

107TH CONGRESS
1ST SESSION

H. R. 2299

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

6 TITLE I

7 DEPARTMENT OF TRANSPORTATION

8 OFFICE OF THE SECRETARY

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of the Secretary,
11 \$67,726,000: *Provided*, That notwithstanding any other
12 provision of law, there may be credited to this appropria-
13 tion up to \$2,500,000 in funds received in user fees: *Pro-*
14 *vided further*, That not to exceed \$60,000 shall be for allo-
15 cation within the Department for official reception and
16 representation expenses as the Secretary may determine.

17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,
19 \$8,500,000.

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

22 For necessary expenses for conducting transportation
23 planning, research, systems development, development ac-
24 tivities, and making grants, to remain available until ex-
25 pended, \$5,193,000.

1 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

2 Necessary expenses for operating costs and capital
3 outlays of the Transportation Administrative Service Cen-
4 ter, not to exceed \$125,323,000, shall be paid from appro-
5 priations made available to the Department of Transpor-
6 tation: *Provided*, That such services shall be provided on
7 a competitive basis to entities within the Department of
8 Transportation: *Provided further*, That the above limita-
9 tion on operating expenses shall not apply to non-DOT
10 entities: *Provided further*, That no funds appropriated in
11 this Act to an agency of the Department shall be trans-
12 ferred to the Transportation Administrative Service Cen-
13 ter without the approval of the agency modal adminis-
14 trator: *Provided further*, That no assessments may be lev-
15 ied against any program, budget activity, subactivity or
16 project funded by this Act unless notice of such assess-
17 ments and the basis therefor are presented to the House
18 and Senate Committees on Appropriations and are ap-
19 proved by such Committees.

20 MINORITY BUSINESS RESOURCE CENTER PROGRAM

21 For the cost of guaranteed loans, \$500,000, as au-
22 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-
23 cluding the cost of modifying such loans, shall be as de-
24 fined in section 502 of the Congressional Budget Act of
25 1974: *Provided further*, That these funds are available to

1 subsidize total loan principal, any part of which is to be
2 guaranteed, not to exceed \$18,367,000. In addition, for
3 administrative expenses to carry out the guaranteed loan
4 program, \$400,000.

5 MINORITY BUSINESS OUTREACH

6 For necessary expenses of Minority Business Re-
7 source Center outreach activities, \$3,000,000, to remain
8 available until September 30, 2003: *Provided*, That not-
9 withstanding 49 U.S.C. 332, these funds may be used for
10 business opportunities related to any mode of transpor-
11 tation.

12 PAYMENTS TO AIR CARRIERS

13 (AIRPORT AND AIRWAY TRUST FUND)

14 In addition to funds made available from any other
15 source to carry out the essential air service program under
16 49 U.S.C. 41731 through 41742, to be derived from the
17 Airport and Airway Trust Fund, \$13,000,000, to remain
18 available until expended.

19 COAST GUARD

20 OPERATING EXPENSES

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

1 and section 229(b) of the Social Security Act (42 U.S.C.
2 429(b)); and recreation and welfare, \$3,382,588,000, of
3 which \$340,000,000 shall be available for defense-related
4 activities; and of which \$24,945,000 shall be derived from
5 the Oil Spill Liability Trust Fund: *Provided*, That none
6 of the funds appropriated in this or any other Act shall
7 be available for pay of administrative expenses in connec-
8 tion with shipping commissioners in the United States:
9 *Provided further*, That none of the funds provided in this
10 Act shall be available for expenses incurred for yacht docu-
11 mentation under 46 U.S.C. 12109, except to the extent
12 fees are collected from yacht owners and credited to this
13 appropriation.

14 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

15 For necessary expenses of acquisition, construction,
16 renovation, and improvement of aids to navigation, shore
17 facilities, vessels, and aircraft, including equipment related
18 thereto, \$600,000,000, of which \$19,956,000 shall be de-
19 rived from the Oil Spill Liability Trust Fund; of which
20 \$90,990,000 shall be available to acquire, repair, renovate
21 or improve vessels, small boats and related equipment, to
22 remain available until September 30, 2006; \$26,000,000
23 shall be available to acquire new aircraft and increase
24 aviation capability, to remain available until September
25 30, 2004; \$74,173,000 shall be available for other equip-

1 ment, to remain available until September 30, 2004;
2 \$44,206,000 shall be available for shore facilities and aids
3 to navigation facilities, to remain available until Sep-
4 tember 30, 2004; \$64,631,000 shall be available for per-
5 sonnel compensation and benefits and related costs, to re-
6 main available until September 30, 2003; and
7 \$300,000,000 for the integrated deepwater systems pro-
8 gram, to remain available until September 30, 2004: *Pro-*
9 *vided*, That the Commandant of the Coast Guard is au-
10 thorized to dispose of surplus real property, by sale or
11 lease, and the proceeds shall be credited to this appropria-
12 tion as offsetting collections and made available only for
13 the national distress and response system modernization
14 program, to remain available for obligation until Sep-
15 tember 30, 2004: *Provided further*, That upon initial sub-
16 mission to the Congress of the fiscal year 2003 President's
17 budget, the Secretary of Transportation shall transmit to
18 the Congress a comprehensive capital investment plan for
19 the United States Coast Guard which includes funding for
20 each budget line item for fiscal years 2003 through 2007,
21 with total funding for each year of the plan constrained
22 to the funding targets for those years as estimated and
23 approved by the Office of Management and Budget: *Pro-*
24 *vided further*, That none of the funds provided under this
25 heading may be obligated or expended for the Integrated

1 Deepwater Systems (IDS) system integration contract
2 until the Secretary of Transportation, or his designee
3 within the Office of the Secretary, and the Director, Office
4 of Management and Budget jointly certify to the House
5 and Senate Committees on Appropriations that IDS pro-
6 gram funding for fiscal years 2003 through 2007 is fully
7 funded in the Coast Guard Capital Investment Plan and
8 within the Office of Management and Budget's budgetary
9 projections for the Coast Guard for those years.

10 ENVIRONMENTAL COMPLIANCE AND RESTORATION

11 For necessary expenses to carry out the Coast
12 Guard's environmental compliance and restoration func-
13 tions under chapter 19 of title 14, United States Code,
14 \$16,927,000, to remain available until expended.

15 ALTERATION OF BRIDGES

16 For necessary expenses for alteration or removal of
17 obstructive bridges, \$15,466,000, to remain available until
18 expended.

19 RETIRED PAY

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

1 their dependents under the Dependents Medical Care Act
2 (10 U.S.C. ch. 55), \$876,346,000.

3 RESERVE TRAINING

4 (INCLUDING TRANSFER OF FUNDS)

5 For all necessary expenses of the Coast Guard Re-
6 serve, as authorized by law; maintenance and operation
7 of facilities; and supplies, equipment, and services,
8 \$83,194,000: *Provided*, That no more than \$25,800,000
9 of funds made available under this heading may be trans-
10 ferred to Coast Guard “Operating expenses” or otherwise
11 made available to reimburse the Coast Guard for financial
12 support of the Coast Guard Reserve: *Provided further*,
13 That none of the funds in this Act may be used by the
14 Coast Guard to assess direct charges on the Coast Guard
15 Reserves for items or activities which were not so charged
16 during fiscal year 1997.

17 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

18 For necessary expenses, not otherwise provided for,
19 for applied scientific research, development, test, and eval-
20 uation; maintenance, rehabilitation, lease and operation of
21 facilities and equipment, as authorized by law,
22 \$21,722,000, to remain available until expended, of which
23 \$3,492,000 shall be derived from the Oil Spill Liability
24 Trust Fund: *Provided*, That there may be credited to and
25 used for the purposes of this appropriation funds received

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

5 FEDERAL AVIATION ADMINISTRATION

6 OPERATIONS

7 For necessary expenses of the Federal Aviation Ad-
8 ministration, not otherwise provided for, including oper-
9 ations and research activities related to commercial space
10 transportation, administrative expenses for research and
11 development, establishment of air navigation facilities, the
12 operation (including leasing) and maintenance of aircraft,
13 subsidizing the cost of aeronautical charts and maps sold
14 to the public, lease or purchase of passenger motor vehi-
15 cles for replacement only, in addition to amounts made
16 available by Public Law 104-264, \$6,870,000,000, of
17 which \$5,773,519,000 shall be derived from the Airport
18 and Airway Trust Fund, of which not to exceed
19 \$5,494,883,000 shall be available for air traffic services
20 program activities; not to exceed \$727,870,000 shall be
21 available for aviation regulation and certification program
22 activities; not to exceed \$135,949,000 shall be available
23 for civil aviation security program activities; not to exceed
24 \$195,258,000 shall be available for research and acquisi-
25 tion program activities; not to exceed \$12,254,000 shall

1 be available for commercial space transportation program
2 activities; not to exceed \$50,480,000 shall be available for
3 financial services program activities; not to exceed
4 \$67,635,000 shall be available for human resources pro-
5 gram activities; not to exceed \$84,613,000 shall be avail-
6 able for regional coordination program activities; and not
7 to exceed \$108,776,000 shall be available for staff offices:
8 *Provided*, That none of the funds in this Act shall be avail-
9 able for the Federal Aviation Administration to plan, fi-
10 nalize, or implement any regulation that would promulgate
11 new aviation user fees not specifically authorized by law
12 after the date of the enactment of this Act: *Provided fur-*
13 *ther*, That there may be credited to this appropriation
14 funds received from States, counties, municipalities, for-
15 eign authorities, other public authorities, and private
16 sources, for expenses incurred in the provision of agency
17 services, including receipts for the maintenance and oper-
18 ation of air navigation facilities, and for issuance, renewal
19 or modification of certificates, including airman, aircraft,
20 and repair station certificates, or for tests related thereto,
21 or for processing major repair or alteration forms: *Pro-*
22 *vided further*, That of the funds appropriated under this
23 heading, not less than \$6,000,000 shall be for the contract
24 tower cost-sharing program: *Provided further*, That funds
25 may be used to enter into a grant agreement with a non-

1 profit standard-setting organization to assist in the devel-
2 opment of aviation safety standards: *Provided further*,
3 That none of the funds in this Act shall be available for
4 new applicants for the second career training program:
5 *Provided further*, That none of the funds in this Act shall
6 be available for paying premium pay under 5 U.S.C.
7 5546(a) to any Federal Aviation Administration employee
8 unless such employee actually performed work during the
9 time corresponding to such premium pay: *Provided fur-*
10 *ther*, That none of the funds in this Act may be obligated
11 or expended to operate a manned auxiliary flight service
12 station in the contiguous United States: *Provided further*,
13 That none of the funds in this Act for aeronautical chart-
14 ing and cartography are available for activities conducted
15 by, or coordinated through, the Transportation Adminis-
16 trative Service Center.

17 FACILITIES AND EQUIPMENT

18 (AIRPORT AND AIRWAY TRUST FUND)

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

1 test facilities and acquisition of necessary sites by lease
2 or grant; construction and furnishing of quarters and re-
3 lated accommodations for officers and employees of the
4 Federal Aviation Administration stationed at remote local-
5 ities where such accommodations are not available; and
6 the purchase, lease, or transfer of aircraft from funds
7 available under this heading; to be derived from the Air-
8 port and Airway Trust Fund, \$2,914,000,000, of which
9 not to exceed \$2,536,900,000 shall remain available until
10 September 30, 2004, and of which not to exceed
11 \$377,100,000 shall remain available until September 30,
12 2002: *Provided*, That there may be credited to this appro-
13 priation funds received from States, counties, municipali-
14 ties, other public authorities, and private sources, for ex-
15 penses incurred in the establishment and modernization
16 of air navigation facilities: *Provided further*, That upon ini-
17 tial submission to the Congress of the fiscal year 2003
18 President's budget, the Secretary of Transportation shall
19 transmit to the Congress a comprehensive capital invest-
20 ment plan for the Federal Aviation Administration which
21 includes funding for each budget line item for fiscal years
22 2003 through 2007, with total funding for each year of
23 the plan constrained to the funding targets for those years
24 as estimated and approved by the Office of Management
25 and Budget.

1 RESEARCH, ENGINEERING, AND DEVELOPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for research, engineering, and development, as authorized
5 under part A of subtitle VII of title 49, United States
6 Code, including construction of experimental facilities and
7 acquisition of necessary sites by lease or grant,
8 \$191,481,000, to be derived from the Airport and Airway
9 Trust Fund and to remain available until September 30,
10 2004: *Provided*, That there may be credited to this appro-
11 priation funds received from States, counties, municipali-
12 ties, other public authorities, and private sources, for ex-
13 penses incurred for research, engineering, and develop-
14 ment.

15 GRANTS-IN-AID FOR AIRPORTS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (AIRPORT AND AIRWAY TRUST FUND)

19 For liquidation of obligations incurred for grants-in-
20 aid for airport planning and development, and noise com-
21 patibility planning and programs as authorized under sub-
22 chapter I of chapter 471 and subchapter I of chapter 475
23 of title 49, United States Code, and under other law au-
24 thORIZING such obligations; for procurement, installation,
25 and commissioning of runway incursion prevention devices
26 and systems at airports of such title; for implementation

1 of section 203 of Public Law 106–181; and for inspection
2 activities and administration of airport safety programs,
3 including those related to airport operating certificates
4 under section 44706 of title 49, United States Code,
5 \$1,800,000,000, to be derived from the Airport and Air-
6 way Trust Fund and to remain available until expended:
7 *Provided*, That none of the funds under this heading shall
8 be available for the planning or execution of programs the
9 obligations for which are in excess of \$3,300,000,000 in
10 fiscal year 2002, notwithstanding section 47117(h) of title
11 49, United States Code.

12 GRANTS-IN-AID FOR AIRPORTS

13 (AIRPORT AND AIRWAY TRUST FUND)

14 (RESCISSION OF CONTRACT AUTHORIZATION)

15 The amount otherwise provided in this Act for “OF-
16 FICE OF THE SECRETARY—Salaries and Expenses”
17 is hereby increased by \$720,000.

18 FEDERAL HIGHWAY ADMINISTRATION

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 Necessary expenses for administration and operation
21 of the Federal Highway Administration not to exceed
22 \$311,837,000 shall be paid in accordance with law from
23 appropriations made available by this Act to the Federal
24 Highway Administration together with advances and reim-
25 bursements received by the Federal Highway Administra-
26 tion.

1 LIMITATION ON TRANSPORTATION RESEARCH

2 Necessary expenses for transportation research of the
3 Federal Highway Administration, not to exceed
4 \$447,500,000 shall be paid in accordance with law from
5 appropriations made available by this Act to the Federal
6 Highway Administration: *Provided*, That this limitation
7 shall not apply to any authority received under section 110
8 of title 23, United States Code; *Provided further*, That this
9 limitation shall not apply to any authority previously made
10 available for obligation.

11 FEDERAL-AID HIGHWAYS

12 (LIMITATION ON OBLIGATIONS)

13 (HIGHWAY TRUST FUND)

14 None of the funds in this Act shall be available for
15 the implementation or execution of programs, the obliga-
16 tions for which are in excess of \$31,716,797,000 for Fed-
17 eral-aid highways and highway safety construction pro-
18 grams for fiscal year 2002.

19 FEDERAL-AID HIGHWAYS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For carrying out the provisions of title 23, United
23 States Code, that are attributable to Federal-aid high-
24 ways, including the National Scenic and Recreational
25 Highway as authorized by 23 U.S.C. 148, not otherwise
26 provided, including reimbursement for sums expended

1 pursuant to the provisions of 23 U.S.C. 308,
2 \$30,000,000,000 or so much thereof as may be available
3 in and derived from the Highway Trust Fund, to remain
4 available until expended.

5 STATE INFRASTRUCTURE BANKS

6 (RESCISSION)

7 Of the funds made available for State Infrastructure
8 Banks in Public Law 104–205, \$6,000,000 are rescinded.

9 FEDERAL MOTOR CARRIER SAFETY

10 ADMINISTRATION

11 MOTOR CARRIER SAFETY

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses for administration of motor
14 carrier safety programs and motor carrier safety research,
15 pursuant to section 104(a)(1)(B) of title 23, United States
16 Code, not to exceed \$92,307,000 shall be paid in accord-
17 ance with law from appropriations made available by this
18 Act and from any available take-down balances to the Fed-
19 eral Motor Carrier Safety Administration, together with
20 advances and reimbursements received by the Federal
21 Motor Carrier Safety Administration: *Provided*, That such
22 amounts shall be available to carry out the functions and
23 operations of the Federal Motor Carrier Safety Adminis-
24 tration.

1 NATIONAL MOTOR CARRIER SAFETY PROGRAM
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 49 U.S.C. 31102, 31106, and 31309, \$205,896,000, to
7 be derived from the Highway Trust Fund and to remain
8 available until expended: *Provided*, That none of the funds
9 in this Act shall be available for the implementation or
10 execution of programs the obligations for which are in ex-
11 cess of \$205,896,000 for “Motor Carrier Safety Grants”,
12 and “Information Systems”.

13 NATIONAL HIGHWAY TRAFFIC SAFETY
14 ADMINISTRATION
15 OPERATIONS AND RESEARCH

16 For expenses necessary to discharge the functions of
17 the Secretary, with respect to traffic and highway safety
18 under chapter 301 of title 49, United States Code, and
19 part C of subtitle VI of title 49, United States Code,
20 \$122,420,000, of which \$90,430,000 shall remain avail-
21 able until September 30, 2004: *Provided*, That none of
22 the funds appropriated by this Act may be obligated or
23 expended to plan, finalize, or implement any rulemaking
24 to add to section 575.104 of title 49 of the Code of Fed-
25 eral Regulations any requirement pertaining to a grading
26 standard that is different from the three grading stand-

1 ards (treadwear, traction, and temperature resistance) al-
2 ready in effect.

3 OPERATIONS AND RESEARCH

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in carrying out
8 the provisions of 23 U.S.C. 403, to remain available until
9 expended, \$72,000,000, to be derived from the Highway
10 Trust Fund: *Provided*, That none of the funds in this Act
11 shall be available for the planning or execution of pro-
12 grams the total obligations for which, in fiscal year 2002,
13 are in excess of \$72,000,000 for programs authorized
14 under 23 U.S.C. 403.

15 NATIONAL DRIVER REGISTER

16 (HIGHWAY TRUST FUND)

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

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

5 For payment of obligations incurred in carrying out
6 the provisions of 23 U.S.C. 402, 405, 410, and 411, to
7 remain available until expended, \$223,000,000, to be de-
8 rived from the Highway Trust Fund: *Provided*, That none
9 of the funds in this Act shall be available for the planning
10 or execution of programs the total obligations for which,
11 in fiscal year 2002, are in excess of \$223,000,000 for pro-
12 grams authorized under 23 U.S.C. 402, 405, 410, and
13 411, of which \$160,000,000 shall be for “Highway Safety
14 Programs” under 23 U.S.C. 402, \$15,000,000 shall be for
15 “Occupant Protection Incentive Grants” under 23 U.S.C.
16 405, \$38,000,000 shall be for “Alcohol-Impaired Driving
17 Countermeasures Grants” under 23 U.S.C. 410, and
18 \$10,000,000 shall be for the “State Highway Safety Data
19 Grants” under 23 U.S.C. 411: *Provided further*, That
20 none of these funds shall be used for construction, reha-
21 bilitation, or remodeling costs, or for office furnishings
22 and fixtures for State, local, or private buildings or struc-
23 tures: *Provided further*, That not to exceed \$8,000,000 of
24 the funds made available for section 402, not to exceed
25 \$750,000 of the funds made available for section 405, not
26 to exceed \$1,900,000 of the funds made available for sec-

1 tion 410, and not to exceed \$500,000 of the funds made
2 available for section 411 shall be available to NHTSA for
3 administering highway safety grants under chapter 4 of
4 title 23, United States Code: *Provided further*, That not
5 to exceed \$500,000 of the funds made available for section
6 410 “Alcohol-Impaired Driving Countermeasures Grants”
7 shall be available for technical assistance to the States.

8 FEDERAL RAILROAD ADMINISTRATION

9 SAFETY AND OPERATIONS

10 For necessary expenses of the Federal Railroad Ad-
11 ministration, not otherwise provided for, \$110,461,000, of
12 which \$6,159,000 shall remain available until expended.

13 RAILROAD RESEARCH AND DEVELOPMENT

14 For necessary expenses for railroad research and de-
15 velopment, \$27,375,000, to remain available until ex-
16 pended.

17 RAILROAD REHABILITATION AND IMPROVEMENT

18 PROGRAM

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

1 under sections 511 through 513 of such Act, such author-
2 ity to exist as long as any such guaranteed obligation is
3 outstanding: *Provided*, That pursuant to section 502 of
4 such Act, as amended, no new direct loans or loan guar-
5 antee commitments shall be made using federal funds for
6 the credit risk premium during fiscal year 2002.

7 NEXT GENERATION HIGH-SPEED RAIL

8 For necessary expenses for the Next Generation
9 High-Speed Rail program as authorized under 49 U.S.C.
10 26101 and 26102, \$25,100,000, to remain available until
11 expended.

12 CAPITAL GRANTS TO THE NATIONAL RAILROAD

13 PASSENGER CORPORATION

14 For necessary expenses of capital improvements of
15 the National Railroad Passenger Corporation as author-
16 ized by 49 U.S.C. 24104(a), \$521,476,000, to remain
17 available until expended.

18 FEDERAL TRANSIT ADMINISTRATION

19 ADMINISTRATIVE EXPENSES

20 For necessary administrative expenses of the Federal
21 Transit Administration's programs authorized by chapter
22 53 of title 49, United States Code, \$13,400,000: *Provided*,
23 That no more than \$67,000,000 of budget authority shall
24 be available for these purposes: *Provided further*, That of
25 the funds in this Act available for the execution of con-

1 tracts under section 5327(c) of title 49, United States
2 Code, \$2,000,000 shall be reimbursed to the Department
3 of Transportation's Office of Inspector General for costs
4 associated with audits and investigations of transit-related
5 issues, including reviews of new fixed guideway systems:
6 *Provided further*, That not to exceed \$2,600,000 for the
7 National transit database shall remain available until ex-
8 pended.

9 FORMULA GRANTS

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out 49 U.S.C. 5307,
12 5308, 5310, 5311, 5327, and section 3038 of Public Law
13 105-178, \$718,400,000, to remain available until ex-
14 pended: *Provided*, That no more than \$3,592,000,000 of
15 budget authority shall be available for these purposes: *Pro-*
16 *vided further*, That of the funds provided under this head-
17 ing, \$5,000,000 shall be available for grants for the costs
18 of planning, delivery, and temporary use of transit vehicles
19 for special transportation needs and construction of tem-
20 porary transportation facilities for the XIX Winter Olym-
21 piad and the VIII Paralympiad for the Disabled, to be held
22 in Salt Lake City, Utah: *Provided further*, That in allo-
23 cating the funds designated in the preceding proviso, the
24 Secretary shall make grants only to the Utah Department
25 of Transportation, and such grants shall not be subject

1 to any local share requirement or limitation on operating
2 assistance under this Act or the Federal Transit Act, as
3 amended.

4 UNIVERSITY TRANSPORTATION RESEARCH

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

9 TRANSIT PLANNING AND RESEARCH

10 For necessary expenses to carry out 49 U.S.C. 5303,
11 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and
12 5322, \$23,000,000, to remain available until expended:
13 *Provided*, That no more than \$116,000,000 of budget au-
14 thority shall be available for these purposes: *Provided fur-*
15 *ther*, That \$5,250,000 is available to provide rural trans-
16 portation assistance (49 U.S.C. 5311(b)(2)), \$4,000,000
17 is available to carry out programs under the National
18 Transit Institute (49 U.S.C. 5315), \$8,250,000 is avail-
19 able to carry out transit cooperative research programs
20 (49 U.S.C. 5313(a)), \$55,422,400 is available for metro-
21 politan planning (49 U.S.C. 5303, 5304, and 5305),
22 \$11,577,600 is available for State planning (49 U.S.C.
23 5313(b)); and \$31,500,000 is available for the national
24 planning and research program (49 U.S.C. 5314).

1 TRUST FUND SHARE OF EXPENSES
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)
4 For payment of obligations incurred in carrying out
5 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327,
6 5334, 5505, and sections 3037 and 3038 of Public Law
7 105–178, \$5,397,800,000, to remain available until ex-
8 pended, and to be derived from the Mass Transit Account
9 of the Highway Trust Fund: *Provided*, That
10 \$2,873,600,000 shall be paid to the Federal Transit Ad-
11 ministration’s formula grants account: *Provided further*,
12 That \$93,000,000 shall be paid to the Federal Transit Ad-
13 ministration’s transit planning and research account: *Pro-*
14 *vided further*, That \$53,600,000 shall be paid to the Fed-
15 eral Transit Administration’s administrative expenses ac-
16 count: *Provided further*, That \$4,800,000 shall be paid to
17 the Federal Transit Administration’s university transpor-
18 tation research account: *Provided further*, That
19 \$100,000,000 shall be paid to the Federal Transit Admin-
20 istration’s job access and reverse commute grants pro-
21 gram: *Provided further*, That \$2,272,800,000 shall be paid
22 to the Federal Transit Administration’s capital investment
23 grants account.

1 CAPITAL INVESTMENT GRANTS
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out 49 U.S.C. 5308,
4 5309, 5318, and 5327, \$568,200,000, to remain available
5 until expended: *Provided*, That no more than
6 \$2,841,000,000 of budget authority shall be available for
7 these purposes: *Provided further*, That none of the funds
8 provided under this heading shall be available for section
9 3015(b) of Public Law 105–178; *Provided further*, That
10 there shall be available for fixed guideway modernization,
11 \$1,136,400,000; there shall be available for the replace-
12 ment, rehabilitation, and purchase of buses and related
13 equipment and the construction of bus-related facilities,
14 \$568,200,000; and there shall be available for new fixed
15 guideway systems \$1,136,400,000, together with
16 \$8,128,338 of the funds made available under “Federal
17 Transit Administration, Discretionary grants” in Public
18 law 105–66, and \$22,023,391 of the funds made available
19 under “Federal Transit Administration, Capital invest-
20 ment grants” in Public Law 105–277; to be available as
21 follows:

22 \$10,296,000 for Alaska or Hawaii ferry
23 projects;

24 \$25,000,000 for the Atlanta, Georgia, North
25 line extension project;

1 \$10,867,000 for the Baltimore, Maryland, cen-
2 tral light rail transit double track project;
3 \$11,203,169 for the Boston, Massachusetts,
4 South Boston Piers transitway project;
5 \$5,000,000 for the Charlotte, North Carolina,
6 south corridor transitway project;
7 \$35,000,000 for the Chicago, Illinois, Douglas
8 branch reconstruction project;
9 \$23,000,000 for the Chicago, Illinois, Metra
10 North central corridor commuter rail project;
11 \$19,118,735 for the Chicago, Illinois, Metra
12 South West corridor commuter rail project;
13 \$20,000,000 for the Chicago, Illinois, Metra
14 Union Pacific West line extension project;
15 \$2,000,000 for the Chicago, Illinois,
16 Ravenswood reconstruction project;
17 \$5,000,000 for the Cleveland, Ohio, Euclid cor-
18 ridor transportation project;
19 \$70,000,000 for the Dallas, Texas, North cen-
20 tral light rail transit extension project;
21 \$60,000,000 for the Denver, Colorado, South-
22 east corridor light rail transit project;
23 \$192,492 for the Denver, Colorado, Southwest
24 light rail transit project;

- 1 \$25,000,000 for the Dulles corridor, Virginia,
2 bus rapid transit project;
- 3 \$30,000,000 for the Fort Lauderdale, Florida,
4 Tri-Rail commuter rail upgrades project;
- 5 \$3,000,000 for the Johnson County, Kansas-
6 Kansas City, Missouri, I-35 commuter rail project;
- 7 \$60,000,000 for the Largo, Maryland, metrorail
8 extension project;
- 9 \$1,800,000 for the Little Rock, Arkansas, river
10 rail project;
- 11 \$10,000,000 for the Long Island Rail Road,
12 New York, East Side access project;
- 13 \$49,686,469 for the Los Angeles North Holly-
14 wood, California, extension project;
- 15 \$5,500,000 for the Los Angeles, California,
16 East Side corridor light rail transit project;
- 17 \$3,000,000 for the Lowell, Massachusetts-
18 Nashua, New Hampshire commuter rail extension
19 project;
- 20 \$12,000,000 for the Maryland (MARC) com-
21 muter rail improvements project;
- 22 \$19,170,000 for the Memphis, Tennessee, Med-
23 ical center rail extension project;
- 24 \$5,000,000 for the Miami, Florida, South
25 Miami-Dade busway extension project;

- 1 \$10,000,000 for the Minneapolis-Rice, Min-
2 nesota, Northstar corridor commuter rail project;
- 3 \$50,000,000 for the Minneapolis-St. Paul, Min-
4 nesota, Hiawatha corridor project;
- 5 \$4,000,000 for the Nashville, Tennessee, East
6 corridor commuter rail project;
- 7 \$20,000,000 for the Newark-Elizabeth, New
8 Jersey, rail link project;
- 9 \$4,000,000 for the New Britain-Hartford, Con-
10 necticut, busway project;
- 11 \$141,000,000 for the New Jersey Hudson Ber-
12 gen light rail transit project;
- 13 \$13,800,000 for the New Orleans, Louisiana,
14 Canal Street car line project;
- 15 \$3,100,000 for the New Orleans, Louisiana,
16 Desire corridor streetcar project;
- 17 \$13,000,000 for the Oceanside-Escondido, Cali-
18 fornia, light rail extension project;
- 19 \$16,000,000 for the Phoenix, Arizona, Central
20 Phoenix/East valley corridor project;
- 21 \$6,000,000 for the Pittsburgh, Pennsylvania,
22 North Shore connector light rail transit project;
- 23 \$20,000,000 for the Pittsburgh, Pennsylvania,
24 stage II light rail, transit reconstruction project;

1 \$70,000,000 for the Portland, Oregon, Inter-
2 state MAX light rail transit extension project;
3 \$5,600,000 for the Puget Sound, Washington,
4 RTA Sounder commuter rail project;
5 \$14,000,000 for the Raleigh, North Carolina,
6 Triangle transit project;
7 \$328,810 for the Sacramento, California, light
8 rail transit extension project;
9 \$15,000,000 for the Salt Lake City, Utah,
10 CBD to University light rail transit project;
11 \$718,006 for the Salt Lake City, Utah, South
12 light rail transit project;
13 \$65,000,000 for the San Diego Mission Valley
14 East, California, light rail transit extension project;
15 \$2,000,000 for the San Diego, California, Mid
16 Coast corridor project;
17 \$80,605,331 for the San Francisco, California,
18 BART extension to the airport project;
19 \$113,336 for the San Jose Tasman West, Cali-
20 fornia, transit light rail project;
21 \$40,000,000 for the San Juan, Puerto Rico,
22 Tren Urbano project;
23 \$31,088,422 for the St. Louis, Missouri,
24 MetroLink St. Clair extension project;

1 \$8,000,000 for the Stamford, Connecticut,
2 urban transitway project; and

3 \$1,000,000 for the Washington County, Or-
4 egon, Wilsonville to Beaverton commuter rail
5 project.

6 JOB ACCESS AND REVERSE COMMUTE GRANTS

7 For necessary expenses to carry out section 3037 of
8 the Federal Transit Act of 1998, \$25,000,000, to remain
9 available until expended: *Provided*, That no more than
10 \$125,000,000 of budget authority shall be available for
11 these purposes: *Provided further*, That up to \$250,000 of
12 the funds provided under this heading may be used by the
13 Federal Transit Administration for technical assistance
14 and support and performance reviews of the job access and
15 reverse commute grants program.

16 SAINT LAWRENCE SEAWAY DEVELOPMENT
17 CORPORATION

18 SAINT LAWRENCE SEAWAY DEVELOPMENT
19 CORPORATION

20 The Saint Lawrence Seaway Development Corpora-
21 tion is hereby authorized to make such expenditures, with-
22 in the limits of funds and borrowing authority available
23 to the Corporation, and in accord with law, and to make
24 such contracts and commitments without regard to fiscal
25 year limitations as provided by section 104 of the Govern-

1 ment Corporation Control Act, as amended, as may be
2 necessary in carrying out the programs set forth in the
3 Corporation's budget for the current fiscal year.

4 OPERATIONS AND MAINTENANCE

5 (HARBOR MAINTENANCE TRUST FUND)

6 For necessary expenses for operations and mainte-
7 nance of those portions of the Saint Lawrence Seaway op-
8 erated and maintained by the Saint Lawrence Seaway De-
9 velopment Corporation, \$13,426,000, to be derived from
10 the Harbor Maintenance Trust Fund, pursuant to Public
11 Law 99-662.

12 RESEARCH AND SPECIAL PROGRAMS

13 ADMINISTRATION

14 RESEARCH AND SPECIAL PROGRAMS

15 For expenses necessary to discharge the functions of
16 the Research and Special Programs Administration,
17 \$36,487,000, of which \$645,000 shall be derived from the
18 Pipeline Safety Fund, and of which \$2,170,000 shall re-
19 main available until September 30, 2004: *Provided*, That
20 up to \$1,200,000 in fees collected under 49 U.S.C.
21 5108(g) shall be deposited in the general fund of the
22 Treasury as offsetting receipts: *Provided further*, That
23 there may be credited to this appropriation, to be available
24 until expended, funds received from States, counties, mu-
25 nicipalities, other public authorities, and private sources

1 for expenses incurred for training, for reports publication
2 and dissemination, and for travel expenses incurred in per-
3 formance of hazardous materials exemptions and approv-
4 als functions.

5 PIPELINE SAFETY

6 (PIPELINE SAFETY FUND)

7 (OIL SPILL LIABILITY TRUST FUND)

8 For expenses necessary to conduct the functions of
9 the pipeline safety program, for grants-in-aid to carry out
10 a pipeline safety program, as authorized by 49 U.S.C.
11 60107, and to discharge the pipeline program responsibil-
12 ities of the Oil Pollution Act of 1990, \$48,475,000, of
13 which \$7,472,000 shall be derived from the Oil Spill Li-
14 ability Trust Fund and shall remain available until Sep-
15 tember 30, 2004; and of which \$41,003,000 shall be de-
16 rived from the Pipeline Safety Fund, of which
17 \$20,707,000 shall remain available until September 30,
18 2004.

19 EMERGENCY PREPAREDNESS GRANTS

20 (EMERGENCY PREPAREDNESS FUND)

21 For necessary expenses to carry out 49 U.S.C.
22 5127(c), \$200,000, to be derived from the Emergency
23 Preparedness Fund, to remain available until September
24 30, 2004: *Provided*, That not more than \$14,300,000 shall
25 be made available for obligation in fiscal year 2002 from
26 amounts made available by 49 U.S.C. 5116(i), 5127(c),

1 and 5127(d): *Provided further*, That none of the funds
2 made available by 49 U.S.C. 5116(i), 5127(e), and
3 5127(d) shall be made available for obligation by individ-
4 uals other than the Secretary of Transportation or his des-
5 ignee.

6 OFFICE OF INSPECTOR GENERAL

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Inspector
9 General to carry out the provisions of the Inspector Gen-
10 eral Act of 1978, as amended, \$50,614,000: *Provided*,
11 That the Inspector General shall have all necessary au-
12 thority, in carrying out the duties specified in the Inspec-
13 tor General Act, as amended (5 U.S.C. App. 3) to inves-
14 tigate allegations of fraud, including false statements to
15 the government (18 U.S.C. 1001), by any person or entity
16 that is subject to regulation by the Department: *Provided*
17 *further*, That the funds made available under this heading
18 shall be used to investigate, pursuant to section 41712 of
19 title 49, United States Code: (1) unfair or deceptive prac-
20 tices and unfair methods of competition by domestic and
21 foreign air carriers and ticket agents; and (2) the compli-
22 ance of domestic and foreign air carriers with respect to
23 item (1) of this proviso.

1 SURFACE TRANSPORTATION BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Surface Transpor-
4 tation Board, including services authorized by 5 U.S.C.
5 3109, \$18,563,000: *Provided*, That notwithstanding any
6 other provision of law, not to exceed \$950,000 from fees
7 established by the Chairman of the Surface Transpor-
8 tation Board shall be credited to this appropriation as off-
9 setting collections and used for necessary and authorized
10 expenses under this heading: *Provided further*, That the
11 sum herein appropriated from the general fund shall be
12 reduced on a dollar-for-dollar basis as such offsetting col-
13 lections are received during fiscal year 2002, to result in
14 a final appropriation from the general fund estimated at
15 no more than \$17,613,000.

16 TITLE II

17 RELATED AGENCIES

18 ARCHITECTURAL AND TRANSPORTATION

19 BARRIERS COMPLIANCE BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary for the Architectural and
22 Transportation Barriers Compliance Board, as authorized
23 by section 502 of the Rehabilitation Act of 1973, as
24 amended, \$5,046,000: *Provided*, That, notwithstanding
25 any other provision of law, there may be credited to this

1 appropriation funds received for publications and training
2 expenses.

3 NATIONAL TRANSPORTATION SAFETY BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses of the National Transpor-
6 tation Safety Board, including hire of passenger motor ve-
7 hicles and aircraft; services as authorized by 5 U.S.C.
8 3109, but at rates for individuals not to exceed the per
9 diem rate equivalent to the rate for a GS-15; uniforms,
10 or allowances therefor, as authorized by law (5 U.S.C.
11 5901-5902) \$66,400,000, of which not to exceed \$2,000
12 may be used for official reception and representation ex-
13 penses.

14 TITLE III

15 GENERAL PROVISIONS

16 (INCLUDING TRANSFERS OF FUNDS)

17 SEC. 301. During the current fiscal year applicable
18 appropriations to the Department of Transportation shall
19 be available for maintenance and operation of aircraft;
20 hire of passenger motor vehicles and aircraft; purchase of
21 liability insurance for motor vehicles operating in foreign
22 countries on official department business; and uniforms,
23 or allowances therefor, as authorized by law (5 U.S.C.
24 5901-5902).

1 SEC. 302. Such sums as may be necessary for fiscal
2 year 2002 pay raises for programs funded in this Act shall
3 be absorbed within the levels appropriated in this Act or
4 previous appropriations Acts.

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

10 SEC. 304. None of the funds in this Act shall be avail-
11 able for salaries and expenses of more than 105 political
12 and Presidential appointees in the Department of Trans-
13 portation: *Provided*, That none of the personnel covered
14 by this provision or political and Presidential appointees
15 in an independent agency funded in this Act may be as-
16 signed on temporary detail outside the Department of
17 Transportation or such independent agency.

18 SEC. 305. None of the funds in this Act shall be used
19 for the planning or execution of any program to pay the
20 expenses of, or otherwise compensate, non-Federal parties
21 intervening in regulatory or adjudicatory proceedings
22 funded in this Act.

23 SEC. 306. None of the funds appropriated in this Act
24 shall remain available for obligation beyond the current

1 fiscal year, nor may any be transferred to other appropria-
2 tions, unless expressly so provided herein.

3 SEC. 307. The Secretary of Transportation is hereby
4 authorized to make such expenditures and investments,
5 within the limits of funds available pursuant to 49 U.S.C.
6 44307, and in accordance with section 104 of the Govern-
7 ment Corporation Control Act, as amended (31 U.S.C.
8 9104), as may be necessary in carrying out the program
9 for aviation insurance activities under chapter 443 of title
10 49, United States Code.

11 SEC. 308. The expenditure of any appropriation
12 under this Act for any consulting service through procure-
13 ment contract pursuant to section 3109 of title 5, United
14 States Code, shall be limited to those contracts where such
15 expenditures are a matter of public record and available
16 for public inspection, except where otherwise provided
17 under existing law, or under existing Executive order
18 issued pursuant to existing law.

19 SEC. 309. None of the funds in this Act shall be used
20 to implement section 404 of title 23, United States Code.

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

1 SEC. 311. 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
6 Scheme.

7 SEC. 312. Notwithstanding any other provision of
8 law, airports may transfer, without consideration, to the
9 Federal Aviation Administration (FAA) instrument land-
10 ing systems (along with associated approach lighting
11 equipment and runway visual range equipment) which
12 conform to FAA design and performance specifications,
13 the purchase of which was assisted by a Federal airport-
14 aid program, airport development aid program or airport
15 improvement program grant: *Provided*, That, the Federal
16 Aviation Administration shall accept such equipment,
17 which shall thereafter be operated and maintained by FAA
18 in accordance with agency criteria.

19 SEC. 313. Notwithstanding any other provision of
20 law, and except for fixed guideway modernization projects,
21 funds made available by this Act under “Federal Transit
22 Administration, Capital investment grants” for projects
23 specified in this Act or identified in reports accompanying
24 this Act not obligated by September 30, 2004, and other

1 recoveries, shall be made available for other projects under
2 49 U.S.C. 5309.

3 SEC. 314. Notwithstanding any other provision of
4 law, any funds appropriated before October 1, 2001, under
5 any section of chapter 53 of title 49, United States Code,
6 that remain available for expenditure may be transferred
7 to and administered under the most recent appropriation
8 heading for any such section.

9 SEC. 315. None of the funds in this Act may be used
10 to compensate in excess of 335 technical staff-years under
11 the federally funded research and development center con-
12 tract between the Federal Aviation Administration and the
13 Center for Advanced Aviation Systems Development dur-
14 ing fiscal year 2002.

15 SEC. 316. Funds received by the Federal Highway
16 Administration, Federal Transit Administration, and Fed-
17 eral Railroad Administration from States, counties, mu-
18 nicipalities, other public authorities, and private sources
19 for expenses incurred for training may be credited respec-
20 tively to the Federal Highway Administration's "Federal-
21 Aid Highways" account, the Federal Transit Administra-
22 tion's "Transit Planning and Research" account, and to
23 the Federal Railroad Administration's "Safety and Oper-
24 ations" account, except for State rail safety inspectors
25 participating in training pursuant to 49 U.S.C. 20105.

1 SEC. 317. Funds made available for Alaska or Hawaii
2 ferry boats or ferry terminal facilities pursuant to 49
3 U.S.C. 5309(m)(2)(B) may be used to construct new ves-
4 sels and facilities, or to improve existing vessels and facili-
5 ties, including both the passenger and vehicle-related ele-
6 ments of such vessels and facilities, and for repair facili-
7 ties.

8 SEC. 318. Notwithstanding 31 U.S.C. 3302, funds re-
9 ceived by the Bureau of Transportation Statistics from the
10 sale of data products, for necessary expenses incurred pur-
11 suant to 49 U.S.C. 111 may be credited to the Federal-
12 aid highways account for the purpose of reimbursing the
13 Bureau for such expenses: *Provided*, That such funds shall
14 be subject to the obligation limitation for Federal-aid
15 highways and highway safety construction.

16 SEC. 319. None of the funds in this Act may be obli-
17 gated or expended for employee training which: (a) does
18 not meet identified needs for knowledge, skills and abilities
19 bearing directly upon the performance of official duties;
20 (b) contains elements likely to induce high levels of emo-
21 tional response or psychological stress in some partici-
22 pants; (c) does not require prior employee notification of
23 the content and methods to be used in the training and
24 written end of course evaluations; (d) contains any meth-
25 ods or content associated with religious or quasi-religious

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

11 SEC. 320. None of the funds in this Act shall, in the
12 absence of express authorization by Congress, be used di-
13 rectly or indirectly to pay for any personal service, adver-
14 tisement, telegraph, telephone, letter, printed or written
15 material, radio, television, video presentation, electronic
16 communications, or other device, intended or designed to
17 influence in any manner a Member of Congress or of a
18 State legislature to favor or oppose by vote or otherwise,
19 any legislation or appropriation by Congress or a State
20 legislature after the introduction of any bill or resolution
21 in Congress proposing such legislation or appropriation,
22 or after the introduction of any bill or resolution in a State
23 legislature proposing such legislation or appropriation:
24 *Provided*, That this shall not prevent officers or employees
25 of the Department of Transportation or related agencies

1 funded in this Act from communicating to Members of
2 Congress or to Congress, on the request of any Member,
3 or to members of a State legislature, or to a State legisla-
4 ture, through the proper official channels, requests for leg-
5 islation or appropriations which they deem necessary for
6 the efficient conduct of business.

7 SEC. 321. (a) IN GENERAL.—None of the funds
8 made available in this Act may be expended by an entity
9 unless the entity agrees that in expending the funds the
10 entity will comply with the Buy American Act (41 U.S.C.
11 10a–10c).

12 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-
13 GARDING NOTICE.—

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

23 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
24 In providing financial assistance using funds made
25 available in this Act, the head of each Federal agen-

1 cy shall provide to each recipient of the assistance
2 a notice describing the statement made in paragraph
3 (1) by the Congress.

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

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

16 SEC. 322. Rebates, refunds, incentive payments,
17 minor fees and other funds received by the Department
18 from travel management centers, charge card programs,
19 the subleasing of building space, and miscellaneous
20 sources are to be credited to appropriations of the Depart-
21 ment and allocated to elements of the Department using
22 fair and equitable criteria and such funds shall be avail-
23 able until December 31, 2002.

24 SEC. 323. Notwithstanding any other provision of
25 law, rule or regulation, the Secretary of Transportation

1 is authorized to allow the issuer of any preferred stock
2 heretofore sold to the Department to redeem or repur-
3 chase such stock upon the payment to the Department of
4 an amount determined by the Secretary.

5 SEC. 324. For necessary expenses of the Amtrak Re-
6 form Council authorized under section 203 of Public Law
7 105–134, \$785,000 (reduced by \$335,000), to remain
8 available until September 30, 2003: *Provided*, That the
9 duties of the Amtrak Reform Council described in section
10 203(g)(1) of Public Law 105–134 shall include the identi-
11 fication of Amtrak routes which are candidates for closure
12 or realignment, based on performance rankings developed
13 by Amtrak which incorporate information on each route’s
14 fully allocated costs and ridership on core intercity pas-
15 senger service, and which assume, for purposes of closure
16 or realignment candidate identification, that Federal sub-
17 sidies for Amtrak will decline over the 4-year period from
18 fiscal year 1999 to fiscal year 2002: *Provided further*,
19 That these closure or realignment recommendations shall
20 be included in the Amtrak Reform Council’s annual report
21 to the Congress required by section 203(h) of Public Law
22 105–134.

23 SEC. 325. None of the funds in this Act may be used
24 to make a grant unless the Secretary of Transportation
25 notifies the House and Senate Committees on Appropria-

1 tions not less than 3 full business days before any discre-
2 tionary grant award, letter of intent, or full funding grant
3 agreement totaling \$1,000,000 or more is announced by
4 the department or its modal administrations from: (1) any
5 discretionary grant program of the Federal Highway Ad-
6 ministration other than the emergency relief program; (2)
7 the airport improvement program of the Federal Aviation
8 Administration; or (3) any program of the Federal Transit
9 Administration other than the formula grants and fixed
10 guideway modernization programs: *Provided*, That no no-
11 tification shall involve funds that are not available for obli-
12 gation.

13 SEC. 326. Section 232 of H.R. 3425 of the 106th
14 Congress, as enacted by section 1000(a)(5) of the Consoli-
15 dated Appropriations Act, 2000 is repealed.

16 SEC. 327. None of the funds in this Act shall be avail-
17 able for planning, design, or construction of a light rail
18 system in Houston, Texas.

19 SEC. 328. None of the funds made available in this
20 Act may be used for engineering work related to an addi-
21 tional runway at New Orleans International Airport.

22 SEC. 329. None of the funds appropriated by this Act
23 shall be used to propose or issue rules, regulations, de-
24 crees, or orders for the purpose of implementation, or in
25 preparation for implementation, of the Kyoto Protocol

1 which was adopted on December 11, 1997, in Kyoto,
2 Japan at the Third Conference of the Parties to the
3 United Nations Framework Convention on Climate
4 Change, which has not been submitted to the Senate for
5 advice and consent to ratification pursuant to article II,
6 section 2, clause 2, of the United States Constitution, and
7 which has not entered into force pursuant to article 25
8 of the Protocol.

9 SEC. 330. None of the funds in this Act shall be used
10 to pursue or adopt guidelines or regulations requiring air-
11 port sponsors to provide to the Federal Aviation Adminis-
12 tration without cost building construction, maintenance,
13 utilities and expenses, or space in airport sponsor-owned
14 buildings for services relating to air traffic control, air
15 navigation or weather reporting: *Provided*, That the prohi-
16 bition of funds in this section does not apply to negotia-
17 tions between the agency and airport sponsors to achieve
18 agreement on “below-market” rates for these items or to
19 grant assurances that require airport sponsors to provide
20 land without cost to the FAA for air traffic control facili-
21 ties.

22 SEC. 331. Notwithstanding any other provision of
23 law, States may use funds provided in this Act under sec-
24 tion 402 of title 23, United States Code, to produce and
25 place highway safety public service messages in television,

1 radio, cinema, and print media, and on the Internet in
2 accordance with guidance issued by the Secretary of
3 Transportation: *Provided*, That any State that uses funds
4 for such public service messages shall submit to the Sec-
5 retary a report describing and assessing the effectiveness
6 of the messages.

7 SEC. 332. The Secretary of Transportation may use
8 up to 1 percent of the amounts made available to carry
9 out 49 U.S.C. 5309 for oversight activities under 49
10 U.S.C. 5327.

11 SEC. 333. Item number 1348 in the table contained
12 in section 1602 of the Transportation Equity Act for the
13 21st Century (112 Stat. 269) is amended by striking “Ex-
14 tend West Douglas Road” and inserting “Construct Gasti-
15 neau Channel Second Crossing to Douglas Island”.

16 SEC. 334. None of the funds in this Act may be obli-
17 gated for the Office of the Secretary of Transportation
18 to approve assessments or reimbursable agreements per-
19 taining to funds appropriated to the modal administra-
20 tions in this Act, except for activities underway on the
21 date of enactment of this Act, unless such assessments
22 or agreements have completed the normal reprogramming
23 process for Congressional notification.

24 SEC. 335. Item 642 in the table contained in section
25 1602 of the Transportation Equity Act for the 21st Cen-

1 tury (112 Stat. 298), relating to Washington, is amended
2 by striking “construct passenger ferry facility to serve
3 Southworth, Seattle” and inserting “passenger only ferry
4 to serve Kitsap County-Seattle”.

5 SEC. 336. Item 1793 in section 1602 of the Trans-
6 portation Equity Act for the 21st Century (112 Stat.
7 298), relating to Washington, is amended by striking
8 “Southworth Seattle ferry” and inserting “passenger only
9 ferry to serve Kitsap County-Seattle”.

10 SEC. 337. Item 576 in the table contained in section
11 1602 of the Transportation Equity Act for the 21st Cen-
12 tury (112 Stat. 278) is amended by striking “Bull Shoals
13 Lake Ferry in Taney County” and inserting “Construct
14 the Missouri Center for Advanced Highway Safety
15 (MOCAHS)”.

16 SEC. 338. The transit station operated by the Wash-
17 ington Metropolitan Area Transit Authority located at
18 Ronald Reagan Washington National Airport, and known
19 as the National Airport Station, shall be known and des-
20 igned as the “Ronald Reagan Washington National Air-
21 port Station”. The Washington Metropolitan Area Transit
22 Authority shall modify the signs at the transit station, and
23 all maps, directories, documents, and other records pub-
24 lished by the Authority, to reflect the redesignation.

1 SEC. 339. None of the funds appropriated or other-
2 wise made available in this Act may be made available to
3 any person or entity convicted of violating the Buy Amer-
4 ican Act (41 U.S.C. 10a–10c).

5 SEC. 340. None of the funds in this Act may be used
6 for the planning, design, development, or construction of
7 the California State Route 710 freeway extension project
8 through El Sereno, South Pasadena, and Pasadena, Cali-
9 fornia.

10 SEC. 341. None of the funds in this Act may be used
11 to process applications by Mexico-domiciled motor carriers
12 for conditional or permanent authority to operate beyond
13 the United States municipalities and commercial zones ad-
14 jacent to the United States-Mexico border.

15 This Act may be cited as the “Department of Trans-
16 portation and Related Agencies Appropriations Act,
17 2002”.

Passed the House of Representatives June 26, 2001.

Attest:

Clerk.

107TH CONGRESS
1ST SESSION

H. R. 2299

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.