

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4328**

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**AN ACT**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

105<sup>TH</sup> CONGRESS  
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## AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, 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,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 1999, and for other pur-  
4 poses, namely:

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 IMMEDIATE OFFICE OF THE SECRETARY

9 For necessary expenses of the Immediate Office of  
10 the Secretary, \$1,623,800.

11 IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

12 For necessary expenses of the Immediate Office of  
13 the Deputy Secretary, \$585,000.

14 OFFICE OF THE GENERAL COUNSEL

15 For necessary expenses of the Office of the General  
16 Counsel, \$8,895,000.

17 OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

18 For necessary expenses of the Office of the Assistant  
19 Secretary for Policy, \$2,667,200.

20 OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION

21 AND INTERNATIONAL AFFAIRS

22 For necessary expenses of the Office of the Assistant  
23 Secretary for Aviation and International Affairs,  
24 \$7,002,200: *Provided*, That notwithstanding any other

1 provision of law, there may be credited to this appropria-  
2 tion up to \$1,000,000 in funds received in user fees.

3 OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET  
4 AND PROGRAMS

5 For necessary expenses of the Office of the Assistant  
6 Secretary for Budget and Programs, \$6,069,300, includ-  
7 ing not to exceed \$40,000 for allocation within the Depart-  
8 ment for official reception and representation expenses as  
9 the Secretary may determine.

10 OFFICE OF THE ASSISTANT SECRETARY FOR  
11 GOVERNMENTAL AFFAIRS

12 For necessary expenses of the Office of the Assistant  
13 Secretary for Governmental Affairs, \$1,672,000.

14 OFFICE OF THE ASSISTANT SECRETARY FOR  
15 ADMINISTRATION

16 For necessary expenses of the Office of the Assistant  
17 Secretary for Administration, \$19,147,100.

18 OFFICE OF PUBLIC AFFAIRS

19 For necessary expenses of the Office of Public Af-  
20 fairs, \$1,377,600.

21 EXECUTIVE SECRETARIAT

22 For necessary expenses of the Executive Secretariat,  
23 \$1,046,900.

## 1 BOARD OF CONTRACT APPEALS

2 For necessary expenses of the Board of Contract Ap-  
3 peals, \$675,500.

## 4 OFFICE OF SMALL AND DISADVANTAGED BUSINESS

## 5 UTILIZATION

6 For necessary expenses of the Office of Small and  
7 Disadvantaged Business Utilization, \$839,200.

## 8 OFFICE OF INTELLIGENCE AND SECURITY

9 For necessary expenses of the Office of Intelligence  
10 and Security, \$961,100.

## 11 OFFICE OF THE CHIEF INFORMATION OFFICER

12 For necessary expenses of the Office of the Chief In-  
13 formation Officer, \$4,400,000.

## 14 OFFICE OF INTERMODALISM

15 For necessary expenses of the Office of Intermod-  
16 alism, \$1,018,000.

## 17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,  
19 \$6,966,000.

## 20 TRANSPORTATION PLANNING, RESEARCH, AND

## 21 DEVELOPMENT

22 For necessary expenses for conducting transportation  
23 planning, research, systems development, and development  
24 activities, to remain available until expended, \$3,035,000.

## 1 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

2 Necessary expenses for operating costs and capital  
3 outlays of the Transportation Administrative Service Cen-  
4 ter, not to exceed \$109,124,000, shall be paid from appro-  
5 priations made available to the Department of Transpor-  
6 tation: *Provided*, That such services shall be provided on  
7 a competitive basis to entities within the Department of  
8 Transportation: *Provided further*, That the above limita-  
9 tion on operating expenses shall not apply to non-DOT  
10 entities: *Provided further*, That no funds appropriated in  
11 this Act to an agency of the Department shall be trans-  
12 ferred to the Transportation Administrative Service Cen-  
13 ter without the approval of the agency modal adminis-  
14 trator: *Provided further*, That no assessments may be lev-  
15 ied against any program, budget activity, subactivity or  
16 project funded by this Act unless notice of such assess-  
17 ments and the basis therefor are presented to the House  
18 and Senate Committees on Appropriations and are ap-  
19 proved by such Committees.

## 20 MINORITY BUSINESS RESOURCE CENTER PROGRAM

21 For the cost of direct loans, \$1,500,000, as author-  
22 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-  
23 ing the cost of modifying such loans, shall be as defined  
24 in section 502 of the Congressional Budget Act of 1974:  
25 *Provided further*, That these funds are available to sub-

1 sidize gross obligations for the principal amount of direct  
2 loans not to exceed \$13,775,000. In addition, for adminis-  
3 trative expenses to carry out the direct loan program,  
4 \$400,000.

5                   MINORITY BUSINESS OUTREACH

6           For necessary expenses of Minority Business Re-  
7 source Center outreach activities, \$2,900,000, of which  
8 \$2,635,000 shall remain available until September 30,  
9 2000: *Provided*, That notwithstanding 49 U.S.C. 332,  
10 these funds may be used for business opportunities related  
11 to any mode of transportation.

12                   AMTRAK REFORM COUNCIL

13           For necessary expenses of the Amtrak Reform Coun-  
14 cil authorized under section 203 of Public Law 105-134,  
15 \$450,000, to remain available until September 30, 2000.

16                   COAST GUARD

17                   OPERATING EXPENSES

18           For necessary expenses for the operation and mainte-  
19 nance of the Coast Guard, not otherwise provided for; pur-  
20 chase of not to exceed five passenger motor vehicles for  
21 replacement only; payments pursuant to section 156 of  
22 Public Law 97-377, as amended (42 U.S.C. 402 note),  
23 and section 229(b) of the Social Security Act (42 U.S.C.  
24 429(b)); and recreation and welfare; \$2,700,000,000, of  
25 which not to exceed \$4,000,000 shall be for the establish-

1 ment and operating costs of a Caribbean international  
2 support tender, to train and support foreign coast guards  
3 in the Caribbean region; of which \$300,000,000 shall be  
4 available for defense-related activities; and of which  
5 \$25,000,000 shall be derived from the Oil Spill Liability  
6 Trust Fund: *Provided*, That the number of aircraft on  
7 hand at any one time shall not exceed 212, exclusive of  
8 aircraft and parts stored to meet future attrition: *Provided*  
9 *further*, That none of the funds appropriated in this or  
10 any other Act shall be available for pay or administrative  
11 expenses in connection with shipping commissioners in the  
12 United States: *Provided further*, That none of the funds  
13 provided in this Act shall be available for expenses in-  
14 curred for yacht documentation under 46 U.S.C. 12109,  
15 except to the extent fees are collected from yacht owners  
16 and credited to this appropriation: *Provided further*, That  
17 the Commandant shall reduce both military and civilian  
18 employment levels for the purpose of complying with Exec-  
19 utive Order No. 12839: *Provided further*, That up to  
20 \$615,000 in user fees collected pursuant to section 1111  
21 of Public Law 104–324 shall be credited to this appropria-  
22 tion as offsetting collections in fiscal year 1999: *Provided*  
23 *further*, That none of the funds in this Act shall be avail-  
24 able for the Coast Guard to plan, finalize, or implement  
25 any regulation that would promulgate new maritime user



1 fees not specifically authorized by law after the date of  
2 enactment of this Act.

3 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses of acquisition, construction,  
6 renovation, and improvement of aids to navigation, shore  
7 facilities, vessels, and aircraft, including equipment related  
8 thereto, \$389,000,000, of which \$20,000,000 shall be de-  
9 rived from the Oil Spill Liability Trust Fund; of which  
10 \$227,913,000 shall be available to acquire, repair, ren-  
11 ovate or improve vessels, small boats and related equip-  
12 ment, to remain available until September 30, 2003;  
13 \$39,400,000 shall be available to acquire new aircraft and  
14 increase aviation capability, to remain available until Sep-  
15 tember 30, 2001; \$30,314,000 shall be available for other  
16 equipment, to remain available until September 30, 2001;  
17 \$42,923,000 shall be available for shore facilities and aids  
18 to navigation facilities, to remain available until Septem-  
19 ber 30, 2001; and \$48,450,000 shall be available for per-  
20 sonnel compensation and benefits and related costs, to re-  
21 main available until September 30, 2000: *Provided*, That  
22 funds received from the sale of HU-25 aircraft shall be  
23 credited to this appropriation for the purpose of acquiring  
24 new aircraft and increasing aviation capacity: *Provided*  
25 *further*, That the Commandant may dispose of surplus real

1 property by sale or lease and the proceeds shall be credited  
2 to this appropriation, of which not more than \$3,000,000  
3 shall be credited as offsetting collections to this account,  
4 to be available for the purposes of this account: *Provided*  
5 *further*, That the amount herein appropriated from the  
6 General Fund shall be reduced by such amount: *Provided*  
7 *further*, That any proceeds from the sale or lease of Coast  
8 Guard surplus real property in excess of \$3,000,000 shall  
9 be retained and remain available until expended, but shall  
10 not be available for obligation until October 1, 1999.

11 ENVIRONMENTAL COMPLIANCE AND RESTORATION

12 For necessary expenses to carry out the Coast  
13 Guard's environmental compliance and restoration func-  
14 tions under chapter 19 of title 14, United States Code,  
15 \$21,000,000, to remain available until expended.

16 ALTERATION OF BRIDGES

17 For necessary expenses for alteration or removal of  
18 obstructive bridges, \$12,000,000, to remain available until  
19 expended.

20 RETIRED PAY

21 For retired pay, including the payment of obligations  
22 therefor otherwise chargeable to lapsed appropriations for  
23 this purpose, and payments under the Retired Service-  
24 man's Family Protection and Survivor Benefits Plans, and  
25 for payments for medical care of retired personnel and

1 their dependents under the Dependents Medical Care Act  
2 (10 U.S.C. ch. 55), \$684,000,000.

3 RESERVE TRAINING

4 (INCLUDING TRANSFER OF FUNDS)

5 For all necessary expenses of the Coast Guard Re-  
6 serve, as authorized by law; maintenance and operation  
7 of facilities; and supplies, equipment, and services;  
8 \$69,000,000: *Provided*, That no more than \$20,000,000  
9 of funds made available under this heading may be trans-  
10 ferred to Coast Guard “Operating expenses” or otherwise  
11 made available to reimburse the Coast Guard for financial  
12 support of the Coast Guard Reserve: *Provided further*,  
13 That none of the funds in this Act may be used by the  
14 Coast Guard to assess direct charges on the Coast Guard  
15 Reserves for items or activities which were not so charged  
16 during fiscal year 1997.

17 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

18 For necessary expenses, not otherwise provided for,  
19 for applied scientific research, development, test, and eval-  
20 uation; maintenance, rehabilitation, lease and operation of  
21 facilities and equipment, as authorized by law,  
22 \$12,000,000, to remain available until expended, of which  
23 \$3,500,000 shall be derived from the Oil Spill Liability  
24 Trust Fund: *Provided*, That there may be credited to and  
25 used for the purposes of this appropriation funds received

1 from State and local governments, other public authori-  
2 ties, private sources, and foreign countries, for expenses  
3 incurred for research, development, testing, and evalua-  
4 tion.

5 FEDERAL AVIATION ADMINISTRATION

6 OPERATIONS

7 For necessary expenses of the Federal Aviation Ad-  
8 ministration, not otherwise provided for, including oper-  
9 ations and research activities related to commercial space  
10 transportation, administrative expenses for research and  
11 development, establishment of air navigation facilities and  
12 the operation (including leasing) and maintenance of air-  
13 craft, subsidizing the cost of aeronautical charts and maps  
14 sold to the public, and carrying out the provisions of sub-  
15 chapter I of chapter 471 of title 49, United States Code,  
16 or other provisions of law authorizing the obligation of  
17 funds for similar programs of airport and airway develop-  
18 ment or improvement, lease or purchase of passenger  
19 motor vehicles for replacement only, in addition to  
20 amounts made available by Public Law 104-264,  
21 \$5,532,558,000 of which \$1,972,500,000 shall be derived  
22 from the Airport and Airway Trust Fund: *Provided*, That  
23 none of the funds in this Act shall be available for the  
24 Federal Aviation Administration to plan, finalize, or im-  
25 plement any regulation that would promulgate new avia-

1 tion user fees not specifically authorized by law after the  
2 date of enactment of this Act: *Provided further*, That there  
3 may be credited to this appropriation funds received from  
4 States, counties, municipalities, foreign authorities, other  
5 public authorities, and private sources, for expenses in-  
6 curred in the provision of agency services, including re-  
7 ceipts for the maintenance and operation of air navigation  
8 facilities, and for issuance, renewal or modification of cer-  
9 tificates, including airman, aircraft, and repair station cer-  
10 tificates, or for tests related thereto, or for processing  
11 major repair or alteration forms: *Provided further*, That  
12 funds may be used to enter into a grant agreement with  
13 a nonprofit standard-setting organization to assist in the  
14 development of aviation safety standards: *Provided fur-*  
15 *ther*, That none of the funds in this Act shall be available  
16 for new applicants for the second career training program:  
17 *Provided further*, That none of the funds in this Act shall  
18 be available for paying premium pay under 5 U.S.C.  
19 5546(a) to any Federal Aviation Administration employee  
20 unless such employee actually performed work during the  
21 time corresponding to such premium pay: *Provided fur-*  
22 *ther*, That none of the funds in this Act may be obligated  
23 or expended to operate a manned auxiliary flight service  
24 station in the contiguous United States: *Provided further*,  
25 That no more than \$28,600,000 of funds appropriated to

1 the Federal Aviation Administration in this Act may be  
2 used for activities conducted by, or coordinated through,  
3 the Transportation Administrative Service Center  
4 (TASC): *Provided further*, That none of the funds in this  
5 Act may be used for the Federal Aviation Administration  
6 to enter into a multiyear lease greater than three years  
7 in length or greater than \$100,000,000 in value unless  
8 such lease is specifically authorized by the Congress and  
9 appropriations have been provided to fully cover the Fed-  
10 eral Government's contingent liabilities: *Provided further*,  
11 That none of the funds appropriated or otherwise made  
12 available in this Act may be used to pay the salaries or  
13 expenses of personnel who carry out an essential air serv-  
14 ice program under section 41742 of title 49, United States  
15 Code, from amounts not credited to the account estab-  
16 lished under section 45303 of such title: *Provided further*,  
17 That none of the funds in this Act may be used for the  
18 Federal Aviation Administration (FAA) to sign a lease for  
19 satellite services related to the global positioning system  
20 (GPS) wide area augmentation system until the adminis-  
21 trator of the FAA certifies in writing to the House and  
22 Senate Committees on Appropriations that FAA has con-  
23 ducted a lease versus buy analysis which indicates that  
24 such lease will result in the lowest overall cost to the agen-  
25 cy.

## 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, United States Code, including  
8 initial acquisition of necessary sites by lease or grant; en-  
9 gineering and service testing, including construction of  
10 test facilities and acquisition of necessary sites by lease  
11 or grant; and construction and furnishing of quarters and  
12 related accommodations for officers and employees of the  
13 Federal Aviation Administration stationed at remote local-  
14 ities where such accommodations are not available; and  
15 the purchase, lease, or transfer of aircraft from funds  
16 available under this head; to be derived from the Airport  
17 and Airway Trust Fund, \$2,000,000,000, of which  
18 \$1,749,350,000 shall remain available until September 30,  
19 2001, and of which \$250,650,000 shall remain available  
20 until September 30, 1999: *Provided*, That there may be  
21 credited to this appropriation funds received from States,  
22 counties, municipalities, other public authorities, and pri-  
23 vate sources, for expenses incurred in the establishment  
24 and modernization of air navigation facilities: *Provided*  
25 *further*, That none of the funds in this Act may be obli-

1 gated for bulk explosive detection systems until 30 days  
2 after the FAA administrator certifies to the House and  
3 Senate Committees on Appropriations, in writing, that the  
4 major air carriers responsible for providing aircraft secu-  
5 rity at Category X airports have agreed to: (1) begin as-  
6 suming the operation and maintenance costs of such ma-  
7 chines beginning in fiscal year 1999; and (2) substantially  
8 increase the usage of such machines above the level experi-  
9 enced as of April 1, 1998: *Provided further*, That of the  
10 funds provided under this heading, up to \$4,680,000 is  
11 to reimburse the sponsor of Louisville Standiford Field in  
12 Kentucky for costs related to acquisition and installation  
13 of an instrument landing system.

14 RESEARCH, ENGINEERING, AND DEVELOPMENT

15 (AIRPORT AND AIRWAY TRUST FUND)

16 For necessary expenses, not otherwise provided for,  
17 for research, engineering, and development, as authorized  
18 under part A of subtitle VII of title 49, United States  
19 Code, including construction of experimental facilities and  
20 acquisition of necessary sites by lease or grant,  
21 \$145,000,000, to be derived from the Airport and Airway  
22 Trust Fund and to remain available until September 30,  
23 2001: *Provided*, That there may be credited to this appro-  
24 priation funds received from States, counties, municipali-  
25 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 For liquidation of obligations incurred for grants-in-  
7 aid for airport planning and development, and for noise  
8 compatibility planning and programs as authorized under  
9 subchapter I of chapter 471 and subchapter I of chapter  
10 475 of title 49, United States Code, and under other law  
11 authorizing such obligations, \$1,600,000,000, to be de-  
12 rived from the Airport and Airway Trust Fund and to re-  
13 main available until expended: *Provided*, That none of the  
14 funds in this Act shall be available for the planning or  
15 execution of programs the obligations for which are in ex-  
16 cess of \$1,800,000,000 in fiscal year 1999 for grants-in-  
17 aid for airport planning and development, and noise com-  
18 patibility planning and programs, notwithstanding section  
19 47117(h) of title 49, United States Code.

20 AVIATION INSURANCE REVOLVING FUND

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

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

3 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

4 None of the funds in this Act shall be available for  
5 activities under this heading during fiscal year 1999.

6 ADMINISTRATIVE SERVICES FRANCHISE FUND

7 None of the funds in this Act may be used for the  
8 FAA to conduct, monitor, or otherwise continue oper-  
9 ations of the Administrative Services Franchise Fund in  
10 fiscal year 1999.

11 FEDERAL HIGHWAY ADMINISTRATION

12 LIMITATION ON GENERAL OPERATING EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 Necessary expenses for administration and operation  
15 of the Federal Highway Administration not to exceed  
16 \$318,733,000 shall be paid in accordance with law from  
17 appropriations made available by this Act to the Federal  
18 Highway Administration together with advances and reim-  
19 bursements received by the Federal Highway Administra-  
20 tion: *Provided further*, That none of the funds in this Act  
21 may be used to carry out the functions and operations of  
22 the office of motor carriers within the Federal Highway  
23 Administration.

## 1           LIMITATION ON TRANSPORTATION RESEARCH

2           Necessary expenses for transportation research of the  
3 Federal Highway Administration, not to exceed  
4 \$409,150,000 shall be paid in accordance with law from  
5 appropriations made available by this Act to the Federal  
6 Highway Administration: *Provided*, That this limitation  
7 shall not apply to any authority previously made available  
8 for obligation.

## 9                           FEDERAL-AID HIGHWAYS

10                           (LIMITATION ON OBLIGATIONS)

11                           (HIGHWAY TRUST FUND)

12           None of the funds in this Act shall be available for  
13 the implementation or execution of programs the obliga-  
14 tions for which are in excess of \$25,511,000,000 for Fed-  
15 eral-aid highways and highway safety construction pro-  
16 grams for fiscal year 1999.

## 17                           FEDERAL-AID HIGHWAYS

18                           (LIQUIDATION OF CONTRACT AUTHORIZATION)

19                           (HIGHWAY TRUST FUND)

20           For carrying out the provisions of title 23, United  
21 States Code, that are attributable to Federal-aid high-  
22 ways, including the National Scenic and Recreational  
23 Highway as authorized by 23 U.S.C. 148, not otherwise  
24 provided, including reimbursement for sums expended  
25 pursuant to the provisions of 23 U.S.C. 308,  
26 \$24,000,000,000 or so much thereof as may be available

1 in and derived from the Highway Trust Fund, to remain  
 2 available until expended.

3 NATIONAL HIGHWAY TRAFFIC SAFETY

4 ADMINISTRATION

5 OPERATIONS AND RESEARCH

6 For expenses necessary to discharge the functions of  
 7 the Secretary with respect to traffic and highway safety  
 8 under part C of subtitle VI of title 49, United States Code  
 9 and chapter 301 of title 49, United States Code,  
 10 \$87,400,000, of which \$58,558,000 shall remain available  
 11 until September 30, 2001: *Provided*, That none of the  
 12 funds appropriated by this Act may be obligated or ex-  
 13 pended to plan, finalize, or implement any rulemaking to  
 14 add to section 575.104 of title 49 of the Code of Federal  
 15 Regulations any requirement pertaining to a grading  
 16 standard that is different from the three grading stand-  
 17 ards (treadwear, traction, and temperature resistance) al-  
 18 ready in effect.

19 OPERATIONS AND RESEARCH

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (LIMITATION ON OBLIGATIONS)

22 (HIGHWAY TRUST FUND)

23 For payments of obligations incurred in carrying out  
 24 the provisions of 23 U.S.C. 403, to remain available until  
 25 expended, \$72,000,000, to be derived from the Highway  
 26 Trust Fund: *Provided*, That none of the funds in this Act

1 shall be available for the planning or execution of pro-  
2 grams the total obligations for which, in fiscal year 1999,  
3 are in excess of \$72,000,000 for programs authorized  
4 under section 403 of title 23, United States Code.

5 NATIONAL DRIVER REGISTER

6 (HIGHWAY TRUST FUND)

7 For expenses necessary to discharge the functions of  
8 the Secretary with respect to the National Driver Register  
9 under chapter 303 of title 49, United States Code,  
10 \$2,000,000 to be derived from the Highway Trust Fund,  
11 and to remain available until expended.

12 HIGHWAY TRAFFIC SAFETY GRANTS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (LIMITATION ON OBLIGATIONS)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in carrying out  
17 the provisions of 23 U.S.C. 402, 405, 410, and 411 to  
18 remain available until expended, \$200,000,000, to be de-  
19 rived from the Highway Trust Fund: *Provided*, That none  
20 of the funds in this Act shall be available for the planning  
21 or execution of programs the total obligations for which,  
22 in fiscal year 1999, are in excess of \$200,000,000 for pro-  
23 grams authorized under 23 U.S.C. 402, 405, 410, and 411  
24 of which \$150,000,000 shall be for “Highway Safety Pro-  
25 grams” under 23 U.S.C. 402, \$10,000,000 shall be for  
26 “Occupant Protection Incentive Grants” under 23 U.S.C.

1 405, \$35,000,000 shall be for “Alcohol-Impaired Driving  
2 Countermeasures Grants” under 23 U.S.C. 410,  
3 \$5,000,000 shall be for the “State Highway Safety Data  
4 Grants” under 23 U.S.C. 411: *Provided further*, That  
5 none of these funds shall be used for construction, reha-  
6 bilitation, or remodeling costs, or for office furnishings  
7 and fixtures for State, local, or private buildings or struc-  
8 tures: *Provided further*, That not to exceed \$9,943,000 of  
9 the funds made available for Highway Safety Programs  
10 under 23 U.S.C. 402 shall be available to NHTSA for ad-  
11 ministering “Highway Safety Programs”: *Provided fur-*  
12 *ther*, That not to exceed \$500,000 of the funds made avail-  
13 able for section 410 “Alcohol-Impaired Driving Counter-  
14 measures Grants” shall be available for technical assist-  
15 ance to the States.

16 MOTOR CARRIER SAFETY GRANTS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out  
20 49 U.S.C. 31102, \$100,000,000, 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 \$100,000,000 for “Motor Carrier Safety Grants”.

## 1 FEDERAL RAILROAD ADMINISTRATION

## 2 OFFICE OF THE ADMINISTRATOR

3 For necessary expenses of the Federal Railroad Ad-  
4 ministration, not otherwise provided for, \$21,367,000, of  
5 which \$1,784,000 shall remain available until expended:  
6 *Provided*, That, as part of the Washington Union Station  
7 transaction in which the Secretary assumed the first deed  
8 of trust on the property and, where the Union Station Re-  
9 development Corporation or any successor is obligated to  
10 make payments on such deed of trust on the Secretary's  
11 behalf, including payments on and after September 30,  
12 1988, the Secretary is authorized to receive such payments  
13 directly from the Union Station Redevelopment Corpora-  
14 tion, credit them to the appropriation charged for the first  
15 deed of trust, and make payments on the first deed of  
16 trust with those funds: *Provided further*, That such addi-  
17 tional sums as may be necessary for payment on the first  
18 deed of trust may be advanced by the Administrator from  
19 unobligated balances available to the Federal Railroad Ad-  
20 ministration, to be reimbursed from payments received  
21 from the Union Station Redevelopment Corporation.

## 22 RAILROAD SAFETY

23 For necessary expenses in connection with railroad  
24 safety, not otherwise provided for, \$60,948,000, of which  
25 \$3,825,000 shall remain available until expended: *Pro-*

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

7           RAILROAD RESEARCH AND DEVELOPMENT

8           For necessary expenses for railroad research and de-  
9 velopment, \$20,477,000, to remain available until ex-  
10 pended: *Provided*, That the Secretary is authorized to sell  
11 aluminum reaction rail, power rail base, and other related  
12 materials located at the Transportation Technology Cen-  
13 ter, near Pueblo, Colorado and shall credit the receipts  
14 from such sale to this account, notwithstanding 31 U.S.C.  
15 3302, to remain available until expended.

16           RAILROAD REHABILITATION AND IMPROVEMENT

17                           PROGRAM

18           The Secretary of Transportation is authorized to  
19 issue to the Secretary of the Treasury notes or other obli-  
20 gations pursuant to section 512 of the Railroad Revitaliza-  
21 tion and Regulatory Reform Act of 1976 (Public Law 94-  
22 210), as amended, in such amounts and at such times as  
23 may be necessary to pay any amounts required pursuant  
24 to the guarantee of the principal amount of obligations  
25 under sections 511 through 513 of such Act, such author-



1 ity to exist as long as any such guaranteed obligation is  
2 outstanding: *Provided*, That pursuant to section 502 of  
3 such Act, as amended, no new direct loans or loan guaran-  
4 tee commitments shall be made using Federal funds dur-  
5 ing fiscal year 1999.

6           NEXT GENERATION HIGH-SPEED RAIL

7       For necessary expenses for Next Generation High-  
8 Speed Rail program, as authorized under 49 U.S.C. 26101  
9 and 26102, \$15,294,000, to remain available until ex-  
10 pended: *Provided*, That funds under this heading may be  
11 made available for grants to States for high-speed rail cor-  
12 ridor design, feasibility studies, environmental analyses,  
13 and track and signal improvements.

14           RHODE ISLAND RAIL DEVELOPMENT

15       For the costs associated with construction of a third  
16 track on the Northeast Corridor between Davisville and  
17 Central Falls, Rhode Island, with sufficient clearance to  
18 accommodate double stack freight cars, \$2,000,000 be  
19 matched by the State of Rhode Island or its designee on  
20 a dollar-for-dollar basis and to remain available until ex-  
21 pended.

22           CAPITAL GRANTS TO THE NATIONAL RAILROAD

23                   PASSENGER CORPORATION

24       For necessary expenses of capital improvements of  
25 the National Railroad Passenger Corporation as author-

1 ized by 49 U.S.C. 24104(a) \$609,230,000, to remain  
2 available until expended: *Provided*, That the funding  
3 under this heading shall be available only after: (1) deposit  
4 in the Treasury of the sums made available to the Cor-  
5 poration pursuant to section 977 of the Taxpayer Relief  
6 Act of 1997; and (2) approval of a comprehensive capital  
7 plan for use of section 977 funds and amounts provided  
8 under this heading by the Secretary of Transportation, the  
9 Director of the Office of Management and Budget, and  
10 the House and Senate Committees on Appropriations.

11           FEDERAL TRANSIT ADMINISTRATION

12                   ADMINISTRATIVE EXPENSES

13           For necessary administrative expenses of the Federal  
14 Transit Administration's programs authorized by chapter  
15 53 of title 49, United States Code, \$10,800,000: *Provided*,  
16 That no more than \$54,000,000 of budget authority shall  
17 be available for these purposes: *Provided further*, That of  
18 the funds in this Act available for the execution of con-  
19 tracts under section 5327(c) of title 49, United States  
20 Code, \$750,000 shall be transferred to the Department  
21 of Transportation Inspector General for costs associated  
22 with the audit and review of new fixed guideway systems.

23                   FORMULA GRANTS

24           For necessary expenses to carry out 49 U.S.C. 5307,  
25 5308, 5310, 5311, and 5327, \$570,000,000: *Provided*,

1 That no more than \$2,850,000,000 of budget authority  
2 shall be available for these purposes.

3 UNIVERSITY TRANSPORTATION RESEARCH

4 For necessary expenses to carry out 49 U.S.C. 5505,  
5 \$1,200,000: *Provided*, That no more than \$6,000,000 of  
6 budget authority shall be available for these purposes.

7 TRANSIT PLANNING AND RESEARCH

8 For necessary expenses to carry out 49 U.S.C. 5303,  
9 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and  
10 5322, \$19,800,000: *Provided*, That no more than  
11 \$98,000,000 of budget authority shall be available for  
12 these purposes: *Provided further*, That \$5,250,000 is  
13 available to provide rural transportation assistance (49  
14 U.S.C. 5311(b)(2)); \$4,000,000 is available to carry out  
15 programs under the National Transit Institute (49 U.S.C.  
16 5315); \$8,250,000 is available to carry out transit cooper-  
17 ative research programs (49 U.S.C. 5313(a));  
18 \$43,841,600 is available for metropolitan planning (49  
19 U.S.C. 5303, 5304, and 5305); \$9,158,400 is available for  
20 state planning (49 U.S.C. 5313(b)); and \$27,500,000 is  
21 available for the national planning and research program  
22 (49 U.S.C. 5314).

## 1 TRUST FUND SHARE OF EXPENSES

2 (LIQUIDATION OF CONTRACT AUTHORIZATION)

3 (HIGHWAY TRUST FUND)

4 For payment of obligations incurred in carrying out  
5 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327,  
6 and 5334, \$2,446,200,000, to remain available until ex-  
7 pended and to be derived from the Mass Transit Account  
8 of the Highway Trust Fund: *Provided*, That  
9 \$2,280,000,000 shall be paid to the Federal Transit Ad-  
10 ministration’s formula grants account: *Provided further*,  
11 That \$78,200,000 shall be paid to the Federal Transit Ad-  
12 ministration’s transit planning and research account: *Pro-*  
13 *vided further*, That \$43,200,000 shall be paid to the Fed-  
14 eral Transit Administration’s administrative expenses ac-  
15 count: *Provided further*, That \$4,800,000 shall be paid to  
16 the Federal Transit Administration’s university transpor-  
17 tation research account: *Provided further*, That  
18 \$40,000,000 shall be paid to the Federal Transit Adminis-  
19 tration’s job access and reverse commute grants program.

## 20 CAPITAL INVESTMENT GRANTS

21 For necessary expenses to carry out 49 U.S.C. 5308,  
22 5309, 5318, and 5327, \$451,400,000: *Provided*, That no  
23 more than \$2,257,000,000 of budget authority shall be  
24 available for these purposes: *Provided further*, That there  
25 shall be available for fixed guideway modernization,  
26 \$902,800,000; there shall be available for the replacement,

1 rehabilitation, and purchase of buses and related equip-  
2 ment and the construction of bus-related facilities,  
3 \$451,400,000; and there shall be available for new fixed  
4 guideway systems, \$902,800,000, to be available as fol-  
5 lows:

6           \$10,400,000 for Alaska or Hawaii ferry  
7 projects;

8           \$52,110,000 for the Atlanta North Springs  
9 project;

10          \$1,000,000 for the Austin Capital metro  
11 project;

12          \$3,000,000 for the Canton-Akron-Cleveland  
13 commuter rail project;

14          \$2,000,000 for the Charlotte, North Carolina  
15 North-South corridor transitway project;

16          \$4,000,000 for Chicago Metra commuter rail  
17 extensions and upgrades;

18          \$2,000,000 for the Chicago Transit Authority  
19 Ravenswood line project;

20          \$4,000,000 for the Clark County, Nevada fixed  
21 guideway project;

22          \$1,000,000 for the Cleveland Berea Red Line  
23 extension to the Hopkins International Airport;

24          \$2,000,000 for the Cleveland Euclid corridor  
25 improvement project;

1           \$10,698,000 for the Dallas-Fort Worth  
2 RAILTRAN project;  
3           \$8,000,000 for the DART North Central light  
4 rail extension project;  
5           \$1,000,000 for the Dayton, Ohio light rail  
6 study;  
7           \$40,000,000 for the Denver Southwest Corridor  
8 project;  
9           \$17,000,000 for the Dulles Corridor project;  
10          \$4,000,000 for the Fort Lauderdale, Florida  
11 Tri-County commuter rail project;  
12          \$500,000 for the Harrisburg, Pennsylvania cap-  
13 ital area transit/corridor one project;  
14          \$2,000,000 for the Houston Advanced Transit  
15 Program;  
16          \$59,670,000 for the Houston Regional Bus  
17 project;  
18          \$1,000,000 for the Johnson County, Kansas I-  
19 35 commuter rail project;  
20          \$1,500,000 for the Knoxville, Tennessee electric  
21 transit project;  
22          \$46,000,000 for the Los Angeles MOS-3  
23 project;  
24          \$17,041,000 for MARC commuter rail improve-  
25 ments;

- 1           \$1,500,000 for the Maryland Route 5 corridor  
2 project;
- 3           \$2,200,000 for the Memphis, Tennessee Medi-  
4 cal Center rail extension project;
- 5           \$3,000,000 for the Miami Metro-Dade Transit  
6 east-west corridor project;
- 7           \$1,000,000 for the Miami Metro-Dade North  
8 27th Avenue corridor project;
- 9           \$2,000,000 for the Mission Valley East light  
10 rail transit project;
- 11          \$500,000 for the Nashville, Tennessee regional  
12 commuter rail project;
- 13          \$70,000,000 for the New Jersey urban core  
14 Hudson-Bergen LRT project;
- 15          \$43,000,000 for the New Orleans Canal Street  
16 corridor project;
- 17          \$2,000,000 for the New Orleans Desire Street-  
18 car project;
- 19          \$2,000,000 for the Norfolk-Virginia Beach re-  
20 gional rail project;
- 21          \$2,000,000 for the Northern Indiana South  
22 Shore commuter rail project;
- 23          \$5,500,000 for the Oceanside-Escondido light  
24 rail project;

- 1           \$4,000,000 for the Orange County, California  
2 transitway project;
- 3           \$17,500,000 for the Orlando Lynx Light rail  
4 project;
- 5           \$2,000,000 for the Philadelphia-Reading  
6 SEPTA Schuylkill Valley Metro project;
- 7           \$1,000,000 for the Philadelphia SEPTA Cross  
8 County Metro project;
- 9           \$8,000,000 for the Phoenix metropolitan area  
10 transit project;
- 11          \$3,000,000 for the Pittsburgh Allegheny Coun-  
12 ty busway and light rail projects;
- 13          \$25,718,000 for the Portland-Westside/Hills-  
14 boro and South-North light rail projects;
- 15          \$1,000,000 for the Puget Sound RTA Link  
16 light rail project;
- 17          \$19,500,000 for the Puget Sound RTA Sound-  
18 er commuter rail project;
- 19          \$8,000,000 for the Raleigh-Durham-Chapel Hill  
20 Triangle Transit project;
- 21          \$23,480,000 for the Sacramento south corridor  
22 LRT project;
- 23          \$70,000,000 for the Salt Lake City South LRT  
24 project;



- 1           \$3,000,000 for the Salt Lake City/Airport to  
2           University (West-East) light rail project;
- 3           \$2,000,000 for the San Bernardino Metrolink  
4           extension project;
- 5           \$3,000,000 for the San Diego Mid-Coast cor-  
6           ridor project;
- 7           \$74,000,000 for the San Francisco BART ex-  
8           tension to the airport project;
- 9           \$500,000 for the San Jacinto-Branch Line  
10          (Riverside County) project;
- 11          \$35,000,000 for the San Jose Tasman LRT  
12          project;
- 13          \$60,000,000 for the San Juan Tren Urbano;
- 14          \$53,983,000 for the South Boston Piers MOS-  
15          2 project;
- 16          \$1,000,000 for the South De Kalb-Lindbergh  
17          Corridor LRT project;
- 18          \$1,000,000 for the Spokane, Washington light  
19          rail project;
- 20          \$35,000,000 for the St. Louis-St. Clair County  
21          LRT extension project;
- 22          \$500,000 for the Tampa Bay regional rail  
23          project;
- 24          \$22,000,000 for the Twin Cities transitways  
25          project;

1           \$2,000,000 for the Virginia Rail Express Fred-  
2           ericksburg to Washington commuter rail project;

3           \$1,000,000 for the West Trenton, New Jersey  
4           rail project; and

5           \$1,000,000 for the Whitehall ferry terminal  
6           project: *Provided further*, That funds provided in  
7           Public Law 105–66 for the Pennsylvania Strawberry  
8           Hill/Diamond Branch rail project shall be available  
9           for the Laurel Rail line project in Lackawanna  
10          County, Pennsylvania.

11                           MASS TRANSIT CAPITAL FUND

12                   (LIQUIDATION OF CONTRACT AUTHORIZATION)

13                           (HIGHWAY TRUST FUND)

14          For payment of obligations incurred in carrying out  
15          49 U.S.C. 5338(b) administered by the Federal Transit  
16          Administration, \$1,805,600,000, to be derived from the  
17          Highway Trust Fund and to remain available until ex-  
18          pended.

19                           JOB ACCESS AND REVERSE COMMUTE GRANTS

20          For necessary expenses to carry out section 3037 of  
21          the Federal Transit Act of 1998, \$10,000,000: *Provided*,  
22          That no more than \$50,000,000 of budget authority shall  
23          be available for these purposes: *Provided further*, That of  
24          the amounts appropriated under this head, not more than  
25          \$10,000,000 shall be used for grants for reverse commute  
26          projects.



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

3 RESEARCH AND SPECIAL PROGRAMS

4 ADMINISTRATION

5 RESEARCH AND SPECIAL PROGRAMS

6 For expenses necessary to discharge the functions of  
7 the Research and Special Programs Administration,  
8 \$34,379,000, of which \$574,000 shall be derived from the  
9 Pipeline Safety Fund, and of which \$8,460,000 shall re-  
10 main available until September 30, 2001: *Provided*, That  
11 \$5,000,000 shall be available for activities authorized  
12 under 49 U.S.C. 5506: *Provided further*, That up to  
13 \$1,200,000 in fees collected under 49 U.S.C. 5108(g)  
14 shall be deposited in the general fund of the Treasury as  
15 offsetting receipts: *Provided further*, That there may be  
16 credited to this appropriation, to be available until ex-  
17 pended, funds received from States, counties, municipali-  
18 ties, other public authorities, and private sources for ex-  
19 penses incurred for training, for reports publication and  
20 dissemination, and for travel expenses incurred in per-  
21 formance of hazardous materials exemptions and approv-  
22 als functions.

1 PIPELINE SAFETY  
2 (PIPELINE SAFETY FUND)  
3 (OIL SPILL LIABILITY TRUST FUND)

4 For expenses necessary to conduct the functions of  
5 the pipeline safety program, for grants-in-aid to carry out  
6 a pipeline safety program, as authorized by 49 U.S.C.  
7 60107, and to discharge the pipeline program responsibil-  
8 ities of the Oil Pollution Act of 1990, \$33,448,000, of  
9 which \$4,475,000 shall be derived from the Oil Spill Li-  
10 ability Trust Fund and shall remain available until Sep-  
11 tember 30, 2001; and of which \$28,973,000 shall be de-  
12 rived from the Pipeline Safety Fund, of which  
13 \$16,919,000 shall remain available until September 30,  
14 2001: *Provided*, That in addition to amounts made avail-  
15 able for the Pipeline Safety Fund, \$1,300,000 shall be  
16 available for grants to States for the development and es-  
17 tablishment of one-call notification systems, public edu-  
18 cation, and damage prevention activities, and shall be de-  
19 rived from amounts previously collected under 49 U.S.C.  
20 60301.

21 EMERGENCY PREPAREDNESS GRANTS  
22 (EMERGENCY PREPAREDNESS FUND)

23 For necessary expenses to carry out 49 U.S.C.  
24 5127(c), \$200,000, to be derived from the Emergency  
25 Preparedness Fund, to remain available until September  
26 30, 2001: *Provided*, That not more than \$9,600,000 shall

1 be made available for obligation in fiscal year 1999 from  
2 amounts made available by 49 U.S.C. 5116(i) and  
3 5127(d): *Provided further*, That none of the funds made  
4 available by 49 U.S.C. 5116(i) and 5127(d) shall be made  
5 available for obligation by individuals other than the Sec-  
6 retary of Transportation, or his designee.

7           OFFICE OF INSPECTOR GENERAL

8                   SALARIES AND EXPENSES

9           For necessary expenses of the Office of Inspector  
10 General to carry out the provisions of the Inspector Gen-  
11 eral Act of 1978, as amended, \$43,495,000.

12           SURFACE TRANSPORTATION BOARD

13                   SALARIES AND EXPENSES

14           For necessary expenses of the Surface Transpor-  
15 tation Board, including services authorized by 5 U.S.C.  
16 3109, \$16,000,000: *Provided*, That notwithstanding any  
17 other provision of law, not to exceed \$2,600,000 from fees  
18 established by the Chairman of the Surface Transpor-  
19 tation Board shall be credited to this appropriation as off-  
20 setting collections and used for necessary and authorized  
21 expenses under this heading: *Provided further*, That the  
22 sum herein appropriated from the general fund shall be  
23 reduced on a dollar for dollar basis as such offsetting col-  
24 lections are received during fiscal year 1999, to result in  
25 a final appropriation from the general fund estimated at

1 no more than \$16,000,000: *Provided further*, That any  
2 fees received in excess of \$2,600,000 in fiscal year 1999  
3 shall remain available until expended, but shall not be  
4 available for obligation until October 1, 1999.

5 TITLE II  
6 RELATED AGENCIES  
7 ARCHITECTURAL AND TRANSPORTATION  
8 BARRIERS COMPLIANCE BOARD  
9 SALARIES AND EXPENSES

10 For expenses necessary for the Architectural and  
11 Transportation Barriers Compliance Board, as authorized  
12 by section 502 of the Rehabilitation Act of 1973, as  
13 amended, \$3,847,000: *Provided*, That, notwithstanding  
14 any other provision of law, there may be credited to this  
15 appropriation funds received for publications and training  
16 expenses.

17 NATIONAL TRANSPORTATION SAFETY BOARD  
18 SALARIES AND EXPENSES

19 For necessary expenses of the National Transpor-  
20 tation Safety Board, including hire of passenger motor ve-  
21 hicles and aircraft; services as authorized by 5 U.S.C.  
22 3109, but at rates for individuals not to exceed the per  
23 diem rate equivalent to the rate for a GS-15; uniforms,  
24 or allowances therefor, as authorized by law (5 U.S.C.  
25 5901-5902), \$53,300,000, of which not to exceed \$2,000

1 may be used for official reception and representation ex-  
2 penses.

### 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-15; uniforms, or allowances therefor, as authorized  
10 by law (5 U.S.C. 5901-5902), \$1,000,000, to remain  
11 available until expended.

### 12 TITLE III

#### 13 GENERAL PROVISIONS

##### 14 (INCLUDING TRANSFERS OF FUNDS)

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

23 SEC. 302. Such sums as may be necessary for fiscal  
24 year 1999 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 88 political  
3 and Presidential appointees in the Department of Trans-  
4 portation: *Provided*, That none of the personnel covered  
5 by this provision may be assigned on temporary detail out-  
6 side 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  
10 issued pursuant to existing law.

11       SEC. 310. The limitations on obligations for the pro-  
12 grams of the Federal Transit Administration shall not  
13 apply to any authority under 49 U.S.C. 5338, previously  
14 made available for obligation, or to any other authority  
15 previously made available for obligation under the discre-  
16 tionary grants program.

17       SEC. 311. None of the funds in this Act shall be used  
18 to implement section 404 of title 23, United States Code.

19       SEC. 312. None of the funds in this Act shall be avail-  
20 able to plan, finalize, or implement regulations that would  
21 establish a vessel traffic safety fairway less than five miles  
22 wide between the Santa Barbara Traffic Separation  
23 Scheme and the San Francisco Traffic Separation  
24 Scheme.

1        SEC. 313. Notwithstanding any other provision of  
2 law, airports may transfer, without consideration, to the  
3 Federal Aviation Administration (FAA) instrument land-  
4 ing systems (along with associated approach lighting  
5 equipment and runway visual range equipment) which  
6 conform to FAA design and performance specifications,  
7 the purchase of which was assisted by a Federal airport-  
8 aid program, airport development aid program or airport  
9 improvement program grant. The FAA shall accept such  
10 equipment, which shall thereafter be operated and main-  
11 tained by the FAA in accordance with agency criteria.

12        SEC. 314. None of the funds in this Act shall be avail-  
13 able to award a multiyear contract for production end  
14 items that: (1) includes economic order quantity or long  
15 lead time material procurement in excess of \$10,000,000  
16 in any one year of the contract; (2) includes a cancellation  
17 charge greater than \$10,000,000 which at the time of obli-  
18 gation has not been appropriated to the limits of the Gov-  
19 ernment's liability; or (3) includes a requirement that per-  
20 mits performance under the contract during the second  
21 and subsequent years of the contract without conditioning  
22 such performance upon the appropriation of funds: *Pro-*  
23 *vided*, That this limitation does not apply to a contract  
24 in which the Federal Government incurs no financial li-

1 ability from not buying additional systems, subsystems, or  
2 components beyond the basic contract requirements.

3 SEC. 315. Notwithstanding any other provision of  
4 law, and except for fixed guideway modernization projects,  
5 funds made available by this Act under “Federal Transit  
6 Administration, Capital Investments Grants” for projects  
7 specified in this Act or identified in reports accompanying  
8 this Act not obligated by September 30, 2001, shall be  
9 made available for other projects under 49 U.S.C. 5309.

10 SEC. 316. Notwithstanding any other provision of  
11 law, any funds appropriated before October 1, 1998, under  
12 any section of chapter 53 of title 49, United States Code,  
13 that remain available for expenditure may be transferred  
14 to and administered under the most recent appropriation  
15 heading for any such section.

16 SEC. 317. None of the funds in this Act may be used  
17 to compensate in excess of 350 technical staff-years under  
18 the federally funded research and development center con-  
19 tract between the Federal Aviation Administration and the  
20 Center for Advanced Aviation Systems Development dur-  
21 ing fiscal year 1999.

22 SEC. 318. Funds provided in this Act for the Trans-  
23 portation Administrative Service Center (TASC) shall be  
24 reduced by \$20,000,000, which limits fiscal year 1999  
25 TASC obligational authority for elements of the Depart-

1 ment of Transportation funded in this Act to no more  
2 than \$89,124,000: *Provided*, That such reductions from  
3 the budget request shall be allocated by the Department  
4 of Transportation to each appropriations account in pro-  
5 portion to the amount included in each account for the  
6 Transportation Administrative Service Center.

7       SEC. 319. Funds received by the Federal Highway  
8 Administration, Federal Transit Administration, and Fed-  
9 eral Railroad Administration from States, counties, mu-  
10 nicipalities, other public authorities, and private sources  
11 for expenses incurred for training may be credited respec-  
12 tively to the Federal Highway Administration’s “Limita-  
13 tion on General Operating Expenses” account, the Federal  
14 Transit Administration’s “Transit Planning and Re-  
15 search” account, and to the Federal Railroad Administra-  
16 tion’s “Railroad Safety” account, except for State rail  
17 safety inspectors participating in training pursuant to 49  
18 U.S.C. 20105.

19       SEC. 320. None of the funds in this Act shall be avail-  
20 able to prepare, propose, or promulgate any regulations  
21 pursuant to title V of the Motor Vehicle Information and  
22 Cost Savings Act (49 U.S.C. 32901 et seq.) prescribing  
23 corporate average fuel economy standards for automobiles,  
24 as defined in such title, in any model year that differs

1 from standards promulgated for such automobiles prior to  
2 enactment of this section.

3       SEC. 321. Notwithstanding any other provision of  
4 law, the Secretary of Transportation shall convey, without  
5 consideration, all right, title, and interest of the United  
6 States in and to the parcels of real property described in  
7 this section, together with any improvements thereon, as  
8 the Secretary considers appropriate for purposes of the  
9 conveyance, to the entities described in this section, name-  
10 ly: (1) United States Coast Guard Pass Manchac Light  
11 in Tangipahoa Parish, Louisiana, to the State of Louisi-  
12 ana; and (2) Tchefuncte River Range Rear Light in Mad-  
13 isonville, Louisiana, to the Town of Madisonville, Louisi-  
14 ana.

15       SEC. 322. Notwithstanding 31 U.S.C. 3302, funds re-  
16 ceived by the Bureau of Transportation Statistics from the  
17 sale of data products, for necessary expenses incurred pur-  
18 suant to 49 U.S.C. 111 may be credited to the Federal-  
19 aid highways account for the purpose of reimbursing the  
20 Bureau for such expenses: *Provided*, That such funds shall  
21 be subject to the obligation limitation for Federal-aid  
22 highways and highway safety construction.

23       SEC. 323. None of the funds in this Act may be obli-  
24 gated or expended for employee training which: (1) does  
25 not meet identified needs for knowledge, skills and abilities

1 bearing directly upon the performance of official duties;  
2 (2) contains elements likely to induce high levels of emo-  
3 tional response or psychological stress in some partici-  
4 pants; (3) does not require prior employee notification of  
5 the content and methods to be used in the training and  
6 written end of course evaluations; (4) contains any meth-  
7 ods or content associated with religious or quasi-religious  
8 belief systems or “new age” belief systems as defined in  
9 Equal Employment Opportunity Commission Notice N-  
10 915.022, dated September 2, 1988; (5) is offensive to, or  
11 designed to change, participants’ personal values or life-  
12 style outside the workplace; or (6) includes content related  
13 to human immunodeficiency virus/acquired immune defi-  
14 ciency syndrome (HIV/AIDS) other than that necessary  
15 to make employees more aware of the medical ramifica-  
16 tions of HIV/AIDS and the workplace rights of HIV-posi-  
17 tive employees.

18       SEC. 324. None of the funds in this Act shall, in the  
19 absence of express authorization by Congress, be used di-  
20 rectly or indirectly to pay for any personal service, adver-  
21 tisement, telegram, telephone, letter, printed or written  
22 matter, or other device, intended or designed to influence  
23 in any manner a Member of Congress, to favor or oppose,  
24 by vote or otherwise, any legislation or appropriation by  
25 Congress, whether before or after the introduction of any



1 bill or resolution proposing such legislation or appropria-  
2 tion: *Provided*, That this shall not prevent officers or em-  
3 ployees of the Department of Transportation or related  
4 agencies funded in this Act from communicating to Mem-  
5 bers of Congress on the request of any Member or to Con-  
6 gress, through the proper official channels, requests for  
7 legislation or appropriations which they deem necessary  
8 for the efficient conduct of the public business.

9       SEC. 325. Not to exceed \$1,000,000 of the funds pro-  
10 vided in this Act for the Department of Transportation  
11 shall be available for the necessary expenses of advisory  
12 committees.

13       SEC. 326. No funds other than those appropriated  
14 to the Surface Transportation Board or fees collected by  
15 the Board shall be used for conducting the activities of  
16 the Board.

17       SEC. 327. (a) IN GENERAL.—None of the funds  
18 made available in this Act may be expended by an entity  
19 unless the entity agrees that in expending the funds the  
20 entity will comply with the Buy American Act (41 U.S.C.  
21 10a–10c).

22       (b) SENSE OF THE CONGRESS; REQUIREMENT RE-  
23 GARDING NOTICE.—

24               (1) PURCHASE OF AMERICAN-MADE EQUIPMENT  
25       AND PRODUCTS.—In the case of any equipment or

1 product that may be authorized to be purchased  
2 with financial assistance provided using funds made  
3 available in this Act, it is the sense of the Congress  
4 that entities receiving the assistance should, in ex-  
5 pending the assistance, purchase only American-  
6 made equipment and products to the greatest extent  
7 practicable.

8 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

9 In providing financial assistance using funds made  
10 available in this Act, the head of each Federal agen-  
11 cy shall provide to each recipient of the assistance  
12 a notice describing the statement made in paragraph  
13 (1) by the Congress.

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

16 If it has been finally determined by a court or Federal  
17 agency that any person intentionally affixed a label bear-  
18 ing a “Made in America” inscription, or any inscription  
19 with the same meaning, to any product sold in or shipped  
20 to the United States that is not made in the United  
21 States, the person shall be ineligible to receive any con-  
22 tract or subcontract made with funds made available in  
23 this Act, pursuant to the debarment, suspension, and ineli-  
24 gibility procedures described in sections 9.400 through  
25 9.409 of title 48, Code of Federal Regulations.

1       SEC. 328. Notwithstanding any other provision of  
2 law, receipts, in amounts determined by the Secretary, col-  
3 lected from users of fitness centers operated by or for the  
4 Department of Transportation shall be available to sup-  
5 port the operation and maintenance of those facilities.

6       SEC. 329. None of the funds in this Act shall be avail-  
7 able to implement or enforce regulations that would result  
8 in the withdrawal of a slot from an air carrier at O'Hare  
9 International Airport under section 93.223 of title 14 of  
10 the Code of Federal Regulations in excess of the total slots  
11 withdrawn from that air carrier as of October 31, 1993  
12 if such additional slot is to be allocated to an air carrier  
13 or foreign air carrier under section 93.217 of title 14 of  
14 the Code of Federal Regulations.

15       SEC. 330. Notwithstanding 49 U.S.C. 41742, no es-  
16 sential air service shall be provided to communities in the  
17 48 contiguous States that are located fewer than 70 high-  
18 way miles from the nearest large and medium hub airport,  
19 or that require a rate of subsidy per passenger in excess  
20 of \$200 unless such point is greater than 210 miles from  
21 the nearest large or medium hub airport.

22       SEC. 331. Rebates, refunds, incentive payments,  
23 minor fees and other funds received by the Department  
24 from travel management centers, charge card programs,  
25 the subleasing of building space, and miscellaneous

1 sources are to be credited to appropriations of the Depart-  
2 ment and allocated to elements of the Department using  
3 fair and equitable criteria and such funds shall be avail-  
4 able until December 31, 1999.

5 SEC. 332. Notwithstanding the provisions of any  
6 other law, rule or regulation, the Secretary of Transpor-  
7 tation is authorized to allow the issuer of any preferred  
8 stock heretofore sold to the Department to redeem or re-  
9 purchase such stock upon the payment to the Department  
10 of an amount determined by the Secretary.

11 SEC. 333. The unobligated balances of the funds  
12 made available in previous appropriations Acts for the Na-  
13 tional Civil Aviation Review Commission and for Urban  
14 Discretionary Grants are rescinded.

15 SEC. 334. (a) IN GENERAL.—Notwithstanding any  
16 other provision of law—

17 (1) the land and improvements thereto compris-  
18 ing the Coast Guard Reserve Training Facility in  
19 Jacksonville, Florida, is deemed to be surplus prop-  
20 erty; and

21 (2) the Commandant of the Coast Guard shall  
22 dispose of all right, title, and interest of the United  
23 States in and to that property, by sale, at fair mar-  
24 ket value.

1 (b) RIGHT OF FIRST REFUSAL.—Before a sale is  
2 made under subsection (a) to any other person, the Com-  
3 mandant of the Coast Guard shall give to the City of Jack-  
4 sonville, Florida, the right of first refusal to purchase all  
5 or any part of the property required to be sold under that  
6 subsection.

7 SEC. 335. Of the funds provided under Coast Guard  
8 “Operating expenses”, \$1,000,000 is only for the Sec-  
9 retary of Transportation, in consultation with the Com-  
10 mandant of the Coast Guard, to establish a blue-ribbon  
11 panel to study the future capital requirements, roles, and  
12 missions of the United States Coast Guard, the activities  
13 of which shall not be subject to section 325 of this Act.

14 SEC. 336. Of the funds provided under Federal Avia-  
15 tion Administration “Operations”, \$250,000 is only for  
16 activities and operations of the Centennial of Flight Com-  
17 mission.

18 SEC. 337. Notwithstanding any provision of law, the  
19 Secretary of Transportation shall waive repayment of any  
20 Federal-aid highway funds expended on the construction  
21 of high occupancy lanes or auxiliary lanes on I-287 in the  
22 State of New Jersey if the Secretary is assured by the  
23 State of New Jersey that removal of the high occupancy  
24 vehicle restrictions on I-287 is in the public interest.

1        SEC. 338. Funds made available in previous appro-  
2        priations Acts for a railroad-highway crossing project in  
3        Augusta, Georgia shall be available for other street, rail,  
4        and related improvements in the vicinity of the grade  
5        crossing of the CSX railroad and 15th Street in Augusta,  
6        Georgia.

7        SEC. 339. (a) IN GENERAL.—None of the funds  
8        made available by this Act or subsequent Acts may be used  
9        by the Coast Guard to issue, implement, or enforce a regu-  
10       lation or to establish an interpretation or guideline under  
11       the Edible Oil Regulatory Reform Act (Public Law 104–  
12       55), or the amendments made by that Act, that does not  
13       recognize and provide for, with respect to fats, oils, and  
14       greases (as described in that Act, or the amendments  
15       made by that Act) differences in—

16                (1) physical, chemical, biological and other rel-  
17                evant properties; and

18                (2) environmental effects.

19        (b) DEADLINE FOR PROMULGATION OF REGULA-  
20        TIONS.—Not later than March 31, 1999, the Secretary of  
21        Transportation shall issue regulations amending 33 CFR  
22        154 to comply with the requirements of Public Law 104–  
23        55.

24        SEC. 340. Funding made available in Public Law  
25        105–174 for emergency railroad rehabilitation and repair

1 shall be available for repairs resulting from natural disas-  
2 ters occurring from September 1996 through July 10,  
3 1998.

4       SEC. 341. For purposes of evaluating environmental  
5 impacts of the toll road in Orange and San Diego counties,  
6 California, the Administrator of the Federal Highway Ad-  
7 ministration shall consider only those transportation alter-  
8 natives previously identified by regional planning proc-  
9 esses and shall restrict agency comments to those matters  
10 over which the agency has direct jurisdiction.

11       SEC. 342. (a) IN GENERAL.—Notwithstanding any  
12 other law, the Commandant, United States Coast Guard,  
13 shall convey to the University of South Alabama (in this  
14 section referred to as “the recipient”), the right, title, and  
15 interest of the United States Government in and to a de-  
16 commissioned vessel of the Coast Guard, as determined  
17 appropriate by the Commandant and the recipient, if—

18               (1) the recipient agrees to use the vessel for the  
19 purposes of supporting archaeological and historical  
20 research in the Mobile Bay Delta;

21               (2) the recipient agrees not to use the vessel for  
22 commercial transportation purposes, except as inci-  
23 dent to the provision of logistics services in connec-  
24 tion with the Old Mobile Archaeological Project;

1           (3) The recipient agrees to make the vessel  
2           available to the Government if the Commandant re-  
3           quires use of the vessel by the Government in times  
4           of war or national emergency;

5           (4) the recipient agrees to hold the Government  
6           harmless for any claims arising from exposure to  
7           hazardous materials including, but not limited to,  
8           asbestos and polychlorinated biphenyls (PCBs), after  
9           conveyance of the vessel, except for claims arising  
10          from use by the Government under paragraph (3);

11          (5) the recipient has funds available to be com-  
12          mitted for use to restore the vessel to operation and  
13          thereafter maintain it in good working condition, in  
14          the amount of at least \$400,000; and

15          (6) the recipient agrees to any other conditions  
16          that the Secretary considers appropriate.

17          (b) DELIVERY OF VESSEL.—If a conveyance is made  
18          under this section, the Commandant shall deliver the ves-  
19          sel at the place where the vessel is located, in its present  
20          condition, without cost to the Government. The convey-  
21          ance of this vessel shall not be considered a distribution  
22          in commerce for purposes of section 2605(e) of title 15,  
23          United States Code.

24          (c) OTHER UNNEEDED EQUIPMENT.—The Com-  
25          mandant may convey to the recipient any unneeded equip-



1 ment or parts from other decommissioned vessels pending  
2 disposition for use to restore the vessel to operability. The  
3 Commandant may require compensation from the recipi-  
4 ent for such items.

5 (d) APPLICABLE LAWS AND REGULATIONS.—The  
6 vessel shall at all times remain subject to applicable vessel  
7 safety laws and regulations.

8 SEC. 343. Item 1132 in section 1602 of the Trans-  
9 portation Equity Act for the 21st Century (112 Stat.  
10 298), relating to Mississippi, is amended by striking “Pi-  
11 rate Cove” and inserting “Pirates’ Cove and 4-lane con-  
12 nector to Mississippi Highway 468”.

13 SEC. 344. (a) AUTHORITY TO CONVEY COAST GUARD  
14 PROPERTY TO JACKSONVILLE UNIVERSITY IN JACKSON-  
15 VILLE, FLORIDA.—

16 (1) IN GENERAL.—The Secretary of Transpor-  
17 tation may convey to Jacksonville University, located  
18 in Jacksonville, Florida, without consideration, all  
19 right, title, and interest of the United States in and  
20 to the property comprising the Long Branch Rear  
21 Range Light, Jacksonville, Florida.

22 (2) IDENTIFICATION OF PROPERTY.—The Sec-  
23 retary may identify, describe, and determine the  
24 property to be conveyed under this section.

1 (b) TERMS AND CONDITIONS.—Any conveyance of  
2 any property under this section shall be made—

3 (1) subject to such terms and conditions as the  
4 Commandant may consider appropriate; and

5 (2) subject to the condition that all right, title,  
6 and interest in and to the property conveyed shall  
7 immediately revert to the United States if the prop-  
8 erty, or any part thereof, ceases to be used by Jack-  
9 sonville University.

10 SEC. 345. None of the funds made available in title  
11 I under the heading “OFFICE OF THE SECRETARY,  
12 AMTRAK REFORM COUNCIL” may be used for payments  
13 to outside consultants.

14 SEC. 346. None of the funds made available in this  
15 Act may be used for improvements to the Miller Highway  
16 in New York City, except for funds resulting from obliga-  
17 tions pursuant to sections 1601 and 1602 of the Trans-  
18 portation Equity Act for the 21st Century (Public Law  
19 105–178).

1        This Act may be cited as the “Department of Trans-  
2 portation and Related Agencies Appropriations Act,  
3 1999”.

        Passed the House of Representatives July 30 (legis-  
lative day, July 29), 1998.

Attest:

*Clerk.*