

Calendar No. 522

107TH CONGRESS
2^D SESSION

S. 2808

[Report No. 107-224]

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

IN THE SENATE OF THE UNITED STATES

JULY 26, 2002

Mrs. MURRAY, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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
6 the fiscal year ending September 30, 2003, and for other
7 purposes, namely:

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

5 For necessary expenses of the Office of the Secretary,
6 \$73,069,000, of which not to exceed \$2,034,000 shall be
7 available for the immediate Office of the Secretary; not
8 to exceed \$619,000 shall be available for the immediate
9 Office of the Deputy Secretary; not to exceed \$13,828,000
10 shall be available for the Office of the General Counsel;
11 not to exceed \$3,058,000 shall be for the Office of the
12 Assistant Secretary for Policy; not to exceed \$7,471,000
13 shall be available for the Office of the Assistant Secretary
14 for Aviation and International Affairs; not to exceed
15 \$7,668,000 shall be available for the Office of the Assist-
16 ant Secretary for Budget and Programs; not to exceed
17 \$2,282,000 shall be available for the Office of the Assist-
18 ant Secretary for Governmental Affairs; not to exceed
19 \$20,380,000 shall be available for the Office of the Assist-
20 ant Secretary for Administration; not to exceed
21 \$1,723,000 shall be available for the Office of Public Af-
22 fairs; not to exceed \$1,204,000 shall be available for the
23 Office of the Executive Secretariat; not to exceed
24 \$507,000 shall be available for the Board of Contract Ap-
25 peals; not to exceed \$1,304,000 shall be available for the

1 Office of Small and Disadvantaged Business Utilization;
 2 not to exceed \$10,991,000 shall be available for the Office
 3 of the Chief Information Officer: *Provided*, That not to
 4 exceed \$60,000 shall be for allocation within the Depart-
 5 ment for official reception and representation expenses as
 6 the Secretary may determine: *Provided further*, That not-
 7 withstanding any other provision of law, excluding fees au-
 8 thorized in Public Law 107–71, there may be credited to
 9 this appropriation up to \$2,500,000 in funds received in
 10 user fees.

11 OFFICE OF CIVIL RIGHTS

12 For necessary expenses of the Office of Civil Rights,
 13 \$8,700,000.

14 TRANSPORTATION PLANNING, RESEARCH, AND 15 DEVELOPMENT

16 For necessary expenses for conducting transportation
 17 planning, research, systems development, development ac-
 18 tivities, and making grants, to remain available until ex-
 19 pended, \$21,000,000.

20 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

21 Necessary expenses for operating costs and capital
 22 outlays of the Transportation Administrative Service Cen-
 23 ter, not to exceed \$131,779,000, shall be paid from appro-
 24 priations made available to the Department of Transpor-
 25 tation: *Provided*, That such services shall be provided on

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

14 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

1 MINORITY BUSINESS OUTREACH

2 For necessary expenses of Minority Business Re-
3 source Center outreach activities, \$3,000,000, to remain
4 available until September 30, 2004: *Provided*, That not-
5 withstanding 49 U.S.C. 332, these funds may be used for
6 business opportunities related to any mode of transpor-
7 tation.

8 PAYMENTS TO AIR CARRIERS

9 (AIRPORT AND AIRWAY TRUST FUND)

10 In addition to funds made available from any other
11 source to carry out the essential air service program under
12 49 U.S.C. 41731 through 41742, to be derived from the
13 Airport and Airway Trust Fund, \$65,000,000, to remain
14 available until expended.

15 TRANSPORTATION SECURITY ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Transportation Secu-
18 rity Administration related to transportation security serv-
19 ices pursuant to Public Law 107–71, \$4,950,000,000 of
20 which \$124,000,000 shall be derived from a reimburse-
21 ment from the heading, “Facilities and Equipment”, Fed-
22 eral Aviation Administration for explosives detection sys-
23 tems in this fiscal year, to remain available until Sep-
24 tember 30, 2004: *Provided*, That, security service fees au-
25 thorized under 49 U.S.C. 44940 shall be credited to this

1 appropriation as offsetting collections and used for pro-
 2 viding security services authorized by that section: *Pro-*
 3 *vided further*, That the sum herein appropriated from the
 4 General Fund shall be reduced as such offsetting collec-
 5 tions are received during fiscal year 2003: *Provided fur-*
 6 *ther*, That any security service fees collected in excess of
 7 the amount appropriated under this heading shall be
 8 treated as offsetting collections in 2004.

9 COAST GUARD

10 OPERATING EXPENSES

11 For necessary expenses for the operation and mainte-
 12 nance of the Coast Guard, not otherwise provided for; pur-
 13 chase of not to exceed five passenger motor vehicles for
 14 replacement only; payments pursuant to section 156 of
 15 Public Law 97–377, as amended (42 U.S.C. 402 note),
 16 and section 229(b) of the Social Security Act (42 U.S.C.
 17 429(b)); and recreation and welfare, \$4,018,456,000, of
 18 which \$340,000,000 shall be available for defense-related
 19 activities; and of which \$25,000,000 shall be derived from
 20 the Oil Spill Liability Trust Fund: *Provided*, That none
 21 of the funds appropriated in this or any other Act shall
 22 be available for pay of administrative expenses in connec-
 23 tion with shipping commissioners in the United States:
 24 *Provided further*, That none of the funds provided in this
 25 Act shall be available to compensate in excess of 34 active

1 duty flag officer billets: *Provided further*, That none of the
 2 funds provided in this Act shall be available for expenses
 3 incurred for yacht documentation under 46 U.S.C. 12109,
 4 except to the extent fees are collected from yacht owners
 5 and credited to this appropriation.

6 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

7 For necessary expenses of acquisition, construction,
 8 renovation, and improvement of aids to navigation, shore
 9 facilities, vessels, and aircraft, including equipment related
 10 thereto, \$725,000,000, of which \$20,000,000 shall be de-
 11 rived from the Oil Spill Liability Trust Fund; of which
 12 \$13,600,000 shall be available to acquire, repair, renovate
 13 or improve vessels, small boats and related equipment, to
 14 remain available until September 30, 2007; \$117,700,000
 15 shall be available for other equipment, to remain available
 16 until September 30, 2005; \$48,700,000 shall be available
 17 for shore facilities and aids to navigation facilities, to re-
 18 main available until September 30, 2005; \$65,000,000
 19 shall be available for personnel compensation and benefits
 20 and related costs, to remain available until September 30,
 21 2003; and \$480,000,000 shall be available for the Inte-
 22 grated Deepwater Systems program, to remain available
 23 until September 30, 2006: *Provided*, That the Com-
 24 mandant of the Coast Guard is authorized to dispose of
 25 surplus real property, by sale or lease, and the proceeds

1 shall be credited to this appropriation as offsetting collec-
2 tions and made available only for the National Distress
3 and Response System Modernization program, to remain
4 available for obligation until September 30, 2004: *Pro-*
5 *vided further*, That none of the funds provided under this
6 heading may be obligated or expended for the Integrated
7 Deepwater Systems (IDS) system integration contract in
8 fiscal year 2004 until the Secretary or Deputy Secretary
9 of Transportation and the Director, Office of Management
10 and Budget jointly certify to the House and Senate Com-
11 mittees on Appropriations that funding for the IDS pro-
12 gram for fiscal years 2004 through 2008, funding for the
13 National Distress and Response System Modernization
14 program to allow for full deployment of said system by
15 2006, and funding for other essential search and rescue
16 procurements, are fully funded in the Coast Guard Capital
17 Investment Plan and within the Office of Management
18 and Budget's budgetary projections for the Coast Guard
19 for those years: *Provided further*, That upon initial sub-
20 mission to the Congress of the fiscal year 2004 President's
21 budget, the Secretary of Transportation shall transmit to
22 the Congress a comprehensive capital investment plan for
23 the United States Coast Guard which includes funding for
24 each budget line item for fiscal years 2004 through 2008,
25 with total funding for each year of the plan constrained

1 to the funding targets for those years as estimated and
 2 approved by the Office of Management and Budget: *Pro-*
 3 *vided further*, That the amount herein appropriated shall
 4 be reduced by \$150,000 per day for each day after initial
 5 submission of the President's budget that the plan has not
 6 been submitted to the Congress.

7 ENVIRONMENTAL COMPLIANCE AND RESTORATION

8 For necessary expenses to carry out the Coast
 9 Guard's environmental compliance and restoration func-
 10 tions under chapter 19 of title 14, United States Code,
 11 \$17,000,000, to remain available until expended.

12 ALTERATION OF BRIDGES

13 For necessary expenses for alteration or removal of
 14 obstructive bridges, \$14,000,000, to remain available until
 15 expended.

16 RETIRED PAY

17 For retired pay, including the payment of obligations
 18 therefor otherwise chargeable to lapsed appropriations for
 19 this purpose, payments under the Retired Serviceman's
 20 Family Protection and Survivor Benefits Plans, payment
 21 for career status bonuses under the National Defense Au-
 22 thorization Act, and for payments for medical care of re-
 23 tired personnel and their dependents under the Depend-
 24 ents Medical Care Act (10 U.S.C. ch. 55), \$889,000,000.

1 RESERVE TRAINING

2 For all necessary expenses of the Coast Guard Re-
3 serve, as authorized by law; maintenance and operation
4 of facilities; and supplies, equipment, and services,
5 \$86,522,000.

6 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

7 For necessary expenses, not otherwise provided for,
8 for applied scientific research, development, test, and eval-
9 uation; maintenance, rehabilitation, lease and operation of
10 facilities and equipment, as authorized by law,
11 \$22,000,000, to remain available until expended, of which
12 \$3,500,000 shall be derived from the Oil Spill Liability
13 Trust Fund: *Provided*, That there may be credited to and
14 used for the purposes of this appropriation funds received
15 from State and local governments, other public authori-
16 ties, private sources, and foreign countries, for expenses
17 incurred for research, development, testing, and evalua-
18 tion.

19 FEDERAL AVIATION ADMINISTRATION

20 OPERATIONS

21 For necessary expenses of the Federal Aviation Ad-
22 ministration, not otherwise provided for, including oper-
23 ations and research activities related to commercial space
24 transportation, administrative expenses for research and
25 development, establishment of air navigation facilities, the

1 operation (including leasing) and maintenance of aircraft,
2 subsidizing the cost of aeronautical charts and maps sold
3 to the public, lease or purchase of passenger motor vehi-
4 cles for replacement only, in addition to amounts made
5 available by Public Law 104–264, \$7,081,203,000, of
6 which \$3,799,278,000 shall be derived from the Airport
7 and Airway Trust Fund, of which not to exceed
8 \$5,696,037,000 shall be available for air traffic services
9 program activities; not to exceed \$839,467,000 shall be
10 available for aviation regulation and certification program
11 activities; not to exceed \$207,600,000 shall be available
12 for research and acquisition program activities; not to ex-
13 ceed \$12,325,000 shall be available for commercial space
14 transportation program activities; not to exceed
15 \$48,782,000 shall be available for financial services pro-
16 gram activities; not to exceed \$80,260,000 shall be avail-
17 able for human resources program activities; not to exceed
18 \$82,192,000 shall be available for regional coordination
19 program activities; and not to exceed \$114,540,000 shall
20 be available for staff offices: *Provided*, That none of the
21 funds in this Act shall be available for the Federal Avia-
22 tion Administration to finalize or implement any regula-
23 tion that would promulgate new aviation user fees not spe-
24 cifically authorized by law after the date of the enactment
25 of this Act: *Provided further*, That there may be credited

1 to this appropriation funds received from States, counties,
2 municipalities, foreign authorities, other public authori-
3 ties, and private sources, for expenses incurred in the pro-
4 vision of agency services, including receipts for the mainte-
5 nance and operation of air navigation facilities, and for
6 issuance, renewal or modification of certificates, including
7 airman, aircraft, and repair station certificates, or for
8 tests related thereto, or for processing major repair or al-
9 teration forms: *Provided further*, That of the funds appro-
10 priated under this heading, not less than \$6,000,000 shall
11 be for the contract tower cost-sharing program: *Provided*
12 *further*, That funds may be used to enter into a grant
13 agreement with a nonprofit standard-setting organization
14 to assist in the development of aviation safety standards:
15 *Provided further*, That none of the funds in this Act shall
16 be available for new applicants for the second career train-
17 ing program: *Provided further*, That none of the funds in
18 this Act shall be available for paying premium pay under
19 5 U.S.C. 5546(a) to any Federal Aviation Administration
20 employee unless such employee actually performed work
21 during the time corresponding to such premium pay: *Pro-*
22 *vided further*, That none of the funds in this Act may be
23 obligated or expended to operate a manned auxiliary flight
24 service station in the contiguous United States.

1 FACILITIES AND EQUIPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for acquisition, establishment, and improvement by con-
5 tract or purchase, and hire of air navigation and experi-
6 mental facilities and equipment as authorized under part
7 A of subtitle VII of title 49, United States Code, including
8 initial acquisition of necessary sites by lease or grant; en-
9 gineering and service testing, including construction of
10 test facilities and acquisition of necessary sites by lease
11 or grant; construction and furnishing of quarters and re-
12 lated accommodations for officers and employees of the
13 Federal Aviation Administration stationed at remote local-
14 ities where such accommodations are not available; and
15 the purchase, lease, or transfer of aircraft from funds
16 available under this heading; to be derived from the Air-
17 port and Airway Trust Fund, \$2,981,022,000, of which
18 \$2,558,455,000 shall remain available until September 30,
19 2005, and of which \$422,567,000 shall remain available
20 until September 30, 2003: *Provided*, That there may be
21 credited to this appropriation funds received from States,
22 counties, municipalities, other public authorities, and pri-
23 vate sources, for expenses incurred in the establishment
24 and modernization of air navigation facilities: *Provided*
25 *further*, That upon initial submission to the Congress of

1 the fiscal year 2004 President's budget, the Secretary of
2 Transportation shall transmit to the Congress a com-
3 prehensive capital investment plan for the Federal Avia-
4 tion Administration which includes funding for each budg-
5 et line item for fiscal years 2004 through 2008, with total
6 funding for each year of the plan constrained to the fund-
7 ing targets for those years as estimated and approved by
8 the Office of Management and Budget: *Provided further*,
9 That the amount herein appropriated shall be reduced by
10 \$150,000 per day for each day after initial submission of
11 the President's budget that the plan has not been sub-
12 mitted to the Congress.

13 RESEARCH, ENGINEERING, AND DEVELOPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For necessary expenses, not otherwise provided for,
16 for research, engineering, and development, as authorized
17 under part A of subtitle VII of title 49, United States
18 Code, including construction of experimental facilities and
19 acquisition of necessary sites by lease or grant,
20 \$124,000,000, to be derived from the Airport and Airway
21 Trust Fund and to remain available until September 30,
22 2005: *Provided*, That there may be credited to this appro-
23 priation funds received from States, counties, municipali-
24 ties, other public authorities, and private sources, for ex-

1 penses incurred for research, engineering, and develop-
 2 ment.

3 GRANTS-IN-AID FOR AIRPORTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (LIMITATION ON OBLIGATIONS)

6 (AIRPORT AND AIRWAY TRUST FUND)

7 For liquidation of obligations incurred for grants-in-
 8 aid for airport planning and development, and noise com-
 9 patibility planning and programs as authorized under sub-
 10 chapter I of chapter 471 and subchapter I of chapter 475
 11 of title 49, United States Code, and under other law au-
 12 thorizing such obligations; for procurement, installation,
 13 and commissioning of runway incursion prevention devices
 14 and systems at airports of such title; for implementation
 15 of section 203 of Public Law 106–181; and for inspection
 16 activities and administration of airport safety programs,
 17 including those related to airport operating certificates
 18 under section 44706 of title 49, United States Code,
 19 \$3,100,000,000, to be derived from the Airport and Air-
 20 way Trust Fund and to remain available until expended:
 21 *Provided*, That none of the funds under this heading shall
 22 be available for the planning or execution of programs the
 23 obligations for which are in excess of \$3,400,000,000 in
 24 fiscal year 2003, notwithstanding section 47117(h) of title
 25 49, United States Code: *Provided further*, That notwith-
 26 standing any other provision of law, not more than

1 \$81,049,000 of funds limited under this heading shall be
 2 obligated for administration and for technology research
 3 and not less than \$20,000,000 shall be for the Small Com-
 4 munity Air Service Development Pilot Program.

5 AVIATION INSURANCE REVOLVING FUND

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

14 FEDERAL HIGHWAY ADMINISTRATION

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 Necessary expenses for administration and operation
 17 of the Federal Highway Administration, not to exceed
 18 \$317,732,000, shall be paid in accordance with law from
 19 appropriations made available by this Act to the Federal
 20 Highway Administration together with advances and reim-
 21 bursements received by the Federal Highway Administra-
 22 tion: *Provided*, That of the funds available under section
 23 104(a)(1)(A) of title 23, United States Code: \$7,500,000
 24 shall be available for “Child Passenger Protection Edu-
 25 cation Grants” under section 2003(b) of Public Law 105–

1 178, as amended; \$47,000,000 shall be available for con-
 2 struction of state border safety inspection facilities at the
 3 United States/Mexico border, and shall remain available
 4 until expended; \$59,967,000 shall be available for border
 5 enforcement activities required by section 350 of Public
 6 Law 107–87, and shall remain available until expended;
 7 \$6,000,000 shall be available for environmental stream-
 8 lining activities, which may include making grants to, or
 9 entering into contracts, cooperative agreements, and other
 10 transactions, with a Federal agency, State agency, local
 11 agency, authority, association, nonprofit or for-profit cor-
 12 poration, or institution of higher education; and
 13 \$3,000,000 shall be for the administrative expenses of the
 14 Federal Motor Carrier Safety Administration.

15 FEDERAL-AID HIGHWAYS

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 None of the funds in this Act shall be available for
 19 the implementation or execution of programs, the obliga-
 20 tions for which are in excess of \$31,800,000,000 for Fed-
 21 eral-aid highways and highway safety construction pro-
 22 grams for fiscal year 2003: *Provided*, That within the
 23 \$232,000,000 obligation limitation on Intelligent Trans-
 24 portation Systems, the following sums shall be made avail-
 25 able for Intelligent Transportation System projects that
 26 are designed to achieve the goals and purposes set forth

1 in section 5203 of the Intelligent Transportation Systems
2 Act of 1998 (subtitle C of title V of Public Law 105–178;
3 112 Stat. 453; 23 U.S.C. 502 note) in the following speci-
4 fied areas:

5 Advance Traveler Information System & Smart
6 Card System, OH, \$2,500,000;

7 Alaska Statewide: Smart Emergency Medical
8 Access System, \$3,000,000;

9 Boston Traffic Monitoring & Security System,
10 MA, \$2,000,000;

11 Bozeman Pass Wildlife Channelization Study,
12 MT, \$500,000;

13 Cargo Mate Logistics and Intermodal Manage-
14 ment System, NY, \$5,000,000;

15 Cary, Computerized Traffic Signal System, NC,
16 \$1,000,000;

17 CCTA Burlington Multimodal Transit Center,
18 VT, \$1,000,000;

19 Center for Injury Sciences at UAB, Crash Noti-
20 fication, AL, \$2,000,000;

21 Central Florida Regional Trans. Authority, Or-
22 ange/Seminole ITS, FL, \$2,000,000;

23 Chinatown Intermodal Trans. Center, Los An-
24 geles, CA, \$2,500,000;

1 Concord Parkway, Traffic Signals, NC,
 2 \$1,500,000;
 3 CVISN, NM, \$1,125,000;
 4 Flint Mass Transportation Authority ITS pro-
 5 gram, MI, \$1,000,000;
 6 GMU, ITS Research, VA, \$2,000,000;
 7 Great Lakes ITS program, MI, \$4,000,000;
 8 Harrison County Sheriff's Department, ITS,
 9 MS, \$1,000,000;
 10 Hoosier SAFE-T, IN, \$3,000,000;
 11 Huntsville, AL, \$2,000,000;
 12 I-80 Dynamic Message Signs, Southern WY,
 13 \$4,000,000;
 14 Idaho CVISN, \$2,250,000;
 15 Illinois Statewide, \$5,000,000;
 16 Intelligent Transportation Center, Atlanta, GA,
 17 \$750,000;
 18 Iowa Statewide ITS, \$1,650,000;
 19 Kansas City Scout, Advanced Traffic Manage-
 20 ment System, KS, \$1,500,000;
 21 Kansas City SmartPort, \$1,000,000;
 22 Kent, Intracity Transit Project, WA,
 23 \$1,500,000;
 24 Lynnwood ITS, WA, \$2,000,000;

1 Maine Statewide, Rural Advanced Traveler In-
 2 formation System, ME, \$2,000,000;
 3 Maryland Statewide ITS, \$2,000,000;
 4 Missouri Statewide Rural ITS, MO,
 5 \$2,000,000;
 6 NDSU Advanced Traffic Analysis Center, ND,
 7 \$1,000,000;
 8 Nebraska statewide ITS, \$5,000,000;
 9 New Bedford ITS Port Information Center,
 10 MA, \$1,000,000;
 11 Oklahoma Statewide ITS, \$7,000,000;
 12 Program of Projects, WA, \$5,500,000;
 13 Providence Transportation Information Center,
 14 ITS, RI, \$2,000,000;
 15 Sacramento Area Council of Governments, ITS,
 16 CA, \$1,000,000;
 17 Shreveport ITS Project, LA, \$1,000,000;
 18 South Carolina Statewide ITS, \$6,000,000;
 19 SR-68/Riverside Dr. ITS, Espanola, NM,
 20 \$475,000;
 21 Surface Transportation Institute, University of
 22 North Dakota, ND, \$1,500,000;
 23 T-REX Southeast Corridor Multi-Modal
 24 Project, CO, \$9,000,000;

1 Tucson ER-LINK ITS project, AZ,
 2 \$1,250,000;
 3 University of Nebraska Lincoln, SMART
 4 Transportation, NE, \$2,000,000;
 5 University of Kentucky Transportation Center,
 6 KY, \$2,000,000;
 7 Utah Commuter Link, Davis and Utah Coun-
 8 ties, UT, \$1,000,000;
 9 Vermont Statewide Rural Advanced Traveler
 10 System, VT, \$1,500,000;
 11 Vermont Variable Message Signs, VT,
 12 \$1,000,000;
 13 Washington, DC Metro ITS, \$4,000,000;
 14 Willowbrook Avenue Rail Safety Program—
 15 Compton, CA, \$2,000,000; and
 16 Wisconsin State Patrol Mobile Data Commu-
 17 nications Network, \$2,000,000.

18 FEDERAL-AID HIGHWAYS

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (HIGHWAY TRUST FUND)

21 Notwithstanding any other provision of law, for car-
 22 rying out the provisions of title 23, United States Code,
 23 that are attributable to Federal-aid highways, including
 24 the National Scenic and Recreational Highway as author-
 25 ized by 23 U.S.C. 148, not otherwise provided, including
 26 reimbursement for sums expended pursuant to the provi-

1 sions of 23 U.S.C. 308, \$32,000,000,000 or so much
 2 thereof as may be available in and derived from the High-
 3 way Trust Fund, to remain available until expended.

4 APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

5 For necessary expenses for the Appalachian Develop-
 6 ment Highway System as authorized under section
 7 1069(y) of Public Law 102–240, as amended,
 8 \$200,000,000, to remain available until expended.

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 \$114,464,000 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 Notwithstanding any other provision of law, for pay-
 6 ment of obligations incurred in carrying out 49 U.S.C.
 7 31102, 31106 and 31309, \$190,000,000, to be derived
 8 from the Highway Trust Fund and to remain available
 9 until expended: *Provided*, That none of the funds in this
 10 Act shall be available for the implementation or execution
 11 of programs the obligations for which are in excess of
 12 \$190,000,000 for “Motor Carrier Safety Grants”, and
 13 “Information Systems”.

14 NATIONAL HIGHWAY TRAFFIC SAFETY

15 ADMINISTRATION

16 OPERATIONS AND RESEARCH

17 For expenses necessary to discharge the functions of
 18 the Secretary, with respect to traffic and highway safety
 19 under chapter 301 of title 49, United States Code, and
 20 part C of subtitle VI of title 49, United States Code,
 21 \$141,000,000, of which \$98,161,131 shall remain avail-
 22 able until September 30, 2005: *Provided*, That none of the
 23 funds appropriated by this Act may be obligated or ex-
 24 pended to plan, finalize, or implement any rulemaking to
 25 add to section 575.104 of title 49 of the Code of Federal
 26 Regulations any requirement pertaining to a grading

1 standard that is different from the three grading stand-
2 ards (treadwear, traction, and temperature resistance) al-
3 ready in effect.

4 OPERATIONS AND RESEARCH

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out
9 the provisions of 23 U.S.C. 403, to remain available until
10 expended, \$72,000,000, to be derived from the Highway
11 Trust Fund: *Provided*, That none of the funds in this Act
12 shall be available for the planning or execution of pro-
13 grams the total obligations for which, in fiscal year 2003,
14 are in excess of \$72,000,000 for programs authorized
15 under 23 U.S.C. 403.

16 NATIONAL DRIVER REGISTER

17 (HIGHWAY TRUST FUND)

18 For expenses necessary to discharge the functions of
19 the Secretary with respect to the National Driver Register
20 under chapter 303 of title 49, United States Code,
21 \$2,000,000, to be derived from the Highway Trust Fund,
22 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 Notwithstanding any other provision of law, for pay-
6 ment of obligations incurred in carrying out the provisions
7 of 23 U.S.C. 402, 405, and 410, to remain available until
8 expended, \$225,000,000, to be derived from the Highway
9 Trust Fund: *Provided*, That none of the funds in this Act
10 shall be available for the planning or execution of pro-
11 grams the total obligations for which, in fiscal year 2003,
12 are in excess of \$225,000,000 for programs authorized
13 under 23 U.S.C. 402, 405, and 410, of which
14 \$165,000,000 shall be for “Highway Safety Programs”
15 under 23 U.S.C. 402, \$20,000,000 shall be for “Occupant
16 Protection Incentive Grants” under 23 U.S.C. 405, and
17 \$40,000,000 shall be for “Alcohol-Impaired Driving Coun-
18 termeasures Grants” under 23 U.S.C. 410: *Provided fur-*
19 *ther*, That none of these funds shall be used for construc-
20 tion, rehabilitation, or remodeling costs, or for office fur-
21 nishings and fixtures for State, local, or private buildings
22 or structures: *Provided further*, That not to exceed
23 \$8,150,000 of the funds made available for section 402,
24 not to exceed \$1,000,000 of the funds made available for
25 section 405, and not to exceed \$2,000,000 of the funds
26 made available for section 410 shall be available to

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

7 FEDERAL RAILROAD ADMINISTRATION

8 SAFETY AND OPERATIONS

9 For necessary expenses of the Federal Railroad Ad-
 10 ministration, not otherwise provided for, \$118,264,000, of
 11 which \$6,636,000 shall remain available until expended.

12 RAILROAD RESEARCH AND DEVELOPMENT

13 For necessary expenses for railroad research and de-
 14 velopment, \$29,325,000, to remain available until ex-
 15 pended.

16 RAILROAD REHABILITATION AND IMPROVEMENT

17 PROGRAM

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

1 ity to exist as long as any such guaranteed obligation is
 2 outstanding: *Provided*, That pursuant to section 502 of
 3 such Act, as amended, no new direct loans or loan guar-
 4 antee commitments shall be made using Federal funds for
 5 the credit risk premium during fiscal year 2003.

6 NEXT GENERATION HIGH-SPEED RAIL

7 For necessary expenses for the Next Generation
 8 High-Speed Rail program as authorized under 49 U.S.C.
 9 26101 and 26102, \$30,000,000, to remain available until
 10 expended.

11 ALASKA RAILROAD REHABILITATION

12 To enable the Secretary of Transportation to make
 13 grants to the Alaska Railroad, \$25,000,000 shall be for
 14 capital rehabilitation and improvements benefiting its pas-
 15 senger operations, to remain available until expended.

16 GRANTS TO THE NATIONAL RAILROAD PASSENGER 17 CORPORATION

18 For necessary expenses of operating costs and capital
 19 improvements of the National Railroad Passenger Cor-
 20 poration as authorized by 49 U.S.C. 24104(a),
 21 \$1,200,000,000, to remain available until expended, of
 22 which \$550,000,000 shall be for operating expenses,
 23 \$369,000,000 shall be for capital expenses along the
 24 Northeast Corridor Mainline, and \$281,000,000 shall be

1 for capital expenses along the remainder of the Corpora-
 2 tion's national rail network.

3 FEDERAL TRANSIT ADMINISTRATION

4 ADMINISTRATIVE EXPENSES

5 For necessary administrative expenses of the Federal
 6 Transit Administration's programs authorized by chapter
 7 53 of title 49, United States Code, \$14,600,000: *Provided*,
 8 That no more than \$73,000,000 of budget authority shall
 9 be available for these purposes: *Provided further*, That of
 10 the funds in this Act available for the execution of con-
 11 tracts under section 5327(c) of title 49, United States
 12 Code, \$2,000,000 shall be reimbursed to the Department
 13 of Transportation's Office of Inspector General for costs
 14 associated with audits and investigations of transit-related
 15 issues, including reviews of new fixed guideway systems:
 16 *Provided further*, That not to exceed \$2,600,000 for the
 17 National transit database shall remain available until ex-
 18 pended.

19 FORMULA GRANTS

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out 49 U.S.C. 5307,
 22 5308, 5310, 5311, 5327, and section 3038 of Public Law
 23 105–178, \$767,800,000, to remain available until ex-
 24 pended: *Provided*, That no more than \$3,839,000,000 of
 25 budget authority shall be available for these purposes: *Pro-*

1 *vided further*, That notwithstanding section 3008 of Public
 2 Law 105–178 and 49 U.S.C. 5309(m)(3)(C), \$50,000,000
 3 of the funds to carry out 49 U.S.C. 5308 shall be trans-
 4 ferred to and merged with funding provided for the re-
 5 placement, rehabilitation, and purchase of buses and re-
 6 lated equipment and the construction of bus-related facili-
 7 ties under “Federal Transit Administration, Capital in-
 8 vestment grants”.

9 UNIVERSITY TRANSPORTATION RESEARCH

10 For necessary expenses to carry out 49 U.S.C. 5505,
 11 \$1,200,000, to remain available until expended: *Provided*,
 12 That no more than \$6,000,000 of budget authority shall
 13 be available for these purposes.

14 TRANSIT PLANNING AND RESEARCH

15 For necessary expenses to carry out 49 U.S.C. 5303,
 16 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and
 17 5322, \$24,200,000, to remain available until expended:
 18 *Provided*, That no more than \$122,000,000 of budget au-
 19 thority shall be available for these purposes: *Provided fur-*
 20 *ther*, That \$5,250,000 is available to provide rural trans-
 21 portation assistance (49 U.S.C. 5311(b)(2)), \$4,000,000
 22 is available to carry out programs under the National
 23 Transit Institute (49 U.S.C. 5315), \$8,250,000 is avail-
 24 able to carry out transit cooperative research programs
 25 (49 U.S.C. 5313(a)), \$60,385,600 is available for metro-

1 politan planning (49 U.S.C. 5303, 5304, and 5305),
 2 \$12,614,400 is available for State planning (49 U.S.C.
 3 5313(b)); and \$31,500,000 is available for the national
 4 planning and research program (49 U.S.C. 5314).

5 TRUST FUND SHARE OF EXPENSES

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 Notwithstanding any other provision of law, for pay-
 9 ment of obligations incurred in carrying out 49 U.S.C.
 10 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334,
 11 5505, and sections 3037 and 3038 of Public Law 105–
 12 178, \$5,781,000,000, to remain available until expended,
 13 and to be derived from the Mass Transit Account of the
 14 Highway Trust Fund: *Provided*, That \$3,071,200,000
 15 shall be paid to the Federal Transit Administration’s for-
 16 mula grants account: *Provided further*, That \$97,800,000
 17 shall be paid to the Federal Transit Administration’s tran-
 18 sit planning and research account: *Provided further*, That
 19 \$58,400,000 shall be paid to the Federal Transit Adminis-
 20 tration’s administrative expenses account: *Provided fur-*
 21 *ther*, That \$4,800,000 shall be paid to the Federal Transit
 22 Administration’s university transportation research ac-
 23 count: *Provided further*, That \$120,000,000 shall be paid
 24 to the Federal Transit Administration’s job access and re-
 25 verse commute grants program: *Provided further*, That

1 \$2,428,800,000 shall be paid to the Federal Transit Ad-
 2 ministration's capital investment grants account.

3 CAPITAL INVESTMENT GRANTS

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses to carry out 49 U.S.C. 5308,
 6 5309, 5318, and 5327, \$707,200,000, to remain available
 7 until expended: *Provided*, That no more than
 8 \$3,136,000,000 of budget authority shall be available for
 9 these purposes: *Provided further*, That there shall be avail-
 10 able for fixed guideway modernization, \$1,214,400,000;
 11 there shall be available for the replacement, rehabilitation,
 12 and purchase of buses and related equipment and the con-
 13 struction of bus-related facilities, \$607,200,000, together
 14 with \$50,000,000 made available under 5309(m)(3)(C) of
 15 this title and \$50,000,000 transferred from "Federal
 16 Transit Administration, Formula Grants"; and there shall
 17 be available for new fixed guideway systems
 18 \$1,314,400,000; to be available as follows:

19 Alaska-Hawaii Setaside, \$10,296,000;

20 Allegheny Port Authority, Stage II Light Rail
 21 Transit, PA, \$25,600,000;

22 Altamont Commuter Express San Jose to
 23 Stockton, CA, \$2,000,000;

24 Anderson County, South Carolina Transit Sys-
 25 tem, SC, \$6,000,000;

1 Baltimore Central Light Rail Double Track
 2 Project, MD, \$24,000,000;
 3 BART, SFO Extension, CA, \$100,000,000;
 4 Birmingham Transit Corridor Study/PE, AL,
 5 \$3,000,000;
 6 Boston, North Shore Corridor Project, MA,
 7 \$1,000,000;
 8 Bridgeport Intermodal Corridor Project, CT,
 9 \$8,000,000;
 10 Burlington-Middlebury Commuter Rail, VT,
 11 \$2,000,000;
 12 Canal Streetcar, New Orleans, LA,
 13 \$30,000,000;
 14 Charlotte South Corridor Light Rail Project,
 15 NC, \$10,000,000;
 16 Chicago, Douglas Blue Line Project, IL,
 17 \$55,000,000;
 18 Chicago, METRA, Expansion Project, IL,
 19 \$52,000,000;
 20 Chicago, Ravenswood Brown Line Expansion
 21 Project, IL, \$4,000,000;
 22 DART, Suburban Areas Extension, Dallas, TX,
 23 \$60,000,000;
 24 East Side Access Project, NY, \$15,000,000;

- 1 Euclid Corridor Transportation Project, Cleve-
- 2 land, OH, \$6,000,000;
- 3 Houston Advanced Metro Transit Plan,
- 4 \$23,400,000;
- 5 Hudson-Bergen, Hoboken to Tonnelles Ave., NJ,
- 6 \$40,000,000;
- 7 Hudson-Bergen, Jersey City, Bayonne & Hobo-
- 8 ken, NJ, \$19,000,000;
- 9 Interstate MAX Light Rail Transit Extension
- 10 Project, OR, \$70,000,000;
- 11 Johnson County Commuter Rail, KS,
- 12 \$400,000;
- 13 Little Rock River Rail, AR, \$4,000,000;
- 14 Los Angeles East Side MTA, CA, \$10,000,000;
- 15 Los Angeles, North Hollywood Extension, CA,
- 16 \$40,000,000;
- 17 Lowell, MA to Nashua, NH Commuter Rail
- 18 Ext. Project, NH, \$3,000,000;
- 19 MARC Expansion Project, MD, \$14,000,000;
- 20 MARTA North Line Extension Project Com-
- 21 pletion, GA, \$16,000,000;
- 22 MATA Medical Rail Extension, TN,
- 23 \$10,000,000;
- 24 Medical Center Light Rail Extension, UT,
- 25 \$12,000,000;

1 Metro Link Commuter Rail, St. Clair Extension
 2 Project, IL, \$3,000,000;
 3 Metro North Rolling Stock, CT, \$7,000,000;
 4 Nashville Light Rail, TN, \$4,000,000;
 5 Newark-Elizabeth Rail Link, 15 Station Light
 6 Rail Line, NJ, \$60,000,000;
 7 North Shore Connector Project, Pittsburgh,
 8 PA, \$4,000,000;
 9 North/South TRAX Light Rail Transit Line,
 10 UT, \$1,000,000;
 11 Oceanside-Escondido Light Rail Project, CA,
 12 \$20,000,000;
 13 Ogden to Provo Commuter Rail Corridor, UT,
 14 \$6,000,000;
 15 Pawtucket Layover Facility, RI, \$4,500,000;
 16 Port McKenzie Ferry, AK, \$5,000,000;
 17 Raleigh, Triangle Transit Project, NC,
 18 \$15,000,000;
 19 Resort Corridor Project, NV, \$10,000,000;
 20 Salt Lake City University TRAX Light Rail
 21 Transit Line, UT, \$69,000,000;
 22 San Diego Mission Valley East Line Project,
 23 CA, \$65,000,000;
 24 San Juan-Tren Urbano, \$45,000,000.00;

1 Santa Fe/Eldorado Rail Link & extension of
2 2000 funds, NM, \$2,000,000;
3 Scranton to New York City Passenger Rail
4 Service, PA, \$3,000,000;
5 SEPTA Schuylkill Valley Metro Project, PA,
6 \$15,000,000;
7 Sounder Commuter Rail, WA, \$30,000,000;
8 Stamford Urban Transitway, Phase 2 Project,
9 CT, \$15,000,000;
10 T-REX Southeast Light Rail Corridor, CO,
11 \$70,000,000;
12 Tri-Rail, Double Track Improvement, FL,
13 \$25,000,000;
14 Twin Cities Transitway Hiawatha & Northstar
15 Projects, MN, \$60,000,000;
16 Vermont Transportation Authority Rolling
17 Stock, VT, \$2,000,000;
18 Virginia Railway Express VRE, Project, VA,
19 \$4,500,000;
20 Virginia Railway Express, VRE Dulles Link
21 Project, VA, \$25,000,000;
22 Wilmington Train Station improvements, DE,
23 \$4,000,000;
24 Wilsonville to Beaverton Commuter Rail
25 Project, OR, \$5,000,000; and

1 WMATA Addison Rd, Largo Extension, MD,
 2 \$60,000,000.

3 JOB ACCESS AND REVERSE COMMUTE GRANTS

4 Notwithstanding section 3037(l)(3) of Public Law
 5 105–178, as amended, for necessary expenses to carry out
 6 section 3037 of the Federal Transit Act of 1998,
 7 \$30,000,000, to remain available until expended: *Pro-*
 8 *vided*, That no more than \$150,000,000 of budget author-
 9 ity shall be available for these purposes: *Provided further*,
 10 That up to \$300,000 of the funds provided under this
 11 heading may be used by the Federal Transit Administra-
 12 tion for technical assistance and support and performance
 13 reviews of the Job Access and Reverse Commute Grants
 14 program.

15 SAINT LAWRENCE SEAWAY DEVELOPMENT

16 CORPORATION

17 SAINT LAWRENCE SEAWAY DEVELOPMENT

18 CORPORATION

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

1 necessary in carrying out the programs set forth in the
 2 Corporation's budget for the current fiscal year.

3 OPERATIONS AND MAINTENANCE

4 (HARBOR MAINTENANCE TRUST FUND)

5 For necessary expenses for operations and mainte-
 6 nance of those portions of the Saint Lawrence Seaway op-
 7 erated and maintained by the Saint Lawrence Seaway De-
 8 velopment Corporation, \$13,345,000, to be derived from
 9 the Harbor Maintenance Trust Fund, pursuant to Public
 10 Law 99-662.

11 RESEARCH AND SPECIAL PROGRAMS

12 ADMINISTRATION

13 RESEARCH AND SPECIAL PROGRAMS

14 For expenses necessary to discharge the functions of
 15 the Research and Special Programs Administration,
 16 \$43,725,000, of which \$645,000 shall be derived from the
 17 Pipeline Safety Fund, and of which \$3,342,000 shall re-
 18 main available until September 30, 2005: *Provided*, That
 19 up to \$1,200,000 in fees collected under 49 U.S.C.
 20 5108(g) shall be deposited in the general fund of the
 21 Treasury as offsetting receipts: *Provided further*, That
 22 there may be credited to this appropriation, to be available
 23 until expended, funds received from States, counties, mu-
 24 nicipalities, other public authorities, and private sources
 25 for expenses incurred for training, for reports publication

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

4 PIPELINE SAFETY

5 (PIPELINE SAFETY FUND)

6 (OIL SPILL LIABILITY TRUST FUND)

7 For expenses necessary to conduct the functions of
 8 the pipeline safety program, for grants-in-aid to carry out
 9 a pipeline safety program, as authorized by 49 U.S.C.
 10 60107, and to discharge the pipeline program responsibil-
 11 ities of the Oil Pollution Act of 1990, \$63,857,000, of
 12 which \$7,472,000 shall be derived from the Oil Spill Li-
 13 ability Trust Fund and shall remain available until Sep-
 14 tember 30, 2005; of which \$56,385,000 shall be derived
 15 from the Pipeline Safety Fund, of which \$24,823,000
 16 shall remain available until September 30, 2005.

17 EMERGENCY PREPAREDNESS GRANTS

18 (EMERGENCY PREPAREDNESS FUND)

19 For necessary expenses to carry out 49 U.S.C.
 20 5127(c), \$200,000, to be derived from the Emergency
 21 Preparedness Fund, to remain available until September
 22 30, 2005: *Provided*, That not more than \$14,300,000 shall
 23 be made available for obligation in fiscal year 2003 from
 24 amounts made available by 49 U.S.C. 5116(i) and
 25 5127(d): *Provided further*, That none of the funds made
 26 available by 49 U.S.C. 5116(i) and 5127(d) shall be made

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

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector
6 General to carry out the provisions of the Inspector Gen-
7 eral Act of 1978, as amended, \$57,421,000: *Provided*,
8 That the Inspector General shall have all necessary au-
9 thority, in carrying out the duties specified in the Inspec-
10 tor General Act, as amended (5 U.S.C. App. 3) to inves-
11 tigate allegations of fraud, including false statements to
12 the government (18 U.S.C. 1001), by any person or entity
13 that is subject to regulation by the Department: *Provided*
14 *further*, That the funds made available under this heading
15 shall be used to investigate, pursuant to section 41712 of
16 title 49, United States Code: (1) unfair or deceptive prac-
17 tices and unfair methods of competition by domestic and
18 foreign air carriers and ticket agents; and (2) the compli-
19 ance of domestic and foreign air carriers with respect to
20 item (1) of this proviso.

21 SURFACE TRANSPORTATION BOARD

22 SALARIES AND EXPENSES

23 For necessary expenses of the Surface Transpor-
24 tation Board, including services authorized by 5 U.S.C.
25 3109, \$18,459,000: *Provided*, That notwithstanding any

1 other provision of law, not to exceed \$1,000,000 from fees
2 established by the Chairman of the Surface Transpor-
3 tation Board shall be credited to this appropriation as off-
4 setting collections and used for necessary and authorized
5 expenses under this heading: *Provided further*, That the
6 sum herein appropriated from the general fund shall be
7 reduced on a dollar-for-dollar basis as such offsetting col-
8 lections are received during fiscal year 2003, to result in
9 a final appropriation from the general fund estimated at
10 no more than \$19,459,000.

11 TITLE II

12 RELATED AGENCIES

13 ARCHITECTURAL AND TRANSPORTATION

14 BARRIERS COMPLIANCE BOARD

15 SALARIES AND EXPENSES

16 For expenses necessary for the Architectural and
17 Transportation Barriers Compliance Board, as authorized
18 by section 502 of the Rehabilitation Act of 1973, as
19 amended, \$5,194,000: *Provided*, That, notwithstanding
20 any other provision of law, there may be credited to this
21 appropriation funds received for publications and training
22 expenses.

1 NATIONAL TRANSPORTATION SAFETY BOARD
2 SALARIES AND EXPENSES

3 For necessary expenses of the National Transpor-
4 tation Safety Board, including hire of passenger motor ve-
5 hicles and aircraft; services as authorized by 5 U.S.C.
6 3109, but at rates for individuals not to exceed the per
7 diem rate equivalent to the rate for a GS-15; uniforms,
8 or allowances therefor, as authorized by law (5 U.S.C.
9 5901-5902) \$72,500,000, of which not to exceed \$2,000
10 may be used for official reception and representation ex-
11 penses.

12 TITLE III
13 GENERAL PROVISIONS
14 (INCLUDING TRANSFERS OF FUNDS)

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

23 SEC. 302. Such sums as may be necessary for fiscal
24 year 2003 pay raises for programs funded in this Act shall

1 be absorbed within the levels appropriated in this Act or
2 previous appropriations Acts.

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

8 SEC. 304. None of the funds in this Act shall be avail-
9 able for salaries and expenses of more than 100 political
10 and Presidential appointees in the Department of Trans-
11 portation: *Provided*, That none of the personnel covered
12 by this provision or political and Presidential appointees
13 in an independent agency funded in this Act may be as-
14 signed on temporary detail outside the Department of
15 Transportation or such independent agency.

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

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

1 SEC. 307. The expenditure of any appropriation
2 under this Act for any consulting service through procure-
3 ment contract pursuant to section 3109 of title 5, United
4 States Code, shall be limited to those contracts where such
5 expenditures are a matter of public record and available
6 for public inspection, except where otherwise provided
7 under existing law, or under existing Executive order
8 issued pursuant to existing law.

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

11 SEC. 309. The limitations on obligations for the pro-
12 grams of the Federal Transit Administration shall not
13 apply to any authority under 49 U.S.C. 5338, previously
14 made available for obligation, or to any other authority
15 previously made available for obligation.

16 SEC. 310. (a) For fiscal year 2003, the Secretary of
17 Transportation shall—

18 (1) not distribute from the obligation limitation
19 for Federal-aid Highways amounts authorized for
20 administrative expenses and programs funded from
21 the administrative takedown authorized by section
22 104(a)(1)(A) of title 23, United States Code, for the
23 highway use tax evasion program and for the Bu-
24 reau of Transportation Statistics;

1 (2) not distribute an amount from the obliga-
2 tion limitation for Federal-aid Highways that is
3 equal to the unobligated balance of amounts made
4 available from the Highway Trust Fund (other than
5 the Mass Transit Account) for Federal-aid highways
6 and highway safety programs for the previous fiscal
7 year the funds for which are allocated by the Sec-
8 retary;

9 (3) determine the ratio that—

10 (A) the obligation limitation for Federal-
11 aid Highways less the aggregate of amounts not
12 distributed under paragraphs (1) and (2), bears
13 to

14 (B) the total of the sums authorized to be
15 appropriated for Federal-aid highways and
16 highway safety construction programs (other
17 than sums authorized to be appropriated for
18 sections set forth in paragraphs (1) through (7)
19 of subsection (b) and sums authorized to be ap-
20 propriated for section 105 of title 23, United
21 States Code, equal to the amount referred to in
22 subsection (b)(8)) for such fiscal year less the
23 aggregate of the amounts not distributed under
24 paragraph (1) of this subsection;

1 (4) distribute the obligation limitation for Fed-
2 eral-aid Highways less the aggregate amounts not
3 distributed under paragraphs (1) and (2) of section
4 117 of title 23, United States Code (relating to high
5 priority projects program), section 201 of the Appa-
6 lachian Regional Development Act of 1965, the
7 Woodrow Wilson Memorial Bridge Authority Act of
8 1995, and \$2,000,000,000 for such fiscal year under
9 section 105 of title 23, United States Code (relating
10 to minimum guarantee) so that the amount of obli-
11 gation authority available for each of such sections
12 is equal to the amount determined by multiplying
13 the ratio determined under paragraph (3) by the
14 sums authorized to be appropriated for such section
15 (except in the case of section 105, \$2,000,000,000)
16 for such fiscal year;

17 (5) distribute the obligation limitation provided
18 for Federal-aid Highways less the aggregate
19 amounts not distributed under paragraphs (1) and
20 (2) and amounts distributed under paragraph (4)
21 for each of the programs that are allocated by the
22 Secretary under title 23, United States Code (other
23 than activities to which paragraph (1) applies and
24 programs to which paragraph (4) applies) by multi-
25 plying the ratio determined under paragraph (3) by

1 the sums authorized to be appropriated for such pro-
2 gram for such fiscal year: *Provided*, That the
3 amount of obligation limitation distributed for each
4 program does not exceed the amount authorized to
5 be appropriated for such program; and

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

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

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

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

17 (c) Notwithstanding subsection (a), the Secretary
18 shall after August 1 for such fiscal year revise a distribu-
19 tion of the obligation limitation made available under sub-
20 section (a) if a State will not obligate the amount distrib-
21 uted during that fiscal year and redistribute sufficient
22 amounts to those States able to obligate amounts in addi-
23 tion to those previously distributed during that fiscal year
24 giving priority to those States having large unobligated
25 balances of funds apportioned under sections 104 and 144

1 of title 23, United States Code, section 160 (as in effect
2 on the day before the enactment of the Transportation Eq-
3 uity Act for the 21st Century) of title 23, United States
4 Code, and under section 1015 of the Intermodal Surface
5 Transportation Efficiency Act of 1991 (105 Stat. 1943–
6 1945).

7 (d) The obligation limitation shall apply to transpor-
8 tation research programs carried out under chapter 5 of
9 title 23, United States Code, except that obligation au-
10 thority made available for such programs under such limi-
11 tation shall remain available for a period of 3 fiscal years.

12 (e) Not later than 30 days after the date of the dis-
13 tribution of obligation limitation under subsection (a), the
14 Secretary shall distribute to the States any funds: (1) that
15 are authorized to be appropriated for such fiscal year for
16 Federal-aid highways programs (other than the program
17 under section 160 of title 23, United States Code) and
18 for carrying out subchapter I of chapter 311 of title 49,
19 United States Code, and highway-related programs under
20 chapter 4 of title 23, United States Code; and (2) that
21 the Secretary determines will not be allocated to the
22 States, and will not be available for obligation, in such
23 fiscal year due to the imposition of any obligation limita-
24 tion for such fiscal year. Such distribution to the States
25 shall be made in the same ratio as the distribution of obli-

1 gation authority under subsection (a)(6). The funds so
2 distributed shall be available for any purposes described
3 in section 133(b) of title 23, United States Code.

4 (f) Obligation limitation distributed for a fiscal year
5 under subsection (a)(4) of this section for a section set
6 forth in subsection (a)(4) shall remain available until used
7 and shall be in addition to the amount of any limitation
8 imposed on obligations for Federal-aid highway and high-
9 way safety construction programs for future fiscal years.

10 SEC. 311. (a) No recipient of funds made available
11 in this Act shall disseminate personal information (as de-
12 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
13 ment of motor vehicles in connection with a motor vehicle
14 record as defined in 18 U.S.C. 2725(1), except as provided
15 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
16 2721.

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

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

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

13 SEC. 314. Notwithstanding any other provision of
14 law, and except for fixed guideway modernization projects,
15 funds made available by this Act under “Federal Transit
16 Administration, Capital investment grants” for projects
17 specified in this Act or identified in reports accompanying
18 this Act not obligated by September 30, 2005, and other
19 recoveries, shall be made available for other projects under
20 49 U.S.C. 5309.

21 SEC. 315. Notwithstanding any other provision of
22 law, any funds appropriated before October 1, 2002, under
23 any section of chapter 53 of title 49, United States Code,
24 that remain available for expenditure may be transferred

1 to and administered under the most recent appropriation
2 heading for any such section.

3 SEC. 316. Notwithstanding any other provision of
4 law, whenever an allocation is made of the sums author-
5 ized to be appropriated for expenditure on the Federal
6 lands highway program, and whenever an apportionment
7 is made of the sums authorized to be appropriated for ex-
8 penditure on the surface transportation program, the con-
9 gestion mitigation and air quality improvement program,
10 the National Highway System, the Interstate maintenance
11 program, the bridge program, the Appalachian develop-
12 ment highway system, and the minimum guarantee pro-
13 gram, the Secretary of Transportation shall—

14 (1) deduct a sum in such amount not to exceed
15 .45 percent of all sums so made available, as the
16 Secretary determines necessary, to administer the
17 provisions of law to be financed from appropriations
18 for motor carrier safety programs and motor carrier
19 safety research: *Provided*, That any deduction by the
20 Secretary of Transportation in accordance with this
21 subsection shall be deemed to be a deduction under
22 section 104(a)(1)(B) of title 23, United States Code,
23 and the sum so deducted shall remain available until
24 expended; and

1 (2) deduct a sum in such amount not to exceed
2 1.7 percent of all sums so made available, as the
3 Secretary determines necessary to administer the
4 provisions of law to be financed from appropriations
5 for the programs authorized under chapters 1 and 2
6 of title 23, United States Code, and to make trans-
7 fers in accordance with section 104(a)(1)(A)(ii) of
8 title 23, United States Code: *Provided*, That any de-
9 duction by the Secretary of Transportation in ac-
10 cordance with this subsection shall be deemed to be
11 a deduction under section 104(a)(1)(A) of title 23,
12 United States Code, and the sum so deducted shall
13 remain available until expended.

14 SEC. 317. Funds received by the Federal Highway
15 Administration, Federal Transit Administration, and Fed-
16 eral Railroad Administration from States, counties, mu-
17 nicipalities, other public authorities, and private sources
18 for expenses incurred for training may be credited respec-
19 tively to the Federal Highway Administration's "Federal-
20 Aid Highways" account, the Federal Transit Administra-
21 tion's "Transit Planning and Research" account, and to
22 the Federal Railroad Administration's "Safety and Oper-
23 ations" account, except for State rail safety inspectors
24 participating in training pursuant to 49 U.S.C. 20105.

1 SEC. 318. 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: *Provided*, That not more than \$3,000,000 of the
8 funds made available pursuant to 49 U.S.C.
9 5309(m)(2)(B) may be used by the State of Hawaii to
10 initiate and operate a passenger ferryboat services dem-
11 onstration project to test the viability of different intra-
12 island and inter-island ferry boat routes and technology:
13 *Provided further*, that notwithstanding the provisions 49
14 U.S.C. 5302(a)(7), funds made available for Alaska or
15 Hawaii ferry boats may be used to acquire passenger ferry
16 boats and to provide passenger ferry transportation serv-
17 ices within areas of the State of Hawaii under the control
18 or use of the National Park Service.

19 SEC. 319. Notwithstanding 31 U.S.C. 3302, funds re-
20 ceived by the Bureau of Transportation Statistics from the
21 sale of data products, for necessary expenses incurred pur-
22 suant to 49 U.S.C. 111 may be credited to the Federal-
23 aid highways account for the purpose of reimbursing the
24 Bureau for such expenses: *Provided*, That such funds shall

1 be subject to the obligation limitation for Federal-aid
2 highways and highway safety construction.

3 SEC. 320. (a) Section 47107 of title 49, United
4 States Code, is amended by inserting after section
5 47107(p) the following:

6 “(q) Notwithstanding any written assurances pre-
7 scribed in subsections (a) through (p), a general aviation
8 airport with more than 300,000 annual operations may
9 be exempt from having to accept scheduled passenger air
10 carrier service, provided that the following conditions are
11 met:

12 “(1) No scheduled passenger air carrier has
13 provided service at the airport within five years prior
14 to January 1, 2002;

15 “(2) The airport is located within the Class B
16 airspace of an airport that maintains an airport op-
17 erating certificate pursuant to Section 44706 of title
18 49; and,

19 “(3) The certificated airport operating under
20 Section 44706 of title 49 has sufficient capacity and
21 does not contribute to significant delays as defined
22 by DOT/FAA in the ‘Airport Capacity Benchmark
23 Report 2001’.

24 “(r) An airport that meets the conditions of sub-
25 sections (q)(1) through (3) is not subject to Section 47524

1 of title 49 with respect to a prohibition on all scheduled
2 passenger service.”

3 (b) This section shall be effective upon enactment,
4 notwithstanding any other section of title 49.

5 SEC. 321. None of the funds in this Act shall, in the
6 absence of express authorization by Congress, be used di-
7 rectly or indirectly to pay for any personal service, adver-
8 tisement, telegraph, telephone, letter, printed or written
9 material, radio, television, video presentation, electronic
10 communications, or other device, intended or designed to
11 influence in any manner a Member of Congress or of a
12 State legislature to favor or oppose by vote or otherwise,
13 any legislation or appropriation by Congress or a State
14 legislature after the introduction of any bill or resolution
15 in Congress proposing such legislation or appropriation,
16 or after the introduction of any bill or resolution in a State
17 legislature proposing such legislation or appropriation:
18 *Provided*, That this shall not prevent officers or employees
19 of the Department of Transportation or related agencies
20 funded in this Act from communicating to Members of
21 Congress or to Congress, on the request of any Member,
22 or to members of State legislature, or to a State legisla-
23 ture, through the proper official channels, requests for leg-
24 islation or appropriations which they deem necessary for
25 the efficient conduct of business.

1 SEC. 322. Funds provided in Public Law 106–69 for
2 the Wilmington, Delaware downtown transit connector
3 and funds provided in Public Law 106–346 for the Wil-
4 mington downtown corridor project shall be available for
5 Wilmington, Delaware commuter rail improvements.

6 SEC. 323. (a) IN GENERAL.—None of the funds
7 made available in this Act may be expended by an entity
8 unless the entity agrees that in expending the funds the
9 entity will comply with the Buy American Act (41 U.S.C.
10 10a–10c).

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

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

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

1 a notice describing the statement made in paragraph
2 (1) by the Congress.

3 (c) PROHIBITION OF CONTRACTS WITH PERSONS
4 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
5 If it has been finally determined by a court or Federal
6 agency that any person intentionally affixed a label bear-
7 ing a “Made in America” inscription, or any inscription
8 with the same meaning, to any product sold in or shipped
9 to the United States that is not made in the United
10 States, the person shall be ineligible to receive any con-
11 tract or subcontract made with funds made available in
12 this Act, pursuant to the debarment, suspension, and ineli-
13 gibility procedures described in sections 9.400 through
14 9.409 of title 48, Code of Federal Regulations.

15 SEC. 324. Notwithstanding any other provision of
16 law, Walnut Ridge Regional Airport shall transfer to the
17 Federal Aviation Administration (FAA) their instrument
18 landing system, which shall thereafter be operated and
19 maintained by FAA in accordance with agency criteria.

20 SEC. 325. Notwithstanding any other provision of
21 law, Williams Gateway Airport shall transfer to the Fed-
22 eral Aviation Administration (FAA) air traffic control
23 tower equipment, which shall thereafter be operated and
24 maintained by FAA in accordance with agency criteria.

1 SEC. 326. Rebates, refunds, incentive payments,
2 minor fees and other funds received by the Department
3 from travel management centers, charge card programs,
4 the subleasing of building space, and miscellaneous
5 sources are to be credited to appropriations of the Depart-
6 ment and allocated to elements of the Department using
7 fair and equitable criteria and such funds shall be avail-
8 able until December 31, 2003.

9 SEC. 327. Section 218(a) of Title 23, United States
10 Code, is amended by inserting “reauthorization of the” be-
11 fore “Transportation”.

12 SEC. 328. Notwithstanding any other provision of
13 law, rule or regulation, the Secretary of Transportation
14 is authorized to allow the issuer of any preferred stock
15 heretofore sold to the Department to redeem or repur-
16 chase such stock upon the payment to the Department of
17 an amount determined by the Secretary.

18 SEC. 329. Section 1211(i) of Public Law 105–178,
19 which amended section 1105(c) of the “Intermodal Sur-
20 face Transportation Efficiency Act of 1991,” is amended
21 to read as follows:

22 “(34) THE ALAMEDA CORRIDOR EAST AND
23 SOUTHWEST PASSAGE, CALIFORNIA. The Alameda
24 Corridor East is generally described as a west-east
25 rail corridor extending from east Los Angeles (ter-

1 minus of Alameda Corridor) through the San Ga-
2 briel Valley in Los Angeles County, northern Orange
3 County, San Bernardino County, and Riverside
4 County. The Southwest Passage shall follow I-10
5 from San Bernardino to the Arizona State line and
6 I-8 from San Diego to the Arizona State line.”.

7 SEC. 330. In addition to amounts otherwise made
8 available in this Act, to enable the Secretary of Transpor-
9 tation to make grants for surface transportation projects,
10 \$160,000,000, to remain available until expended.

11 SEC. 331. (a) Notwithstanding any other provision
12 of law, the Secretary shall approve the construction of
13 Type II noise barriers from funds apportioned under sec-
14 tions 104(b)(1) and 104(b)(3) of title 23, United States
15 Code at the following location in Georgia: On the West
16 Side of I-285 between Paces Ferry Road and the Chat-
17 tahoochee River.

18 (b) Notwithstanding any other provision of law, the
19 Secretary of Transportation shall approve the use of funds
20 apportioned under paragraphs (1) and (3) of section
21 104(b) of title 23, United States Code, for construction
22 of Type II noise barriers on the West side of GA 400 from
23 the Glenridge Connector to Northland Drive.

24 SEC. 332. None of the funds in this Act may be used
25 to make a grant unless the Secretary of Transportation

1 notifies the House and Senate Committees on Appropria-
2 tions not less than 3 full business days before any discre-
3 tionary grant award is made under section 1221 of Public
4 Law 105–178 and before any grant award letter of intent,
5 or full funding grant agreement totaling \$500,000 or more
6 is announced by the department or its modal administra-
7 tions from any discretionary grant program within the De-
8 partment: *Provided*, That no notification shall involve
9 funds that are not available for obligation.

10 SEC. 333. (a) Buildings 315, 318, and 319 located
11 at the William J. Hughes Technical Center of the Federal
12 Aviation Administration in Atlantic City, New Jersey,
13 shall be known and designated as the “Frank R. Lauten-
14 berg Aviation Security Complex”.

15 (b) Any reference in a law, map, regulation, docu-
16 ment, paper, or other record of the United States to the
17 buildings referred to in section (a) shall be deemed to be
18 a reference to the “Frank R. Lautenberg Aviation Secu-
19 rity Complex”.

20 SEC. 334. (a) The Secretary of Transportation shall
21 enter into an agreement with the National Academy of
22 Sciences under which agreement the National Academy of
23 Sciences shall conduct a study of the procedures by which
24 the Department of Energy, together with the Department
25 of Transportation and the Nuclear Regulatory Commis-

1 sion, selects routes for the shipment of spent nuclear fuel
2 from research nuclear reactors between or among existing
3 Department of Energy facilities currently licensed to ac-
4 cept such spent nuclear fuel.

5 (b) In conducting the study under subsection (a), the
6 National Academy of Sciences shall analyze the manner
7 in which the Department of Energy—

8 (1) selects potential routes for the shipment of
9 spent nuclear fuel from research nuclear reactors be-
10 tween or among existing Department facilities cur-
11 rently licensed to accept such spent nuclear fuel;

12 (2) selects such a route for a specific shipment
13 of such spent nuclear fuel; and

14 (3) conducts assessments of the risks associated
15 with shipments of such spent nuclear fuel along such
16 a route.

17 (c) The analysis under subsection (b) shall include
18 a consideration whether, and to what extent, the proce-
19 dures analyzed for purposes of that subsection take into
20 account the following:

21 (1) The proximity of the routes under consider-
22 ation to major population centers and the risks asso-
23 ciated with shipments of spent nuclear fuel from re-
24 search nuclear reactors through densely populated
25 areas.

1 (2) Current traffic and accident data with re-
2 spect to the routes under consideration.

3 (3) The quality of the roads comprising the
4 routes under consideration.

5 (4) Emergency response capabilities along the
6 routes under consideration.

7 (5) The proximity of the routes under consider-
8 ation to places or venues (including sports stadiums,
9 convention centers, concert halls and theaters, and
10 other venues) where large numbers of people gather.

11 (d) In conducting the study under subsection (a), the
12 National Academy of Sciences shall also make such rec-
13 ommendations regarding the matters studied as the Na-
14 tional Academy of Sciences considers appropriate.

15 (e) The Secretary shall disperse to the National
16 Academy of Sciences the funds for the cost of the study
17 required by subsection (a) not later than 30 days after
18 the date of the enactment of this Act.

19 (f) Not later than six months after the date of the
20 dispersal of funds under subsection (e), the National
21 Academy of Sciences shall submit to the appropriate com-
22 mittees of Congress a report on the study conducted under
23 subsection (a), including the recommendations required by
24 subsection (d).

1 (g) In this section, the term “appropriate committees
2 of Congress” means—

3 (1) the Committees on Commerce, Science, and
4 Transportation, Energy and Natural Resources, and
5 Environment and Public Works of the Senate;

6 (2) the Committee on Energy and Commerce of
7 the House of Representatives; and

8 (3) the Committees on Appropriations of the
9 House of Representatives and the Senate.

10 SEC. 335. None of the funds in this Act shall be used
11 to pursue or adopt guidelines or regulations requiring air-
12 port sponsors to provide to the Federal Aviation Adminis-
13 tration and the Transportation Security Administration
14 without cost building construction, maintenance, utilities
15 and expenses, or space in airport sponsor-owned buildings
16 for services relating to air traffic control, air navigation,
17 aviation security or weather reporting: *Provided*, That the
18 prohibition of funds in this section does not apply to nego-
19 tiations between the agency and airport sponsors to
20 achieve agreement on “below-market” rates for these
21 items or to grant assurances that require airport sponsors
22 to provide land without cost to the FAA for air traffic
23 control facilities and the TSA for necessary security check-
24 points.

1 SEC. 336. Using up to \$300,000 of the amount ap-
2 propriated for fiscal year 2002 for the Department of
3 Transportation for the Coast Guard for acquisition, con-
4 struction, and improvements by title I of Public Law 107–
5 87 (115 Stat. 836), the Secretary of Transportation shall,
6 by grant, reimburse the City of Escanaba, Michigan, for
7 the costs incurred by the City for the repair of the North
8 wall of the municipal dock, Escanaba, Michigan, a facility
9 used by the Coast Guard.

10 SEC. 337. For fiscal year 2003 only, Section 5307(b)
11 of title 49, United States Code, is amended by striking
12 the last sentence in paragraph (1) , by redesignating para-
13 graph (2) as paragraph (5), and by inserting after para-
14 graph (1) the following:

15 “(2) The Secretary may make grants under this
16 section from funds made available to carry out this
17 section for fiscal year 2003, to finance the operating
18 cost of equipment and facilities for use in mass
19 transportation in an urbanized area with a popu-
20 lation of at least 200,000 as determined under the
21 2000 decennial census of population if—

22 “(A) such urbanized area had a population
23 of less than 200,000 as determined under the
24 1990 Federal decennial census of population;

1 “(B) a portion of the urbanized area was
2 a separate urbanized area with a population of
3 less than 200,000 as determined under the
4 1990 Federal decennial census of population; or

5 “(C) the area was not designated as an ur-
6 banized area as determined under the 1990
7 Federal decennial census of population.

8 “(3) Amounts made available pursuant to sub-
9 section (b)(2)(A) and (B) shall be no more than the
10 amount apportioned in fiscal year 2002 to the ur-
11 banized area with a population of less than 200,000
12 as determined in the 1990 Federal decennial census
13 of population.

14 “(4) Amounts made available pursuant to sub-
15 section (b)(2)(C)e shall be no more than the amount
16 apportioned under this section for fiscal year
17 2003.”.

18 SEC. 338. For an airport project that the Adminis-
19 trator of the Federal Aviation Administration (FAA) de-
20 termines will add critical airport capacity to the national
21 air transportation system, the Administrator is authorized
22 to accept funds from an airport sponsor, including entitle-
23 ment funds provided under the “Grants-in-Aid for Air-
24 ports” program, for the FAA to hire additional staff or
25 obtain the services of consultants: *Provided*, That the Ad-

1 ministrator is authorized to accept and utilize such funds
2 only for the purpose of facilitating the timely processing,
3 review, and completion of environmental activities associ-
4 ated with such project.

5 SEC. 339. (a) IN GENERAL.—Notwithstanding any
6 other provision of subchapter I of Chapter 471 of title 49,
7 the Secretary of Transportation may provide grants under
8 such subchapter I of chapter 471 to the airport sponsor
9 of the Double Eagle II Airport in Albuquerque, New Mex-
10 ico, for—

11 (1) the construction of an air traffic control
12 tower; and

13 (2) the acquisition and installation of air traffic
14 control equipment to be used in the air traffic con-
15 trol tower that will assist in sustaining or improving
16 the safe and efficient movement of air traffic.

17 (b) ELIGIBILITY.—The sponsor shall be eligible for
18 a grant under this section if—

19 (1) the sponsor would otherwise be eligible to
20 participate in the pilot program established under
21 section 47124(b)(3) of title 49 except for the lack of
22 the air traffic control tower proposed to be con-
23 structed under this section; and

1 (2) the sponsor agrees to fund not less than 10
2 percent of the costs of construction of the air traffic
3 control tower.

4 (c) PROJECT COSTS.—Grants under this act shall be
5 paid only from amounts apportioned to the sponsor or for
6 airports in the state under section 47114(d) of title 49,
7 United States Code.

8 (d) FEDERAL SHARE.—The Federal share of the cost
9 of construction of an air traffic control tower under this
10 section may not exceed \$1,800,000.

11 SEC. 340. Notwithstanding any other provision of
12 law, States may use funds provided in this Act under Sec-
13 tion 402 of title 23, United States Code, to produce and
14 place highway safety public service messages in television,
15 radio, cinema, and print media, and on the Internet in
16 accordance with guidance issued by the Secretary of
17 Transportation: *Provided*, That any state that uses funds
18 for such public service messages shall submit to the Sec-
19 retary a report describing and assessing the effectiveness
20 of the messages: *Provided further*, That \$10,000,000 of
21 the funds allocated for innovative seat belt projects under
22 Section 157 of title 23, United States Code, and
23 \$10,000,000 of funds allocated under Section 410 of title
24 23, United States Code, shall be used as directed by the
25 National Highway Traffic Safety Administrator, to pur-

1 chase advertising in broadcast media to support the na-
2 tional mobilizations conducted in all fifty states, aimed at
3 increasing seat belt use and reducing impaired driving.

4 SEC. 341. For purposes of entering into joint public-
5 private partnerships and other cooperative arrangements
6 for the performance of work, the Coast Guard Yard and
7 other Coast Guard specialized facilities designated by the
8 Commandant may enter into agreements or other arrange-
9 ments, receive and retain funds from and pay funds to
10 such public and private entities, and may accept contribu-
11 tions of funds, materials, services, and the use of facilities
12 from such entities: *Provided*, That amounts received under
13 this section may be credited to appropriate Coast Guard
14 accounts.

15 SEC. 342. None of the funds in this Act may be obli-
16 gated for the Office of the Secretary of Transportation
17 to approve assessments or reimbursable agreements per-
18 taining to funds appropriated to the modal administra-
19 tions in this Act, except for activities underway on the
20 date of enactment of this Act, unless such assessments
21 or agreements have completed the normal reprogramming
22 process for Congressional notification.

23 SEC. 343. Insert the following new section at the end
24 of chapter 53 of Title 49, United States Code:

1 “SEC. _____. Effective for funds not yet expended on
2 the effective date of this section, the federal share for
3 funds under this chapter for a grantee named in section
4 603(14) of Public Law 97–468 shall be the same as the
5 federal share under 23 U.S.C. section 120(b) for federal
6 aid highway funds apportioned to the state in which it op-
7 erates.”.

8 SEC. 344. (a) IN GENERAL.—As soon as practicable
9 after the date of enactment of this Act, the Secretary of
10 Transportation shall enter into an agreement with the
11 State of Nevada, the State of Arizona, or both, to provide
12 a method of funding for construction of a Hoover Dam
13 Bypass Bridge from funds allocated for the Federal Lands
14 Highway Program under section 202(b) of title 23, United
15 States Code.

16 (b) METHODS OF FUNDING.—

17 (1) The agreement entered into under sub-
18 section (a) shall provide for funding in a manner
19 consistent with the advance construction and debt
20 instrument financing procedures for Federal-Aid
21 Highways set forth in sections 115 and 122 of title
22 23, except that the funding source may include
23 funds made available under the Federal Lands
24 Highway Program.

1 (2) Eligibility for funding under this subsection
2 shall not be construed as a commitment, guarantee,
3 or obligation on the part of the United States to
4 provide for payment of principal or interest of an eli-
5 gible debt financing instrument as so defined in sec-
6 tion 122, nor create a right of a third party against
7 the United States for payment under an eligible debt
8 financing instrument. The agreement entered into
9 pursuant to subsection (a) shall make specific ref-
10 erence to this provision of law.

11 (3) The provisions of this section do not limit
12 the use of other available funds for which the project
13 referenced in subsection (a) is eligible.

14 SEC. 345. None of the funds appropriated or other-
15 wise made available in this Act may be made available to
16 any person or entity convicted of violating the Buy Amer-
17 ican Act (41 U.S.C. 10a–10c).

18 SEC. 346. For fiscal year 2003, notwithstanding any
19 other provision of law, historic covered bridges eligible for
20 Federal assistance under section 1224 of the Transpor-
21 tation Equity Act for the 21st Century, as amended, may
22 be funded from amounts set aside for the discretionary
23 bridge program.

24 SEC. 347. None of the funds provided in this Act or
25 prior Appropriations Acts for Coast Guard “Acquisition,

1 construction, and improvements” shall be available after
2 the fifteenth day of any quarter of any fiscal year, unless
3 the Commandant of the Coast Guard first submits to the
4 House and Senate Committees on Appropriations a quar-
5 terly report on the agency’s mission hour emphasis and
6 a quarterly report on all major Coast Guard acquisition
7 projects including projects executed for the Coast Guard
8 by the United States Navy and vessel traffic service
9 projects: *Provided*, That such acquisition reports shall in-
10 clude an acquisition schedule, estimated current and year
11 funding requirements, and a schedule of anticipated obli-
12 gations and outlays for each major acquisition project:
13 *Provided further*, That such acquisition reports shall rate
14 on a relative scale the cost risk, schedule risk, and tech-
15 nical risk associated with each acquisition project and in-
16 clude a table detailing unobligated balances to date and
17 anticipated unobligated balances at the close of the fiscal
18 year and the close of the following fiscal year should the
19 Administration’s pending budget request for the acquisi-
20 tion, construction, and improvements account be fully
21 funded: *Provided further*, That such acquisition reports
22 shall also provide abbreviated information on the status
23 of shore facility construction and renovation projects: *Pro-*
24 *vided further*, That all information submitted in such mis-

1 sion hour emphasis and acquisition reports shall be cur-
2 rent as of the last day of the preceding quarter.

3 SEC. 348. Of the funds made available in fiscal year
4 2003 in Section 1503 of Public Law 105–178, as amend-
5 ed, \$115,000,000 shall instead be available for the pro-
6 grams authorized in Section 1101(a)(9) of such Act and
7 \$15,000,000 shall instead be made available for Section
8 1221 of such Act.

9 SEC. 349. Funds provided in this Act for the Trans-
10 portation Administrative Service Center (TASC) shall be
11 reduced by \$5,162,000, which limits fiscal year 2003
12 TASC obligational authority for elements of the Depart-
13 ment of Transportation funded in this Act to no more
14 than \$126,617,000: *Provided*, That such reductions from
15 the budget request shall be allocated by the Department
16 of Transportation to each appropriations account in pro-
17 portion to the amount included in each account for the
18 Transportation Administrative Service Center.

19 SEC. 350. Funds appropriated or limited in this Act
20 shall be subject to the terms and conditions stipulated in
21 Section 350 of Public Law 107–87.

22 SEC. 351. From capital funds otherwise made avail-
23 able in this Act, there shall be transferred \$69,000,000
24 to Federal Aviation Administration, Facilities and Equip-
25 ment.

1 SEC. 352. Section 1023(h) of the Intermodal Surface
2 Transportation Efficiency Act of 1991 (23 U.S.C. 127
3 note; Public Law 102–240) is amended—

4 (1) in the subsection heading, by inserting
5 “OVER-THE-ROAD BUSES AND” before “PUB-
6 LIC”; and

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

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

12 “(B) any vehicle that”.

13 SEC. 353. Notwithstanding any other provision of
14 law, funds made available for construction of roads and
15 a bridge to provide access to the Rose Bluff industrial
16 area, Lake Charles, Louisiana, under section 149(a)(87)
17 of the Surface Transportation and Uniform Relocation As-
18 sistance Act of 1987 (101 Stat. 194; 109 Stat. 607) and
19 item 17 of the table contained in section 1106(a)(2) of
20 the Intermodal Surface Transportation Efficiency Act of
21 1991 (105 Stat. 2038) shall be made available for the
22 project in Lake Charles, Louisiana, consisting of—

23 (1) construction of Nelson Access Road to the
24 Port of Lake Charles as described in item 1596 of
25 the table contained in section 1602 of the Transpor-

1 tation Equity Act for the 21st Century (112 Stat.
2 315);

3 (2) reconstruction of Cove Lane; and

4 (3) planning, design, and construction of Port
5 Access Road.

6 SEC. 354. The 2002 Supplemental Appropriations
7 Act for Further Recovery From and Response To Ter-
8 rorist Attacks on the United States is hereby amended by
9 striking “\$320,000,000” under the heading “Federal-Aid
10 Highways”, the only time it appears, and inserting
11 “\$120,000,000”.

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

Calendar No. 522

107TH CONGRESS
2^D SESSION

S. 2808

[Report No. 107-224]

A BILL

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

JULY 26, 2002

Read twice and placed on the calendar