

Calendar No. 124

105TH CONGRESS
1ST Session
H. R. 2169

AN ACT

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

JULY 24, 1997

Received; read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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AN ACT

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

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any

1 money in the Treasury not otherwise appropriated, for the
2 fiscal year ending September 30, 1998, and for other pur-
3 poses, namely:

4 TITLE I

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

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

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,
25 \$5,574,000.

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 Minority Business Re-
13 source Center outreach activities, \$2,900,000, of which
14 \$2,635,000 shall remain available until September 30,
15 1999: *Provided*, That notwithstanding 49 U.S.C. 332,
16 these funds may be used for business opportunities related
17 to any mode of transportation.

18 COAST GUARD

19 OPERATING EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses for the operation and mainte-
22 nance of the Coast Guard, not otherwise provided for; pur-
23 chase of not to exceed five passenger motor vehicles for
24 replacement only; payments pursuant to section 156 of
25 Public Law 97-377, as amended (42 U.S.C. 402 note),

1 and section 229(b) of the Social Security Act (42 U.S.C.
2 429(b)); and recreation and welfare; \$2,708,000,000, of
3 which \$300,000,000 shall be available for defense-related
4 activities and \$25,000,000 shall be derived from the Oil
5 Spill Liability Trust Fund: *Provided*, That the number of
6 aircraft on hand at any one time shall not exceed two hun-
7 dred and twelve, exclusive of aircraft and parts stored to
8 meet future attrition: *Provided further*, That none of the
9 funds appropriated in this or any other Act shall be avail-
10 able for pay or administrative expenses in connection with
11 shipping commissioners in the United States: *Provided*
12 *further*, That none of the funds provided in this Act shall
13 be available for expenses incurred for yacht documentation
14 under 46 U.S.C. 12109, except to the extent fees are col-
15 lected from yacht owners and credited to this appropria-
16 tion: *Provided further*, That the Commandant shall reduce
17 both military and civilian employment levels for the pur-
18 pose of complying with Executive Order No. 12839: *Pro-*
19 *vided further*, That \$34,300,000 of the funds provided
20 under this heading for increased drug interdiction activi-
21 ties are not available for obligation until the Director, Of-
22 fice of National Drug Control Policy: (1) reviews the spe-
23 cific activities and associated costs and benefits proposed
24 by the Coast Guard; (2) compares those activities to other
25 drug interdiction efforts government-wide; and (3) cer-

1 tifies, in writing, to the House and Senate Committees on
2 Appropriations that such expenditures represent the best
3 investment relative to other options: *Provided further*,
4 That should the Director, Office of National Drug Control
5 Policy decline to make such certification, after notification
6 in writing to the House and Senate Committees on Appro-
7 priations, the Director may transfer, at his discretion, up
8 to \$34,300,000 of funds provided herein for Coast Guard
9 drug interdiction activities to any other entity of the Fed-
10 eral Government for drug interdiction activities: *Provided*
11 *further*, That up to \$615,000 in user fees collected pursu-
12 ant to section 1111 of Public Law 104–324 shall be cred-
13 ited to this appropriation as offsetting collections in fiscal
14 year 1998.

15 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of acquisition, construction,
17 renovation, and improvement of aids to navigation, shore
18 facilities, vessels, and aircraft, including equipment related
19 thereto, \$379,000,000, of which \$20,000,000 shall be de-
20 rived from the Oil Spill Liability Trust Fund; of which
21 \$191,650,000 shall be available to acquire, repair, ren-
22 ovate or improve vessels, small boats and related equip-
23 ment, to remain available until September 30, 2002;
24 \$33,900,000 shall be available to acquire new aircraft and
25 increase aviation capability, to remain available until Sep-

1 tember 30, 2000; \$47,050,000 shall be available for other
2 equipment, to remain available until September 30, 2000;
3 \$59,400,000 shall be available for shore facilities and aids
4 to navigation facilities, to remain available until Septem-
5 ber 30, 2000; and \$47,000,000 shall be available for per-
6 sonnel compensation and benefits and related costs, to re-
7 main available until September 30, 1999: *Provided*, That
8 funds received from the sale of HU-25 aircraft shall be
9 credited to this appropriation for the purpose of acquiring
10 new aircraft and increasing aviation capacity: *Provided*
11 *further*, That the Commandant may dispose of surplus real
12 property by sale or lease and the proceeds shall be credited
13 to this appropriation, of which not more than \$9,000,000
14 shall be credited as offsetting collections to this account,
15 to be available for the purposes of this account: *Provided*
16 *further*, That the amount herein appropriated from the
17 General Fund shall be reduced by such amount so as to
18 result in a final fiscal year 1998 appropriation from the
19 General Fund of \$370,000,000: *Provided further*, That
20 any proceeds from the sale or lease of Coast Guard surplus
21 real property in excess of \$9,000,000 shall be retained and
22 remain available until expended, but shall not be available
23 for obligation until October 1, 1998.

1 ENVIRONMENTAL COMPLIANCE AND RESTORATION

2 For necessary expenses to carry out the Coast
3 Guard's environmental compliance and restoration func-
4 tions under chapter 19 of title 14, United States Code,
5 \$21,000,000, to remain available until expended.

6 ALTERATION OF BRIDGES

7 For necessary expenses for alteration or removal of
8 obstructive bridges, \$16,000,000, to remain available until
9 expended.

10 RETIRED PAY

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

18 RESERVE TRAINING

19 (INCLUDING TRANSFER OF FUNDS)

20 For all necessary expenses of the Coast Guard Re-
21 serve, as authorized by law; maintenance and operation
22 of facilities; and supplies, equipment, and services;
23 \$67,000,000: *Provided*, That no more than \$20,000,000
24 of funds made available under this heading may be trans-
25 ferred to Coast Guard "Operating expenses" or otherwise

1 made available to reimburse the Coast Guard for financial
2 support of the Coast Guard Reserve.

3 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

4 For necessary expenses, not otherwise provided for,
5 for applied scientific research, development, test, and eval-
6 uation; maintenance, rehabilitation, lease and operation of
7 facilities and equipment, as authorized by law,
8 \$19,000,000, to remain available until expended, of which
9 \$3,500,000 shall be derived from the Oil Spill Liability
10 Trust Fund: *Provided*, That there may be credited to this
11 appropriation funds received from State and local govern-
12 ments, other public authorities, private sources, and for-
13 eign countries, for expenses incurred for research, develop-
14 ment, testing, and evaluation.

15 BOAT SAFETY

16 (AQUATIC RESOURCES TRUST FUND)

17 For payment of necessary expenses incurred for rec-
18 reational boating safety assistance under Public Law 92-
19 75, as amended, \$35,000,000, to be derived from the Boat
20 Safety Account and to remain available until expended.

21 FEDERAL AVIATION ADMINISTRATION

22 OPERATIONS

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

1 transportation, administrative expenses for research and
2 development, establishment of air navigation facilities and
3 the operation (including leasing) and maintenance of air-
4 craft, and carrying out the provisions of subchapter I of
5 chapter 471 of title 49, United States Code, or other pro-
6 visions of law authorizing the obligation of funds for simi-
7 lar programs of airport and airway development or im-
8 provement, lease or purchase of four passenger motor ve-
9 hicles for replacement only, \$5,300,000,000, of which
10 \$1,880,000,000 shall be derived from the Airport and Air-
11 way Trust Fund: *Provided*, That none of the funds in this
12 Act shall be available for the Federal Aviation Administra-
13 tion to plan, finalize, or implement any regulation that
14 would promulgate new aviation user fees not specifically
15 authorized by law after the date of enactment of this Act:
16 *Provided further*, That there may be credited to this appro-
17 priation funds received from States, counties, municipali-
18 ties, foreign authorities, other public authorities, and pri-
19 vate sources, for expenses incurred in the provision of
20 agency services, including receipts for the maintenance
21 and operation of air navigation facilities, and for issuance,
22 renewal or modification of certificates, including airman,
23 aircraft, and repair station certificates, or for tests related
24 thereto, or for processing major repair or alteration forms:
25 *Provided further*, That funds may be used to enter into

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

17 FACILITIES AND EQUIPMENT

18 (AIRPORT AND AIRWAY TRUST FUND)

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

1 test facilities and acquisition of necessary sites by lease
2 or grant; and construction and furnishing of quarters and
3 related accommodations for officers and employees of the
4 Federal Aviation Administration stationed at remote local-
5 ities where such accommodations are not available; and
6 the purchase, lease, or transfer of aircraft from funds
7 available under this head; to be derived from the Airport
8 and Airway Trust Fund, \$1,875,000,000, of which
9 \$1,655,890,000 shall remain available until September 30,
10 2000, and of which \$219,110,000 shall remain available
11 until September 30, 1998: *Provided*, That there may be
12 credited to this appropriation funds received from States,
13 counties, municipalities, other public authorities, and pri-
14 vate sources, for expenses incurred in the establishment
15 and modernization of air navigation facilities.

16 RESEARCH, ENGINEERING, AND DEVELOPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

18 For necessary expenses, not otherwise provided for,
19 for research, engineering, and development, as authorized
20 under part A of subtitle VII of title 49, United States
21 Code, including construction of experimental facilities and
22 acquisition of necessary sites by lease or grant,
23 \$185,000,000, to be derived from the Airport and Airway
24 Trust Fund and to remain available until September 30,
25 2000: *Provided*, That there may be credited to this appro-

1 priation funds received from States, counties, municipali-
2 ties, other public authorities, and private sources, for ex-
3 penses incurred for research, engineering, and develop-
4 ment: *Provided further*, That none of the funds in this Act
5 may be obligated or expended for the “Flight 2000” Pro-
6 gram.

7 GRANTS-IN-AID FOR AIRPORTS

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (AIRPORT AND AIRWAY TRUST FUND)

10 For liquidation of obligations incurred for grants-in-
11 aid for airport planning and development, and for noise
12 compatibility planning and programs as authorized under
13 subchapter I of chapter 471 and subchapter I of chapter
14 475 of title 49, United States Code, and under other law
15 authorizing such obligations, \$1,600,000,000, to be de-
16 rived from the Airport and Airway Trust Fund and to re-
17 main available until expended: *Provided*, That none of the
18 funds in this Act shall be available for the planning or
19 execution of programs the obligations for which are in ex-
20 cess of \$1,700,000,000 in fiscal year 1998 for grants-in-
21 aid for airport planning and development, and noise com-
22 patibility planning and programs, notwithstanding section
23 47117(h) of title 49, United States Code.

24 AVIATION INSURANCE REVOLVING FUND

25 The Secretary of Transportation is hereby authorized
26 to make such expenditures and investments, within the

1 limits of funds available pursuant to 49 U.S.C. 44307, and
2 in accordance with section 104 of the Government Cor-
3 poration Control Act, as amended (31 U.S.C. 9104), as
4 may be necessary in carrying out the program for aviation
5 insurance activities under chapter 443 of title 49, United
6 States Code.

7 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

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

10 ADMINISTRATIVE SERVICES FRANCHISE FUND

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

14 FEDERAL HIGHWAY ADMINISTRATION

15 LIMITATION ON GENERAL OPERATING EXPENSES

16 Necessary expenses for administration, operation, in-
17 cluding motor carrier safety program operations, and re-
18 search of the Federal Highway Administration not to ex-
19 ceed \$510,313,000 shall be paid in accordance with law
20 from appropriations made available by this Act to the Fed-
21 eral Highway Administration together with advances and
22 reimbursements received by the Federal Highway Admin-
23 istration: *Provided*, That \$202,226,000 of the amount
24 provided herein shall remain available until September 30,
25 2000.

1 FEDERAL-AID HIGHWAYS
2 (LIMITATION ON OBLIGATIONS)
3 (HIGHWAY TRUST FUND)

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

9 FEDERAL-AID HIGHWAYS
10 (LIQUIDATION OF CONTRACT AUTHORIZATION)
11 (HIGHWAY TRUST FUND)

12 For carrying out the provisions of title 23, United
13 States Code, that are attributable to Federal-aid high-
14 ways, including the National Scenic and Recreational
15 Highway as authorized by 23 U.S.C. 148, not otherwise
16 provided, including reimbursements for sums expended
17 pursuant to the provisions of 23 U.S.C. 308,
18 \$20,800,000,000 or so much thereof as may be available
19 in and derived from the Highway Trust Fund, to remain
20 available until expended.

21 RIGHT-OF-WAY REVOLVING FUND
22 (LIMITATION ON DIRECT LOANS)
23 (HIGHWAY TRUST FUND)

24 None of the funds under this head are available for
25 obligations for right-of-way acquisition during fiscal year
26 1998.

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

4 For payment of obligations incurred in carrying out
5 49 U.S.C. 31102, \$85,000,000, to be derived from the
6 Highway Trust Fund and to remain available until ex-
7 pended: *Provided*, That none of the funds in this Act shall
8 be available for the implementation or execution of pro-
9 grams the obligations for which are in excess of
10 \$85,325,000 for “Motor Carrier Safety Grants”.

11 NATIONAL HIGHWAY TRAFFIC SAFETY
12 ADMINISTRATION
13 OPERATIONS AND RESEARCH

14 For expenses necessary to discharge the functions of
15 the Secretary with respect to traffic and highway safety
16 under part C of subtitle VI of title 49, United States Code,
17 and chapter 301 of title 49, United States Code,
18 \$74,492,000, of which \$40,674,000 shall remain available
19 until September 30, 2000: *Provided*, That none of the
20 funds appropriated by this Act may be obligated or ex-
21 pended to plan, finalize, or implement any rulemaking to
22 add to section 575.104 of title 49 of the Code of Federal
23 Regulations any requirement pertaining to a grading
24 standard that is different from the three grading stand-
25 ards (treadwear, traction, and temperature resistance) al-
26 ready in effect.

1 OPERATIONS AND RESEARCH
2 (HIGHWAY TRUST FUND)

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

10 HIGHWAY TRAFFIC SAFETY GRANTS
11 (LIQUIDATION OF CONTRACT AUTHORIZATION)
12 (LIMITATION ON OBLIGATIONS)
13 (HIGHWAY TRUST FUND)

14 For payment of obligations incurred carrying out the
15 provisions of 23 U.S.C. 153, 402, 408, and 410, and chap-
16 ter 303 of title 49, United States Code, to remain available
17 until expended, \$186,000,000, to be derived from the
18 Highway Trust Fund: *Provided*, That, notwithstanding
19 subsection 2009(b) of the Intermodal Surface Transpor-
20 tation Efficiency Act of 1991, none of the funds in this
21 Act shall be available for the planning or execution of pro-
22 grams the total obligations for which, in fiscal year 1998,
23 are in excess of \$186,500,000 for programs authorized
24 under 23 U.S.C. 402, 410, and chapter 303 of title 49,
25 United States Code, of which \$140,200,000 shall be for
26 “State and community highway safety grants”,

1 \$2,300,000 shall be for the “National Driver Register”,
2 \$9,000,000 shall be for “Occupant Protection Incentive
3 Grants”, subject to authorization, and \$35,000,000 shall
4 be for section 410 “Alcohol-impaired driving counter-
5 measures programs”: *Provided further*, That none of these
6 funds shall be used for construction, rehabilitation or re-
7 modeling costs, or for office furnishings and fixtures for
8 State, local, or private buildings or structures: *Provided*
9 *further*, That not to exceed \$5,268,000 of the funds made
10 available for section 402 may be available for administer-
11 ing “State and community highway safety grants”: *Pro-*
12 *vided further*, That not to exceed \$150,000 of the funds
13 made available for section 402 may be available for admin-
14 istering the highway safety grants authorized by section
15 1003(a)(7) of Public Law 102–240: *Provided further*,
16 That not to exceed \$500,000 of the funds made available
17 for section 410 “Alcohol-impaired driving counter-meas-
18 ures programs” shall be available for technical assistance
19 to the States.

20 FEDERAL RAILROAD ADMINISTRATION

21 OFFICE OF THE ADMINISTRATOR

22 For necessary expenses of the Federal Railroad Ad-
23 ministration, not otherwise provided for, \$19,434,000, of
24 which \$1,389,000 shall remain available until expended:
25 *Provided*, That none of the funds in this Act shall be avail-

1 able for the planning or execution of a program making
2 commitments to guarantee new loans under the Emer-
3 gency Rail Services Act of 1970, as amended, and no new
4 commitments to guarantee loans under section 211(a) or
5 211(h) of the Regional Rail Reorganization Act of 1973,
6 as amended, shall be made: *Provided further*, That, as part
7 of the Washington Union Station transaction in which the
8 Secretary assumed the first deed of trust on the property
9 and, where the Union Station Redevelopment Corporation
10 or any successor is obligated to make payments on such
11 deed of trust on the Secretary's behalf, including pay-
12 ments on and after September 30, 1988, the Secretary
13 is authorized to receive such payments directly from the
14 Union Station Redevelopment Corporation, credit them to
15 the appropriation charged for the first deed of trust, and
16 make payments on the first deed of trust with those funds:
17 *Provided further*, That such additional sums as may be
18 necessary for payment on the first deed of trust may be
19 advanced by the Administrator from unobligated balances
20 available to the Federal Railroad Administration, to be re-
21 imbursed from payments received from the Union Station
22 Redevelopment Corporation: *Provided further*, That none
23 of the funds for rental payments to the General Services
24 Administration provided herein shall be used to pay the

1 expenses of headquarters' employees outside of the Nassif
2 building after January 1, 1998.

3 RAILROAD SAFETY

4 For necessary expenses in connection with railroad
5 safety, not otherwise provided for, \$56,967,000, of which
6 \$5,511,000 shall remain available until expended: *Pro-*
7 *vided*, That notwithstanding any other provision of law,
8 funds appropriated under this heading are available for
9 the reimbursement of out-of-state travel and per diem
10 costs incurred by employees of State governments directly
11 supporting the Federal railroad safety program, including
12 regulatory development and compliance-related activities.

13 RAILROAD RESEARCH AND DEVELOPMENT

14 For necessary expenses for railroad research and de-
15 velopment, \$21,038,000, to remain available until ex-
16 pended.

17 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

18 For necessary expenses related to Northeast Corridor
19 improvements authorized by title VII of the Railroad Revi-
20 talization and Regulatory Reform Act of 1976, as amend-
21 ed (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909,
22 \$250,000,000, to remain available until September 30,
23 2000.

1 accommodate double stack freight cars, \$10,000,000, to
2 be matched by the State of Rhode Island or its designee
3 on a dollar for dollar basis and to remain available until
4 expended: *Provided*, That as a condition of accepting such
5 funds, the Providence and Worcester (P&W) Railroad
6 shall enter into an agreement with the Secretary to reim-
7 burse Amtrak and/or the Federal Railroad Administra-
8 tion, on a dollar for dollar basis, up to the first
9 \$23,000,000 in damages resulting from the legal action
10 initiated by the P&W Railroad under its existing contracts
11 with Amtrak relating to the provision of vertical clearances
12 between Davisville and Central Falls in excess of those re-
13 quired for present freight operations.

14 GRANTS TO THE NATIONAL RAILROAD PASSENGER
15 CORPORATION

16 To enable the Secretary of Transportation to make
17 grants to the National Railroad Passenger Corporation
18 authorized by 49 U.S.C. 24104, \$543,000,000, to remain
19 available until expended, of which \$202,000,000 shall be
20 available for operating losses, \$81,000,000 shall be avail-
21 able for mandatory passenger rail service payments, and
22 \$260,000,000 shall be for capital improvements: *Provided*,
23 That none of the funds herein appropriated for mandatory
24 railroad retirement payments shall be used for payments
25 for National Railroad Passenger Corporation employees:

1 *Provided further*, That none of the funds in this Act may
2 be obligated or expended for operating losses in excess of
3 the amounts specifically provided herein: *Provided further*,
4 That none of the funds provided for capital improvements
5 may be transferred to operating losses to pay for debt
6 service interest unless specifically authorized by law after
7 the date of enactment of this Act: *Provided further*, That
8 the incurring of any obligation or commitment by the Cor-
9 poration for the purchase of capital improvements prohib-
10 ited by this Act or not expressly provided for in an appro-
11 priations Act shall be deemed a violation of 31 U.S.C.
12 1341: *Provided further*, That funding under this head for
13 capital improvements shall not be made available before
14 July 1, 1998: *Provided further*, That the Administrator
15 of the Federal Railroad Administration shall submit a
16 quarterly report to the House and Senate Committees on
17 Appropriations detailing the financial status of, and future
18 business forecasts for, the National Railroad Passenger
19 Corporation as well as recommendations for reducing op-
20 erating losses in the near-term and Federal financial sup-
21 port in the long-term: *Provided further*, That none of the
22 funds herein appropriated shall be used for lease or pur-
23 chase of passenger motor vehicles or for the hire of vehicle
24 operators for any officer or employee, other than the presi-
25 dent of the Corporation, excluding the lease of passenger

1 motor vehicles for those officers or employees while in offi-
2 cial travel status.

3 FEDERAL TRANSIT ADMINISTRATION

4 ADMINISTRATIVE EXPENSES

5 For necessary administrative expenses of the Federal
6 Transit Administration's programs authorized by chapter
7 53 of title 49, United States Code, \$45,738,000: *Provided*,
8 That none of the funds in this Act shall be available for
9 the execution of contracts under section 5327(c) of title
10 49, United States Code, in an aggregate amount that ex-
11 ceeds \$15,000,000.

12 FORMULA GRANTS

13 For necessary expenses to carry out 49 U.S.C. 5307,
14 5310(a)(2), 5311, and 5336, to remain available until ex-
15 pended, \$290,000,000: *Provided*, That no more than
16 \$2,500,000,000 of budget authority shall be available for
17 these purposes: *Provided further*, That of the funds pro-
18 vided under this head for formula grants, no more than
19 \$200,000,000 may be used for operating assistance under
20 49 U.S.C. 5336(d): *Provided further*, That the limitation
21 on operating assistance provided under this heading shall,
22 for urbanized areas of less than 200,000 in population,
23 be no less than seventy-five percent of the amount of oper-
24 ating assistance such areas are eligible to receive under
25 Public Law 103-331: *Provided further*, That in the dis-

1 tribution of the limitation provided under this heading to
2 urbanized areas that had a population under the 1990
3 census of 1,000,000 or more, the Secretary shall direct
4 each such area to give priority consideration to the impact
5 of reductions in operating assistance on smaller transit au-
6 thorities operating within the area and to consider the
7 needs and resources of such transit authorities when the
8 limitation is distributed among all transit authorities oper-
9 ating in the area.

10 UNIVERSITY TRANSPORTATION CENTERS

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

14 TRANSIT PLANNING AND RESEARCH

15 For necessary expenses for transit planning and re-
16 search as authorized by 49 U.S.C. 5303, 5311, 5313,
17 5314, and 5315, to remain available until expended,
18 \$86,000,000, of which \$39,500,000 shall be for activities
19 under Metropolitan Planning (49 U.S.C. 5303);
20 \$4,500,000 for activities under Rural Transit Assistance
21 (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under
22 State Planning and Research (49 U.S.C. 5313(b));
23 \$22,500,000 for activities under National Planning and
24 Research (49 U.S.C. 5314); \$8,250,000 for activities
25 under Transit Cooperative Research (49 U.S.C. 5313(a));

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

3 TRUST FUND SHARE OF EXPENSES

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred in carrying out
7 49 U.S.C. 5338(a), \$2,210,000,000, to remain available
8 until expended and to be derived from the Highway Trust
9 Fund: *Provided*, That \$2,210,000,000 shall be paid from
10 the Mass Transit Account of the Highway Trust Fund to
11 the Federal Transit Administration's formula grants ac-
12 count.

13 DISCRETIONARY GRANTS

14 (LIMITATION ON OBLIGATIONS)

15 (HIGHWAY TRUST FUND)

16 None of the funds in this Act shall be available for
17 the implementation or execution of programs the obliga-
18 tions for which are in excess of \$2,000,000,000 in fiscal
19 year 1998 for grants under the contract authority in 49
20 U.S.C. 5338(b): *Provided*, That there shall be available
21 for fixed guideway modernization, \$800,000,000; there
22 shall be available for the replacement, rehabilitation, and
23 purchase of buses and related equipment and the con-
24 struction of bus-related facilities, \$400,000,000; and there
25 shall be available for new fixed guideway systems
26 \$800,000,000, to be available as follows:

1 \$44,600,000 for the Atlanta-North Springs
2 project (subject to authorization);

3 \$46,300,000 for the Boston Piers MOS-2
4 project (subject to authorization);

5 \$2,300,000 for the Canton-Akron-Cleveland
6 commuter rail project (subject to authorization);

7 \$1,000,000 for the Charlotte South corridor
8 transitway project (subject to authorization);

9 \$500,000 for the Cincinnati Northeast/North-
10 ern Kentucky rail line project (subject to authoriza-
11 tion);

12 \$5,000,000 for the Clark County, Nevada fixed
13 guideway project (subject to authorization);

14 \$800,000 for the Cleveland Blue Line extension
15 to Highland Hills project (subject to authorization);

16 \$700,000 for the Cleveland Berea Red Line ex-
17 tension to Hopkins International Airport (subject to
18 authorization);

19 \$1,200,000 for the Cleveland Waterfront Line
20 extension project (subject to authorization);

21 \$14,000,000 for the Dallas-Fort Worth
22 RAILTRAN project (subject to authorization);

23 \$8,000,000 for the DART North Central light
24 rail extension project (subject to authorization);

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

3 \$21,400,000 for the Denver Southwest Corridor
4 project (subject to authorization);

5 \$7,000,000 for the Florida Tri-County com-
6 muter rail project (subject to authorization);

7 \$1,000,000 for the Galveston, Texas rail trolley
8 system project (subject to authorization);

9 \$1,000,000 for the Houston Advanced Regional
10 Bus Plan project (subject to authorization);

11 \$51,100,000 for the Houston Regional Bus
12 project (subject to authorization);

13 \$1,000,000 for the Indianapolis Northeast cor-
14 ridor project (subject to authorization);

15 \$4,000,000 for the Jackson, Mississippi inter-
16 modal corridor project (subject to authorization);

17 \$76,000,000 for the Los Angeles MOS-3
18 project (subject to authorization);

19 \$27,000,000 for MARC commuter rail improve-
20 ments (subject to authorization);

21 \$1,000,000 for the Memphis, Tennessee re-
22 gional rail project (subject to authorization);

23 \$9,000,000 for the Metro-Dade Transit east-
24 west corridor project (subject to authorization);

- 1 \$9,000,000 for the Miami-North 27th Avenue
2 project (subject to authorization);
- 3 \$1,000,000 for the Mission Valley East corridor
4 project (subject to authorization);
- 5 \$54,800,000 for the New Jersey-Hudson-Ber-
6 gen project (subject to authorization);
- 7 \$27,000,000 for the New Jersey Secaucus
8 project (subject to authorization);
- 9 \$8,000,000 for the New Orleans Canal Street
10 corridor project (subject to authorization);
- 11 \$2,000,000 for the New Orleans Desire Street-
12 car project (subject to authorization);
- 13 \$6,000,000 for the North Carolina Research
14 Triangle Park project (subject to authorization);
- 15 \$2,000,000 for the Northern Indiana South
16 Shore commuter rail project (subject to authoriza-
17 tion);
- 18 \$5,000,000 for the Oceanside-Escondido light
19 rail project (subject to authorization);
- 20 \$1,600,000 for the Oklahoma City MAPS cor-
21 ridor transit project (subject to authorization);
- 22 \$4,000,000 for the Orange County transitway
23 project (subject to authorization);
- 24 \$31,800,000 for the Orlando Lynx light rail
25 project (subject to authorization);

1 \$500,000 for the Pennsylvania Strawberry Hill/
2 Diamond Branch rail project (subject to authoriza-
3 tion);

4 \$8,000,000 for the Phoenix metropolitan area
5 transit project (subject to authorization);

6 \$3,000,000 for the Pittsburgh airport busway
7 project (subject to authorization);

8 \$63,400,000 for the Portland-Westside/Hills-
9 boro project (subject to authorization);

10 \$20,300,000 for the Sacramento LRT project
11 (subject to authorization);

12 \$42,800,000 for the Salt Lake City South LRT
13 project (subject to authorization);

14 \$1,000,000 for the San Bernardino Metrolink
15 project (subject to authorization);

16 \$3,000,000 for the San Diego Mid-Coast cor-
17 ridor project (subject to authorization);

18 \$54,800,000 for the San Francisco BART ex-
19 tension to the airport project (subject to authoriza-
20 tion);

21 \$25,700,000 for the San Juan Tren Urbano
22 (subject to authorization);

23 \$21,400,000 for the San Jose Tasman LRT
24 project (subject to authorization);

1 \$4,000,000 for the Seattle-Tacoma commuter
2 rail project (subject to authorization);
3 \$2,000,000 for the Seattle-Tacoma light rail
4 project (subject to authorization);
5 \$30,000,000 for the St. Louis-St. Clair LRT
6 extension project (subject to authorization);
7 \$5,000,000 for the St. George Ferry terminal
8 project (subject to authorization);
9 \$2,000,000 for the Tampa Bay regional rail
10 project (subject to authorization);
11 \$2,000,000 for the Tidewater, Virginia rail
12 project (subject to authorization);
13 \$1,000,000 for the Toledo, Ohio rail project
14 (subject to authorization);
15 \$20,000,000 for the Twin Cities transitways
16 projects (subject to authorization);
17 \$2,500,000 for the Virginia Rail Express Fred-
18 ericksburg to Washington commuter rail project
19 (subject to authorization);
20 \$5,000,000 for the Whitehall ferry terminal
21 project (subject to authorization); and
22 \$5,000,000 for the Wisconsin central commuter
23 rail project (subject to authorization).

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, \$2,350,000,000, to be derived from the
7 Highway Trust Fund and to remain available until ex-
8 pended.

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, to remain available until expended.

14 SAINT LAWRENCE SEAWAY DEVELOPMENT
15 CORPORATION

16 SAINT LAWRENCE SEAWAY DEVELOPMENT
17 CORPORATION

18 The Saint Lawrence Seaway Development Corpora-
19 tion is hereby authorized to make such expenditures, with-
20 in the limits of funds and borrowing authority available
21 to the Corporation, and in accord with law, and to make
22 such contracts and commitments without regard to fiscal
23 year limitations as provided by section 104 of the Govern-
24 ment Corporation Control Act, as amended, as may be
25 necessary in carrying out the programs set forth in the
26 Corporation’s budget for the current fiscal year.

1 OPERATIONS AND MAINTENANCE
2 (HARBOR MAINTENANCE TRUST FUND)

3 For necessary expenses for operation and mainte-
4 nance of those portions of the Saint Lawrence Seaway op-
5 erated and maintained by the Saint Lawrence Seaway De-
6 velopment Corporation, including the Great Lakes Pilot-
7 age functions delegated by the Secretary of Transpor-
8 tation, \$11,200,000, to be derived from the Harbor Main-
9 tenance Trust Fund, pursuant to Public Law 99-662.

10 RESEARCH AND SPECIAL PROGRAMS

11 ADMINISTRATION

12 RESEARCH AND SPECIAL PROGRAMS

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

1 formance of hazardous materials exemptions and approv-
2 als functions.

3 PIPELINE SAFETY

4 (PIPELINE SAFETY FUND)

5 For expenses necessary to conduct the functions of
6 the pipeline safety program, for grants-in-aid to carry out
7 a pipeline safety program, as authorized by 49 U.S.C.
8 60107, and to discharge the pipeline program responsibil-
9 ities of the Oil Pollution Act of 1990, \$31,486,000, of
10 which \$3,300,000 shall be derived from the Oil Spill Li-
11 ability Trust Fund and shall remain available until Sep-
12 tember 30, 2000; and of which \$28,186,000 shall be de-
13 rived from the Pipeline Safety Fund, of which
14 \$14,839,000 shall remain available until September 30,
15 2000: *Provided*, That in addition to amounts made avail-
16 able for the Pipeline Safety Fund, \$1,000,000 shall be
17 available for grants to States for the development and es-
18 tablishment of one-call notification systems and shall be
19 derived from amounts previously collected under section
20 7005 of the Consolidated Omnibus Budget Reconciliation
21 Act of 1985.

22 EMERGENCY PREPAREDNESS GRANTS

23 (EMERGENCY PREPAREDNESS FUND)

24 For necessary expenses to carry out 49 U.S.C.
25 5127(c), \$200,000, to be derived from the Emergency

1 Preparedness Fund, to remain available until September
2 30, 2000: *Provided*, That none of the funds made available
3 by 49 U.S.C. 5116(i) and 5127(d) shall be made available
4 for obligation by individuals other than the Secretary of
5 Transportation, or his designee.

6 OFFICE OF INSPECTOR GENERAL

7 SALARIES AND EXPENSES

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

13 SURFACE TRANSPORTATION BOARD

14 SALARIES AND EXPENSES

15 For necessary expenses of the Surface Transpor-
16 tation Board, including services authorized by 5 U.S.C.
17 3109, \$15,853,000: *Provided*, That notwithstanding any
18 other provision of law, not to exceed \$2,000,000 from fees
19 established by the Chairman of the Surface Transpor-
20 tation Board shall be credited to this appropriation as off-
21 setting collections and used for necessary and authorized
22 expenses under this heading: *Provided further*, That the
23 sum herein appropriated for the general fund shall be re-
24 duced on a dollar for dollar basis as such offsetting collec-
25 tions are received during fiscal year 1998, to result in a

1 final appropriation from the general fund estimated at no
2 more than \$13,853,000: *Provided further*, That any fees
3 received in excess of \$2,000,000 in fiscal year 1998 shall
4 remain available until expended, but shall not be available
5 for obligation until October 1, 1998.

6

TITLE II

7

RELATED AGENCIES

8

ARCHITECTURAL AND TRANSPORTATION

9

BARRIERS COMPLIANCE BOARD

10

SALARIES AND EXPENSES

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

18

NATIONAL TRANSPORTATION SAFETY BOARD

19

SALARIES AND EXPENSES

20 For necessary expenses of the National Transpor-
21 tation Safety Board, including hire of passenger motor ve-
22 hicles and aircraft; services as authorized by 5 U.S.C.
23 3109, but at rates for individuals not to exceed the per
24 diem rate equivalent to the rate for a GS-18; uniforms,
25 or allowances therefor, as authorized by law (5 U.S.C.

1 5901–5902) \$46,000,000, of which not to exceed \$2,000
2 may be used for official reception and representation ex-
3 penses.

4 EMERGENCY FUND

5 For necessary expenses of the National Transpor-
6 tation Safety Board for accident investigations, including
7 hire of passenger motor vehicles and aircraft; services as
8 authorized by 5 U.S.C. 3109, but at rates for individuals
9 not to exceed the per diem rate equivalent to the rate for
10 a GS–18; uniforms, or allowances therefor, as authorized
11 by law (5 U.S.C. 5901–5902), \$1,000,000, to remain
12 available until expended.

13 TITLE III

14 GENERAL PROVISIONS

15 (INCLUDING TRANSFERS OF FUNDS)

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

24 SEC. 302. Such sums as may be necessary for fiscal
25 year 1998 pay raises for programs funded in this Act shall

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (2) after August 1, 1998, revise a distribution
8 of the funds made available under subsection (a) if
9 a State will not obligate the amount distributed dur-
10 ing that fiscal year and redistribute sufficient
11 amounts to those States able to obligate amounts in
12 addition to those previously distributed during that
13 fiscal year giving priority to those States having
14 large unobligated balances of funds apportioned
15 under sections 103(e)(4), 104, and 144 of title 23,
16 United States Code, and under sections 1013(c) and
17 1015 of Public Law 102–240; and

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

1 5316, 5317, and 5338: *Provided*, That amounts
2 made available under section 6005 of Public Law
3 102–240 shall be subject to the obligation limitation
4 for Federal-aid highways and highway safety con-
5 struction programs under the head “Federal-Aid
6 Highways” in this Act.

7 (d) During the period October 1 through December
8 31, 1997, the aggregate amount of obligations under sec-
9 tion 157 of title 23, United States Code, for projects cov-
10 ered under section 147 of the Surface Transportation As-
11 sistance Act of 1978, section 9 of the Federal-Aid High-
12 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-
13 lic Law 97–424, sections 1061, 1103–1108, 4008,
14 6023(b)(8), and 6023(b)(10) of Public Law 102–240, and
15 for projects authorized by Public Law 99–500 and Public
16 Law 100–17, shall not exceed \$277,431,840.

17 (e) During the period August 2 through September
18 30, 1998, the aggregate amount which may be obligated
19 by all States shall not exceed 2.5 percent of the aggregate
20 amount of funds apportioned or allocated to all States—

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

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

1 would not be obligated in fiscal year 1998 if the
2 total amount of the obligation limitation provided for
3 such fiscal year in this Act were utilized.

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

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

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

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

22 SEC. 314. Notwithstanding any other provision of
23 law, airports may transfer, without consideration, to the
24 Federal Aviation Administration (FAA) instrument land-
25 ing systems (along with associated approach lighting

1 equipment and runway visual range equipment) which
2 conform to FAA design and performance specifications,
3 the purchase of which was assisted by a Federal airport-
4 aid program, airport development aid program or airport
5 improvement program grant. The FAA shall accept such
6 equipment, which shall thereafter be operated and main-
7 tained by the FAA in accordance with agency criteria.

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

24 SEC. 316. Notwithstanding any other provision of
25 law, and except for fixed guideway modernization projects,

1 funds made available by this Act under “Federal Transit
2 Administration, Discretionary grants” for projects speci-
3 fied in this Act or identified in reports accompanying this
4 Act not obligated by September 30, 2000, shall be made
5 available for other projects under 49 U.S.C. 5309.

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

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

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

1 portion to the amount included in each account for the
2 Transportation Administrative Service Center.

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

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

23 SEC. 322. None of the funds in this Act may be used
24 for planning, engineering, design, or construction of a
25 sixth runway at the Denver International Airport, Denver,

1 Colorado: *Provided*, That this provision shall not apply in
2 any case where the Administrator of the Federal Aviation
3 Administration determines, in writing, that safety condi-
4 tions warrant obligation of such funds: *Provided further*,
5 That funds may be used for activities related to planning
6 or analysis of airport noise issues related to the sixth run-
7 way project.

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

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

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

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

1 gress, through the proper official channels, requests for
2 legislation or appropriations which they deem necessary
3 for the efficient conduct of the public business.

4 SEC. 326. 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. 327. Notwithstanding any other provision of
10 law, the Secretary may use funds appropriated under this
11 Act, or any subsequent Act, to administer and implement
12 the exemption provisions of 49 CFR 580.6 and to adopt
13 or amend exemptions from the disclosure requirements of
14 49 CFR part 580 for any class or category of vehicles
15 that the Secretary deems appropriate.

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

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

24 (b) SENSE OF CONGRESS: REQUIREMENT REGARD-
25 ING NOTICE.—

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

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

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

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

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

8 SEC. 331. None of the funds made available in this
9 Act may be used for improvements to the Miller Highway
10 in New York City, New York.

11 SEC. 332. None of the funds in this Act shall be avail-
12 able to implement or enforce regulations that would result
13 in the withdrawal of a slot from an air carrier at O'Hare
14 International Airport under section 93.223 of title 14 of
15 the Code of Federal Regulations in excess of the total slots
16 withdrawn from that air carrier as of October 31, 1993
17 if such additional slot is to be allocated to an air carrier
18 or foreign air carrier under section 93.217 of title 14 of
19 the Code of Federal Regulations.

1 This Act may be cited as the “Department of Trans-
2 portation and Related Agencies Appropriations Act,
3 1998”.

Passed the House of Representatives July 23, 1997.

Attest:

ROBIN H. CARLE,

Clerk.