

In the Senate of the United States,

August 10 (legislative day, July 10), 1995.

Resolved, That the bill from the House of Representatives (H.R. 2002) entitled “An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes”, do pass with the following

AMENDMENTS:

1 **(1)**Page 2, line 11, strike out **【\$55,011,500】** and insert:

2 *\$56,500,000*

3 **(2)**Page 2, line 11, strike out **【\$40,000】** and insert:

4 *\$60,000*

5 **(3)**Page 2, line 20, strike out **【duplicate physical copies】**

6 and insert: *custody*

7 **(4)**Page 2, line 23, strike out **【or open them】** and insert:

8 *and open*

1 **(5)**Page 3, line 3, strike out **【\$6,554,000】** and insert:

2 *\$12,083,000*

3 **(6)**Page 3, line 10, strike out **【\$3,309,000】** and insert:

4 *\$9,710,000*

5 **(7)**Page 3, line 16, strike out **【\$102,231,000】** and insert:

6 *\$104,364,000*

7 **(8)**Page 4, line 1, strike out **【\$15,000,000】** and insert:

8 *\$26,738,536*

9 **(9)**Page 4, line 5, strike out **【\$15,000,000】** and insert:

10 *\$26,738,536*

11 **(10)**Page 4, line 18, strike out **【seventy】** and insert: sev-

12 *enty-five*

13 **(11)**Page 4, line 19, after “dium” insert: *or small*

14 **(12)**Page 4, line 19, after “airport,” insert: *except for any*

15 *such community in which is located an airline maintenance*

16 *facility performing required Federal Aviation Regulation*

17 *heavy engine heavy structural airframe maintenance work*

18 *in accordance with Part 135.411(a)(2),*

19 **(13)**Page 4, line 21, strike out **【and ten】**

20 **(14)**Page 4, line 24, strike out **【\$23,600,000】** and insert:

21 *\$11,861,464*

1 **(15)**Page 4, line 25, strike out all after “rescinded” over
 2 to and including “tation” in line 7 on page 6

3 **(16)**Page 6, line 16, strike out **【\$130,803,000】** and in-
 4 sert: *\$139,689,000*

5 **(17)**Page 6, line 24, strike out **【\$17,099,000】** and insert:
 6 *\$17,685,000*

7 **(18)**Page 7, line 15, strike out **【\$2,900,000】** and insert:
 8 *\$2,100,000*

9 **(19)**Page 7, line 16, strike out **【\$2,642,000】** and insert:
 10 *\$1,842,000*

11 **(20)**Page 7, line 17, after “1997” insert: *: Provided, That*
 12 *notwithstanding 49 U.S.C. 332, these funds may be used*
 13 *for business opportunities related to any mode of transpor-*
 14 *tation*

15 **(21)**Page 7, after line 17 insert:

16 *INTERSTATE COMMERCE COMMISSION SUNSET*

17 *For necessary expenses, of the Office of the Secretary,*
 18 *not otherwise provided for, \$4,705,000, to transfer residual*
 19 *rail and motor carriers functions from the Interstate Com-*
 20 *merce Commission to the Department of Transportation.*

21 **(22)**Page 8, line 1, strike out **【\$2,565,607,000】** and in-
 22 sert: *\$2,286,000,000*

1 **(23)**Page 8, line 3, strike out all after “Fund” down to
2 and including “Account” in line 4

3 **(24)**Page 8, line 18, strike out all after “12839” down
4 to and including “activities” in line 21

5 **(25)**Page 9, line 2, strike out **【\$375,175,000】** and insert:
6 \$366,800,000

7 **(26)**Page 9, line 4, strike out **【\$191,200,000】** and insert:
8 \$178,000,000

9 **(27)**Page 9, line 7, strike out **【\$16,500,000】** and insert:
10 \$14,500,000

11 **(28)**Page 9, line 9, strike out **【\$42,200,000】** and insert:
12 \$47,600,000

13 **(29)**Page 9, line 11, strike out **【\$82,275,000】** and insert:
14 \$80,200,000

15 **(30)**Page 9, line 13, strike out **【\$43,000,000】** and insert:
16 \$46,500,000

17 **(31)**Page 9, line 19, strike out all after “pacity” over to
18 and including “plans” in line 2 on page 10

19 **(32)**Page 10, line 2, after “plans” insert: : *Provided fur-*
20 *ther, That the Commandant shall dispose of surplus real*

1 *property by sale or lease and the proceeds of such sale or*
 2 *lease shall be credited to this appropriation*

3 **(33)**Page 10, after line 7 insert:

4 *PORT SAFETY DEVELOPMENT*

5 *For necessary expenses for debt retirement of the Port*
 6 *of Portland, Oregon, \$15,000,000 to remain available until*
 7 *expended.*

8 **(34)**Page 10, line 10, strike out **【\$16,000,000】** and in-
 9 sert: *\$2,000,000*

10 **(35)**Page 10, line 24, strike out **【\$61,859,000】** and in-
 11 sert: *\$62,000,000*

12 **(36)**Page 11, line 6, strike out **【\$18,500,000】** and insert:
 13 *\$20,000,000*

14 **(37)**Page 11, strike out lines 13 through 18

15 **(38)**Page 11, strike out all after line 18, over to and in-
 16 cluding line 2 on page 12

17 **(39)**Page 12, after line 4 insert:

18 *(INCLUDING TRANSFER OF FUNDS)*

19 **(40)**Page 12, line 16, strike out **【\$4,600,000,000】** and
 20 insert: *\$4,550,000,000*

1 **(41)**Page 12, line 16, strike out **【\$1,871,500,000】** and
 2 insert: *\$1,865,000,000*

3 **(42)**Page 12, line 21, strike out **【aviation】** and insert:
 4 *agency*

5 **(43)**Page 12, line 22, after “including” insert: *receipts*
 6 *for*

7 **(44)**Page 13, line 1, after “forms” insert: *and in addition*
 8 *\$10,000,000, to be credited to this appropriation from fees*
 9 *established and collected to cover the cost of safety and secu-*
 10 *rity regulation under the jurisdiction of the Federal Avia-*
 11 *tion Administration*

12 **(45)**Page 13, line 11, after “pay” insert: *: Provided fur-*
 13 *ther, That none of the funds appropriated in this or any*
 14 *subsequent Act may be used to pay premium pay under*
 15 *5 U.S.C. 5546a for any fiscal year beginning after Septem-*
 16 *ber 30, 1995; except that, (i) for fiscal year 1996, such pre-*
 17 *mium pay may be paid at 50 percent of the rate specified*
 18 *in 5 U.S.C. 5546a; and (ii) for fiscal year 1997, such pre-*
 19 *mium pay may be paid at 25 percent of the rate specified*
 20 *in 5 U.S.C. 5546a*

21 **(46)**Page 13, line 11, after “pay” insert: *: Provided fur-*
 22 *ther, That the unexpended balances of the appropriation*
 23 *“Office of Commercial Space Transportation, Operations*

1 *and Research” shall be transferred to and merged with this*
2 *appropriation: Provided further, That none of the funds de-*
3 *rived from the Airport and Airway Trust Fund may be*
4 *used to support the operations and activities of the Associ-*
5 *ate Administrator for Commercial Space Transportation*

6 **(47)**Page 14, line 3, strike out **【\$2,000,000,000】** and in-
7 sert: *\$1,890,377,000*

8 **(48)**Page 14, line 4, strike out **【\$1,784,000,000】** and in-
9 sert: *\$1,674,377,000*

10 **(49)**Page 14, line 5, strike out **【and】**

11 **(50)**Page 14, line 6, after “1996” insert: *, and of which*
12 *\$10,000,000, to remain available until expended, is for*
13 *funding noncompetitive cooperative agreements with air*
14 *carriers to assist them in acquiring and installing the fol-*
15 *lowing advanced security equipment: (1) hardened unit*
16 *load devices, (2) explosive detection systems certified by the*
17 *Federal Aviation Administration, and (3) computer-aided*
18 *screener training and proficiency systems, in order to*
19 *evaluate such equipment’s operational feasibility and effec-*
20 *tiveness in improving civil aviation security)*

21 **(51)**Page 14, line 15, strike out **【\$60,000,000】** and in-
22 sert: *\$70,000,000*

1 **(52)**Page 14, line 22, strike out **【\$143,000,000】** and in-
 2 sert: \$215,886,000

3 **(53)**Page 15, after line 5, insert:

4 *(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)*

5 **(54)**Page 15, line 16, strike out **【\$1,600,000,000】** and
 6 insert: \$1,250,000,000

7 **(55)**Page 15, line 19, after “Code” insert: : *Provided fur-*
 8 *ther, That none of the funds in this Act shall be available*
 9 *for the planning and execution of programs the obligations*
 10 *for which are in excess of \$20,000,000 for the “Military Air-*
 11 *ports Program” and \$50,000,000 for the “Reliever Airports*
 12 *Program”*

13 **(56)**Page 15, line 19, after “Code” insert: : *Provided fur-*
 14 *ther, That of the available contract authority balances*
 15 *under this account, \$5,000,000 are rescinded*

16 **(57)**Page 16, line 12, strike out **【\$495,381,000】** and in-
 17 sert: \$548,434,000

18 **(58)**Page 16, line 16, strike out **【\$190,667,000】** and in-
 19 sert: \$248,909,000

20 **(59)**Page 16, line 26, strike out **【\$10,000,000】** and in-
 21 sert: \$13,000,000

1 **(60)**Page 17, line 7, strike out **【\$10,000,000】** and insert:

2 *\$13,000,000*

3 **(61)**Page 17, line 14, strike out **【\$18,000,000,000】** and

4 insert: *\$17,000,000,000*

5 **(62)**Page 18, line 18, strike out **【\$79,150,000】** and in-

6 sert: *\$75,000,000*

7 **(63)**Page 18, after line 18, insert:

8 *SURFACE TRANSPORTATION PROJECTS*

9 *For up to 80 percent, or as specified in authorizing*
 10 *legislation, of the expenses necessary for certain highway*
 11 *and surface transportation projects and parking facilities,*
 12 *including feasibility and environmental studies, that ad-*
 13 *vance methods of improving safety, reducing congestion, or*
 14 *otherwise improving surface transportation, \$39,500,000, to*
 15 *remain available until expended.*

16 **(64)**Page 18, line 26, strike out **【\$73,316,570】** and in-

17 sert: *\$71,261,000*

18 **(65)**Page 18, line 26, strike out **【\$37,825,850】** and in-

19 sert: *\$36,770,676*

20 **(66)**Page 19, line 1, strike out all after “1998” down to

21 and including “effect” in line 8

1 **(67)**Page 19, line 16, strike out **【\$52,011,930】** and in-
 2 sert: *\$50,344,000*

3 **(68)**Page 19, line 16, strike out **【\$32,770,670】** and in-
 4 sert: *\$31,716,720*

5 **(69)**Page 19, strike out lines 18 through 23

6 **(70)**Page 20, line 8, strike out **【\$153,400,000】** and in-
 7 sert: *\$155,100,000*

8 **(71)**Page 20, line 14, strike out **【\$153,400,000】** and in-
 9 sert: *\$155,100,000*

10 **(72)**Page 20, line 15, strike out **【\$126,000,000】** and in-
 11 sert: *\$128,000,000*

12 **(73)**Page 20, line 17, strike out **【\$2,400,000】** and insert:
 13 *\$2,100,000*

14 **(74)**Page 20, line 18, strike out all after “Register” ”
 15 down to and including “therein)” in line 20 and insert:
 16 *subject to authorization*

17 **(75)**Page 20, line 22, strike out all after “programs” ”
 18 over to and including “usage” in line 1 on page 21

19 **(76)**Page 21, line 2, strike out **【\$5,153,000】** and insert:
 20 *\$5,211,000*

21 **(77)**Page 21, line 7, strike out **【may】** and insert: *shall*

1 (78)Page 21, line 9, strike out 【\$890,000】 and insert:

2 \$777,000

3 (79)Page 21, line 15, strike out 【\$14,000,000】 and in-

4 sert: \$14,018,000

5 (80)Page 22, line 17, strike out 【\$49,940,660】 and in-

6 sert: \$49,105,000

7 (81)Page 22, line 21, strike out 【\$21,000,000】 and in-

8 sert: \$25,775,000

9 (82)Page 23, line 3, strike out 【\$100,000,000】 and in-

10 sert: \$130,000,000

11 (83)Page 24, line 3, strike out all after “Rail” down to

12 and including “expended” in line 4 and insert: *studies, cor-*

13 *ridor planning, development, demonstration, and imple-*

14 *mentation, \$20,000,000, to remain available until expended*

15 (84)Page 24, line 4, after “expended” insert: : *Provided,*

16 *That funds under this head may be made available for*

17 *grants to States for high speed rail corridor design, feasibil-*

18 *ity studies, environmental analyses and track and signal*

19 *improvements*

20 (85)Page 24, after line 19, insert:

1 *ALASKA RAILROAD REHABILITATION*

2 *To enable the Secretary of Transportation to make*
3 *grants to the Alaska Railroad, \$10,000,000 shall be for cap-*
4 *ital rehabilitation and improvements benefiting its pas-*
5 *senger operations.*

6 **(86)**Page 24, after line 19, insert:

7 *PENNSYLVANIA STATION REDEVELOPMENT PROJECT*

8 *For grants to the National Railroad Passenger Cor-*
9 *poration, \$25,000,000, to remain available until expended,*
10 *for engineering, design and construction activities to enable*
11 *the James A. Farley Post Office in New York City to be*
12 *used as a train station and commercial center: Provided,*
13 *That the Secretary may retain from these funds such*
14 *amounts as the Secretary shall deem appropriate to under-*
15 *take the environmental and historic preservation analyses*
16 *associated with this project.*

17 **(87)**Page 24, after line 19, insert:

18 *RHODE ISLAND RAIL DEVELOPMENT*

19 *For the costs associated with construction of a third*
20 *track on the Northeast Corridor between Davisville and*
21 *Central Falls, Rhode Island, with sufficient clearance to ac-*
22 *commodate double stack freight cars, \$2,000,000 to be*
23 *matched by the State of Rhode Island or its designee on*
24 *a dollar for dollar basis and to remain available until ex-*
25 *pended: Provided, That as a condition of accepting such*

1 *funds, the Providence and Worcester (P&W) Railroad shall*
 2 *enter into an agreement with the Secretary to reimburse*
 3 *Amtrak and/or the Federal Railroad Administration, on a*
 4 *dollar for dollar basis, up to the first \$7,000,000 in damages*
 5 *resulting from the legal action initiated by the P&W Rail-*
 6 *road under its existing contracts with Amtrak relating to*
 7 *the provision of vertical clearances between Davisville and*
 8 *Central Falls in excess of those required for present freight*
 9 *operations.*

10 **(88)**Page 24, line 24, strike out **【\$628,000,000】** and in-
 11 sert: *\$605,000,000 to remain available until expended*

12 **(89)**Page 24, line 25, strike out **【\$336,000,000】** and in-
 13 sert: *\$305,000,000*

14 **(90)**Page 25, line 1, strike out **【\$62,000,000】** and insert:
 15 *\$100,000,000*

16 **(91)**Page 25, line 2, strike out **【\$230,000,000】** and in-
 17 sert: *\$200,000,000*

18 **(92)**Page 25, line 3, strike out all after “*Provided,*” down
 19 to and including “*further,*” in line 7

20 **(93)**Page 25, line 20, strike out **【\$39,260,000】** and in-
 21 sert: *\$42,000,000*

1 **(94)**Page 25, line 24, strike out **【\$890,000,000】** and in-
 2 sert: \$985,000,000

3 **(95)**Page 25, line 25, strike out **【\$2,000,000,000】** and
 4 insert: \$2,105,850,000

5 **(96)**Page 26, line 4, after “5336(d)” insert: : *Provided*
 6 *further, That the limitation on operating assistance pro-*
 7 *vided under this heading shall, for urbanized areas of less*
 8 *than 200,000 in population, be no less than eighty percent*
 9 *of the amount of operating assistance such areas are eligible*
 10 *to receive under Public Law 103–331*

11 **(97)**Page 26, line 4, after “5336(d)” insert: : *Provided*
 12 *further, That before apportionment of funds under this*
 13 *heading, \$29,325,031 shall be apportioned to areas of*
 14 *200,000 or greater in population*

15 **(98)**Page 26, strike out all after line 12, down to and
 16 including “5315” in line 19 and insert: \$90,000,000

17 **(99)**Page 26, line 26, strike out **【\$1,110,000,000】** and
 18 insert: \$1,120,850,000

19 **(100)**Page 27, line 15, strike out all after “and” down
 20 to and including “follows” in line 17 and insert: , *notwith-*
 21 *standing any other provision of law, and except for fixed*
 22 *guideway modernization projects, \$22,840,000 made avail-*
 23 *able under Public Law 102–388 under “Federal Transit*

1 *Administration, Discretionary Grants” for projects speci-*
 2 *fied in that Act or identified in reports accompanying that*
 3 *Act, not obligated by September 30, 1995, shall be made*
 4 *available for new fixed guideway systems together with the*
 5 *\$666,000,000 made available for new fixed guideway sys-*
 6 *tems under this Act, to be available as follows*

7 **(101)**Page 27, line 20, strike out **【\$17,500,000】** and in-
 8 sert: \$22,620,000

9 **(102)**Page 27, strike out lines 22 through 25

10 **(103)**Page 28, strike out lines 1 through 5

11 **(104)**Page 28, line 8, strike out **【\$2,500,000】** and insert:
 12 \$3,500,000

13 **(105)**Page 28, line 9, strike out all after “project” down
 14 to and including “therein)” in line 11

15 **(106)**Page 28, line 12, strike out **【\$5,000,000】** and in-
 16 sert: \$7,000,000

17 **(107)**Page 28, line 13, strike out all after “project” down
 18 to and including “therein)” in line 15

19 **(108)**Page 28, line 17, strike out all after “project” down
 20 to and including “therein)” in line 19

21 **(109)**Page 28, strike out lines 22 and 23

- 1 **(110)**Page 28, line 24, strike out **【\$125,000,000】** and
2 insert: *\$45,000,000*
- 3 **(111)**Page 29, strike out lines 1 and 2
- 4 **(112)**Page 29, line 3, strike out **【\$10,000,000】** and in-
5 sert: *\$15,000,000*
- 6 **(113)**Page 29, line 5, strike out **【\$3,000,000】** and insert:
7 *\$22,630,000*
- 8 **(114)**Page 29, line 8, strike out all after “project” down
9 to and including “therein)” in line 10
- 10 **(115)**Page 29, strike out lines 11 through 14
- 11 **(116)**Page 29, line 15, strike out **【\$75,000,000】** and in-
12 sert: *\$85,500,000*
- 13 **(117)**Page 29, strike out lines 17 through 20
- 14 **(118)**Page 29, line 21, strike out **【\$114,989,000】** and
15 insert: *\$160,000,000*
- 16 **(119)**Page 29, strike out all after line 22, over to and
17 including line 2 on page 30
- 18 **(120)**Page 30, line 5, strike out **【\$85,500,000】** and in-
19 sert: *\$130,140,000*
- 20 **(121)**Page 30, strike out lines 7 and 8

1 **(122)**Page 30, line 9, strike out **【\$10,000,000】** and in-
 2 sert: *\$13,000,000*

3 **(123)**Page 30, line 11, strike out **【\$5,000,000】** and in-
 4 sert: *\$14,519,000*

5 **(124)**Page 30, line 12, strike out all after “project” down
 6 to and including “costs” in line 14

7 **(125)**Page 30, line 15, strike out **【\$10,000,000】** and in-
 8 sert: *\$22,620,000*

9 **(126)**Page 30, line 15, strike out all after “BART” down
 10 to and including “airport” in line 16 and insert: *extension/*
 11 *tasman corridor*

12 **(127)**Page 30, strike out lines 17 through 20

13 **(128)**Page 30, strike out lines 21 through 24

14 **(129)**Page 31, strike out lines 1 through 4

15 **(130)**Page 31, line 6, strike out all after “project” down
 16 to and including “therein)” in line 8

17 **(131)**Page 31, after line 8, insert:

18 *\$11,300,000 for the Burlington-Charlotte, Ver-*
 19 *mont commuter rail project; and*

20 **(132)**Page 31, after line 8, insert:

1 \$5,000,000 for the Chicago central area
2 *circulator.*

3 **(133)**Page 31, line 14, strike out **【\$2,000,000,000】** and
4 insert: *\$1,700,000,000*

5 **(134)**Page 31, line 21, strike out **【\$200,000,000】** and
6 insert: *\$170,000,000*

7 **(135)**Page 32, line 6, after “year” insert: : *Provided,*
8 *That, notwithstanding any other provision of law, no funds*
9 *made available to the Saint Lawrence Seaway Development*
10 *Corporation from the Harbor Maintenance Trust Fund*
11 *may be obligated for fiscal year 1996, if the Saint Lawrence*
12 *Seaway Development Corporation expends or obligates*
13 *funds from the financial reserve fund of the Corporation*
14 *for the design, development, or procurement of a global posi-*
15 *tion system vessel traffic service system during that fiscal*
16 *year: Provided further, That no funds made available to*
17 *the Saint Lawrence Seaway Development Corporation from*
18 *the Harbor Maintenance Trust Fund pursuant to this Act*
19 *may be used by the Corporation during fiscal year 1996*
20 *for those purposes*

21 **(136)**Page 32, line 12, strike out **【\$10,190,500】** and in-
22 sert: *\$10,150,000*

1 **(137)**Page 32, line 20, strike out **【\$26,030,000】** and in-
 2 sert: \$24,281,000

3 **(138)**Page 32, line 22, strike out all after “1998” over
 4 to and including “expended” in line 1 on page 33

5 **(139)**Page 33, line 17, strike out **【\$29,941,000】** and in-
 6 sert: \$32,973,000

7 **(140)**Page 33, line 19, strike out **【\$27,243,000】** and in-
 8 sert: \$30,275,000

9 **(141)**Page 33, line 23, strike out **【\$1,000,000】** and in-
 10 sert: \$1,500,000

11 **(142)**Page 34, line 6, strike out **【\$8,890,000】** and insert:
 12 \$9,200,000

13 **(143)**Page 34, line 16, strike out **【\$40,238,000】** and in-
 14 sert: \$39,891,200

15 **(144)**Page 34, after line 16, insert:

16 *BUREAU OF TRANSPORTATION STATISTICS*

17 *For expenses necessary to conduct activities related to*
 18 *airline statistics, \$2,200,000, of which \$272,000 shall re-*
 19 *main available until expended.*

20 **(145)**Page 34, line 25, strike out **【\$3,656,000】** and in-
 21 sert: \$3,500,000

1 (146)Page 35, line 12, strike out 【\$38,774,000】 and in-
 2 sert: \$37,500,000

3 (147)Page 35, line 22, strike out 【\$160,802】 and insert:
 4 \$360,802

5 (148)Page 36, strike out lines 2 through 12 and insert:

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Interstate Commerce*
 8 *Commission, \$13,379,000 shall be for severance, closing*
 9 *costs, and other expenses.*

10 (149)Page 38, line 7, strike out all after “by” down to
 11 and including “(236–244)” in line 8 and insert: *title VIII*
 12 *of the Elementary and Secondary Education Act of 1965,*
 13 *20 U.S.C. 7701, et. seq.*

14 (150)Page 42, line 18, strike out 【pursuant to paragraph
 15 (d)】

16 (151)Page 43, line 10, strike out 【and ten】

17 (152)Page 43, strike out lines 21 and 22

18 (153)Page 47, line 16, strike out 【\$10,000,000】 and in-
 19 sert: \$5,000,000

20 (154)Page 47, line 19, strike out 【\$92,231,000】 and in-
 21 sert: \$99,364,000

1 (155)Page 48, strike out all after line 21, over to and
2 including line 4 on page 49

3 (156)Page 50, lines 14 and 15, strike out [(excluding
4 the Maritime Administration)]

5 (157)Page 50, line 18, strike out [collocate] and insert:
6 *consolidate*

7 (158)Page 50, line 19, strike out [surface transportation
8 field offices] and insert: *administrative activities*

9 (159)Page 51, line 7, after “transfers” insert: : *Provided*
10 *further, That, notwithstanding 5 U.S.C. 905(b), the Presi-*
11 *dent may prepare and transmit to Congress not later than*
12 *the date for transmittal to Congress of the Budget Request*
13 *for Fiscal Year 1997, a reorganization plan pursuant to*
14 *chapter 9 of title 5, United States Code, for the reorganiza-*
15 *tion of the surface transportation activities of the Depart-*
16 *ment of Transportation and the relationship of the Saint*
17 *Lawrence Seaway Development Corporation to the Depart-*
18 *ment*

19 (160)Page 51, line 9, strike out all after “appropriated”
20 down to and including “Secretary” in line 10 and insert:
21 *in this Act*

22 (161)Page 51, strike out all after line 14, over to and
23 including line 9 on page 52 and insert:

1 *SEC. 337. None of the funds appropriated by this Act*
 2 *shall be made available for employee training unless such*
 3 *training is consistent with the provisions of 5 U.S.C. 4101*
 4 *et seq., as amended.*

5 **(162)**Page 52, strike out lines 10 through 24

6 **(163)**Page 53, after line 13, insert:

7 *(c) For the purposes of section (a), the time an individ-*
 8 *ual has spent on the worker's compensation rolls shall be*
 9 *counted as regular employment time.*

10 **(164)**Page 53, strike out lines 14 through 23

11 **(165)**Page 53, strike out all after line 23, over to and
 12 including line 3 on page 54

13 **(166)**Page 54, strike out lines 4 through 17

14 **(167)**Page 54, after line 17, insert:

15 *SEC. 343. Notwithstanding any other law, the funds*
 16 *available for obligation to carry out the project in West*
 17 *Calcasieu Parish, Louisiana, authorized by section*
 18 *149(a)(87) of the Surface Transportation and Uniform Re-*
 19 *location Assistance Act of 1987 (Public Law 101-17; 101*
 20 *Stat. 194) shall be made available for obligation to carry*
 21 *out the project for Lake Charles, Louisiana, authorized by*
 22 *item 17 of the table in section 1106(a)(2) of the Intermodal*

1 *Surface Transportation Efficiency Act of 1991 (Public Law*
2 *102–240; 105 Stat. 2038).*

3 **(168)**Page 54, after line 17, insert:

4 *SEC. 344. Improvements identified as highest priority*
5 *by section 1069(t) of Public Law 102–240 and funded pur-*
6 *suant to section 118(c)(2) of title 23, United States Code,*
7 *shall not be treated as an allocation for Interstate mainte-*
8 *nance for such fiscal year under section 157(a)(4) of title*
9 *23, United States Code, and sections 1013(c), 1015(a)(1),*
10 *and 1015(b)(1) of Public Law 102–240: Provided, That any*
11 *discretionary grant made pursuant to Public Law 99–663*
12 *shall not be subject to section 1015 of Public Law 102–240.*

13 **(169)**Page 54, after line 17, insert:

14 *SEC. 345. The Secretary, in consultation with the Sec-*
15 *retary of Labor and the Administrator of the Environ-*
16 *mental Protection Agency shall, within three months of the*
17 *date of enactment of this Act, carry out research to identify*
18 *successful telecommuting programs in the public and pri-*
19 *vate sectors and provide for the dissemination to the public*
20 *of information regarding the establishment of successful*
21 *telecommuting programs and the benefits and costs of*
22 *telecommuting. Within one year of the date of enactment*
23 *of this Act, the Secretary shall report to Congress its find-*
24 *ings, conclusions, and recommendations regarding*
25 *telecommuting developed under this section.*

1 **(170)**Page 54, after line 17, insert:

2 *SEC. 346. Notwithstanding section 1003(c) of Public*
3 *Law 102–240, authorizations for the Indian Reservation*
4 *Roads under Section 1003(a)(6)(A) of Public Law 102–240*
5 *shall be exempt from any reduction in authorizations for*
6 *budget compliance.*

7 **(171)**Page 54, after line 17, insert:

8 *SEC. 347. Notwithstanding any other provision of law,*
9 *for fiscal year 1996, the Secretary shall allocate to a State*
10 *an additional amount of funding for its Federal-aid high-*
11 *way programs on a dollar for dollar basis to the extent that*
12 *prior year unobligated balances are withdrawn and can-*
13 *celed. Such funds are subject to the obligation ceiling for*
14 *Federal-aid Highways set by annual appropriations Acts:*
15 *Provided, That prior year unobligated balances may not*
16 *be withdrawn and canceled that were suballocated under*
17 *title 23 or Public Law 102–240 or were made available*
18 *under the congestion mitigation and air quality program.*

19 **(172)**Page 54, after line 17, insert:

20 *SEC. 348. Notwithstanding any other provision of law,*
21 *for fiscal year 1996, a State may, at its option, transfer*
22 *those funds authorized or appropriated for highway dem-*
23 *onstrations projects under Public Law 102–240, Public Law*
24 *100–17, Public Law 97–424, or under an applicable appro-*
25 *priations act for the Department of Transportation, to its*

1 *apportionment under section 104(b)(1), (2), (3), (5), and*
 2 *144 of title 23, United States Code: Provided, That dem-*
 3 *onstration projects upon which such funds are drawn have*
 4 *not gone to construction (although obligations may have*
 5 *been incurred for preliminary engineering or environ-*
 6 *mental studies). Funds transferred under this section shall*
 7 *be subject to the laws, regulations, policies, and procedures,*
 8 *relating to the apportionment to which they are transferred*
 9 *and shall be subject to the obligation ceiling for Federal-*
 10 *aid highways set by annual appropriations Acts.*

11 **(173)**Page 54, after line 17, insert:

12 *SEC. 349. INTERSTATE COMPACT INFRASTRUCTURE*
 13 *BANKS.—Chapter 3 of title 49, United States Code, is*
 14 *amended by the addition of the following new section 334:*

15 *“SEC. 334. INTERSTATE COMPACT INFRASTRUCTURE*
 16 *BANKS.—(a) CONSENT TO INTERSTATE COMPACTS.—In*
 17 *order to increase public investment, attract needed private*
 18 *investment, and promote an intermodal transportation net-*
 19 *work, Congress grants consent to the States to establish*
 20 *State infrastructure banks and to enter into interstate com-*
 21 *pacts establishing transportation infrastructure banks to*
 22 *promote regional or multi-State investment in transpor-*
 23 *tation infrastructure and thereby improve economic produc-*
 24 *tivity.*

1 “(b) *ASSISTANCE FOR TRANSPORTATION PROJECTS,*
2 *PROGRAMS, AND ACTIVITIES.*—A State or Interstate Com-
3 pact Transportation Infrastructure Bank (Infrastructure
4 Bank) established under this section may make loans, issue
5 debt under the authority of the Infrastructure Bank’s State
6 jurisdictions either jointly or separately as the Infrastruc-
7 ture Bank and its jurisdictions determine, and provide
8 other assistance to public or private entities constructing,
9 or proposing to construct or initiate, transportation
10 projects, programs, or activities that are eligible to receive
11 financial assistance under—

12 “(1) title 23, United States Code, and the Inter-
13 modal Surface Transportation Efficiency Act of 1991;
14 and

15 “(2) chapters 53 and 221 and subtitle VII, part
16 B, of this title.

17 “(c) *FORMS OF ASSISTANCE.*—An Infrastructure Bank
18 may loan or provide other assistance to a public or private
19 entity in an amount equal to all or part of the cost of con-
20 struction or capital cost of a qualifying project. The amount
21 of any loan or other assistance received for a qualifying
22 project under this section may be subordinated to any other
23 debt financing for the project. For purposes of this sub-
24 section, the term ‘other assistance’ includes any use of funds
25 for the purpose of credit enhancements, use as a capital re-

1 *serve for bond or debt instrument financing, bond or debt*
2 *instrument financing issuance costs, bond or debt issuance*
3 *financing insurance, subsidizing of interest rates, letters of*
4 *credit, credit instruments, bond or debt financing instru-*
5 *ment security, other forms of debt financing that relate to*
6 *the qualifying project, and other leveraging tools approved*
7 *by the Secretary.*

8 “(d) *INTERSTATE COMPACT TRANSPORTATION INFRA-*
9 *STRUCTURE BANK REQUIREMENTS.—In order to qualify an*
10 *Interstate Compact Transportation Infrastructure Bank for*
11 *capitalization grants under this section, each participating*
12 *State shall—*

13 “(1) *deposit into the Infrastructure Bank, from*
14 *non-Federal or Federal sources other than this title or*
15 *title 23, United States Code, an amount equal to 25*
16 *percent of each capitalization grant or, if lower be-*
17 *cause of the proportion of Federal lands in the State,*
18 *the proportional non-Federal share that a State*
19 *would otherwise pay on the basis of section 120(b) of*
20 *title 23;*

21 “(2) *ensure that the Infrastructure Bank main-*
22 *tains on a continuing basis an investment grade rat-*
23 *ing on its debt issuances or has a sufficient level of*
24 *bond or debt financing instrument insurance to*
25 *maintain the viability of the fund;*

1 “(3) ensure that investment income generated by
2 the funds deposited into an Infrastructure Bank shall
3 be—

4 “(A) credited to the Infrastructure Bank;

5 “(B) available for use in providing loans
6 and other assistance to qualifying projects, pro-
7 grams, or activities from the Infrastructure
8 Bank; and

9 “(C) invested in U.S. Treasury securities,
10 bank deposits, or such other financing instru-
11 ments as the Secretary may provide to earn in-
12 terest to enhance the leveraging of qualifying
13 transportation activities;

14 “(4) provide that the repayment of a loan or
15 other assistance to a State from any loan under this
16 section may be credited to the Infrastructure Bank or
17 obligated for any purpose for which the loaned funds
18 were available under this title or title 23;

19 “(5) ensure that any loan from an Infrastructure
20 Bank shall bear any positive interest the Bank deter-
21 mines appropriate to make the qualifying project fea-
22 sible;

23 “(6) ensure that repayment of any loan from an
24 Infrastructure Bank shall commence not later than

1 *five years after the facility has opened to traffic or the*
2 *project, activity or facility has been completed;*

3 “(7) ensure that the term for repaying any loan
4 *shall not exceed 30 years from the date of obligation*
5 *of the loan;*

6 “(8) limit any assignment, transfer, or loan to
7 *an Infrastructure Bank to not more than the amount*
8 *which a State is entitled to under subsection (f) of*
9 *this section; and*

10 “(9) require the Infrastructure Bank to make an
11 *annual report to the Secretary on its status no later*
12 *than September 30 of each year.*

13 “(e) *SECRETARIAL REQUIREMENTS.—In administer-*
14 *ing this section, the Secretary shall—*

15 “(1) ensure that federal disbursements for capital
16 *reserves shall be at a rate consistent with historic*
17 *rates for the Federal-aid highway program; and*

18 “(2) specify procedures and guidelines for estab-
19 *lishing, operating, and making loans from an Infra-*
20 *structure Bank.*

21 “(f) *AUTHORIZATION OF APPROPRIATIONS; CONTRIBU-*
22 *TIONS FROM TITLE 23 APPORTIONMENTS.—(1) There are*
23 *authorized to be appropriated from the Airport and Airway*
24 *Trust Fund established under section 9502 of the Internal*

1 *Revenue Code of 1986 (26 U.S.C. 9502) to carry out this*
 2 *section not more than \$250,000,000 in Fiscal Year 1996.*

3 “(2) Notwithstanding the provisions of title 23, United
 4 *States Code, and Public Law 102–240 (Intermodal Surface*
 5 *Transportation Efficiency Act of 1991), a State may con-*
 6 *tribute to an Infrastructure Bank up to 10 percent of fed-*
 7 *eral funds apportioned under section 104(b) of title 23 that*
 8 *are subject to the annual Federal-aid Highways obligation*
 9 *limitation, except for interstate construction and congestion*
 10 *mitigation and air quality program funds: Provided, That*
 11 *a State shall not deposit funds that are suballocated under*
 12 *title 23 or Public Law 102–240.*

13 “(3) A state may disburse funds appropriated under
 14 *paragraph (f)(1) of this subsection or contributed under*
 15 *(f)(2) of this subsection to an Infrastructure Bank at a rate*
 16 *that does not exceed the traditional rate of disbursement*
 17 *for the Airport Improvement Program or the Federal-aid*
 18 *Highway program, respectively.*

19 “(g) *STATE ALLOCATION.—The Secretary shall appor-*
 20 *tion to the chief executive of each State choosing to partici-*
 21 *pate in an Infrastructure Bank the percentage allocation*
 22 *of the amount available under paragraph (e)(1) of this sec-*
 23 *tion on the first day of the fiscal year, as follows:*

<i>“State</i>	<i>Percentage</i>
<i>“Alabama</i>	<i>1.26</i>
<i>“Alaska</i>	<i>5.64</i>
<i>“Arizona</i>	<i>2.20</i>
<i>“Arkansas</i>	<i>0.74</i>

"California	8.57
"Colorado	2.31
"Connecticut	0.74
"Delaware	0.04
"District of Columbia	0.01
"Florida	6.49
"Georgia	3.08
"Hawaii	2.54
"Idaho	0.75
"Illinois	3.92
"Indiana	1.46
"Iowa	0.95
"Kansas	0.68
"Kentucky	1.80
"Louisiana	1.34
"Maine	0.66
"Maryland	0.84
"Massachusetts	1.72
"Michigan	2.68
"Minnesota	1.59
"Mississippi	0.76
"Missouri	1.92
"Montana	1.10
"Nebraska	0.87
"Nevada	1.46
"New Hampshire	0.28
"New Jersey	1.16
"New Mexico	0.98
"New York	5.82
"North Carolina	2.92
"North Dakota	0.61
"Ohio	2.32
"Oklahoma	0.97
"Oregon	1.15
"Pennsylvania	3.29
"Rhode Island	0.39
"South Carolina	1.05
"South Dakota	0.55
"Tennessee	2.13
"Texas	7.64
"Utah	1.04
"Vermont	0.22
"Virginia	2.91
"Washington	1.78
"West Virginia	0.58
"Wisconsin	1.41
"Wyoming	0.74
"Puerto Rico	0.99

1 “(g) UNITED STATES NOT OBLIGATED.—The deposit
2 of Federal apportionments into an Infrastructure Bank
3 shall not be construed as a commitment, guarantee, or obli-

1 gation on the part of the United States to any third party,
 2 nor shall any third party have any right against the United
 3 States for payment solely by virtue of the deposit. Further-
 4 more, any security or debt financing instrument issued by
 5 an Infrastructure Bank shall expressly state that the secu-
 6 rity or instrument does not constitute a commitment, guar-
 7 antee, or obligation of the United States.

8 “(h) *MANAGEMENT OF FEDERAL FUNDS.*—Sections
 9 3335 and 6503 of title 31, United States Code, shall not
 10 apply to funds used as a capital reserve under this section.

11 “(i) *PROGRAM ADMINISTRATION.*—For each fiscal
 12 year, a State may contribute to an Infrastructure Bank an
 13 amount not to exceed two percent of the Federal funds de-
 14 posited into that Infrastructure Bank by the State to pro-
 15 vide for the reasonable costs of administering the fund.

16 “(j) *RESCISSION OF CONTRACT AUTHORIZATION.*—Of
 17 the available contract authority balances under the account
 18 entitled “Grants-In-Aid for Airports” in this Act,
 19 \$250,000,000 are rescinded.”.

20 **(174)**Page 54, after line 17, insert:

21 *SEC. 350. (a) In consultation with the employees of*
 22 *the Federal Aviation Administration and such nongovern-*
 23 *mental experts in personnel management systems as he may*
 24 *employ, and notwithstanding the provisions of title 5, Unit-*
 25 *ed States Code, and other Federal personnel laws, the Sec-*

1 retary of Transportation shall develop and implement, not
 2 later than January 1, 1996, a personnel management sys-
 3 tem for the Federal Aviation Administration that addresses
 4 the unique demands on the agency's workforce. Such new
 5 system shall, at a minimum, provide for greater flexibility
 6 in the hiring, training, compensation, and location of per-
 7 sonnel.

8 (b) The provisions of title 5, United States Code, shall
 9 not apply to the new personnel management system devel-
 10 oped and implemented pursuant to subsection (a), with the
 11 exception of:

12 (1) Section 2302(b), relating to whistleblower
 13 protection;

14 (2) Section 7118(b)(7), relating to limitations on
 15 the right to strike;

16 (3) Section 7204, relating to antidiscrimination;

17 (4) Chapter 73, relating to suitability, security,
 18 and conduct;

19 (5) Chapter 81, relating to compensation for
 20 work injury; and

21 (6) Chapters 83–85, 87, and 89, relating to re-
 22 tirement and insurance coverage.

23 (c) This section shall take effect on April 1, 1996.

24 (175)Page 54, after line 17, insert:

1 *SEC. 351. (a) In consultation with such non-govern-*
2 *mental experts in acquisition management systems as he*
3 *may employ, and notwithstanding provisions of Federal ac-*
4 *quisition law, the Secretary of Transportation shall develop*
5 *and implement, not later than January 1, 1996, an acqui-*
6 *sition management system for the Federal Aviation Admin-*
7 *istration that addresses the unique needs of the agency and,*
8 *at a minimum, provides for more timely and cost-effective*
9 *acquisitions of equipment and materials.*

10 *(b) The following provisions of Federal acquisition law*
11 *shall not apply to the new acquisition management system*
12 *developed and implemented pursuant to subsection (a):*

13 *(1) Title III of the Federal Property and Admin-*
14 *istrative Services Act of 1949 (41 U.S.C. 252–266);*

15 *(2) The Office of Federal Procurement Policy Act*
16 *(41 U.S.C. 401 et seq.);*

17 *(3) The Federal Acquisition Streamlining Act of*
18 *1994 (Public Law 103–355);*

19 *(4) The Small Business Act (15 U.S.C. 631 et*
20 *seq.), except that all reasonable opportunities to be*
21 *awarded contracts shall be provided to small business*
22 *concerns and small business concerns owned and con-*
23 *trolled by socially and economically disadvantaged*
24 *individuals;*

25 *(5) The Competition in Contracting Act;*

1 (6) *Subchapter V of Chapter 35 of title 31, relat-*
 2 *ing to the procurement protest system;*

3 (7) *The Brooks Automatic Data Processing Act*
 4 *(40 U.S.C. 759); and*

5 (8) *The Federal Acquisition Regulation and any*
 6 *laws not listed in (a) through (e) of this section pro-*
 7 *viding authority to promulgate regulations in the*
 8 *Federal Acquisition Regulation.*

9 (c) *This section shall take effect on April 1, 1996.*

10 **(176)**Page 54, after line 17, insert:

11 *SEC. 352. Funds provided in this Act for bonuses and*
 12 *cash awards for employees of the Department of Transpor-*
 13 *tation shall be reduced by \$752,852, which limits fiscal year*
 14 *1995 obligation authority to no more than \$25,875,075:*
 15 *Provided, That this provision shall be applied to funds for*
 16 *Senior Executive Service bonuses, merit pay, and other bo-*
 17 *nuses and cash awards.*

18 **(177)**Page 54, after line 17, insert:

19 *SEC. 353. Not to exceed \$850,000 of the funds provided*
 20 *in this Act for the Department of Transportation shall be*
 21 *available for the necessary expenses of advisory committees.*

22 **(178)**Page 54, after line 17, insert:

23 *SEC. 354. Notwithstanding any other provision of law,*
 24 *the Secretary may use funds appropriated under this Act,*

1 or any subsequent Act, to administer and implement the
2 exemption provisions of 49 CFR 580.6 and to adopt or
3 amend exemptions from the disclosure requirements of 49
4 CFR Part 580 for any class or category of vehicles that
5 the Secretary deems appropriate.

6 **(179)**Page 54, after line 17, insert:

7 *SEC. 355. (a) The Federal Aviation Administration*
8 *Technical Center located at the Atlantic City International*
9 *Airport in Pomona, New Jersey, shall be known and des-*
10 *ignated as the “William J. Hughes Technical Center”.*

11 *(b) Any reference in a law, map, regulation, document,*
12 *paper, or other record of the United States to the Federal*
13 *Aviation Administration Technical Center referred to in*
14 *section (a) shall be deemed to be a reference to the “William*
15 *J. Hughes Technical Center”.*

16 **(180)**Page 54, after line 17, insert:

17 *SEC. 356. None of the funds in this Act may be used*
18 *to close any multi-mission small boat stations or subunits:*
19 *Provided, That the Secretary may implement any manage-*
20 *ment efficiencies within the small boat unit system, such*
21 *as modifying the operational posture of units or reallocat-*
22 *ing resources as necessary to ensure the safety of the mari-*
23 *time public nationwide, provided that no stations or*
24 *subunits may be closed.*

1 **(181)**Page 54, after line 17, insert:

2 *SEC. 357. Notwithstanding any other provision of law,*
3 *of the \$29,596,000 available for obligation authorized by*
4 *item 21 of the table in section 1105(f) of the Intermodal*
5 *Surface Transportation Efficiency Act of 1991 (Public Law*
6 *102–240; 105 Stat. 2038), \$6,000,000 shall be made avail-*
7 *able for obligation to carry out surface transportation*
8 *projects in Louisiana. Of this amount, \$5,000,000 shall be*
9 *made available for completion of the I–10 and I–610 project*
10 *in New Orleans, Louisiana and \$1,000,000 shall be made*
11 *available for three highway studies of which \$250,000 is*
12 *provided for a study to widen US 84/LA 6 traversing north*
13 *Louisiana, \$250,000 is provided for a study to widen La.*
14 *Hwy 42 from US Hwy. 61 to La. Hwy. 44 and extend*
15 *to I–10 in East Ascension Parish and \$500,000 is provided*
16 *for a study to connect Interstate 20 on both sides of the*
17 *Ouachita River.*

18 **(182)**Page 54, after line 17, insert:

19 *SEC. 358. TRANSFER OF CERTAIN FEDERAL PROP-*
20 *ERTY IN NEW JERSEY.—The first section of the Act entitled*
21 *“An Act transferring certain Federal property to the city*
22 *of Hoboken, New Jersey”, approved September 27, 1982*
23 *(Public Law 97–268, 96 Stat. 1140), is amended—*

24 *(1) in subsection (a), by adding “and” at the*
25 *end, and*

1 (2) by striking “Stat. 220), and” in subsection
2 (b) and all that follows through “New Jersey; concur-
3 rent with” and inserting the following: “Stat. 220);
4 concurrent with”.

5 **(183)**Page 54, after line 17, insert:

6 **SEC. 359. ENERGY SAVINGS AT FEDERAL FACILITIES.**

7 (a) *REDUCTION IN FACILITIES ENERGY COSTS.*—The
8 head of each agency for which funds are made available
9 under this Act shall take all actions necessary to achieve
10 during fiscal year 1996 a 5 percent reduction, from fiscal
11 year 1995 levels, in the energy costs of the facilities used
12 by the agency.

13 (b) *USE OF COST SAVINGS.*—An amount equal to the
14 amount of cost savings realized by an agency under sub-
15 section (a) shall remain available for obligation through the
16 end of fiscal year 1997, without further authorization or
17 appropriation, as follows:

18 (1) *CONSERVATION MEASURES.*—Fifty percent of
19 the amount shall remain available for the implemen-
20 tation of additional energy conservation measures
21 and for water conservation measures at such facilities
22 used by the agency as are designated by the head of
23 the agency.

24 (2) *OTHER PURPOSES.*—Fifty percent of the
25 amount shall remain available for use by the agency

1 for such purposes as are designated by the head of the
2 agency, consistent with applicable law.

3 (c) *REPORT.*—

4 (1) *IN GENERAL.*—Not later than December 31,
5 1996, the head of each agency described in subsection
6 (a) shall submit a report to Congress specifying the
7 results of the actions taken under subsection (a) and
8 providing any recommendations concerning how to
9 further reduce energy costs and energy consumption
10 in the future.

11 (2) *CONTENTS.*—Each report shall—

12 (A) specify the total energy costs of the fa-
13 cilities used by the agency;

14 (B) identify the reductions achieved; and

15 (C) specify the actions that resulted in the
16 reductions.

17 **(184)**Page 54, after line 17, insert:

18 **SEC. 360. STUDY OF AIR FARES.**

19 (a) *DEFINITIONS.*—For purposes of this section, the
20 following definitions shall apply:

21 (1) *ADJUSTED AIR FARE.*—The term “adjusted
22 air fare” means an actual air fare that is adjusted
23 for distance traveled by a passenger.

24 (2) *AIR CARRIER.*—The term—

1 (A) “air carrier” has the same meaning as
2 in section 40102(a)(2) of title 49, United States
3 Code; and

4 (B) the terms “regional commuter air car-
5 rier”, and “major air carrier” shall have the
6 meanings provided those terms by the Secretary.

7 (3) AIRPORT.—The term “airport” has the same
8 meaning as in section 40102(9) of title 49, United
9 States Code.

10 (4) COMMERCIAL AIR CARRIER.—The term “com-
11 mercial air carrier” means an air carrier that pro-
12 vides air transportation for commercial purposes (as
13 determined by the Secretary).

14 (5) HUB AIRPORT.—The term “hub airport” has
15 the same meaning as in section 41731(a)(2) of title
16 49, United States Code.

17 (6) LARGE HUB AIRPORT.—The term “large hub
18 airport”—

19 (A) shall have the meaning provided that
20 term by the Secretary; and

21 (B) does not include a small hub airport (as
22 such term is defined in section 41731(a)(5) of
23 title 49, United States Code).

1 (7) *NONHUB AIRPORT.*—The term “nonhub air-
2 port” has the same meaning as in section 41731(a)(4)
3 of title 49, United States Code.

4 (8) *SECRETARY.*—The term “Secretary” means
5 the Secretary of Transportation.

6 (b) *STUDY OF AIR FARES.*—

7 (1) *IN GENERAL.*—The Secretary shall conduct a
8 study to—

9 (A) compare air fares paid (calculated as
10 both actual and adjusted air fares) for air trans-
11 portation on flights conducted by commercial air
12 carriers—

13 (i) between—

14 (I) nonhub airports located in
15 small communities; and

16 (II) large hub airports; and

17 (ii) between large hub airports; and

18 (B) analyze—

19 (i) the extent to which passenger serv-
20 ice that is provided from nonhub airports is
21 provided on—

22 (I) regional commuter commercial
23 air carriers; or

24 (II) major air carriers;

1 (ii) the type of aircraft employed in
2 providing passenger service at nonhub air-
3 ports; and

4 (iii) whether there is competition
5 among commercial air carriers with respect
6 to the provision of air service to passengers
7 from nonhub airports.

8 (2) *FINDINGS.*—The Secretary shall include in
9 the study conducted under this subsection findings
10 made by the Secretary concerning—

11 (A) whether passengers who use commercial
12 air carriers to and from rural areas (as defined
13 by the Secretary) pay a disproportionately
14 greater price for that transportation than do
15 passengers who use commercial air carriers be-
16 tween urban areas (as defined by the Secretary);

17 (B) the nature of competition, if any in
18 rural markets (as defined by the Secretary) for
19 commercial air carriers;

20 (C) whether a relationship exists between
21 higher air fares and competition among commer-
22 cial air carriers for passengers travelling on jet
23 aircraft from small communities (as defined by
24 the Secretary) and, if such relationship exists,
25 the nature of that relationship;

1 (D) the number of small communities that
 2 have lost air service as a result of the deregula-
 3 tion of commercial air carriers with respect to
 4 air fares;

5 (E) the number of small communities served
 6 by airports with respect to which, after the date
 7 on which the deregulation referred to in subpara-
 8 graph (D) occurred, jet air service was replaced
 9 by turbo prop air service; and

10 (F) with respect to the replacement in serv-
 11 ice referred to in subparagraph (E), any cor-
 12 responding decreases in available seat capacity
 13 for consumers at the airports referred to in that
 14 subparagraph.

15 (c) *REPORT.*—Upon completion of the study conducted
 16 under subsection (b), but not later than 60 days after the
 17 date of enactment of this Act, the Secretary shall submit
 18 a report on the study and the findings of the Secretary to
 19 the Committee on Commerce, Science, and Transportation
 20 of the Senate.

21 (185)Page 54, after line 17, insert:

22 **SEC. 361. THE RAILROAD SAFETY INSTITUTE.**

23 Of the money appropriated to the United States De-
 24 partment of Transportation for Transportation Planning,
 25 Research and Development, \$1,000,000 shall be made avail-

1 *able to establish and operate the Institute for Railroad Safe-*
2 *ty as authorized by the Swift Rail Development Act of 1994.*

3 **(186)**Page 54, after line 17, insert:

4 **SEC. 362. SENSE OF SENATE REGARDING UNITED STATES/**
5 **JAPAN AVIATION DISPUTE.**

6 *(a) FINDINGS.—The Congress finds that—*

7 *(1) the Governments of the United States and*
8 *Japan entered into a bilateral aviation agreement in*
9 *1952 that has been modified periodically to reflect*
10 *changes in the aviation relationship between the two*
11 *countries;*

12 *(2) in 1994 the total revenue value of passenger*
13 *and freight traffic for United States air carriers be-*
14 *tween the United States and Japan was approxi-*
15 *mately \$6,000,000,000;*

16 *(3) the United States/Japan bilateral aviation*
17 *agreement guarantees three United States carriers*
18 *“beyond rights” that authorize them to fly into*
19 *Japan, take on additional passengers and cargo, and*
20 *then fly to another country;*

21 *(4) the United States/Japan bilateral aviation*
22 *agreement requires that, within 45 days of filing a*
23 *notice with the Government of Japan, the Government*
24 *of Japan must authorize United States air carriers to*
25 *serve routes guaranteed by their “beyond rights”;*

1 (5) *United States air carriers have made sub-*
2 *stantial economic investment in reliance upon the ex-*
3 *pectation their rights under the United States/Japan*
4 *bilateral aviation agreement would be honored by the*
5 *Government of Japan;*

6 (6) *the Government of Japan has violated the*
7 *United States/Japan bilateral aviation agreement by*
8 *preventing United States air carriers from serving*
9 *routes clearly authorized by their “beyond rights”;*
10 *and*

11 (7) *the refusal by the Government of Japan to*
12 *respect the terms of the United States/Japan bilateral*
13 *aviation agreement is having severe repercussions on*
14 *United States air carriers and, in general, customers*
15 *of these United States air carriers.*

16 (b) *ACTION REQUESTED.—The Congress—*

17 (1) *calls upon the Government of Japan to honor*
18 *and abide by the terms of the United States/Japan bi-*
19 *lateral aviation agreement and immediately authorize*
20 *United States air cargo and passenger carriers which*
21 *have pending route requests relating to their “beyond*
22 *rights” to immediately commence service on the re-*
23 *quested routes;*

24 (2) *calls upon the President of the United States*
25 *to identify strong and appropriate forms of counter-*

1 *measures that could be taken against the Government*
2 *of Japan for its egregious violation of the United*
3 *States/Japan bilateral aviation agreement; and*

4 *(3) calls upon the President of the United States*
5 *to promptly impose against the Government of Japan*
6 *whatever countermeasures are necessary and appro-*
7 *priate to ensure the Government of Japan abides by*
8 *the terms of the United States/Japan bilateral avia-*
9 *tion agreement.*

10 **(187)**Page 54, after line 17, insert:

11 *SEC. 363. The Secretary of Transportation is hereby*
12 *authorized and directed to enter into an agreement modify-*
13 *ing the agreement entered into pursuant to Section 339 of*
14 *the Department of Transportation and Related Agencies*
15 *Appropriations Act, 1993 (Public Law 102–388) to conform*
16 *such agreement to the provisions of Section 336 of the De-*
17 *partment of Transportation and Related Agencies Appro-*
18 *priations Act, 1995 (Public Law 103–331). Nothing in this*
19 *section changes the amount of the previous appropriation*
20 *in section 339, and the line of credit provided for shall not*
21 *exceed an amount supported by the previous appropriation.*
22 *In implementing either Section 339 or Section 336, the Sec-*
23 *retary may enter into an agreement requiring an interest*
24 *rate that is higher than that specified therein.*

25 **(188)**Page 54, after line 17, insert:

1 **SEC. 364. ELIMINATION OF CERTAIN HIGHWAY SAFETY AD-**
2 **VISORY COMMITTEES.**

3 (a) *NATIONAL HIGHWAY SAFETY ADVISORY COMMIT-*
4 *TEE.*—

5 (1) *IN GENERAL.*—Section 404 of title 23, *Unit-*
6 *ed States Code*, is repealed.

7 (2) *CONFORMING AMENDMENT.*—*The analysis for*
8 *chapter 4 of title 23, United States Code*, is amended
9 *by striking the item relating to section 404.*

10 (b) *COMMERCIAL MOTOR VEHICLE SAFETY REGU-*
11 *LATORY REVIEW PANEL.*—

12 (1) *IN GENERAL.*—Section 31134 of title 49,
13 *United States Code*, is repealed.

14 (2) *CONFORMING AMENDMENTS.*—

15 (A) *The analysis for subchapter III of chap-*
16 *ter 311 of title 49, United States Code*, is amend-
17 *ed by striking the item relating to section 31134.*

18 (B) Section 31140 of title 49, *United States*
19 *Code*, is amended—

20 (i) in subsection (a), by striking “and
21 *the Commercial Motor Vehicle Safety Regu-*
22 *latory Review Panel*”; and

23 (ii) in subsection (b)—

24 (I) in paragraph (2), by striking
25 “*the Panel or*”; and

1 (II) by striking “the Panel” each
2 place it appears and inserting “the
3 Secretary”.

4 (C) Section 31141 of title 49, United States
5 Code, is amended—

6 (i) by striking subsection (b) and in-
7 serting the following:

8 “(b) ANNUAL ANALYSIS BY THE SECRETARY.—The
9 Secretary annually shall analyze State laws and regula-
10 tions and decide which of the laws and regulations are re-
11 lated to commercial motor vehicle safety.”; and

12 (ii) in subsection (c)—

13 (I) in paragraph (1), by striking
14 “The Secretary” and all that follows
15 through “shall—” and inserting “Not
16 later than 18 months after the date on
17 which the Secretary makes a decision
18 under subsection (b) that a State law
19 or regulation is related to commercial
20 motor vehicle safety or 18 months after
21 the date on which the Secretary pre-
22 scribes a regulation under section
23 31136, whichever is later, the Secretary
24 shall—”; and

1 (II) in paragraph (5), by striking
 2 “(5)(A) In” and all that follows
 3 through “(B) In” and inserting “(5)
 4 In”.

5 **(189)**Page 54, after line 17, insert:

6 **SEC. 365. DELAY OF RESTRICTION ON AVAILABILITY OF**
 7 **CERTAIN HIGHWAY FUNDS; NATIONAL HIGH-**
 8 **WAY SYSTEM DESIGNATION.**

9 (a) *DELAY OF RESTRICTION ON AVAILABILITY OF CER-*
 10 *TAIN HIGHWAY FUNDS.*—Section 103(b) of title 23, United
 11 States Code, is amended in paragraph (3)(B), by striking
 12 “1995” and inserting “1997”.

13 (b) *NATIONAL HIGHWAY SYSTEM DESIGNATION.*—Sec-
 14 tion 103 of title 23, United States Code, is amended by in-
 15 serting after subsection (b) the following:

16 “(c) *NATIONAL HIGHWAY SYSTEM DESIGNATION.*—

17 “(1) *DESIGNATION.*—The most recent National
 18 Highway System (as of the date of enactment of this
 19 subsection) as submitted by the Secretary of Trans-
 20 portation pursuant to this section is designated as the
 21 National Highway System.

22 “(2) *MODIFICATIONS.*—

23 “(A) *IN GENERAL.*—At the request of a
 24 State, the Secretary may—

1 “(i) add a new route segment to the
2 National Highway System, including a new
3 intermodal connection; or

4 “(ii) delete a route segment in existence
5 on the date of the request and any connec-
6 tion to the route segment;

7 if the total mileage of the National Highway
8 System (including any route segment or connec-
9 tion proposed to be added under this subpara-
10 graph) does not exceed 165,000 miles (265,542
11 kilometers).

12 “(B) PROCEDURES FOR CHANGES RE-
13 QUESTED BY STATES.—Each State that makes a
14 request for a change in the National Highway
15 System pursuant to subparagraph (A) shall es-
16 tablish that each change in a route segment or
17 connection referred to in the subparagraph has
18 been identified by the State, in cooperation with
19 local officials, pursuant to applicable transpor-
20 tation planning activities for metropolitan areas
21 carried out under section 134 and statewide
22 planning processes carried out under section 135.

23 “(3) APPROVAL BY THE SECRETARY.—The Sec-
24 retary may approve a request made by a State for a
25 change in the National Highway System pursuant to

1 *paragraph (2) if the Secretary determines that the*
 2 *change—*

3 *“(A) meets the criteria established for the*
 4 *National Highway System under this title; and*

5 *“(B) enhances the national transportation*
 6 *characteristics of the National Highway Sys-*
 7 *tem.”.*

8 **(190)**Page 55, strike out line 1 and all that follows over
 9 to and including line 6 on page 63

10 **(191)**Page 63, strike out lines 7 through 11

Attest:

Secretary.

104TH CONGRESS
1ST SESSION

H. R. 2002

AMENDMENTS

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