

Calendar No. 163

104TH CONGRESS
1ST SESSION

H. R. 2002

[Report No. 104-126]

AN ACT

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

AUGUST 4 (legislative day, JULY 10), 1995

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

JULY 26 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Appropriations

AUGUST 4 (legislative day, JULY 10), 1995

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, 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
6 the fiscal year ending September 30, 1996, and for other
7 purposes, 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 ~~\$55,011,500~~ \$56,500,000, of which not to exceed ~~\$40,000~~
7 \$60,000 shall be available as the Secretary may determine
8 for allocation within the Department for official reception
9 and representation expenses: *Provided*, That notwith-
10 standing any other provision of law, there may be credited
11 to this appropriation up to \$1,000,000 in funds received
12 in user fees established to support the electronic tariff fil-
13 ing system: *Provided further*, That none of the funds ap-
14 propriated in this Act or otherwise made available may
15 be used to maintain ~~duplicate physical copies~~ custody of
16 airline tariffs that are already available for public and de-
17 partmental access at no cost; to secure them against detec-
18 tion, alteration, or tampering; ~~or open them~~ and open to
19 inspection by the Department.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,
22 ~~\$6,554,000~~ \$12,083,000, and in addition, \$809,000, to be
23 derived from “Federal-aid Highways” subject to the
24 “Limitation on General Operating Expenses”.

1 execution of programs in excess of \$15,000,000
2 \$26,738,536 for the Payments to Air Carriers program in
3 fiscal year 1996: *Provided further*, That none of the funds
4 in this Act shall be used by the Secretary of Transpor-
5 tation to make payment of compensation under subchapter
6 II of chapter 417 of title 49, United States Code, in excess
7 of the appropriation in this Act for liquidation of obliga-
8 tions incurred under the “Payments to air carriers” pro-
9 gram: *Provided further*, That none of the funds in this Act
10 shall be used for the payment of claims for such com-
11 pensation except in accordance with this provision: *Pro-*
12 *vided further*, That none of the funds in this Act shall be
13 available for service to communities in the forty-eight con-
14 tiguous States *and Hawaii* that are located fewer than
15 ~~seventy~~ *seventy-five* highway miles from the nearest large
16 or medium *or small* hub airport, or that require a rate
17 of subsidy per passenger in excess of \$200 unless such
18 point is greater than two hundred ~~and ten~~ miles from the
19 nearest large or medium hub airport: *Provided further*,
20 That of funds provided for “Small Community Air Serv-
21 ice” by Public Law 101-508, ~~\$23,600,000~~ \$11,861,464 in
22 fiscal year 1996 is hereby rescinded: ~~*Provided further*,~~
23 ~~That, notwithstanding any other provision of law, effective~~
24 ~~January 1, 1996 no point in the 48 contiguous States and~~
25 ~~Hawaii eligible for compensated transportation in fiscal~~

1 year 1996 under subchapter H of chapter 417 of title 49,
2 United States Code, including 49 U.S.C. 41734(d), shall
3 receive such transportation unless a State, local govern-
4 ment, or other non-Federal entity agrees to pay at least
5 fifty percent of the cost of providing such transportation,
6 as determined by the Secretary of Transportation: *Pro-*
7 *vided further,* That the Secretary may require the entity
8 or entities agreeing to pay such amounts to make advance
9 payments or provide other security to ensure that timely
10 payments are made: *Provided further,* That, notwithstand-
11 ing any other provision of law, points covered by the cost-
12 sharing provisions under this head for which no State,
13 local government, or non-Federal entity agrees to pay at
14 least fifty percent of the cost of providing such transpor-
15 tation shall receive a reduced level of service in fiscal year
16 1996, to be determined by the Secretary as follows: The
17 Secretary shall subtract from the funds made available in
18 this Act so much as is needed to provide compensation
19 to all eligible points for which a State, local government,
20 or other non-Federal entity agrees to pay at least fifty
21 percent of the cost of providing such transportation, and,
22 with remaining funds, allocate to each other point an
23 amount reduced by the ratio of the remainder calculated
24 above to all funds made available in this Act: *Provided*
25 *further,* That the Secretary shall allocate any funds that

1 become unallocated as the year progresses to those points
2 for which a State, local government, or other non-Federal
3 entity does not agree to pay at least fifty percent of the
4 cost of such transportation.

5 PAYMENTS TO AIR CARRIERS

6 (RESCISSION)

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

9 RENTAL PAYMENTS

10 For necessary expenses for rental of headquarters
11 and field space not to exceed 8,580,000 square feet and
12 for related services assessed by the General Services Ad-
13 ministration, ~~\$130,803,000~~ *\$139,689,000*. *Provided*, That
14 of this amount, \$1,897,000 shall be derived from the
15 Highway Trust Fund, \$41,441,000 shall be derived from
16 the Airport and Airway Trust Fund, \$836,000 shall be
17 derived from the Pipeline Safety Fund, and \$169,000
18 shall be derived from the Harbor Maintenance Trust
19 Fund: *Provided further*, That in addition, for assessments
20 by the General Services Administration related to the
21 space needs of the Federal Highway Administration,
22 ~~\$17,099,000~~ *\$17,685,000*, to be derived from “Federal-aid
23 Highways”, subject to the “Limitation on General Operat-
24 ing Expenses”.

1 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

11 MINORITY BUSINESS OUTREACH

12 For necessary expenses of the Minority Business Re-
13 source Center outreach activities, ~~\$2,900,000~~ \$2,100,000,
14 of which ~~\$2,642,000~~ \$1,842,000 shall remain available
15 until September 30, 1997: *Provided*, That notwithstanding
16 49 U.S.C. 332, these funds may be used for business oppor-
17 tunities related to any mode of transportation.

18 INTERSTATE COMMERCE COMMISSION SUNSET

19 For necessary expenses, of the Office of the Secretary,
20 not otherwise provided for, \$4,705,000, to transfer residual
21 rail and motor carriers functions from the Interstate Com-
22 merce Commission to the Department of Transportation.

1 COAST GUARD

2 OPERATING EXPENSES

3 For necessary expenses for the operation and mainte-
4 nance of the Coast Guard, not otherwise provided for; pur-
5 chase of not to exceed five passenger motor vehicles for
6 replacement only; payments pursuant to section 156 of
7 Public Law 97-377, as amended (42 U.S.C. 402 note),
8 and section 229(b) of the Social Security Act (42 U.S.C.
9 429(b)); and recreation and welfare; ~~\$2,565,607,000~~
10 ~~\$2,286,000,000~~, of which \$25,000,000 shall be derived
11 from the Oil Spill Liability Trust Fund; ~~and of which~~
12 ~~\$25,000,000 shall be expended from the Boat Safety Ac-~~
13 ~~count~~: *Provided*, That the number of aircraft on hand at
14 any one time shall not exceed two hundred and eighteen,
15 exclusive of aircraft and parts stored to meet future attri-
16 tion: *Provided further*, That none of the funds appro-
17 priated in this or any other Act shall be available for pay
18 or administrative expenses in connection with shipping
19 commissioners in the United States: *Provided further*,
20 That none of the funds provided in this Act shall be avail-
21 able for expenses incurred for yacht documentation under
22 46 U.S.C. 12109, except to the extent fees are collected
23 from yacht owners and credited to this appropriation: *Pro-*
24 *vided further*, That the Commandant shall reduce both
25 military and civilian employment levels for the purpose of

1 complying with Executive Order No. 12839: ~~Provided fur-~~
2 ~~ther,~~ That of the funds provided for operating expenses
3 for fiscal year 1996, in this or any other Act, not less
4 than \$314,200,000 shall be available for drug enforcement
5 activities.

6 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of acquisition, construction,
9 renovation, and improvement of aids to navigation, shore
10 facilities, vessels, and aircraft, including equipment related
11 thereto, ~~\$375,175,000~~ *\$366,800,000*, of which
12 \$32,500,000 shall be derived from the Oil Spill Liability
13 Trust Fund; of which ~~\$191,200,000~~ *\$178,000,000* shall be
14 available to acquire, repair, renovate or improve vessels,
15 small boats and related equipment, to remain available
16 until September 30, 2000; ~~\$16,500,000~~ *\$14,500,000* shall
17 be available to acquire new aircraft and increase aviation
18 capability, to remain available until September 30, 1998;
19 ~~\$42,200,000~~ *\$47,600,000* shall be available for other
20 equipment, to remain available until September 30, 1998;
21 ~~\$82,275,000~~ *\$80,200,000* shall be available for shore facili-
22 ties and aids to navigation facilities, to remain available
23 until September 30, 1998; and ~~\$43,000,000~~ *\$46,500,000*
24 shall be available for personnel compensation and benefits
25 and related costs, to remain available until September 30,

1 1996: *Provided*, That funds received from the sale of the
2 VC-11A and HU-25 aircraft shall be credited to this ap-
3 propriation for the purpose of acquiring new aircraft and
4 increasing aviation capacity:~~*Provided further*, That the~~
5 Secretary may transfer funds between projects under this
6 head, not to exceed \$50,000,000 in total for the fiscal
7 year, thirty days after notification to the House and Sen-
8 ate Committees on Appropriations, solely for the purpose
9 of providing funds for facility renovation, construction,
10 exit costs, and other implementation costs associated with
11 Coast Guard streamlining plans: *Provided further*, That
12 the Commandant shall dispose of surplus real property by
13 sale or lease and the proceeds of such sale or lease shall
14 be credited to this appropriation.

15 ENVIRONMENTAL COMPLIANCE AND RESTORATION

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

20 *PORT SAFETY DEVELOPMENT*

21 *For necessary expenses for debt retirement of the Port*
22 *of Portland, Oregon, \$15,000,000 to remain available until*
23 *expended.*

1 ALTERATION OF BRIDGES

2 For necessary expenses for alteration or removal of
3 obstructive bridges, ~~\$16,000,000~~ \$2,000,000, to remain
4 available until 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~~ \$62,000,000.

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~~ \$20,000,000, to remain available until ex-
24 pended, of which \$3,150,000 shall be derived from the Oil
25 Spill Liability Trust Fund: *Provided*, That there may be

1 credited to this appropriation funds received from State
2 and local governments, other public authorities, private
3 sources, and foreign countries, for expenses incurred for
4 research, development, 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 *(INCLUDING TRANSFER OF FUNDS)*

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

1 development, establishment of air navigation facilities and
2 the operation (including leasing) and maintenance of air-
3 craft, and carrying out the provisions of subchapter I of
4 chapter 471 of title 49, U.S. Code, or other provisions of
5 law authorizing the obligation of funds for similar pro-
6 grams of airport and airway development or improvement,
7 lease or purchase of four passenger motor vehicles for re-
8 placement only, ~~\$4,600,000,000~~ \$4,550,000,000, of which
9 ~~\$1,871,500,000~~ \$1,865,000,000 shall be derived from the
10 Airport and Airway Trust Fund: *Provided*, That there
11 may be credited to this appropriation funds received from
12 States, counties, municipalities, foreign authorities, other
13 public authorities, and private sources, for expenses in-
14 curred in the provision of ~~aviation~~ *agency* services, includ-
15 ing *receipts for* the maintenance and operation of air navi-
16 gation facilities and for issuance, renewal or modification
17 of certificates, including airman, aircraft, and repair sta-
18 tion certificates, or for tests related thereto, or for process-
19 ing major repair or alteration forms *and in addition*
20 *\$10,000,000, to be credited to this appropriation from fees*
21 *established and collected to cover the cost of safety and secu-*
22 *rity regulation under the jurisdiction of the Federal Avia-*
23 *tion Administration: Provided further*, That funds may be
24 used to enter into a grant agreement with a nonprofit
25 standard setting organization to assist in the development

1 of aviation safety standards: *Provided further, That none*
2 of the funds in this Act shall be available for new appli-
3 cants for the second career training program: *Provided*
4 *further, That none of the funds in this Act shall be avail-*
5 *able for paying premium pay under 5 U.S.C. 5546(a) to*
6 *any Federal Aviation Administration employee unless such*
7 *employee actually performed work during the time cor-*
8 *responding to such premium pay: Provided further, That*
9 *none of the funds appropriated in this or any subsequent*
10 *Act may be used to pay premium pay under 5 U.S.C. 5546a*
11 *for any fiscal year beginning after September 30, 1995; ex-*
12 *cept that, (i) for fiscal year 1996, such premium pay may*
13 *be paid at 50 percent of the rate specified in 5 U.S.C.*
14 *5546a; and (ii) for fiscal year 1997, such premium pay*
15 *may be paid at 25 percent of the rate specified in 5 U.S.C.*
16 *5546a: Provided further, That the unexpended balances of*
17 *the appropriation "Office of Commercial Space Transpor-*
18 *tation, Operations and Research" shall be transferred to*
19 *and merged with this appropriation: Provided further, That*
20 *none of the funds derived from the Airport and Airway*
21 *Trust Fund may be used to support the operations and ac-*
22 *tivities of the Associate Administrator for Commercial*
23 *Space Transportation.*

1 FACILITIES AND EQUIPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for acquisition, establishment, and improvement by con-
5 tract or purchase, and hire of air navigation and experi-
6 mental facilities and equipment as authorized under part
7 A of subtitle VII of title 49, U.S. Code, including initial
8 acquisition of necessary sites by lease or grant; engineer-
9 ing and service testing, including construction of test fa-
10 cilities and acquisition of necessary sites by lease or grant;
11 and construction and furnishing of quarters and related
12 accommodations for officers and employees of the Federal
13 Aviation Administration stationed at remote localities
14 where such accommodations are not available; and the
15 purchase, lease, or transfer of aircraft from funds avail-
16 able under this head; to be derived from the Airport and
17 Airway Trust Fund, ~~\$2,000,000,000~~ \$1,890,377,000, of
18 which ~~\$1,784,000,000~~ \$1,674,377,000 shall remain avail-
19 able until September 30, 1998, ~~and~~ of which
20 \$216,000,000 shall remain available until September 30,
21 1996, *and of which \$10,000,000, to remain available until*
22 *expended, is for funding noncompetitive cooperative agree-*
23 *ments with air carriers to assist them in acquiring and*
24 *installing the following advanced security equipment: (1)*
25 *hardened unit load devices, (2) explosive detection systems*

1 *certified by the Federal Aviation Administration, and (3)*
2 *computer-aided screener training and proficiency systems,*
3 *in order to evaluate such equipment's operational feasibility*
4 *and effectiveness in improving civil aviation security): Pro-*
5 *vided, That there may be credited to this appropriation*
6 *funds received from States, counties, municipalities, other*
7 *public authorities, and private sources, for expenses in-*
8 *curred in the establishment and modernization of air navi-*
9 *gation facilities.*

10 FACILITIES AND EQUIPMENT

11 (AIRPORT AND AIRWAY TRUST FUND)

12 (RESCISSION)

13 Of the available balances under this heading,
14 ~~\$60,000,000~~ \$70,000,000 are rescinded.

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, U.S.C., including
20 construction of experimental facilities and acquisition of
21 necessary sites by lease or grant, ~~\$143,000,000~~
22 \$215,886,000, to be derived from the Airport and Airway
23 Trust Fund and to remain available until September 30,
24 1998: *Provided, That there may be credited to this appro-*
25 *priation funds received from States, counties, municipali-*
26 *ties, other public authorities, and private sources, for ex-*

1 penses incurred for research, engineering, and develop-
2 ment.

3 GRANTS-IN-AID FOR AIRPORTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (AIRPORT AND AIRWAY TRUST FUND)

6 *(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)*

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, U.S. Code, and under other law authoriz-
12 ing such obligations, \$1,500,000,000, to be derived from
13 the Airport and Airway Trust Fund and to remain avail-
14 able until expended: *Provided*, That none of the funds in
15 this Act shall be available for the planning or execution
16 of programs the obligations for which are in excess of
17 ~~\$1,600,000,000~~ \$1,250,000,000 in fiscal year 1996 for
18 grants-in-aid for airport planning and development, and
19 noise compatibility planning and programs, notwithstand-
20 ing section 47117(h) of title 49, U.S. Code: *Provided fur-*
21 *ther*, That none of the funds in this Act shall be available
22 for the planning and execution of programs the obligations
23 for which are in excess of \$20,000,000 for the "Military Air-
24 ports Program" and \$50,000,000 for the "Reliever Airports
25 Program": *Provided further*, That of the available contract

1 *authority balances under this account, \$5,000,000 are re-*
2 *scinded.*

3 AVIATION INSURANCE REVOLVING FUND

4 The Secretary of Transportation is hereby authorized
5 to make such expenditures and investments, within the
6 limits of funds available pursuant to 49 U.S.C. 44307, and
7 in accordance with section 104 of the Government Cor-
8 poration Control Act, as amended (31 U.S.C. 9104), as
9 may be necessary in carrying out the program for aviation
10 insurance activities under chapter 443 of title 49, U.S.
11 Code.

12 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

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

16 FEDERAL HIGHWAY ADMINISTRATION

17 LIMITATION ON GENERAL OPERATING EXPENSES

18 Necessary expenses for administration, operation, in-
19 cluding motor carrier safety program operations, and re-
20 search of the Federal Highway Administration not to ex-
21 ceed ~~\$495,381,000~~ \$548,434,000 shall be paid in accord-
22 ance with law from appropriations made available by this
23 Act to the Federal Highway Administration together with
24 advances and reimbursements received by the Federal
25 Highway Administration: *Provided*, That ~~\$190,667,000~~

1 *\$248,909,000* of the amount provided herein shall remain
2 available until September 30, 1998.

3 HIGHWAY-RELATED SAFETY GRANTS
4 (LIQUIDATION OF CONTRACT AUTHORIZATION)
5 (HIGHWAY TRUST FUND)
6 (INCLUDING TRANSFER OF FUNDS)

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, ~~\$10,000,000~~ *\$13,000,000*,
11 to be derived from the Highway Trust Fund: *Provided*,
12 That not to exceed \$100,000 of the amount made avail-
13 able herein shall be available for "Limitation on general
14 operating expenses": *Provided further*, 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 ~~\$10,000,000~~ *\$13,000,000* in fiscal year 1996 for
18 "Highway-Related Safety Grants".

19 FEDERAL-AID HIGHWAYS
20 (LIMITATION ON OBLIGATIONS)
21 (HIGHWAY TRUST FUND)

22 None of the funds in this Act shall be available for
23 the implementation or execution of programs the obliga-
24 tions for which are in excess of ~~\$18,000,000,000~~
25 *\$17,000,000,000* for Federal-aid highways and highway
26 safety construction programs for fiscal year 1996.

1 FEDERAL-AID HIGHWAYS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)

4 For carrying out the provisions of title 23, United
5 States Code, that are attributable to Federal-aid high-
6 ways, including the National Scenic and Recreational
7 Highway as authorized by 23 U.S.C. 148, not otherwise
8 provided, including reimbursements for sums expended
9 pursuant to the provisions of 23 U.S.C. 308,
10 \$19,200,000,000 or so much thereof as may be available
11 in and derived from the Highway Trust Fund, to remain
12 available until expended.

13 RIGHT-OF-WAY REVOLVING FUND
14 (LIMITATION ON DIRECT LOANS)
15 (HIGHWAY TRUST FUND)

16 None of the funds under this head are available for
17 obligations for right-of-way acquisition during fiscal year
18 1996.

19 MOTOR CARRIER SAFETY GRANTS
20 (LIQUIDATION OF CONTRACT AUTHORIZATION)
21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out
23 49 U.S.C. 31102, \$68,000,000, to be derived from the
24 Highway Trust Fund and to remain available until ex-
25 pended: *Provided*, That none of the funds in this Act shall
26 be available for the implementation or execution of pro-

1 grams the obligations for which are in excess of
2 ~~\$79,150,000~~ \$75,000,000 for “Motor Carrier Safety
3 Grants”.

4 *SURFACE TRANSPORTATION PROJECTS*

5 *For up to 80 percent, or as specified in authorizing*
6 *legislation, of the expenses necessary for certain highway*
7 *and surface transportation projects and parking facilities,*
8 *including feasibility and environmental studies, that ad-*
9 *vance methods of improving safety, reducing congestion, or*
10 *otherwise improving surface transportation, \$39,500,000, to*
11 *remain available until expended.*

12 NATIONAL HIGHWAY TRAFFIC SAFETY

13 ADMINISTRATION

14 OPERATIONS AND RESEARCH

15 For expenses necessary to discharge the functions of
16 the Secretary with respect to traffic and highway safety
17 under part C of subtitle VI of title 49, United States Code,
18 and chapter 301 of title 49, United States Code,
19 ~~\$73,316,570~~ \$71,261,000, of which ~~\$37,825,850~~
20 ~~\$36,770,676~~ shall remain available until September 30,
21 1998: ~~Provided, That none of the funds appropriated by~~
22 ~~this Act may be obligated or expended to plan, finalize,~~
23 ~~or implement any rulemaking to add to section 575.104~~
24 ~~of title 49 of the Code of Federal Regulations any require-~~
25 ~~ment pertaining to a grading standard that is different~~

1 from the three grading standards (treadwear, traction,
2 and temperature resistance) already in effect.

3 OPERATIONS AND RESEARCH

4 (HIGHWAY TRUST FUND)

5 For expenses necessary to discharge the functions of
6 the Secretary with respect to traffic and highway safety
7 under 23 U.S.C. 403 and section 2006 of the Intermodal
8 Surface Transportation Efficiency Act of 1991 (Public
9 Law 102-240), to be derived from the Highway Trust
10 Fund, ~~\$52,011,930~~ *\$50,344,000*, of which ~~\$32,770,670~~
11 *\$31,716,720* shall remain available until September 30,
12 1998.

13 OPERATIONS AND RESEARCH

14 (RESCISSIONS)

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

19 HIGHWAY TRAFFIC SAFETY GRANTS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred carrying out the
23 provisions of 23 U.S.C. 153, 402, 408, and 410, Chapter
24 303 of title 49, United States Code, and section 209 of
25 Public Law 95-599, as amended, to remain available until
26 expended, ~~\$153,400,000~~ *\$155,100,000*, to be derived from

1 the Highway Trust Fund: *Provided*, That, notwithstand-
2 ing subsection 2009(b) of the Intermodal Surface Trans-
3 portation Efficiency Act of 1991, none of the funds in this
4 Act shall be available for the planning or execution of pro-
5 grams the total obligations for which, in fiscal year 1996,
6 are in excess of ~~\$153,400,000~~ \$155,100,000 for programs
7 authorized under 23 U.S.C. 402 and 410, as amended,
8 of which ~~\$126,000,000~~ \$128,000,000 shall be for “State
9 and community highway safety grants”, ~~\$2,400,000~~
10 \$2,100,000 shall be for the “National Driver Register”
11 ~~(subject to passage hereafter by the House of a bill au-~~
12 ~~thorizing appropriations therefor, and only in amounts~~
13 ~~provided therein)~~ *subject to authorization*, and
14 \$25,000,000 shall be for section 410 “Alcohol-impaired
15 driving countermeasures programs”: *Provided further*,
16 ~~That none of these funds shall be used for construction,~~
17 ~~rehabilitation or remodeling costs, or for office furnishings~~
18 ~~and fixtures for State, local, or private buildings or struc-~~
19 ~~tures: *Provided further*, That none of these funds shall be~~
20 ~~used to purchase automobiles or motorcycles for state,~~
21 ~~local, or private use: *Provided further*, That not to ex-~~
22 ~~ceed \$5,153,000~~ \$5,211,000 of the funds made available
23 for section 402 may be available for administering “State
24 and community highway safety grants”: *Provided further*,
25 That not to exceed \$500,000 of the funds made available

1 for section 410 “Alcohol-impaired driving counter-meas-
2 ures programs” ~~may~~ *shall* be available for technical assist-
3 ance to the States: *Provided further*, That not to exceed
4 ~~\$890,000~~ \$777,000 of the funds made available for the
5 “National Driver Register” may be available for adminis-
6 trative expenses.

7 FEDERAL RAILROAD ADMINISTRATION

8 OFFICE OF THE ADMINISTRATOR

9 For necessary expenses of the Federal Railroad Ad-
10 ministration, not otherwise provided for, ~~\$14,000,000~~
11 \$14,018,000, of which \$1,508,000 shall remain available
12 until expended: *Provided*, That none of the funds in this
13 Act shall be available for the planning or execution of a
14 program making commitments to guarantee new loans
15 under the Emergency Rail Services Act of 1970, as
16 amended, and no new commitments to guarantee loans
17 under section 211(a) or 211(h) of the Regional Rail Reor-
18 ganization Act of 1973, as amended, shall be made: *Pro-*
19 *vided further*, That, as part of the Washington Union Sta-
20 tion transaction in which the Secretary assumed the first
21 deed of trust on the property and, where the Union Sta-
22 tion Redevelopment Corporation or any successor is obli-
23 gated to make payments on such deed of trust on the Sec-
24 retary’s behalf, including payments on and after Septem-
25 ber 30, 1988, the Secretary is authorized to receive such

1 payments directly from the Union Station Redevelopment
2 Corporation, credit them to the appropriation charged for
3 the first deed of trust, and make payments on the first
4 deed of trust with those funds: *Provided further*, That such
5 additional sums as may be necessary for payment on the
6 first deed of trust may be advanced by the Administrator
7 from unobligated balances available to the Federal Rail-
8 road Administration, to be reimbursed from payments re-
9 ceived from the Union Station Redevelopment Corpora-
10 tion.

11 RAILROAD SAFETY

12 For necessary expenses in connection with railroad
13 safety, not otherwise provided for, ~~\$49,940,660~~
14 *\$49,105,000*, of which \$2,687,000 shall remain available
15 until expended.

16 RAILROAD RESEARCH AND DEVELOPMENT

17 For necessary expenses for railroad research and de-
18 velopment, ~~\$21,000,000~~ *\$25,775,000*, to remain available
19 until expended.

20 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

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

1 ~~\$100,000,000~~ \$130,000,000, to remain available until Sep-
2 tember 30, 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 studies,~~
5 *corridor planning, development, demonstration, and imple-*
6 *mentation, \$20,000,000, to remain available until ex-*
7 *pended: Provided, That funds under this head may be made*
8 *available for grants to States for high speed rail corridor*
9 *design, feasibility studies, environmental analyses and*
10 *track and signal improvements.*

11 TRUST FUND SHARE OF NEXT GENERATION HIGH

12 SPEED RAIL

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (HIGHWAY TRUST FUND)

15 For grants and payment of obligations incurred in
16 carrying out the provisions of the High Speed Ground
17 Transportation program as defined in subsections 1036(c)
18 and 1036(d)(1)(B) of the Intermodal Surface Transpor-
19 tation Efficiency Act of 1991, including planning and en-
20 vironmental analyses, \$5,000,000, to be derived from the
21 Highway Trust Fund and to remain available until ex-
22 pended: *Provided, That none of the funds in this Act shall*
23 *be available for the implementation or execution of pro-*
24 *grams the obligations for which are in excess of*
25 *\$5,000,000.*

1 *ALASKA RAILROAD REHABILITATION*

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

6 *PENNSYLVANIA STATION REDEVELOPMENT PROJECT*

7 *For grants to the National Railroad Passenger Cor-*
8 *poration, \$25,000,000, to remain available until expended,*
9 *for engineering, design and construction activities to enable*
10 *the James A. Farley Post Office in New York City to be*
11 *used as a train station and commercial center: Provided,*
12 *That the Secretary may retain from these funds such*
13 *amounts as the Secretary shall deem appropriate to under-*
14 *take the environmental and historic preservation analyses*
15 *associated with this project.*

16 *RHODE ISLAND RAIL DEVELOPMENT*

17 *For the costs associated with construction of a third*
18 *track on the Northeast Corridor between Davisville and*
19 *Central Falls, Rhode Island, with sufficient clearance to ac-*
20 *commodate double stack freight cars, \$2,000,000 to be*
21 *matched by the State of Rhode Island or its designee on*
22 *a dollar for dollar basis and to remain available until ex-*
23 *pended: Provided, That as a condition of accepting such*
24 *funds, the Providence and Worcester (P&W) Railroad shall*
25 *enter into an agreement with the Secretary to reimburse*

1 *Amtrak and/or the Federal Railroad Administration, on a*
 2 *dollar for dollar basis, up to the first \$7,000,000 in damages*
 3 *resulting from the legal action initiated by the P&W Rail-*
 4 *road under its existing contracts with Amtrak relating to*
 5 *the provision of vertical clearances between Davisville and*
 6 *Central Falls in excess of those required for present freight*
 7 *operations.*

8 GRANTS TO THE NATIONAL RAILROAD PASSENGER
 9 CORPORATION

10 To enable the Secretary of Transportation to make
 11 grants to the National Railroad Passenger Corporation
 12 authorized by 49 U.S.C. 24104, ~~\$628,000,000~~
 13 *\$605,000,000, to remain available until expended, of which*
 14 ~~\$336,000,000~~ *\$305,000,000* shall be available for operat-
 15 ing losses and for mandatory passenger rail service pay-
 16 ments, ~~\$62,000,000~~ *\$100,000,000* shall be for transition
 17 costs incurred by the Corporation, and ~~\$230,000,000~~
 18 *\$200,000,000* shall be for capital improvements: *Provided,*
 19 ~~That none of the funds under this head shall be made~~
 20 ~~available until significant reforms (including labor re-~~
 21 ~~forms) in authorizing legislation are enacted to restructure~~
 22 ~~the National Railroad Passenger Corporation: *Provided*~~
 23 ~~further,~~ That funding under this head for capital improve-
 24 ments shall not be made available before July 1, 1996:
 25 *Provided further,* That none of the funds herein appro-

1 priated shall be used for lease or purchase of passenger
 2 motor vehicles or for the hire of vehicle operators for any
 3 officer or employee, other than the president of the Cor-
 4 poration, excluding the lease of passenger motor vehicles
 5 for those officers or employees while in official travel sta-
 6 tus.

7 FEDERAL TRANSIT ADMINISTRATION

8 ADMINISTRATIVE EXPENSES

9 For necessary administrative expenses of the Federal
 10 Transit Administration's programs authorized by chapter
 11 53 of title 49, United States Code, ~~\$39,260,000~~
 12 *\$42,000,000*.

13 FORMULA GRANTS

14 For necessary expenses to carry out 49 U.S.C. 5307,
 15 5310(a)(2), 5311, and 5336, to remain available until ex-
 16 pended, ~~\$890,000,000~~ *\$985,000,000*: *Provided*, That no
 17 more than ~~\$2,000,000,000~~ *\$2,105,850,000* of budget au-
 18 thority shall be available for these purposes: *Provided fur-*
 19 *ther*, That of the funds provided under this head for for-
 20 mula grants, no more than \$400,000,000 may be used for
 21 operating assistance under 49 U.S.C. 5336(d): *Provided*
 22 *further*, That the limitation on operating assistance pro-
 23 vided under this heading shall, for urbanized areas of less
 24 than 200,000 in population, be no less than eighty percent
 25 of the amount of operating assistance such areas are eligible

1 *to receive under Public Law 103-331: Provided further,*
 2 *That before apportionment of funds under this heading,*
 3 *\$29,325,031 shall be apportioned to areas of 200,000 or*
 4 *greater in population.*

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 \$90,000,000.

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 \$1,120,850,000*

1 shall be paid from the Mass Transit Account of the High-
2 way Trust Fund to the Federal Transit Administration's
3 formula grants account.

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~~, *notwithstanding any other provi-*
18 *sion of law, and except for fixed guideway modernization*
19 *projects, \$22,840,000 made available under Public Law*
20 *102-388 under "Federal Transit Administration, Discre-*
21 *tionary Grants" for projects specified in that Act or identi-*
22 *fied in reports accompanying that Act, not obligated by*
23 *September 30, 1995, shall be made available for new fixed*
24 *guideway systems together with the \$666,000,000 made*
25 *available for new fixed guideway systems under this Act,*
26 *to be available as follows:*

1 \$42,410,000 for the Atlanta-North Springs
2 project;

3 ~~\$17,500,000~~ *\$22,620,000* for the South Boston
4 Piers (MOS-2) project;

5 \$6,500,000 for the Canton-Akron-Cleveland
6 commuter rail project (subject to passage hereafter
7 by the House of a bill authorizing appropriations
8 therefor, and only in amounts provided therein);

9 ~~\$2,000,000~~ for the Cincinnati Northeast/North-
10 ern Kentucky rail line project (subject to passage
11 hereafter by the House of a bill authorizing appro-
12 priations therefor, and only in amounts provided
13 therein);

14 \$16,941,000 for the Dallas South Oak Cliff
15 LRT project;

16 ~~\$2,500,000~~ *\$3,500,000* for the DART North
17 Central light rail extension project (subject to pas-
18 sage hereafter by the House of a bill authorizing ap-
19 propriations therefor, and only in amounts provided
20 therein);

21 ~~\$5,000,000~~ *\$7,000,000* for the Dallas-Fort
22 Worth RAILTRAN project (subject to passage here-
23 after by the House of a bill authorizing appropria-
24 tions therefor, and only in amounts provided there-
25 in);

1 \$10,000,000 for the Florida Tri-County com-
2 muter rail project (~~subject to passage hereafter by~~
3 ~~the House of a bill authorizing appropriations there-~~
4 ~~for, and only in amounts provided therein~~);

5 \$22,630,000 for the Houston Regional Bus
6 project;

7 \$12,500,000 for the Jacksonville ASE extension
8 project;

9 ~~\$125,000,000~~ \$45,000,000 for the Los Angeles
10 Metro Rail (MOS-3);

11 \$10,000,000 for the Los Angeles-San Diego
12 commuter rail project;

13 ~~\$10,000,000~~ *\$15,000,000* for the MARC com-
14 muter rail project;

15 ~~\$3,000,000~~ *\$22,630,000* for the Maryland
16 Central Corridor LRT project;

17 \$2,000,000 for the Miami-North 27th Avenue
18 project (~~subject to passage hereafter by the House~~
19 ~~of a bill authorizing appropriations therefor, and~~
20 ~~only in amounts provided therein~~);

21 \$2,500,000 for the Memphis, Tennessee Re-
22 gional Rail Plan (~~subject to passage hereafter by the~~
23 ~~House of a bill authorizing appropriations therefor,~~
24 ~~and only in amounts provided therein~~);

1 ~~\$75,000,000~~ *\$85,500,000* for the New Jersey
2 Urban Core-Secaucus project;

3 ~~\$10,000,000~~ for the New Orleans Canal Street
4 Corridor project (subject to passage hereafter by the
5 House of a bill authorizing appropriations therefor,
6 and only in amounts provided therein);

7 ~~\$114,989,000~~ *\$160,000,000* for the New York
8 Queens Connection project;

9 ~~\$5,000,000~~ for the Orange County Transitway
10 project (subject to passage hereafter by the House
11 of a bill authorizing appropriations therefor, and
12 only in amounts provided therein);

13 ~~\$22,630,000~~ for the Pittsburgh Airport Phase
14 1 project;

15 ~~\$85,500,000~~ *\$130,140,000* for the Portland
16 Westside LRT project;

17 ~~\$2,000,000~~ for the Sacramento LRT extension
18 project;

19 ~~\$10,000,000~~ *\$13,000,000* for the St. Louis
20 Metro Link LRT project;

21 ~~\$5,000,000~~ *\$14,519,000* for the Salt Lake City
22 light rail project:—*Provided*, That such funding may
23 be available only for related high-occupancy vehicle
24 lane and intermodal corridor design costs;

1 ~~\$10,000,000~~ *\$22,620,000* for the San Francisco
2 BART extension to the San Francisco airport *exten-*
3 *sion/tasman corridor* project;

4 \$15,000,000 for the San Juan, Puerto Rico
5 Tren Urbano project (subject to passage hereafter
6 by the House of a bill authorizing appropriations
7 therefor, and only in amounts provided therein);

8 \$1,000,000 for the Tampa to Lakeland com-
9 muter rail project (subject to passage hereafter by
10 the House of a bill authorizing appropriations there-
11 for, and only in amounts provided therein);

12 \$5,000,000 for the Whitehall ferry terminal,
13 New York, New York (subject to passage hereafter
14 by the House of a bill authorizing appropriations
15 therefor, and only in amounts provided therein); and

16 \$14,400,000 for the Wisconsin central com-
17 muter project (subject to passage hereafter by the
18 House of a bill authorizing appropriations therefor,
19 and only in amounts provided therein);

20 *\$11,300,000 for the Burlington-Charlotte, Ver-*
21 *mont commuter rail project; and*

22 *\$5,000,000 for the Chicago central area*
23 *circulator.*

1 MASS TRANSIT CAPITAL FUND
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)

4 For payment of obligations incurred in carrying out
5 49 U.S.C. 5338(b) administered by the Federal Transit
6 Administration, ~~\$2,000,000,000~~ \$1,700,000,000 to be de-
7 rived from the Highway Trust Fund and to remain avail-
8 able until expended.

9 WASHINGTON METROPOLITAN AREA TRANSIT
10 AUTHORITY

11 For necessary expenses to carry out the provisions
12 of section 14 of Public Law 96-184 and Public Law 101-
13 551, ~~\$200,000,000~~ \$170,000,000, to remain available until
14 expended.

15 SAINT LAWRENCE SEAWAY DEVELOPMENT
16 CORPORATION

17 The Saint Lawrence Seaway Development Corpora-
18 tion is hereby authorized to make such expenditures, with-
19 in the limits of funds and borrowing authority available
20 to the Corporation, and in accord with law, and to make
21 such contracts and commitments without regard to fiscal
22 year limitations as provided by section 104 of the Govern-
23 ment Corporation Control Act, as amended, as may be
24 necessary in carrying out the programs set forth in the
25 Corporation's budget for the current fiscal year: *Provided,*
26 *That, notwithstanding any other provision of law, no funds*

1 *made available to the Saint Lawrence Seaway Development*
2 *Corporation from the Harbor Maintenance Trust Fund*
3 *may be obligated for fiscal year 1996, if the Saint Lawrence*
4 *Seaway Development Corporation expends or obligates*
5 *funds from the financial reserve fund of the Corporation*
6 *for the design, development, or procurement of a global posi-*
7 *tion system vessel traffic service system during that fiscal*
8 *year: Provided further, That no funds made available to*
9 *the Saint Lawrence Seaway Development Corporation from*
10 *the Harbor Maintenance Trust Fund pursuant to this Act*
11 *may be used by the Corporation during fiscal year 1996*
12 *for those purposes.*

13 OPERATIONS AND MAINTENANCE

14 (HARBOR MAINTENANCE TRUST FUND)

15 For necessary expenses for operation and mainte-
16 nance of those portions of the Saint Lawrence Seaway op-
17 erated and maintained by the Saint Lawrence Seaway De-
18 velopment Corporation, ~~\$10,190,500~~ \$10,150,000, to be
19 derived from the Harbor Maintenance Trust Fund, pursu-
20 ant to Public Law 99-662.

21 RESEARCH AND SPECIAL PROGRAMS

22 ADMINISTRATION

23 RESEARCH AND SPECIAL PROGRAMS

24 For expenses necessary to discharge the functions of
25 the Research and Special Programs Administration,

1 ~~\$26,030,000~~ *\$24,281,000*, of which \$574,000 shall be de-
2 rived from the Pipeline Safety Fund, and of which
3 \$7,606,000 shall remain available until September 30,
4 1998: *Provided*, That ~~\$2,322,000~~ shall be transferred to
5 the Bureau of Transportation Statistics for the expenses
6 necessary to conduct activities related to Airline Statistics,
7 and of which ~~\$272,000~~ shall remain available until ex-
8 pended: *Provided further*, That up to \$1,000,000 in fees
9 collected under 49 U.S.C. 5108(g) shall be deposited in
10 the general fund of the Treasury as offsetting receipts:
11 *Provided further*, That there may be credited to this appro-
12 priation funds received from States, counties, municipali-
13 ties, other public authorities, and private sources for ex-
14 penses incurred for training, for reports publication and
15 dissemination.

16 PIPELINE SAFETY

17 (PIPELINE SAFETY FUND)

18 For expenses necessary to conduct the functions of
19 the pipeline safety program for grants-in-aid to carry out
20 a pipeline safety program, as authorized by 49 U.S.C.
21 60107 and the Hazardous Liquid Pipeline Safety Act of
22 1979, as amended, and to discharge the pipeline program
23 responsibilities of the Oil Pollution Act of 1990,
24 ~~\$29,941,000~~ *\$32,973,000*, of which \$2,698,000 shall be
25 derived from the Oil Spill Liability Trust Fund and shall

1 remain available until September 30, 1998; and of which
2 ~~\$27,243,000~~ *\$30,275,000* shall be derived from the Pipe-
3 line Safety Fund, of which \$19,423,000 shall remain
4 available until September 30, 1998: *Provided*, That from
5 amounts made available herein from the Pipeline Safety
6 Fund, not to exceed ~~\$1,000,000~~ *\$1,500,000* shall be avail-
7 able for grants to States for the development and estab-
8 lishment of one-call notification systems.

9 EMERGENCY PREPAREDNESS GRANTS

10 (EMERGENCY PREPAREDNESS FUND)

11 For necessary expenses to carry out 49 U.S.C.
12 5127(c), \$400,000 to be derived from the Emergency Pre-
13 paredness Fund, to remain available until September 30,
14 1998: *Provided*, That not more than ~~\$8,890,000~~
15 *\$9,200,000* shall be made available for obligation in fiscal
16 year 1996 from amounts made available by 49 U.S.C.
17 5116(i) and 5127(d): *Provided further*, That no such funds
18 shall be made available for obligation by individuals other
19 than the Secretary of Transportation, or his designees.

20 OFFICE OF INSPECTOR GENERAL

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Inspector
23 General to carry out the provisions of the Inspector Gen-
24 eral Act of 1978, as amended, ~~\$40,238,000~~ *\$39,891,200*.

1 ceed \$1,000 may be used for official reception and rep-
2 resentation expenses.

3 EMERGENCY FUND

4 For necessary expenses of the National Transpor-
5 tation Safety Board for accident investigations, including
6 hire of passenger motor vehicles and aircraft; services as
7 authorized by 5 U.S.C. 3109, but at rates for individuals
8 not to exceed the per diem rate equivalent to the rate for
9 a GS-18; uniforms, or allowances therefor, as authorized
10 by law (5 U.S.C. 5901-5902), ~~\$160,802~~ *\$360,802* to re-
11 main available until expended.

12 INTERSTATE COMMERCE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Interstate Commerce
15 Commission, including services as authorized by 5 U.S.C.
16 3109, hire of passenger motor vehicles as authorized by
17 31 U.S.C. 1343(b), ~~\$13,379,000~~, of which ~~\$4,984,000~~
18 shall be for severance and closing costs: *Provided*, That
19 of the fees collected in fiscal year 1996 by the Interstate
20 Commerce Commission pursuant to 31 U.S.C. 9701, one-
21 twelfth of ~~\$8,300,000~~ of those fees collected shall be made
22 available for each month the Commission remains in exist-
23 ence during fiscal year 1996.

1 PAYMENTS FOR DIRECTED RAIL SERVICE
2 (LIMITATION ON OBLIGATIONS)

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

8 PANAMA CANAL COMMISSION
9 PANAMA CANAL REVOLVING FUND

10 For administrative expenses of the Panama Canal
11 Commission, including not to exceed \$11,000 for official
12 reception and representation expenses of the Board; not
13 to exceed \$5,000 for official reception and representation
14 expenses of the Secretary; and not to exceed \$30,000 for
15 official reception and representation expenses of the Ad-
16 ministrator, \$50,741,000, to be derived from the Panama
17 Canal Revolving Fund: *Provided*, That funds available to
18 the Panama Canal Commission shall be available for the
19 purchase of not to exceed 38 passenger motor vehicles for
20 replacement only (including large heavy-duty vehicles used
21 to transport Commission personnel across the Isthmus of
22 Panama), the purchase price of which shall not exceed
23 \$19,500 per vehicle.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

1 SEC. 301. During the current fiscal year applicable
2 appropriations to the Department of Transportation shall
3 be available for maintenance and operation of aircraft;
4 hire of passenger motor vehicles and aircraft; purchase of
5 liability insurance for motor vehicles operating in foreign
6 countries on official department business; and uniforms,
7 or allowances therefor, as authorized by law (5 U.S.C.
8 5901–5902).

9 SEC. 302. Funds for the Panama Canal Commission
10 may be apportioned notwithstanding 31 U.S.C. 1341 to
11 the extent necessary to permit payment of such pay in-
12 creases for officers or employees as may be authorized by
13 administrative action pursuant to law that are not in ex-
14 cess of statutory increases granted for the same period
15 in corresponding rates of compensation for other employ-
16 ees of the Government in comparable positions.

17 SEC. 303. Funds appropriated under this Act for ex-
18 penditures by the Federal Aviation Administration shall
19 be available (1) except as otherwise authorized by the Act
20 of September 30, 1950 (20 U.S.C. 236–244) title VIII of
21 the Elementary and Secondary Education Act of 1965, 20
22 U.S.C. 7701, et. seq., for expenses of primary and second-

1 ary schooling for dependents of Federal Aviation Adminis-
2 tration personnel stationed outside the continental United
3 States at costs for any given area not in excess of those
4 of the Department of Defense for the same area, when
5 it is determined by the Secretary that the schools, if any,
6 available in the locality are unable to provide adequately
7 for the education of such dependents, and (2) for trans-
8 portation of said dependents between schools serving the
9 area that they attend and their places of residence when
10 the Secretary, under such regulations as may be pre-
11 scribed, determines that such schools are not accessible
12 by public means of transportation on a regular basis.

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

18 SEC. 305. None of the funds for the Panama Canal
19 Commission may be expended unless in conformance with
20 the Panama Canal Treaties of 1977 and any law imple-
21 menting those treaties.

22 SEC. 306. None of the funds in this Act shall be used
23 for the planning or execution of any program to pay the
24 expenses of, or otherwise compensate, non-Federal parties

1 intervening in regulatory or adjudicatory proceedings
2 funded in this Act.

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

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

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

1 SEC. 310. (a) For fiscal year 1996 the Secretary of
2 Transportation shall distribute the obligation limitation
3 for Federal-aid highways by allocation in the ratio which
4 sums authorized to be appropriated for Federal-aid high-
5 ways that are apportioned or allocated to each State for
6 such fiscal year bear to the total of the sums authorized
7 to be appropriated for Federal-aid highways that are ap-
8 portioned or allocated to all the States for such fiscal year.

9 (b) During the period October 1 through December
10 31, 1995, no State shall obligate more than 25 per centum
11 of the amount distributed to such State under subsection
12 (a), and the total of all State obligations during such pe-
13 riod shall not exceed 12 per centum of the total amount
14 distributed to all States under such subsection.

15 (c) Notwithstanding subsections (a) and (b), the Sec-
16 retary shall—

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

21 (2) after August 1, 1996, revise a distribution
22 of the funds made available under subsection (a) if
23 a State will not obligate the amount distributed dur-
24 ing that fiscal year and redistribute sufficient
25 amounts to those States able to obligate amounts in

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

7 (3) not distribute amounts authorized for ad-
8 ministrative expenses and funded from the adminis-
9 trative takedown authorized by section 104(a), title
10 23 U.S.C., the Federal lands highway program, the
11 intelligent vehicle highway systems program, and
12 amounts made available under sections 1040, 1047,
13 1064, 6001, 6005, 6006, 6023, and 6024 of Public
14 Law 102-240, and 49 U.S.C. 5316, 5317, and
15 5338: *Provided*, That amounts made available under
16 section 6005 of Public Law 102-240 shall be subject
17 to the obligation limitation for Federal-aid highways
18 and highway safety construction programs under the
19 head "Federal-Aid Highways" in this Act.

20 (d) During the period October 1 through December
21 31, 1995, the aggregate amount of obligations under sec-
22 tion 157 of title 23, United States Code, for projects cov-
23 ered under section 147 of the Surface Transportation As-
24 sistance Act of 1978, section 9 of the Federal-Aid High-
25 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-

1 lic Law 97-424, sections 1061, 1103 through 1108, 4008,
2 and 6023(b)(8) and 6023(b)(10) of Public Law 102-240,
3 and for projects authorized by Public Law 99-500 and
4 Public Law 100-17, shall not exceed \$277,431,840.

5 (e) During the period August 2 through September
6 30, 1996, the aggregate amount which may be obligated
7 by all States pursuant to paragraph (d) shall not exceed
8 2.5 percent of the aggregate amount of funds apportioned
9 or allocated to all States—

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

13 (2) for highway assistance projects under sec-
14 tion 103(e)(4) of title 23, United States Code,
15 which would not be obligated in fiscal year 1996 if the
16 total amount of the obligation limitation provided for such
17 fiscal year in this Act were utilized.

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

22 SEC. 311. None of the funds in this Act shall be avail-
23 able for salaries and expenses of more than one hundred
24 ~~and ten~~ political and Presidential appointees in the De-
25 partment of Transportation: *Provided*, That none of the

1 personnel covered by this provision may be assigned on
2 temporary detail outside the Department of Transpor-
3 tation.

4 SEC. 312. The limitation on obligations for the pro-
5 grams of the Federal Transit Administration shall not
6 apply to any authority under 49 U.S.C. 5338, previously
7 made available for obligation, or to any other authority
8 previously made available for obligation under the discre-
9 tionary grants program.

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

12 SEC. 314. Such sums as may be necessary for fiscal
13 year 1996 pay raises for programs funded in this Act shall
14 be absorbed within the levels appropriated in this Act or
15 previous appropriations Acts.

16 SEC. 315. Funds received by the Research and Spe-
17 cial Programs Administration from States, counties, mu-
18 nicipalities, other public authorities, and private sources
19 for expenses incurred for training and for reports' publica-
20 tion and dissemination may be credited to the Research
21 and Special Programs account.

22 SEC. 316. None of the funds in this Act shall be avail-
23 able to plan, finalize, or implement regulations that would
24 establish a vessel traffic safety fairway less than five miles
25 wide between the Santa Barbara Traffic Separation

1 Scheme and the San Francisco Traffic Separation
2 Scheme.

3 SEC. 317. Notwithstanding any other provision of
4 law, airports may transfer, without consideration, to the
5 Federal Aviation Administration (FAA) instrument land-
6 ing systems (along with associated approach lighting
7 equipment and runway visual range equipment) which
8 conform to FAA design and performance specifications,
9 the purchase of which was assisted by a Federal airport
10 aid program, airport development aid program or airport
11 improvement program grant. The FAA shall accept such
12 equipment, which shall thereafter be operated and main-
13 tained by the FAA in accordance with agency criteria.

14 SEC. 318. None of the funds in this Act shall be avail-
15 able to award a multiyear contract for production end
16 items that (1) includes economic order quantity or long
17 lead time material procurement in excess of \$10,000,000
18 in any one year of the contract or (2) includes a cancella-
19 tion charge greater than \$10,000,000 which at the time
20 of obligation has not been appropriated to the limits of
21 the government's liability or (3) includes a requirement
22 that permits performance under the contract during the
23 second and subsequent years of the contract without con-
24 ditioning such performance upon the appropriation of
25 funds: *Provided*, That this limitation does not apply to a

1 contract in which the Federal Government incurs no fi-
2 nancial liability from not buying additional systems, sub-
3 systems, or components beyond the basic contract require-
4 ments.

5 SEC. 319. None of the funds provided in this Act
6 shall be made available for planning and executing a pas-
7 senger manifest program by the Department of Transpor-
8 tation that only applies to United States flag carriers.

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

12 SEC. 321. Notwithstanding any other provision of
13 law, and except for fixed guideway modernization projects,
14 funds made available by this Act under “Federal Transit
15 Administration, Discretionary grants” for projects speci-
16 fied in this Act or identified in reports accompanying this
17 Act not obligated by September 30, 1998, shall be made
18 available for other projects under 49 U.S.C. 5309.

19 SEC. 322. Notwithstanding any other provision of
20 law, any funds appropriated before October 1, 1993, under
21 any section of chapter 53 of title 49 U.S.C., that remain
22 available for expenditure may be transferred to and ad-
23 ministered under the most recent appropriation heading
24 for any such section.

1 SEC. 323. None of the funds in this Act shall be avail-
2 able to implement or enforce regulations that would result
3 in the withdrawal of a slot from an air carrier at O'Hare
4 International Airport under section 93.223 of title 14 of
5 the Code of Federal Regulations in excess of the total slots
6 withdrawn from that air carrier as of October 31, 1993
7 if such additional slot is to be allocated to an air carrier
8 or foreign air carrier under section 93.217 of title 14 of
9 the Code of Federal Regulations.

10 SEC. 324. None of the funds made available by this
11 Act may be obligated or expended to design, construct,
12 erect, modify or otherwise place any sign in any State re-
13 lating to any speed limit, distance, or other measurement
14 on any highway if such sign establishes such speed limit,
15 distance, or other measurement using the metric system.

16 SEC. 325. Notwithstanding any other provisions of
17 law, tolls collected for motor vehicles on any bridge con-
18 necting the boroughs of Brooklyn, New York, and Staten
19 Island, New York, shall continue to be collected for only
20 those vehicles exiting from such bridge in Staten Island.

21 SEC. 326. None of the funds in this Act may be used
22 to compensate in excess of 335 technical staff years under
23 the federally-funded research and development center
24 contract between the Federal Aviation Administration

1 and the Center for Advanced Aviation Systems Develop-
2 ment during fiscal year 1996.

3 SEC. 327. Funds provided in this Act for the Depart-
4 ment of Transportation working capital fund (WCF) shall
5 be reduced by ~~\$10,000,000~~ *\$5,000,000*, which limits fiscal
6 year 1996 WCF obligational authority for elements of the
7 Department of Transportation funded in this Act to no
8 more than ~~\$92,231,000~~ *\$99,364,000*. *Provided*, That such
9 reductions from the budget request shall be allocated by
10 the Department of Transportation to each appropriations
11 account in proportion to the amount included in each ac-
12 count for the working capital fund.

13 SEC. 328. Funds received by the Federal Highway
14 Administration, Federal Transit Administration, and Fed-
15 eral Railroad Administration from States, counties, mu-
16 nicipalities, other public authorities, and private sources
17 for expenses incurred for training may be credited respec-
18 tively to the Federal Highway Administration's "Limita-
19 tion on General Operating Expenses" account, the Federal
20 Transit Administration's "Transit Planning and Re-
21 search" account, and to the Federal Railroad Administra-
22 tion's "Railroad Safety" account, except for State rail
23 safety inspectors participating in training pursuant to 49
24 U.S.C. 20105.

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

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

12 ~~SEC. 330. None of the funds in this Act shall be avail-~~
13 ~~able to prepare, propose, or promulgate any regulations~~
14 ~~pursuant to title V of the Motor Vehicle Information and~~
15 ~~Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing~~
16 ~~corporate average fuel economy standards for automobiles,~~
17 ~~as defined in such title, in any model year that differs~~
18 ~~from standards promulgated for such automobiles prior to~~
19 ~~enactment of this section.~~

20 SEC. 331. Notwithstanding 15 U.S.C. 631 et seq. and
21 10 U.S.C. 2301 et seq. as amended, the United States
22 Coast Guard acquisition of 47-foot Motor Life Boats for
23 fiscal years 1995 through 2000 shall be subject to full and
24 open competition for all U.S. shipyards. Accordingly, the
25 Federal Acquisition Regulations (FAR) (including but not

1 limited to FAR Part 19), shall not apply to the extent
2 they are inconsistent with a full and open competition.

3 SEC. 332. None of the funds in this Act may be used
4 for planning, engineering, design, or construction of a
5 sixth runway at the new Denver International Airport,
6 Denver, Colorado: *Provided*, That this provision shall not
7 apply in any case where the Administrator of the Federal
8 Aviation Administration determines, in writing, that safe-
9 ty conditions warrant obligation of such funds.

10 SEC. 333. (a) Section 5302(a)(1) of title 49, United
11 States Code, is amended by striking—

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

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

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

18 SEC. 334. Notwithstanding 31 U.S.C. 3302, funds re-
19 ceived by the Bureau of Transportation Statistics from the
20 sale of data products, for necessary expenses incurred pur-
21 suant to the provisions of section 6006 of the Intermodal
22 Surface Transportation Efficiency Act of 1991, may be
23 credited to the Federal-aid highways account for the pur-
24 pose of reimbursing the Bureau for such expenses: *Pro-*
25 *vided*, That such funds shall not be subject to the obliga-

1 tion limitation for Federal-aid highways and highway safe-
2 ty construction.

3 SEC. 335. Of the budgetary resources provided to the
4 Department of Transportation (~~excluding the Maritime~~
5 ~~Administration~~) during fiscal year 1996, \$25,000,000 are
6 permanently canceled: *Provided*, That the Secretary of
7 Transportation shall reduce the existing field office struc-
8 ture, and to the extent practicable ~~relocate~~ *consolidate* the
9 Department's ~~surface transportation field offices~~ *adminis-*
10 *trative activities*: *Provided further*, That the Secretary may
11 for the purpose of consolidation of offices and facilities
12 other than those at Headquarters, after notification to and
13 approval of the House and Senate Committees on Appro-
14 priations, transfer the funds made available by this Act
15 for civilian and military personnel compensation and bene-
16 fits and other administrative expenses to other appropria-
17 tions made available to the Department of Transportation
18 as the Secretary may designate, to be merged with and
19 to be available for the same purposes and for the same
20 time period as the appropriations of funds to which trans-
21 ferred: *Provided further*, That no appropriation shall be
22 increased or decreased by more than ten per centum by
23 all such transfers: *Provided further*, *That, notwithstanding*
24 *5 U.S.C. 905(b), the President may prepare and transmit*
25 *to Congress not later than the date for transmittal to Con-*

1 *gress of the Budget Request for Fiscal Year 1997, a reorga-*
2 *nization plan pursuant to chapter 9 of title 5, United States*
3 *Code, for the reorganization of the surface transportation*
4 *activities of the Department of Transportation and the rela-*
5 *tionship of the Saint Lawrence Seaway Development Cor-*
6 *poration to the Department.*

7 SEC. 336. The Secretary of Transportation is author-
8 ized to transfer funds appropriated for any office of the
9 ~~Office of the Secretary~~ *in this Act* to “Rental payments”
10 for any expense authorized by that appropriation in excess
11 of the amounts provided in this Act: *Provided*, That prior
12 to any such transfer, notification shall be provided to the
13 House and Senate Committees on Appropriations.

14 SEC. 337. None of the funds in this Act may be obli-
15 gated or expended for employee training which: (a) does
16 not meet identified needs for knowledge, skills and abilities
17 bearing directly upon the performance of official duties;
18 (b) contains elements likely to induce high levels of emo-
19 tional response or psychological stress in some partici-
20 pants; (c) does not require prior employee notification of
21 the content and methods to be used in the training and
22 written end of course evaluations; (d) contains any meth-
23 ods or content associated with religious or quasi-religious
24 belief systems or “new age” belief systems as defined in
25 Equal Employment Opportunity Commission Notice N-

1 915.022, dated September 2, 1988; (e) is offensive to, or
2 designed to change, participants' personal values or life-
3 style outside the workplace; or (f) includes content related
4 to human immunodeficiency virus/acquired immune defi-
5 ciency syndrome (HIV/AIDS) other than that necessary
6 to make employees more aware of the medical ramifica-
7 tions of HIV/AIDS and the workplace rights of HIV-posi-
8 tive employees.

9 *SEC. 337. None of the funds appropriated by this Act*
10 *shall be made available for employee training unless such*
11 *training is consistent with the provisions of 5 U.S.C. 4101*
12 *et seq., as amended.*

13 *SEC. 338. None of the funds in this Act may be used*
14 *to enforce the requirement that airport charges make the*
15 *as airport self-sustaining as possible or the prohibition*
16 *against revenue diversion in the Airport and Airway Im-*
17 *provement Act of 1982 (49 U.S.C. 47107) against Hot*
18 *Springs Memorial Field in Hot Springs, Arkansas, on the*
19 *grounds of such airport's failure to collect fair market*
20 *rental value for the facilities known as Kimery Park and*
21 *Family Park: Provided, That any fees collected by any per-*
22 *son for the use of such parks above those required for*
23 *the operation and maintenance of such parks shall be re-*
24 *mitted to such airport: Provided further, That the Federal*
25 *Aviation Administration does not find that any use of, or*

1 structures on, Kimery Park and Family Park are incom-
2 patible with the safe and efficient use of the airport.

3 SEC. 339. (a) Except as provided in subsection (b)
4 of this section, 180 days after attaining eligibility for an
5 immediate retirement annuity under 5 U.S.C. 8336 or 5
6 U.S.C. 8412, an individual shall not be eligible to receive
7 compensation under 5 U.S.C. 8105–8106 resulting from
8 work injuries associated with employment with the De-
9 partment of Transportation (excluding the Maritime Ad-
10 ministration).

11 (b) An individual who, on the date of enactment of
12 this Act, is eligible to receive an immediate annuity de-
13 scribed in subsection (a) may continue to receive such
14 compensation under 5 U.S.C. 8105–8106 until March 31,
15 1996.

16 (c) *For the purposes of section (a), the time an individ-*
17 *ual has spent on the worker's compensation rolls shall be*
18 *counted as regular employment time.*

19 SEC. 340. ~~None of the funds in this Act shall be avail-~~
20 ~~able to pay the salaries and expenses of any individual~~
21 ~~to arrange tours of scientists or engineers employed by~~
22 ~~or working for the People's Republic of China, to hire citi-~~
23 ~~zens of the People's Republic of China to participate in~~
24 ~~research fellowships sponsored by the Federal Highway~~
25 ~~Administration or other modal administrations of the De-~~

1 partment of Transportation, or to provide training or any
2 form of technology transfer to scientists or engineers em-
3 ployed by or working for the People's Republic of China.

4 SEC. 341. None of the funds in this Act may be used
5 to support Federal Transit Administration's field oper-
6 ations and oversight of the Washington Metropolitan Area
7 Transit Authority in any location other than from the
8 Washington, D.C. metropolitan area.

9 SEC. 342. In addition to the sums made available to
10 the Department of Transportation, \$8,421,000 shall be
11 available on the effective date of legislation transferring
12 certain rail and motor carrier functions from the Inter-
13 state Commerce Commission to the Department of Trans-
14 portation: *Provided*, That such amount shall be available
15 only to the extent authorized by law: *Provided further*,
16 That of the fees collected pursuant to 31 U.S.C. 9701 in
17 fiscal year 1996 by the successors of the Interstate Com-
18 merce Commission, one-twelfth of \$8,300,000 of those
19 fees shall be made available for each month during fiscal
20 year 1996 that the successors of the Interstate Commerce
21 Commission carry out the transferred rail and motor car-
22 rier functions.

23 SEC. 343. *Notwithstanding any other law, the funds*
24 *available for obligation to carry out the project in West*
25 *Calcasieu Parish, Louisiana, authorized by section*

1 149(a)(87) of the Surface Transportation and Uniform Re-
2 location Assistance Act of 1987 (Public Law 101-17; 101
3 Stat. 194) shall be made available for obligation to carry
4 out the project for Lake Charles, Louisiana, authorized by
5 item 17 of the table in section 1106(a)(2) of the Intermodal
6 Surface Transportation Efficiency Act of 1991 (Public Law
7 102-240; 105 Stat. 2038).

8 *SEC. 344. Improvements identified as highest priority*
9 *by section 1069(t) of Public Law 102-240 and funded pur-*
10 *suant to section 118(c)(2) of title 23, United States Code,*
11 *shall not be treated as an allocation for Interstate mainte-*
12 *nance for such fiscal year under section 157(a)(4) of title*
13 *23, United States Code, and sections 1013(c), 1015(a)(1),*
14 *and 1015(b)(1) of Public Law 102-240: Provided further,*
15 *any discretionary grant made pursuant to Public Law 99-*
16 *663 shall not be subject to Section 1015 of Public Law 102-*
17 *240.*

18 *SEC. 345. The Secretary, in consultation with the Sec-*
19 *retary of Labor and the Administrator of the Environ-*
20 *mental Protection Agency shall, within three months of the*
21 *date of enactment of this Act, carry out research to identify*
22 *successful telecommuting programs in the public and pri-*
23 *vate sectors and provide for the dissemination to the public*
24 *of information regarding the establishment of successful*
25 *telecommuting programs and the benefits and costs of*

1 telecommuting. Within one year of the date of enactment
2 of this Act, the Secretary shall report to Congress its find-
3 ings, conclusions, and recommendations regarding
4 telecommuting developed under this section.

5 *SEC. 346. Notwithstanding section 1003(c) of Public*
6 *Law 102-240, authorizations for the Indian Reservation*
7 *Roads under Section 1003(a)(6)(A) of Public Law 102-240*
8 *shall be exempt from any reduction in authorizations for*
9 *budget compliance.*

10 *SEC. 347. Notwithstanding any other provision of law,*
11 *for fiscal year 1996, the Secretary shall allocate to a State*
12 *an additional amount of funding for its Federal-aid high-*
13 *way programs on a dollar for dollar basis to the extent that*
14 *prior year unobligated balances are withdrawn and can-*
15 *celed. Such funds are subject to the obligation ceiling for*
16 *Federal-aid Highways set by annual appropriations Acts.*

17 *SEC. 348. Notwithstanding any other provision of law,*
18 *for fiscal year 1996, a State may, at its option, transfer*
19 *those funds authorized or appropriated for highway dem-*
20 *onstrations projects under Public Law 102-240, Public Law*
21 *100-17, Public Law 97-424, or under an applicable appro-*
22 *priations act for the Department of Transportation, to its*
23 *apportionment under section 104(b)(1), (2), (3), (5), and*
24 *144 of title 23, United States Code: Provided, That dem-*
25 *onstrations projects upon which such funds are drawn have*

1 *not gone to construction (although obligations may have*
2 *been incurred for preliminary engineering or environ-*
3 *mental studies). Funds transferred under this section shall*
4 *be subject to the laws, regulations, policies, and procedures,*
5 *relating to the apportionment to which they are transferred*
6 *and shall be subject to the obligation ceiling for Federal-*
7 *aid highways set by annual appropriations Acts.*

8 *SEC. 349. INTERSTATE COMPACT INFRASTRUCTURE*
9 *BANKS.—Chapter 3 of title 49, United States Code, is*
10 *amended by the addition of the following new section 334:*

11 *“SEC. 334. INTERSTATE COMPACT INFRASTRUCTURE*
12 *BANKS.—(a) CONSENT TO INTERSTATE COMPACTS.—In*
13 *order to increase public investment, attract needed private*
14 *investment, and promote an intermodal transportation net-*
15 *work, Congress grants consent to the States to enter into*
16 *interstate compacts establishing transportation infrastruc-*
17 *ture banks to promote regional or multi-State investment*
18 *in transportation infrastructure and thereby improve eco-*
19 *nomiic productivity.*

20 *“(b) ASSISTANCE FOR TRANSPORTATION PROJECTS,*
21 *PROGRAMS, AND ACTIVITIES.—An Interstate Compact*
22 *Transportation Infrastructure Bank (Infrastructure Bank)*
23 *established under this section may make loans, issue debt*
24 *under the authority of the Infrastructure Bank’s State ju-*
25 *risdictions either jointly or separately as the Infrastructure*

1 *Bank and its jurisdictions determine, and provide other as-*
2 *sistance to public or private entities constructing, or pro-*
3 *posing to construct or initiate, transportation projects, pro-*
4 *grams, or activities that are eligible to receive financial as-*
5 *sistance under—*

6 “(1) title 23, United States Code, and the Inter-
7 modal Surface Transportation Efficiency Act of 1991;
8 and

9 “(2) chapters 53 and 221 and subtitle VII, part
10 B, of this title.

11 “(c) *FORMS OF ASSISTANCE.*—An Infrastructure Bank
12 *may loan or provide other assistance to a public or private*
13 *entity in an amount equal to all or part of the cost of con-*
14 *struction or capital cost of a qualifying project. The amount*
15 *of any loan or other assistance received for a qualifying*
16 *project under this section may be subordinated to any other*
17 *debt financing for the project. For purposes of this sub-*
18 *section, the term ‘other assistance’ includes any use of funds*
19 *for the purpose of credit enhancements, use as a capital re-*
20 *serve for bond or debt instrument financing, bond or debt*
21 *instrument financing issuance costs, bond or debt issuance*
22 *financing insurance, subsidizing of interest rates, letters of*
23 *credit, credit instruments, bond or debt financing instru-*
24 *ment security, other forms of debt financing that relate to*

1 *the qualifying project, and other leveraging tools approved*
2 *by the Secretary.*

3 “(d) *INTERSTATE COMPACT TRANSPORTATION INFRA-*
4 *STRUCTURE BANK REQUIREMENTS.—In order to qualify an*
5 *Interstate Compact Transportation Infrastructure Bank for*
6 *capitalization grants under this section, each participating*
7 *State shall—*

8 “(1) *deposit into the Infrastructure Bank, from*
9 *non-Federal or Federal sources other than this title or*
10 *title 23, United States Code, an amount equal to 25*
11 *percent of each capitalization grant or, if lower be-*
12 *cause of the proportion of Federal lands in the State,*
13 *the proportional non-Federal share that a State*
14 *would otherwise pay on the basis of section 120(b) of*
15 *title 23;*

16 “(2) *ensure that the Infrastructure Bank main-*
17 *tains on a continuing basis an investment grade rat-*
18 *ing on its debt issuances or has a sufficient level of*
19 *bond or debt financing instrument insurance to*
20 *maintain the viability of the fund;*

21 “(3) *ensure that investment income generated by*
22 *the funds deposited into an Infrastructure Bank shall*
23 *be—*

24 “(A) *credited to the Infrastructure Bank;*

1 “(B) available for use in providing loans
2 and other assistance to qualifying projects, pro-
3 grams, or activities from the Infrastructure
4 Bank; and

5 “(C) invested in U.S. Treasury securities,
6 bank deposits, or such other financing instru-
7 ments as the Secretary may provide to earn in-
8 terest to enhance the leveraging of qualifying
9 transportation activities;

10 “(4) provide that the repayment of a loan or
11 other assistance to a State from any loan under this
12 section may be credited to the Infrastructure Bank or
13 obligated for any purpose for which the loaned funds
14 were available under this title or title 23;

15 “(5) ensure that any loan from an Infrastructure
16 Bank shall bear any positive interest the Bank deter-
17 mines appropriate to make the qualifying project fea-
18 sible;

19 “(6) ensure that repayment of any loan from an
20 Infrastructure Bank shall commence not later than
21 five years after the facility has opened to traffic or the
22 project, activity or facility has been completed;

23 “(7) ensure that the term for repaying any loan
24 shall not exceed 30 years from the date of obligation
25 of the loan;

1 “(8) limit any assignment, transfer, or loan to
2 an Infrastructure Bank to not more than the amount
3 which a State is entitled to under subsection (f) of
4 this section; and

5 “(9) require the Infrastructure Bank to make an
6 annual report to the Secretary on its status no later
7 than September 30 of each year.

8 “(e) SECRETARIAL REQUIREMENTS.—In administer-
9 ing this section, the Secretary shall—

10 “(1) ensure that federal disbursements for capital
11 reserves shall be at a rate consistent with historic
12 rates for the Federal-aid highway program; and

13 “(2) specify procedures and guidelines for estab-
14 lishing, operating, and making loans from an Infra-
15 structure Bank.

16 “(f) AUTHORIZATION OF APPROPRIATIONS; CONTRIBU-
17 TIONS FROM TITLE 23 APPORTIONMENTS.—(1) There are
18 authorized to be appropriated from the Airport and Airway
19 Trust Fund established under section 9502 of the Internal
20 Revenue Code of 1986 (26 U.S.C. 9502) to carry out this
21 section not more than \$250,000,000 in Fiscal Year 1996.

22 “(2) Notwithstanding the provisions of title 23, United
23 States Code, and Public Law 102–240 (Intermodal Surface
24 Transportation Efficiency Act of 1991), a State may con-
25 tribute to an Infrastructure Bank up to 10 percent of fed-

1 eral funds apportioned under section 104(b) of title 23 that
 2 are subject to the annual Federal-aid Highways obligation
 3 limitation, except for interstate construction.

4 “(3) A state may disburse funds appropriated under
 5 paragraph (f)(1) of this subsection or contributed under
 6 (f)(2) of this subsection to an Infrastructure Bank at a rate
 7 that does not exceed the traditional rate of disbursement
 8 for the Airport Improvement Program or the Federal-aid
 9 Highway program, respectively.

10 “(g) STATE ALLOCATION.—The Secretary shall appor-
 11 tion to the chief executive of each State choosing to partici-
 12 pate in an Infrastructure Bank the percentage allocation
 13 of the amount available under paragraph (e)(1) of this sec-
 14 tion on the first day of the fiscal year, as follows:

<i>“State</i>	<i>Percentage</i>
<i>“Alabama</i>	<i>1.26</i>
<i>“Alaska</i>	<i>5.64</i>
<i>“Arizona</i>	<i>2.20</i>
<i>“Arkansas</i>	<i>0.74</i>
<i>“California</i>	<i>8.57</i>
<i>“Colorado</i>	<i>2.31</i>
<i>“Connecticut</i>	<i>0.74</i>
<i>“Delaware</i>	<i>0.04</i>
<i>“District of Columbia</i>	<i>0.01</i>
<i>“Florida</i>	<i>6.49</i>
<i>“Georgia</i>	<i>3.08</i>
<i>“Hawaii</i>	<i>2.54</i>
<i>“Idaho</i>	<i>0.75</i>
<i>“Illinois</i>	<i>3.92</i>
<i>“Indiana</i>	<i>1.46</i>
<i>“Iowa</i>	<i>0.95</i>
<i>“Kansas</i>	<i>0.68</i>
<i>“Kentucky</i>	<i>1.80</i>
<i>“Louisiana</i>	<i>1.34</i>
<i>“Maine</i>	<i>0.66</i>
<i>“Maryland</i>	<i>0.84</i>
<i>“Massachusetts</i>	<i>1.72</i>
<i>“Michigan</i>	<i>2.68</i>
<i>“Minnesota</i>	<i>1.59</i>

"Mississippi	0.76
"Missouri	1.92
"Montana	1.10
"Nebraska	0.87
"Nevada	1.46
"New Hampshire	0.28
"New Jersey	1.16
"New Mexico	0.98
"New York	5.82
"North Carolina	2.92
"North Dakota	0.61
"Ohio	2.32
"Oklahoma	0.97
"Oregon	1.15
"Pennsylvania	3.29
"Rhode Island	0.39
"South Carolina	1.05
"South Dakota	0.55
"Tennessee	2.13
"Texas	7.64
"Utah	1.04
"Vermont	0.22
"Virginia	2.91
"Washington	1.78
"West Virginia	0.58
"Wisconsin	1.41
"Wyoming	0.74
"Puerto Rico	0.99

1 “(g) UNITED STATES NOT OBLIGATED.—The deposit
2 of Federal apportionments into an Infrastructure Bank
3 shall not be construed as a commitment, guarantee, or obli-
4 gation on the part of the United States to any third party,
5 nor shall any third party have any right against the United
6 States for payment solely by virtue of the deposit. Further-
7 more, any security or debt financing instrument issued by
8 an Infrastructure Bank shall expressly state that the secu-
9 rity or instrument does not constitute a commitment, guar-
10 antee, or obligation of the United States.

1 “(h) *MANAGEMENT OF FEDERAL FUNDS.*—Sections
2 3335 and 6503 of title 31, United States Code, shall not
3 apply to funds used as a capital reserve under this section.

4 “(i) *PROGRAM ADMINISTRATION.*—For each fiscal
5 year, a State may contribute to an Infrastructure Bank an
6 amount not to exceed two percent of the Federal funds de-
7 posited into that Infrastructure Bank by the State to pro-
8 vide for the reasonable costs of administering the fund.”.

9 (b) *RESCISSION OF CONTRACT AUTHORIZATION.*—Of
10 the available contract authority balances under the account
11 entitled “Grants-In-Aid for Airports” in this Act,
12 \$250,000,000 are rescinded.

13 *SEC. 350. (a) In consultation with the employees of*
14 *the Federal Aviation Administration and such nongovern-*
15 *mental experts in personnel management systems as he may*
16 *employ, and notwithstanding the provisions of title 5, Unit-*
17 *ed States Code, and other Federal personnel laws, the Sec-*
18 *retary of Transportation shall develop and implement, not*
19 *later than January 1, 1996, a personnel management sys-*
20 *tem for the Federal Aviation Administration that addresses*
21 *the unique demands on the agency’s workforce. Such new*
22 *system shall, at a minimum, provide for greater flexibility*
23 *in the hiring, training, compensation, and location of per-*
24 *sonnel.*

1 (b) *The provisions of title 5, United States Code, shall*
2 *not apply to the new personnel management system devel-*
3 *oped and implemented pursuant to subsection (a), with the*
4 *exception of:*

5 (1) *Section 2302(b), relating to whistleblower*
6 *protection;*

7 (2) *Section 7118(b)(7), relating to limitations on*
8 *the right to strike;*

9 (3) *Section 7204, relating to antidiscrimination;*

10 (4) *Chapter 73, relating to suitability, security,*
11 *and conduct;*

12 (5) *Chapter 81, relating to compensation for*
13 *work injury; and*

14 (6) *Chapters 83–85, 87, and 89, relating to re-*
15 *tirement and insurance coverage.*

16 *SEC. 351. (a) In consultation with such non-govern-*
17 *mental experts in acquisition management systems as he*
18 *may employ, and notwithstanding provisions of Federal ac-*
19 *quisition law, the Secretary of Transportation shall develop*
20 *and implement, not later than January 1, 1996, an acqui-*
21 *sition management system for the Federal Aviation Admin-*
22 *istration that addresses the unique needs of the agency and,*
23 *at a minimum, provides for more timely and cost-effective*
24 *acquisitions of equipment and materials.*

1 (b) *The following provisions of Federal acquisition law*
2 *shall not apply to the new acquisition management system*
3 *developed and implemented pursuant to subsection (a):*

4 (1) *Title III of the Federal Property and Admin-*
5 *istrative Services Act of 1949 (41 U.S.C. 252–266);*

6 (2) *The Office of Federal Procurement Policy Act*
7 *(41 U.S.C. 401 et seq.);*

8 (3) *The Federal Acquisition Streamlining Act of*
9 *1994 (Public Law 103–355);*

10 (4) *The Small Business Act (15 U.S.C. 631 et*
11 *seq.), except that all reasonable opportunities to be*
12 *awarded contracts shall be provided to small business*
13 *concerns and small business concerns owned and con-*
14 *trolled by socially and economically disadvantaged*
15 *individuals;*

16 (5) *The Competition in Contracting Act;*

17 (6) *Subchapter V of Chapter 35 of title 31, relat-*
18 *ing to the procurement protest system;*

19 (7) *The Brooks Automatic Data Processing Act*
20 *(40 U.S.C. 759); and*

21 (8) *The Federal Acquisition Regulation and any*
22 *laws not listed in (a) through (e) of this section pro-*
23 *viding authority to promulgate regulations in the*
24 *Federal Acquisition Regulation.*

1 *SEC. 352. Section 40118(h)(2) of title 49, United*
2 *States Code, is amended by striking the second sentence in*
3 *that paragraph and inserting in lieu thereof the following:*
4 *“After review and a public hearing, the Secretary may end*
5 *any part of the authority of the agency to impose a pas-*
6 *senger facility fee, except for that portion necessary to make*
7 *payments for debt service due by the agency on indebtedness*
8 *incurred to carry out an eligible airport-related project.”*

9 *SEC. 353. Funds provided in this Act for bonuses and*
10 *cash awards for employees of the Department of Transpor-*
11 *tation shall be reduced by \$752,852, which limits fiscal year*
12 *1995 obligation authority to no more than \$25,875,075:*
13 *Provided, That this provision shall be applied to funds for*
14 *Senior Executive Service bonuses, merit pay, and other bo-*
15 *nuses and cash awards.*

16 *SEC. 354. Not to exceed \$850,000 of the funds provided*
17 *in this Act for the Department of Transportation shall be*
18 *available for the necessary expenses of advisory committees.*

19 *SEC. 355. Notwithstanding any other provision of law,*
20 *the Secretary may use funds appropriated under this Act,*
21 *or any subsequent Act, to administer and implement the*
22 *exemption provisions of 49 CFR 580.6 and to adopt or*
23 *amend exemptions from the disclosure requirements of 49*
24 *CFR Part 580 for any class or category of vehicles that*
25 *the Secretary deems appropriate.*

1 *SEC. 356. (a) The Federal Aviation Administration*
2 *Technical Center located at the Atlantic City International*
3 *Airport in Pomona, New Jersey, shall be known and des-*
4 *ignated as the “William J. Hughes Technical Center”.*

5 *(b) Any reference in a law, map, regulation, document,*
6 *paper, or other record of the United States to the Federal*
7 *Aviation Administration Technical Center referred to in*
8 *section (a) shall be deemed to be a reference to the “William*
9 *J. Hughes Technical Center”.*

10 *SEC. 357. None of the funds in this Act may be used*
11 *to close any multi-mission small boat stations or subunits:*
12 *Provided, That the Secretary may implement any manage-*
13 *ment efficiencies within the small boat unit system, such*
14 *as modifying the operational posture of units or reallocat-*
15 *ing resources as necessary to ensure the safety of the mari-*
16 *time public nationwide, provided that no stations or*
17 *subunits may be closed.*

18 *SEC. 358. Notwithstanding any other provision of law,*
19 *of the \$29,596,000 available for obligation authorized by*
20 *item 21 of the table in section 1105(f) of the Intermodal*
21 *Surface Transportation Efficiency Act of 1991 (Public Law*
22 *102–240; 105 Stat. 2038), \$6,000,000 shall be made avail-*
23 *able for obligation to carry out surface transportation*
24 *projects in Louisiana. Of this amount, \$5,000,000 shall be*
25 *made available for completion of the I–10 and I–610 project*

1 *in New Orleans, Louisiana and \$1,000,000 shall be made*
2 *available for three highway studies of which \$250,000 is*
3 *provided for a study to widen US 84/LA 6 traversing north*
4 *Louisiana, \$250,000 is provided for a study to widen La.*
5 *Hwy 42 from US Hwy. 61 to La. Hwy. 44 and extend*
6 *to I-10 in East Ascension Parish and \$500,000 is provided*
7 *for a study to connect Interstate 20 on both sides of the*
8 *Ouachita River.*

9 *SEC. 359. TRANSFER OF CERTAIN FEDERAL PROP-*
10 *ERTY IN NEW JERSEY.—The first section of the Act entitled*
11 *“An Act transferring certain Federal property to the city*
12 *of Hoboken, New Jersey”, approved September 27, 1982*
13 *(Public Law 97-268, 96 Stat. 1140), is amended—*

14 *(1) in subsection (a), by adding “and” at the*
15 *end, and*

16 *(2) by striking “Stat. 220), and” in subsection*
17 *(b) and all that follows through “New Jersey; concur-*
18 *rent with” and inserting the following: “Stat. 220);*

19 *concurrent with”.*

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;

