

In the Senate of the United States,

August 1, 2001.

Resolved, That the bill from the House of Representatives (H.R. 2299) entitled “An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *Department of Transportation and related agencies for the*
4 *fiscal year ending September 30, 2002, and for other pur-*
5 *poses, namely:*

1 *TITLE I*
2 *DEPARTMENT OF TRANSPORTATION*
3 *OFFICE OF THE SECRETARY*
4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Office of the Secretary,*
6 *\$67,349,000: Provided, That not to exceed \$60,000 shall be*
7 *for allocation within the Department for official reception*
8 *and representation expenses as the Secretary may deter-*
9 *mine: Provided further, That notwithstanding any other*
10 *provision of law, there may be credited to this appropria-*
11 *tion up to \$2,500,000 in funds received in user fees.*

12 *OFFICE OF CIVIL RIGHTS*
13 *For necessary expenses of the Office of Civil Rights,*
14 *\$8,500,000.*

15 *TRANSPORTATION PLANNING, RESEARCH, AND*
16 *DEVELOPMENT*
17 *For necessary expenses for conducting transportation*
18 *planning, research, systems development, development ac-*
19 *tivities, and making grants, to remain available until ex-*
20 *pendent, \$15,592,000.*

21 *TRANSPORTATION ADMINISTRATIVE SERVICE CENTER*
22 *Necessary expenses for operating costs and capital out-*
23 *lays of the Transportation Administrative Service Center,*
24 *not to exceed \$125,323,000, shall be paid from appropria-*
25 *tions made available to the Department of Transportation:*

1 *Provided, That such services shall be provided on a competi-*
 2 *tive basis to entities within the Department of Transpor-*
 3 *tation: Provided further, That the above limitation on oper-*
 4 *ating expenses shall not apply to non-DOT entities: Pro-*
 5 *vided further, That no funds appropriated in this Act to*
 6 *an agency of the Department shall be transferred to the*
 7 *Transportation Administrative Service Center without the*
 8 *approval of the agency modal administrator: Provided fur-*
 9 *ther, That no assessments may be levied against any pro-*
 10 *gram, budget activity, subactivity or project funded by this*
 11 *Act unless notice of such assessments and the basis therefor*
 12 *are presented to the House and Senate Committees on Ap-*
 13 *propriations and are approved by such Committees.*

14 *MINORITY BUSINESS RESOURCE CENTER PROGRAM*

15 *For the cost of guaranteed loans, \$500,000, as author-*
 16 *ized by 49 U.S.C. 332: Provided, That such costs, including*
 17 *the cost of modifying such loans, shall be as defined in sec-*
 18 *tion 502 of the Congressional Budget Act of 1974: Provided*
 19 *further, That these funds are available to subsidize total*
 20 *loan principal, any part of which is to be guaranteed, not*
 21 *to exceed \$18,367,000. In addition, for administrative ex-*
 22 *penses to carry out the guaranteed loan program, \$400,000.*

23 *MINORITY BUSINESS OUTREACH*

24 *For necessary expenses of Minority Business Resource*
 25 *Center outreach activities, \$3,000,000, of which \$2,635,000*

1 *shall remain available until September 30, 2003: Provided,*
2 *That notwithstanding 49 U.S.C. 332, these funds may be*
3 *used for business opportunities related to any mode of*
4 *transportation.*

5 *COAST GUARD*

6 *OPERATING EXPENSES*

7 *For necessary expenses for the operation and mainte-*
8 *nance of the Coast Guard, not otherwise provided for; pur-*
9 *chase of not to exceed five passenger motor vehicles for re-*
10 *placement only; payments pursuant to section 156 of Public*
11 *Law 97-377, as amended (42 U.S.C. 402 note), and section*
12 *229(b) of the Social Security Act (42 U.S.C. 429(b)); and*
13 *recreation and welfare, \$3,427,588,000, of which*
14 *\$695,000,000 shall be available for defense-related activities*
15 *including drug interdiction; and of which \$25,000,000 shall*
16 *be derived from the Oil Spill Liability Trust Fund: Pro-*
17 *vided, That none of the funds appropriated in this or any*
18 *other Act shall be available for pay for administrative ex-*
19 *penses in connection with shipping commissioners in the*
20 *United States: Provided further, That none of the funds pro-*
21 *vided in this Act shall be available for expenses incurred*
22 *for yacht documentation under 46 U.S.C. 12109, except to*
23 *the extent fees are collected from yacht owners and credited*
24 *to this appropriation: Provided further, That of the*
25 *amounts made available under this heading, not less than*

1 \$13,541,000 shall be used solely to increase staffing at
2 Search and Rescue stations, surf stations and command
3 centers, increase the training and experience level of indi-
4 viduals serving in said stations through targeted retention
5 efforts, revised personnel policies and expanded training
6 programs, and to modernize and improve the quantity and
7 quality of personal safety equipment, including survival
8 suits, for personnel assigned to said stations: Provided fur-
9 ther, That the Department of Transportation Inspector
10 General shall audit and certify to the House and Senate
11 Committees on Appropriations that the funding described
12 in the preceding proviso is being used solely to supplement
13 and not supplant the Coast Guard's level of effort in this
14 area in fiscal year 2001.

15 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of acquisition, construction,
17 renovation, and improvement of aids to navigation, shore
18 facilities, vessels, and aircraft, including equipment related
19 thereto, \$669,323,000, of which \$20,000,000 shall be derived
20 from the Oil Spill Liability Trust Fund; of which
21 \$79,640,000 shall be available to acquire, repair, renovate
22 or improve vessels, small boats and related equipment, to
23 remain available until September 30, 2006; \$12,500,000
24 shall be available to acquire new aircraft and increase avia-
25 tion capability, to remain available until September 30,

1 2004; \$97,921,000 shall be available for other equipment,
2 to remain available until September 30, 2004; \$88,862,000
3 shall be available for shore facilities and aids to navigation
4 facilities, to remain available until September 30, 2004;
5 \$65,200,000 shall be available for personnel compensation
6 and benefits and related costs, to remain available until
7 September 30, 2003; and \$325,200,000 for the Integrated
8 Deepwater Systems program, to remain available until
9 September 30, 2006: Provided, That the Commandant of
10 the Coast Guard is authorized to dispose of surplus real
11 property, by sale or lease, and the proceeds shall be credited
12 to this appropriation as offsetting collections and made
13 available only for the National Distress and Response Sys-
14 tem Modernization program, to remain available for obliga-
15 tion until September 30, 2004: Provided further, That none
16 of the funds provided under this heading may be obligated
17 or expended for the Integrated Deepwater Systems (IDS)
18 system integration contract until the Secretary or Deputy
19 Secretary of Transportation and the Director, Office of
20 Management and Budget jointly certify to the House and
21 Senate Committees on Appropriations that funding for the
22 IDS program for fiscal years 2003 through 2007, funding
23 for the National Distress and Response System Moderniza-
24 tion program to allow for full deployment of said system
25 by 2006, and funding for other essential Search and Rescue

1 procurements, are fully funded in the Coast Guard Capital
2 Investment Plan and within the Office of Management and
3 Budget's budgetary projections for the Coast Guard for those
4 years: Provided further, That none of the funds provided
5 under this heading may be obligated or expended for the
6 Integrated Deepwater Systems (IDS) integration contract
7 until the Secretary or Deputy Secretary of Transportation,
8 and the Director, Office of Management and Budget jointly
9 approve a contingency procurement strategy for the recap-
10 italization of assets and capabilities envisioned in the IDS:
11 Provided further, That upon initial submission to the Con-
12 gress of the fiscal year 2003 President's budget, the Sec-
13 retary of Transportation shall transmit to the Congress a
14 comprehensive capital investment plan for the United
15 States Coast Guard which includes funding for each budget
16 line item for fiscal years 2003 through 2007, with total
17 funding for each year of the plan constrained to the funding
18 targets for those years as estimated and approved by the
19 Office of Management and Budget: Provided further, That
20 the amount herein appropriated shall be reduced by
21 \$100,000 per day for each day after initial submission of
22 the President's budget that the plan has not been submitted
23 to the Congress: Provided further, That the Director, Office
24 of Management and Budget shall submit the budget request
25 for the IDS integration contract delineating sub-headings

1 *as follows: systems integrator, ship construction, aircraft,*
2 *equipment, and communications, providing specific assets*
3 *and costs under each sub-heading.*

4 *(RESCISSIONS)*

5 *Of the amounts made available under this heading in*
6 *Public Laws 105–277, 106–69, and 106–346, \$8,700,000*
7 *are rescinded.*

8 *ENVIRONMENTAL COMPLIANCE AND RESTORATION*

9 *For necessary expenses to carry out the Coast Guard’s*
10 *environmental compliance and restoration functions under*
11 *chapter 19 of title 14, United States Code, \$16,927,000, to*
12 *remain available until expended.*

13 *ALTERATION OF BRIDGES*

14 *For necessary expenses for alteration or removal of ob-*
15 *structive bridges, \$15,466,000, to remain available until ex-*
16 *pendent.*

17 *RETIRED PAY*

18 *For retired pay, including the payment of obligations*
19 *therefor otherwise chargeable to lapsed appropriations for*
20 *this purpose, payments under the Retired Serviceman’s*
21 *Family Protection and Survivor Benefits Plans, payment*
22 *for career status bonuses under the National Defense Au-*
23 *thorization Act, and for payments for medical care of re-*
24 *tired personnel and their dependents under the Dependents*
25 *Medical Care Act (10 U.S.C. ch. 55), \$876,346,000.*

*RESERVE TRAINING**(INCLUDING TRANSFER OF FUNDS)*

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services, \$83,194,000: Provided, That no more than \$25,800,000 of funds made available under this heading may be transferred to Coast Guard "Operating expenses" or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve: Provided further, That none of the funds in this Act may be used by the Coast Guard to assess direct charges on the Coast Guard Reserves for items or activities which were not so charged during fiscal year 1997.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, \$21,722,000, to remain available until expended, of which \$3,492,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

1 *FEDERAL AVIATION ADMINISTRATION*2 *OPERATIONS*

3 *For necessary expenses of the Federal Aviation Admin-*
4 *istration, not otherwise provided for, including operations*
5 *and research activities related to commercial space trans-*
6 *portation, administrative expenses for research and develop-*
7 *ment, establishment of air navigation facilities, the oper-*
8 *ation (including leasing) and maintenance of aircraft, sub-*
9 *sidizing the cost of aeronautical charts and maps sold to*
10 *the public, lease or purchase of passenger motor vehicles for*
11 *replacement only, in addition to amounts made available*
12 *by Public Law 104–264, \$6,916,000,000, of which*
13 *\$5,777,219,000 shall be derived from the Airport and Air-*
14 *way Trust Fund: Provided, That there may be credited to*
15 *this appropriation funds received from States, counties,*
16 *municipalities, foreign authorities, other public authorities,*
17 *and private sources, for expenses incurred in the provision*
18 *of agency services, including receipts for the maintenance*
19 *and operation of air navigation facilities, and for issuance,*
20 *renewal or modification of certificates, including airman,*
21 *aircraft, and repair station certificates, or for tests related*
22 *thereto, or for processing major repair or alteration forms:*
23 *Provided further, That of the funds appropriated under this*
24 *heading, not less than \$6,000,000 shall be for the contract*
25 *tower cost-sharing program: Provided further, That funds*

1 *may be used to enter into a grant agreement with a non-*
 2 *profit standard-setting organization to assist in the develop-*
 3 *ment of aviation safety standards: Provided further, That*
 4 *none of the funds in this Act shall be available for new ap-*
 5 *plicants for the second career training program: Provided*
 6 *further, That none of the funds in this Act shall be available*
 7 *for paying premium pay under 5 U.S.C. 5546(a) to any*
 8 *Federal Aviation Administration employee unless such em-*
 9 *ployee actually performed work during the time cor-*
 10 *responding to such premium pay: Provided further, That*
 11 *none of the funds in this Act may be obligated or expended*
 12 *to operate a manned auxiliary flight service station in the*
 13 *contiguous United States.*

14 *FACILITIES AND EQUIPMENT*

15 *(AIRPORT AND AIRWAY TRUST FUND)*

16 *For necessary expenses, not otherwise provided for, for*
 17 *acquisition, establishment, and improvement by contract or*
 18 *purchase, and hire of air navigation and experimental fa-*
 19 *cilities and equipment as authorized under part A of sub-*
 20 *title VII of title 49, United States Code, including initial*
 21 *acquisition of necessary sites by lease or grant; engineering*
 22 *and service testing, including construction of test facilities*
 23 *and acquisition of necessary sites by lease or grant; con-*
 24 *struction and furnishing of quarters and related accom-*
 25 *modations for officers and employees of the Federal Avia-*

1 tion Administration stationed at remote localities where
2 such accommodations are not available; and the purchase,
3 lease, or transfer of aircraft from funds available under this
4 heading; to be derived from the Airport and Airway Trust
5 Fund, \$2,914,000,000, of which \$2,536,900,000 shall re-
6 main available until September 30, 2004, and of which
7 \$377,100,000 shall remain available until September 30,
8 2002: Provided, That there may be credited to this appro-
9 priation funds received from States, counties, municipali-
10 ties, other public authorities, and private sources, for ex-
11 penses incurred in the establishment and modernization of
12 air navigation facilities: Provided further, That upon ini-
13 tial submission to the Congress of the fiscal year 2003 Presi-
14 dent's budget, the Secretary of Transportation shall trans-
15 mit to the Congress a comprehensive capital investment
16 plan for the Federal Aviation Administration which in-
17 cludes funding for each budget line item for fiscal years
18 2003 through 2007, with total funding for each year of the
19 plan constrained to the funding targets for those years as
20 estimated and approved by the Office of Management and
21 Budget: Provided further, That the amount herein appro-
22 priated shall be reduced by \$100,000 per day for each day
23 after initial submission of the President's budget that the
24 plan has not been submitted to the Congress.

1 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

2 *(AIRPORT AND AIRWAY TRUST FUND)*

3 *For necessary expenses, not otherwise provided for, for*
 4 *research, engineering, and development, as authorized*
 5 *under part A of subtitle VII of title 49, United States Code,*
 6 *including construction of experimental facilities and acqui-*
 7 *sition of necessary sites by lease or grant, \$195,808,000, to*
 8 *be derived from the Airport and Airway Trust Fund and*
 9 *to remain available until September 30, 2004: Provided,*
 10 *That there may be credited to this appropriation funds re-*
 11 *ceived from States, counties, municipalities, other public*
 12 *authorities, and private sources, for expenses incurred for*
 13 *research, engineering, and development.*

14 *GRANTS-IN-AID FOR AIRPORTS*

15 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

16 *(LIMITATION ON OBLIGATIONS)*

17 *(AIRPORT AND AIRWAY TRUST FUND)*

18 *For liquidation of obligations incurred for grants-in-*
 19 *aid for airport planning and development, and noise com-*
 20 *patibility planning and programs as authorized under sub-*
 21 *chapter I of chapter 471 and subchapter I of chapter 475*
 22 *of title 49, United States Code, and under other law author-*
 23 *izing such obligations; for administration of such programs*
 24 *and of programs under section 40117 of such title; and for*
 25 *inspection activities and administration of airport safety*
 26 *programs, including those related to airport operating cer-*

1 *tificates under section 44706 of title 49, United States Code,*
 2 *\$1,800,000,000, to be derived from the Airport and Airway*
 3 *Trust Fund and to remain available until expended: Pro-*
 4 *vided, That none of the funds under this heading shall be*
 5 *available for the planning or execution of programs the obli-*
 6 *gations for which are in excess of \$3,300,000,000 in fiscal*
 7 *year 2002, notwithstanding section 47117(h) of title 49,*
 8 *United States Code: Provided further, That notwith-*
 9 *standing any other provision of law, not more than*
 10 *\$64,597,000 of funds limited under this heading shall be*
 11 *obligated for administration: Provided further, That of the*
 12 *funds under this heading, not more than \$10,000,000 may*
 13 *be available to carry out the Essential Air Service program*
 14 *under subchapter II of chapter 417 of title 49 U.S.C., pur-*
 15 *suant to section 41742(a) of such title.*

16 *GRANTS-IN-AID FOR AIRPORTS*

17 *(AIRPORT AND AIRWAY TRUST FUND)*

18 *(RESCISSION OF CONTRACT AUTHORIZATION)*

19 *Of the unobligated balances authorized under 49*
 20 *U.S.C. 48103, as amended, \$301,720,000 are rescinded.*

21 *SMALL COMMUNITY AIR SERVICE DEVELOPMENT*

22 *For necessary expenses to carry out the Small Commu-*
 23 *nity Air Service Development Pilot Program under section*
 24 *41743 of title 49 U.S.C., \$20,000,000, to remain available*
 25 *until expended.*

1 *AVIATION INSURANCE REVOLVING FUND*

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

10 *FEDERAL HIGHWAY ADMINISTRATION*

11 *LIMITATION ON ADMINISTRATIVE EXPENSES*

12 *Necessary expenses for administration and operation*
13 *of the Federal Highway Administration, not to exceed*
14 *\$316,521,000, of which \$25,000,000 shall be available to the*
15 *National Scenic Byways program, \$500,000 shall be for the*
16 *Kalispell, Montana Bypass Project, and the remainder shall*
17 *be paid in accordance with law from appropriations made*
18 *available by this Act to the Federal Highway Administra-*
19 *tion together with advances and reimbursements received by*
20 *the Federal Highway Administration: Provided, That of the*
21 *funds available under section 104(a) of title 23, United*
22 *States Code: \$7,500,000 shall be available for “Child Pas-*
23 *senger Protection Education Grants” under section 2003(b)*
24 *of Public Law 105–178, as amended; \$7,000,000 shall be*
25 *available for motor carrier safety research; \$375,000 shall*

1 *be available for a traffic project for Auburn University; and*
 2 *\$11,000,000 shall be available for the motor carrier crash*
 3 *data improvement program, the commercial driver's license*
 4 *improvement program, and the motor carrier 24-hour tele-*
 5 *phone hotline.*

6 *FEDERAL-AID HIGHWAYS*

7 *(LIMITATION ON OBLIGATIONS)*

8 *(HIGHWAY TRUST FUND)*

9 *None of the funds in this Act shall be available for*
 10 *the implementation or execution of programs, the obliga-*
 11 *tions for which are in excess of \$31,919,103,000 for Federal-*
 12 *aid highways and highway safety construction programs for*
 13 *fiscal year 2002: Provided, That within the \$31,919,103,000*
 14 *obligation limitation on Federal-aid highways and highway*
 15 *safety construction programs, not more than \$447,500,000*
 16 *shall be available for the implementation or execution of*
 17 *programs for transportation research (sections 502, 503,*
 18 *504, 506, 507, and 508 of title 23, United States Code, as*
 19 *amended; section 5505 of title 49, United States Code, as*
 20 *amended; and sections 5112 and 5204–5209 of Public Law*
 21 *105–178) for fiscal year 2002: Provided further, That with-*
 22 *in the \$225,000,000 obligation limitation on Intelligent*
 23 *Transportation Systems, the following sums shall be made*
 24 *available for Intelligent Transportation System projects*
 25 *that are designed to achieve the goals and purposes set forth*
 26 *in section 5203 of the Intelligent Transportation Systems*

1 *Act of 1998 (subtitle C of title V of Public Law 105–178;*
2 *112 Stat. 453; 23 U.S.C. 502 note) in the following specified*
3 *areas:*

4 *Indiana Statewide, \$1,500,000;*
5 *Southeast Corridor, Colorado, \$9,900,000;*
6 *Jackson Metropolitan, Mississippi, \$1,000,000;*
7 *Harrison County, Mississippi, \$1,000,000;*
8 *Indiana, SAFE–T, \$3,000,000;*
9 *Maine Statewide (Rural), \$1,000,000;*
10 *Atlanta Metropolitan GRTA, Georgia,*
11 *\$1,000,000;*
12 *Moscow, Idaho, \$2,000,000;*
13 *Washington Metropolitan Region, \$4,000,000;*
14 *Travel Network, South Dakota, \$3,200,000;*
15 *Central Ohio, \$3,000,000;*
16 *Delaware Statewide, \$4,000,000;*
17 *Santa Teresa, New Mexico, \$1,500,000;*
18 *Fargo, North Dakota, \$1,500,000;*
19 *Illinois Statewide, \$3,750,000;*
20 *Forsyth, Guilford Counties, North Carolina,*
21 *\$2,000,000;*
22 *Durham, Wake Counties, North Carolina,*
23 *\$1,000,000;*
24 *Chattanooga, Tennessee, \$2,380,000;*
25 *Nebraska Statewide, \$5,000,000;*

1 *South Carolina Statewide, \$7,000,000;*
2 *Texas Statewide, \$4,000,000;*
3 *Hawaii Statewide, \$1,750,000;*
4 *Wisconsin Statewide, \$2,000,000;*
5 *Arizona Statewide EMS, \$1,000,000;*
6 *Vermont Statewide (Rural), \$1,500,000;*
7 *Rutland, Vermont, \$1,200,000;*
8 *Detroit, Michigan (Airport), \$4,500,000;*
9 *Macomb, Michigan (border crossing), \$2,000,000;*
10 *Sacramento, California, \$6,000,000;*
11 *Lexington, Kentucky, \$1,500,000;*
12 *Maryland Statewide, \$2,000,000;*
13 *Clark County, Washington, \$1,000,000;*
14 *Washington Statewide, \$6,000,000;*
15 *Southern Nevada (bus), \$2,200,000;*
16 *Santa Anita, California, \$1,000,000;*
17 *Las Vegas, Nevada, \$3,000,000;*
18 *North Greenbush, New York, \$2,000,000;*
19 *New York, New Jersey, Connecticut*
20 *(TRANSCOM), \$7,000,000;*
21 *Crash Notification, Alabama, \$2,500,000;*
22 *Philadelphia, Pennsylvania (Drexel), \$3,000,000;*
23 *Pennsylvania Statewide (Turnpike), \$1,000,000;*
24 *Alaska Statewide, \$3,000,000;*
25 *St. Louis, Missouri, \$1,500,000;*

1 *Wisconsin Communications Network, \$620,000:*

2 *Provided further, That, notwithstanding any other provi-*

3 *sion of law, funds authorized under section 110 of title 23,*

4 *United States Code, for fiscal year 2002 shall be appor-*

5 *tioned to the States in accordance with the distribution set*

6 *forth in section 110(b)(4)(A) and (B) of title 23, United*

7 *States Code, except that before such apportionments are*

8 *made, \$35,565,651 shall be set aside for the program au-*

9 *thorized under section 1101(a)(8)(A) of the Transportation*

10 *Equity Act for the 21st Century, as amended, and section*

11 *204 of title 23, United States Code; \$31,815,091 shall be*

12 *set aside for the program authorized under section*

13 *1101(a)(8)(B) of the Transportation Equity Act for the 21st*

14 *Century, as amended, and section 204 of title 23, United*

15 *States Code; \$21,339,391 shall be set aside for the program*

16 *authorized under section 1101(a)(8)(C) of the Transpor-*

17 *tation Equity Act for the 21st Century, as amended, and*

18 *section 204 of title 23, United States Code; \$2,586,593 shall*

19 *be set aside for the program authorized under section*

20 *1101(a)(8)(D) of the Transportation Equity Act for the 21st*

21 *Century, as amended, and section 204 of title 23, United*

22 *States Code; \$4,989,367 shall be set aside for the program*

23 *authorized under section 129(c) of title 23, United States*

24 *Code, and section 1064 of the Intermodal Surface Transpor-*

25 *tation Efficiency Act of 1991, as amended; \$230,681,878*

1 *shall be set aside for the programs authorized under sections*
2 *1118 and 1119 of the Transportation Equity Act for the*
3 *21st Century, as amended; \$3,348,128 shall be set aside for*
4 *the program authorized under section 1101(a)(11) of the*
5 *Transportation Equity Act for the 21st Century, as amend-*
6 *ed and section 162 of title 23, United States Code;*
7 *\$13,129,913 shall be set aside for the program authorized*
8 *under section 118(c) of title 23, United States Code;*
9 *\$13,129,913 shall be set aside for the program authorized*
10 *under section 144(g) of title 23, United States Code;*
11 *\$55,000,000 shall be set aside for the program authorized*
12 *under section 1221 of the Transportation Equity Act for*
13 *the 21st Century, as amended; \$100,000,000 shall be set*
14 *aside to carry out a matching grant program to promote*
15 *access to alternative methods of transportation; \$45,000,000*
16 *shall be set aside to carry out a pilot program that promotes*
17 *innovative transportation solutions for people with disabil-*
18 *ities; and \$23,896,000 shall be set aside and transferred to*
19 *the Federal Motor Carrier Safety Administration as au-*
20 *thorized by section 102 of Public Law 106–159: Provided*
21 *further, That, of the funds to be apportioned to each State*
22 *under section 110 for fiscal year 2002, the Secretary shall*
23 *ensure that such funds are apportioned for the programs*
24 *authorized under sections 1101(a)(1), 1101(a)(2),*
25 *1101(a)(3), 1101(a)(4), and 1101(a)(5) of the Transpor-*

1 *tation Equity Act for the 21st Century, as amended, in the*
 2 *same ratio that each State is apportioned funds for such*
 3 *programs in fiscal year 2002 but for this section.*

4 *FEDERAL-AID HIGHWAYS*

5 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

6 *(HIGHWAY TRUST FUND)*

7 *Notwithstanding any other provision of law, for car-*
 8 *rying out the provisions of title 23, United States Code,*
 9 *that are attributable to Federal-aid highways, including the*
 10 *National Scenic and Recreational Highway as authorized*
 11 *by 23 U.S.C. 148, not otherwise provided, including reim-*
 12 *bursement for sums expended pursuant to the provisions of*
 13 *23 U.S.C. 308, \$30,000,000,000 or so much thereof as may*
 14 *be available in and derived from the Highway Trust Fund,*
 15 *to remain available until expended.*

16 *APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM*

17 *For necessary expenses for the Appalachian Develop-*
 18 *ment Highway System as authorized under Section 1069(y)*
 19 *of Public Law 102–240, as amended, \$350,000,000, to re-*
 20 *main available until expended.*

21 *STATE INFRASTRUCTURE BANKS*

22 *(RESCISSION)*

23 *Of the funds made available for State Infrastructure*
 24 *Banks in Public Law 104–205, \$5,750,000 are rescinded.*

1 *FEDERAL MOTOR CARRIER SAFETY*

2 *ADMINISTRATION*

3 *MOTOR CARRIER SAFETY*

4 *LIMITATION ON ADMINISTRATIVE EXPENSES*

5 *(INCLUDING RESCISSION OF FUNDS)*

6 *For necessary expenses for administration of motor*
7 *carrier safety programs and motor carrier safety research,*
8 *pursuant to section 104(a)(1)(B) of title 23, United States*
9 *Code, not to exceed \$105,000,000 shall be paid in accord-*
10 *ance with law from appropriations made available by this*
11 *Act and from any available take-down balances to the Fed-*
12 *eral Motor Carrier Safety Administration, together with*
13 *advances and reimbursements received by the Federal Motor*
14 *Carrier Safety Administration, of which \$5,000,000 is for*
15 *the motor carrier safety operations program: Provided,*
16 *That such amounts shall be available to carry out the func-*
17 *tions and operations of the Federal Motor Carrier Safety*
18 *Administration.*

19 *(RESCISSION)*

20 *Of the unobligated balances authorized under 23*
21 *U.S.C. 104(a)(1)(B), \$6,665,342 are rescinded.*

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106 and 31309, \$204,837,000, to be derived from the Highway Trust Fund and to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$183,059,000 for “Motor Carrier Safety Grants”, and “Information Systems”: Provided further, That notwithstanding any other provision of law, of the \$22,837,000 provided under 23 U.S.C. 110, \$18,000,000 shall be for border State grants and \$4,837,000 shall be for State commercial driver’s license program improvements.

Of the unobligated balances authorized under 49 U.S.C. 31102, 31106, and 31309, \$2,332,546 are rescinded.

NATIONAL HIGHWAY TRAFFIC SAFETY

ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, \$132,000,000

1 of which \$96,360,000 shall remain available until Sep-
 2 tember 30, 2004: Provided, That none of the funds appro-
 3 priated by this Act may be obligated or expended to plan,
 4 finalize, or implement any rulemaking to add to section
 5 575.104 of title 49 of the Code of Federal Regulations any
 6 requirement pertaining to a grading standard that is dif-
 7 ferent from the three grading standards (treadwear, trac-
 8 tion, and temperature resistance) already in effect.

9 **OPERATIONS AND RESEARCH**

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (LIMITATION ON OBLIGATIONS)

12 (HIGHWAY TRUST FUND)

13 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

14 For payment of obligations incurred in carrying out
 15 the provisions of 23 U.S.C. 403, to remain available until
 16 expended, \$72,000,000, to be derived from the Highway
 17 Trust Fund: Provided, That none of the funds in this Act
 18 shall be available for the planning or execution of programs
 19 the total obligations for which, in fiscal year 2002, are in
 20 excess of \$72,000,000 for programs authorized under 23
 21 U.S.C. 403.

22 Of the unobligated balances authorized under 23
 23 U.S.C. 403, \$1,516,000 are rescinded.

1 *NATIONAL DRIVER REGISTER*2 *(HIGHWAY TRUST FUND)*

3 *For expenses necessary to discharge the functions of the*
4 *Secretary with respect to the National Driver Register*
5 *under chapter 303 of title 49, United States Code,*
6 *\$2,000,000, to be derived from the Highway Trust Fund,*
7 *and to remain available until expended.*

8 *HIGHWAY TRAFFIC SAFETY GRANTS*9 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*10 *(LIMITATION ON OBLIGATIONS)*11 *(HIGHWAY TRUST FUND)*12 *(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)*

13 *Notwithstanding any other provision of law, for pay-*
14 *ment of obligations incurred in carrying out the provisions*
15 *of 23 U.S.C. 402, 405, 410, and 411 to remain available*
16 *until expended, \$223,000,000, to be derived from the High-*
17 *way Trust Fund: Provided, That none of the funds in this*
18 *Act shall be available for the planning or execution of pro-*
19 *grams the total obligations for which, in fiscal year 2002,*
20 *are in excess of \$223,000,000 for programs authorized under*
21 *23 U.S.C. 402, 405, 410, and 411 of which \$160,000,000*
22 *shall be for "Highway Safety Programs" under 23 U.S.C.*
23 *402, \$15,000,000 shall be for "Occupant Protection Incen-*
24 *tive Grants" under 23 U.S.C. 405, \$38,000,000 shall be for*
25 *"Alcohol-Impaired Driving Countermeasures Grants"*
26 *under 23 U.S.C. 410, and \$10,000,000 shall be for the*

1 *“State Highway Safety Data Grants” under 23 U.S.C. 411:*
 2 *Provided further, That none of these funds shall be used for*
 3 *construction, rehabilitation, or remodeling costs, or for of-*
 4 *fice furnishings and fixtures for State, local, or private*
 5 *buildings or structures: Provided further, That not to exceed*
 6 *\$8,000,000 of the funds made available for section 402, not*
 7 *to exceed \$750,000 of the funds made available for section*
 8 *405, not to exceed \$1,900,000 of the funds made available*
 9 *for section 410, and not to exceed \$500,000 of the funds*
 10 *made available for section 411 shall be available to NHTSA*
 11 *for administering highway safety grants under chapter 4*
 12 *of title 23, United States Code: Provided further, That not*
 13 *to exceed \$500,000 of the funds made available for section*
 14 *410 “Alcohol-Impaired Driving Countermeasures Grants”*
 15 *shall be available for technical assistance to the States.*

16 *Of the unobligated balances authorized under 23*
 17 *U.S.C. 402, 405, 410, and 411, \$468,600 are rescinded.*

18 *FEDERAL RAILROAD ADMINISTRATION*

19 *SAFETY AND OPERATIONS*

20 *For necessary expenses of the Federal Railroad Admin-*
 21 *istration, not otherwise provided for, \$111,357,000, of which*
 22 *\$6,159,000 shall remain available until expended: Provided,*
 23 *That, as part of the Washington Union Station transaction*
 24 *in which the Secretary assumed the first deed of trust on*
 25 *the property and, where the Union Station Redevelopment*

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

14 *RAILROAD RESEARCH AND DEVELOPMENT*

15 *For necessary expenses for railroad research and devel-*
 16 *opment, \$30,325,000, to remain available until expended.*

17 *RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM*

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

1 *as long as any such guaranteed obligation is outstanding:*
 2 *Provided, That pursuant to section 502 of such Act, as*
 3 *amended, no new direct loans or loan guarantee commit-*
 4 *ments shall be made using Federal funds for the credit risk*
 5 *premium during fiscal year 2002.*

6 *NEXT GENERATION HIGH-SPEED RAIL*

7 *For necessary expenses for the Next Generation High-*
 8 *Speed Rail program as authorized under 49 U.S.C. 26101*
 9 *and 26102, \$40,000,000, to remain available until ex-*
 10 *pended.*

11 *ALASKA RAILROAD REHABILITATION*

12 *To enable the Secretary of Transportation to make*
 13 *grants to the Alaska Railroad, \$20,000,000 shall be for cap-*
 14 *ital rehabilitation and improvements benefiting its pas-*
 15 *senger operations, to remain available until expended.*

16 *NATIONAL RAIL DEVELOPMENT AND REHABILITATION*

17 *To enable the Secretary to make grants and enter into*
 18 *contracts for the development and rehabilitation of freight*
 19 *and passenger rail infrastructure, \$12,000,000, to remain*
 20 *available until expended.*

21 *CAPITAL GRANTS TO THE NATIONAL RAILROAD*

22 *PASSENGER CORPORATION*

23 *For necessary expenses of capital improvements of the*
 24 *National Railroad Passenger Corporation as authorized by*

1 49 U.S.C. 24104(a), \$521,476,000, to remain available
 2 until expended.

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, \$13,400,000: Provided,*
 8 *That no more than \$67,000,000 of budget authority shall*
 9 *be available for these purposes: Provided further, That of*
 10 *the funds in this Act available for execution of contracts*
 11 *under section 5327(c) of title 49, United States Code,*
 12 *\$2,000,000 shall be reimbursed to the Department of Trans-*
 13 *portation's Office of Inspector General for costs associated*
 14 *with audits and investigations of transit-related issues, in-*
 15 *cluding reviews of new fixed guideway systems: Provided*
 16 *further, That not to exceed \$2,600,000 for the National*
 17 *Transit Database shall remain available until expended.*

18 *FORMULA GRANTS*

19 *For necessary expenses to carry out 49 U.S.C. 5307,*
 20 *5308, 5310, 5311, 5327, and section 3038 of Public Law*
 21 *105–178, \$718,400,000, to remain available until expended:*
 22 *Provided, That no more than \$3,592,000,000 of budget au-*
 23 *thority shall be available for these purposes: Provided fur-*
 24 *ther, That, notwithstanding any other provision of law, of*
 25 *the funds provided under this heading, \$5,000,000 shall be*

1 *available for grants for the costs of planning, delivery, and*
 2 *temporary use of transit vehicles for special transportation*
 3 *needs and construction of temporary transportation facili-*
 4 *ties for the VIII Paralympiad for the Disabled, to be held*
 5 *in Salt Lake City, Utah: Provided further, That in allo-*
 6 *cating the funds designated in the preceding proviso, the*
 7 *Secretary shall make grants only to the Utah Department*
 8 *of Transportation, and such grants shall not be subject to*
 9 *any local share requirement or limitation on operating as-*
 10 *sistance under this Act or the Federal Transit Act, as*
 11 *amended: Provided further, That notwithstanding section*
 12 *3008 of Public Law 105-78, \$3,350,000 of the funds to*
 13 *carry out 49 U.S.C. 5308 shall be transferred to and merged*
 14 *with funding provided for the replacement, rehabilitation,*
 15 *and purchase of buses and related equipment and the con-*
 16 *struction of bus-related facilities under “Federal Transit*
 17 *Administration, Capital investment grants”.*

18 *UNIVERSITY TRANSPORTATION RESEARCH*

19 *For necessary expenses to carry out 49 U.S.C. 5505,*
 20 *\$1,200,000, to remain available until expended: Provided,*
 21 *That no more than \$6,000,000 of budget authority shall be*
 22 *available for these purposes.*

23 *TRANSIT PLANNING AND RESEARCH*

24 *For necessary expenses to carry out 49 U.S.C. 5303,*
 25 *5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and*

1 5322, \$23,000,000, to remain available until expended: Pro-
 2 vided, That no more than \$116,000,000 of budget authority
 3 shall be available for these purposes: Provided further, That
 4 \$5,250,000 is available to provide rural transportation as-
 5 sistance (49 U.S.C. 5311(b)(2)), \$4,000,000 is available to
 6 carry out programs under the National Transit Institute
 7 (49 U.S.C. 5315), \$8,250,000 is available to carry out tran-
 8 sit cooperative research programs (49 U.S.C. 5313(a)),
 9 \$55,422,400 is available for metropolitan planning (49
 10 U.S.C. 5303, 5304, and 5305), \$11,577,600 is available for
 11 State planning (49 U.S.C. 5313(b)); and \$31,500,000 is
 12 available for the national planning and research program
 13 (49 U.S.C. 5314).

14 *TRUST FUND SHARE OF EXPENSES*

15 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

16 *(HIGHWAY TRUST FUND)*

17 *Notwithstanding any other provision of law, for pay-*
 18 *ment of obligations incurred in carrying out 49 U.S.C.*
 19 *5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505,*
 20 *and sections 3037 and 3038 of Public Law 105–178,*
 21 *\$5,397,800,000, to remain available until expended, and to*
 22 *be derived from the Mass Transit Account of the Highway*
 23 *Trust Fund: Provided, That \$2,873,600,000 shall be paid*
 24 *to the Federal Transit Administration’s formula grants ac-*
 25 *count: Provided further, That \$93,000,000 shall be paid to*
 26 *the Federal Transit Administration’s transit planning and*

1 *research account: Provided further, That \$53,600,000 shall*
 2 *be paid to the Federal Transit Administration's adminis-*
 3 *trative expenses account: Provided further, That \$4,800,000*
 4 *shall be paid to the Federal Transit Administration's uni-*
 5 *versity transportation research account: Provided further,*
 6 *That \$100,000,000 shall be paid to the Federal Transit Ad-*
 7 *ministration's job access and reverse commute grants pro-*
 8 *gram: Provided further, That \$2,272,800,000 shall be paid*
 9 *to the Federal Transit Administration's capital investment*
 10 *grants account.*

11 *CAPITAL INVESTMENT GRANTS*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses to carry out 49 U.S.C. 5308,*
 14 *5309, 5318, and 5327, \$668,200,000, to remain available*
 15 *until expended: Provided, That no more than*
 16 *\$2,941,000,000 of budget authority shall be available for*
 17 *these purposes: Provided further, That notwithstanding any*
 18 *other provision of law, there shall be available for fixed*
 19 *guideway modernization, \$1,136,400,000; there shall be*
 20 *available for the replacement, rehabilitation, and purchase*
 21 *of buses and related equipment and the construction of bus-*
 22 *related facilities, \$568,200,000 together with \$3,350,000*
 23 *transferred from "Federal Transit Administration, For-*
 24 *mula grants" to allow the Secretary to make a grant of*
 25 *\$350,000 to Alameda Contra Costa County Transit Dis-*

1 *trict, California and a grant of \$6,000,000 for Central*
 2 *Oklahoma Transit facilities and there shall be available for*
 3 *new fixed guideway systems \$1,236,400,000, to be available*
 4 *for transit new starts; to be available as follows:*

5 *\$192,492 for Denver, Colorado, Southwest cor-*
 6 *ridor light rail transit project;*

7 *\$3,000,000 for Northeast Indianapolis downtown*
 8 *corridor project;*

9 *\$3,000,000 for Northern Indiana South Shore*
 10 *commuter rail project;*

11 *\$15,000,000 for Salt Lake City, Utah, CBD to*
 12 *University light rail transit project;*

13 *\$6,000,000 for Salt Lake City, Utah, University*
 14 *Medical Center light rail transit extension project;*

15 *\$2,000,000 for Salt Lake City, Utah, Ogden-*
 16 *Provo commuter rail project;*

17 *\$4,000,000 for Wilmington, Delaware, Transit*
 18 *Corridor project;*

19 *\$500,000 for Yosemite Area Regional Transpor-*
 20 *tation System project;*

21 *\$60,000,000 for Denver, Colorado, Southeast cor-*
 22 *ridor light rail transit project;*

23 *\$10,000,000 for Kansas City, Missouri, Central*
 24 *Corridor Light Rail transit project;*

1 \$25,000,000 for Atlanta, Georgia, MARTA exten-
2 sion project;

3 \$2,000,000 for Maine Marine Highway develop-
4 ment project;

5 \$151,069,771 for New Jersey, Hudson-Bergen
6 light rail transit project;

7 \$20,000,000 for Newark-Elizabeth, New Jersey,
8 rail link project;

9 \$3,000,000 for New Jersey Urban Core Newark
10 Penn Station improvements project;

11 \$7,000,000 for Cleveland, Ohio, Euclid corridor
12 extension project;

13 \$2,000,000 for Albuquerque, New Mexico, light
14 rail project;

15 \$35,000,000 for Chicago, Illinois, Douglas
16 branch reconstruction project;

17 \$5,000,000 for Chicago, Illinois, Ravenswood line
18 extension project;

19 \$24,223,268 for St. Louis, Missouri, Metrolink
20 St. Clair extension project;

21 \$30,000,000 for Chicago, Illinois, Metra North
22 central, South West, Union Pacific commuter project;

23 \$10,000,000 for Charlotte, North Carolina, South
24 corridor light rail transit project;

- 1 \$9,000,000 for *Raleigh, North Carolina, Triangle*
- 2 *transit project;*
- 3 \$65,000,000 for *San Diego, California, Mission*
- 4 *Valley East light rail transit extension project;*
- 5 \$10,000,000 for *Los Angeles, California, East*
- 6 *Side corridor light rail transit project;*
- 7 \$80,605,331 for *San Francisco, California,*
- 8 *BART extension project;*
- 9 \$9,289,557 for *Los Angeles, California, North*
- 10 *Hollywood extension project;*
- 11 \$5,000,000 for *Stockton, California, Altamont*
- 12 *commuter rail project;*
- 13 \$113,336 for *San Jose, California, Tasman West,*
- 14 *light rail transit project;*
- 15 \$6,000,000 for *Nashville, Tennessee, Commuter*
- 16 *rail project;*
- 17 \$19,170,000 for *Memphis, Tennessee, Medical*
- 18 *Center rail extension project;*
- 19 \$150,000 for *Des Moines, Iowa, DSM bus feasi-*
- 20 *bility project;*
- 21 \$100,000 for *Macro Vision Pioneer, Iowa, light*
- 22 *rail feasibility project;*
- 23 \$3,500,000 for *Sioux City, Iowa, light rail*
- 24 *project;*

- 1 \$300,000 for Dubuque, Iowa, light rail feasibility
- 2 project;
- 3 \$2,000,000 for Charleston, South Carolina,
- 4 Monobeam project;
- 5 \$5,000,000 for Anderson County, South Caro-
- 6 lina, transit system project;
- 7 \$70,000,000 for Dallas, Texas, North central
- 8 light rail transit extension project;
- 9 \$25,000,000 for Houston, Texas, Metro advanced
- 10 transit plan project;
- 11 \$4,000,000 for Fort Worth, Texas, Trinity rail-
- 12 way express project;
- 13 \$12,000,000 for Honolulu, Hawaii, Bus rapid
- 14 transit project;
- 15 \$10,631,245 for Boston, Massachusetts, South
- 16 Boston Piers transitway project;
- 17 \$1,000,000 for Boston, Massachusetts, Urban
- 18 ring transit project;
- 19 \$4,000,000 for Kenosha-Racine, Milwaukee Wis-
- 20 consin, commuter rail extension project;
- 21 \$23,000,000 for New Orleans, Louisiana, Canal
- 22 Street car line project;
- 23 \$7,000,000 for New Orleans, Louisiana, Airport
- 24 CBD commuter rail project;

1 \$3,000,000 for Burlington, Vermont, Burlington
2 to Middlebury rail line project;

3 \$1,000,000 for Detroit, Michigan, light rail air-
4 port link project;

5 \$1,500,000 for Grand Rapids, Michigan, ITP
6 metro area, major corridor project;

7 \$500,000 for Iowa, Metrolink light rail feasi-
8 bility project;

9 \$6,000,000 for Fairfield, Connecticut, Commuter
10 rail project;

11 \$4,000,000 for Stamford, Connecticut, Urban
12 transitway project;

13 \$3,000,000 for Little Rock, Arkansas, River rail
14 project;

15 \$14,000,000 for Maryland, MARC commuter rail
16 improvements projects;

17 \$3,000,000 for Baltimore, Maryland rail transit
18 project;

19 \$60,000,000 for Largo, Maryland, metrorail ex-
20 tension project;

21 \$18,110,000 for Baltimore, Maryland, central
22 light rail transit double track project;

23 \$24,500,000 for Puget Sound, Washington,
24 Sunder commuter rail project;

- 1 \$30,000,000 for Fort Lauderdale, Florida, Tri-
2 County commuter rail project;
- 3 \$8,000,000 for Pawtucket-TF Green, Rhode Is-
4 land, commuter rail and maintenance facility project;
- 5 \$1,500,000 for Johnson County, Kansas, com-
6 muter rail project;
- 7 \$20,000,000 for Long Island Railroad, New
8 York, east side access project;
- 9 \$3,000,000 for New York, New York, Second Ave-
10 nue subway project;
- 11 \$4,000,000 for Birmingham, Alabama, transit
12 corridor project;
- 13 \$5,000,000 for Nashua, New Hampshire-Lowell,
14 Massachusetts, commuter rail project;
- 15 \$10,000,000 for Pittsburgh, Pennsylvania, North
16 Shore connector light rail extension project;
- 17 \$13,000,000 for Philadelphia, Pennsylvania,
18 Schuylkill Valley metro project;
- 19 \$3,000,000 for Philadelphia, Pennsylvania, Cross
20 County metro project;
- 21 \$20,000,000 for Pittsburgh, Pennsylvania, stage
22 II light rail transit reconstruction project;
- 23 \$2,500,000 for Scranton, Pennsylvania, rail
24 service to New York City project;

1 \$2,500,000 for Wasilla, Alaska, alternate route
 2 project;
 3 \$1,000,000 for Ohio, Central Ohio North Cor-
 4 ridor rail (COTA) project;
 5 \$4,000,000 for Virginia, VRE station improve-
 6 ments project;
 7 \$50,000,000 for Twin Cities, Minnesota, Hia-
 8 watha Corridor light rail transit project;
 9 \$70,000,000 for Portland, Oregon, Interstate
 10 MAX light rail transit extension project;
 11 \$50,149,000 for San Juan, Tren Urbano project;
 12 \$10,296,000 for Alaska and Hawaii Ferry
 13 projects.

14 ***JOB ACCESS AND REVERSE COMMUTE GRANTS***

15 *Notwithstanding section 3037(l)(3) of Public Law*
 16 *105–178, as amended, for necessary expenses to carry out*
 17 *section 3037 of the Federal Transit Act of 1998,*
 18 *\$25,000,000, to remain available until expended: Provided,*
 19 *That no more than \$125,000,000 of budget authority shall*
 20 *be available for these purposes: Provided further, That up*
 21 *to \$250,000 of the funds provided under this heading may*
 22 *be used by the Federal Transit Administration for technical*
 23 *assistance and support and performance reviews of the Job*
 24 *Access and Reverse Commute Grants program.*

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

14 (HARBOR MAINTENANCE TRUST FUND)

15 *For necessary expenses for operations and mainte-*
16 *nance of those portions of the Saint Lawrence Seaway oper-*
17 *ated and maintained by the Saint Lawrence Seaway Devel-*
18 *opment Corporation, \$13,345,000, to be derived from the*
19 *Harbor Maintenance Trust Fund, pursuant to Public Law*
20 *99-662.*

22 *ADMINISTRATION*

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

1 \$41,993,000, of which \$645,000 shall be derived from the
 2 Pipeline Safety Fund, and of which \$5,434,000 shall re-
 3 main available until September 30, 2004: Provided, That
 4 up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g)
 5 shall be deposited in the general fund of the Treasury as
 6 offsetting receipts: Provided further, That there may be
 7 credited to this appropriation, to be available until ex-
 8 pended, funds received from States, counties, municipali-
 9 ties, other public authorities, and private sources for ex-
 10 penses incurred for training, for reports publication and
 11 dissemination, and for travel expenses incurred in perform-
 12 ance of hazardous materials exemptions and approvals
 13 functions.

14 *PIPELINE SAFETY*

15 *(PIPELINE SAFETY FUND)*

16 *(OIL SPILL LIABILITY TRUST FUND)*

17 *For expenses necessary to conduct the functions of the*
 18 *pipeline safety program, for grants-in-aid to carry out a*
 19 *pipeline safety program, as authorized by 49 U.S.C. 60107,*
 20 *and to discharge the pipeline program responsibilities of*
 21 *the Oil Pollution Act of 1990, \$58,750,000, of which*
 22 *\$11,472,000 shall be derived from the Oil Spill Liability*
 23 *Trust Fund and shall remain available until September 30,*
 24 *2003; of which \$47,278,000 shall be derived from the Pipe-*
 25 *line Safety Fund, of which \$30,828,000 shall remain avail-*
 26 *able until September 30, 2004.*

1 *EMERGENCY PREPAREDNESS GRANTS*

2 *(EMERGENCY PREPAREDNESS FUND)*

3 *For necessary expenses to carry out 49 U.S.C. 5127(c),*
4 *\$200,000, to be derived from the Emergency Preparedness*
5 *Fund, to remain available until September 30, 2004: Pro-*
6 *vided, That not more than \$14,300,000 shall be made avail-*
7 *able for obligation in fiscal year 2002 from amounts made*
8 *available by 49 U.S.C. 5116(i) and 5127(d): Provided fur-*
9 *ther, That none of the funds made available by 49 U.S.C.*
10 *5116(i) and 5127(d) shall be made available for obligation*
11 *by individuals other than the Secretary of Transportation,*
12 *or his designee.*

13 *OFFICE OF INSPECTOR GENERAL*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Office of Inspector Gen-*
16 *eral to carry out the provisions of the Inspector General*
17 *Act of 1978, as amended, \$50,614,000: Provided, That the*
18 *Inspector General shall have all necessary authority, in car-*
19 *rying out the duties specified in the Inspector General Act,*
20 *as amended (5 U.S.C. App. 3) to investigate allegations of*
21 *fraud, including false statements to the government (18*
22 *U.S.C. 1001), by any person or entity that is subject to*
23 *regulation by the Department: Provided further, That the*
24 *funds made available under this heading shall be used to*
25 *investigate, pursuant to section 41712 of title 49, United*

1 *States Code: (1) unfair or deceptive practices and unfair*
 2 *methods of competition by domestic and foreign air carriers*
 3 *and ticket agents; and (2) the compliance of domestic and*
 4 *foreign air carriers with respect to item (1) of this proviso.*

5 *SURFACE TRANSPORTATION BOARD*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Surface Transportation*
 8 *Board, including services authorized by 5 U.S.C. 3109,*
 9 *\$18,457,000: Provided, That notwithstanding any other*
 10 *provision of law, not to exceed \$950,000 from fees estab-*
 11 *lished by the Chairman of the Surface Transportation*
 12 *Board shall be credited to this appropriation as offsetting*
 13 *collections and used for necessary and authorized expenses*
 14 *under this heading: Provided further, That the sum herein*
 15 *appropriated from the general fund shall be reduced on a*
 16 *dollar-for-dollar basis as such offsetting collections are re-*
 17 *ceived during fiscal year 2002, to result in a final appro-*
 18 *priation from the general fund estimated at no more than*
 19 *\$17,507,000.*

20 *BUREAU OF TRANSPORTATION STATISTICS*

21 *OFFICE OF AIRLINE INFORMATION*

22 *(AIRPORT AND AIRWAY TRUST FUND)*

23 *For necessary expenses of the Office of Airline Infor-*
 24 *mation, under chapter 111 of title 49, United States Code,*
 25 *\$3,760,000, to be derived from the Airport and Airway*

1 *Trust Fund as authorized by Section 103(b) of Public Law*
2 *106–181.*

3 *TITLE II*

4 *RELATED AGENCIES*

5 *ARCHITECTURAL AND TRANSPORTATION*

6 *BARRIERS COMPLIANCE BOARD*

7 *SALARIES AND EXPENSES*

8 *For expenses necessary for the Architectural and*
9 *Transportation Barriers Compliance Board, as authorized*
10 *by section 502 of the Rehabilitation Act of 1973, as amend-*
11 *ed, \$5,015,000: Provided, That, notwithstanding any other*
12 *provision of law, there may be credited to this appropria-*
13 *tion funds received for publications and training expenses.*

14 *NATIONAL TRANSPORTATION SAFETY BOARD*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the National Transportation*
17 *Safety Board, including hire of passenger motor vehicles*
18 *and aircraft; services as authorized by 5 U.S.C. 3109, but*
19 *at rates for individuals not to exceed the per diem rate*
20 *equivalent to the rate for a GS–15; uniforms, or allowances*
21 *therefor, as authorized by law (5 U.S.C. 5901–5902)*
22 *\$70,000,000, of which not to exceed \$2,000 may be used for*
23 *official reception and representation expenses.*

1 *TITLE III—GENERAL PROVISIONS*

2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *SEC. 301. During the current fiscal year applicable*
4 *appropriations to the Department of Transportation shall*
5 *be available for maintenance and operation of aircraft; hire*
6 *of passenger motor vehicles and aircraft; purchase of liabil-*
7 *ity insurance for motor vehicles operating in foreign coun-*
8 *tries on official department business; and uniforms, or al-*
9 *lowances therefore, as authorized by law (5 U.S.C. 5901–*
10 *5902).*

11 *SEC. 302. Such sums as may be necessary for fiscal*
12 *year 2002 pay raises for programs funded in this Act shall*
13 *be absorbed within the levels appropriated in this Act or*
14 *previous appropriations Acts.*

15 *SEC. 303. Appropriations contained in this Act for the*
16 *Department of Transportation shall be available for services*
17 *as authorized by 5 U.S.C. 3109, but at rates for individuals*
18 *not to exceed the per diem rate equivalent to the rate for*
19 *an Executive Level IV.*

20 *SEC. 304. None of the funds in this Act shall be avail-*
21 *able for salaries and expenses of more than 98 political and*
22 *Presidential appointees in the Department of Transpor-*
23 *tation.*

24 *SEC. 305. None of the funds in this Act shall be used*
25 *for the planning or execution of any program to pay the*

1 *expenses of, or otherwise compensate, non-Federal parties*
2 *intervening in regulatory or adjudicatory proceedings fund-*
3 *ed in this Act.*

4 *SEC. 306. None of the funds appropriated in this Act*
5 *shall remain available for obligation beyond the current fis-*
6 *cal year, nor may any be transferred to other appropria-*
7 *tions, unless expressly so provided herein.*

8 *SEC. 307. The expenditure of any appropriation under*
9 *this Act for any consulting service through procurement*
10 *contract pursuant to section 3109 of title 5, United States*
11 *Code, shall be limited to those contracts where such expendi-*
12 *tures are a matter of public record and available for public*
13 *inspection, except where otherwise provided under existing*
14 *law, or under existing Executive order issued pursuant to*
15 *existing law.*

16 *SEC. 308. (a) No recipient of funds made available in*
17 *this Act shall disseminate personal information (as defined*
18 *in 18 U.S.C. 2725(3)) obtained by a State department of*
19 *motor vehicles in connection with a motor vehicle record*
20 *as defined in 18 U.S.C. 2725(1), except as provided in 18*
21 *U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.*

22 *(b) Notwithstanding subsection (a), the Secretary shall*
23 *not withhold funds provided in this Act for any grantee*
24 *if a State is in noncompliance with this provision.*

1 *SEC. 309. (a) For fiscal year 2002, the Secretary of*
2 *Transportation shall—*

3 *(1) not distribute from the obligation limitation*
4 *for Federal-aid Highways amounts authorized for ad-*
5 *ministrative expenses and programs funded from the*
6 *administrative takedown authorized by section*
7 *104(a)(1)(A) of title 23, United States Code, for the*
8 *highway use tax evasion program, amounts provided*
9 *under section 110 of title 23, United States Code, and*
10 *for the Bureau of Transportation Statistics;*

11 *(2) not distribute an amount from the obligation*
12 *limitation for Federal-aid Highways that is equal to*
13 *the unobligated balance of amounts made available*
14 *from the Highway Trust Fund (other than the Mass*
15 *Transit Account) for Federal-aid highways and high-*
16 *way safety programs for the previous fiscal year the*
17 *funds for which are allocated by the Secretary;*

18 *(3) determine the ratio that—*

19 *(A) the obligation limitation for Federal-aid*
20 *Highways less the aggregate of amounts not dis-*
21 *tributed under paragraphs (1) and (2), bears to*

22 *(B) the total of the sums authorized to be*
23 *appropriated for Federal-aid highways and high-*
24 *way safety construction programs (other than*
25 *sums authorized to be appropriated for sections*

1 *set forth in paragraphs (1) through (7) of sub-*
 2 *section (b) and sums authorized to be appro-*
 3 *priated for section 105 of title 23, United States*
 4 *Code, equal to the amount referred to in sub-*
 5 *section (b)(8)) for such fiscal year less the aggre-*
 6 *gate of the amounts not distributed under para-*
 7 *graph (1) of this subsection;*

8 *(4) distribute the obligation limitation for Fed-*
 9 *eral-aid Highways less the aggregate amounts not dis-*
 10 *tributed under paragraphs (1) and (2) of section 117*
 11 *of title 23, United States Code (relating to high pri-*
 12 *ority projects program), section 201 of the Appa-*
 13 *lachian Regional Development Act of 1965, the Wood-*
 14 *row Wilson Memorial Bridge Authority Act of 1995,*
 15 *and \$2,000,000,000 for such fiscal year under section*
 16 *105 of title 23, United States Code (relating to min-*
 17 *imum guarantee) so that the amount of obligation au-*
 18 *thority available for each of such sections is equal to*
 19 *the amount determined by multiplying the ratio de-*
 20 *termined under paragraph (3) by the sums authorized*
 21 *to be appropriated for such section (except in the case*
 22 *of section 105, \$2,000,000,000) for such fiscal year;*

23 *(5) distribute the obligation limitation provided*
 24 *for Federal-aid Highways less the aggregate amounts*
 25 *not distributed under paragraphs (1) and (2) and*

1 *amounts distributed under paragraph (4) for each of*
2 *the programs that are allocated by the Secretary*
3 *under title 23, United States Code (other than activi-*
4 *ties to which paragraph (1) applies and programs to*
5 *which paragraph (4) applies) by multiplying the*
6 *ratio determined under paragraph (3) by the sums*
7 *authorized to be appropriated for such program for*
8 *such fiscal year; and*

9 *(6) distribute the obligation limitation provided*
10 *for Federal-aid Highways less the aggregate amounts*
11 *not distributed under paragraphs (1) and (2) and*
12 *amounts distributed under paragraphs (4) and (5) for*
13 *Federal-aid highways and highway safety construc-*
14 *tion programs (other than the minimum guarantee*
15 *program, but only to the extent that amounts appor-*
16 *tioned for the minimum guarantee program for such*
17 *fiscal year exceed \$2,639,000,000, and the Appa-*
18 *lachian development highway system program) that*
19 *are apportioned by the Secretary under title 23,*
20 *United States Code, in the ratio that—*

21 *(A) sums authorized to be appropriated for*
22 *such programs that are apportioned to each*
23 *State for such fiscal year, bear to*

1 (B) the total of the sums authorized to be
2 appropriated for such programs that are appor-
3 tioned to all States for such fiscal year.

4 (b) *EXCEPTIONS FROM OBLIGATION LIMITATION.*—
5 *The obligation limitation for Federal-aid Highways shall*
6 *not apply to obligations: (1) under section 125 of title 23,*
7 *United States Code; (2) under section 147 of the Surface*
8 *Transportation Assistance Act of 1978; (3) under section*
9 *9 of the Federal-Aid Highway Act of 1981; (4) under sec-*
10 *tions 131(b) and 131(j) of the Surface Transportation As-*
11 *sistance Act of 1982; (5) under sections 149(b) and 149(c)*
12 *of the Surface Transportation and Uniform Relocation As-*
13 *sistance Act of 1987; (6) under sections 1103 through 1108*
14 *of the Intermodal Surface Transportation Efficiency Act of*
15 *1991; (7) under section 157 of title 23, United States Code,*
16 *as in effect on the day before the date of the enactment of*
17 *the Transportation Equity Act for the 21st Century; and*
18 *(8) under section 105 of title 23, United States Code (but,*
19 *only in an amount equal to \$639,000,000 for such fiscal*
20 *year).*

21 (c) *REDISTRIBUTION OF UNUSED OBLIGATION AU-*
22 *THORITY.*—*Notwithstanding subsection (a), the Secretary*
23 *shall after August 1 for such fiscal year revise a distribution*
24 *of the obligation limitation made available under subsection*
25 *(a) if a State will not obligate the amount distributed dur-*

1 *ing that fiscal year and redistribute sufficient amounts to*
 2 *those States able to obligate amounts in addition to those*
 3 *previously distributed during that fiscal year giving pri-*
 4 *ority to those States having large unobligated balances of*
 5 *funds apportioned under sections 104 and 144 of title 23,*
 6 *United States Code, section 160 (as in effect on the day*
 7 *before the enactment of the Transportation Equity Act for*
 8 *the 21st Century) of title 23, United States Code, and under*
 9 *section 1015 of the Intermodal Surface Transportation Act*
 10 *of 1991 (105 Stat. 1943–1945).*

11 *(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO*
 12 *TRANSPORTATION RESEARCH PROGRAMS.—The obligation*
 13 *limitation shall apply to transportation research programs*
 14 *carried out under chapter 5 of title 23, United States Code,*
 15 *except that obligation authority made available for such*
 16 *programs under such limitation shall remain available for*
 17 *a period of 3 fiscal years.*

18 *(e) REDISTRIBUTION OF CERTAIN AUTHORIZED*
 19 *FUNDS.—Not later than 30 days after the date of the dis-*
 20 *tribution of obligation limitation under subsection (a), the*
 21 *Secretary shall distribute to the States any funds: (1) that*
 22 *are authorized to be appropriated for such fiscal year for*
 23 *Federal-aid highways programs (other than the program*
 24 *under section 160 of title 23, United States Code) and for*
 25 *carrying out subchapter I of chapter 311 of title 49, United*

1 *States Code, and highway-related programs under chapter*
 2 *4 of title 23, United States Code; and (2) that the Secretary*
 3 *determines will not be allocated to the States, and will not*
 4 *be available for obligation, in such fiscal year due to the*
 5 *imposition of any obligation limitation for such fiscal year.*
 6 *Such distribution to the States shall be made in the same*
 7 *ratio as the distribution of obligation authority under sub-*
 8 *section (a)(6). The funds so distributed shall be available*
 9 *for any purposes described in section 133(b) of title 23,*
 10 *United States Code.*

11 *(f) SPECIAL RULE.—Obligation limitation distributed*
 12 *for a fiscal year under subsection (a)(4) of this section for*
 13 *a section set forth in subsection (a)(4) shall remain avail-*
 14 *able until used and shall be in addition to the amount of*
 15 *any limitation imposed on obligations for Federal-aid high-*
 16 *way and highway safety construction programs for future*
 17 *fiscal years.*

18 *SEC. 310. The limitations on obligations for the pro-*
 19 *grams of the Federal Transit Administration shall not*
 20 *apply to any authority under 49 U.S.C. 5338, previously*
 21 *made available for obligation, or to any other authority pre-*
 22 *viously made available for obligation.*

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

1 *SEC. 312. None of the funds in this Act shall be avail-*
2 *able to plan, finalize, or implement regulations that would*
3 *establish a vessel traffic safety fairway less than five miles*
4 *wide between the Santa Barbara Traffic Separation*
5 *Scheme and the San Francisco Traffic Separation Scheme.*

6 *SEC. 313. Notwithstanding any other provision of law,*
7 *airports may transfer, without consideration, to the Federal*
8 *Aviation Administration (FAA) instrument landing sys-*
9 *tems (along with associated approach lighting equipment*
10 *and runway visual range equipment) which conform to*
11 *FAA design and performance specifications, the purchase*
12 *of which was assisted by a Federal airport-aid program,*
13 *airport development aid program or airport improvement*
14 *program grant. The Federal Aviation Administration shall*
15 *accept such equipment, which shall thereafter be operated*
16 *and maintained by FAA in accordance with agency cri-*
17 *teria.*

18 *SEC. 314. Notwithstanding any other provision of law,*
19 *and except for fixed guideway modernization projects, funds*
20 *made available by this Act under “Federal Transit Admin-*
21 *istration, Capital investment grants” for projects specified*
22 *in this Act or identified in reports accompanying this Act*
23 *not obligated by September 30, 2004, and other recoveries,*
24 *shall be made available for other projects under 49 U.S.C.*
25 *5309.*

1 *SEC. 315. The Secretary of Transportation shall, in*
2 *cooperation with the Federal Aviation Administrator, en-*
3 *courage a locally developed and executed plan between the*
4 *State of Illinois, the City of Chicago, and affected commu-*
5 *nities for the purpose of modernizing O'Hare International*
6 *Airport, addressing traffic congestion along the Northwest*
7 *Corridor including western airport access, increasing com-*
8 *mercial air service at the Gary-Chicago Airport, increasing*
9 *commercial air service at the Greater Rockford Airport,*
10 *preserving and utilizing existing Chicago-area reliever and*
11 *general aviation airports, and moving forward with a third*
12 *Chicago-area airport. If such a plan cannot be developed*
13 *and executed by said parties, the Secretary and the Admin-*
14 *istrator shall work with Congress to enact a federal solution*
15 *to address the aviation capacity crisis in the Chicago area,*
16 *including northwest Indiana.*

17 *SEC. 316. Notwithstanding any other provision of law,*
18 *any funds appropriated before October 1, 2001, under any*
19 *section of chapter 53 of title 49, United States Code, that*
20 *remain available for expenditure may be transferred to and*
21 *administered under the most recent appropriation heading*
22 *for any such section.*

23 *SEC. 317. None of the funds in this Act may be used*
24 *to compensate in excess of 335 technical staff-years under*
25 *the federally funded research and development center con-*

1 *tract between the Federal Aviation Administration and the*
2 *Center for Advanced Aviation Systems Development during*
3 *fiscal year 2002.*

4 *SEC. 318. Funds received by the Federal Highway Ad-*
5 *ministration, Federal Transit Administration, and Federal*
6 *Railroad Administration from States, counties, municipali-*
7 *ties, other public authorities, and private sources for ex-*
8 *penses incurred for training may be credited respectively*
9 *to the Federal Highway Administration’s “Federal-Aid*
10 *Highways” account, the Federal Transit Administration’s*
11 *“Transit Planning and Research” account, and to the Fed-*
12 *eral Railroad Administration’s “Safety and Operations”*
13 *account, except for State rail safety inspectors participating*
14 *in training pursuant to 49 U.S.C. 20105.*

15 *SEC. 319. Effective on the date of enactment of this*
16 *Act, of the funds made available under section 1101(a)(12)*
17 *of Public Law 105–178, as amended, \$9,231,000 are re-*
18 *scinded.*

19 *SEC. 320. Beginning in fiscal year 2002 and there-*
20 *after, the Secretary may use up to 1 percent of the amounts*
21 *made available to carry out 49 U.S.C. 5309 for oversight*
22 *activities under 49 U.S.C. 5327.*

23 *SEC. 321. Funds made available for Alaska or Hawaii*
24 *ferry boats or ferry terminal facilities pursuant to 49*
25 *U.S.C. 5309(m)(2)(B) may be used to construct new vessels*

1 *and facilities, or to improve existing vessels and facilities,*
 2 *including both the passenger and vehicle-related elements of*
 3 *such vessels and facilities, and for repair facilities: Pro-*
 4 *vided, That not more than \$3,000,000 of the funds made*
 5 *available pursuant to 49 U.S.C. 5309(m)(2)(B) may be*
 6 *used by the State of Hawaii to initiate and operate a pas-*
 7 *senger ferryboat services demonstration project to test the*
 8 *viability of different intra-island and inter-island ferry*
 9 *routes.*

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-aid*
 14 *highways account for the purpose of reimbursing the Bu-*
 15 *reau for such expenses: Provided, That such funds shall be*
 16 *subject to the obligation limitation for Federal-aid high-*
 17 *ways and highway safety construction.*

18 *SEC. 323. Section 3030(a) of the Transportation Eq-*
 19 *uity Act for the 21st Century (Public Law 105–178) is*
 20 *amended by adding at the end, the following line: “Wash-*
 21 *ington County—Wilsonville to Beaverton commuter rail.”.*

22 *SEC. 324. Section 3030(b) of the Transportation Eq-*
 23 *uity Act for the 21st Century (Public Law 105–178) is*
 24 *amended by adding at the end the following: “Detroit,*
 25 *Michigan Metropolitan Airport rail project.”.*

1 *SEC. 325. None of the funds in this Act may be obli-*
2 *gated or expended for employee training which: (a) does not*
3 *meet identified needs for knowledge, skills and abilities*
4 *bearing directly upon the performance of official duties; (b)*
5 *contains elements likely to induce high levels of emotional*
6 *response or psychological stress in some participants; (c)*
7 *does not require prior employee notification of the content*
8 *and methods to be used in the training and written end*
9 *of course evaluations; (d) contains any methods or content*
10 *associated with religious or quasi-religious belief systems or*
11 *“new age” belief systems as defined in Equal Employment*
12 *Opportunity Commission Notice N-915.022, dated Sep-*
13 *tember 2, 1988; (e) is offensive to, or designed to change,*
14 *participants’ personal values or lifestyle outside the work-*
15 *place; or (f) includes content related to human immuno-*
16 *deficiency virus/acquired immune deficiency syndrome*
17 *(HIV/AIDS) other than that necessary to make employees*
18 *more aware of the medical ramifications of HIV/AIDS and*
19 *the workplace rights of HIV-positive employees.*

20 *SEC. 326. None of the funds in this Act shall, in the*
21 *absence of express authorization by Congress, be used di-*
22 *rectly or indirectly to pay for any personal service, adver-*
23 *tisement, telegraph, telephone, letter, printed or written ma-*
24 *terial, radio, television, video presentation, electronic com-*
25 *munications, or other device, intended or designed to influ-*

1 *ence in any manner a Member of Congress or of a State*
 2 *legislature to favor or oppose by vote or otherwise, any legis-*
 3 *lation or appropriation by Congress or a State legislature*
 4 *after the introduction of any bill or resolution in Congress*
 5 *proposing such legislation or appropriation, or after the in-*
 6 *troduction of any bill or resolution in a State legislature*
 7 *proposing such legislation or appropriation: Provided, That*
 8 *this shall not prevent officers or employees of the Depart-*
 9 *ment of Transportation or related agencies funded in this*
 10 *Act from communicating to Members of Congress or to Con-*
 11 *gress, on the request of any Member, or to members of State*
 12 *legislature, or to a State legislature, through the proper offi-*
 13 *cial channels, requests for legislation or appropriations*
 14 *which they deem necessary for the efficient conduct of busi-*
 15 *ness.*

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

20 *(b) SENSE OF THE CONGRESS; REQUIREMENT RE-*
 21 *GARDING NOTICE.—*

22 *(1) PURCHASE OF AMERICAN-MADE EQUIPMENT*
 23 *AND PRODUCTS.—In the case of any equipment or*
 24 *product that may be authorized to be purchased with*
 25 *financial assistance provided using funds made avail-*

1 *able in this Act, it is the sense of the Congress that*
2 *entities receiving the assistance should, in expending*
3 *the assistance, purchase only American-made equip-*
4 *ment and products to the greatest extent practicable.*

5 *(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In*
6 *providing financial assistance using funds made*
7 *available in this Act, the head of each Federal agency*
8 *shall provide to each recipient of the assistance a no-*
9 *tice describing the statement made in paragraph (1)*
10 *by the Congress.*

11 *(c) PROHIBITION OF CONTRACTS WITH PERSONS*
12 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*
13 *If it has been finally determined by a court or Federal agen-*
14 *cy that any person intentionally affixed a label bearing a*
15 *“Made in America” inscription, or any inscription with*
16 *the same meaning, to any product sold in or shipped to*
17 *the United States that is not made in the United States,*
18 *the person shall be ineligible to receive any contract or sub-*
19 *contract made with funds made available in this Act, pur-*
20 *suant to the debarment, suspension, and ineligibility proce-*
21 *dures described in sections 9.400 through 9.409 of title 48,*
22 *Code of Federal Regulations.*

23 *SEC. 328. Notwithstanding any other provision of law,*
24 *the Commandant of the United States Coast Guard shall*
25 *maintain an onboard staffing level at the Coast Guard Yard*

1 *in Curtis Bay, Maryland of not less than 530 full time*
2 *equivalent civilian employees: Provided, That the Com-*
3 *mandant may reconfigure his vessel maintenance schedule*
4 *and new construction projects to maximize employment at*
5 *the Coast Guard Yard.*

6 *SEC. 329. Rebates, refunds, incentive payments, minor*
7 *fees and other funds received by the Department from travel*
8 *management centers, charge card programs, the subleasing*
9 *of building space, and miscellaneous sources are to be cred-*
10 *ited to appropriations of the Department and allocated to*
11 *elements of the Department using fair and equitable criteria*
12 *and such funds shall be available until December 31, 2002.*

13 *SEC. 330. For necessary expenses of the Amtrak Re-*
14 *form Council authorized under section 203 of Public Law*
15 *105–134, \$420,000, to remain available until September 30,*
16 *2003.*

17 *SEC. 331. In addition to amounts otherwise made*
18 *available under this Act, to enable the Secretary of Trans-*
19 *portation to make grants for surface transportation*
20 *projects, \$20,000,000, of which \$4,000,000 shall be only for*
21 *the Charleston International Airport, South Carolina park-*
22 *ing facility project; \$2,000,000 shall be only for the Cara-*
23 *way Overpass Project in Jonesboro, Arkansas; \$1,000,000*
24 *shall be only for the Moorhead, Minnesota Southeast Main*
25 *Rail relocation project; \$1,500,000 shall be only for the*

1 *Interstate Route 295 and Commercial Street connector in*
2 *Portland, Maine; and \$500,000 shall be only for the Calais,*
3 *Maine Downeast Heritage Center, access, parking, and pe-*
4 *destrian improvements, to remain available until expended.*

5 *SEC. 332. Section 648 of title 14, United States Code,*
6 *is amended by striking the words “or such similar Coast*
7 *Guard industrial establishments”; and inserting after the*
8 *words “Coast Guard Yard”: “and other Coast Guard spe-*
9 *cialized facilities”. This paragraph is now labeled “(a)”*
10 *and a new paragraph “(b)” is added to read as follows:*

11 *“(b) For providing support to the Department of De-*
12 *fense, the Coast Guard Yard and other Coast Guard special-*
13 *ized facilities designated by the Commandant shall qualify*
14 *as components of the Department of Defense for competition*
15 *and workload assignment purposes. In addition, for pur-*
16 *poses of entering into joint public-private partnerships and*
17 *other cooperative arrangements for the performance of work,*
18 *the Coast Guard Yard and other Coast Guard specialized*
19 *facilities may enter into agreements or other arrangements,*
20 *receive and retain funds from and pay funds to such public*
21 *and private entities, and may accept contributions of funds,*
22 *materials, services, and the use of facilities from such enti-*
23 *ties. Amounts received under this subsection may be cred-*
24 *ited to appropriate Coast Guard accounts for fiscal year*
25 *2002 and for each fiscal year thereafter.”.*

1 *SEC. 333. None of the funds in this Act may be used*
2 *to make a grant unless the Secretary of Transportation no-*
3 *tifies the House and Senate Committees on Appropriations*
4 *not less than three full business days before any discre-*
5 *tionary grant award, letter of intent, or full funding grant*
6 *agreement totaling \$1,000,000 or more is announced by the*
7 *department or its modal administrations from: (1) any dis-*
8 *cretionary grant program of the Federal Highway Admin-*
9 *istration other than the emergency relief program; (2) the*
10 *airport improvement program of the Federal Aviation Ad-*
11 *ministration; or (3) any program of the Federal Transit*
12 *Administration other than the formula grants and fixed*
13 *guideway modernization programs: Provided, That no noti-*
14 *fication shall involve funds that are not available for obliga-*
15 *tion.*

16 *SEC. 334. INCREASE IN MOTOR CARRIER FUNDING. (a)*
17 *IN GENERAL.—Notwithstanding any other provision of law,*
18 *whenever an allocation is made of the sums authorized to*
19 *be appropriated for expenditure on the Federal lands high-*
20 *way program, and whenever an apportionment is made of*
21 *the sums authorized to be appropriated for expenditure on*
22 *the surface transportation program, the congestion mitiga-*
23 *tion and air quality improvement program, the National*
24 *Highway System, the Interstate maintenance program, the*
25 *bridge program, the Appalachian development highway sys-*

1 *tem, and the minimum guarantee program, the Secretary*
2 *of Transportation shall deduct a sum in such amount not*
3 *to exceed two-fifths of 1 percent of all sums so made avail-*
4 *able, as the Secretary determines necessary, to administer*
5 *the provisions of law to be financed from appropriations*
6 *for motor carrier safety programs and motor carrier safety*
7 *research. The sum so deducted shall remain available until*
8 *expended.*

9 (b) *EFFECT.—Any deduction by the Secretary of*
10 *Transportation in accordance with this paragraph shall be*
11 *deemed to be a deduction under section 104(a)(1)(B) of title*
12 *23, United States Code.*

13 *SEC. 335. For an airport project that the Adminis-*
14 *trator of the Federal Aviation Administration (FAA) deter-*
15 *mines will add critical airport capacity to the national air*
16 *transportation system, the Administrator is authorized to*
17 *accept funds from an airport sponsor, including entitlement*
18 *funds provided under the “Grants-in-Aid for Airports” pro-*
19 *gram, for the FAA to hire additional staff or obtain the*
20 *services of consultants: Provided, That the Administrator*
21 *is authorized to accept and utilize such funds only for the*
22 *purpose of facilitating the timely processing, review, and*
23 *completion of environmental activities associated with such*
24 *project.*

1 *SEC. 336. None of the funds made available in this*
2 *Act may be used to further any efforts toward developing*
3 *a new regional airport for southeast Louisiana until a com-*
4 *prehensive plan is submitted by a commission of stake-*
5 *holders to the Administrator of the Federal Aviation Ad-*
6 *ministration and that plan, as approved by the Adminis-*
7 *trator, is submitted to and approved by the Senate Com-*
8 *mittee on Appropriations and the House Committee on Ap-*
9 *propriations.*

10 *SEC. 337. Section 8335(a) of title 5, United States*
11 *Code, is amended by inserting the following before the pe-*
12 *riod in the first sentence: “if the controller qualifies for an*
13 *immediate annuity at that time. If not eligible for an im-*
14 *mediate annuity upon reaching age 56, the controller may*
15 *work until the last day of the month in which the controller*
16 *becomes eligible for a retirement annuity unless the Sec-*
17 *retary determines that such action would compromise safe-*
18 *ty”.*

19 *SEC. 338. Notwithstanding any other provision of law,*
20 *States may use funds provided in this Act under Section*
21 *402 of Title 23, United States Code, to produce and place*
22 *highway safety public service messages in television, radio,*
23 *cinema and print media, and on the Internet in accordance*
24 *with guidance issued by the Secretary of Transportation:*
25 *Provided, That any State that uses funds for such public*

1 *service messages shall submit to the Secretary a report de-*
 2 *scribing and assessing the effectiveness of the messages: Pro-*
 3 *vided further, That \$15,000,000 designated for innovative*
 4 *grant funds under Section 157 of Title 23, United States*
 5 *Code shall be used for national television and radio adver-*
 6 *tising to support the national law enforcement mobiliza-*
 7 *tions conducted in all 50 states, aimed at increasing safety*
 8 *belt and child safety seat use and controlling drunk driving.*

9 *SEC. 339. Section 1023(h) of the Intermodal Surface*
 10 *Transportation Efficiency Act of 1991 (23 U.S.C. 127 note)*
 11 *is amended—*

12 *(1) in the subsection heading, by inserting*
 13 *“OVER-THE-ROAD BUSES AND” before “PUBLIC”; and*

14 *(2) in paragraph (1), by striking “to any vehicle*
 15 *which” and inserting the following: “to—*

16 *“(A) any over-the-road bus, as that term is*
 17 *defined in section 301 of the Americans with*
 18 *Disabilities Act of 1990 (42 U.S.C § 12181); or*

19 *“(B) any vehicle that”.*

20 *SEC. 340. None of the funds in this Act shall be used*
 21 *to pursue or adopt guidelines or regulations requiring air-*
 22 *port sponsors to provide to the Federal Aviation Adminis-*
 23 *tration without cost building construction, maintenance,*
 24 *utilities and expenses, or space in airport sponsor-owned*
 25 *buildings for services relating to air traffic control, air*

1 navigation or weather reporting. The prohibition of funds
2 in this section does not apply to negotiations between the
3 Agency and airport sponsors to achieve agreement on
4 “below-market” rates for these items or to grant assurances
5 that require airport sponsors to provide land without cost
6 to the FAA for air traffic control facilities.

7 SEC. 341. None of the funds provided in this Act or
8 prior Appropriations Acts for Coast Guard “Acquisition,
9 construction, and improvements” shall be available after the
10 fifteenth day of any quarter of any fiscal year, unless the
11 Commandant of the Coast Guard first submits a quarterly
12 report to the House and Senate Committees on Appropria-
13 tions on all major Coast Guard acquisition projects includ-
14 ing projects executed for the Coast Guard by the United
15 States Navy and vessel traffic service projects: Provided,
16 That such reports shall include an acquisition schedule, es-
17 timated current and year funding requirements, and a
18 schedule of anticipated obligations and outlays for each
19 major acquisition project: Provided further, That such re-
20 ports shall rate on a relative scale the cost risk, schedule
21 risk, and technical risk associated with each acquisition
22 project and include a table detailing unobligated balances
23 to date and anticipated unobligated balances at the close
24 of the fiscal year and the close of the following fiscal year
25 should the Administration’s pending budget request for the

1 acquisition, construction, and improvements account be
 2 fully funded: Provided further, That such reports shall also
 3 provide abbreviated information on the status of shore facil-
 4 ity construction and renovation projects: Provided further,
 5 That all information submitted in such reports shall be cur-
 6 rent as of the last day of the preceding quarter.

7 *SEC. 342. Funds provided in this Act for the Transpor-*
 8 *tation Administrative Service Center (TASC) shall be re-*
 9 *duced by \$37,000,000, which limits fiscal year 2002 TASC*
 10 *obligational authority for elements of the Department of*
 11 *Transportation funded in this Act to no more than*
 12 *\$88,323,000: Provided, That such reductions from the budg-*
 13 *et request shall be allocated by the Department of Transpor-*
 14 *tation to each appropriations account in proportion to the*
 15 *amount included in each account for the Transportation*
 16 *Administrative Service Center.*

17 *SEC. 343. SAFETY OF CROSS-BORDER TRUCKING BE-*
 18 *TWEEN UNITED STATES AND MEXICO. No funds limited or*
 19 *appropriated in this Act may be obligated or expended for*
 20 *the review or processing of an application by a Mexican*
 21 *motor carrier for authority to operate beyond United States*
 22 *municipalities and commercial zones on the United States-*
 23 *Mexico border until—*

24 *(1) the Federal Motor Carrier Safety*
 25 *Administration—*

1 (A) performs a full safety compliance review
2 of the carrier consistent with the safety fitness
3 evaluation procedures set forth in part 385 of
4 title 49, Code of Federal Regulations, and gives
5 the carrier a satisfactory rating before granting
6 conditional and, again, before granting perma-
7 nent authority to any such carrier;

8 (B) requires that any such safety compli-
9 ance review take place onsite at the Mexican
10 motor carrier's facilities;

11 (C) requires Federal and State inspectors to
12 verify electronically the status and validity of
13 the license of each driver of a Mexican motor
14 carrier commercial vehicle crossing the border;

15 (D) gives a distinctive Department of
16 Transportation number to each Mexican motor
17 carrier operating beyond the commercial zone to
18 assist inspectors in enforcing motor carrier safe-
19 ty regulations including hours-of-service rules
20 under part 395 of title 49, Code of Federal Regu-
21 lations;

22 (E) requires—

23 (i) inspections of all commercial vehi-
24 cles of Mexican motor carriers authorized,
25 or seeking authority, to operate beyond

1 *United States municipalities and commer-*
2 *cial zones on the United States-Mexico bor-*
3 *der that do not display a valid Commercial*
4 *Vehicle Safety Alliance inspection decal, by*
5 *certified Federal inspectors, or by State in-*
6 *spectors whose operations are funded in*
7 *part or in whole by Federal funds, in ac-*
8 *cordance with the requirements for a Level*
9 *I Inspection under the criteria of the North*
10 *American Standard Inspection (as defined*
11 *in section 350.105 of title 49, Code of Fed-*
12 *eral Regulations), including examination of*
13 *the driver, vehicle exterior and vehicle*
14 *under-carriage, and*

15 *(ii) a Commercial Vehicle Safety Alli-*
16 *ance decal to be affixed to each such com-*
17 *mercial vehicle upon completion of the in-*
18 *spection required by clause (i) or a re-in-*
19 *spection if the vehicle has met the criteria*
20 *for the Level I inspection when no compo-*
21 *nent parts were hidden from view and no*
22 *evidence of a defect was present, and*

23 *(iii) that any such decal, when affixed,*
24 *expire at the end of a period of not more*
25 *than 90 days, but*

1 *nothing in this paragraph shall be construed to*
2 *preclude the Administration from requiring rein-*
3 *spection of a vehicle bearing a valid inspection*
4 *decal or from requiring that such a decal be re-*
5 *moved when a certified Federal or State inspec-*
6 *tor determines that such a vehicle has a safety*
7 *violation subsequent to the inspection for which*
8 *the decal was granted;*

9 *(F) requires State inspectors who detect vio-*
10 *lations of Federal motor carrier safety laws or*
11 *regulations to enforce them or notify Federal au-*
12 *thorities of such violations;*

13 *(G) equips all United States-Mexico border*
14 *crossings with Weigh-In-Motion (WIM) systems*
15 *as well as fixed scales suitable for enforcement*
16 *action and requires that inspectors verify by ei-*
17 *ther means the weight of each commercial vehicle*
18 *entering the United States at such a crossing;*

19 *(H) the Federal Motor Carrier Safety Ad-*
20 *ministration has implemented a policy to ensure*
21 *that no Mexican motor carrier will be granted*
22 *authority to operate beyond United States mu-*
23 *nicipalities and commercial zones on the United*
24 *States-Mexico border unless that carrier provides*
25 *proof of valid insurance with an insurance com-*

pany licensed and based in the United States;
and

(I) publishes in final form regulations—

(i) under section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 nt.) that establish minimum requirements for motor carriers, including foreign motor carriers, to ensure they are knowledgeable about Federal safety standards, that include the administration of a proficiency examination;

(ii) under section 31148 of title 49, United States Code, that implement measures to improve training and provide for the certification of motor carrier safety auditors;

(iii) under sections 218(a) and (b) of that Act (49 U.S.C. 31133 nt.) establishing standards for the determination of the appropriate number of Federal and State motor carrier inspectors for the United States-Mexico border;

(iv) under section 219(d) of that Act (49 U.S.C. 14901 nt.) that prohibit foreign motor carriers from leasing vehicles to an-

1 *other carrier to transport products to the*
2 *United States while the lessor is subject to*
3 *a suspension, restriction, or limitation on*
4 *its right to operate in the United States;*

5 *(v) under section 219(a) of that Act*
6 *(49 U.S.C. 14901 nt.) that prohibit foreign*
7 *motor carriers from operating in the United*
8 *States that is found to have operated ille-*
9 *gally in the United States; and*

10 *(vi) under which a commercial vehicle*
11 *operated by a Mexican motor carrier may*
12 *not enter the United States at a border*
13 *crossing unless an inspector is on duty; and*

14 *(2) the Department of Transportation Inspector*
15 *General certifies in writing that—*

16 *(A) all new inspector positions funded*
17 *under this Act have been filled and the inspectors*
18 *have been fully trained;*

19 *(B) each inspector conducting on-site safety*
20 *compliance reviews in Mexico consistent with the*
21 *safety fitness evaluation procedures set forth in*
22 *part 385 of title 49, Code of Federal Regulations,*
23 *is fully trained as a safety specialist;*

24 *(C) the requirement of subparagraph (B)*
25 *has not been met by transferring experienced in-*

1 *spectors from other parts of the United States to*
2 *the United States-Mexico border, undermining*
3 *the level of inspection coverage and safety else-*
4 *where in the United States;*

5 *(D) the Federal Motor Carrier Safety Ad-*
6 *ministration has implemented a policy to ensure*
7 *compliance with hours-of-service rules under*
8 *part 395 of title 49, Code of Federal Regulations,*
9 *by Mexican motor carriers seeking authority to*
10 *operate beyond United States municipalities and*
11 *commercial zones on the United States-Mexico*
12 *border;*

13 *(E) the information infrastructure of the*
14 *Mexican government is sufficiently accurate, ac-*
15 *cessible, and integrated with that of U.S. law en-*
16 *forcement authorities to allow U.S. authorities to*
17 *verify the status and validity of licenses, vehicle*
18 *registrations, operating authority and insurance*
19 *of Mexican motor carriers while operating in the*
20 *United States, and that adequate telecommuni-*
21 *cations links exist at all United States-Mexico*
22 *border crossings used by Mexican motor carrier*
23 *commercial vehicles, and in all mobile enforce-*
24 *ment units operating adjacent to the border, to*
25 *ensure that licenses, vehicle registrations, oper-*

1 *ating authority and insurance information can*
2 *be easily and quickly verified at border crossings*
3 *or by mobile enforcement units;*

4 *(F) there is adequate capacity at each*
5 *United States-Mexico border crossing used by*
6 *Mexican motor carrier commercial vehicles to*
7 *conduct a sufficient number of meaningful vehi-*
8 *cle safety inspections and to accommodate vehi-*
9 *cles placed out-of-service as a result of said in-*
10 *spections;*

11 *(G) there is an accessible database con-*
12 *taining sufficiently comprehensive data to allow*
13 *safety monitoring of all Mexican motor carriers*
14 *that apply for authority to operate commercial*
15 *vehicles beyond United States municipalities and*
16 *commercial zones on the United States-Mexico*
17 *border and the drivers of those vehicles; and*

18 *(H) measures are in place in Mexico, simi-*
19 *lar to those in place in the United States, to en-*
20 *sure the effective enforcement and monitoring of*
21 *license revocation and licensing procedures.*

22 *For purposes of this section, the term “Mexican motor*
23 *carrier” shall be defined as a Mexico-domiciled motor car-*
24 *rier operating beyond United States municipalities and*
25 *commercial zones on the United States-Mexico border.*

1 *SEC. 344. Notwithstanding any other provision of law,*
2 *for the purpose of calculating the non-federal contribution*
3 *to the net project cost of the Regional Transportation Com-*
4 *mission Resort Corridor Fixed Guideway Project in Clark*
5 *County, Nevada, the Secretary of Transportation shall in-*
6 *clude all non-federal contributions (whether public or pri-*
7 *vate) made on or after January 1, 2000 for engineering,*
8 *final design, and construction of any element or phase of*
9 *the project, including any fixed guideway project or seg-*
10 *ment connecting to that project, and also shall allow non-*
11 *federal funds (whether public or private) expended on one*
12 *element or phase of the project to be used to meet the non-*
13 *federal share requirement of any element or phase of the*
14 *project.*

15 *SEC. 345. Item 1348 of the table contained in section*
16 *1602 of the Transportation Equity Act for the 21st Century*
17 *(112 Stat. 306) is amended by striking “Extend West Doug-*
18 *las Road” and inserting “Second Douglas Island Crossing”.*

19 *SEC. 346. Item 642 in the table contained in section*
20 *1602 of the Transportation Equity Act for the 21st Century*
21 *(112 Stat. 281), relating to Washington, is amended by*
22 *striking “Construct passenger ferry facility to serve South-*
23 *worth, Seattle” and inserting “Passenger only ferry to serve*
24 *Kitsap County-Seattle”.*

1 *Item 1793 in section 1602 of the Transportation Eq-*
2 *uity Act for the 21st Century (112 Stat. 322), relating to*
3 *Washington, is amended by striking “Southworth Seattle*
4 *Ferry” and inserting “Passenger only ferry to serve Kitsap*
5 *County-Seattle”.*

6 *SEC. 347. Notwithstanding any other provision of law,*
7 *historic covered bridges eligible for Federal assistance under*
8 *section 1224 of the Transportation Equity Act for the 21st*
9 *Century, as amended, may be funded from amounts set*
10 *aside for the discretionary bridge program.*

11 *SEC. 348. (a) Item 143 in the table under the heading*
12 *“Capital Investment Grants” in title I of the Department*
13 *of Transportation and Related Agencies Appropriations*
14 *Act, 1999 (Public Law 105–277; 112 Stat. 2681–456) is*
15 *amended by striking “Northern New Mexico park and ride*
16 *facilities” and inserting “Northern New Mexico park and*
17 *ride facilities and State of New Mexico, Buses and Bus-*
18 *Related Facilities”.*

19 *(b) Item 167 in the table under the heading “Capital*
20 *Investment Grants” in title I of the Department of Trans-*
21 *portation and Related Agencies Appropriations Act, 2000*
22 *(Public Law 106–69; 113 Stat. 1006) is amended by strik-*
23 *ing “Northern New Mexico Transit Express/Park and Ride*
24 *buses” and inserting “Northern New Mexico park and ride*

1 *facilities and State of New Mexico, Buses and Bus-Related*
2 *Facilities”.*

3 *SEC. 349. Beginning in fiscal year 2002 and there-*
4 *after, notwithstanding 49 U.S.C. 41742, no essential air*
5 *service subsidies shall be provided to communities in the*
6 *United States (except Alaska) that are located fewer than*
7 *100 highway miles from the nearest large or medium hub*
8 *airport, or fewer than 70 highway miles from the nearest*
9 *small hub airport, or fewer than 50 highway miles from*
10 *the nearest airport providing scheduled service with jet air-*
11 *craft; or that require a rate of subsidy per passenger in*
12 *excess of \$200 unless such point is greater than 210 miles*
13 *from the nearest large or medium hub airport.*

14 *SEC. 350. (a) FINDINGS.—Congress makes the fol-*
15 *lowing findings:*

16 *(1) The condition of highway, railway, and wa-*
17 *terway infrastructure across the Nation varies widely*
18 *and is in need of improvement and investment.*

19 *(2) Thousands of tons of hazardous chemicals,*
20 *and a very small amount of high level radioactive*
21 *material, is transported along the Nation’s highways,*
22 *railways, and waterways each year.*

23 *(3) The volume of hazardous chemical transport*
24 *increased by over one-third in the last 25 years and*

1 *is expected to continue to increase. Some propose sig-*
2 *nificantly increasing radioactive material transport.*

3 *(4) Approximately 261,000 people were evacu-*
4 *ated across the Nation because of rail-related acci-*
5 *dental releases of hazardous chemicals between 1978*
6 *and 1995, and during that period industry reported*
7 *8 transportation accidents involving the small volume*
8 *of high level radioactive waste transported during*
9 *that period.*

10 *(5) The Federal Railroad Administration has*
11 *significantly decreased railroad inspections and has*
12 *allocated few resources since 1993 to assure the struc-*
13 *tural integrity of railroad bridges. Train derailments*
14 *have increased by 18 percent over roughly the same*
15 *period.*

16 *(6) The poor condition of highway, railway, and*
17 *waterway infrastructure, increases in the volume of*
18 *hazardous chemical transport, and proposed increases*
19 *in radioactive material transport increase the risk of*
20 *accidents involving such chemicals and materials.*

21 *(7) Measuring the risks of hazardous chemical or*
22 *radioactive material accidents and preventing such*
23 *accidents requires specific information concerning the*
24 *condition and suitability of specific transportation*

1 *routes contemplated for such transport to inform and*
2 *enable investment in related infrastructure.*

3 *(8) Mitigating the impact of hazardous chemical*
4 *and radioactive material transportation accidents re-*
5 *quires skilled, localized, and well-equipped emergency*
6 *response personnel along all specifically identified*
7 *transportation routes.*

8 *(9) Accidents involving hazardous chemical or*
9 *radioactive material transport pose threats to the*
10 *public health and safety, the environment, and the*
11 *economy.*

12 *(b) STUDY.—The Secretary of Transportation shall, in*
13 *consultation with the Comptroller General of the United*
14 *States, conduct a study of the hazards and risks to public*
15 *health and safety, the environment, and the economy associ-*
16 *ated with the transportation of hazardous chemicals and*
17 *radioactive material.*

18 *(c) MATTERS TO BE ADDRESSED.—The study under*
19 *subsection (b) shall address the following matters:*

20 *(1) Whether the Federal Government conducts in-*
21 *dividualized and detailed evaluations and inspections*
22 *of the condition and suitability of specific transpor-*
23 *tation routes for the current, and any anticipated or*
24 *proposed, transport of hazardous chemicals and ra-*
25 *dioactive material, including whether resources and*

1 *information are adequate to conduct such evaluations*
2 *and inspections.*

3 (2) *The costs and time required to ensure ade-*
4 *quate inspection of specific transportation routes and*
5 *related infrastructure and to complete the infrastruc-*
6 *ture improvements necessary to ensure the safety of*
7 *current, and any anticipated or proposed, hazardous*
8 *chemical and radioactive material transport.*

9 (3) *Whether Federal, State, and local emergency*
10 *preparedness personnel, emergency response personnel,*
11 *and medical personnel are adequately trained and*
12 *equipped to promptly respond to accidents along spe-*
13 *cific transportation routes for current, anticipated, or*
14 *proposed hazardous chemical and radioactive mate-*
15 *rial transport.*

16 (4) *The costs and time required to ensure that*
17 *Federal, State, and local emergency preparedness per-*
18 *sonnel, emergency response personnel, and medical*
19 *personnel are adequately trained and equipped to*
20 *promptly respond to accidents along specific trans-*
21 *portation routes for current, anticipated, or proposed*
22 *hazardous chemical and radioactive material trans-*
23 *port.*

24 (5) *The availability of, or requirements to estab-*
25 *lish, information collection and dissemination systems*

1 adequate to provide the public, in an accessible man-
2 ner, with timely, complete, specific, and accurate in-
3 formation (including databases) concerning actual,
4 proposed, or anticipated shipments by highway, rail-
5 way, or waterway of hazardous chemicals and radio-
6 active materials, including accidents involving the
7 transportation of such chemicals and materials by
8 those means.

9 (d) *DEADLINE FOR COMPLETION.*—The study under
10 subsection (b) shall be completed not later than six months
11 after the date of the enactment of this Act.

12 (e) *REPORT.*—Upon completion of the study under
13 subsection (b), the Secretary shall submit to Congress a re-
14 port on the study.

15 SEC. 351. (a) Of the funds appropriated by title I for
16 the Federal Railroad Administration under the heading
17 “RAILROAD RESEARCH AND DEVELOPMENT”, up to
18 \$750,000 may be expended to pay 25 percent of the total
19 cost of a comprehensive study to assess existing problems
20 in the freight and passenger rail infrastructure in the vicin-
21 ity of Baltimore, Maryland, that the Secretary of Transpor-
22 tation shall carry out through the Federal Railroad Admin-
23 istration in cooperation with, and with a total amount of
24 equal funding contributed by, Norfolk-Southern Corpora-
25 tion, CSX Corporation, and the State of Maryland.

1 (b)(1) *The study shall include an analysis of the condi-*
2 *tion, track, and clearance limitations and efficiency of the*
3 *existing tunnels, bridges, and other railroad facilities owned*
4 *or operated by CSX Corporation, Amtrak, and Norfolk-*
5 *Southern Corporation in the Baltimore area.*

6 (2) *The study shall examine the benefits and costs of*
7 *various alternatives for reducing congestion and improving*
8 *safety and efficiency in the operations on the rail infra-*
9 *structure in the vicinity of Baltimore, including such alter-*
10 *natives for improving operations as shared usage of track,*
11 *and such alternatives for improving the rail infrastructure*
12 *as possible improvements to existing tunnels, bridges, and*
13 *other railroad facilities, or construction of new facilities.*

14 (c) *Not later than one year after the date of the enact-*
15 *ment of this Act, the Secretary shall submit a report on*
16 *the results of the study to Congress. The report shall include*
17 *recommendations on the matters described in subsection*
18 *(b)(2).*

19 SEC. 352. *PRIORITY HIGHWAY PROJECTS, GEORGIA.*
20 *In selecting projects to carry out using funds apportioned*
21 *under section 110 of title 23, United States Code, the State*
22 *of Georgia shall give priority consideration to the following*
23 *projects:*

1 (1) *Improving Johnson Ferry Road from the*
2 *Chattahoochee River to Abernathy Road, including*
3 *the bridge over the Chattahoochee River.*

4 (2) *Widening Abernathy Road from 2 to 4 lanes*
5 *from Johnson Ferry Road to Roswell Road.*

6 SEC. 353. SAFETY BELT USE LAW REQUIREMENTS.
7 Section 355(a) of the National Highway System Designa-
8 tion Act of 1995 (109 Stat. 624) is amended by striking
9 “has achieved” and all that follows and inserting the fol-
10 lowing: “has achieved a safety belt use rate of not less than
11 50 percent.”.

12 SEC. 354. STUDY OF MISSISSIPPI RIVER BRIDGE IN
13 MEMPHIS, TENNESSEE. Not later than 180 days after the
14 date of enactment of this Act, the Secretary of Transpor-
15 tation shall conduct a study and submit to Congress a re-
16 port on the costs and benefits of constructing a third bridge
17 across the Mississippi River in the Memphis, Tennessee,
18 metropolitan area.

19 SEC. 355. (a) Congress makes the following findings:

20 (1) Section 345 of the National Highway System
21 Designation Act of 1995 authorizes limited relief to
22 drivers of certain types of commercial motor vehicles
23 from certain restrictions on maximum driving time
24 and on-duty time.

1 (2) Subsection (c) of that section requires the
 2 Secretary of Transportation to determine by rule-
 3 making proceedings that the exemptions granted are
 4 not in the public interest and adversely affect the
 5 safety of commercial motor vehicles.

6 (3) Subsection (d) of that section requires the
 7 Secretary of Transportation to monitor the safety per-
 8 formance of drivers of commercial motor vehicles who
 9 are subject to an exemption under section 345 and re-
 10 port to Congress prior to the rulemaking proceedings.

11 (b) It is the sense of Congress that the Secretary of
 12 Transportation should not take any action that would di-
 13 minish or revoke any exemption in effect on the date of the
 14 enactment of this Act for drivers of vehicles under section
 15 345 of the National Highway System Designation Act of
 16 1995 (Public Law 104–59; 109 Stat. 613; 49 U.S.C. 31136
 17 note) unless the requirements of subsections (c) and (d) of
 18 such section are satisfied.

19 SEC. 356. Section 41703 of title 49, United States
 20 Code, is amended by adding at the end the following:

21 “(e) AIR CARGO VIA ALASKA.—For purposes of sub-
 22 section (c) of this section, cargo taken on or off any aircraft
 23 at a place in Alaska in the course of transportation of that
 24 cargo by one or more air carriers or foreign air carriers
 25 in either direction between any place in the United States

1 *and a place not in the United States shall not be deemed*
 2 *to have broken its international journey, be taken on in,*
 3 *or be destined for Alaska.”.*

4 *SEC. 357. Point Retreat Light Station, including all*
 5 *property under lease as of June 1, 2000, is transferred to*
 6 *the Alaska Lighthouse Association.*

7 *SEC. 358. PRIORITY HIGHWAY PROJECTS, MIN-*
 8 *NESOTA. In selecting projects to carry out using funds ap-*
 9 *portioned under section 110 of title 23, United States Code,*
 10 *the State of Minnesota shall give priority consideration to*
 11 *the following projects:*

12 *(1) The Southeast Main and Rail Relocation*
 13 *Project in Moorhead, Minnesota.*

14 *(2) Improving access to and from I-35 W at*
 15 *Lake Street in Minneapolis, Minnesota.*

16 *SEC. 359. NOISE BARRIERS, GEORGIA. Notwith-*
 17 *standing any other provision of law, the Secretary of Trans-*
 18 *portation shall approve the use of funds apportioned under*
 19 *paragraphs (1) and (3) of section 104(b) of title 23, United*
 20 *States Code, for construction of Type II noise barriers—*

21 *(1) at the locations identified in section 358 of*
 22 *the Department of Transportation and Related Agen-*
 23 *cies Appropriations Act, 2000 (113 Stat. 1027); and*

1 (2) *on the west side of Interstate Route 285 from*
 2 *Henderson Mill Road to Chamblee Tucker Road in*
 3 *DeKalb County, Georgia.*

4 *SEC. 360. The Secretary is directed to give priority*
 5 *consideration to applications for airport improvement*
 6 *grants for the Addison Airport in Addison, Texas, Pearson*
 7 *Airpark in Vancouver, Washington, Mobile Regional Air-*
 8 *port in Mobile, Alabama, Marks Airport in Mississippi,*
 9 *Madison Airport in Mississippi, and Birmingham Inter-*
 10 *national Airport in Birmingham, Alabama.*

11 *SEC. 361. Section 5117(b)(3) of the Transportation*
 12 *Equity Act for the 21st Century (Public Law 105–178; 112*
 13 *Stat. 449; 23 U.S.C. 502 note) is amended —*

14 *(1) by redesignating subparagraphs (C), (D),*
 15 *and (E) as subparagraphs (D), (F), and (G), respec-*
 16 *tively;*

17 *(2) by inserting after subparagraph (B) the fol-*
 18 *lowing new subparagraph (C):*

19 *“(C) FOLLOW-ON DEPLOYMENT.—(i) After*
 20 *an intelligent transportation infrastructure sys-*
 21 *tem deployed in an initial deployment area pur-*
 22 *suant to a contract entered into under the pro-*
 23 *gram under this paragraph has received system*
 24 *acceptance, the original contract that was com-*
 25 *petitively awarded by the Department of Trans-*

1 *portation for the deployment of the system in*
2 *that area shall be extended to provide for the sys-*
3 *tem to be deployed in the follow-on deployment*
4 *areas under the contract, using the same asset*
5 *ownership, maintenance, fixed price contract,*
6 *and revenue sharing model, and the same com-*
7 *petitively selected consortium leader, as were*
8 *used for the deployment in that initial deploy-*
9 *ment area under the program.*

10 *“(ii) If any one of the follow-on deployment*
11 *areas does not commit, by July 1, 2002, to par-*
12 *ticipate in the deployment of the system under*
13 *the contract, then, upon application by any of*
14 *the other follow-on deployment areas that have*
15 *committed by that date to participate in the de-*
16 *ployment of the system, the Secretary shall sup-*
17 *plement the funds made available for any of the*
18 *follow-on deployment areas submitting the appli-*
19 *cations by using for that purpose the funds not*
20 *used for deployment of the system in the non-*
21 *participating area. Costs paid out of funds pro-*
22 *vided in such a supplementation shall not be*
23 *counted for the purpose of the limitation on*
24 *maximum cost set forth in subparagraph (B).”;*

(4) *by inserting after subparagraph (D), as redesignated by paragraph (1), the following new subparagraph (E):*

“(E) DEFINITIONS.—In this paragraph:

“(i) The term ‘initial deployment area’ means a metropolitan area referred to in the second sentence of subparagraph (A).

“(ii) The term ‘follow-on deployment areas’ means the metropolitan areas of Baltimore, Birmingham, Boston, Chicago, Cleveland, Dallas/Ft. Worth, Denver, Detroit, Houston, Indianapolis, Las Vegas, Los Angeles, Miami, New York/Northern New Jersey, Northern Kentucky/Cincinnati, Oklahoma City, Orlando, Philadelphia, Phoenix, Pittsburgh, Portland, Providence, Salt Lake, San Diego, San Francisco, St. Louis, Seattle, Tampa, and Washington, District of Columbia.”; and

(5) in subparagraph (D), as redesignated by paragraph (1), by striking “subparagraph (D)” and inserting “subparagraph (F)”.

1 *This Act may be cited as the “Department of Trans-*
2 *portation and Related Agencies Appropriations Act, 2002”.*

Attest:

Secretary.

107TH CONGRESS
1ST SESSION

H. R. 2299

AMENDMENT

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HR 2299 EAS—3

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