

Union Calendar No. 364

105TH CONGRESS
2^D SESSION

H. R. 4328

[Report No. 105-648]

A BILL

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

JULY 24, 1998

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

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

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 1998

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

A BILL

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

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TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

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

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

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

OFFICE OF THE GENERAL COUNSEL

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

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

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

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION

AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, \$7,002,200: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received in user fees.

1 OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET
2 AND PROGRAMS

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

8 OFFICE OF THE ASSISTANT SECRETARY FOR
9 GOVERNMENTAL AFFAIRS

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

12 OFFICE OF THE ASSISTANT SECRETARY FOR
13 ADMINISTRATION

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

16 OFFICE OF PUBLIC AFFAIRS

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

19 EXECUTIVE SECRETARIAT

20 For necessary expenses of the Executive Secretariat,
21 \$1,046,900.

22 BOARD OF CONTRACT APPEALS

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

1 OFFICE OF SMALL AND DISADVANTAGED BUSINESS
2 UTILIZATION

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

5 OFFICE OF INTELLIGENCE AND SECURITY

6 For necessary expenses of the Office of Intelligence
7 and Security, \$961,100.

8 OFFICE OF THE CHIEF INFORMATION OFFICER

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

11 OFFICE OF INTERMODALISM

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

14 OFFICE OF CIVIL RIGHTS

15 For necessary expenses of the Office of Civil Rights,
16 \$6,966,000.

17 TRANSPORTATION PLANNING, RESEARCH, AND
18 DEVELOPMENT

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

22 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

23 Necessary expenses for operating costs and capital
24 outlays of the Transportation Administrative Service Cen-
25 ter, not to exceed \$109,124,000, shall be paid from appro-

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

16 MINORITY BUSINESS RESOURCE CENTER PROGRAM

17 For the cost of direct loans, \$1,500,000, as author-
18 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-
19 ing the cost of modifying such loans, shall be as defined
20 in section 502 of the Congressional Budget Act of 1974:
21 *Provided further*, That these funds are available to sub-
22 sidize gross obligations for the principal amount of direct
23 loans not to exceed \$13,775,000. In addition, for adminis-
24 trative expenses to carry out the direct loan program,
25 \$400,000.

1 MINORITY BUSINESS OUTREACH

2 For necessary expenses of Minority Business Re-
3 source Center outreach activities, \$2,900,000, of which
4 \$2,635,000 shall remain available until September 30,
5 2000: *Provided*, That notwithstanding 49 U.S.C. 332,
6 these funds may be used for business opportunities related
7 to any mode of transportation.

8 AMTRAK REFORM COUNCIL

9 For necessary expenses of the Amtrak Reform Coun-
10 cil authorized under section 203 of Public Law 105–134,
11 \$450,000, to remain available until September 30, 2000.

12 COAST GUARD

13 OPERATING EXPENSES

14 For necessary expenses for the operation and mainte-
15 nance of the Coast Guard, not otherwise provided for; pur-
16 chase of not to exceed five passenger motor vehicles for
17 replacement only; payments pursuant to section 156 of
18 Public Law 97–377, as amended (42 U.S.C. 402 note),
19 and section 229(b) of the Social Security Act (42 U.S.C.
20 429(b)); and recreation and welfare; \$2,700,000,000, of
21 which not to exceed \$4,000,000 shall be for the establish-
22 ment and operating costs of a Caribbean international
23 support tender, to train and support foreign coast guards
24 in the Caribbean region; of which \$300,000,000 shall be
25 available for defense-related activities; and of which

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

1 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses of acquisition, construction,
4 renovation, and improvement of aids to navigation, shore
5 facilities, vessels, and aircraft, including equipment related
6 thereto, \$389,000,000, of which \$20,000,000 shall be de-
7 rived from the Oil Spill Liability Trust Fund; of which
8 \$227,913,000 shall be available to acquire, repair, ren-
9 ovate or improve vessels, small boats and related equip-
10 ment, to remain available until September 30, 2003;
11 \$39,400,000 shall be available to acquire new aircraft and
12 increase aviation capability, to remain available until Sep-
13 tember 30, 2001; \$30,314,000 shall be available for other
14 equipment, to remain available until September 30, 2001;
15 \$42,923,000 shall be available for shore facilities and aids
16 to navigation facilities, to remain available until Septem-
17 ber 30, 2001; and \$48,450,000 shall be available for per-
18 sonnel compensation and benefits and related costs, to re-
19 main available until September 30, 2000: *Provided*, That
20 funds received from the sale of HU-25 aircraft shall be
21 credited to this appropriation for the purpose of acquiring
22 new aircraft and increasing aviation capacity: *Provided*
23 *further*, That the Commandant may dispose of surplus real
24 property by sale or lease and the proceeds shall be credited
25 to this appropriation, of which not more than \$3,000,000

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

9 ENVIRONMENTAL COMPLIANCE AND RESTORATION

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

14 ALTERATION OF BRIDGES

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

18 RETIRED PAY

19 For retired pay, including the payment of obligations
20 therefor otherwise chargeable to lapsed appropriations for
21 this purpose, and payments under the Retired Service-
22 man's Family Protection and Survivor Benefits Plans, and
23 for payments for medical care of retired personnel and
24 their dependents under the Dependents Medical Care Act
25 (10 U.S.C. ch. 55), \$684,000,000.

1 RESERVE TRAINING

2 (INCLUDING TRANSFER OF FUNDS)

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

15 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

1 incurred for research, development, testing, and evalua-
2 tion.

3 FEDERAL AVIATION ADMINISTRATION

4 OPERATIONS

5 For necessary expenses of the Federal Aviation Ad-
6 ministration, not otherwise provided for, including oper-
7 ations and research activities related to commercial space
8 transportation, administrative expenses for research and
9 development, establishment of air navigation facilities and
10 the operation (including leasing) and maintenance of air-
11 craft, subsidizing the cost of aeronautical charts and maps
12 sold to the public, and carrying out the provisions of sub-
13 chapter I of chapter 471 of title 49, United States Code,
14 or other provisions of law authorizing the obligation of
15 funds for similar programs of airport and airway develop-
16 ment or improvement, lease or purchase of passenger
17 motor vehicles for replacement only, in addition to
18 amounts made available by Public Law 104–264,
19 \$5,532,558,000, of which \$2,060,000,000 shall be derived
20 from the Airport and Airway Trust Fund: *Provided*, That
21 none of the funds in this Act shall be available for the
22 Federal Aviation Administration to plan, finalize, or im-
23 plement any regulation that would promulgate new avia-
24 tion user fees not specifically authorized by law after the
25 date of enactment of this Act: *Provided further*, That there

1 may be credited to this appropriation funds received from
2 States, counties, municipalities, foreign authorities, other
3 public authorities, and private sources, for expenses in-
4 curred in the provision of agency services, including re-
5 ceipts for the maintenance and operation of air navigation
6 facilities, and for issuance, renewal or modification of cer-
7 tificates, including airman, aircraft, and repair station cer-
8 tificates, or for tests related thereto, or for processing
9 major repair or alteration forms: *Provided further*, That
10 funds may be used to enter into a grant agreement with
11 a nonprofit standard-setting organization to assist in the
12 development of aviation safety standards: *Provided fur-*
13 *ther*, That none of the funds in this Act shall be available
14 for new applicants for the second career training program:
15 *Provided further*, That none of the funds in this Act shall
16 be available for paying premium pay under 5 U.S.C.
17 5546(a) to any Federal Aviation Administration employee
18 unless such employee actually performed work during the
19 time corresponding to such premium pay: *Provided fur-*
20 *ther*, That none of the funds in this Act may be obligated
21 or expended to operate a manned auxiliary flight service
22 station in the contiguous United States: *Provided further*,
23 That no more than \$28,600,000 of funds appropriated to
24 the Federal Aviation Administration in this Act may be
25 used for activities conducted by, or coordinated through,

1 the Transportation Administrative Service Center
2 (TASC): *Provided further*, That none of the funds in this
3 Act may be used for the Federal Aviation Administration
4 to enter into a multiyear lease greater than three years
5 in length or greater than \$100,000,000 in value unless
6 such lease is specifically authorized by the Congress and
7 appropriations have been provided to fully cover the Fed-
8 eral Government's contingent liabilities: *Provided further*,
9 That none of the funds appropriated or otherwise made
10 available in this Act may be used to pay the salaries or
11 expenses of personnel who carry out an essential air serv-
12 ice program under section 41742 of title 49, United States
13 Code, from amounts not credited to the account estab-
14 lished under section 45303 of such title: *Provided further*,
15 That none of the funds in this Act may be used for the
16 Federal Aviation Administration (FAA) to sign a lease for
17 satellite services related to the global positioning system
18 (GPS) wide area augmentation system until the adminis-
19 trator of the FAA certifies in writing to the House and
20 Senate Committees on Appropriations that FAA has con-
21 ducted a lease versus buy analysis which indicates that
22 such lease will result in the lowest overall cost to the agen-
23 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: (a) begin as-
6 suming the operation and maintenance costs of such ma-
7 chines beginning in fiscal year 1999; and (b) 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 GRANTS-IN-AID FOR AIRPORTS

21 (AIRPORT AND AIRWAY TRUST FUND)

22 (RESCISSION OF CONTRACT AUTHORIZATION)

23 Of the unobligated balances authorized under 49
24 U.S.C. 48103 as amended, \$5,000,000 are rescinded.

1 AVIATION INSURANCE REVOLVING FUND

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

10 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

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

13 ADMINISTRATIVE SERVICES FRANCHISE FUND

14 None of the funds in this Act may be used for the
15 FAA to conduct, monitor, or otherwise continue oper-
16 ations of the Administrative Services Franchise Fund in
17 fiscal year 1999.

18 FEDERAL HIGHWAY ADMINISTRATION

19 LIMITATION ON GENERAL OPERATING EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 Necessary expenses for administration and operation
22 of the Federal Highway Administration not to exceed
23 \$318,733,000 shall be paid in accordance with law from
24 appropriations made available by this Act to the Federal
25 Highway Administration together with advances and reim-

1 bursements received by the Federal Highway Administra-
2 tion: *Provided*, That \$52,530,000 shall be transferred to
3 the National Highway Traffic Safety Administration to
4 carry out the functions and operations of the office of
5 motor carriers: *Provided further*, That none of the funds
6 in this Act may be used to carry out the functions and
7 operations of the office of motor carriers within the Fed-
8 eral Highway Administration.

9 LIMITATION ON TRANSPORTATION RESEARCH

10 Necessary expenses for transportation research of the
11 Federal Highway Administration, not to exceed
12 \$409,150,000 shall be paid in accordance with law from
13 appropriations made available by this Act to the Federal
14 Highway Administration: *Provided*, That this limitation
15 shall not apply to any authority previously made available
16 for obligation.

17 FEDERAL-AID HIGHWAYS

18 (LIMITATION ON OBLIGATIONS)

19 (HIGHWAY TRUST FUND)

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

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

4 For carrying out the provisions of title 23, United
5 States Code, that are attributable to Federal-aid high-
6 ways, including the National Scenic and Recreational
7 Highway as authorized by 23 U.S.C. 148, not otherwise
8 provided, including reimbursement for sums expended
9 pursuant to the provisions of 23 U.S.C. 308,
10 \$24,000,000,000 or so much thereof as may be available
11 in and derived from the Highway Trust Fund, to remain
12 available until expended.

13 NATIONAL HIGHWAY TRAFFIC SAFETY
14 ADMINISTRATION
15 OPERATIONS AND RESEARCH

16 For expenses necessary to discharge the functions of
17 the Secretary with respect to traffic and highway safety
18 under part C of subtitle VI of title 49, U.S.C. and chapter
19 301 of title 49, U.S.C. \$87,400,000, of which \$58,558,000
20 shall remain available until September 30, 2001: *Provided,*
21 That none of the funds appropriated by this Act may be
22 obligated or expended to plan, finalize, or implement any
23 rulemaking to add to section 575.104 of title 49 of the
24 Code of Federal Regulations any requirement pertaining
25 to a grading standard that is different from the three

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

3 OPERATIONS AND RESEARCH

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 For payments of obligations incurred in carrying out
8 the provisions of 23 U.S.C. 403, to remain available until
9 expended, \$72,000,000, to be derived from the Highway
10 Trust Fund: *Provided*, That none of the funds in this Act
11 shall be available for the planning or execution of pro-
12 grams the total obligations for which, in fiscal year 1999,
13 are in excess of \$72,000,000 for programs authorized
14 under 23 U.S.C. 403.

15 NATIONAL DRIVER REGISTER

16 (HIGHWAY TRUST FUND)

17 For expenses necessary to discharge the functions of
18 the Secretary with respect to the National Driver Register
19 under chapter 303 of title 49, U.S.C., \$2,000,000 to be
20 derived from the Highway Trust Fund, and to remain
21 available until expended.

1 HIGHWAY TRAFFIC SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 the provisions of 23 U.S.C. 402, 405, 410, and 411 to
7 remain available until expended, \$200,000,000, to be de-
8 rived from the Highway Trust Fund: *Provided*, That none
9 of the funds in this Act shall be available for the planning
10 or execution of programs the total obligations for which,
11 in fiscal year 1999, are in excess of \$200,000,000 for pro-
12 grams authorized under 23 U.S.C. 402, 405, 410, and 411
13 of which \$150,000,000 shall be for “Highway Safety Pro-
14 grams” under 23 U.S.C. 402, \$10,000,000 shall be for
15 “Occupant Protection Incentive Grants” under 23 U.S.C.
16 405, \$35,000,000 shall be for “Alcohol-Impaired Driving
17 Countermeasures Grants” under 23 U.S.C. 410,
18 \$5,000,000 shall be for the “State Highway Safety Data
19 Grants” under 23 U.S.C. 411: *Provided further*, That
20 none of these funds shall be used for construction, reha-
21 bilitation, or remodeling costs, or for office furnishings
22 and fixtures for State, local, or private buildings or struc-
23 tures: *Provided further*, That not to exceed \$9,943,000 of
24 the funds made available for Highway Safety Programs
25 under 23 U.S.C. 402 shall be available to NHTSA for ad-
26 ministering “Highway Safety Programs”: *Provided fur-*

1 *ther*, That not to exceed \$500,000 of the funds made avail-
2 able for section 410 “Alcohol-Impaired Driving Counter-
3 measures Grants” shall be available for technical assist-
4 ance to the States.

5 MOTOR CARRIER SAFETY GRANTS

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out
9 49 U.S.C. 31102, \$100,000,000, to be derived from the
10 Highway Trust Fund and to remain available until ex-
11 pended: *Provided*, That none of the funds in this Act shall
12 be available for the implementation or execution of pro-
13 grams the obligations for which are in excess of
14 \$100,000,000 for “Motor Carrier Safety Grants”.

15 FEDERAL RAILROAD ADMINISTRATION

16 OFFICE OF THE ADMINISTRATOR

17 For necessary expenses of the Federal Railroad Ad-
18 ministration, not otherwise provided for, \$21,367,000, of
19 which \$1,784,000 shall remain available until expended:
20 *Provided*, That, as part of the Washington Union Station
21 transaction in which the Secretary assumed the first deed
22 of trust on the property and, where the Union Station Re-
23 development Corporation or any successor is obligated to
24 make payments on such deed of trust on the Secretary’s
25 behalf, including payments on and after September 30,
26 1988, the Secretary is authorized to receive such payments

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

10 RAILROAD SAFETY

11 For necessary expenses in connection with railroad
12 safety, not otherwise provided for, \$60,948,000, of which
13 \$3,825,000 shall remain available until expended: *Pro-*
14 *vided*, That notwithstanding any other provision of law,
15 funds appropriated under this heading are available for
16 the reimbursement of out-of-state travel and per diem
17 costs incurred by employees of State governments directly
18 supporting the Federal railroad safety program, including
19 regulatory development and compliance-related activities.

20 RAILROAD RESEARCH AND DEVELOPMENT

21 For necessary expenses for railroad research and de-
22 velopment, \$20,477,000, to remain available until ex-
23 pended: *Provided*, That the Secretary is authorized to sell
24 aluminum reaction rail, power rail base, and other related
25 materials located at the Transportation Technology Cen-

1 ter, near Pueblo, Colorado and shall credit the receipts
2 from such sale to this account, notwithstanding 31 U.S.C.
3 3302, to remain available until expended.

4 RAILROAD REHABILITATION AND IMPROVEMENT
5 PROGRAM

6 The Secretary of Transportation is authorized to
7 issue to the Secretary of the Treasury notes or other obli-
8 gations pursuant to section 512 of the Railroad Revitaliza-
9 tion and Regulatory Reform Act of 1976 (Public Law 94-
10 210), as amended, in such amounts and at such times as
11 may be necessary to pay any amounts required pursuant
12 to the guarantee of the principal amount of obligations
13 under sections 511 through 513 of such Act, such author-
14 ity to exist as long as any such guaranteed obligation is
15 outstanding: *Provided*, That pursuant to section 502 of
16 such Act, as amended, no new direct loans or loan guaran-
17 tee commitments shall be made using Federal funds dur-
18 ing fiscal year 1999.

19 NEXT GENERATION HIGH-SPEED RAIL

20 For necessary expenses for Next Generation High-
21 Speed Rail program, as authorized under 49 U.S.C. 26101
22 and 26102, \$15,294,000, to remain available until ex-
23 pended: *Provided*, That funds under this heading may be
24 made available for grants to States for high-speed rail cor-

1 ridor design, feasibility studies, environmental analyses,
2 and track and signal improvements.

3 RHODE ISLAND RAIL DEVELOPMENT

4 For the costs associated with construction of a third
5 track on the Northeast Corridor between Davisville and
6 Central Falls, Rhode Island, with sufficient clearance to
7 accommodate double stack freight cars, \$2,000,000 be
8 matched by the State of Rhode Island or its designee on
9 a dollar-for-dollar basis and to remain available until ex-
10 pended.

11 CAPITAL GRANTS TO THE NATIONAL RAILROAD

12 PASSENGER CORPORATION

13 For necessary expenses of capital improvements of
14 the National Railroad Passenger Corporation as author-
15 ized by 49 U.S.C. 24104(a) \$609,230,000, to remain
16 available until expended: *Provided*, That the funding
17 under this heading shall be available only after (1) deposit
18 in the Treasury of the sums made available to the Cor-
19 poration pursuant to section 977 of the Taxpayer Relief
20 Act of 1997, and (2) approval of a comprehensive capital
21 plan for use of section 977 funds and amounts provided
22 under this heading by the Secretary of Transportation, the
23 Director of the Office of Management and Budget, and
24 the House and Senate Committees on Appropriations:

1 *Provided further*, That upon satisfaction of the prior pro-
2 viso, section 977 funds shall be available.

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, \$10,800,000: *Provided*,
8 That no more than \$54,000,000 of budget authority shall
9 be available for these purposes: *Provided further*, That of
10 the funds in this Act available for the execution of con-
11 tracts under section 5327(c) of title 49, United States
12 Code, \$750,000 shall be transferred to the Department
13 of Transportation Inspector General for costs associated
14 with the audit and review of new fixed guideway systems.

15 FORMULA GRANTS

16 For necessary expenses to carry out 49 United States
17 Code 5307, 5308, 5310, 5311, and 5327, \$570,000,000:
18 *Provided*, That no more than \$2,850,000,000 of budget
19 authority shall be available for these purposes.

20 UNIVERSITY TRANSPORTATION RESEARCH

21 For necessary expenses to carry out 49 United States
22 Code 5505, \$1,200,000: *Provided*, That no more than
23 \$6,000,000 of budget authority shall be available for these
24 purposes.

1 TRANSIT PLANNING AND RESEARCH

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

17 TRUST FUND SHARE OF EXPENSES

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (HIGHWAY TRUST FUND)

20 For payment of obligations incurred in carrying out
21 49 U.S.C. 5303 through 5308, 5310 through 5315,
22 5317(b), 5322, 5327, and 5334, \$2,446,200,000, to re-
23 main available until expended and to be derived from the
24 Mass Transit Account of the Highway Trust Fund: *Pro-*
25 *vided*, That \$2,280,000,000 shall be paid to the Federal
26 Transit Administration's formula grants account: *Pro-*

1 *vided further*, That \$78,200,000 shall be paid to the Fed-
2 eral Transit Administration's transit planning and re-
3 search account: *Provided further*, That \$43,200,000 shall
4 be paid to the Federal Transit Administration's adminis-
5 trative expenses account: *Provided further*, That
6 \$4,800,000 shall be paid to the Federal Transit Adminis-
7 tration's university transportation research account: *Pro-*
8 *vided further*, That \$40,000,000 shall be paid to the Fed-
9 eral Transit Administration's job access and reverse com-
10 mute grants program.

11 CAPITAL INVESTMENT GRANTS

12 For necessary expenses to carry out 49 U.S.C. 5308,
13 5309, 5318, and 5327, \$451,400,000: *Provided*, That no
14 more than \$2,257,000,000 of budget authority shall be
15 available for these purposes: *Provided further*, That there
16 shall be available for fixed guideway modernization,
17 \$902,800,000; there shall be available for the replacement,
18 rehabilitation, and purchase of buses and related equip-
19 ment and the construction of bus-related facilities,
20 \$451,400,000; and there shall be available for new fixed
21 guideway systems, \$902,800,000, to be available as fol-
22 lows:

23 \$10,400,000 for Alaska or Hawaii ferry
24 projects;

1 \$52,110,000 for the Atlanta North Springs
2 project;
3 \$1,000,000 for the Austin Capital metro
4 project;
5 \$3,000,000 for the Canton-Akron-Cleveland
6 commuter rail project;
7 \$2,000,000 for the Charlotte, North Carolina
8 North-South corridor transitway project;
9 \$4,000,000 for Chicago Metra commuter rail
10 extensions and upgrades;
11 \$2,000,000 for the Chicago Transit Authority
12 Ravenswood line project;
13 \$4,000,000 for the Clark County, Nevada fixed
14 guideway project;
15 \$1,000,000 for the Cleveland Berea Red Line
16 extension to the Hopkins International Airport;
17 \$2,000,000 for the Cleveland Euclid corridor
18 improvement project;
19 \$10,698,000 for the Dallas-Fort Worth
20 RAILTRAN project;
21 \$8,000,000 for the DART North Central light
22 rail extension project;
23 \$1,000,000 for the Dayton, Ohio light rail
24 study;

- 1 \$40,000,000 for the Denver Southwest Corridor
2 project;
- 3 \$17,000,000 for the Dulles Corridor project;
- 4 \$4,000,000 for the Fort Lauderdale, Florida
5 Tri-County commuter rail project;
- 6 \$500,000 for the Harrisburg, Pennsylvania cap-
7 ital area transit/corridor one project;
- 8 \$2,000,000 for the Houston Advanced Transit
9 Program;
- 10 \$59,670,000 for the Houston Regional Bus
11 project;
- 12 \$1,000,000 for the Johnson County, Kansas I-
13 35 commuter rail project;
- 14 \$1,500,000 for the Knoxville, Tennessee electric
15 transit project;
- 16 \$46,000,000 for the Los Angeles MOS-3
17 project;
- 18 \$17,041,000 for MARC commuter rail improve-
19 ments;
- 20 \$1,500,000 for the Maryland Route 5 corridor
21 project;
- 22 \$2,200,000 for the Memphis, Tennessee Medi-
23 cal Center rail extension project;
- 24 \$3,000,000 for the Miami Metro-Dade Transit
25 east-west corridor project;

1 \$1,000,000 for the Miami Metro-Dade North
2 27th Avenue corridor project;
3 \$2,000,000 for the Mission Valley East light
4 rail transit project;
5 \$500,000 for the Nashville, Tennessee regional
6 commuter rail project;
7 \$70,000,000 for the New Jersey urban core
8 Hudson-Bergen LRT project;
9 \$43,000,000 for the New Orleans Canal Street
10 corridor project;
11 \$2,000,000 for the New Orleans Desire Street-
12 car project;
13 \$2,000,000 for the Norfolk-Virginia Beach re-
14 gional rail project;
15 \$2,000,000 for the Northern Indiana South
16 Shore commuter rail project;
17 \$5,500,000 for the Oceanside-Escondido light
18 rail project;
19 \$4,000,000 for the Orange County, California
20 transitway project;
21 \$17,500,000 for the Orlando Lynx Light rail
22 project;
23 \$2,000,000 for the Philadelphia-Reading
24 SEPTA Schuylkill Valley Metro project;

- 1 \$1,000,000 for the Philadelphia SEPTA Cross
2 County Metro project;
- 3 \$8,000,000 for the Phoenix metropolitan area
4 transit project;
- 5 \$3,000,000 for the Pittsburgh Allegheny Coun-
6 ty busway and light rail projects;
- 7 \$25,718,000 for the Portland-Westside/Hills-
8 boro and South-North light rail projects;
- 9 \$1,000,000 for the Puget Sound RTA Link
10 light rail project;
- 11 \$19,500,000 for the Puget Sound RTA Sound-
12 er commuter rail project;
- 13 \$8,000,000 for the Raleigh-Durham-Chapel Hill
14 Triangle Transit project;
- 15 \$23,480,000 for the Sacramento south corridor
16 LRT project;
- 17 \$70,000,000 for the Salt Lake City South LRT
18 project;
- 19 \$3,000,000 for the Salt Lake City/Airport to
20 University (West-East) light rail project;
- 21 \$2,000,000 for the San Bernardino Metrolink
22 extension project;
- 23 \$3,000,000 for the San Diego Mid-Coast cor-
24 ridor project;

1 \$74,000,000 for the San Francisco BART ex-
2 tension to the airport project;
3 \$500,000 for the San Jacinto-Branch Line
4 (Riverside County) project;
5 \$35,000,000 for the San Jose Tasman LRT
6 project;
7 \$60,000,000 for the San Juan Tren Urbano;
8 \$53,983,000 for the South Boston Piers MOS-
9 2 project;
10 \$1,000,000 for the South DeKalb-Lindbergh
11 Corridor LRT project;
12 \$1,000,000 for the Spokane, Washington light
13 rail project;
14 \$35,000,000 for the St. Louis-St. Clair County
15 LRT extension project;
16 \$500,000 for the Tampa Bay regional rail
17 project;
18 \$22,000,000 for the Twin Cities transitways
19 project;
20 \$2,000,000 for the Virginia Rail Express Fred-
21 ericksburg to Washington commuter rail project;
22 \$1,000,000 for the West Trenton, New Jersey
23 rail project; and
24 \$1,000,000 for the Whitehall ferry terminal
25 project: *Provided further*, That funds provided in

1 Public Law 105–66 for the Pennsylvania Strawberry
2 Hill/Diamond Branch rail project shall be available
3 for the Laurel Rail line project in Lackawanna
4 County, Pennsylvania.

5 MASS TRANSIT CAPITAL FUND

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out
9 49 U.S.C. 5338(b) administered by the Federal Transit
10 Administration, \$1,805,600,000, to be derived from the
11 Highway Trust Fund and to remain available until ex-
12 pended.

13 JOB ACCESS AND REVERSE COMMUTE GRANTS

14 For necessary expenses to carry out section 3037 of
15 the Federal Transit Act of 1998, \$10,000,000: *Provided*,
16 That no more than \$50,000,000 of budget authority shall
17 be available for these purposes: *Provided further*, That of
18 the amounts appropriated under this head, not more than
19 \$10,000,000 shall be used for grants for reverse commute
20 projects.

21 WASHINGTON METROPOLITAN AREA TRANSIT

22 AUTHORITY

23 For necessary expenses to carry out the provisions
24 of section 14 of Public Law 96–184 and Public Law 101–
25 551, \$50,000,000, to remain available until expended.

1 SAINT LAWRENCE SEAWAY DEVELOPMENT
2 CORPORATION

3 SAINT LAWRENCE SEAWAY DEVELOPMENT
4 CORPORATION

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

14 OPERATIONS AND MAINTENANCE
15 (HARBOR MAINTENANCE TRUST FUND)

16 For necessary expenses for operation and mainte-
17 nance of those portions of the Saint Lawrence Seaway op-
18 erated and maintained by the Saint Lawrence Seaway De-
19 velopment Corporation, \$11,496,000, to be derived from
20 the Harbor Maintenance Trust Fund, pursuant to Public
21 Law 99–662.

1 RESEARCH AND SPECIAL PROGRAMS

2 ADMINISTRATION

3 RESEARCH AND SPECIAL PROGRAMS

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

21 PIPELINE SAFETY

22 (PIPELINE SAFETY FUND)

23 (OIL SPILL LIABILITY TRUST FUND)

24 For expenses necessary to conduct the functions of
25 the pipeline safety program, for grants-in-aid to carry out
26 a pipeline safety program, as authorized by 49 U.S.C.

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

15 EMERGENCY PREPAREDNESS GRANTS

16 (EMERGENCY PREPAREDNESS FUND)

17 For necessary expenses to carry out 49 U.S.C.
18 5127(c), \$200,000, to be derived from the Emergency
19 Preparedness Fund, to remain available until September
20 30, 2001: *Provided*, That not more than \$9,600,000 shall
21 be made available for obligation in fiscal year 1999 from
22 amounts made available by 49 U.S.C. 5116(i) and
23 5127(d): *Provided further*, That none of the funds made
24 available by 49 U.S.C. 5116(i) and 5127(d) shall be made

1 available for obligation by individuals other than the Sec-
2 retary of Transportation, or his designee.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

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

8 SURFACE TRANSPORTATION BOARD

9 SALARIES AND EXPENSES

10 For necessary expenses of the Surface Transpor-
11 tation Board, including services authorized by 5 U.S.C.
12 3109, \$16,000,000: *Provided*, That notwithstanding any
13 other provision of law, not to exceed \$2,600,000 from fees
14 established by the Chairman of the Surface Transpor-
15 tation Board shall be credited to this appropriation as off-
16 setting collections and used for necessary and authorized
17 expenses under this heading: *Provided further*, That the
18 sum herein appropriated from the general fund shall be
19 reduced on a dollar for dollar basis as such offsetting col-
20 lections are received during fiscal year 1999, to result in
21 a final appropriation from the general fund estimated at
22 no more than \$16,000,000: *Provided further*, That any
23 fees received in excess of \$2,600,000 in fiscal year 1999
24 shall remain available until expended, but shall not be
25 available for obligation until October 1, 1999.

1 TITLE II
2 RELATED AGENCIES
3 ARCHITECTURAL AND TRANSPORTATION
4 BARRIERS COMPLIANCE BOARD
5 SALARIES AND EXPENSES

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

13 NATIONAL TRANSPORTATION SAFETY BOARD
14 SALARIES AND EXPENSES

15 For necessary expenses of the National Transpor-
16 tation Safety Board, including hire of passenger motor ve-
17 hicles and aircraft; services as authorized by 5 U.S.C.
18 3109, but at rates for individuals not to exceed the per
19 diem rate equivalent to the rate for a GS-15; uniforms,
20 or allowances therefor, as authorized by law (5 U.S.C.
21 5901-5902), \$53,300,000, of which not to exceed \$2,000
22 may be used for official reception and representation ex-
23 penses.

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

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

23 SEC. 305. None of the funds in this Act shall be avail-
24 able for salaries and expenses of more than 88 political
25 and Presidential appointees in the Department of Trans-

1 portation: *Provided*, That none of the personnel covered
2 by this provision may be assigned on temporary detail out-
3 side the Department of Transportation.

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

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

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

24 SEC. 309. The expenditure of any appropriation
25 under this Act for any consulting service through procure-

1 ment contract pursuant to section 3109 of title 5, United
2 States Code, shall be limited to those contracts where such
3 expenditures are a matter of public record and available
4 for public inspection, except where otherwise provided
5 under existing law, or under existing Executive order
6 issued pursuant to existing law.

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

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

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

21 SEC. 313. Notwithstanding any other provision of
22 law, airports may transfer, without consideration, to the
23 Federal Aviation Administration (FAA) instrument land-
24 ing systems (along with associated approach lighting
25 equipment and runway visual range equipment) which

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

7 SEC. 314. None of the funds in this Act shall be avail-
8 able to award a multiyear contract for production end
9 items that: (a) includes economic order quantity or long
10 lead time material procurement in excess of \$10,000,000
11 in any one year of the contract; or (b) includes a cancella-
12 tion charge greater than \$10,000,000 which at the time
13 of obligation has not been appropriated to the limits of
14 the Government's liability; or (c) includes a requirement
15 that permits performance under the contract during the
16 second and subsequent years of the contract without con-
17 ditioning such performance upon the appropriation of
18 funds: *Provided*, That this limitation does not apply to a
19 contract in which the Federal Government incurs no fi-
20 nancial liability from not buying additional systems, sub-
21 systems, or components beyond the basic contract require-
22 ments.

23 SEC. 315. Notwithstanding any other provision of
24 law, and except for fixed guideway modernization projects,
25 funds made available by this Act under "Federal Transit

1 Administration, Capital Investments Grants” for projects
2 specified in this Act or identified in reports accompanying
3 this Act not obligated by September 30, 2001, shall be
4 made available for other projects under 49 U.S.C. 5309.

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

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

17 SEC. 318. Funds provided in this Act for the Trans-
18 portation Administrative Service Center (TASC) shall be
19 reduced by \$20,000,000, which limits fiscal year 1999
20 TASC obligational authority for elements of the Depart-
21 ment of Transportation funded in this Act to no more
22 than \$89,124,000: *Provided*, That such reductions from
23 the budget request shall be allocated by the Department
24 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. 319. 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. 320. 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. 321. Notwithstanding any other provision of
24 law, the Secretary of Transportation shall convey, without
25 consideration, all right, title, and interest of the United

1 States in and to the parcels of real property described in
2 this section, together with any improvements thereon, as
3 the Secretary considers appropriate for purposes of the
4 conveyance, to the entities described in this section, name-
5 ly: (a) United States Coast Guard Pass Manchac Light
6 in Tangipahoa Parish, Louisiana, to the State of Louisi-
7 ana; and (b) Tchefuncte River Range Rear Light in Mad-
8 isonville, Louisiana, to the Town of Madisonville, Louisi-
9 ana.

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

18 SEC. 323. 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. 324. 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. 325. Not to exceed \$1,000,000 of the funds pro-
5 vided in this Act for the Department of Transportation
6 shall be available for the necessary expenses of advisory
7 committees.

8 SEC. 326. No funds other than those appropriated
9 to the Surface Transportation Board or fees collected by
10 the Board shall be used for conducting the activities of
11 the Board.

12 SEC. 327. (a) None of the funds made available in
13 this Act may be expended by an entity unless the entity
14 agrees that in expending the funds the entity will comply
15 with the Buy American Act (41 U.S.C. 10a–10c).

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

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

1 made equipment and products to the greatest extent
2 practicable.

3 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

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

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

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

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

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

10 SEC. 330. Notwithstanding 49 U.S.C. 41742, no es-
11 sential air service shall be provided to communities in the
12 48 contiguous States that are located fewer than 70 high-
13 way miles from the nearest large and medium hub airport,
14 or that require a rate of subsidy per passenger in excess
15 of \$200 unless such point is greater than 210 miles from
16 the nearest large or medium hub airport.

17 SEC. 331. Rebates, refunds, incentive payments,
18 minor fees and other funds received by the Department
19 from travel management centers, charge card programs,
20 the subleasing of building space, and miscellaneous
21 sources are to be credited to appropriations of the Depart-
22 ment and allocated to elements of the Department using
23 fair and equitable criteria and such funds shall be avail-
24 able until December 31, 1999.

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

7 SEC. 333. The unobligated balances of the funds
8 made available in previous appropriations Acts for the Na-
9 tional Civil Aviation Review Commission and for Urban
10 Discretionary Grants are rescinded.

11 SEC. 334. (a) IN GENERAL.—Notwithstanding any
12 other provision of law—

13 (1) the land and improvements thereto compris-
14 ing the Coast Guard Reserve Training Facility in
15 Jacksonville, Florida, is deemed to be surplus prop-
16 erty; and

17 (2) the Commandant of the Coast Guard shall
18 dispose of all right, title, and interest of the United
19 States in and to that property, by sale, at fair mar-
20 ket value.

21 (b) RIGHT OF FIRST REFUSAL.—Before a sale is
22 made under subsection (a) to any other person, the Com-
23 mandant of the Coast Guard shall give to the city of Jack-
24 sonville, Florida, the right of first refusal to purchase all

1 or any part of the property required to be sold under that
2 subsection.

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

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

14 SEC. 337. Notwithstanding any provision of law, the
15 Secretary of Transportation is hereby authorized to waive
16 repayment of any Federal-aid highway funds expended on
17 the construction of high occupancy lanes or auxiliary lanes
18 on I-287 in the State of New Jersey: *Provided*, That such
19 waiver shall not be granted by the Secretary until such
20 time as the Secretary is assured by the State of New Jer-
21 sey that removal of the high occupancy vehicle restrictions
22 on I-287 is in the public interest.

23 SEC. 338. Funds made available in previous appro-
24 priations Acts for a railroad-highway crossing project in
25 Augusta, Georgia shall be available for other street, rail,

1 and related improvements in the vicinity of the grade
2 crossing of the CSX railroad and 15th Street in Augusta,
3 Georgia.

4 SEC. 339. Of the \$40,000,000 provided under section
5 1602 of Public Law 105–178, item number 1679,
6 \$28,253,470 shall only be available for fire and life safety
7 improvements to the East River and North Tunnels and
8 the subterranean complex of Pennsylvania Station.

9 SEC. 340. (a) None of the funds made available by
10 this Act or subsequent Acts may be used by the Coast
11 Guard to issue, implement, or enforce a regulation or to
12 establish an interpretation or guideline under the Edible
13 Oil Regulatory Reform Act (Public Law 104–55), or the
14 amendments made by that Act, that does not recognize
15 and provide for, with respect to fats, oils, and greases (as
16 described in that Act, or the amendments made by that
17 Act) differences in—

18 (1) physical, chemical, biological and other rel-
19 evant properties; and

20 (2) environmental effects.

21 (b) DEADLINE FOR PROMULGATION OF REGULA-
22 TIONS.—Not later than March 31, 1999, the Secretary of
23 Transportation shall issue regulations amending 33
24 C.F.R. 154 to comply with the requirements of Public Law
25 104–55.

1 SEC. 341. Funding made available in Public Law
2 105–174 for emergency railroad rehabilitation and repair
3 shall be available for repairs resulting from natural disas-
4 ters occurring from September 1996 through July 10,
5 1998.

6 SEC. 342. For purposes of evaluating environmental
7 impacts of the toll road in Orange and San Diego counties,
8 California, the Administrator of the Federal Highway Ad-
9 ministration shall consider only those transportation alter-
10 natives previously identified by regional planning proc-
11 esses and shall restrict agency comments to those matters
12 over which the agency has direct jurisdiction.

13 SEC. 343. (a) IN GENERAL.—Notwithstanding any
14 other law, the Commandant, United States Coast Guard,
15 shall convey to the University of South Alabama (in this
16 section referred to as “the recipient”), the right, title, and
17 interest of the United States Government in and to a de-
18 commissioned vessel of the Coast Guard, as determined
19 appropriate by the Commandant and the recipient, if—

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

23 (2) the recipient agrees not to use the vessel for
24 commercial transportation purposes, except as inci-

1 dent to the provision of logistics services in connec-
2 tion with the Old Mobile Archaeological Project;

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

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

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

17 (6) the recipient agrees to any other conditions
18 that the Secretary considers appropriate.

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

1 (c) OTHER UNNEEDED EQUIPMENT.—The Com-
2 mandant may convey to the recipient any unneeded equip-
3 ment or parts from other decommissioned vessels pending
4 disposition for use to restore the vessel to operability. The
5 Commandant may require compensation from the recipi-
6 ent for such items.

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

10 SEC. 344. Item 1132 in section 1602 of the Trans-
11 portation Equity Act for the 21st Century (112 Stat.
12 298), relating to Mississippi, is amended by striking “Pi-
13 rate Cove” and inserting “Pirates’ Cove and 4-lane con-
14 nector to Mississippi Highway 468”.

15 SEC. 345. Section 1102(a) of Public Law 105–178
16 is amended in paragraph (2) by striking
17 “\$25,431,000,000” and inserting “\$25,511,000,000”.

18 SEC. 346. (a) Section 8101(b) of the Transportation
19 Equity Act for the 21st Century (Public Law 105–178)
20 is amended—

21 (1) in paragraph (1) by striking
22 “\$25,173,000,000” and inserting
23 “\$25,144,000,000”; and

1 (2) in paragraph (2) by striking
2 “\$26,045,000,000” and inserting
3 “\$26,009,000,000”.

4 (b) AMENDMENTS FOR HIGHWAY CATEGORY.—Sec-
5 tion 8101 of the Transportation Equity Act for the 21st
6 Century (Public Law 105–178) is amended by adding at
7 the ending the following:

8 “(f) TECHNICAL AMENDMENTS.—Section
9 250(e)(4)(C) of the Balanced Budget and Emergency Def-
10 icit Control Act of 1985 (as amended by subsection (c)
11 of this section) is amended—

12 “(1) by striking ‘Century and’ and inserting
13 ‘Century or’;

14 “(2) by striking ‘as amended by this section,’
15 and inserting ‘as amended by the Transportation
16 Equity Act of the 21st Century,’; and

17 “(3) by adding at the end the following new
18 flush sentence:

19 ‘Such term also refers to the Washington Metropoli-
20 tan Transit Authority account (69–1128–0–1–401)
21 only for fiscal year 1999 only for appropriations pro-
22 vided pursuant to authorizations contained in section
23 14 of Public Law 96–184 and Public Law 101–
24 551.’”.

1 (c) TECHNICAL AMENDMENT.—Section 8102 of the
2 Transportation Equity Act for the 21st Century (Public
3 Law 105–178) is amended by inserting before the period
4 at the end the following: “or from section 1102 of this
5 Act”.

6 This Act may be cited as the “Department of Trans-
7 portation and Related Agencies Appropriations Act,
8 1999”.