

Calendar No. 88107TH CONGRESS
1ST SESSION**S. 1178****[Report No. 107-38]**

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

IN THE SENATE OF THE UNITED STATES

JULY 13, 2001

Mrs. MURRAY, from the Committee on Appropriations, reported, under authority of the order of the Senate of January 3, 2001, 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, 2002, and for other purposes.

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

1 the fiscal year ending September 30, 2002, and for other
2 purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

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

14 OFFICE OF CIVIL RIGHTS

15 For necessary expenses of the Office of Civil Rights,
16 \$8,500,000.

17 TRANSPORTATION PLANNING, RESEARCH, AND

18 DEVELOPMENT

19 For necessary expenses for conducting transportation
20 planning, research, systems development, development ac-
21 tivities, and making grants, to remain available until ex-
22 pended, \$15,592,000.

23 TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

24 Necessary expenses for operating costs and capital
25 outlays of the Transportation Administrative Service Cen-

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

17 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

1 administrative expenses to carry out the guaranteed loan
2 program, \$400,000.

3 MINORITY BUSINESS OUTREACH

4 For necessary expenses of Minority Business Re-
5 source Center outreach activities, \$3,000,000, of which
6 \$2,635,000 shall remain available until September 30,
7 2003: *Provided*, That notwithstanding 49 U.S.C. 332,
8 these funds may be used for business opportunities related
9 to any mode of transportation.

10 COAST GUARD

11 OPERATING EXPENSES

12 For necessary expenses for the operation and mainte-
13 nance of the Coast Guard, not otherwise provided for; pur-
14 chase of not to exceed five passenger motor vehicles for
15 replacement only; payments pursuant to section 156 of
16 Public Law 97-377, as amended (42 U.S.C. 402 note),
17 and section 229(b) of the Social Security Act (42 U.S.C.
18 429(b)); and recreation and welfare, \$3,427,588,000, of
19 which \$695,000,000 shall be available for defense-related
20 activities including drug interdiction; and of which
21 \$25,000,000 shall be derived from the Oil Spill Liability
22 Trust Fund: *Provided*, That none of the funds appro-
23 priated in this or any other Act shall be available for pay
24 for administrative expenses in connection with shipping
25 commissioners in the United States: *Provided further*,

1 That none of the funds provided in this Act shall be avail-
2 able for expenses incurred for yacht documentation under
3 46 U.S.C. 12109, except to the extent fees are collected
4 from yacht owners and credited to this appropriation: *Pro-*
5 *vided further,* That of the amounts made available under
6 this heading, not less than \$13,541,000 shall be used sole-
7 ly to increase staffing at Search and Rescue stations, surf
8 stations and command centers, increase the training and
9 experience level of individuals serving in said stations
10 through targeted retention efforts, revised personnel poli-
11 cies and expanded training programs, and to modernize
12 and improve the quantity and quality of personal safety
13 equipment, including survival suits, for personnel assigned
14 to said stations: *Provided further,* That the Department
15 of Transportation Inspector General shall audit and cer-
16 tify to the House and Senate Committees on Appropria-
17 tions that the funding described in the preceding proviso
18 is being used solely to supplement and not supplant the
19 Coast Guard's level of effort in this area in fiscal year
20 2001.

21 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of acquisition, construction,
23 renovation, and improvement of aids to navigation, shore
24 facilities, vessels, and aircraft, including equipment related
25 thereto, \$669,323,000, of which \$20,000,000 shall be de-

1 rived from the Oil Spill Liability Trust Fund; of which
2 \$79,640,000 shall be available to acquire, repair, renovate
3 or improve vessels, small boats and related equipment, to
4 remain available until September 30, 2006; \$12,500,000
5 shall be available to acquire new aircraft and increase
6 aviation capability, to remain available until September
7 30, 2004; \$97,921,000 shall be available for other equip-
8 ment, to remain available until September 30, 2004;
9 \$88,862,000 shall be available for shore facilities and aids
10 to navigation facilities, to remain available until Sep-
11 tember 30, 2004; \$65,200,000 shall be available for per-
12 sonnel compensation and benefits and related costs, to re-
13 main available until September 30, 2003; and
14 \$325,200,000 for the Integrated Deepwater Systems pro-
15 gram, to remain available until September 30, 2006: *Pro-*
16 *vided*, That the Commandant of the Coast Guard is au-
17 thorized to dispose of surplus real property, by sale or
18 lease, and the proceeds shall be credited to this appropria-
19 tion as offsetting collections and made available only for
20 the National Distress and Response System Moderniza-
21 tion program, to remain available for obligation until Sep-
22 tember 30, 2004: *Provided further*, That none of the funds
23 provided under this heading may be obligated or expended
24 for the Integrated Deepwater Systems (IDS) system inte-
25 gration contract until the Secretary or Deputy Secretary

1 of Transportation and the Director, Office of Management
2 and Budget jointly certify to the House and Senate Com-
3 mittees on Appropriations that funding for the IDS pro-
4 gram for fiscal years 2003 through 2007, funding for the
5 National Distress and Response System Modernization
6 program to allow for full deployment of said system by
7 2006, and funding for other essential Search and Rescue
8 procurements, are fully funded in the Coast Guard Capital
9 Investment Plan and within the Office of Management
10 and Budget's budgetary projections for the Coast Guard
11 for those years: *Provided further*, That none of the funds
12 provided under this heading may be obligated or expended
13 for the Integrated Deepwater Systems (IDS) integration
14 contract until the Secretary or Deputy Secretary of Trans-
15 portation, and the Director, Office of Management and
16 Budget jointly approve a contingency procurement strat-
17 egy for the recapitalization of assets and capabilities envi-
18 sioned in the IDS: *Provided further*, That upon initial sub-
19 mission to the Congress of the fiscal year 2003 President's
20 budget, the Secretary of Transportation shall transmit to
21 the Congress a comprehensive capital investment plan for
22 the United States Coast Guard which includes funding for
23 each budget line item for fiscal years 2003 through 2007,
24 with total funding for each year of the plan constrained
25 to the funding targets for those years as estimated and

1 approved by the Office of Management and Budget: *Pro-*
2 *vided further*, That the amount herein appropriated shall
3 be reduced by \$100,000 per day for each day after initial
4 submission of the President's budget that the plan has not
5 been submitted to the Congress: *Provided further*, That
6 the Director, Office of Management and Budget shall sub-
7 mit the budget request for the IDS integration contract
8 delineating sub-headings as follows: systems integrator,
9 ship construction, aircraft, equipment, and communica-
10 tions, providing specific assets and costs under each sub-
11 heading.

12 (RESCISSIONS)

13 Of the amounts made available under this heading
14 in Public Laws 105-277, 106-69, and 106-346,
15 \$8,700,000 are rescinded.

16 ENVIRONMENTAL COMPLIANCE AND RESTORATION

17 For necessary expenses to carry out the Coast
18 Guard's environmental compliance and restoration func-
19 tions under chapter 19 of title 14, United States Code,
20 \$16,927,000, to remain available until expended.

21 ALTERATION OF BRIDGES

22 For necessary expenses for alteration or removal of
23 obstructive bridges, \$15,466,000, to remain available until
24 expended.

1 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

2 For necessary expenses, not otherwise provided for,
3 for applied scientific research, development, test, and eval-
4 uation; maintenance, rehabilitation, lease and operation of
5 facilities and equipment, as authorized by law,
6 \$21,722,000, to remain available until expended, of which
7 \$3,492,000 shall be derived from the Oil Spill Liability
8 Trust Fund: *Provided*, That there may be credited to and
9 used for the purposes of this appropriation funds received
10 from State and local governments, other public authori-
11 ties, private sources, and foreign countries, for expenses
12 incurred for research, development, testing, and evalua-
13 tion.

14 FEDERAL AVIATION ADMINISTRATION

15 OPERATIONS

16 For necessary expenses of the Federal Aviation Ad-
17 ministration, not otherwise provided for, including oper-
18 ations and research activities related to commercial space
19 transportation, administrative expenses for research and
20 development, establishment of air navigation facilities, the
21 operation (including leasing) and maintenance of aircraft,
22 subsidizing the cost of aeronautical charts and maps sold
23 to the public, lease or purchase of passenger motor vehi-
24 cles for replacement only, in addition to amounts made
25 available by Public Law 104-264, \$6,916,000,000, of

1 which \$5,777,219,000 shall be derived from the Airport
2 and Airway Trust Fund: *Provided*, That there may be
3 credited to this appropriation funds received from States,
4 counties, municipalities, foreign authorities, other public
5 authorities, and private sources, for expenses incurred in
6 the provision of agency services, including receipts for the
7 maintenance and operation of air navigation facilities, and
8 for issuance, renewal or modification of certificates, in-
9 cluding airman, aircraft, and repair station certificates, or
10 for tests related thereto, or for processing major repair
11 or alteration forms: *Provided further*, That of the funds
12 appropriated under this heading, not less than \$6,000,000
13 shall be for the contract tower cost-sharing program: *Pro-*
14 *vided further*, That funds may be used to enter into a
15 grant agreement with a nonprofit standard-setting organi-
16 zation to assist in the development of aviation safety
17 standards: *Provided further*, That none of the funds in this
18 Act shall be available for new applicants for the second
19 career training program: *Provided further*, That none of
20 the funds in this Act shall be available for paying premium
21 pay under 5 U.S.C. 5546(a) to any Federal Aviation Ad-
22 ministration employee unless such employee actually per-
23 formed work during the time corresponding to such pre-
24 mium pay: *Provided further*, That none of the funds in
25 this Act may be obligated or expended to operate a

1 manned auxiliary flight service station in the contiguous
2 United States.

3 FACILITIES AND EQUIPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for,
6 for acquisition, establishment, and improvement by con-
7 tract or purchase, and hire of air navigation and experi-
8 mental facilities and equipment as authorized under part
9 A of subtitle VII of title 49, United States Code, including
10 initial acquisition of necessary sites by lease or grant; en-
11 gineering and service testing, including construction of
12 test facilities and acquisition of necessary sites by lease
13 or grant; construction and furnishing of quarters and re-
14 lated accommodations for officers and employees of the
15 Federal Aviation Administration stationed at remote local-
16 ities where such accommodations are not available; and
17 the purchase, lease, or transfer of aircraft from funds
18 available under this heading; to be derived from the Air-
19 port and Airway Trust Fund, \$2,914,000,000, of which
20 \$2,536,900,000 shall remain available until September 30,
21 2004, and of which \$377,100,000 shall remain available
22 until September 30, 2002: *Provided*, That there may be
23 credited to this appropriation funds received from States,
24 counties, municipalities, other public authorities, and pri-
25 vate sources, for expenses incurred in the establishment

1 and modernization of air navigation facilities: *Provided*
2 *further*, That upon initial submission to the Congress of
3 the fiscal year 2003 President's budget, the Secretary of
4 Transportation shall transmit to the Congress a com-
5 prehensive capital investment plan for the Federal Avia-
6 tion Administration which includes funding for each budg-
7 et line item for fiscal years 2003 through 2007, with total
8 funding for each year of the plan constrained to the fund-
9 ing targets for those years as estimated and approved by
10 the Office of Management and Budget: *Provided further*,
11 That the amount herein appropriated shall be reduced by
12 \$100,000 per day for each day after initial submission of
13 the President's budget that the plan has not been sub-
14 mitted to the Congress.

15 RESEARCH, ENGINEERING, AND DEVELOPMENT

16 (AIRPORT AND AIRWAY TRUST FUND)

17 For necessary expenses, not otherwise provided for,
18 for research, engineering, and development, as authorized
19 under part A of subtitle VII of title 49, United States
20 Code, including construction of experimental facilities and
21 acquisition of necessary sites by lease or grant,
22 \$195,808,000, to be derived from the Airport and Airway
23 Trust Fund and to remain available until September 30,
24 2004: *Provided*, That there may be credited to this appro-
25 priation funds received from States, counties, municipali-

1 ties, other public authorities, and private sources, for ex-
 2 penses incurred for research, engineering, and develop-
 3 ment.

4 GRANTS-IN-AID FOR AIRPORTS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (AIRPORT AND AIRWAY TRUST FUND)

8 For liquidation of obligations incurred for grants-in-
 9 aid for airport planning and development, and noise com-
 10 patibility planning and programs as authorized under sub-
 11 chapter I of chapter 471 and subchapter I of chapter 475
 12 of title 49, United States Code, and under other law au-
 13 thorizing such obligations; for administration of such pro-
 14 grams and of programs under section 40117 of such title;
 15 and for inspection activities and administration of airport
 16 safety programs, including those related to airport oper-
 17 ating certificates under section 44706 of title 49, United
 18 States Code, \$1,800,000,000, to be derived from the Air-
 19 port and Airway Trust Fund and to remain available until
 20 expended: *Provided*, That none of the funds under this
 21 heading shall be available for the planning or execution
 22 of programs the obligations for which are in excess of
 23 \$3,300,000,000 in fiscal year 2002, notwithstanding sec-
 24 tion 47117(h) of title 49, United States Code: *Provided*
 25 *further*, That notwithstanding any other provision of law,
 26 not more than \$64,597,000 of funds limited under this

1 heading shall be obligated for administration: *Provided*
2 *further*, That of the funds under this heading, not more
3 than \$10,000,000 may be available to carry out the Essen-
4 tial Air Service program under subchapter II of chapter
5 417 of title 49 U.S.C., pursuant to section 41742(a) of
6 such title.

7 GRANTS-IN-AID FOR AIRPORTS

8 (AIRPORT AND AIRWAY TRUST FUND)

9 (RESCISSION OF CONTRACT AUTHORIZATION)

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

12 SMALL COMMUNITY AIR SERVICE DEVELOPMENT

13 For necessary expenses to carry out the Small Com-
14 munity Air Service Development Pilot Program under sec-
15 tion 41743 of title 49 U.S.C., \$20,000,000, to remain
16 available until expended.

17 AVIATION INSURANCE REVOLVING FUND

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

1 FEDERAL HIGHWAY ADMINISTRATION

2 LIMITATION ON ADMINISTRATIVE EXPENSES

3 Necessary expenses for administration and operation
4 of the Federal Highway Administration, not to exceed
5 \$316,521,000 shall be paid in accordance with law from
6 appropriations made available by this Act to the Federal
7 Highway Administration together with advances and reim-
8 bursements received by the Federal Highway Administra-
9 tion: *Provided*, That of the funds available under section
10 104(a) of title 23, United States Code: \$7,500,000 shall
11 be available for “Child Passenger Protection Education
12 Grants” under section 2003(b) of Public Law 105–178,
13 as amended; \$7,000,000 shall be available for motor car-
14 rier safety research; and \$11,000,000 shall be available
15 for the motor carrier crash data improvement program,
16 the commercial driver’s license improvement program, and
17 the motor carrier 24-hour telephone hotline.

18 FEDERAL-AID HIGHWAYS

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 None of the funds in this Act shall be available for
22 the implementation or execution of programs, the obliga-
23 tions for which are in excess of \$31,919,103,000 for Fed-
24 eral-aid highways and highway safety construction pro-
25 grams for fiscal year 2002: *Provided*, That within the
26 \$31,919,103,000 obligation limitation on Federal-aid

1 highways and highway safety construction programs, not
2 more than \$447,500,000 shall be available for the imple-
3 mentation or execution of programs for transportation re-
4 search (sections 502, 503, 504, 506, 507, and 508 of title
5 23, United States Code, as amended; section 5505 of title
6 49, United States Code, as amended; and sections 5112
7 and 5204–5209 of Public Law 105–178) for fiscal year
8 2002: *Provided further*, That within the \$225,000,000 ob-
9 ligation limitation on Intelligent Transportation Systems,
10 the following sums shall be made available for Intelligent
11 Transportation System projects in the following specified
12 areas:

13 Indiana Statewide, \$1,500,000;
14 Southeast Corridor, Colorado, \$9,900,000;
15 Jackson Metropolitan, Mississippi, \$1,000,000;
16 Harrison County, Mississippi, \$1,000,000;
17 Indiana, SAFE–T, \$3,000,000;
18 Maine Statewide (Rural), \$1,000,000;
19 Atlanta Metropolitan GRTA, Georgia,
20 \$1,000,000;
21 Moscow, Idaho, \$2,000,000;
22 Washington Metropolitan Region, \$4,000,000;
23 Travel Network, South Dakota, \$3,200,000;
24 Central Ohio, \$3,000,000;
25 Delaware Statewide, \$4,000,000;

1 Santa Teresa, New Mexico, \$1,500,000;
2 Fargo, North Dakota, \$1,500,000;
3 Illinois statewide, \$3,750,000;
4 Forsyth, Guilford Counties, North Carolina,
5 \$2,000,000;
6 Durham, Wake Counties, North Carolina,
7 \$1,000,000;
8 Chattanooga, Tennessee, \$2,380,000;
9 Nebraska Statewide, \$5,000,000;
10 South Carolina Statewide, \$7,000,000;
11 Texas Statewide, \$4,000,000;
12 Hawaii Statewide, \$1,750,000;
13 Wisconsin Statewide, \$2,000,000;
14 Arizona Statewide EMS, \$1,000,000;
15 Vermont Statewide (Rural), \$1,500,000;
16 Rutland, Vermont, \$1,200,000;
17 Detroit, Michigan (Airport), \$4,500,000;
18 Macomb, Michigan (border crossing),
19 \$2,000,000;
20 Sacramento, California, \$6,000,000;
21 Lexington, Kentucky, \$1,500,000;
22 Maryland Statewide, \$2,000,000;
23 Clark County, Washington, \$1,000,000;
24 Washington Statewide, \$6,000,000;
25 Southern Nevada (bus), \$2,200,000;

1 Santa Anita, California, \$1,000,000;
2 Las Vegas, Nevada, \$3,000,000;
3 North Greenbush, New York, \$2,000,000;
4 New York, New Jersey, Connecticut
5 (TRANSCOM), \$7,000,000;
6 Crash Notification, Alabama, \$2,500,000;
7 Philadelphia, Pennsylvania (Drexel),
8 \$3,000,000;
9 Pennsylvania Statewide (Turnpike),
10 \$1,000,000;
11 Alaska Statewide, \$3,000,000;
12 St. Louis, Missouri, \$1,500,000;
13 Wisconsin Communications Network, \$620,000:
14 *Provided further*, That, notwithstanding any other provi-
15 sion of law, funds authorized under section 110 of title
16 23, United States Code, for fiscal year 2002 shall be ap-
17 portioned to the States in accordance with the distribution
18 set forth in section 110(b)(4)(A) and (B) of title 23,
19 United States Code, except that before such apportion-
20 ments are made, \$35,565,651 shall be set aside for the
21 program authorized under section 1101(a)(8)(A) of the
22 Transportation Equity Act for the 21st Century, as
23 amended, and section 204 of title 23, United States Code;
24 \$31,815,091 shall be set aside for the program authorized
25 under section 1101(a)(8)(B) of the Transportation Equity

1 Act for the 21st Century, as amended, and section 204
2 of title 23, United States Code; \$21,339,391 shall be set
3 aside for the program authorized under section
4 1101(a)(8)(C) of the Transportation Equity Act for the
5 21st Century, as amended, and section 204 of title 23,
6 United States Code; \$2,586,593 shall be set aside for the
7 program authorized under section 1101(a)(8)(D) of the
8 Transportation Equity Act for the 21st Century, as
9 amended, and section 204 of title 23, United States Code;
10 \$4,989,367 shall be set aside for the program authorized
11 under section 129(c) of title 23, United States Code, and
12 section 1064 of the Intermodal Surface Transportation
13 Efficiency Act of 1991, as amended; \$230,681,878 shall
14 be set aside for the programs authorized under sections
15 1118 and 1119 of the Transportation Equity Act for the
16 21st Century, as amended; \$2,468,424 shall be set aside
17 for the projects authorized by section 218 of title 23,
18 United States Code; \$13,129,913 shall be set aside for the
19 program authorized under section 118(c) of title 23,
20 United States Code; \$13,129,913 shall be set aside for the
21 program authorized under section 144(g) of title 23,
22 United States Code; \$55,000,000 shall be set aside for the
23 program authorized under section 1221 of the Transpor-
24 tation Equity Act for the 21st Century, as amended;
25 \$100,000,000 shall be set aside to carry out a matching

1 grant program to promote access to alternative methods
2 of transportation; \$45,000,000 shall be set aside to carry
3 out a pilot program that promotes innovative transpor-
4 tation solutions for people with disabilities; and
5 \$23,896,000 shall be set aside and transferred to the Fed-
6 eral Motor Carrier Safety Administration as authorized by
7 section 102 of Public Law 106–159: *Provided further*,
8 That, of the funds to be apportioned to each State under
9 section 110 for fiscal year 2002, the Secretary shall ensure
10 that such funds are apportioned for the programs author-
11 ized under sections 1101(a)(1), 1101(a)(2), 1101(a)(3),
12 1101(a)(4), and 1101(a)(5) of the Transportation Equity
13 Act for the 21st Century, as amended, in the same ratio
14 that each State is apportioned funds for such programs
15 in fiscal year 2002 but for this section.

16 FEDERAL-AID HIGHWAYS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (HIGHWAY TRUST FUND)

19 Notwithstanding any other provision of law, for car-
20 rying out the provisions of title 23, United States Code,
21 that are attributable to Federal-aid highways, including
22 the National Scenic and Recreational Highway as author-
23 ized by 23 U.S.C. 148, not otherwise provided, including
24 reimbursement for sums expended pursuant to the provi-
25 sions of 23 U.S.C. 308, \$30,000,000,000 or so much

1 thereof as may be available in and derived from the High-
 2 way Trust Fund, to remain available until expended.

3 APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

4 For necessary expenses for the Appalachian Develop-
 5 ment Highway System as authorized under Section
 6 1069(y) of Public Law 102–240, as amended,
 7 \$350,000,000, to remain available until expended.

8 STATE INFRASTRUCTURE BANKS

9 (RESCISSION)

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

12 FEDERAL MOTOR CARRIER SAFETY

13 ADMINISTRATION

14 MOTOR CARRIER SAFETY

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 (INCLUDING RESCISSION OF FUNDS)

17 For necessary expenses for administration of motor
 18 carrier safety programs and motor carrier safety research,
 19 pursuant to section 104(a)(1)(B) of title 23, United States
 20 Code, not to exceed \$105,000,000 shall be paid in accord-
 21 ance with law from appropriations made available by this
 22 Act and from any available take-down balances to the Fed-
 23 eral Motor Carrier Safety Administration, together with
 24 advances and reimbursements received by the Federal
 25 Motor Carrier Safety Administration, of which \$5,000,000
 26 is for the motor carrier safety operations program: *Pro-*

1 *vided*, That such amounts shall be available to carry out
 2 the functions and operations of the Federal Motor Carrier
 3 Safety Administration.

4 (RESCISSION)

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

7 NATIONAL MOTOR CARRIER SAFETY PROGRAM

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (LIMITATION ON OBLIGATIONS)

10 (HIGHWAY TRUST FUND)

11 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

12 For payment of obligations incurred in carrying out
 13 49 U.S.C. 31102, 31106 and 31309, \$204,837,000, to be
 14 derived from the Highway Trust Fund and to remain
 15 available until expended: *Provided*, That none of the funds
 16 in this Act shall be available for the implementation or
 17 execution of programs the obligations for which are in ex-
 18 cess of \$183,059,000 for “Motor Carrier Safety Grants”,
 19 and “Information Systems”: *Provided further*, That not-
 20 withstanding any other provision of law, of the
 21 \$22,837,000 provided under 23 U.S.C. 110, \$18,000,000
 22 shall be for border State grants and \$4,837,000 shall be
 23 for State commercial driver’s license program improve-
 24 ments.

1 Of the unobligated balances authorized under 49
 2 U.S.C. 31102, 31106, and 31309, \$2,332,546 are re-
 3 scinded.

4 NATIONAL HIGHWAY TRAFFIC SAFETY

5 ADMINISTRATION

6 OPERATIONS AND RESEARCH

7 For expenses necessary to discharge the functions of
 8 the Secretary, with respect to traffic and highway safety
 9 under chapter 301 of title 49, United States Code, and
 10 part C of subtitle VI of title 49, United States Code,
 11 \$132,000,000 of which \$96,360,000 shall remain available
 12 until September 30, 2004: *Provided*, That none of the
 13 funds appropriated by this Act may be obligated or ex-
 14 pended to plan, finalize, or implement any rulemaking to
 15 add to section 575.104 of title 49 of the Code of Federal
 16 Regulations any requirement pertaining to a grading
 17 standard that is different from the three grading stand-
 18 ards (treadwear, traction, and temperature resistance) al-
 19 ready in effect.

20 OPERATIONS AND RESEARCH

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (LIMITATION ON OBLIGATIONS)

23 (HIGHWAY TRUST FUND)

24 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

25 For payment of obligations incurred in carrying out
 26 the provisions of 23 U.S.C. 403, to remain available until

1 expended, \$72,000,000, to be derived from the Highway
 2 Trust Fund: *Provided*, That none of the funds in this Act
 3 shall be available for the planning or execution of pro-
 4 grams the total obligations for which, in fiscal year 2002,
 5 are in excess of \$72,000,000 for programs authorized
 6 under 23 U.S.C. 403.

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

9 NATIONAL DRIVER REGISTER

10 (HIGHWAY TRUST FUND)

11 For expenses necessary to discharge the functions of
 12 the Secretary with respect to the National Driver Register
 13 under chapter 303 of title 49, United States Code,
 14 \$2,000,000, to be derived from the Highway Trust Fund,
 15 and to remain available until expended.

16 HIGHWAY TRAFFIC SAFETY GRANTS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (LIMITATION ON OBLIGATIONS)

19 (HIGHWAY TRUST FUND)

20 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

21 Notwithstanding any other provision of law, for pay-
 22 ment of obligations incurred in carrying out the provisions
 23 of 23 U.S.C. 402, 405, 410, and 411 to remain available
 24 until expended, \$223,000,000, to be derived from the
 25 Highway Trust Fund: *Provided*, That none of the funds
 26 in this Act shall be available for the planning or execution

1 of programs the total obligations for which, in fiscal year
2 2002, are in excess of \$223,000,000 for programs author-
3 ized under 23 U.S.C. 402, 405, 410, and 411 of which
4 \$160,000,000 shall be for “Highway Safety Programs”
5 under 23 U.S.C. 402, \$15,000,000 shall be for “Occupant
6 Protection Incentive Grants” under 23 U.S.C. 405,
7 \$38,000,000 shall be for “Alcohol-Impaired Driving Coun-
8 termeasures Grants” under 23 U.S.C. 410, and
9 \$10,000,000 shall be for the “State Highway Safety Data
10 Grants” under 23 U.S.C. 411: *Provided further*, That
11 none of these funds shall be used for construction, reha-
12 bilitation, or remodeling costs, or for office furnishings
13 and fixtures for State, local, or private buildings or struc-
14 tures: *Provided further*, That not to exceed \$8,000,000 of
15 the funds made available for section 402, not to exceed
16 \$750,000 of the funds made available for section 405, not
17 to exceed \$1,900,000 of the funds made available for sec-
18 tion 410, and not to exceed \$500,000 of the funds made
19 available for section 411 shall be available to NHTSA for
20 administering highway safety grants under chapter 4 of
21 title 23, United States Code: *Provided further*, That not
22 to exceed \$500,000 of the funds made available for section
23 410 “Alcohol-Impaired Driving Countermeasures Grants”
24 shall be available for technical assistance to the States.

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

3 FEDERAL RAILROAD ADMINISTRATION

4 SAFETY AND OPERATIONS

5 For necessary expenses of the Federal Railroad Ad-
6 ministration, not otherwise provided for, \$111,357,000, of
7 which \$6,159,000 shall remain available until expended:
8 *Provided*, That, as part of the Washington Union Station
9 transaction in which the Secretary assumed the first deed
10 of trust on the property and, where the Union Station Re-
11 development Corporation or any successor is obligated to
12 make payments on such deed of trust on the Secretary's
13 behalf, including payments on and after September 30,
14 1988, the Secretary is authorized to receive such payments
15 directly from the Union Station Redevelopment Corpora-
16 tion, credit them to the appropriation charged for the first
17 deed of trust, and make payments on the first deed of
18 trust with those funds: *Provided further*, That such addi-
19 tional sums as may be necessary for payment on the first
20 deed of trust may be advanced by the Administrator from
21 unobligated balances available to the Federal Railroad Ad-
22 ministration, to be reimbursed from payments received
23 from the Union Station Redevelopment Corporation.

1 ALASKA RAILROAD REHABILITATION

2 To enable the Secretary of Transportation to make
3 grants to the Alaska Railroad, \$20,000,000 shall be for
4 capital rehabilitation and improvements benefiting its pas-
5 senger operations, to remain available until expended.

6 NATIONAL RAIL DEVELOPMENT AND REHABILITATION

7 To enable the Secretary to make grants and enter
8 into contracts for the development and rehabilitation of
9 freight and passenger rail infrastructure, \$12,000,000, to
10 remain available until expended.

11 CAPITAL GRANTS TO THE NATIONAL RAILROAD

12 PASSENGER CORPORATION

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

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, \$13,400,000: *Provided*,
22 That no more than \$67,000,000 of budget authority shall
23 be available for these purposes: *Provided further*, That of
24 the funds in this Act available for execution of contracts
25 under section 5327(c) of title 49, United States Code,

1 \$2,000,000 shall be reimbursed to the Department of
2 Transportation's Office of Inspector General for costs as-
3 sociated with audits and investigations of transit-related
4 issues, including reviews of new fixed guideway systems:
5 *Provided further*, That not to exceed \$2,600,000 for the
6 National Transit Database shall remain available until ex-
7 pended.

8 FORMULA GRANTS

9 For necessary expenses to carry out 49 U.S.C. 5307,
10 5308, 5310, 5311, 5327, and section 3038 of Public Law
11 105-178, \$718,400,000, to remain available until ex-
12 pended: *Provided*, That no more than \$3,592,000,000 of
13 budget authority shall be available for these purposes: *Pro-*
14 *vided further*, That, notwithstanding any other provision
15 of law, of the funds provided under this heading,
16 \$5,000,000 shall be available for grants for the costs of
17 planning, delivery, and temporary use of transit vehicles
18 for special transportation needs and construction of tem-
19 porary transportation facilities for the VIII Paralympiad
20 for the Disabled, to be held in Salt Lake City, Utah: *Pro-*
21 *vided further*, That in allocating the funds designated in
22 the preceding proviso, the Secretary shall make grants
23 only to the Utah Department of Transportation, and such
24 grants shall not be subject to any local share requirement

1 or limitation on operating assistance under this Act or the
2 Federal Transit Act, as amended.

3 UNIVERSITY TRANSPORTATION RESEARCH

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

8 TRANSIT PLANNING AND RESEARCH

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

1 TRUST FUND SHARE OF EXPENSES
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (HIGHWAY TRUST FUND)
4 Notwithstanding any other provision of law, for pay-
5 ment of obligations incurred in carrying out 49 U.S.C.
6 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334,
7 5505, and sections 3037 and 3038 of Public Law 105–
8 178, \$5,397,800,000, to remain available until expended,
9 and to be derived from the Mass Transit Account of the
10 Highway Trust Fund: *Provided*, That \$2,873,600,000
11 shall be paid to the Federal Transit Administration’s for-
12 mula grants account: *Provided further*, That \$93,000,000
13 shall be paid to the Federal Transit Administration’s tran-
14 sit planning and research account: *Provided further*, That
15 \$53,600,000 shall be paid to the Federal Transit Adminis-
16 tration’s administrative expenses account: *Provided fur-*
17 *ther*, That \$4,800,000 shall be paid to the Federal Transit
18 Administration’s university transportation research ac-
19 count: *Provided further*, That \$100,000,000 shall be paid
20 to the Federal Transit Administration’s job access and re-
21 verse commute grants program: *Provided further*, That
22 \$2,272,800,000 shall be paid to the Federal Transit Ad-
23 ministration’s capital investment grants account.

1 CAPITAL INVESTMENT GRANTS
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out 49 U.S.C. 5308,
4 5309, 5318, and 5327, \$668,200,000, to remain available
5 until expended: *Provided*, That no more than
6 \$2,941,000,000 of budget authority shall be available for
7 these purposes: *Provided further*, That notwithstanding
8 any other provision of law, there shall be available for
9 fixed guideway modernization, \$1,136,400,000; there shall
10 be available for the replacement, rehabilitation, and pur-
11 chase of buses and related equipment and the construction
12 of bus-related facilities, \$568,200,000 together with
13 \$50,000,000 transferred from “Federal Transit Adminis-
14 tration, Formula grants”; and there shall be available for
15 new fixed guideway systems \$1,236,400,000, to be avail-
16 able for transit new starts; to be available as follows:

17 \$192,492 for Denver, Colorado, Southwest cor-
18 ridor light rail transit project;

19 \$3,000,000 for Northeast Indianapolis down-
20 town corridor project;

21 \$3,000,000 for Northern Indiana South Shore
22 commuter rail project;

23 \$15,000,000 for Salt Lake City, Utah, CBD to
24 University light rail transit project;

- 1 \$6,000,000 for Salt Lake City, Utah, Univer-
2 sity Medical Center light rail transit extension
3 project;
- 4 \$2,000,000 for Salt Lake City, Utah, Ogden-
5 Provo commuter rail project;
- 6 \$4,000,000 for Wilmington, Delaware, Transit
7 Corridor project;
- 8 \$500,000 for Yosemite Area Regional Trans-
9 portation System project;
- 10 \$60,000,000 for Denver, Colorado, Southeast
11 corridor light rail transit project;
- 12 \$10,000,000 for Kansas City, Missouri, Central
13 Corridor Light Rail transit project;
- 14 \$25,000,000 for Atlanta, Georgia, MARTA ex-
15 tension project;
- 16 \$2,000,000 for Maine Marine Highway develop-
17 ment project;
- 18 \$151,069,771 for New Jersey, Hudson-Bergen
19 light rail transit project;
- 20 \$20,000,000 for Newark-Elizabeth, New Jer-
21 sey, rail link project;
- 22 \$3,000,000 for New Jersey Urban Core Newark
23 Penn Station improvements project;
- 24 \$7,000,000 for Cleveland, Ohio, Euclid corridor
25 extension project;

- 1 \$2,000,000 for Albuquerque, New Mexico, light
2 rail project;
- 3 \$35,000,000 for Chicago, Illinois, Douglas
4 branch reconstruction project;
- 5 \$5,000,000 for Chicago, Illinois, Ravenswood
6 line extension project;
- 7 \$24,223,268 for St. Louis, Missouri, Metrolink
8 St. Clair extension project;
- 9 \$30,000,000 for Chicago, Illinois, Metra North
10 central, South West, Union Pacific commuter
11 project;
- 12 \$10,000,000 for Charlotte, North Carolina,
13 South corridor light rail transit project;
- 14 \$9,000,000 for Raleigh, North Carolina, Tri-
15 angle transit project;
- 16 \$65,000,000 for San Diego, California, Mission
17 Valley East light rail transit extension project;
- 18 \$10,000,000 for Los Angeles, California, East
19 Side corridor light rail transit project;
- 20 \$80,605,331 for San Francisco, California,
21 BART extension project;
- 22 \$9,289,557 for Los Angeles, California, North
23 Hollywood extension project;
- 24 \$5,000,000 for Stockton, California, Altamont
25 commuter rail project;

- 1 \$113,336 for San Jose, California, Tasman
2 West, light rail transit project;
- 3 \$6,000,000 for Nashville, Tennessee, Commuter
4 rail project;
- 5 \$19,170,000 for Memphis, Tennessee, Medical
6 Center rail extension project;
- 7 \$150,000 for Des Moines, Iowa, DSM bus fea-
8 sibility project;
- 9 \$100,000 for Macro Vision Pioneer, Iowa, light
10 rail feasibility project;
- 11 \$3,500,000 for Sioux City, Iowa, light rail
12 project;
- 13 \$300,000 for Dubuque, Iowa, light rail feasi-
14 bility project;
- 15 \$2,000,000 for Charleston, South Carolina,
16 Monobeam project;
- 17 \$5,000,000 for Anderson County, South Caro-
18 lina, transit system project;
- 19 \$70,000,000 for Dallas, Texas, North central
20 light rail transit extension project;
- 21 \$25,000,000 for Houston, Texas, Metro ad-
22 vanced transit plan project;
- 23 \$4,000,000 for Fort Worth, Texas, Trinity rail-
24 way express project;

- 1 \$12,000,000 for Honolulu, Hawaii, Bus rapid
2 transit project;
- 3 \$10,631,245 for Boston, Massachusetts, South
4 Boston Piers transitway project;
- 5 \$1,000,000 for Boston, Massachusetts, Urban
6 ring transit project;
- 7 \$4,000,000 for Kenosha-Racine, Milwaukee
8 Wisconsin, commuter rail extension project;
- 9 \$23,000,000 for New Orleans, Louisiana, Canal
10 Street car line project;
- 11 \$7,000,000 for New Orleans, Louisiana, Air-
12 port CBD commuter rail project;
- 13 \$3,000,000 for Burlington, Vermont, Bur-
14 lington to Middlebury rail line project;
- 15 \$1,000,000 for Detroit, Michigan, light rail air-
16 port link project;
- 17 \$1,500,000 for Grand Rapids, Michigan, ITP
18 metro area, major corridor project;
- 19 \$500,000 for Iowa, Metrolink light rail feasi-
20 bility project;
- 21 \$6,000,000 for Fairfield, Connecticut, Com-
22 muter rail project;
- 23 \$4,000,000 for Stamford, Connecticut, Urban
24 transitway project;

- 1 \$3,000,000 for Little Rock, Arkansas, River
2 rail project;
- 3 \$14,000,000 for Maryland, MARC commuter
4 rail improvements projects;
- 5 \$3,000,000 for Baltimore, Maryland rail transit
6 project;
- 7 \$60,000,000 for Largo, Maryland, metrorail ex-
8 tension project;
- 9 \$18,110,000 for Baltimore, Maryland, central
10 light rail transit double track project;
- 11 \$24,500,000 for Puget Sound, Washington,
12 Sounder commuter rail project;
- 13 \$30,000,000 for Fort Lauderdale, Florida, Tri-
14 County commuter rail project;
- 15 \$8,000,000 for Pawtucket-TF Green, Rhode Is-
16 land, commuter rail and maintenance facility
17 project;
- 18 \$1,500,000 for Johnson County, Kansas, com-
19 muter rail project;
- 20 \$20,000,000 for Long Island Railroad, New
21 York, east side access project;
- 22 \$3,000,000 for New York, New York, Second
23 Avenue subway project;
- 24 \$4,000,000 for Birmingham, Alabama, transit
25 corridor project;

1 \$5,000,000 for Nashua, New Hampshire-Low-
2 ell, Massachusetts, commuter rail project;
3 \$10,000,000 for Pittsburgh, Pennsylvania,
4 North Shore connector light rail extension project;
5 \$16,000,000 for Philadelphia, Pennsylvania,
6 Schuylkill Valley metro project;
7 \$20,000,000 for Pittsburgh, Pennsylvania,
8 stage II light rail transit reconstruction project;
9 \$2,500,000 for Scranton, Pennsylvania, rail
10 service to New York City project;
11 \$2,500,000 for Wasilla, Alaska, alternate route
12 project;
13 \$1,000,000 for Ohio, Central Ohio North Cor-
14 ridor rail (COTA) project;
15 \$4,000,000 for Virginia, VRE station improve-
16 ments project;
17 \$50,000,000 for Twin Cities, Minnesota, Hia-
18 watha Corridor light rail transit project;
19 \$70,000,000 for Portland, Oregon, Interstate
20 MAX light rail transit extension project;
21 \$50,149,000 for San Juan, Tren Urbano
22 project;
23 \$10,296,000 for Alaska and Hawaii Ferry
24 projects.

1 JOB ACCESS AND REVERSE COMMUTE GRANTS

2 Notwithstanding section 3037(1)(3) of Public Law
3 105–178, as amended, for necessary expenses to carry out
4 section 3037 of the Federal Transit Act of 1998,
5 \$25,000,000, to remain available until expended: *Pro-*
6 *vided*, That no more than \$125,000,000 of budget author-
7 ity shall be available for these purposes: *Provided further*,
8 That up to \$250,000 of the funds provided under this
9 heading may be used by the Federal Transit Administra-
10 tion for technical assistance and support and performance
11 reviews of the Job Access and Reverse Commute Grants
12 program.

13 SAINT LAWRENCE SEAWAY DEVELOPMENT

14 CORPORATION

15 SAINT LAWRENCE SEAWAY DEVELOPMENT

16 CORPORATION

17 The Saint Lawrence Seaway Development Corpora-
18 tion is hereby authorized to make such expenditures, with-
19 in the limits of funds and borrowing authority available
20 to the Corporation, and in accord with law, and to make
21 such contracts and commitments without regard to fiscal
22 year limitations as provided by section 104 of the Govern-
23 ment Corporation Control Act, as amended, as may be
24 necessary in carrying out the programs set forth in the
25 Corporation's budget for the current fiscal year.

1 OPERATIONS AND MAINTENANCE
2 (HARBOR MAINTENANCE TRUST FUND)

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

9 RESEARCH AND SPECIAL PROGRAMS
10 ADMINISTRATION

11 RESEARCH AND SPECIAL PROGRAMS

12 For expenses necessary to discharge the functions of
13 the Research and Special Programs Administration,
14 \$41,993,000, of which \$645,000 shall be derived from the
15 Pipeline Safety Fund, and of which \$5,434,000 shall re-
16 main available until September 30, 2004: *Provided*, That
17 up to \$1,200,000 in fees collected under 49 U.S.C.
18 5108(g) shall be deposited in the general fund of the
19 Treasury as offsetting receipts: *Provided further*, That
20 there may be credited to this appropriation, to be available
21 until expended, funds received from States, counties, mu-
22 nicipalities, other public authorities, and private sources
23 for expenses incurred for training, for reports publication
24 and dissemination, and for travel expenses incurred in per-

1 formance of hazardous materials exemptions and approv-
2 als functions.

3 PIPELINE SAFETY

4 (PIPELINE SAFETY FUND)

5 (OIL SPILL LIABILITY TRUST FUND)

6 For expenses necessary to conduct the functions of
7 the pipeline safety program, for grants-in-aid to carry out
8 a pipeline safety program, as authorized by 49 U.S.C.
9 60107, and to discharge the pipeline program responsibil-
10 ities of the Oil Pollution Act of 1990, \$58,750,000, of
11 which \$11,472,000 shall be derived from the Oil Spill Li-
12 ability Trust Fund and shall remain available until Sep-
13 tember 30, 2003; of which \$47,278,000 shall be derived
14 from the Pipeline Safety Fund, of which \$30,828,000
15 shall remain available until September 30, 2004.

16 EMERGENCY PREPAREDNESS GRANTS

17 (EMERGENCY PREPAREDNESS FUND)

18 For necessary expenses to carry out 49 U.S.C.
19 5127(c), \$200,000, to be derived from the Emergency
20 Preparedness Fund, to remain available until September
21 30, 2004: *Provided*, That not more than \$14,300,000 shall
22 be made available for obligation in fiscal year 2002 from
23 amounts made available by 49 U.S.C. 5116(i) and
24 5127(d): *Provided further*, That none of the funds made
25 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, \$50,614,000: *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, \$18,457,000: *Provided*, That notwithstanding any

1 other provision of law, not to exceed \$950,000 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 2002, to result in
 9 a final appropriation from the general fund estimated at
 10 no more than \$17,507,000.

11 BUREAU OF TRANSPORTATION STATISTICS

12 OFFICE OF AIRLINE INFORMATION

13 (AIRPORT AND AIRWAY TRUST FUND)

14 For necessary expenses of the Office of Airline Infor-
 15 mation, under chapter 111 of title 49, United States Code,
 16 \$3,760,000, to be derived from the Airport and Airway
 17 Trust Fund as authorized by Section 103(b) of Public
 18 Law 106–181.

19 TITLE II

20 RELATED AGENCIES

21 ARCHITECTURAL AND TRANSPORTATION

22 BARRIERS COMPLIANCE BOARD

23 SALARIES AND EXPENSES

24 For expenses necessary for the Architectural and
 25 Transportation Barriers Compliance Board, as authorized

1 by section 502 of the Rehabilitation Act of 1973, as
2 amended, \$5,015,000: *Provided*, That, notwithstanding
3 any other provision of law, there may be credited to this
4 appropriation funds received for publications and training
5 expenses.

6 NATIONAL TRANSPORTATION SAFETY BOARD

7 SALARIES AND EXPENSES

8 For necessary expenses of the National Transpor-
9 tation Safety Board, including hire of passenger motor ve-
10 hicles and aircraft; services as authorized by 5 U.S.C.
11 3109, but at rates for individuals not to exceed the per
12 diem rate equivalent to the rate for a GS-15; uniforms,
13 or allowances therefor, as authorized by law (5 U.S.C.
14 5901-5902) \$70,000,000, of which not to exceed \$2,000
15 may be used for official reception and representation ex-
16 penses.

17 TITLE III—GENERAL PROVISIONS

18 (INCLUDING TRANSFERS OF FUNDS)

19 SEC. 301. During the current fiscal year applicable
20 appropriations to the Department of Transportation shall
21 be available for maintenance and operation of aircraft;
22 hire of passenger motor vehicles and aircraft; purchase of
23 liability insurance for motor vehicles operating in foreign
24 countries on official department business; and uniforms,

1 or allowances therefore, as authorized by law (5 U.S.C.
2 5901–5902).

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

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

12 SEC. 304. None of the funds in this Act shall be avail-
13 able for salaries and expenses of more than 98 political
14 and Presidential appointees in the Department of Trans-
15 portation.

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

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

19 SEC. 309. (a) For fiscal year 2002, the Secretary of
20 Transportation shall—

21 (1) not distribute from the obligation limitation
22 for Federal-aid Highways amounts authorized for
23 administrative expenses and programs funded from
24 the administrative takedown authorized by section
25 104(a)(1)(A) of title 23, United States Code, for the

1 highway use tax evasion program, amounts provided
2 under section 110 of title 23, United States Code,
3 and for the Bureau of Transportation Statistics;

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

12 (3) determine the ratio that—

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

17 (B) the total of the sums authorized to be
18 appropriated for Federal-aid highways and
19 highway safety construction programs (other
20 than sums authorized to be appropriated for
21 sections set forth in paragraphs (1) through (7)
22 of subsection (b) and sums authorized to be ap-
23 propriated for section 105 of title 23, United
24 States Code, equal to the amount referred to in
25 subsection (b)(8)) for such fiscal year less the

1 aggregate of the amounts not distributed under
2 paragraph (1) of this subsection;

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

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

1 programs to which paragraph (4) applies) by multi-
2 plying the ratio determined under paragraph (3) by
3 the sums authorized to be appropriated for such pro-
4 gram for such fiscal year; and

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

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

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

24 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

25 The obligation limitation for Federal-aid Highways shall

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

16 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
17 THORITY.—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 Act of 1991 (105 Stat. 1943–1945).

6 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
7 TRANSPORTATION RESEARCH PROGRAMS.—The obliga-
8 tion limitation shall apply to transportation research pro-
9 grams carried out under chapter 5 of title 23, United
10 States Code, except that obligation authority made avail-
11 able for such programs under such limitation shall remain
12 available for a period of 3 fiscal years.

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

1 tion for such fiscal year. Such distribution to the States
2 shall be made in the same ratio as the distribution of obli-
3 gation authority under subsection (a)(6). The funds so
4 distributed shall be available for any purposes described
5 in section 133(b) of title 23, United States Code.

6 (f) SPECIAL RULE.—Obligation limitation distributed
7 for a fiscal year under subsection (a)(4) of this section
8 for a section set forth in subsection (a)(4) shall remain
9 available until used and shall be in addition to the amount
10 of any limitation imposed on obligations for Federal-aid
11 highway and highway safety construction programs for fu-
12 ture fiscal years.

13 SEC. 310. The limitations on obligations for the pro-
14 grams of the Federal Transit Administration shall not
15 apply to any authority under 49 U.S.C. 5338, previously
16 made available for obligation, or to any other authority
17 previously made available for obligation.

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

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. The Federal Aviation Ad-
10 ministration shall accept such equipment, which shall
11 thereafter be operated and maintained by FAA in accord-
12 ance 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, 2004, and other
19 recoveries, shall be made available for other projects under
20 49 U.S.C. 5309.

21 SEC. 315. The Secretary of Transportation shall, in
22 cooperation with the Federal Aviation Administrator, en-
23 courage a locally developed and executed plan between the
24 State of Illinois, the City of Chicago, and affected commu-
25 nities for the purpose of modernizing O’Hare Inter-

1 national Airport, addressing traffic congestion along the
2 Northwest Corridor including western airport access, and
3 moving forward with a third Chicago-area airport. If such
4 a plan cannot be developed and executed by said parties,
5 the Secretary and the Administrator shall work with Con-
6 gress to enact a federal solution to address the aviation
7 capacity crisis in the Chicago area.

8 SEC. 316. Notwithstanding any other provision of
9 law, any funds appropriated before October 1, 2001, under
10 any section of chapter 53 of title 49, United States Code,
11 that remain available for expenditure may be transferred
12 to and administered under the most recent appropriation
13 heading for any such section.

14 SEC. 317. None of the funds in this Act may be used
15 to compensate in excess of 335 technical staff-years under
16 the federally funded research and development center con-
17 tract between the Federal Aviation Administration and the
18 Center for Advanced Aviation Systems Development dur-
19 ing fiscal year 2002.

20 SEC. 318. Funds received by the Federal Highway
21 Administration, Federal Transit Administration, and Fed-
22 eral Railroad Administration from States, counties, mu-
23 nicipalities, other public authorities, and private sources
24 for expenses incurred for training may be credited respec-
25 tively to the Federal Highway Administration's "Federal-

1 Aid Highways” account, the Federal Transit Administra-
2 tion’s “Transit Planning and Research” account, and to
3 the Federal Railroad Administration’s “Safety and Oper-
4 ations” account, except for State rail safety inspectors
5 participating in training pursuant to 49 U.S.C. 20105.

6 SEC. 319. Effective on the date of enactment of this
7 Act, of the funds made available under section
8 1101(a)(12) of Public Law 105–178, as amended,
9 \$9,231,000 are rescinded.

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

14 SEC. 321. Funds made available for Alaska or Hawaii
15 ferry boats or ferry terminal facilities pursuant to 49
16 U.S.C. 5309(m)(2)(B) may be used to construct new ves-
17 sels and facilities, or to improve existing vessels and facili-
18 ties, including both the passenger and vehicle-related ele-
19 ments of such vessels and facilities, and for repair facili-
20 ties: *Provided*, That not more than \$3,000,000 of the
21 funds made available pursuant to 49 U.S.C.
22 5309(m)(2)(B) may be used by the State of Hawaii to
23 initiate and operate a passenger ferryboat services dem-
24 onstration project to test the viability of different intra-
25 island and inter-island ferry routes.

1 SEC. 322. Notwithstanding 31 U.S.C. 3302, funds re-
2 ceived by the Bureau of Transportation Statistics from the
3 sale of data products, for necessary expenses incurred pur-
4 suant to 49 U.S.C. 111 may be credited to the Federal-
5 aid highways account for the purpose of reimbursing the
6 Bureau for such expenses: *Provided*, That such funds shall
7 be subject to the obligation limitation for Federal-aid
8 highways and highway safety construction.

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

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

17 SEC. 325. None of the funds in this Act may be obli-
18 gated or expended for employee training which: (a) does
19 not meet identified needs for knowledge, skills and abilities
20 bearing directly upon the performance of official duties;
21 (b) contains elements likely to induce high levels of emo-
22 tional response or psychological stress in some partici-
23 pants; (c) does not require prior employee notification of
24 the content and methods to be used in the training and
25 written end of course evaluations; (d) contains any meth-

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

12 SEC. 326. None of the funds in this Act shall, in the
13 absence of express authorization by Congress, be used di-
14 rectly or indirectly to pay for any personal service, adver-
15 tisement, telegraph, telephone, letter, printed or written
16 material, radio, television, video presentation, electronic
17 communications, or other device, intended or designed to
18 influence in any manner a Member of Congress or of a
19 State legislature to favor or oppose by vote or otherwise,
20 any legislation or appropriation by Congress or a State
21 legislature after the introduction of any bill or resolution
22 in Congress proposing such legislation or appropriation,
23 or after the introduction of any bill or resolution in a State
24 legislature proposing such legislation or appropriation:
25 *Provided*, That this shall not prevent officers or employees

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

8 SEC. 327. (a) IN GENERAL.—None of the funds
9 made available in this Act may be expended by an entity
10 unless the entity agrees that in expending the funds the
11 entity will comply with the Buy American Act (41 U.S.C.
12 10a–10c).

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

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

24 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
25 In providing financial assistance using funds made

1 available in this Act, the head of each Federal agen-
2 cy shall provide to each recipient of the assistance
3 a notice describing the statement made in paragraph
4 (1) by the Congress.

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

7 If it has been finally determined by a court or Federal
8 agency that any person intentionally affixed a label bear-
9 ing a “Made in America” inscription, or any inscription
10 with the same meaning, to any product sold in or shipped
11 to the United States that is not made in the United
12 States, the person shall be ineligible to receive any con-
13 tract or subcontract made with funds made available in
14 this Act, pursuant to the debarment, suspension, and ineli-
15 gibility procedures described in sections 9.400 through
16 9.409 of title 48, Code of Federal Regulations.

17 SEC. 328. Notwithstanding any other provision of
18 law, the Commandant of the United States Coast Guard
19 shall maintain an onboard staffing level at the Coast
20 Guard Yard in Curtis Bay, Maryland of not less than 530
21 full time equivalent civilian employees: *Provided*, That the
22 Commandant may reconfigure his vessel maintenance
23 schedule and new construction projects to maximize em-
24 ployment at the Coast Guard Yard.

1 SEC. 329. 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, 2002.

9 SEC. 330. For necessary expenses of the Amtrak Re-
10 form Council authorized under section 203 of Public Law
11 105–134, \$420,000, to remain available until September
12 30, 2003.

13 SEC. 331. In addition to amounts otherwise made
14 available under this Act, to enable the Secretary of Trans-
15 portation to make grants for surface transportation
16 projects, \$20,000,000, to remain available until expended.

17 SEC. 332. Section 648 of title 14, United States
18 Code, is amended by striking the words “or such similar
19 Coast Guard industrial establishments”; and inserting
20 after the words “Coast Guard Yard”: “and other Coast
21 Guard specialized facilities”. This paragraph is now la-
22 beled “(a)” and a new paragraph “(b)” is added to read
23 as follows:

24 “(b) For providing support to the Department of De-
25 fense, the Coast Guard Yard and other Coast Guard spe-

1 cialized facilities designated by the Commandant shall
2 qualify as components of the Department of Defense for
3 competition and workload assignment purposes. In addi-
4 tion, for purposes of entering into joint public-private
5 partnerships and other cooperative arrangements for the
6 performance of work, the Coast Guard Yard and other
7 Coast Guard specialized facilities may enter into agree-
8 ments or other arrangements, receive and retain funds
9 from and pay funds to such public and private entities,
10 and may accept contributions of funds, materials, services,
11 and the use of facilities from such entities. Amounts re-
12 ceived under this subsection may be credited to appro-
13 priate Coast Guard accounts for fiscal year 2002 and for
14 each fiscal year thereafter.”.

15 SEC. 333. None of the funds in this Act may be used
16 to make a grant unless the Secretary of Transportation
17 notifies the House and Senate Committees on Appropria-
18 tions not less than three full business days before any dis-
19 cretionary grant award, letter of intent, or full funding
20 grant agreement totaling \$1,000,000 or more is an-
21 nounced by the department or its modal administrations
22 from: (1) any discretionary grant program of the Federal
23 Highway Administration other than the emergency relief
24 program; (2) the airport improvement program of the
25 Federal Aviation Administration; or (3) any program of

1 the Federal Transit Administration other than the for-
2 mula grants and fixed guideway modernization programs:
3 *Provided*, That no notification shall involve funds that are
4 not available for obligation.

5 SEC. 334. INCREASE IN MOTOR CARRIER FUNDING.

6 (a) IN GENERAL.—Notwithstanding any other provision
7 of law, whenever an allocation is made of the sums author-
8 ized to be appropriated for expenditure on the Federal
9 lands highway program, and whenever an apportionment
10 is made of the sums authorized to be appropriated for ex-
11 penditure on the surface transportation program, the con-
12 gestion mitigation and air quality improvement program,
13 the National Highway System, the Interstate maintenance
14 program, the bridge program, the Appalachian develop-
15 ment highway system, and the minimum guarantee pro-
16 gram, the Secretary of Transportation shall deduct a sum
17 in such amount not to exceed two-fifths of 1 percent of
18 all sums so made available, as the Secretary determines
19 necessary, to administer the provisions of law to be fi-
20 nanced from appropriations for motor carrier safety pro-
21 grams and motor carrier safety research. The sum so de-
22 ducted shall remain available until expended.

23 (b) EFFECT.—Any deduction by the Secretary of
24 Transportation in accordance with this paragraph shall be

1 deemed to be a deduction under section 104(a)(1)(B) of
2 title 23, United States Code.

3 SEC. 335. For an airport project that the Adminis-
4 trator of the Federal Aviation Administration (FAA) de-
5 termines will add critical airport capacity to the national
6 air transportation system, the Administrator is authorized
7 to accept funds from an airport sponsor, including entitle-
8 ment funds provided under the “Grants-in-Aid for Air-
9 ports” program, for the FAA to hire additional staff or
10 obtain the services of consultants: *Provided*, That the Ad-
11 ministrator is authorized to accept and utilize such funds
12 only for the purpose of facilitating the timely processing,
13 review, and completion of environmental activities associ-
14 ated with such project.

15 SEC. 336. None of the funds made available in this
16 Act may be used to further any efforts toward developing
17 a new regional airport for southeast Louisiana until a
18 comprehensive plan is submitted by a commission of stake-
19 holders to the Administrator of the Federal Aviation Ad-
20 ministration and that plan, as approved by the Adminis-
21 trator, is submitted to and approved by the Senate Com-
22 mittee on Appropriations and the House Committee on
23 Appropriations.

24 SEC. 337. Section 8335(a) of title 5, United States
25 Code, is amended by inserting the following before the pe-

1 riod in the first sentence: “if the controller qualifies for
2 an immediate annuity at that time. If not eligible for an
3 immediate annuity upon reaching age 56, the controller
4 may work until the last day of the month in which the
5 controller becomes eligible for a retirement annuity unless
6 the Secretary determines that such action would com-
7 promise safety”.

8 SEC. 338. Notwithstanding any other provision of
9 law, States may use funds provided in this Act under Sec-
10 tion 402 of Title 23, United States Code, to produce and
11 place highway safety public service messages in television,
12 radio, cinema and print media, and on the Internet in ac-
13 cordance with guidance issued by the Secretary of Trans-
14 portation: *Provided*, That any State that uses funds for
15 such public service messages shall submit to the Secretary
16 a report describing and assessing the effectiveness of the
17 messages: *Provided further*, That \$15,000,000 designated
18 for innovative grant funds under Section 157 of Title 23,
19 United States Code shall be used for national television
20 and radio advertising to support the national law enforce-
21 ment mobilizations conducted in all 50 states, aimed at
22 increasing safety belt and child safety seat use and con-
23 trolling drunk driving.

1 SEC. 339. Section 1023(h) of the Intermodal Surface
2 Transportation Efficiency Act of 1991 (23 U.S.C. 127
3 note) is amended—

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

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

8 “(A) any over-the-road bus; or

9 “(B) any vehicle that”; and

10 (3) by striking paragraphs (2) and (3) and in-
11 sserting the following:

12 “(2) STUDY AND REPORT CONCERNING APPLI-
13 CABILITY OF MAXIMUM AXLE WEIGHT LIMITATIONS
14 TO OVER-THE-ROAD BUSES AND PUBLIC TRANSIT
15 VEHICLES.—

16 “(A) STUDY AND REPORT.—Not later than
17 July 31, 2003, the Secretary shall conduct a
18 study of, and submit to Congress a report on,
19 the maximum axle weight limitations applicable
20 to vehicles using the Dwight D. Eisenhower Na-
21 tional System of Interstate and Defense High-
22 ways established under section 127 of title 23,
23 United States Code, or under State law, as the
24 limitations apply to over-the-road buses and
25 public transit vehicles.

1 “(B) DETERMINATION OF APPLICABILITY
2 OF VEHICLE WEIGHT LIMITATIONS.—

3 “(i) IN GENERAL.—The report shall
4 include—

5 “(I) a determination concerning
6 how the requirements of section 127
7 of that title should be applied to over-
8 the-road buses and public transit vehi-
9 cles; and

10 “(II) short-term and long-term
11 recommendations concerning the ap-
12 plicability of those requirements.

13 “(ii) CONSIDERATIONS.—In making
14 the determination described in clause
15 (i)(I), the Secretary shall consider—

16 “(I) vehicle design standards;

17 “(II) statutory and regulatory re-
18 quirements, including—

19 “(aa) the Clean Air Act (42
20 U.S.C. 7401 et seq.);

21 “(bb) the Americans with
22 Disabilities Act of 1990 (42
23 U.S.C. 12101 et seq.); and

24 “(cc) motor vehicle safety
25 standards prescribed under chap-

1 ter 301 of title 49, United States
2 Code; and

3 “(III)(aa) the availability of
4 lightweight materials suitable for use
5 in the manufacture of over-the-road
6 buses;

7 “(bb) the cost of those light-
8 weight materials relative to the cost of
9 heavier materials in use as of the date
10 of the determination; and

11 “(cc) any safety or design consid-
12 erations relating to the use of those
13 materials.

14 “(C) ANALYSIS OF MEANS OF ENCOUR-
15 AGING DEVELOPMENT AND MANUFACTURE OF
16 LIGHTWEIGHT BUSES.—The report shall include
17 an analysis of, and recommendations con-
18 cerning, means to be considered to encourage
19 the development and manufacture of light-
20 weight buses, including an analysis of—

21 “(i) potential procurement incentives
22 for public transit authorities to encourage
23 the purchase of lightweight public transit
24 vehicles using grants from the Federal
25 Transit Administration; and

1 “(ii) potential tax incentives for man-
2 ufacturers and private operators to encour-
3 age the purchase of lightweight over-the-
4 road buses.

5 “(D) ANALYSIS OF CONSIDERATION IN
6 RULEMAKINGS OF ADDITIONAL VEHICLE
7 WEIGHT.—The report shall include an analysis
8 of, and recommendations concerning, whether
9 Congress should require that each rulemaking
10 by an agency of the Federal Government that
11 affects the design or manufacture of motor ve-
12 hicles consider—

13 “(i) the weight that would be added to
14 the vehicle by implementation of the pro-
15 posed rule;

16 “(ii) the effect that the added weight
17 would have on pavement wear; and

18 “(iii) the resulting cost to the Federal
19 Government and State and local govern-
20 ments.

21 “(E) COST-BENEFIT ANALYSIS.—The re-
22 port shall include an analysis relating to the
23 axle weight of over-the-road buses that
24 compares—

1 “(i) the costs of the pavement wear
2 caused by over-the-road buses; with

3 “(ii) the benefits of the over-the-road
4 bus industry to the environment, the econ-
5 omy, and the transportation system of the
6 United States.

7 “(3) DEFINITIONS.—In this subsection:

8 “(A) OVER-THE-ROAD BUS.—The term
9 ‘over-the-road bus’ has the meaning given the
10 term in section 301 of the Americans with Dis-
11 abilities Act of 1990 (42 U.S.C. 12181).

12 “(B) PUBLIC TRANSIT VEHICLE.—The
13 term ‘public transit vehicle’ means a vehicle de-
14 scribed in paragraph (1)(B).”.

15 SEC. 340. None of the funds in this Act shall be used
16 to pursue or adopt guidelines or regulations requiring air-
17 port sponsors to provide to the Federal Aviation Adminis-
18 tration without cost building construction, maintenance,
19 utilities and expenses, or space in airport sponsor-owned
20 buildings for services relating to air traffic control, air
21 navigation or weather reporting. The prohibition of funds
22 in this section does not apply to negotiations between the
23 Agency and airport sponsors to achieve agreement on
24 “below-market” rates for these items or to grant assur-

1 ances that require airport sponsors to provide land without
2 cost to the FAA for air traffic control facilities.

3 SEC. 341. None of the funds provided in this Act or
4 prior Appropriations Acts for Coast Guard “Acquisition,
5 construction, and improvements” shall be available after
6 the fifteenth day of any quarter of any fiscal year, unless
7 the Commandant of the Coast Guard first submits a quar-
8 terly report to the House and Senate Committees on Ap-
9 propriations on all major Coast Guard acquisition projects
10 including projects executed for the Coast Guard by the
11 United States Navy and vessel traffic service projects:
12 *Provided*, That such reports shall include an acquisition
13 schedule, estimated current and year funding require-
14 ments, and a schedule of anticipated obligations and out-
15 lays for each major acquisition project: *Provided further*,
16 That such reports shall rate on a relative scale the cost
17 risk, schedule risk, and technical risk associated with each
18 acquisition project and include a table detailing unobli-
19 gated balances to date and anticipated unobligated bal-
20 ances at the close of the fiscal year and the close of the
21 following fiscal year should the Administration’s pending
22 budget request for the acquisition, construction, and im-
23 provements account be fully funded: *Provided further*,
24 That such reports shall also provide abbreviated informa-
25 tion on the status of shore facility construction and ren-

1 ovation projects: *Provided further*, That all information
2 submitted in such reports shall be current as of the last
3 day of the preceding quarter.

4 SEC. 342. Funds provided in this Act for the Trans-
5 portation Administrative Service Center (TASC) shall be
6 reduced by \$37,000,000, which limits fiscal year 2002
7 TASC obligational authority for elements of the Depart-
8 ment of Transportation funded in this Act to no more
9 than \$88,323,000: *Provided*, That such reductions from
10 the budget request shall be allocated by the Department
11 of Transportation to each appropriations account in pro-
12 portion to the amount included in each account for the
13 Transportation Administrative Service Center.

14 SEC. 343. SAFETY OF CROSS-BORDER TRUCKING
15 BETWEEN UNITED STATES AND MEXICO. No funds lim-
16 ited or appropriated in this Act may be obligated or ex-
17 pended for the review or processing of an application by
18 a Mexican motor carrier for authority to operate beyond
19 United States municipalities and commercial zones on the
20 United States-Mexico border until—

21 (1) the Federal Motor Carrier Safety
22 Administration—

23 (A) performs a full safety compliance re-
24 view of the carrier consistent with the safety fit-
25 ness evaluation procedures set forth in part 385

1 of title 49, Code of Federal Regulations, and
2 gives the carrier a satisfactory rating before
3 granting conditional and, again, before granting
4 permanent authority to any such carrier;

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

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

12 (D) gives a distinctive Department of
13 Transportation number to each Mexican motor
14 carrier operating beyond the commercial zone to
15 assist inspectors in enforcing motor carrier
16 safety regulations including hours-of-service
17 rules under part 395 of title 49, Code of Fed-
18 eral Regulations;

19 (E) requires State inspectors whose oper-
20 ations are funded in part or in whole by Fed-
21 eral funds to check for violations of Federal
22 motor carrier safety laws and regulations, in-
23 cluding those pertaining to operating authority
24 and insurance;

1 (F) requires State inspectors who detect
2 violations of Federal motor carrier safety laws
3 or regulations to enforce them or notify Federal
4 authorities of such violations;

5 (G) equips all United States-Mexico border
6 crossings with Weigh-In-Motion (WIM) systems
7 as well as fixed scales suitable for enforcement
8 action and requires that inspectors verify by ei-
9 ther means the weight of each commercial vehi-
10 cle entering the United States at such a cross-
11 ing;

12 (H) the Federal Motor Carrier Safety Ad-
13 ministration has implemented a policy to ensure
14 that no Mexican motor carrier will be granted
15 authority to operate beyond United States mu-
16 nicipalities and commercial zones on the United
17 States-Mexico border unless that carrier pro-
18 vides proof of valid insurance with an insurance
19 company licensed and based in the United
20 States; and

21 (I) publishes in final form regulations—
22 (i) under section 210(b) of the Motor
23 Carrier Safety Improvement Act of 1999
24 (49 U.S.C. 31144 nt.) that establish min-
25 imum requirements for motor carriers, in-

1 cluding foreign motor carriers, to ensure
2 they are knowledgeable about Federal safe-
3 ty standards, that include the administra-
4 tion of a proficiency examination;

5 (ii) under section 31148 of title 49,
6 United States Code, that implement meas-
7 ures to improve training and provide for
8 the certification of motor carrier safety
9 auditors;

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

16 (iv) under section 219(d) of that Act
17 (49 U.S.C. 14901 nt.) that prohibit foreign
18 motor carriers from leasing vehicles to an-
19 other carrier to transport products to the
20 United States while the lessor is subject to
21 a suspension, restriction, or limitation on
22 its right to operate in the United States;

23 (v) under section 219(a) of that Act
24 (49 U.S.C. 14901 nt.) that prohibit foreign
25 motor carriers from operating in the

1 United States that is found to have oper-
2 ated illegally in the United States; and

3 (vi) under which a commercial vehicle
4 operated by a Mexican motor carrier may
5 not enter the United States at a border
6 crossing unless an inspector is on duty;
7 and

8 (2) the Department of Transportation Inspector
9 General certifies in writing that—

10 (A) all new inspector positions funded
11 under this Act have been filled and the inspec-
12 tors have been fully trained;

13 (B) each inspector conducting on-site safe-
14 ty compliance reviews in Mexico consistent with
15 the safety fitness evaluation procedures set
16 forth in part 385 of title 49, Code of Federal
17 Regulations, is fully trained as a safety spe-
18 cialist;

19 (C) the requirement of subparagraph (B)
20 has not been met by transferring experienced
21 inspectors from other parts of the United
22 States to the United States-Mexico border, un-
23 dermining the level of inspection coverage and
24 safety elsewhere in the United States;

1 (D) the Federal Motor Carrier Safety Ad-
2 ministration has implemented a policy to ensure
3 compliance with hours-of-service rules under
4 part 395 of title 49, Code of Federal Regula-
5 tions, by Mexican motor carriers seeking au-
6 thority to operate beyond United States munici-
7 palities and commercial zones on the United
8 States-Mexico border;

9 (E) the information infrastructure of the
10 Mexican government is sufficiently accurate, ac-
11 cessible, and integrated with that of U.S. law
12 enforcement authorities to allow U.S. authori-
13 ties to verify the status and validity of licenses,
14 vehicle registrations, operating authority and
15 insurance of Mexican motor carriers while oper-
16 ating in the United States, and that adequate
17 telecommunications links exist at all United
18 States-Mexico border crossings used by Mexican
19 motor carrier commercial vehicles, and in all
20 mobile enforcement units operating adjacent to
21 the border, to ensure that licenses, vehicle reg-
22 istrations, operating authority and insurance in-
23 formation can be easily and quickly verified at
24 border crossings or by mobile enforcement
25 units;

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

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

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

20 For purposes of this section, the term “Mexican
21 motor carrier” shall be defined as a Mexico-domiciled
22 motor carrier operating beyond United States municipali-
23 ties and commercial zones on the United States-Mexico
24 border.

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

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

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

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

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

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

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

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

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

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

Calendar No. 88

107TH CONGRESS
1ST SESSION

S. 1178

[Report No. 107-38]

A BILL

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

JULY 13, 2001

Read twice and placed on the calendar