected by

1 labor costs, since more than  $\frac{2}{3}$  of operating costs  
2 are attributable to labor costs;

3 (3) labor costs incurred in providing mass tran-  
4 sit in the national capital area have increased at an  
5 alarming rate and wages and benefits of operators  
6 and mechanics currently are among the highest in  
7 the Nation;

8 (4) higher operating costs incurred for public  
9 transit in the national capital area cannot be offset  
10 by increasing costs to patrons, since this often dis-  
11 courages ridership and thus undermines the public  
12 interest in promoting the use of public transit;

13 (5) spiraling labor costs cannot be offset by the  
14 governmental entities that are responsible for sub-  
15 sidy payments for public transit services since local  
16 governments generally, and the District of Columbia  
17 government in particular, are operating under severe  
18 fiscal constraints;

19 (6) imposition of mandatory standards applica-  
20 ble to arbitrators resolving arbitration disputes in-  
21 volving interstate compact agencies operating in the  
22 national capital area will ensure that wage increases  
23 are justified and do not exceed the ability of transit  
24 patrons and taxpayers to fund the increase; and

1           (7) Federal legislation is necessary under Arti-  
2           cle I of section 8 of the United States Constitution  
3           to balance the need to moderate and lower labor  
4           costs while maintaining industrial peace.

5           (b) PURPOSE.—It is therefore the purpose of this Act  
6           to adopt standards governing arbitration which must be  
7           applied by arbitrators resolving disputes involving inter-  
8           state compact agencies operating in the national capital  
9           area in order to lower operating costs for public transpor-  
10          tation in the Washington metropolitan area.

11       **SEC. 403. DEFINITIONS.**

12          As used in this Title—

13           (1) the term “arbitration” means—

14               (A) the arbitration of disputes, regarding  
15               the terms and conditions of employment, that is  
16               required under an interstate compact governing  
17               an interstate compact agency operating in the  
18               national capital area; and

19               (B) does not include the interpretation and  
20               application of rights arising from an existing  
21               collective bargaining agreement;

22           (2) the term “arbitrator” refers to either a sin-  
23           gle arbitrator, or a board of arbitrators, chosen  
24           under applicable procedures;

1           (3) an interstate compact agency’s “funding  
2           ability” is the ability of the interstate compact agen-  
3           cy, or of any governmental jurisdiction which pro-  
4           vides subsidy payments or budgetary assistance to  
5           the interstate compact agency, to obtain the nec-  
6           essary financial resources to pay for wage and bene-  
7           fit increases for employees of the interstate compact  
8           agency;

9           (4) the term “interstate compact agency operat-  
10          ing in the national capital area” means any inter-  
11          state compact agency which provides public transit  
12          services;

13          (5) the term “interstate compact agency”  
14          means any agency established by an interstate com-  
15          pact to which the District of Columbia is a signa-  
16          tory; and

17          (6) the term “public welfare” includes, with re-  
18          spect to arbitration under an interstate compact—

19                (A) the financial ability of the individual  
20                jurisdictions participating in the compact to pay  
21                for the costs of providing public transit services;  
22                and

23                (B) the average per capita tax burden,  
24                during the term of the collective bargaining  
25                agreement to which the arbitration relates, of

1 the residents of the Washington, D.C. metro-  
2 politan area, and the effect of an arbitration  
3 award rendered pursuant to such arbitration on  
4 the respective income or property tax rates of  
5 the jurisdictions which provide subsidy pay-  
6 ments to the interstate compact agency estab-  
7 lished under the compact.

8 **SEC. 404. STANDARDS FOR ARBITRATORS.**

9 (a) FACTORS IN MAKING ARBITRATION AWARD.—An  
10 arbitrator rendering an arbitration award involving the  
11 employees of an interstate compact agency operating in  
12 the national capital area may not make a finding or a deci-  
13 sion for inclusion in a collective bargaining agreement gov-  
14 erning conditions of employment without considering the  
15 following factors:

16 (1) The existing terms and conditions of em-  
17 ployment of the employees in the bargaining unit.

18 (2) All available financial resources of the inter-  
19 state compact agency.

20 (3) The annual increase or decrease in  
21 consumer prices for goods and services as reflected  
22 in the most recent consumer price index for the  
23 Washington, D.C. metropolitan area, published by  
24 the Bureau of Labor Statistics of the United States  
25 Department of Labor.

1           (4) The wages, benefits, and terms and condi-  
2           tions of the employment of other employees who per-  
3           form, in other jurisdictions in the Washington, D.C.  
4           standard metropolitan statistical area, services simi-  
5           lar to those in the bargaining unit.

6           (5) The special nature of the work performed  
7           by the employees in the bargaining unit, including  
8           any hazards or the relative ease of employment,  
9           physical requirements, educational qualifications, job  
10          training and skills, shift assignments, and the de-  
11          mands placed upon the employees as compared to  
12          other employees of the interstate compact agency.

13          (6) The interests and welfare of the employees  
14          in the bargaining unit, including—

15                (A) the overall compensation presently re-  
16                ceived by the employees, having regard not only  
17                for wage rates but also for wages for time not  
18                worked, including vacations, holidays, and other  
19                excused absences;

20                (B) all benefits received by the employees,  
21                including previous bonuses, insurance, and pen-  
22                sions; and

23                (C) the continuity and stability of employ-  
24                ment.

25          (7) The public welfare.

1 (b) COMPACT AGENCY'S FUNDING ABILITY.—An ar-  
2 bitrator rendering an arbitration award involving the em-  
3 ployees of an interstate compact agency operating in the  
4 national capital area may not, with respect to a collective  
5 bargaining agreement governing conditions of employ-  
6 ment, provide for salaries and other benefits that exceed  
7 the interstate compact agency's funding ability.

8 (c) REQUIREMENTS FOR FINAL AWARD.—In resolv-  
9 ing a dispute submitted to arbitration involving the em-  
10 ployees of an interstate compact agency operating in the  
11 national capital area, the arbitrator shall issue a written  
12 award that demonstrates that all the factors set forth in  
13 subsections (a) and (b) have been considered and applied.  
14 An award may grant an increase in pay rates or benefits  
15 (including insurance and pension benefits), or reduce  
16 hours of work, only if the arbitrator concludes that any  
17 costs to the agency do not adversely affect the public wel-  
18 fare. The arbitrator's conclusion regarding the public wel-  
19 fare must be supported by substantial evidence.

20 **SEC. 405. PROCEDURES FOR ENFORCEMENT OF AWARDS.**

21 (a) MODIFICATIONS AND FINALITY OF AWARD.—In  
22 the case of an arbitration award to which section 404 ap-  
23 plies, the interstate compact agency and the employees in  
24 the bargaining unit, through their representative, may  
25 agree in writing upon any modifications to the award with-

1 in 10 days after the award is received by the parties. After  
2 the end of that 10-day period, the award, with any such  
3 modifications, shall become binding upon the interstate  
4 compact agency, the employees in the bargaining unit, and  
5 the employees' representative.

6 (b) IMPLEMENTATION.—Each party to an award that  
7 becomes binding under subsection (a) shall take all actions  
8 necessary to implement the award.

9 (c) JUDICIAL REVIEW.—Within 60 days after an  
10 award becomes binding under subsection (a), the inter-  
11 state compact agency or the exclusive representative of the  
12 employees concerned may file a civil action in a court  
13 which has jurisdiction over the interstate compact agency  
14 for review of the award. The court shall review the award  
15 on the record, and shall vacate the award or any part of  
16 the award, after notice and a hearing, if—

17 (1) the award is in violation of applicable law;

18 (2) the arbitrator exceeded the arbitrator's pow-  
19 ers;

20 (3) the decision by the arbitrator is arbitrary or  
21 capricious;

22 (4) the arbitrator conducted the hearing con-  
23 trary to the provisions of this title or other statutes  
24 or rules that apply to the arbitration so as to sub-  
25 stantially prejudice the rights of a party;

1           (5) there was partiality or misconduct by the  
2 arbitrator prejudicing the rights of a party;

3           (6) the award was procured by corruption,  
4 fraud, or bias on the part of the arbitrator; or

5           (7) the arbitrator did not comply with the pro-  
6 visions of section 404.

7       This Act may be cited as the “Department of Trans-  
8 portation and Related Agencies Appropriations Act,  
9 1996”.

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HR 2002 RH—5

**Union Calendar No. 88**

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2002**

[Report No. 104-177]

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**A BILL**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

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JULY 11, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed