

# Union Calendar No. 115

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2169

[Report No. 105-188]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 1997

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

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## A BILL

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 fiscal year ending September 30, 1998, and for other pur-  
6 poses, namely:

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

4 For necessary expenses of the Office of the Secretary,  
5 \$60,009,000, of which not to exceed \$40,000 shall be  
6 available as the Secretary may determine for allocation  
7 within the Department for official reception and represen-  
8 tation expenses: *Provided*, That notwithstanding any other  
9 provision of law, there may be credited to this appropria-  
10 tion up to \$1,000,000 in funds received in user fees: *Pro-*  
11 *vided further*, That no more than \$606,000 shall be avail-  
12 able for the Office of Acquisition and Grants Management,  
13 solely for department-wide grants management activities:  
14 *Provided further*, That none of the funds appropriated in  
15 this Act or otherwise made available may be used to main-  
16 tain custody of airline tariffs that are already available  
17 for public and departmental access at no cost; to secure  
18 them against detection, alteration, or tampering; and open  
19 to inspection by the Department.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,  
22 \$5,574,000.



1                   PAYMENTS TO AIR CARRIERS  
2                   (AIRPORT AND AIRWAY TRUST FUND)  
3                   (RESCISSION OF CONTRACT AUTHORIZATION)

4           Of the budgetary resources provided for “Small Com-  
5 munity Air Service” in Public Law 101–508 for fiscal year  
6 1998, \$38,600,000 are rescinded.

7           MINORITY BUSINESS RESOURCE CENTER PROGRAM

8           For the cost of direct loans, \$1,500,000, as author-  
9 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-  
10 ing the cost of modifying such loans, shall be as defined  
11 in section 502 of the Congressional Budget Act of 1974:  
12 *Provided further*, That these funds are available to sub-  
13 sidize gross obligations for the principal amount of direct  
14 loans not to exceed \$15,000,000. In addition, for adminis-  
15 trative expenses to carry out the direct loan program,  
16 \$400,000.

17           MINORITY BUSINESS OUTREACH

18           For necessary expenses of Minority Business Re-  
19 source Center outreach activities, \$2,900,000, of which  
20 \$2,635,000 shall remain available until September 30,  
21 1999: *Provided*, That notwithstanding 49 U.S.C. 332,  
22 these funds may be used for business opportunities related  
23 to any mode of transportation.

1 COAST GUARD  
2 OPERATING EXPENSES  
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for the operation and mainte-  
5 nance of the Coast Guard, not otherwise provided for; pur-  
6 chase of not to exceed five passenger motor vehicles for  
7 replacement only; payments pursuant to section 156 of  
8 Public Law 97–377, as amended (42 U.S.C. 402 note),  
9 and section 229(b) of the Social Security Act (42 U.S.C.  
10 429(b)); and recreation and welfare; \$2,708,000,000, of  
11 which \$300,000,000 shall be available for defense-related  
12 activities and \$25,000,000 shall be derived from the Oil  
13 Spill Liability Trust Fund: *Provided*, That the number of  
14 aircraft on hand at any one time shall not exceed two hun-  
15 dred and twelve, exclusive of aircraft and parts stored to  
16 meet future attrition: *Provided further*, That none of the  
17 funds appropriated in this or any other Act shall be avail-  
18 able for pay or administrative expenses in connection with  
19 shipping commissioners in the United States: *Provided*  
20 *further*, That none of the funds provided in this Act shall  
21 be available for expenses incurred for yacht documentation  
22 under 46 U.S.C. 12109, except to the extent fees are col-  
23 lected from yacht owners and credited to this appropria-  
24 tion: *Provided further*, That the Commandant shall reduce  
25 both military and civilian employment levels for the pur-

1 pose of complying with Executive Order No. 12839: *Pro-*  
2 *vided further*, That \$34,300,000 of the funds provided  
3 under this heading for increased drug interdiction activi-  
4 ties are not available for obligation until the Director, Of-  
5 fice of National Drug Control Policy: (1) reviews the spe-  
6 cific activities and associated costs and benefits proposed  
7 by the Coast Guard; (2) compares those activities to other  
8 drug interdiction efforts government-wide; and (3) cer-  
9 tifies, in writing, to the House and Senate Committees on  
10 Appropriations that such expenditures represent the best  
11 investment relative to other options: *Provided further*,  
12 That should the Director, Office of National Drug Control  
13 Policy decline to make such certification, after notification  
14 in writing to the House and Senate Committees on Appro-  
15 priations, the Director may transfer, at his discretion, up  
16 to \$34,300,000 of funds provided herein for Coast Guard  
17 drug interdiction activities to any other entity of the Fed-  
18 eral Government for drug interdiction activities: *Provided*  
19 *further*, That up to \$615,000 in user fees collected pursu-  
20 ant to section 1111 of Public Law 104-324 shall be cred-  
21 ited to this appropriation as offsetting collections in fiscal  
22 year 1998.

23 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

24 For necessary expenses of acquisition, construction,  
25 renovation, and improvement of aids to navigation, shore

1 facilities, vessels, and aircraft, including equipment related  
2 thereto, \$379,000,000, of which \$20,000,000 shall be de-  
3 rived from the Oil Spill Liability Trust Fund; of which  
4 \$191,650,000 shall be available to acquire, repair, ren-  
5 ovate or improve vessels, small boats and related equip-  
6 ment, to remain available until September 30, 2002;  
7 \$33,900,000 shall be available to acquire new aircraft and  
8 increase aviation capability, to remain available until Sep-  
9 tember 30, 2000; \$47,050,000 shall be available for other  
10 equipment, to remain available until September 30, 2000;  
11 \$59,400,000 shall be available for shore facilities and aids  
12 to navigation facilities, to remain available until Septem-  
13 ber 30, 2000; and \$47,000,000 shall be available for per-  
14 sonnel compensation and benefits and related costs, to re-  
15 main available until September 30, 1999: *Provided*, That  
16 funds received from the sale of HU-25 aircraft shall be  
17 credited to this appropriation for the purpose of acquiring  
18 new aircraft and increasing aviation capacity: *Provided*  
19 *further*, That the Commandant may dispose of surplus real  
20 property by sale or lease and the proceeds shall be credited  
21 to this appropriation, of which not more than \$9,000,000  
22 shall be credited as offsetting collections to this account,  
23 to be available for the purposes of this account: *Provided*  
24 *further*, That the amount herein appropriated from the  
25 General Fund shall be reduced by such amount so as to

1 result in a final fiscal year 1998 appropriation from the  
2 General Fund of \$370,000,000: *Provided further*, That  
3 any proceeds from the sale or lease of Coast Guard surplus  
4 real property in excess of \$9,000,000 shall be retained and  
5 remain available until expended, but shall not be available  
6 for obligation until October 1, 1998.

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 \$21,000,000, to remain available until expended.

12 ALTERATION OF BRIDGES

13 For necessary expenses for alteration or removal of  
14 obstructive bridges, \$16,000,000, 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, and payments under the Retired Service-  
20 man's Family Protection and Survivor Benefits Plans, and  
21 for payments for medical care of retired personnel and  
22 their dependents under the Dependents Medical Care Act  
23 (10 U.S.C. ch. 55); \$645,696,000.

## RESERVE TRAINING

1

(INCLUDING TRANSFER OF FUNDS)

2

3 For all necessary expenses of the Coast Guard Re-  
4 serve, as authorized by law; maintenance and operation  
5 of facilities; and supplies, equipment, and services;  
6 \$67,000,000: *Provided*, That no more than \$20,000,000  
7 of funds made available under this heading may be trans-  
8 ferred to Coast Guard “Operating expenses” or otherwise  
9 made available to reimburse the Coast Guard for financial  
10 support of the Coast Guard Reserve.

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

11

12 For necessary expenses, not otherwise provided for,  
13 for applied scientific research, development, test, and eval-  
14 uation; maintenance, rehabilitation, lease and operation of  
15 facilities and equipment, as authorized by law,  
16 \$19,000,000, to remain available until expended, of which  
17 \$3,500,000 shall be derived from the Oil Spill Liability  
18 Trust Fund: *Provided*, That there may be credited to this  
19 appropriation funds received from State and local govern-  
20 ments, other public authorities, private sources, and for-  
21 eign countries, for expenses incurred for research, develop-  
22 ment, testing, and evaluation.

## 1 BOAT SAFETY

## 2 (AQUATIC RESOURCES TRUST FUND)

3 For payment of necessary expenses incurred for rec-  
4 reational boating safety assistance under Public Law 92-  
5 75, as amended, \$35,000,000, to be derived from the Boat  
6 Safety Account and to remain available until expended.

## 7 FEDERAL AVIATION ADMINISTRATION

## 8 OPERATIONS

9 For necessary expenses of the Federal Aviation Ad-  
10 ministration, not otherwise provided for, including oper-  
11 ations and research activities related to commercial space  
12 transportation, administrative expenses for research and  
13 development, establishment of air navigation facilities and  
14 the operation (including leasing) and maintenance of air-  
15 craft, and carrying out the provisions of subchapter I of  
16 chapter 471 of title 49, United States Code, or other pro-  
17 visions of law authorizing the obligation of funds for simi-  
18 lar programs of airport and airway development or im-  
19 provement, lease or purchase of four passenger motor ve-  
20 hicles for replacement only, \$5,300,000,000, of which not-  
21 withstanding 49 U.S.C. 48104(c), \$3,425,000,000 shall be  
22 derived from the Airport and Airway Trust Fund: *Pro-*  
23 *vided*, That none of the funds in this Act shall be available  
24 for the Federal Aviation Administration to plan, finalize,  
25 or implement any regulation that would promulgate new

1 aviation user fees not specifically authorized by law after  
2 the date of enactment of this Act: *Provided further*, That  
3 there may be credited to this appropriation funds received  
4 from States, counties, municipalities, foreign authorities,  
5 other public authorities, and private sources, for expenses  
6 incurred in the provision of agency services, including re-  
7 cepts for the maintenance and operation of air navigation  
8 facilities, and for issuance, renewal or modification of cer-  
9 tificates, including airman, aircraft, and repair station cer-  
10 tificates, or for tests related thereto, or for processing  
11 major repair or alteration forms: *Provided further*, That  
12 funds may be used to enter into a grant agreement with  
13 a nonprofit standard-setting organization to assist in the  
14 development of aviation safety standards: *Provided fur-*  
15 *ther*, That none of the funds in this Act shall be available  
16 for new applicants for the second career training program:  
17 *Provided further*, That none of the funds in this Act shall  
18 be available for paying premium pay under 5 U.S.C.  
19 5546(a) to any Federal Aviation Administration employee  
20 unless such employee actually performed work during the  
21 time corresponding to such premium pay: *Provided fur-*  
22 *ther*, That none of the funds in this Act may be obligated  
23 or expended to operate a manned auxiliary flight service  
24 station in the contiguous United States: *Provided further*,  
25 That none of the funds derived from the Airport and Air-

1 way Trust Fund may be used to support the operations  
2 and activities of the Associate Administrator for Commer-  
3 cial Space Transportation.

#### 4 FACILITIES AND EQUIPMENT

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses, not otherwise provided for,  
7 for acquisition, establishment, and improvement by con-  
8 tract or purchase, and hire of air navigation and experi-  
9 mental facilities and equipment as authorized under part  
10 A of subtitle VII of title 49, United States Code, including  
11 initial acquisition of necessary sites by lease or grant; en-  
12 gineering and service testing, including construction of  
13 test facilities and acquisition of necessary sites by lease  
14 or grant; and construction and furnishing of quarters and  
15 related accommodations for officers and employees of the  
16 Federal Aviation Administration stationed at remote local-  
17 ities where such accommodations are not available; and  
18 the purchase, lease, or transfer of aircraft from funds  
19 available under this head; to be derived from the Airport  
20 and Airway Trust Fund, \$1,875,000,000, of which  
21 \$1,655,890,000 shall remain available until September 30,  
22 2000, and of which \$219,110,000 shall remain available  
23 until September 30, 1998: *Provided*, That there may be  
24 credited to this appropriation funds received from States,  
25 counties, municipalities, other public authorities, and pri-

1 vate sources, for expenses incurred in the establishment  
2 and modernization of air navigation facilities.

3 RESEARCH, ENGINEERING, AND DEVELOPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for,  
6 for research, engineering, and development, as authorized  
7 under part A of subtitle VII of title 49, United States  
8 Code, including construction of experimental facilities and  
9 acquisition of necessary sites by lease or grant,  
10 \$185,000,000, to be derived from the Airport and Airway  
11 Trust Fund and to remain available until September 30,  
12 2000: *Provided*, That there may be credited to this appro-  
13 priation funds received from States, counties, municipali-  
14 ties, other public authorities, and private sources, for ex-  
15 penses incurred for research, engineering, and develop-  
16 ment: *Provided further*, That none of the funds in this Act  
17 may be obligated or expended for the “Flight 2000” Pro-  
18 gram.

19 GRANTS-IN-AID FOR AIRPORTS

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (AIRPORT AND AIRWAY TRUST FUND)

22 For liquidation of obligations incurred for grants-in-  
23 aid for airport planning and development, and for noise  
24 compatibility planning and programs as authorized under  
25 subchapter I of chapter 471 and subchapter I of chapter  
26 475 of title 49, United States Code, and under other law

1 authorizing such obligations, \$1,600,000,000, to be de-  
2 rived from the Airport and Airway Trust Fund and to re-  
3 main available until expended: *Provided*, That none of the  
4 funds in this Act shall be available for the planning or  
5 execution of programs the obligations for which are in ex-  
6 cess of \$1,700,000,000 in fiscal year 1998 for grants-in-  
7 aid for airport planning and development, and noise com-  
8 patibility planning and programs, notwithstanding section  
9 47117(h) of title 49, United States Code.

10 AVIATION INSURANCE REVOLVING FUND

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

19 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

20 None of the funds in this Act shall be available for  
21 activities under this heading during fiscal year 1998.

22 ADMINISTRATIVE SERVICES FRANCHISE FUND

23 None of the funds in this Act shall be available to  
24 establish new activities under the Administrative Services  
25 Franchise Fund during fiscal year 1998.

1           FEDERAL HIGHWAY ADMINISTRATION  
2           LIMITATION ON GENERAL OPERATING EXPENSES

3           Necessary expenses for administration, operation, in-  
4 cluding motor carrier safety program operations, and re-  
5 search of the Federal Highway Administration not to ex-  
6 ceed \$510,313,000 shall be paid in accordance with law  
7 from appropriations made available by this Act to the Fed-  
8 eral Highway Administration together with advances and  
9 reimbursements received by the Federal Highway Admin-  
10 istration: *Provided*, That \$202,226,000 of the amount pro-  
11 vided herein shall remain available until September 30,  
12 2000.

13                           FEDERAL-AID HIGHWAYS  
14                           (LIMITATION ON OBLIGATIONS)  
15                           (HIGHWAY TRUST FUND)

16           None of the funds in this Act shall be available for  
17 the implementation or execution of programs the obliga-  
18 tions for which are in excess of \$21,500,000,000 for Fed-  
19 eral-aid highways and highway safety construction pro-  
20 grams for fiscal year 1998.

21                           FEDERAL-AID HIGHWAYS  
22                           (LIQUIDATION OF CONTRACT AUTHORIZATION)  
23                           (HIGHWAY TRUST FUND)

24           For carrying out the provisions of title 23, United  
25 States Code, that are attributable to Federal-aid high-  
26 ways, including the National Scenic and Recreational

1 Highway as authorized by 23 U.S.C. 148, not otherwise  
2 provided, including reimbursements for sums expended  
3 pursuant to the provisions of 23 U.S.C. 308,  
4 \$20,800,000,000 or so much thereof as may be available  
5 in and derived from the Highway Trust Fund, to remain  
6 available until expended.

7                   RIGHT-OF-WAY REVOLVING FUND

8                   (LIMITATION ON DIRECT LOANS)

9                   (HIGHWAY TRUST FUND)

10       None of the funds under this head are available for obli-  
11 gations for right-of-way acquisition during fiscal year  
12 1998.

13                   MOTOR CARRIER SAFETY GRANTS

14                   (LIQUIDATION OF CONTRACT AUTHORIZATION)

15                   (HIGHWAY TRUST FUND)

16       For payment of obligations incurred in carrying out  
17 49 U.S.C. 31102, \$85,000,000, to be derived from the  
18 Highway Trust Fund and to remain available until ex-  
19 pended: *Provided*, That none of the funds in this Act shall  
20 be available for the implementation or execution of pro-  
21 grams the obligations for which are in excess of  
22 \$85,325,000 for “Motor Carrier Safety Grants”.

1           NATIONAL HIGHWAY TRAFFIC SAFETY  
2                           ADMINISTRATION  
3                           OPERATIONS AND RESEARCH

4           For expenses necessary to discharge the functions of  
5 the Secretary with respect to traffic and highway safety  
6 under part C of subtitle VI of title 49, United States Code,  
7 and chapter 301 of title 49, United States Code,  
8 \$74,492,000, of which \$40,674,000 shall remain available  
9 until September 30, 2000: *Provided*, That none of the  
10 funds appropriated by this Act may be obligated or ex-  
11 pended to plan, finalize, or implement any rulemaking to  
12 add to section 575.104 of title 49 of the Code of Federal  
13 Regulations any requirement pertaining to a grading  
14 standard that is different from the three grading stand-  
15 ards (treadwear, traction, and temperature resistance) al-  
16 ready in effect.

17                           OPERATIONS AND RESEARCH  
18                           (HIGHWAY TRUST FUND)

19           For expenses necessary to discharge the functions of  
20 the Secretary with respect to traffic and highway safety  
21 under 23 U.S.C. 403 and section 2006 of the Intermodal  
22 Surface Transportation Efficiency Act of 1991 (Public  
23 Law 102–240), to be derived from the Highway Trust  
24 Fund, \$72,415,000, of which \$49,520,000 shall remain  
25 available until September 30, 2000.

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

5           For payment of obligations incurred carrying out the  
6 provisions of 23 U.S.C. 153, 402, 408, and 410, and chap-  
7 ter 303 of title 49, United States Code, to remain available  
8 until expended, \$186,000,000, to be derived from the  
9 Highway Trust Fund: *Provided*, That, notwithstanding  
10 subsection 2009(b) of the Intermodal Surface Transpor-  
11 tation Efficiency Act of 1991, none of the funds in this  
12 Act shall be available for the planning or execution of pro-  
13 grams the total obligations for which, in fiscal year 1998,  
14 are in excess of \$186,500,000 for programs authorized  
15 under 23 U.S.C. 402, 410, and chapter 303 of title 49,  
16 U.S.C., of which \$140,200,000 shall be for “State and  
17 community highway safety grants”, \$2,300,000 shall be  
18 for the “National Driver Register”, \$9,000,000 shall be  
19 for “Occupant Protection Incentive Grants”, subject to  
20 authorization, and \$35,000,000 shall be for section 410  
21 “Alcohol-impaired driving counter-measures programs”:  
22 *Provided further*, That none of these funds shall be used  
23 for construction, rehabilitation or remodeling costs, or for  
24 office furnishings and fixtures for State, local, or private  
25 buildings or structures: *Provided further*, That not to ex-  
26 ceed \$5,268,000 of the funds made available for section

1 402 may be available for administering “State and com-  
2 munity highway safety grants”: *Provided further*, That not  
3 to exceed \$150,000 of the funds made available for section  
4 402 may be available for administering the highway safety  
5 grants authorized by section 1003(a)(7) of Public Law  
6 102–240: *Provided further*, That not to exceed \$500,000  
7 of the funds made available for section 410 “Alcohol-im-  
8 paired driving counter-measures programs” shall be avail-  
9 able for technical assistance to the States.

10 FEDERAL RAILROAD ADMINISTRATION

11 OFFICE OF THE ADMINISTRATOR

12 For necessary expenses of the Federal Railroad Ad-  
13 ministration, not otherwise provided for, \$19,434,000, of  
14 which \$1,389,000 shall remain available until expended:  
15 *Provided*, That none of the funds in this Act shall be avail-  
16 able for the planning or execution of a program making  
17 commitments to guarantee new loans under the Emer-  
18 gency Rail Services Act of 1970, as amended, and no new  
19 commitments to guarantee loans under section 211(a) or  
20 211(h) of the Regional Rail Reorganization Act of 1973,  
21 as amended, shall be made: *Provided further*, That, as part  
22 of the Washington Union Station transaction in which the  
23 Secretary assumed the first deed of trust on the property  
24 and, where the Union Station Redevelopment Corporation  
25 or any successor is obligated to make payments on such

1 deed of trust on the Secretary's behalf, including pay-  
2 ments on and after September 30, 1988, the Secretary  
3 is authorized to receive such payments directly from the  
4 Union Station Redevelopment Corporation, credit them to  
5 the appropriation charged for the first deed of trust, and  
6 make payments on the first deed of trust with those funds:  
7 *Provided further*, That such additional sums as may be  
8 necessary for payment on the first deed of trust may be  
9 advanced by the Administrator from unobligated balances  
10 available to the Federal Railroad Administration, to be re-  
11 imbursed from payments received from the Union Station  
12 Redevelopment Corporation: *Provided further*, That none  
13 of the funds for rental payments to the General Services  
14 Administration provided herein shall be used to pay the  
15 expenses of headquarters' employees outside of the Nassif  
16 building after January 1, 1998.

17 RAILROAD SAFETY

18 For necessary expenses in connection with railroad  
19 safety, not otherwise provided for, \$56,967,000, of which  
20 \$5,511,000 shall remain available until expended: *Pro-*  
21 *vided*, That notwithstanding any other provision of law,  
22 funds appropriated under this heading are available for  
23 the reimbursement of out-of-state travel and per diem  
24 costs incurred by employees of State governments directly

1 supporting the Federal railroad safety program, including  
2 regulatory development and compliance-related activities.

3 RAILROAD RESEARCH AND DEVELOPMENT

4 For necessary expenses for railroad research and de-  
5 velopment, \$21,038,000, to remain available until ex-  
6 pended.

7 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

8 For necessary expenses related to Northeast Corridor  
9 improvements authorized by title VII of the Railroad Revi-  
10 talization and Regulatory Reform Act of 1976, as amend-  
11 ed (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909,  
12 \$250,000,000, to remain available until September 30,  
13 2000.

14 RAILROAD REHABILITATION AND IMPROVEMENT  
15 PROGRAM

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

1 outstanding: *Provided*, That no new loan guarantee com-  
2 mitments shall be made during fiscal year 1998.

3           NEXT GENERATION HIGH-SPEED RAIL

4           For necessary expenses for Next Generation High-  
5 Speed Rail studies, corridor planning, development, dem-  
6 onstration, and implementation, \$18,395,000, to remain  
7 available until expended: *Provided*, That funds under this  
8 head may be made available for grants to States for high-  
9 speed rail corridor design, feasibility studies, environ-  
10 mental analyses, and track and signal improvements.

11           RHODE ISLAND RAIL DEVELOPMENT

12           For the costs associated with construction of a third  
13 track on the Northeast Corridor between Davisville and  
14 Central Falls, Rhode Island, with sufficient clearance to  
15 accommodate double stack freight cars, \$10,000,000, to  
16 be matched by the State of Rhode Island or its designee  
17 on a dollar for dollar basis and to remain available until  
18 expended: *Provided*, That as a condition of accepting such  
19 funds, the Providence and Worcester (P&W) Railroad  
20 shall enter into an agreement with the Secretary to reim-  
21 burse Amtrak and/or the Federal Railroad Administra-  
22 tion, on a dollar for dollar basis, up to the first  
23 \$23,000,000 in damages resulting from the legal action  
24 initiated by the P&W Railroad under its existing contracts  
25 with Amtrak relating to the provision of vertical clearances

1 between Davisville and Central Falls in excess of those re-  
2 quired for present freight operations.

3 GRANTS TO THE NATIONAL RAILROAD PASSENGER  
4 CORPORATION

5 To enable the Secretary of Transportation to make  
6 grants to the National Railroad Passenger Corporation  
7 authorized by 49 U.S.C. 24104, \$543,000,000, to remain  
8 available until expended, of which \$202,000,000 shall be  
9 available for operating losses, \$81,000,000 shall be avail-  
10 able for mandatory passenger rail service payments, and  
11 \$260,000,000 shall be for capital improvements: *Provided*,  
12 That none of the funds herein appropriated for mandatory  
13 railroad retirement payments shall be used for payments  
14 for National Railroad Passenger Corporation employees:  
15 *Provided further*, That none of the funds in this Act may  
16 be obligated or expended for operating losses in excess of  
17 the amounts specifically provided herein: *Provided further*,  
18 That none of the funds provided for capital improvements  
19 may be transferred to operating losses to pay for debt  
20 service interest unless specifically authorized by law after  
21 the date of enactment of this Act: *Provided further*, That  
22 the incurring of any obligation or commitment by the Cor-  
23 poration for the purchase of capital improvements prohib-  
24 ited by this Act or not expressly provided for in an appro-  
25 priations Act shall be deemed a violation of 31 U.S.C.

1 1341: *Provided further*, That funding under this head for  
2 capital improvements shall not be made available before  
3 July 1, 1998: *Provided further*, That the Administrator  
4 of the Federal Railroad Administration shall submit a  
5 quarterly report to the House and Senate Committees on  
6 Appropriations detailing the financial status of, and future  
7 business forecasts for, the National Railroad Passenger  
8 Corporation as well as recommendations for reducing op-  
9 erating losses in the near-term and Federal financial sup-  
10 port in the long-term: *Provided further*, That none of the  
11 funds herein appropriated shall be used for lease or pur-  
12 chase of passenger motor vehicles or for the hire of vehicle  
13 operators for any officer or employee, other than the presi-  
14 dent of the Corporation, excluding the lease of passenger  
15 motor vehicles for those officers or employees while in offi-  
16 cial travel status.

17 FEDERAL TRANSIT ADMINISTRATION

18 ADMINISTRATIVE EXPENSES

19 For necessary administrative expenses of the Federal  
20 Transit Administration's programs authorized by chapter  
21 53 of title 49, United States Code, \$45,738,000: *Provided*,  
22 That none of the funds in this Act shall be available for  
23 the execution of contracts under section 5327(c) of title  
24 49, United States Code, in an aggregate amount that ex-  
25 ceeds \$15,000,000.



## 1 UNIVERSITY TRANSPORTATION CENTERS

2 For necessary expenses for university transportation  
3 centers as authorized by 49 U.S.C. 5317(b), to remain  
4 available until expended, \$6,000,000.

## 5 TRANSIT PLANNING AND RESEARCH

6 For necessary expenses for transit planning and re-  
7 search as authorized by 49 U.S.C. 5303, 5311, 5313,  
8 5314, and 5315, to remain available until expended,  
9 \$86,000,000, of which \$39,500,000 shall be for activities  
10 under Metropolitan Planning (49 U.S.C. 5303);  
11 \$4,500,000 for activities under Rural Transit Assistance  
12 (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under  
13 State Planning and Research (49 U.S.C. 5313(b));  
14 \$22,500,000 for activities under National Planning and  
15 Research (49 U.S.C. 5314); \$8,250,000 for activities  
16 under Transit Cooperative Research (49 U.S.C. 5313(a));  
17 and \$3,000,000 for National Transit Institute (49 U.S.C.  
18 5315).

## 19 TRUST FUND SHARE OF EXPENSES

20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in carrying out  
23 49 U.S.C. 5338(a), \$2,210,000,000, to remain available  
24 until expended and to be derived from the Highway Trust  
25 Fund: *Provided*, That \$2,210,000,000 shall be paid from  
26 the Mass Transit Account of the Highway Trust Fund to

1 the Federal Transit Administration's formula grants ac-  
2 count.

3 DISCRETIONARY GRANTS

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 None of the funds in this Act shall be available for  
7 the implementation or execution of programs the obliga-  
8 tions for which are in excess of \$2,000,000,000 in fiscal  
9 year 1998 for grants under the contract authority in 49  
10 U.S.C. 5338(b): *Provided*, That there shall be available for  
11 fixed guideway modernization, \$800,000,000; there shall  
12 be available for the replacement, rehabilitation, and pur-  
13 chase of buses and related equipment and the construction  
14 of bus-related facilities, \$400,000,000; and there shall be  
15 available for new fixed guideway systems \$800,000,000,  
16 to be available as follows:

17 \$44,600,000 for the Atlanta-North Springs  
18 project (subject to authorization);

19 \$46,300,000 for the Boston Piers MOS-2  
20 project (subject to authorization);

21 \$2,300,000 for the Canton-Akron-Cleveland  
22 commuter rail project (subject to authorization);

23 \$1,000,000 for the Charlotte South corridor  
24 transitway project (subject to authorization);

1           \$500,000 for the Cincinnati Northeast/North-  
2           ern Kentucky rail line project (subject to authoriza-  
3           tion);

4           \$5,000,000 for the Clark County, Nevada fixed  
5           guideway project (subject to authorization);

6           \$800,000 for the Cleveland Blue Line extension  
7           to Highland Hills project (subject to authorization);

8           \$700,000 for the Cleveland Berea Red Line ex-  
9           tension to Hopkins International Airport (subject to  
10          authorization);

11          \$1,200,000 for the Cleveland Waterfront Line  
12          extension project (subject to authorization);

13          \$14,000,000 for the Dallas-Fort Worth  
14          RAILTRAN project (subject to authorization);

15          \$8,000,000 for the DART North Central light  
16          rail extension project (subject to authorization);

17          \$1,500,000 for the DeKalb County, Georgia  
18          light rail project (subject to authorization);

19          \$21,400,000 for the Denver Southwest Corridor  
20          project (subject to authorization);

21          \$7,000,000 for the Florida Tri-County com-  
22          muter rail project (subject to authorization);

23          \$1,000,000 for the Galveston, Texas rail trolley  
24          system project (subject to authorization);

- 1           \$1,000,000 for the Houston Advanced Regional  
2 Bus Plan project (subject to authorization);
- 3           \$51,100,000 for the Houston Regional Bus  
4 project (subject to authorization);
- 5           \$1,000,000 for the Indianapolis Northeast cor-  
6 ridor project (subject to authorization);
- 7           \$4,000,000 for the Jackson, Mississippi inter-  
8 modal corridor project (subject to authorization);
- 9           \$76,000,000 for the Los Angeles MOS-3  
10 project (subject to authorization);
- 11          \$27,000,000 for MARC commuter rail improve-  
12 ments (subject to authorization);
- 13          \$1,000,000 for the Memphis, Tennessee re-  
14 gional rail project (subject to authorization);
- 15          \$9,000,000 for the Metro-Dade Transit east-  
16 west corridor project (subject to authorization);
- 17          \$9,000,000 for the Miami-North 27th Avenue  
18 project (subject to authorization);
- 19          \$1,000,000 for the Mission Valley East corridor  
20 project (subject to authorization);
- 21          \$54,800,000 for the New Jersey-Hudson-Ber-  
22 gen project (subject to authorization);
- 23          \$27,000,000 for the New Jersey Secaucus  
24 project (subject to authorization);

- 1           \$8,000,000 for the New Orleans Canal Street  
2           corridor project (subject to authorization);
- 3           \$2,000,000 for the New Orleans Desire Street-  
4           car project (subject to authorization);
- 5           \$6,000,000 for the North Carolina Research  
6           Triangle Park project (subject to authorization);
- 7           \$2,000,000 for the Northern Indiana South  
8           Shore commuter rail project (subject to authoriza-  
9           tion);
- 10          \$5,000,000 for the Oceanside-Escondido light  
11          rail project (subject to authorization);
- 12          \$1,600,000 for the Oklahoma City MAPS cor-  
13          ridor transit project (subject to authorization);
- 14          \$4,000,000 for the Orange County transitway  
15          project (subject to authorization);
- 16          \$31,800,000 for the Orlando Lynx light rail  
17          project (subject to authorization);
- 18          \$500,000 for the Pennsylvania Strawberry Hill/  
19          Diamond Branch rail project (subject to authoriza-  
20          tion);
- 21          \$8,000,000 for the Phoenix metropolitan area  
22          transit project (subject to authorization);
- 23          \$3,000,000 for the Pittsburgh airport busway  
24          project (subject to authorization);

- 1           \$63,400,000 for the Portland-Westside/Hills-  
2           boro project (subject to authorization);
- 3           \$20,300,000 for the Sacramento LRT project  
4           (subject to authorization);
- 5           \$42,800,000 for the Salt Lake City South LRT  
6           project (subject to authorization);
- 7           \$1,000,000 for the San Bernardino Metrolink  
8           project (subject to authorization);
- 9           \$3,000,000 for the San Diego Mid-Coast cor-  
10          ridor project (subject to authorization);
- 11          \$54,800,000 for the San Francisco BART ex-  
12          tension to the airport project (subject to authoriza-  
13          tion);
- 14          \$25,700,000 for the San Juan Tren Urbano  
15          (subject to authorization);
- 16          \$21,400,000 for the San Jose Tasman LRT  
17          project (subject to authorization);
- 18          \$4,000,000 for the Seattle-Tacoma commuter  
19          rail project (subject to authorization);
- 20          \$2,000,000 for the Seattle-Tacoma light rail  
21          project (subject to authorization);
- 22          \$30,000,000 for the St. Louis-St. Clair LRT  
23          extension project (subject to authorization);
- 24          \$5,000,000 for the Staten Island-Midtown  
25          Ferry service project (subject to authorization);

1           \$2,000,000 for the Tampa Bay regional rail  
2 project (subject to authorization);

3           \$2,000,000 for the Tidewater, Virginia rail  
4 project (subject to authorization);

5           \$1,000,000 for the Toledo, Ohio rail project  
6 (subject to authorization);

7           \$20,000,000 for the Twin Cities transitways  
8 projects (subject to authorization);

9           \$2,500,000 for the Virginia Rail Express Fred-  
10 ericksburg to Washington commuter rail project  
11 (subject to authorization);

12           \$5,000,000 for the Whitehall ferry terminal  
13 project (subject to authorization); and

14           \$5,000,000 for the Wisconsin central commuter  
15 rail project (subject to authorization).

16                           MASS TRANSIT CAPITAL FUND

17                           (LIQUIDATION OF CONTRACT AUTHORIZATION)

18                           (HIGHWAY TRUST FUND)

19           For payment of obligations incurred in carrying out  
20 49 U.S.C. 5338(b) administered by the Federal Transit  
21 Administration, \$2,350,000,000, to be derived from the  
22 Highway Trust Fund and to remain available until ex-  
23 pended.

1           WASHINGTON METROPOLITAN AREA TRANSIT  
2                                   AUTHORITY

3           For necessary expenses to carry out the provisions  
4 of section 14 of Public Law 96–184 and Public Law 101–  
5 551, \$200,000,000, to remain available until expended.

6           SAINT LAWRENCE SEAWAY DEVELOPMENT  
7                                   CORPORATION

8                           SAINT LAWRENCE SEAWAY DEVELOPMENT  
9                                   CORPORATION

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

19                           OPERATIONS AND MAINTENANCE  
20                           (HARBOR MAINTENANCE TRUST FUND)

21          For necessary expenses for operation and mainte-  
22 nance of those portions of the Saint Lawrence Seaway op-  
23 erated and maintained by the Saint Lawrence Seaway De-  
24 velopment Corporation, including the Great Lakes Pilot-  
25 age functions delegated by the Secretary of Transpor-

1 tation, \$11,200,000, to be derived from the Harbor Main-  
 2 tenance Trust Fund, pursuant to Public Law 99-662.

3 RESEARCH AND SPECIAL PROGRAMS

4 ADMINISTRATION

5 RESEARCH AND SPECIAL PROGRAMS

6 For expenses necessary to discharge the functions of  
 7 the Research and Special Programs Administration,  
 8 \$27,934,000, of which \$574,000 shall be derived from the  
 9 Pipeline Safety Fund, and of which \$4,950,000 shall re-  
 10 main available until September 30, 2000: *Provided*, That  
 11 up to \$1,200,000 in fees collected under 49 U.S.C.  
 12 5108(g) shall be deposited in the general fund of the  
 13 Treasury as offsetting receipts: *Provided further*, That  
 14 there may be credited to this appropriation, to be available  
 15 until expended, funds received from States, counties, mu-  
 16 nicipalities, other public authorities, and private sources  
 17 for expenses incurred for training, for reports publication  
 18 and dissemination, and for travel expenses incurred in per-  
 19 formance of hazardous materials exemptions and approv-  
 20 als functions.

21 PIPELINE SAFETY

22 (PIPELINE SAFETY FUND)

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

1 60107, and to discharge the pipeline program responsibil-  
2 ities of the Oil Pollution Act of 1990, \$31,486,000, of  
3 which \$3,300,000 shall be derived from the Oil Spill Li-  
4 ability Trust Fund and shall remain available until Sep-  
5 tember 30, 2000; and of which \$28,186,000 shall be de-  
6 rived from the Pipeline Safety Fund, of which  
7 \$14,839,000 shall remain available until September 30,  
8 2000: *Provided*, That in addition to amounts made avail-  
9 able for the Pipeline Safety Fund, \$1,000,000 shall be  
10 available for grants to States for the development and es-  
11 tablishment of one-call notification systems and shall be  
12 derived from amounts previously collected under section  
13 7005 of the Consolidated Omnibus Budget Reconciliation  
14 Act of 1985.

15 EMERGENCY PREPAREDNESS GRANTS

16 (EMERGENCY PREPAREDNESS FUND)

17 For necessary expenses to carry out 49 U.S.C.  
18 5127(c), \$200,000, to be derived from the Emergency  
19 Preparedness Fund, to remain available until September  
20 30, 2000: *Provided*, That none of the funds made available  
21 by 49 U.S.C. 5116(i) and 5127(d) shall be made available  
22 for obligation by individuals other than the Secretary of  
23 Transportation, or his designee.

## 1                   OFFICE OF INSPECTOR GENERAL

## 2                                 SALARIES AND EXPENSES

3           For necessary expenses of the Office of Inspector  
4 General to carry out the provisions of the Inspector Gen-  
5 eral Act of 1978, as amended, \$42,000,000: *Provided*,  
6 That none of the funds under this heading shall be for  
7 the conduct of contract audits.

## 8                   SURFACE TRANSPORTATION BOARD

## 9                                 SALARIES AND EXPENSES

10          For necessary expenses of the Surface Transpor-  
11 tation Board, including services authorized by 5 U.S.C.  
12 3109, \$15,853,000: *Provided*, That notwithstanding any  
13 other provision of law, not to exceed \$2,000,000 from fees  
14 established by the Chairman of the Surface Transpor-  
15 tation Board shall be credited to this appropriation as off-  
16 setting collections and used for necessary and authorized  
17 expenses under this heading: *Provided further*, That the  
18 sum herein appropriated for the general fund shall be re-  
19 duced on a dollar for dollar basis as such offsetting collec-  
20 tions are received during fiscal year 1998, to result in a  
21 final appropriation from the general fund estimated at no  
22 more than \$13,853,000: *Provided further*, That any fees  
23 received in excess of \$2,000,000 in fiscal year 1998 shall  
24 remain available until expended, but shall not be available  
25 for obligation until October 1, 1998.

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

6 For expenses necessary for the Architectural and  
7 Transportation Barriers Compliance Board, as authorized  
8 by section 502 of the Rehabilitation Act of 1973, as  
9 amended, \$3,640,000: *Provided*, That, notwithstanding  
10 any other provision of law, there may be credited to this  
11 appropriation funds received for publications and training  
12 expenses.

13 NATIONAL TRANSPORTATION SAFETY BOARD  
14 SALARIES AND EXPENSES

15 For necessary expenses of the National Transpor-  
16 tation Safety Board, including hire of passenger motor ve-  
17 hicles and aircraft; services as authorized by 5 U.S.C.  
18 3109, but at rates for individuals not to exceed the per  
19 diem rate equivalent to the rate for a GS-18; uniforms,  
20 or allowances therefor, as authorized by law (5 U.S.C.  
21 5901-5902) \$46,000,000, of which not to exceed \$2,000  
22 may be used for official reception and representation ex-  
23 penses.



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

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

23       SEC. 305. None of the funds in this Act shall be avail-  
24 able for salaries and expenses of more than one hundred  
25 seven political and Presidential appointees in the Depart-

1 ment of Transportation: *Provided*, That none of the per-  
2 sonnel covered by this provision may be assigned on tem-  
3 porary detail outside the Department of Transportation.

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

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

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

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

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

7       SEC. 310. (a) For fiscal year 1998 the Secretary of  
8 Transportation shall distribute the obligation limitation  
9 for Federal-aid highways by allocation in the ratio which  
10 sums authorized to be appropriated for Federal-aid high-  
11 ways that are apportioned or allocated to each State for  
12 such fiscal year bear to the total of the sums authorized  
13 to be appropriated for Federal-aid highways that are ap-  
14 portioned or allocated to all the States for such fiscal year.

15       (b) During the period October 1 through December  
16 31, 1997, no State shall obligate more than 25 per centum  
17 of the amount distributed to such State under subsection  
18 (a), and the total of all State obligations during such pe-  
19 riod shall not exceed 12 per centum of the total amount  
20 distributed to all States under such subsection.

21       (c) Notwithstanding subsections (a) and (b), the Sec-  
22 retary shall—

23               (1) provide all States with authority sufficient  
24       to prevent lapses of sums authorized to be appro-

1       apportioned for Federal-aid highways that have been ap-  
2       portioned to a State;

3               (2) after August 1, 1998, revise a distribution  
4       of the funds made available under subsection (a) if  
5       a State will not obligate the amount distributed dur-  
6       ing that fiscal year and redistribute sufficient  
7       amounts to those States able to obligate amounts in  
8       addition to those previously distributed during that  
9       fiscal year giving priority to those States having  
10      large unobligated balances of funds apportioned  
11      under sections 103(e)(4), 104, and 144 of title 23,  
12      United States Code, and under sections 1013(c) and  
13      1015 of Public Law 102–240; and

14              (3) not distribute amounts authorized for ad-  
15      ministrative expenses and funded from the adminis-  
16      trative takedown authorized by section 104(a) of  
17      title 23, United States Code, the Federal lands high-  
18      way program, the intelligent transportation systems  
19      program, and amounts made available under sec-  
20      tions 1040, 1047, 1064, 6001, 6005, 6006, 6023,  
21      and 6024 of Public Law 102–240, and 49 U.S.C.  
22      5316, 5317, and 5338: *Provided*, That amounts  
23      made available under section 6005 of Public Law  
24      102–240 shall be subject to the obligation limitation  
25      for Federal-aid highways and highway safety con-

1 construction programs under the head “Federal-Aid  
2 Highways” in this Act.

3 (d) During the period October 1 through December  
4 31, 1997, the aggregate amount of obligations under sec-  
5 tion 157 of title 23, United States Code, for projects cov-  
6 ered under section 147 of the Surface Transportation As-  
7 sistance Act of 1978, section 9 of the Federal-Aid High-  
8 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-  
9 lic Law 97–424, sections 1061, 1103 through 1108, 4008,  
10 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,  
11 and for projects authorized by Public Law 99–500 and  
12 Public Law 100–17, shall not exceed \$277,431,840.

13 (e) During the period August 2 through September  
14 30, 1998, the aggregate amount which may be obligated  
15 by all States shall not exceed 2.5 percent of the aggregate  
16 amount of funds apportioned or allocated to all States—

17 (1) under sections 104 and 144 of title 23,  
18 United States Code, and 1013(c) and 1015 of Public  
19 Law 102–240, and

20 (2) for highway assistance projects under sec-  
21 tion 103(e)(4) of title 23, United States Code, which  
22 would not be obligated in fiscal year 1998 if the  
23 total amount of the obligation limitation provided for  
24 such fiscal year in this Act were utilized.

1 (f) Paragraph (e) shall not apply to any State which  
2 on or after August 1, 1998, has the amount distributed  
3 to such State under paragraph (a) for fiscal year 1998  
4 reduced under paragraph (c)(2).

5 SEC. 311. The limitation on obligations for the pro-  
6 grams of the Federal Transit Administration shall not  
7 apply to any authority under 49 U.S.C. 5338, previously  
8 made available for obligation, or to any other authority  
9 previously made available for obligation under the discre-  
10 tionary grants program.

11 SEC. 312. None of the funds in this Act shall be used  
12 to implement section 404 of title 23, United States Code.

13 SEC. 313. None of the funds in this Act shall be avail-  
14 able to plan, finalize, or implement regulations that would  
15 establish a vessel traffic safety fairway less than five miles  
16 wide between the Santa Barbara Traffic Separation  
17 Scheme and the San Francisco Traffic Separation  
18 Scheme.

19 SEC. 314. Notwithstanding any other provision of  
20 law, airports may transfer, without consideration, to the  
21 Federal Aviation Administration (FAA) instrument land-  
22 ing systems (along with associated approach lighting  
23 equipment and runway visual range equipment) which  
24 conform to FAA design and performance specifications,  
25 the purchase of which was assisted by a Federal airport-

1 aid program, airport development aid program or airport  
2 improvement program grant. The FAA shall accept such  
3 equipment, which shall thereafter be operated and main-  
4 tained by the FAA in accordance with agency criteria.

5       SEC. 315. None of the funds in this Act shall be avail-  
6 able to award a multiyear contract for production end  
7 items that (1) includes economic order quantity or long  
8 lead time material procurement in excess of \$10,000,000  
9 in any one year of the contract or (2) includes a cancella-  
10 tion charge greater than \$10,000,000 which at the time  
11 of obligation has not been appropriated to the limits of  
12 the Government's liability or (3) includes a requirement  
13 that permits performance under the contract during the  
14 second and subsequent years of the contract without con-  
15 ditioning such performance upon the appropriation of  
16 funds: *Provided*, That this limitation does not apply to a  
17 contract in which the Federal Government incurs no fi-  
18 nancial liability from not buying additional systems, sub-  
19 systems, or components beyond the basic contract require-  
20 ments.

21       SEC. 316. Notwithstanding any other provision of  
22 law, and except for fixed guideway modernization projects,  
23 funds made available by this Act under "Federal Transit  
24 Administration, Discretionary grants" for projects speci-  
25 fied in this Act or identified in reports accompanying this

1 Act not obligated by September 30, 2000, shall be made  
2 available for other projects under 49 U.S.C. 5309.

3 SEC. 317. Notwithstanding any other provision of  
4 law, any funds appropriated before October 1, 1993, under  
5 any section of chapter 53 of title 49, United States Code,  
6 that remain available for expenditure may be transferred  
7 to and administered under the most recent appropriation  
8 heading for any such section.

9 SEC. 318. None of the funds in this Act may be used  
10 to compensate in excess of 350 technical staff years under  
11 the federally-funded research and development center con-  
12 tract between the Federal Aviation Administration and the  
13 Center for Advanced Aviation Systems Development dur-  
14 ing fiscal year 1998.

15 SEC. 319. Funds provided in this Act for the Trans-  
16 portation Administrative Service Center (TASC) shall be  
17 reduced by \$25,000,000, which limits fiscal year 1998  
18 TASC obligational authority for elements of the Depart-  
19 ment of Transportation funded in this Act to no more  
20 than \$96,800,000: *Provided*, That such reductions from  
21 the budget request shall be allocated by the Department  
22 of Transportation to each appropriations account in pro-  
23 portion to the amount included in each account for the  
24 Transportation Administrative Service Center.

1           SEC. 320. Funds received by the Federal Highway  
2 Administration, Federal Transit Administration, and Fed-  
3 eral Railroad Administration from States, counties, mu-  
4 nicipalities, other public authorities, and private sources  
5 for expenses incurred for training may be credited respec-  
6 tively to the Federal Highway Administration’s “Limita-  
7 tion on General Operating Expenses” account, the Federal  
8 Transit Administration’s “Transit Planning and Re-  
9 search” account, and to the Federal Railroad Administra-  
10 tion’s “Railroad Safety” account, except for State rail  
11 safety inspectors participating in training pursuant to 49  
12 U.S.C. 20105.

13           SEC. 321. None of the funds in this Act shall be avail-  
14 able to prepare, propose, or promulgate any regulations  
15 pursuant to title V of the Motor Vehicle Information and  
16 Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing  
17 corporate average fuel economy standards for automobiles,  
18 as defined in such title, in any model year that differs  
19 from standards promulgated for such automobiles prior to  
20 enactment of this section.

21           SEC. 322. None of the funds in this Act may be used  
22 for planning, engineering, design, or construction of a  
23 sixth runway at the Denver International Airport, Denver,  
24 Colorado: *Provided*, That this provision shall not apply in  
25 any case where the Administrator of the Federal Aviation

1 Administration determines, in writing, that safety condi-  
2 tions warrant obligation of such funds: *Provided further*,  
3 That funds may be used for activities related to planning  
4 or analysis of airport noise issues related to the sixth run-  
5 way project.

6 SEC. 323. Notwithstanding 31 U.S.C. 3302, funds re-  
7 ceived by the Bureau of Transportation Statistics from the  
8 sale of data products, for necessary expenses incurred pur-  
9 suant to the provisions of section 6006 of the Intermodal  
10 Surface Transportation Efficiency Act of 1991, may be  
11 credited to the Federal-aid highways account for the pur-  
12 pose of reimbursing the Bureau for such expenses: *Pro-*  
13 *vided*, That such funds shall not be subject to the obliga-  
14 tion limitation for Federal-aid highways and highway safe-  
15 ty construction.

16 SEC. 324. None of the funds in this Act may be obli-  
17 gated or expended for employee training which: (a) does  
18 not meet identified needs for knowledge, skills and abilities  
19 bearing directly upon the performance of official duties;  
20 (b) contains elements likely to induce high levels of emo-  
21 tional response or psychological stress in some partici-  
22 pants; (c) does not require prior employee notification of  
23 the content and methods to be used in the training and  
24 written end of course evaluations; (d) contains any meth-  
25 ods or content associated with religious or quasi-religious

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

11       SEC. 325. None of the funds in this Act shall, in the  
12 absence of express authorization by Congress, be used di-  
13 rectly or indirectly to pay for any personal service, adver-  
14 tisement, telegram, telephone, letter, printed or written  
15 matter, or other device, intended or designed to influence  
16 in any manner a Member of Congress, to favor or oppose,  
17 by vote or otherwise, any legislation or appropriation by  
18 Congress, whether before or after the introduction of any  
19 bill or resolution proposing such legislation or appropria-  
20 tion: *Provided*, That this shall not prevent officers or em-  
21 ployees of the Department of Transportation or related  
22 agencies funded in this Act from communicating to Mem-  
23 bers of Congress on the request of any Member or to Con-  
24 gress, through the proper official channels, requests for

1 legislation or appropriations which they deem necessary  
2 for the efficient conduct of the public business.

3       SEC. 326. None of the funds in this Act may be used  
4 to support Federal Transit Administration's field oper-  
5 ations and oversight of the Washington Metropolitan Area  
6 Transit Authority in any location other than from the  
7 Washington, D.C. metropolitan area.

8       SEC. 327. Notwithstanding any other provision of  
9 law, the Secretary may use funds appropriated under this  
10 Act, or any subsequent Act, to administer and implement  
11 the exemption provisions of 49 CFR 580.6 and to adopt  
12 or amend exemptions from the disclosure requirements of  
13 49 CFR part 580 for any class or category of vehicles  
14 that the Secretary deems appropriate.

15       SEC. 328. No funds other than those appropriated  
16 to the Surface Transportation Board shall be used for con-  
17 ducting the activities of the Board.

18       SEC. 329. (a) COMPLIANCE WITH BUY AMERICAN  
19 ACT.—None of the funds made available in this Act may  
20 be expended by an entity unless the entity agrees that in  
21 expending the funds the entity will comply with the Buy  
22 American Act (41 U.S.C. 10a–10c).

23 (b) SENSE OF CONGRESS: REQUIREMENT REGARDING  
24 NOTICE.—

1           (1) PURCHASE OF AMERICAN-MADE EQUIPMENT  
2           AND PRODUCTS.—In the case of any equipment or  
3           product that may be authorized to be purchased  
4           with financial assistance provided using funds made  
5           available in this Act, it is the sense of the Congress  
6           that entities receiving the assistance should, in ex-  
7           pending the assistance, purchase only American-  
8           made equipment and products to the greatest extent  
9           practicable.

10           (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—  
11           In providing financial assistance using funds made  
12           available in this Act, the head of each Federal agen-  
13           cy shall provide to each recipient of the assistance  
14           a notice describing the statement made in paragraph  
15           (1) by the Congress.

16           (c) PROHIBITION OF CONTRACTS WITH PERSONS  
17           FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
18           If it has been finally determined by a court or Federal  
19           agency that any person intentionally affixed a label bear-  
20           ing a “Made in America” inscription, or any inscription  
21           with the same meaning, to any product sold in or shipped  
22           to the United States that is not made in the United  
23           States, the person shall be ineligible to receive any con-  
24           tract or subcontract made with funds made available in  
25           this Act, pursuant to the debarment, suspension, and ineli-

1 gibility procedures described in sections 9.400 through  
2 9.409 of title 48, Code of Federal Regulations.

3       SEC. 330. Notwithstanding any other provision of  
4 law, receipts, in amounts determined by the Secretary, col-  
5 lected from users of fitness centers operated by or for the  
6 Department of Transportation shall be available to sup-  
7 port the operation and maintenance of those facilities.

8       SEC. 331. Notwithstanding 49 U.S.C. 41742, no es-  
9 sential air service shall be provided to communities in the  
10 forty-eight contiguous States that are located fewer than  
11 seventy highway miles from the nearest large and medium  
12 hub airport, or that require a rate of subsidy per pas-  
13 senger in excess of \$200 unless such point is greater than  
14 two hundred and ten miles from the nearest large or me-  
15 dium hub airport.

16       SEC. 332. None of the funds made available in this  
17 Act may be used for improvements to the Miller Highway  
18 in New York City, New York.

19       SEC. 333. None of the funds in this Act shall be avail-  
20 able to implement or enforce regulations that would result  
21 in the withdrawal of a slot from an air carrier at O'Hare  
22 International Airport under section 93.223 of title 14 of  
23 the Code of Federal Regulations in excess of the total slots  
24 withdrawn from that air carrier as of October 31, 1993  
25 if such additional slot is to be allocated to an air carrier

1 or foreign air carrier under section 93.217 of title 14 of  
2 the Code of Federal Regulations.

3 **TITLE IV**

4 **AMTRAK ROUTE CLOSURE AND REALIGNMENT**

5 **SECTION 1. SHORT TITLE.**

6 This Act may be cited as the “Amtrak Route Closure  
7 and Realignment Act of 1997”.

8 **SEC. 2. THE COMMISSION.**

9 (a) **ESTABLISHMENT.**—There is established an inde-  
10 pendent commission to be known as the “Total Realign-  
11 ment of Amtrak Commission” (in this Act referred to as  
12 the “Commission”).

13 (b) **APPOINTMENT.**—The Commission shall be com-  
14 posed of eleven members as follows:

15 (1) Three individuals appointed by the Presi-  
16 dent, including—

17 (A) the Secretary of Transportation;

18 (B) one representative of a rail labor  
19 union; and

20 (C) one representative of a rail manage-  
21 ment.

22 (2) Four individuals who collectively have ex-  
23 pertise in rail finance, economic analysis, legal is-  
24 sues, and other relevant areas, of which three shall  
25 be appointed by the Majority Leader of the Senate

1 and one shall be appointed by the Minority Leader  
2 of the Senate.

3 (3) Four individuals who collectively have ex-  
4 pertise in rail finance, economic analysis, legal is-  
5 sues, and other relevant areas, of which three shall  
6 be appointed by the Speaker of the House of Rep-  
7 resentatives and one shall be appointed by the Mi-  
8 nority Leader of the House of Representatives.

9 Appointments under this subsection shall be made within  
10 15 days after the date of the enactment of this Act. Indi-  
11 viduals appointed under paragraphs (2) and (3) shall not  
12 be employees of the Department of Transportation or rep-  
13 resentatives of a rail labor union or rail management.

14 (c) CHAIRMAN.—Within 10 days after the 15-day pe-  
15 riod described in subsection (b), or the appointment of the  
16 last member of the Commission under such subsection,  
17 whichever occurs first, a majority of the members of the  
18 Commission may elect a chairman from among its mem-  
19 bership. If a chairman is not elected within such 10-day  
20 period, the President shall select a chairman for the Com-  
21 mission from among its membership.

22 (d) MEETINGS.—(1) Each meeting of the Commis-  
23 sion shall be open to the public.

24 (2) All the proceedings, information, and delibera-  
25 tions of the Commission shall be open or available, upon

1 request, to the Committee on Commerce, Science, and  
2 Transportation and the Committee on Appropriations of  
3 the Senate, and to the Committee on Transportation and  
4 Infrastructure and the Committee on Appropriations of  
5 the House of Representatives.

6 (e) PAY AND TRAVEL EXPENSES.—(1)(A) Each  
7 member, other than the Chairman, shall be paid at a rate  
8 equal to the daily equivalent of the minimum annual rate  
9 of basic pay payable for level IV of the Executive Schedule  
10 under section 5315 of title 5, United States Code, for each  
11 day (including travel time) during which the member is  
12 engaged in the actual performance of duties vested in the  
13 Commission.

14 (B) The Chairman shall be paid for each day referred  
15 to in subparagraph (A) at a rate equal to the daily equiva-  
16 lent of the minimum annual rate of basic pay payable for  
17 level III of the Executive Schedule under section 5314 of  
18 title 5, United States Code.

19 (C) Notwithstanding subparagraphs (A) and (B), of-  
20 ficers and employees of the Federal Government shall not  
21 be paid under this paragraph for service on the Commis-  
22 sion.

23 (2) Members shall receive travel expenses, including  
24 per diem in lieu of subsistence, in accordance with sections  
25 5702 and 5703 of title 5, United States Code.

1           (f) DIRECTOR OF STAFF.—The Commission shall ap-  
2 point a Director, who shall be paid at the rate of basic  
3 pay payable for level IV of the Executive Schedule under  
4 section 5315 of title 5, United States Code.

5           (g) STAFF.—(1) Subject to paragraph (2), the Direc-  
6 tor, with the approval of the Commission, may appoint  
7 and fix the pay of not more than 5 additional employees.

8           (2) The Director may make such appointments with-  
9 out regard to the provisions of title 5, United States Code,  
10 governing appointments in the competitive service, and  
11 any personnel so appointed may be paid without regard  
12 to the provisions of chapter 51 and subchapter III of chap-  
13 ter 53 of that title relating to classification and General  
14 Schedule pay rates, except that an individual so appointed  
15 may not receive pay in excess of the annual rate of basic  
16 pay payable for level V of the Executive Schedule under  
17 section 5316 of title 5, United States Code.

18          (h) HEARINGS AND SESSIONS.—The Commission  
19 may, for the purpose of carrying out this Act, hold hear-  
20 ings, sit and act at times and places, take testimony, and  
21 receive evidence as the Commission considers appropriate.  
22 The Commission may administer oaths or affirmations to  
23 witnesses appearing before it.

24          (i) INFORMATION.—The Commission may secure di-  
25 rectly from any department or agency of the United States

1 information necessary to enable it to carry out this Act.  
2 Upon request of the Chairman of the Commission, the  
3 head of that department or agency shall furnish that infor-  
4 mation to the Commission to the extent otherwise per-  
5 mitted by law.

6 (j) **MAILS.**—The Commission may use the United  
7 States mails in the same manner and under the same con-  
8 ditions as other departments and agencies of the United  
9 States.

10 (k) **ADMINISTRATIVE SUPPORT SERVICES.**—The Ad-  
11 ministrator of General Services shall provide to the Com-  
12 mission, on a reimbursable basis, such administrative sup-  
13 port services as the Commission may request.

14 (l) **EXPERTS OR CONSULTANTS.**—The Commission  
15 may procure by contract, to the extent funds are available,  
16 the temporary or intermittent services of experts or con-  
17 sultants pursuant to section 3109 of title 5, United States  
18 Code.

19 (m) **TERMINATION.**—The Commission shall termi-  
20 nate 30 days after transmitting a report under section  
21 3(e).

22 **SEC. 3. DUTIES.**

23 (a) **ECONOMIC PERFORMANCE RANKINGS.**—The  
24 Commission shall examine economic data for Amtrak's

1 system and develop system-wide performance rankings of  
2 all routes based on long-term economic loss.

3 (b) IDENTIFICATION OF CANDIDATE ROUTES FOR  
4 CLOSURE OR REALIGNMENT.—(1) The Commission shall  
5 identify routes which are candidates for closure or realign-  
6 ment, based on the performance rankings developed under  
7 subsection (a) and on the following principles:

8 (A) The system which remains after closure and  
9 realignment of routes shall not be required to be a  
10 national, interconnected system.

11 (B) Federal operating subsidies for Amtrak  
12 shall be assumed to decline over the 4-year period to  
13 the point of zero Federal operating subsidy by the  
14 year 2002.

15 (C) The rail labor protection costs of Amtrak  
16 shall be calculated both—

17 (i) at the level required under rail labor  
18 laws as in effect when the Commission is identi-  
19 fying routes under this subsection; and

20 (ii) at the level which would be required if  
21 amendments to rail labor laws were enacted  
22 that—

23 (I) limit to a maximum of 6 months  
24 any wage continuation or severance benefit  
25 for an employee of Amtrak whose employ-

1                   ment is terminated as a result of a dis-  
2                   continuance of intercity rail passenger  
3                   service; and

4                   (II) permit Amtrak to require any em-  
5                   ployee whose position is eliminated as a re-  
6                   sult of such a discontinuance to transfer to  
7                   another part of Amtrak's system.

8           (2) The Commission shall specifically examine rider-  
9   ship forecasts and other assumptions supporting contin-  
10   ued service on the Northeast Corridor, particularly with  
11   respect to the continuation of the electrification of the  
12   Northeast Corridor between New Haven, Connecticut, and  
13   Boston, Massachusetts.

14           (c) CONSIDERATION OF QUALITY OF LIFE FAC-  
15   TORS.—(1) Each route identified under subsection (b) as  
16   a candidate for closure or realignment shall be reviewed  
17   to determine whether there are important social, environ-  
18   mental, or other quality of life factors which should be  
19   considered in determining whether to close or realign the  
20   route. The commission shall also consider the effect on  
21   airport congestion and the availability of alternative modes  
22   of transportation, especially in rural areas, before rec-  
23   ommending any closure or realignment.

24           (2) The Commission shall hold public hearings to ob-  
25   tain testimony from State and local officials, and other

1 interested parties, with respect to factors described in  
2 paragraph (1).

3 (d) OPTIONAL USES FOR ABANDONED RAIL  
4 LINES.—The Commission shall also examine optional uses  
5 for abandoned rail lines.

6 (e) RECOMMENDATIONS.—The Commission shall,  
7 within 120 days after the election or selection of its chair-  
8 man under section 2(c), transmit to the Congress and the  
9 President a report on its activities under this Act, includ-  
10 ing recommendations developed under this section for the  
11 closure and realignment of routes in Amtrak’s passenger  
12 rail system.

13 **SEC. 4. CONGRESSIONAL CONSIDERATION OF COMMISSION**  
14 **RECOMMENDATIONS.**

15 (a) TERMS OF THE RESOLUTION.—For purposes of  
16 this section, the term “joint resolution” means only a joint  
17 resolution which is introduced within the 10-day period  
18 beginning on the date on which the Commission transmits  
19 its recommendations to the Congress under section 3(e),  
20 and—

21 (1) which does not have a preamble;

22 (2) the matter after the resolving clause of  
23 which is as follows: “That Congress approves the  
24 recommendations of the Total Realignment of Am-  
25 trak Commission as submitted on \_\_\_\_\_”, the

1 blank space being filled in with the appropriate date;  
2 and

3 (3) the title of which is as follows: “Joint reso-  
4 lution approving the recommendations of the Total  
5 Realignment of Amtrak Commission.”.

6 (b) REFERRAL.—A resolution described in subsection  
7 (a) that is introduced in the House of Representatives  
8 shall be referred to the Committee on Transportation and  
9 Infrastructure of the House of Representatives. A resolu-  
10 tion described in subsection (a) introduced in the Senate  
11 shall be referred to the Committee on Commerce, Science,  
12 and Transportation of the Senate.

13 (c) DISCHARGE.—If the committee to which a resolu-  
14 tion described in subsection (a) is referred has not re-  
15 ported such resolution (or an identical resolution) by the  
16 end of the 20-day period beginning on the date on which  
17 the Commission transmits the report to the Congress  
18 under section 3(e), such committee shall be, at the end  
19 of such period, discharged from further consideration of  
20 such resolution, and such resolution shall be placed on the  
21 appropriate calendar of the House involved.

22 (d) CONSIDERATION.—(1) On or after the third day  
23 after the date on which the committee to which such a  
24 resolution is referred has reported, or has been discharged  
25 (under subsection (c)) from further consideration of, such

1 a resolution, it is in order (even though a previous motion  
2 to the same effect has been disagreed to) for any Member  
3 of the respective House to move to proceed to the consider-  
4 ation of the resolution. A Member may make the motion  
5 only on the day after the calendar day on which the Mem-  
6 ber announces to the House concerned the Member's in-  
7 tention to make the motion. All points of order against  
8 the resolution (and against consideration of the resolution)  
9 are waived. The motion is highly privileged in the House  
10 of Representatives and is privileged in the Senate and is  
11 not debatable. The motion is not subject to amendment,  
12 or to a motion to postpone, or to a motion to proceed to  
13 the consideration of other business. A motion to reconsider  
14 the vote by which the motion is agreed to or disagreed  
15 to shall not be in order. If a motion to proceed to the  
16 consideration of the resolution is agreed to, the respective  
17 House shall immediately proceed to consideration of the  
18 joint resolution without intervening motion, order, or other  
19 business, and the resolution shall remain the unfinished  
20 business of the respective House until disposed of.

21 (2) Debate on the resolution, and on all debatable  
22 motions and appeals in connection therewith, shall be lim-  
23 ited to not more than 2 hours, which shall be divided  
24 equally between those favoring and those opposing the res-  
25 olution. An amendment to the resolution is not in order.

1 A motion further to limit debate is in order and not debat-  
2 able. A motion to postpone, or a motion to proceed to the  
3 consideration of other business, or a motion to recommit  
4 the resolution is not in order. A motion to reconsider the  
5 vote by which the resolution is agreed to or disagreed to  
6 is not in order.

7 (3) Immediately following the conclusion of the de-  
8 bate on a resolution described in subsection (a) and a sin-  
9 gle quorum call at the conclusion of the debate if re-  
10 quested in accordance with the rules of the appropriate  
11 House, the vote on final passage of the resolution shall  
12 occur.

13 (4) Appeals from the decisions of the Chair relating  
14 to the application of the rules of the Senate or the House  
15 of Representatives, as the case may be, to the procedure  
16 relating to a resolution described in subsection (a) shall  
17 be decided without debate.

18 (e) CONSIDERATION BY OTHER HOUSE.—(1) If, be-  
19 fore the passage by one House of a resolution of that  
20 House described in subsection (a), that House receives  
21 from the other House a resolution described in subsection  
22 (a), then the following procedures shall apply:

23 (A) The resolution of the other House shall not  
24 be referred to a committee and may not be consid-

1       ered in the House receiving it except in the case of  
2       final passage as provided in subparagraph (B)(ii).

3               (B) With respect to a resolution described in  
4       subsection (a) of the House receiving the resolu-  
5       tion—

6                       (i) the procedure in that House shall be  
7                       the same as if no resolution had been received  
8                       from the other House; but

9                       (ii) the vote on final passage shall be on  
10                      the resolution of the other House.

11       (2) Upon disposition of the resolution received from  
12       the other House, it shall no longer be in order to consider  
13       the resolution that originated in the receiving House.

14       (f) RULES OF THE SENATE AND HOUSE.—This sec-  
15       tion is enacted by Congress—

16                      (1) as an exercise of the rulemaking power of  
17       the Senate and House of Representatives, respec-  
18       tively, and as such it is deemed a part of the rules  
19       of each House, respectively, but applicable only with  
20       respect to the procedure to be followed in that  
21       House in the case of a resolution described in sub-  
22       section (a), and it supersedes other rules only to the  
23       extent that it is inconsistent with such rules; and

24                      (2) with full recognition of the constitutional  
25       right of either House to change the rules (so far as

1 relating to the procedure of that House) at any time,  
2 in the same manner, and to the same extent as in  
3 the case of any other rule of that House.

4 **SEC. 5. MAKING APPROPRIATIONS FOR THE COMMISSION.**

5 There are appropriated \$1,000,000 for carrying out  
6 this title.

7 This Act may be cited as the “Department of Trans-  
8 portation and Related Agencies Appropriations Act,  
9 1998”.

Union Calendar No. 115

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2169**

[Report No. 105-188]

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**A BILL**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

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JULY 16, 1997

Reported from the Committee on Appropriations; committed to the Committee of the Whole House on the State of the Union and ordered to be printed