

# Union Calendar No. 452

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

# H. R. 5559

[Report No. 107-722]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2002

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

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## A BILL

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 Department of Transportation and related agencies for

1 the fiscal year ending September 30, 2003, and for other  
2 purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,  
8 \$82,474,000, of which not to exceed \$4,355,000 shall be  
9 available for the immediate Office of the Secretary and  
10 Deputy Secretary; not to exceed \$14,950,000 shall be  
11 available for the Office of the General Counsel; not to ex-  
12 ceed \$12,024,000 shall be for the Under Secretary for  
13 Transportation Policy; not to exceed \$7,415,000 shall be  
14 available for the Office of the Assistant Secretary for  
15 Budget and Programs; not to exceed \$2,453,000 shall be  
16 available for the Office of the Assistant Secretary for Gov-  
17 ernment Affairs; not to exceed \$27,686,000 shall be avail-  
18 able for the Office of the Assistant Secretary for Adminis-  
19 tration; not to exceed \$1,926,000 shall be available for the  
20 Office of Public Affairs; not to exceed \$611,000 shall be  
21 available for the Board of Contract Appeals; not to exceed  
22 \$1,304,000 shall be available for the Office of Small and  
23 Disadvantaged Business Utilization; not to exceed  
24 \$9,750,000 shall be available for the Office of the Chief  
25 Information Officer: *Provided*, That not to exceed \$60,000

1 shall be for allocation within the Department for official  
2 reception and representation expenses as the Secretary  
3 may determine: *Provided further*, That notwithstanding  
4 any other provision of law, excluding fees authorized in  
5 Public Law 107–71, there may be credited to this appro-  
6 priation up to \$2,500,000 in funds received in user fees:  
7 *Provided further*, That none of the funds provided in this  
8 Act shall be available for the position of Assistant Sec-  
9 retary for Public Affairs.

10 OFFICE OF CIVIL RIGHTS

11 For necessary expenses of the Office of Civil Rights,  
12 \$8,500,000.

13 TRANSPORTATION PLANNING, RESEARCH, AND  
14 DEVELOPMENT

15 For necessary expenses for conducting transportation  
16 planning, research, systems development, development ac-  
17 tivities, and making grants, to remain available until ex-  
18 pended, \$11,157,000.

19 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

20 Necessary expenses for operating costs and capital  
21 outlays of the Transportation Administrative Service Cen-  
22 ter, not to exceed \$131,766,000, shall be paid from appro-  
23 priations made available to the Department of Transpor-  
24 tation: *Provided*, That such services shall be provided on  
25 a competitive basis to entities within the Department of

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

#### 13 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

#### 23 MINORITY BUSINESS OUTREACH

24 For necessary expenses of Minority Business Re-  
25 source Center outreach activities, \$3,000,000, to remain

1 available until September 30, 2004: *Provided*, That not-  
2 withstanding 49 U.S.C. 332, these funds may be used for  
3 business opportunities related to any mode of transpor-  
4 tation.

5                                   NEW HEADQUARTERS BUILDING

6           For necessary expenses of customizing the Depart-  
7 ment of Transportation's new base building and related  
8 advisory services, \$25,000,000 to remain available until  
9 expended.

10                                  PAYMENTS TO AIR CARRIERS

11                                   (AIRPORT AND AIRWAY TRUST FUND)

12           In addition to funds made available from any other  
13 source to carry out the essential air service program under  
14 49 U.S.C. 41731 through 41742, to be derived from the  
15 Airport and Airway Trust Fund, \$50,000,000, to remain  
16 available until expended.

17                                  TRANSPORTATION SECURITY ADMINISTRATION

18    AVIATION SECURITY

19           For necessary expenses of the Transportation Secu-  
20 rity Administration related to providing civil aviation secu-  
21 rity services pursuant to Public Law 107-71,  
22 \$4,355,726,000, to remain available until expended, of  
23 which \$176,691,200 shall be derived from a reimburse-  
24 ment from "Federal Aviation Administration, Facilities  
25 and equipment," for explosives detection systems: *Pro-*

1 *vided*, That security service fees authorized under 49  
2 U.S.C. 44940 shall be credited to this appropriation as  
3 offsetting collections and used for providing civil aviation  
4 security services authorized by that section: *Provided fur-*  
5 *ther*, That the sum herein appropriated from the General  
6 Fund shall be reduced on a dollar-for-dollar basis as such  
7 offsetting collections are received during fiscal year 2003,  
8 so as to result in a final fiscal year appropriation from  
9 the General Fund estimated at not more than  
10 \$1,705,726,000: *Provided further*, That none of the funds  
11 in this Act shall be used to recruit or hire personnel into  
12 the Transportation Security Administration which would  
13 cause the agency to exceed a staffing level of 45,000 full-  
14 time permanent positions: *Provided further*, That funds  
15 provided in this Act for the Transportation Security Ad-  
16 ministration's Credentialing Project shall include funds to  
17 initiate pilot projects during fiscal year 2003 at locations  
18 on the East Coast and West Coast, to be determined by  
19 the Transportation Security Administration: *Provided fur-*  
20 *ther*, That such pilot projects shall include the various  
21 technologies necessary for successful technology evaluation  
22 and development of requirements, including card, reader,  
23 and database technologies.

## 1 MARITIME AND LAND SECURITY

2 For necessary expenses of the Transportation Secu-  
3 rity Administration related to maritime and land transpor-  
4 tation security grants and services pursuant to Public Law  
5 107-71, \$206,864,000, to remain available until ex-  
6 pended.

## 7 RESEARCH AND DEVELOPMENT

8 For necessary expenses of the Transportation Secu-  
9 rity Administration for research and development related  
10 to transportation security, \$129,519,000, to remain avail-  
11 able until expended.

## 12 SUPPORT SERVICES

13 For necessary expenses of the Transportation Secu-  
14 rity Administration for intelligence and agency-wide sup-  
15 port activities pursuant to Public Law 107-71,  
16 \$453,891,000, to remain available until expended.

## 17 COAST GUARD

## 18 OPERATING EXPENSES

19 For necessary expenses for the operation and mainte-  
20 nance of the Coast Guard, not otherwise provided for; pur-  
21 chase of not to exceed five passenger motor vehicles for  
22 replacement only; payments pursuant to section 156 of  
23 Public Law 97-377, as amended (42 U.S.C. 402 note);  
24 and recreation and welfare, \$4,305,456,000, of which  
25 \$1,300,000,000 shall be available for defense-related ac-

1 tivities; and of which \$25,000,000 shall be derived from  
2 the Oil Spill Liability Trust Fund: *Provided*, That none  
3 of the funds appropriated in this or any other Act shall  
4 be available for pay of administrative expenses in connec-  
5 tion with shipping commissioners in the United States:  
6 *Provided further*, That none of the funds provided in this  
7 Act shall be available for expenses incurred for yacht docu-  
8 mentation under 46 U.S.C. 12109, except to the extent  
9 fees are collected from yacht owners and credited to this  
10 appropriation: *Provided further*, That of the amounts  
11 made available under this heading, not less than  
12 \$17,686,000 shall be used solely to increase staffing at  
13 Search and Rescue stations, surf stations and command  
14 centers, increase the training and experience level of indi-  
15 viduals serving in said stations through targeted retention  
16 efforts, revise personnel policies and expand training pro-  
17 grams, and to modernize and improve the quantity and  
18 quality of personal safety equipment, including survival  
19 suits, for personnel assigned to said stations: *Provided fur-*  
20 *ther*, That the Department of Transportation Inspector  
21 General shall audit and certify to the House and Senate  
22 Committees on Appropriations that the funding described  
23 in the preceding proviso is being used solely to supplement  
24 and not supplant the Coast Guard's level of effort in this  
25 area in fiscal year 2002.



## 1 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of acquisition, construction,  
3 renovation, and improvement of aids to navigation, shore  
4 facilities, vessels, and aircraft, including equipment related  
5 thereto, \$725,000,000, of which \$20,000,000 shall be de-  
6 rived from the Oil Spill Liability Trust Fund; of which  
7 \$11,715,000 shall be available to acquire, repair, renovate  
8 or improve vessels, small boats and related equipment, to  
9 remain available until September 30, 2007; \$2,700,000  
10 shall be available to acquire new aircraft and increase  
11 aviation capability, to remain available until September  
12 30, 2005; \$114,200,000 shall be available for other equip-  
13 ment, to remain available until September 30, 2005;  
14 \$31,385,000 shall be available for shore facilities and aids  
15 to navigation facilities, to remain available until Sep-  
16 tember 30, 2005; \$65,000,000 shall be available for per-  
17 sonnel compensation and benefits and related costs, to re-  
18 main available until September 30, 2004; and  
19 \$500,000,000 shall be available for the Integrated Deep-  
20 water Systems program, to remain available until Sep-  
21 tember 30, 2007: *Provided*, That the Commandant of the  
22 Coast Guard is authorized to dispose of surplus real prop-  
23 erty, by sale or lease, and the proceeds shall be credited  
24 to this appropriation as offsetting collections and made  
25 available only for the National Distress and Response Sys-

1 tem Modernization program, to remain available for obli-  
2 gation until September 30, 2004: *Provided further*, That  
3 upon initial submission to the Congress of the fiscal year  
4 2004 President's budget, the Secretary of Transportation  
5 shall transmit to the Congress a comprehensive capital in-  
6 vestment plan for the United States Coast Guard which  
7 includes funding for each budget line item for fiscal years  
8 2004 through 2008, with total funding for each year of  
9 the plan constrained to the funding targets for those years  
10 as estimated and approved by the Office of Management  
11 and Budget: *Provided further*, That the Director, Office  
12 of Management and Budget shall submit the budget re-  
13 quest for the IDS integration contract delineating sub-  
14 headings which include the following: systems integrator,  
15 ship construction, aircraft, equipment, and communica-  
16 tion, providing specific assets and costs under each sub-  
17 heading.

18 ENVIRONMENTAL COMPLIANCE AND RESTORATION

19 For necessary expenses to carry out the Coast  
20 Guard's environmental compliance and restoration func-  
21 tions under chapter 19 of title 14, United States Code,  
22 \$17,000,000, to remain available until expended.

23 ALTERATION OF BRIDGES

24 For necessary expenses for alteration or removal of  
25 obstructive bridges, \$17,000,000, to remain available until



1 uation; maintenance, rehabilitation, lease and operation of  
2 facilities and equipment, as authorized by law,  
3 \$21,000,000, to remain available until expended, of which  
4 \$3,500,000, shall be derived from the Oil Spill Liability  
5 Trust Fund: *Provided*, That there may be credited to and  
6 used for the purposes of this appropriation funds received  
7 from State and local governments, other public authori-  
8 ties, private sources, and foreign countries, for expenses  
9 incurred for research, development, testing, and evalua-  
10 tion.

11 FEDERAL AVIATION ADMINISTRATION

12 OPERATIONS

13 For necessary expenses of the Federal Aviation Ad-  
14 ministration, not otherwise provided for, including oper-  
15 ations and research activities related to commercial space  
16 transportation, administrative expenses for research and  
17 development, establishment of air navigation facilities, the  
18 operation (including leasing) and maintenance of aircraft,  
19 subsidizing the cost of aeronautical charts and maps sold  
20 to the public, lease or purchase of passenger motor vehi-  
21 cles for replacement only, in addition to amounts made  
22 available by Public Law 104–264, \$7,060,203,000, of  
23 which \$3,585,068,000 shall be derived from the Airport  
24 and Airway Trust Fund: *Provided*, That none of the funds  
25 in this Act shall be available for the Federal Aviation Ad-

1 ministration to finalize or implement any regulation that  
2 would promulgate new aviation user fees not specifically  
3 authorized by law after the date of the enactment of this  
4 Act: *Provided further*, That there may be credited to this  
5 appropriation funds received from States, counties, mu-  
6 nicipalities, foreign authorities, other public authorities,  
7 and private sources, for expenses incurred in the provision  
8 of agency services, including receipts for the maintenance  
9 and operation of air navigation facilities, and for issuance,  
10 renewal or modification of certificates, including airman,  
11 aircraft, and repair station certificates, or for tests related  
12 thereto, or for processing major repair or alteration forms:  
13 *Provided further*, That of the funds appropriated under  
14 this heading, not less than \$6,000,000 shall be for the  
15 contract tower cost-sharing program: *Provided further*,  
16 That funds may be used to enter into a grant agreement  
17 with a nonprofit standard-setting organization to assist in  
18 the development of aviation safety standards: *Provided*  
19 *further*, That none of the funds in this Act shall be avail-  
20 able for new applicants for the second career training pro-  
21 gram: *Provided further*, That none of the funds in this Act  
22 shall be available for paying premium pay under 5 U.S.C.  
23 5546(a) to any Federal Aviation Administration employee  
24 unless such employee actually performed work during the  
25 time corresponding to such premium pay: *Provided fur-*

1 *ther*, That none of the funds in this Act may be obligated  
2 or expended to operate a manned auxiliary flight service  
3 station in the contiguous United States: *Provided further*,  
4 That none of the funds in this Act for aeronautical chart-  
5 ing and cartography are available for activities conducted  
6 by, or coordinated through, the Transportation Adminis-  
7 trative Service Center.

## 8 FACILITIES AND EQUIPMENT

### 9 (AIRPORT AND AIRWAY TRUST FUND)

10 For necessary expenses, not otherwise provided for,  
11 for acquisition, establishment, and improvement by con-  
12 tract or purchase, and hire of air navigation and experi-  
13 mental facilities and equipment as authorized under part  
14 A of subtitle VII of title 49, United States Code, including  
15 initial acquisition of necessary sites by lease or grant; en-  
16 gineering and service testing, including construction of  
17 test facilities and acquisition of necessary sites by lease  
18 or grant; construction and furnishing of quarters and re-  
19 lated accommodations for officers and employees of the  
20 Federal Aviation Administration stationed at remote local-  
21 ities where such accommodations are not available; and  
22 the purchase, lease, or transfer of aircraft from funds  
23 available under this heading; to be derived from the Air-  
24 port and Airway Trust Fund, \$2,981,022,000; of which  
25 not to exceed \$2,559,904,000 shall remain available until

1 September 30, 2005, and of which not to exceed  
2 \$421,118,000 shall remain available until September 30,  
3 2003: *Provided*, That there may be credited to this appro-  
4 priation funds received from States, counties, municipali-  
5 ties, other public authorities, and private sources, for ex-  
6 penses incurred in the establishment and modernization  
7 of air navigation facilities: *Provided further*, That upon ini-  
8 tial submission to the Congress of the fiscal year 2004  
9 President's budget, the Secretary of Transportation shall  
10 transmit to the Congress a comprehensive capital invest-  
11 ment plan for the Federal Aviation Administration which  
12 includes funding for each budget line item for fiscal years  
13 2004 through 2008, with total funding for each year of  
14 the plan constrained to the funding targets for those years  
15 as estimated and approved by the Office of Management  
16 and Budget.

17 RESEARCH, ENGINEERING, AND DEVELOPMENT

18 (AIRPORT AND AIRWAY TRUST FUND)

19 For necessary expenses, not otherwise provided for,  
20 for research, engineering, and development, as authorized  
21 under part A of subtitle VII of title 49, United States  
22 Code, including construction of experimental facilities and  
23 acquisition of necessary sites by lease or grant,  
24 \$138,000,000, to be derived from the Airport and Airway  
25 Trust Fund and to remain available until September 30,

1 2005: *Provided*, That there may be credited to this appro-  
2 priation funds received from States, counties, municipali-  
3 ties, other public authorities, and private sources, for ex-  
4 penses incurred for research, engineering, and develop-  
5 ment.

6 GRANTS-IN-AID FOR AIRPORTS

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (LIMITATION ON OBLIGATIONS)

9 (AIRPORT AND AIRWAY TRUST FUND)

10 For liquidation of obligations incurred for grants-in-  
11 aid for airport planning and development, and noise com-  
12 patibility planning and programs as authorized under sub-  
13 chapter I of chapter 471 and subchapter I of chapter 475  
14 of title 49, United States Code, and under other law au-  
15 thorizing such obligations; for procurement, installation,  
16 and commissioning of runway incursion prevention devices  
17 and systems at airports of such title; and for inspection  
18 activities and administration of airport safety programs,  
19 including those related to airport operating certificates  
20 under 49 U.S.C. 44706, \$3,100,000,000, to be derived  
21 from the Airport and Airway Trust Fund and to remain  
22 available until expended: *Provided*, That none of the funds  
23 under this heading shall be available for the planning or  
24 execution of programs the obligations for which are in ex-  
25 cess of \$3,400,000,000 in fiscal year 2003, notwith-  
26 standing 49 U.S.C. 47117(h): *Provided further*, That not-



1 withstanding any other provision of law, not more than  
2 \$62,820,000 of funds limited under this heading shall be  
3 obligated for administration.

4 SMALL COMMUNITY AIR SERVICE DEVELOPMENT

5 For necessary expenses to carry out the Small Com-  
6 munity Air Service Development Pilot Program pursuant  
7 to 49 U.S.C. 41743, \$20,000,000, to remain available  
8 until expended.

9 FEDERAL HIGHWAY ADMINISTRATION

10 LIMITATION ON ADMINISTRATIVE EXPENSES

11 Necessary expenses for administration and operation  
12 of the Federal Highway Administration, not to exceed  
13 \$370,042,000 shall be paid in accordance with law from  
14 appropriations made available by this Act to the Federal  
15 Highway Administration together with advances and reim-  
16 bursements received by the Federal Highway Administra-  
17 tion.

18 FEDERAL-AID HIGHWAYS

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 None of the funds in this Act shall be available for  
22 the implementation or execution of programs, the obliga-  
23 tions for which are in excess of \$27,653,143,000 for Fed-  
24 eral-aid highways and highway safety construction pro-  
25 grams for fiscal year 2003: *Provided*, That within the  
26 \$27,653,143,000 obligation limitation on Federal-aid

1 highways and highway safety construction programs, not  
2 more than \$462,500,000 shall be available for the imple-  
3 mentation or execution of programs for transportation re-  
4 search (sections 502, 503, 504, 506, 507, and 508 of title  
5 23, United States Code, as amended; section 5505 of title  
6 49, United States Code, as amended; and sections 5112  
7 and 5204–5209 of Public Law 105–178) for fiscal year  
8 2003: *Provided further*, That this limitation on transpor-  
9 tation research programs shall not apply to any authority  
10 previously made available for obligation.

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (HIGHWAY TRUST FUND)

13 For carrying out the provisions of title 23, United  
14 States Code, that are attributable to Federal-aid high-  
15 ways, including the National Scenic and Recreational  
16 Highway as authorized by 23 U.S.C. 148, not otherwise  
17 provided, including reimbursement for sums expended  
18 pursuant to the provisions of 23 U.S.C. 308,  
19 \$30,000,000,000 or so much thereof as may be available  
20 in and derived from the Highway Trust Fund, to remain  
21 available until expended.

22 (RESCISSION)

23 Of the unobligated balances made available under  
24 Public Law 103–331, Public Law 102–388, Public Law  
25 102–240, Public Law 102–143, Public Law 101–516,

1 Public Law 97–424, Public Law 101–164, Public Law  
2 100–17, and Public Law 95–599, \$5,609,337 is rescinded.

3 APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

4 For necessary expenses for the Appalachian Develop-  
5 ment Highway System as authorized under section  
6 1069(y) of Public Law 102–240, as amended,  
7 \$100,000,000, to remain available until expended.

8 EMERGENCY RELIEF

9 (HIGHWAY TRUST FUND)

10 For the “Emergency Relief Program,” as authorized  
11 by 23 U.S.C. 125, for emergency expenses to respond to  
12 natural disasters or catastrophic failures from external  
13 causes, \$55,000,000, to be derived from the Highway  
14 Trust Fund and to remain available until expended.

15 FEDERAL MOTOR CARRIER SAFETY

16 ADMINISTRATION

17 MOTOR CARRIER SAFETY

18 LIMITATION ON ADMINISTRATIVE EXPENSES

19 For necessary expenses for administration of motor  
20 carrier safety programs and motor carrier safety research,  
21 pursuant to section 104(a)(1)(B) of title 23, United States  
22 Code, not to exceed \$92,857,000 shall be paid in accord-  
23 ance with law from appropriations made available by this  
24 Act and from any available takedown balances to the Fed-  
25 eral Motor Carrier Safety Administration, together with

1 advances and reimbursements received by the Administra-  
2 tion and \$24,587,000 in budget authority to be derived  
3 from the Highway Trust Fund: *Provided*, That such  
4 amounts shall be available to carry out the functions and  
5 operations of the Federal Motor Carrier Safety Adminis-  
6 tration.

7 NATIONAL MOTOR CARRIER SAFETY PROGRAM

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (LIMITATION ON OBLIGATIONS)

10 (HIGHWAY TRUST FUND)

11 For payment of obligations incurred in carrying out  
12 49 U.S.C. 31102, 31106 and 31309, \$190,000,000, to be  
13 derived from the Highway Trust Fund and to remain  
14 available until expended: *Provided*, That none of the funds  
15 in this Act shall be available for the implementation or  
16 execution of programs the obligations for which are in ex-  
17 cess of \$190,000,000 for “Motor Carrier Safety Grants”,  
18 and “Information Systems”.

19 BORDER ENFORCEMENT PROGRAM

20 (HIGHWAY TRUST FUND)

21 To continue the Border Enforcement Program under  
22 section 350 of the Department of Transportation and Re-  
23 lated Agencies Appropriations Act, 2002, \$59,967,000, to  
24 be derived from the Highway Trust Fund, for necessary  
25 expenses.

1 NATIONAL HIGHWAY TRAFFIC SAFETY  
2 ADMINISTRATION  
3 OPERATIONS AND RESEARCH

4 For expenses necessary to discharge the functions of  
5 the Secretary, with respect to traffic and highway safety  
6 under chapter 301 of title 49, United States Code, and  
7 part C of subtitle VI of title 49, United States Code  
8 \$131,433,000, of which \$98,161,131 shall remain avail-  
9 able until September 30, 2005: *Provided*, That none of the  
10 funds appropriated by this Act may be obligated or ex-  
11 pended to plan, finalize, or implement any rulemaking to  
12 add to section 575.104 of title 49 of the Code of Federal  
13 Regulations any requirement pertaining to a grading  
14 standard that is different from the three grading stand-  
15 ards (treadwear, traction, and temperature resistance) al-  
16 ready in effect.

17 OPERATIONS AND RESEARCH  
18 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
19 (LIMITATION ON OBLIGATIONS)  
20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in carrying out  
22 the provisions of 23 U.S.C. 403, to remain available until  
23 expended, \$72,000,000, to be derived from the Highway  
24 Trust Fund; *Provided*, That none of the funds in this Act  
25 shall be available for the planning or execution of pro-  
26 grams the total obligations for which, in fiscal year 2003,

1 are in excess of \$72,000,000 for programs authorized  
2 under 23 U.S.C. 403.

3 NATIONAL DRIVER REGISTER

4 (HIGHWAY TRUST FUND)

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

10 HIGHWAY TRAFFIC SAFETY GRANTS

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (LIMITATION ON OBLIGATIONS)

13 (HIGHWAY TRUST FUND)

14 For payment of obligations incurred in carrying out  
15 the provisions of 23 U.S.C. 402, 405, and 410, to remain  
16 available until expended, \$225,000,000, to be derived from  
17 the Highway Trust Fund: *Provided*, That none of the  
18 funds in this Act shall be available for the planning or  
19 execution of programs the total obligations for which, in  
20 fiscal year 2003, are in excess of \$225,000,000 for pro-  
21 grams authorized under 23 U.S.C. 402, 405, and 410, of  
22 which \$165,000,000 shall be for “Highway Safety Pro-  
23 grams” under 23 U.S.C. 402, \$20,000,000 shall be for  
24 “Occupant Protection Incentive Grants” under 23 U.S.C.  
25 405, and \$40,000,000 shall be for “Alcohol-Impaired  
26 Driving Countermeasures Grants” under 23 U.S.C. 410:

1 *Provided further*, That none of these funds shall be used  
2 for construction, rehabilitation, or remodeling costs, or for  
3 office furnishings and fixtures for State, local, or private  
4 buildings or structures: *Provided further*, That not to ex-  
5 ceed \$8,150,000 of the funds made available for section  
6 402, not to exceed \$1,000,000 of the funds made available  
7 for section 405, and not to exceed \$2,000,000 of the funds  
8 made available for section 410 shall be available to  
9 NHTSA for administering highway safety grants under  
10 chapter 4 of title 23, United States Code: *Provided further*,  
11 That not to exceed \$500,000 of the funds made available  
12 for section 410 “Alcohol-Impaired Driving Counter-  
13 measures Grants” shall be available for technical assist-  
14 ance to the States.

15           FEDERAL RAILROAD ADMINISTRATION

16                           SAFETY AND OPERATIONS

17           For necessary expenses of the Federal Railroad Ad-  
18 ministration, not otherwise provided for, \$117,363,000, of  
19 which \$6,636,000 shall remain available until expended.

20                           RAILROAD RESEARCH AND DEVELOPMENT

21           For necessary expenses for railroad research and de-  
22 velopment, \$27,325,000, to remain available until ex-  
23 pended.

1 RAILROAD REHABILITATION AND IMPROVEMENT  
2 PROGRAM

3 The Secretary of Transportation is authorized to  
4 issue to the Secretary of the Treasury notes or other obli-  
5 gations pursuant to section 512 of the Railroad Revitaliza-  
6 tion and Regulatory Reform Act of 1976 (Public Law 94-  
7 210), as amended, in such amounts and at such times as  
8 may be necessary to pay any amounts required pursuant  
9 to the guarantee of the principal amount of obligations  
10 under sections 511 through 513 of such Act, such author-  
11 ity to exist as long as any such guaranteed obligation is  
12 outstanding: *Provided*, That pursuant to section 502 of  
13 such Act, as amended, no new direct loans or loan guar-  
14 antee commitments shall be made using Federal funds for  
15 the credit risk premium during fiscal year 2003.

16 NEXT GENERATION HIGH-SPEED RAIL

17 For necessary expenses for the Next Generation  
18 High-Speed Rail program as authorized under 49 U.S.C.  
19 26101 and 26102, \$30,450,000, to remain available until  
20 expended.

21 GRANTS TO THE NATIONAL RAILROAD PASSENGER  
22 CORPORATION

23 To enable the Secretary of Transportation to make  
24 grants to the National Railroad Passenger Corporation,  
25 \$762,476,000, to remain available until expended, includ-



1 ing \$521,476,000 for quarterly grants for operating ex-  
2 penses of which not to exceed \$150,000,000 shall be uti-  
3 lized for the support of long distance trains, and  
4 \$241,000,000 for quarterly grants for general capital im-  
5 provements: *Provided*, That within 60 days of enactment  
6 of a final Department of Transportation and Related  
7 Agencies Appropriations bill for fiscal year 2003 but not  
8 later than February 15, 2003, Amtrak shall transmit to  
9 the Secretary of Transportation and the House and Sen-  
10 ate Committees on Appropriations a work plan for  
11 projects to be funded in fiscal year 2003 under section  
12 24104(a) of title 49, United States Code: *Provided further*,  
13 That the work plan shall include a description of the work  
14 to be funded, along with cost estimates and an estimated  
15 timetable for completion of the projects covered by this  
16 work plan: *Provided further*, That not later than January  
17 1, 2003, April 1, 2003, July 1, 2003, and September 30,  
18 2003, Amtrak shall submit to the Secretary of Transpor-  
19 tation and the House and Senate Committees on Appro-  
20 priations a supplemental quarterly report regarding the  
21 work plan, which shall describe the work completed to  
22 date, any changes to the work plan, and reasons for such  
23 changes. The quarterly report shall also include an amend-  
24 ed work plan to reflect any such changes: *Provided further*,  
25 That none of the funds in this Act may be used for oper-

1 ating expenses and capital projects, excluding payments  
2 made on October 1, 2002, not on the National Railroad  
3 Passenger Corporation's fiscal year 2003 operating and  
4 capital work plan: *Provided further*, That none of the  
5 funds under this heading may be obligated or expended  
6 until the National Railroad Passenger Corporation agrees  
7 to continue abiding by the provisions of paragraphs 1, 2,  
8 3, 5, 9, and 11 of the summary of conditions for the direct  
9 loan agreement of June 28, 2002, in the same manner  
10 as in effect on the date of enactment of this Act.

11 FEDERAL TRANSIT ADMINISTRATION

12 ADMINISTRATIVE EXPENSES

13 For necessary administrative expenses of the Federal  
14 Transit Administration's programs authorized by chapter  
15 53 of title 49, United States Code, \$14,600,000: *Provided*,  
16 That no more than \$73,000,000 of budget authority shall  
17 be available for these purposes: *Provided further*, That of  
18 the funds in this Act available for the execution of con-  
19 tracts under section 5327(c) of title 49, United States  
20 Code, \$2,000,000 shall be reimbursed to the Department  
21 of Transportation's Office of Inspector General for costs  
22 associated with audits and investigations of transit-related  
23 issues, including reviews of new fixed guideway systems:  
24 *Provided further*, That not to exceed \$2,600,000 for the  
25 National transit database shall remain available until ex-

1 pended: *Provided further*, That upon submission to the  
2 Congress of the fiscal year 2004 President’s budget, the  
3 Secretary of Transportation shall transmit to Congress  
4 the annual report on new starts, proposed allocations of  
5 funds for fiscal year 2004: *Provided further*, That the  
6 amount herein appropriated shall be reduced by \$100,000  
7 per day for each day after initial submission of the Presi-  
8 dent’s budget that the report has not been submitted to  
9 the Congress.

10 FORMULA GRANTS

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out 49 U.S.C. 5307,  
13 5308, 5310, 5311, 5327, and section 3038 of Public Law  
14 105–178, \$767,800,000, to remain available until ex-  
15 pended: *Provided*, That no more than \$3,839,000,000 of  
16 budget authority shall be available for these purposes: *Pro-*  
17 *vided further*, That notwithstanding section 3008 of Public  
18 Law 105–178, \$50,000,000 of the funds to carry out 49  
19 U.S.C. 5308 shall be transferred to and merged with fund-  
20 ing provide for the replacement, rehabilitation, and pur-  
21 chase of buses and related equipment and the construction  
22 of bus-related facilities under “Federal Transit Adminis-  
23 tration, Capital investment grants”.

## 1 UNIVERSITY TRANSPORTATION RESEARCH

2 For necessary expenses to carry out 49 U.S.C. 5505,  
3 \$1,200,000, to remain available until expended: *Provided*,  
4 That no more than \$6,000,000 of budget authority shall  
5 be available for these purposes.

## 6 TRANSIT PLANNING AND RESEARCH

7 For necessary expenses to carry out 49 U.S.C. 5303,  
8 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and  
9 5322, \$24,200,000, to remain available until expended:  
10 *Provided*, That no more than \$122,000,000 of budget au-  
11 thority shall be available for these purposes: *Provided fur-*  
12 *ther*, That \$5,250,000 is available to provide rural trans-  
13 portation assistance (49 U.S.C. 5311(b)(2)), \$4,000,000  
14 is available to carry out programs under the National  
15 Transit Institute (49 U.S.C. 5315), \$8,250,000 is avail-  
16 able to carry out transit cooperative research programs  
17 (49 U.S.C. 5313(a)), \$60,385,600 is available for metro-  
18 politan planning (49 U.S.C. 5303, 5304, and 5305),  
19 \$12,614,400 is available for State planning (49 U.S.C.  
20 5313(b)); and \$31,500,000 is available for the national  
21 planning and research program (49 U.S.C. 5314).

## 22 TRUST FUND SHARE OF EXPENSES

23 (LIQUIDATION OF CONTRACT AUTHORIZATION)

24 (HIGHWAY TRUST FUND)

25 For payment of obligations incurred in carrying out  
26 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327,

1 5334, 5505, and sections 3037 and 3038 of Public Law  
2 105–178, \$5,781,000,000, to remain available until ex-  
3 pended, and to be derived from the Mass Transit Account  
4 of the Highway Trust Fund: *Provided*, That  
5 \$3,071,200,000 shall be paid to the Federal Transit Ad-  
6 ministration’s formula grants account: *Provided further*,  
7 That \$97,800,000 shall be paid to the Federal Transit Ad-  
8 ministration’s transit planning and research account: *Pro-*  
9 *vided further*, That \$58,400,000 shall be paid to the Fed-  
10 eral Transit Administration’s administrative expenses ac-  
11 count: *Provided further*, That \$4,800,000 shall be paid to  
12 the Federal Transit Administration’s university transpor-  
13 tation research account: *Provided further*, That  
14 \$120,000,000 shall be paid to the Federal Transit Admin-  
15 istration’s job access and reverse commute grants pro-  
16 gram: *Provided further*, That \$2,428,800,000 shall be paid  
17 to the Federal Transit Administration’s capital investment  
18 grants account.

19 CAPITAL INVESTMENT GRANTS

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out 49 U.S.C. 5308,  
22 5309, 5318, and 5327, \$607,200,000, to remain available  
23 until expended: *Provided*, That no more than  
24 \$3,036,000,000 of budget authority shall be available for  
25 these purposes: *Provided further*, That there shall be avail-

1 able for fixed guideway modernization, \$1,214,400,000;  
2 there shall be available for the replacement, rehabilitation,  
3 and purchase of buses and related equipment and the con-  
4 struction of bus facilities, \$607,200,000, which shall in-  
5 clude \$50,000,000 made available under 5309(m)(3)(C)  
6 of this title, plus \$50,000,000 transferred from “Federal  
7 Transit Administration, Formula Grants”; and there shall  
8 be available for new starts \$1,214,400,000, together with  
9 \$2,883,828 of the funds made available under “Federal  
10 Transit Administration, Capital investment grants” in  
11 Public Law 105–66, together with \$8,116,030 of the  
12 funds made available under “Federal Transit Administra-  
13 tion, Capital investment grants” in Public Law 105–277,  
14 together with \$12,437,113 of the funds made available  
15 under “Federal Transit Administration, Capital invest-  
16 ment grants” in Public Law 106–69; to be available as  
17 follows:

18 Alaska/Hawaii ferries, \$10,296,000;  
19 Atlanta, GA, North Springs (North Line Exten-  
20 sion), \$16,110,000;  
21 Baltimore, MD, Central LRT Double Tracking  
22 Project, \$10,500,000;  
23 Boston, MA, South Boston Piers Transitway,  
24 \$681,824;

1           Charlotte, NC, South Corridor Light Rail Tran-  
2           sit Project, \$14,000,000;

3           Chicago, IL, Douglas Branch Reconstruction,  
4           \$55,000,000;

5           Chicago, IL, North Central Corridor Commuter  
6           Rail, \$20,000,000;

7           Chicago, IL, Ravenswood Reconstruction,  
8           \$4,000,000;

9           Chicago, IL, South West Corridor Commuter  
10          Rail, \$20,000,000;

11          Chicago, IL, Union Pacific West Line Exten-  
12          sion, \$12,000,000;

13          Cleveland, OH, Euclid Corridor Transportation  
14          project, \$4,000,000;

15          Dallas, TX, North Central Light Rail Exten-  
16          sion, \$70,000,000;

17          Denver, CO Southeast Corridor LRT,  
18          \$70,000,000;

19          Ft. Lauderdale, FL, Tri-County Commuter Rail  
20          Upgrades, \$39,689,213;

21          Little Rock, AR, River Rail Streetcar Project,  
22          \$700,000;

23          Los Angeles, CA, Eastside Corridor LRT,  
24          \$8,200,000;

- 1           Los Angeles, CA, North Hollywood Red Line,  
2           \$40,485,912;
- 3           Lowell, MA–Nashua, NH, Commuter Rail Ex-  
4           tension, \$5,000,000;
- 5           Maryland, MARC Commuter Rail Improve-  
6           ments, \$11,500,000;
- 7           Memphis, TN, Medical Center Rail Extension,  
8           \$15,610,000;
- 9           Minneapolis, MN, Hiawatha Corridor LRT,  
10          \$60,000,000;
- 11          Minneapolis, MN, Northstar Corridor Com-  
12          muter Rail, \$7,000,000;
- 13          Nashville, TN, East Corridor Commuter Rail,  
14          \$6,000,000;
- 15          New Jersey, Hudson-Bergen Light Rail—  
16          MOS1, \$19,200,000;
- 17          New Jersey, Hudson-Bergen Light Rail—  
18          MOS2, \$50,000,000;
- 19          New Orleans, LA, Canal Street Streetcar,  
20          \$22,000,000;
- 21          New Orleans, LA, Desire Corridor, \$1,200,000;
- 22          New York, NY, Long Island Rail Road, East  
23          Side Access Project, \$15,000,000;
- 24          New York, NY, Second Avenue Subway,  
25          \$4,000,000;



1 Newark-Elizabeth, NJ, Rail Link, \$60,000,000;  
2 Northern Indiana, South Shore Commuter Rail  
3 project, \$3,000,000;  
4 Oceanside-Escondido, CA, Rail Corridor,  
5 \$15,000,000;  
6 Orange County, CA, Centerline Light Rail  
7 Project, \$1,800,000;  
8 Phoenix, AZ, Central Phoenix/East Valley  
9 Light Rail, \$18,000,000;  
10 Pittsburgh, PA, North Shore Connector LRT,  
11 \$7,025,000;  
12 Pittsburgh, PA, Stage II LRT Reconstruction,  
13 \$26,250,000;  
14 Portland, OR, Interstate MAX LRT Extension,  
15 \$70,000,000;  
16 Puget Sound, WA, Sounder Commuter Rail,  
17 \$5,000,000;  
18 Raleigh, NC, Phase I Regional Rail Project,  
19 \$5,000,000;  
20 Salt Lake City, UT, CBD to University LRT,  
21 \$68,760,000;  
22 Salt Lake City, UT, Medical Center Extension,  
23 \$20,000,000;  
24 Salt Lake City, UT, North-South LRT,  
25 \$718,006;

1 San Diego, CA, Mission Valley East LRT Ex-  
2 tension, \$65,000,000;

3 San Francisco, CA, BART Extension to San  
4 Francisco Airport, \$100,000,000;

5 San Francisco, CA, Third Street Light Rail  
6 Project, phase II, \$1,750,000;

7 San Jose, CA, Silicon Valley Rapid Transit  
8 Corridor Project, \$250,000;

9 San Juan, PR, Tren Urbano, \$59,740,000;

10 St. Louis, MO, Metrolink St. Clair Extension,  
11 \$3,368,422;

12 Washington D.C./MD, Largo Extension,  
13 \$60,000,000; and

14 Washington, D.C., Dulles Corridor Rapid Tran-  
15 sit Project, \$35,000,000.

16 JOB ACCESS AND REVERSE COMMUTE GRANTS

17 Notwithstanding Public Law 105–178, as amended,  
18 for necessary expenses to carry out section 3037 of the  
19 Federal Transit Act of 1998, \$30,000,000, to remain  
20 available until expended: *Provided*, That no more than  
21 \$150,000,000 of budget authority shall be available for  
22 these purposes: *Provided further*, That up to \$300,000 of  
23 the funds provided under this heading may be used by the  
24 Federal Transit Administration for technical assistance



## 1 RESEARCH AND SPECIAL PROGRAMS

## 2 ADMINISTRATION

## 3 RESEARCH AND SPECIAL PROGRAMS

4 For expenses necessary to discharge the functions of  
5 the Research and Special Programs Administration,  
6 \$40,677,000, of which \$645,000 shall be derived from the  
7 Pipeline Safety Fund, and of which \$3,250,000 shall re-  
8 main available until September 30, 2005: *Provided*, That  
9 up to \$1,200,000 in fees collected under 49 U.S.C.  
10 5108(g) shall be deposited in the general fund of the  
11 Treasury as offsetting receipts: *Provided further*, That  
12 there may be credited to this appropriation, to be available  
13 until expended, funds received from States, counties, mu-  
14 nicipalities, other public authorities, and private sources  
15 for expenses incurred for training, for reports publication  
16 and dissemination, and for travel expenses incurred in per-  
17 formance of hazardous materials exemptions and approv-  
18 als functions.

## 19 PIPELINE SAFETY

20 (PIPELINE SAFETY FUND)

21 (OIL SPILL LIABILITY TRUST FUND)

22 For expenses necessary to conduct the functions of  
23 the pipeline safety program, for grants-in-aid to carry out  
24 a pipeline safety program, as authorized by 49 U.S.C.  
25 60107, and to discharge the pipeline program responsibil-  
26 ities of the Oil Pollution Act of 1990, \$58,697,000, of

1 which \$7,472,000 shall be derived from the Oil Spill Li-  
2 ability Trust Fund and shall remain available until Sep-  
3 tember 30, 2005; of which \$51,225,000 shall be derived  
4 from the Pipeline Safety Fund, of which \$22,786,000  
5 shall remain available until September 30, 2005.

6 EMERGENCY PREPAREDNESS GRANTS

7 (EMERGENCY PREPAREDNESS FUND)

8 For necessary expenses to carry out 49 U.S.C.  
9 5127(c), \$200,000, to be derived from the Emergency  
10 Preparedness Fund, to remain available until September  
11 30, 2005: *Provided*, That not more than \$14,300,000 shall  
12 be made available for obligation in fiscal year 2003 from  
13 amounts made available by 49 U.S.C. 5116(i), 5127(c),  
14 and 5127(d): *Provided further*, That none of the funds  
15 made available by 49 U.S.C. 5116(i), 5127(c), and  
16 5127(d) shall be made available for obligation by individ-  
17 uals other than the Secretary of Transportation, or his  
18 designee.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector  
22 General to carry out the provisions of the Inspector Gen-  
23 eral Act of 1978, as amended, \$57,421,000: *Provided*,  
24 That the Inspector General shall have all necessary au-  
25 thority, in carrying out the duties specified in the Inspec-

1 tor General Act, as amended (5 U.S.C. App. 3) to inves-  
2 tigate allegations of fraud, including false statements to  
3 the government (18 U.S.C. 1001), by any person or entity  
4 that is subject to regulation by the Department: *Provided*  
5 *further*, That the funds made available under this heading  
6 shall be used to investigate, pursuant to section 41712 of  
7 title 49, United States Code: (1) unfair or deceptive prac-  
8 tices and unfair methods of competition by domestic and  
9 foreign air carriers and ticket agents; and (2) the compli-  
10 ance of domestic and foreign air carriers with respect to  
11 item (1) of this proviso.

## 12 SURFACE TRANSPORTATION BOARD

### 13 SALARIES AND EXPENSES

14 For necessary expenses of the Surface Transpor-  
15 tation Board, including services authorized by 5 U.S.C.  
16 3109, \$19,450,000: *Provided*, That notwithstanding any  
17 other provision of law, not to exceed \$1,000,000 from fees  
18 established by the Chairman of the Surface Transpor-  
19 tation Board shall be credited to this appropriation as off-  
20 setting collections and used for necessary and authorized  
21 expenses under this heading: *Provided further*, That the  
22 sum herein appropriated from the general fund shall be  
23 reduced on a dollar-for-dollar basis as such offsetting col-  
24 lections are received during fiscal year 2003, to result in

1 a final appropriation from the general fund estimated at  
2 no more than \$18,450,000.

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  
11 amended \$5,194,000: *Provided*, That, notwithstanding  
12 any other provision of law, there may be credited to this  
13 appropriation funds received for publications and training  
14 expenses.

15 NATIONAL TRANSPORTATION SAFETY BOARD

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Transpor-  
18 tation Safety Board, including hire of passenger motor ve-  
19 hicles and aircraft; services as authorized by 5 U.S.C.  
20 1309, but at rates for individuals not to exceed the per  
21 diem rate equivalent to the rate for a GS-15; uniforms,  
22 or allowances therefor, as authorized by law (5 U.S.C.  
23 5901-5902) \$71,270,000, of which not to exceed \$2,000  
24 may be used for official reception and representation ex-  
25 penses.

1 TITLE III  
2 GENERAL PROVISIONS  
3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 301. During the current fiscal year applicable  
5 appropriations to the Department of Transportation shall  
6 be available for maintenance and operation of aircraft;  
7 hire of passenger motor vehicles and aircraft; purchase of  
8 liability insurance for motor vehicles operating in foreign  
9 countries on official department business; and uniforms,  
10 or allowances therefor, as authorized by law (5 U.S.C.  
11 5901–5902).

12 SEC. 302. Such sums as may be necessary for fiscal  
13 year 2003 pay raises for programs funded in this Act shall  
14 be absorbed within the levels appropriated in this Act or  
15 previous appropriations Acts.

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

21 SEC. 304. None of the funds in this Act shall be avail-  
22 able for salaries and expenses of more than 107 political  
23 and Presidential appointees in the Department of Trans-  
24 portation: *Provided*, That none of the personnel covered  
25 by this provision or political and Presidential appointees



1 in an independent agency funded in this Act may be as-  
2 signed on temporary detail outside the Department of  
3 Transportation or such independent agency.

4       SEC. 305. None of the funds in this Act shall be used  
5 for the planning or execution of any program to pay the  
6 expenses of, or otherwise compensate, non-Federal parties  
7 intervening in regulatory or adjudicatory proceedings  
8 funded in this Act.

9       SEC. 306. None of the funds appropriated in this Act  
10 shall remain available for obligation beyond the current  
11 fiscal year, nor may any be transferred to other appropria-  
12 tions, unless expressly so provided herein.

13       SEC. 307. The expenditure of any appropriation  
14 under this Act for any consulting service through procure-  
15 ment contract pursuant to section 3109 of title 5, United  
16 States Code, shall be limited to those contracts where such  
17 expenditures are a matter of public record and available  
18 for public inspection, except where otherwise provided  
19 under existing law, or under existing Executive order  
20 issued pursuant to existing law.

21       SEC. 308. None of the funds in this Act shall be used  
22 to implement section 404 of title 23, United States Code.

23       SEC. 309. The limitations on obligations for the pro-  
24 grams of the Federal Transit Administration shall not  
25 apply to any authority under 49 U.S.C. 5338, previously

1 made available for obligation, or to any other authority  
2 previously made available for obligation.

3       SEC. 310. (a) No recipient of funds made available  
4 in this Act shall disseminate personal information (as de-  
5 fined in 18 U.S.C. 2725(3)) obtained by a State depart-  
6 ment of motor vehicles in connection with a motor vehicle  
7 record as defined in 18 U.S.C. 2725(1), except as provided  
8 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.  
9 2721.

10       (b) Notwithstanding subsection (a), the Secretary  
11 shall not withhold funds provided in this Act for any  
12 grantee if a State is in noncompliance with this provision.

13       SEC. 311. None of the funds in this Act shall be avail-  
14 able to plan, finalize, or implement regulations that would  
15 establish a vessel traffic safety fairway less than five miles  
16 wide between the Santa Barbara Traffic Separation  
17 Scheme and the San Francisco Traffic Separation  
18 Scheme.

19       SEC. 312. Notwithstanding any other provision of  
20 law, airports may transfer, without consideration, to the  
21 Federal Aviation Administration (FAA) instrument land-  
22 ing systems (along with associated approach lighting  
23 equipment and runway visual range equipment) which  
24 conform to FAA design and performance specifications,  
25 the purchase of which was assisted by a Federal airport-

1 aid program, airport development aid program or airport  
2 improvement program grant: *Provided*, That, the Federal  
3 Aviation Administration shall accept such equipment,  
4 which shall thereafter be operated and maintained by FAA  
5 in accordance with agency criteria.

6 SEC. 313. Notwithstanding any other provision of  
7 law, and except for fixed guideway modernization projects,  
8 funds made available by this Act under “Federal Transit  
9 Administration, Capital investment grants” for projects  
10 specified in this Act or identified in reports accompanying  
11 this Act not obligated by September 30, 2005, and other  
12 recoveries, shall be made available for other projects under  
13 49 U.S.C. 5309.

14 SEC. 314. Notwithstanding any other provision of  
15 law, any funds appropriated before October 1, 2002, under  
16 any section of chapter 53 of title 49, United States Code,  
17 that remain available for expenditure may be transferred  
18 to and administered under the most recent appropriation  
19 heading for any such section.

20 SEC. 315. None of the funds in this Act may be used  
21 to compensate in excess of 350 technical staff-years under  
22 the federally funded research and development center con-  
23 tract between the Federal Aviation Administration and the  
24 Center for Advanced Aviation Systems Development dur-  
25 ing fiscal year 2003.

1        SEC. 316. Funds received by the Federal Highway  
2 Administration, Federal Transit Administration, and Fed-  
3 eral Railroad Administration from States, counties, mu-  
4 nicipalities, other public authorities, and private sources  
5 for expenses incurred for training may be credited respec-  
6 tively to the Federal Highway Administration’s “Federal-  
7 Aid Highways” account, the Federal Transit Administra-  
8 tion’s “Transit Planning and Research” account, and to  
9 the Federal Railroad Administration’s “Safety and Oper-  
10 ations” account, except for State rail safety inspectors  
11 participating in training pursuant to 49 U.S.C. 20105.

12        SEC. 317. Notwithstanding 31 U.S.C. 3302, funds re-  
13 ceived by the Bureau of Transportation Statistics from the  
14 sale of data products, for necessary expenses incurred pur-  
15 suant to 49 U.S.C. 111 may be credited to the Federal-  
16 aid highways account for the purpose of reimbursing the  
17 Bureau for such expenses: *Provided*, That such funds shall  
18 be subject to the obligation limitation for Federal-aid  
19 highways and highway safety construction.

20        SEC. 318. 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  
24 material, radio, television, video presentation, electronic  
25 communications, or other device, intended or designed to

1 influence in any manner a Member of Congress or of a  
2 State legislature to favor or oppose by vote or otherwise,  
3 any legislation or appropriation by Congress or a State  
4 legislature after the introduction of any bill or resolution  
5 in Congress proposing such legislation or appropriation,  
6 or after the introduction of any bill or resolution in a State  
7 legislature proposing such legislation or appropriation:  
8 *Provided*, That this shall not prevent officers or employees  
9 of the Department of Transportation or related agencies  
10 funded in this Act from communicating to Members of  
11 Congress or to Congress, on the request of any Member,  
12 or to members of a State legislature, or to a State legisla-  
13 ture, through the proper official channels, requests for leg-  
14 islation or appropriations which they deem necessary for  
15 the efficient conduct of business.

16       SEC. 319. Notwithstanding any other provision of  
17 law, rule or regulation, the Secretary of Transportation  
18 is authorized to allow the issuer of any preferred stock  
19 heretofore sold to the Department to redeem or repur-  
20 chase such stock upon the payment to the Department of  
21 an amount determined by the Secretary.

22       SEC. 320. None of the funds in this Act may be used  
23 to make a grant unless the Secretary of Transportation  
24 notifies the House and Senate Committees on Appropria-  
25 tions not less than 3 full business days before any discre-

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

13 SEC. 321. (a) None of the funds made available in  
14 this Act shall be available for the design or construction  
15 of a light rail system in Houston, Texas.

16 (b) Notwithstanding (a), amounts made available in  
17 this Act or previous Acts under the heading “Federal  
18 Transit Administration, Capital investment grants” for a  
19 Houston, Texas, Metro advanced transit plan project shall  
20 be available for obligation or expenditure subject to the  
21 following conditions:

22 (1) Sufficient amounts shall be used for major  
23 investment studies in 4 major corridors.

24 (2) The Texas Department of Transportation  
25 shall review and comment on the findings of the

1 studies under paragraph (1). Any comments by such  
2 department on such findings shall be included in any  
3 final report on such studies.

4 (3) If a final report on the studies under para-  
5 graph (1) is not available for at least the 1-month  
6 period preceding the date of any referendum held by  
7 the City of Houston, Texas, or by a county of Texas,  
8 regarding approval of the issuance of bonds for  
9 funding a light rail system in Houston, Texas, all in-  
10 formation developed by such studies regarding pas-  
11 senger and cost estimates for such a system shall be  
12 made available to the public at least 1 month before  
13 the date of the referendum.

14 SEC. 322. None of the funds made available in this  
15 Act may be used for engineering work related to an addi-  
16 tional runway at Louis Armstrong New Orleans Inter-  
17 national Airport.

18 SEC. 323. None of the funds in this Act shall be used  
19 to pursue or adopt guidelines or regulations requiring air-  
20 port sponsors to provide to the Federal Aviation Adminis-  
21 tration and the Transportation Security Administration  
22 without cost building construction, maintenance, utilities  
23 and expenses, or space in airport sponsor-owned buildings  
24 for services relating to air traffic control, air navigation,  
25 aviation security or weather reporting: *Provided*, That the

1 prohibition of funds in this section does not apply to nego-  
2 tiations between the agency and airport sponsors to  
3 achieve agreement on “below-market” rates for these  
4 items or to grant assurances that require airport sponsors  
5 to provide land without cost to the FAA for air traffic  
6 control facilities and the TSA for necessary security check-  
7 points.

8       SEC. 324. Notwithstanding any other provision of  
9 law, whenever an allocation is made of the sums author-  
10 ized to be appropriated for expenditure on the Federal  
11 lands highway program, and whenever an apportionment  
12 is made of the sums authorized to be appropriated for ex-  
13 penditure on the surface transportation program, the con-  
14 gestion mitigation and air quality improvement program,  
15 the National Highway System, the Interstate maintenance  
16 program, the bridge program, the Appalachian develop-  
17 ment highway system, and the minimum guarantee pro-  
18 gram, the Secretary of Transportation shall deduct a sum  
19 in such amount not to exceed 1.4 percent of all sums so  
20 made available to administer the provisions of law to be  
21 financed from appropriations for the program authorized  
22 under chapters 1 and 2 of title 23, United States Code,  
23 and to make transfers in accordance with section  
24 104(a)(1)(A)(ii) of title 23, United States Code: *Provided*,  
25 That any deduction by the Secretary of Transportation



1 in accordance with this subsection shall be deemed to be  
2 a deduction under section 104(a)(1)(A) of title 23, United  
3 States Code, and the sum so deducted shall remain avail-  
4 able until expended.

5       SEC. 325. Notwithstanding any other provision of  
6 law, States may use funds provided in this Act under sec-  
7 tion 402 of title 23, United States Code, to produce and  
8 place highway safety public service messages in television,  
9 radio, cinema and print media, and on the Internet in ac-  
10 cordance with guidance issued by the Secretary of Trans-  
11 portation: *Provided*, That any State that uses funds for  
12 such public service messages shall submit to the Secretary  
13 a report describing and assessing the effectiveness of the  
14 messages: *Provided further*, That \$8,000,000 of the funds  
15 allocated for innovative seat belt projects under section  
16 157 of title 23, United States Code, and \$8,000,000 of  
17 funds allocated under section 163 of title 23, United  
18 States Code, shall be used by the States, as directed by  
19 the National Highway Traffic Safety Administrator, to  
20 purchase advertising in broadcast or print media to sup-  
21 port the national mobilizations conducted in all fifty  
22 States, aimed at increasing seat belt use and reducing al-  
23 cohol-impaired driving: *Provided further*, That up to  
24 \$2,000,000 of the funds allocated for innovative seat belt  
25 projects under sections 157 and 163 of title 23, United

1 States Code, shall be used by the Administrator to evalu-  
2 ate the effectiveness of State seat belt and alcohol-im-  
3 paired driving programs that purchase advertising as pro-  
4 vided by this section.

5       SEC. 326. None of the funds in this Act may be obli-  
6 gated for the Office of the Secretary of Transportation  
7 to approve assessments or reimbursable agreements per-  
8 taining to funds appropriated to the modal administra-  
9 tions in this Act, except for activities underway on the  
10 date of enactment of this Act, unless such assessments  
11 or agreements have completed the normal reprogramming  
12 process for Congressional notification.

13       SEC. 327. None of the funds in this Act may be ex-  
14 pended to issue, implement, or enforce a regulation that  
15 diminishes or revokes an exemption authorized under sec-  
16 tion 345 of the National Highway System Designation Act  
17 of 1995 (Public Law 104–59; 109 Stat. 613; 49 U.S.C.  
18 31136 note) before the Secretary of Transportation deter-  
19 mines by a rulemaking proceeding that the exemptions  
20 granted are not in the public interest and adversely affects  
21 the safety of commercial motor vehicles with respect to  
22 such exemption that is required under subsection (c) of  
23 such section and, as under subsection (d), if a result of  
24 monitoring the safety performance of drivers of commer-  
25 cial vehicles that are subject to an exemption under section

1 345, the Secretary determines that public safety has been  
2 severely affected by an exemption granted under this sec-  
3 tion, the Secretary shall report to Congress that deter-  
4 mination: *Provided*, That this limitation shall not preclude  
5 the Secretary from revoking an exemption granted to an  
6 individual, farm, company, or other entity under section  
7 345 of Public Law 104–59 for national security reasons.

8       SEC. 328. Notwithstanding sections 22101 (c) and  
9 (d), 22103, 22105(a), and 22108(b) of title 49, United  
10 States Code, the Secretary of Transportation shall make  
11 a grant under chapter 221 of such title in the amount  
12 of \$690,287 to the State of Iowa for a rail infrastructure  
13 rehabilitation project on the Iowa Northern Railway. Such  
14 funds shall be provided from unexpended balances in the  
15 Local Rail Freight Assistance program under such chap-  
16 ter 221.

17       SEC. 329. Notwithstanding 10 U.S.C. 1116(c), pay-  
18 ments into the Department of Defense Medicare-Eligible  
19 Retiree Health Care Fund for fiscal year 2003 under 10  
20 U.S.C. 1116(a) shall be from funds available in the Coast  
21 Guard Operating Expenses account.

22       SEC. 330. Funds provided in Public Law 106–69 for  
23 the Wilmington, Delaware, downtown transit connector  
24 and funds provided in Public Law 106–346 for the Wil-

1 mington downtown corridor project shall be available for  
2 Wilmington, Delaware, commuter rail improvements.

3 SEC. 331. Notwithstanding any other provision of  
4 law—

5 (1) in section 1602 of the Transportation Eq-  
6 uity Act for the 21st Century—

7 (A) item number 426 (112 Stat. 272) is  
8 amended by striking “Louisiana Highway 16”  
9 and inserting the following: “Louisiana High-  
10 way 1026”;

11 (B) item number 696 (112 Stat. 383), re-  
12 lating to Gettysburg, Pennsylvania, is amended  
13 by inserting after “Gettysburg comprehensive  
14 road improvement study” the following: “and  
15 construction of projects identified in the study”;

16 (C) item number 230 is amended by strik-  
17 ing “Construct new exit 46A on I-90 at route  
18 170 in North Chili” and inserting “Monroe  
19 County transportation improvements on Long  
20 Pond Road, Pattonwood Road, and Leyll road”;

21 (D) item number 1344 (112 Stat. 306) is  
22 amended by striking “Upgrade” and all that  
23 follows through “City” and inserting the fol-  
24 lowing “Upgrade Frederic Douglas Circle and

1           Manhattan Avenue from West 110th Street to  
2           West 125th Street, New York City”;

3           (E) item number 1108 is amended by  
4           striking “Construct” and all that follows  
5           through “Brownsville” and inserting “Con-  
6           struct west Rail Project in or near Brownsville,  
7           including a new railroad international bridge  
8           crossing over the Rio Grande River”;

9           (F) item number 1269 (112 Stat. 303) is  
10          amended by striking “Implement” and all that  
11          follows through “system” and inserting the fol-  
12          lowing “Bronx, NY Center Transportation  
13          Project”;

14          (G) item number 933 (112 Stat. 291) is  
15          amended by striking “Redesign” and all that  
16          follows through “City” and inserting the fol-  
17          lowing “Design, construction and related en-  
18          hancement of the Grand Concourse between E.  
19          161st St. and E. 166th St., New York City”;

20          (H) item number 75 (112 Stat. 259) is  
21          amended by striking “Construct” and all that  
22          follows through “Route” and inserting the fol-  
23          lowing “Bronx, NY River Greenway”; and

24          (I) item number 1735 (112 Stat. 320) is  
25          amended by inserting “, including Type II noise

1 abatement projects along Interstate 95 in  
2 Bensalem Township between Exit 25 and 26,  
3 Bucks County” after “improvements”;

4 (2) section 3030(d)(3) of the Transportation  
5 Equity Act for the 21st Century (Public Law 105–  
6 178) is amended by redesignating the second sub-  
7 paragraph (D) (as added by section 361 of Public  
8 Law 107–87) as subparagraph (E) and by inserting  
9 at the end:

10 “(F) Port of Anchorage Intermodal pas-  
11 senger and freight facility.”;

12 (3) of the \$668,000 appropriated under the  
13 heading “Surface Transportation Projects” in Public  
14 Law 103–331 for CA 113 railroad grade separation,  
15 California, the unobligated share shall be available  
16 for railroad grade separation for the City of Dixon,  
17 Solano County, California;

18 (4) the \$500,000 appropriated under the head-  
19 ing “Surface Transportation Projects” in Public  
20 Law 103–331 for 6th and 7th Sts. improvements  
21 Brownsville, TX may be used to construct the West  
22 Rail project in or near Brownsville, including a new  
23 international railroad bridge crossing over the Rio  
24 Grand River;

1           (5) section 610, section 609(c), and the last  
2 sentence of section 604(b)(1) of Public Law 97–468  
3 are repealed;

4           (6) for the purpose of further leveraging Fed-  
5 eral resources and enhancing private investment  
6 supporting the financing of public toll roads in Or-  
7 ange County, California, authorized by section  
8 129(d) of title 23, United States Code, the Secretary  
9 of Transportation shall modify the agreements en-  
10 tered into with the San Joaquin Hills Transpor-  
11 tation Corridor Agency and the Foothill Eastern  
12 Transportation Corridor Agency pursuant to section  
13 339 of Public Law 102–388, section 336 of Public  
14 Law 103–331 and section 356 of Public Law 104–  
15 50, to extend the term of coverage provided by such  
16 lines throughout the term of the revenue bonds  
17 issued to acquire, finance or refinance those facili-  
18 ties: *Provided*, That notwithstanding any other pro-  
19 vision of law, such modifications shall be deemed eli-  
20 gible under section 184 of title 23, United States  
21 Code, and shall be funded under section 188 of title  
22 23, United States Code: *Provided further*, That not-  
23 withstanding any other provision of law, any  
24 amounts of the original Federal lines of credit not  
25 drawn upon, up to the combined original principal

1 amount of \$240,000,000, shall continue to be avail-  
2 able for draws until such revenue bonds have been  
3 retired: *Provided further*, That notwithstanding any  
4 other provision of law, not more than 20 percent of  
5 the combined original principal amount shall be  
6 available for draws in any one year: *Provided further*,  
7 That notwithstanding any other provision of law,  
8 any draw (except for operation and maintenance ex-  
9 penses) shall be repaid not later than five years fol-  
10 lowing the year in which such revenue bonds have  
11 been retired. In implementing this section, the Sec-  
12 retary may modify other terms of the existing Fed-  
13 eral lines of credit, including by combining them into  
14 a single line of credit the principal amount of which  
15 is limited to \$240,000,000, provided that the mar-  
16 ginal budgetary cost of any such additional modifica-  
17 tions is funded under section 188 of title 23, United  
18 States Code; and

19 (7) For the purpose of any applicable law, for  
20 fiscal year 2003, the city of Norman, Oklahoma,  
21 shall be considered to be part of the Oklahoma City  
22 Transportation Management Area.

23 SEC. 332. None of the funds made available under  
24 this Act may be used to finalize or implement the proposed  
25 rule entitled "Statewide Planning, Metropolitan Transpor-



1 tation Planning”, published by the Department of Trans-  
2 portation in the Federal Register on June 19, 2002 (67  
3 FR 41648 et seq.).

4 SEC. 333. None of the funds in this Act may be obli-  
5 gated or expended by the Federal Motor Carrier Safety  
6 Administration for the development or implementation of  
7 a pilot program for the purpose of allowing commercial  
8 drivers 18 to 20 years of age to operate the trucks and  
9 buses of motor carriers in interstate commerce.

10 SEC. 334. Section 1023(h) of the Intermodal Surface  
11 Transportation Efficiency Act of 1991 (23 U.S.C. 127  
12 note, Public Law 102–240) is amended—

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

16 (2) in paragraph (1), by striking “to any vehi-  
17 cle which” and inserting the following: “to—

18 “(A) any over-the-road bus (as defined in  
19 section 301 of the Americans with Disabilities  
20 Act of 1990 (42 U.S.C. 12181)); or

21 “(B) any vehicle that”.

22 SEC. 335. Funds appropriated or limited in this Act  
23 shall be subject to the terms and conditions stipulated in  
24 section 350 of Public Law 107–87, including that the Sec-  
25 retary submit a report to the House and Senate Appro-

1 priations Committees annually on the safety and security  
2 of transportation into the United States by Mexico-domi-  
3 ciled motor carriers.

4 SEC. 336. (a) Section 11123 of title 49, United  
5 States Code, is amended—

6 (1) in subsection (a)—

7 (A) by inserting “failure of existing com-  
8 muter passenger transportation operations  
9 caused by a cessation of service by the National  
10 Railroad Passenger Corporation,” after “ces-  
11 sation of operations,”;

12 (B) by striking “or” at the end of para-  
13 graph (3);

14 (C) by striking the period at the end of  
15 paragraph (4)(C) and inserting “; or”; and

16 (D) by adding at the end the following new  
17 paragraph:

18 “(5) in the case of a failure of existing freight  
19 or commuter rail passenger transportation oper-  
20 ations caused by a cessation of service by the Na-  
21 tional Railroad Passenger Corporation, direct the  
22 continuation of the operations and dispatching,  
23 maintenance, and other necessary infrastructure  
24 functions related to the operations.”;

25 (2) in subsection (b)(3)—

1                   (A) by striking “When” and inserting “(A)  
2                   Except as provided in subparagraph (B),  
3                   when”; and

4                   (B) by adding at the end the following new  
5                   subparagraph:

6           “(B) In the case of a failure of existing freight or  
7 commuter rail passenger transportation operations caused  
8 by a cessation of service by the National Railroad Pas-  
9 senger Corporation, the Board shall provide funding, to  
10 the extent provided in advance in appropriations Acts, to  
11 fully reimburse the directed service provider for its costs  
12 associated with the activities directed under subsection  
13 (a), including the payment of increased insurance pre-  
14 miums. The Board shall order complete indemnification  
15 against any and all claims associated with the provision  
16 of service to which the directed rail carrier may be ex-  
17 posed.”; and

18                   (3) In the case of a failure of existing freight  
19 or commuter rail passenger transportation oper-  
20 ations caused by cessation of service by the National  
21 Railroad Passenger Corporation, the Board may not  
22 direct a rail carrier to undertake activities under  
23 subsection (a) to continue such operations unless the  
24 Board first affirmatively finds that the rail carrier

1 is operationally capable of conducting the directed  
2 service in a safe and efficient manner.

3 (4) by adding at the end the following new sub-  
4 sections:

5 “(e) For purposes of this section, the National Rail-  
6 road Passenger Corporation and any entity providing com-  
7 muter rail passenger transportation shall be considered  
8 rail carriers subject to the Board’s jurisdiction.

9 “(f) For purposes of this section, the term ‘commuter  
10 rail passenger transportation’ has the meaning given that  
11 term in section 24102(4).”

12 (b) Section 24301(c) of title 49, United States Code,  
13 is amended by inserting “11123,” after “except for sec-  
14 tions”.

15 SEC. 337. The Secretary of Transportation shall, in  
16 cooperation with the Federal Aviation Administrator, en-  
17 courage implementation of a locally developed and exe-  
18 cuted plan between the State of Illinois, the City of Chi-  
19 cago, and other affected communities for the purpose of  
20 modernizing O’Hare International Airport consistent with  
21 a proposed runway redesign plan, including western air-  
22 port access; developing a south suburban airport near  
23 Peotone; continuing operation of Merrill C. Meigs Field;  
24 and recognizing the importance of utilizing existing infra-  
25 structure, such as the Greater Rockford and Gary/Chicago

1 Airports, to alleviate congestion and provide additional  
2 aviation capacity. If such a plan cannot be developed and  
3 executed by said parties, the Secretary and the Adminis-  
4 trator shall work with Congress to develop and implement  
5 a federal solution—including a modern O’Hare with east-  
6 west parallel runways, expansion of the Gary/Chicago Air-  
7 port, and an additional air carrier airport near Peotone,  
8 Illinois—to address the aviation capacity crisis in the Chi-  
9 cago area. The Secretary shall provide a report to Con-  
10 gress, detailing the local progress on implementing a com-  
11 prehensive aviation capacity expansion plan in the Chicago  
12 region, no later than 90 days after enactment of this Act.

13       SEC. 338. The Air Transportation Safety and System  
14 Stabilization Act (49 U.S.C. 40101 note) is amended—

15               (1) in section 408 by striking the last sentence  
16               of subsection (c); and

17               (2) in section 402 by striking paragraph (1)  
18               and inserting the following:

19               “(1) AIR CARRIER.—The term ‘air carrier’  
20               means a citizen of the United States undertaking by  
21               any means, directly or indirectly, to provide air  
22               transportation and includes employees and agents  
23               (including persons engaged in the business of pro-  
24               viding air transportation security and their affili-  
25               ates) of such citizen. For purposes of the preceding

1 sentence, the term ‘agent’, as applied to persons en-  
2 gaged in the business of providing air transportation  
3 security, shall only include persons that have con-  
4 tracted directly with the Federal Aviation Adminis-  
5 tration and commenced services no later than Feb-  
6 ruary 17, 2002, to provide such security, and had  
7 not been debarred for any period within 6 months  
8 from that date.”.

9 SEC. 339. Not later than six months after the date  
10 of enactment of this Act, the Administrator of the Federal  
11 Aviation Administration (FAA) shall report to Congress  
12 on the safety implications of allowing a small airport to  
13 use “Grants-in-aid for airports” (Airport Improvement  
14 Program) funds to build or equip a visual flight rule air  
15 traffic control tower that would be operated under the  
16 FAA’s contract tower program. The study shall also exam-  
17 ine whether, for reasons of fairness and equity, small air-  
18 ports that have already built and equipped contract air  
19 traffic control towers should be eligible for reimbursement  
20 from “Grants-in-aid for airports” funds.

21 SEC. 340. None of the funds made available in this  
22 Act may be transferred to any department, agency, or in-  
23 strumentality of the United States Government, except  
24 pursuant to a transfer made by, or transfer authority pro-  
25 vided in, this Act or any other appropriations Act.

1        SEC. 341. On February 15, 2003, and on each year  
2 thereafter, the National Railroad Passenger Corporation  
3 shall submit to the appropriate Congressional Committees  
4 a report detailing the per passenger operating loss on each  
5 rail line.

6        SEC. 342. Any explosive detection system required to  
7 be purchased pursuant to 49 U.S.C. 44901(d) shall be  
8 purchased by the Under Secretary of Transportation for  
9 Security.

10       SEC. 343. Section 110(c)(1) of the Aviation and  
11 Transportation Security Act (Public Law 107–71) is  
12 amended by striking “Federal law enforcement officers”  
13 and inserting “law enforcement officers” and 49 U.S.C.  
14 44920(e) is amended by striking “Federal Government  
15 law enforcement officers” and inserting “law enforcement  
16 officers”.

17       SEC. 344. None of the funds made available in this  
18 Act may be used to terminate or limit the restrictions im-  
19 posed under Federal Aviation Administration Notice to  
20 Airmen FDC 2/0199, issued on September 27, 2002, or  
21 to grant waivers of, or exemptions from, such restrictions.

22       SEC. 345. None of the funds in this Act shall be used  
23 to procure Coast Guard ships, including main diesel en-  
24 gines, unless such procurement is in compliance with the  
25 Buy American Act, 41 U.S.C. 10(a)–10(d).

1       SEC. 346. Title 49, United States Code is amended  
2 by striking subsection (d) of section 13703 and relettering  
3 subsequent subsections accordingly.

4       SEC. 347. No funds appropriated in this Act may be  
5 used to apply or enforce a regulatory requirement for  
6 strengthening of flight deck doors on classes of aircraft  
7 not specifically required to take such action under Public  
8 Law 107–71, section 104(a)(1), unless and until the  
9 Under Secretary of Transportation for Security, after op-  
10 portunity for notice and comment, determines that such  
11 strengthening is necessary for aviation security purposes.

12       This Act may be cited as the “Department of Trans-  
13 portation and Related Agencies Appropriations Act,  
14 2003”.





**Union Calendar No. 452**

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

**H. R. 5559**

**[Report No. 107-722]**

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**A BILL**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

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OCTOBER 7, 2002

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