

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

# H. R. 2002

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 11, 1995

Ordered to be printed with the amendments of the Senate numbered

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## AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Department of Transportation and related agencies for  
6       the fiscal year ending September 30, 1996, and for other  
7       purposes, namely:

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

5 For necessary expenses of the Office of the Secretary,  
6 ~~(1)\$55,011,500~~ \$56,500,000, of which not to exceed  
7 ~~(2)\$40,000~~ \$60,000 shall be available as the Secretary  
8 may determine for allocation within the Department for  
9 official reception and representation expenses: *Provided*,  
10 That notwithstanding any other provision of law, there  
11 may be credited to this appropriation up to \$1,000,000  
12 in funds received in user fees established to support the  
13 electronic tariff filing system: *Provided further*, That none  
14 of the funds appropriated in this Act or otherwise made  
15 available may be used to maintain ~~(3)duplicate physical~~  
16 ~~copies~~ custody of airline tariffs that are already available  
17 for public and departmental access at no cost; to secure  
18 them against detection, alteration, or tampering; ~~(4)or~~  
19 ~~open them and~~ open to inspection by the Department.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,  
22 ~~(5)\$6,554,000~~ \$12,083,000, and in addition, \$809,000, to  
23 be derived from “Federal-aid Highways” subject to the  
24 “Limitation on General Operating Expenses”.

7 WORKING CAPITAL FUND

15 PAYMENTS TO AIR CARRIERS

17 (AIRPORT AND AIRWAY TRUST FUND)

19 For liquidation of obligations incurred for payments  
20 to air carriers of so much of the compensation fixed and  
21 determined under subchapter II of chapter 417 of title 49,  
22 United States Code, as is payable by the Department of  
23 Transportation, ~~(8)\$15,000,000~~ \$26,738,536, to remain  
24 available until expended and to be derived from the Air-  
25 port and Airway Trust Fund: *Provided*, That none of the  
26 funds in this Act shall be available for the implementation

1 or execution of programs in excess of ~~(9)~~\$15,000,000  
 2 \$26,738,536 for the Payments to Air Carriers program in  
 3 fiscal year 1996: *Provided further*, That none of the funds  
 4 in this Act shall be used by the Secretary of Transpor-  
 5 tation to make payment of compensation under subchapter  
 6 II of chapter 417 of title 49, United States Code, in excess  
 7 of the appropriation in this Act for liquidation of obliga-  
 8 tions incurred under the “Payments to air carriers” pro-  
 9 gram: *Provided further*, That none of the funds in this Act  
 10 shall be used for the payment of claims for such com-  
 11 pensation except in accordance with this provision: *Pro-*  
 12 *vided further*, That none of the funds in this Act shall be  
 13 available for service to communities in the forty-eight con-  
 14 tiguous States that are located fewer than ~~(10)~~seventy  
 15 *seventy-five* highway miles from the nearest large or me-  
 16 dium ~~(11)~~*or small* hub airport, ~~(12)~~*except for any such*  
 17 *community in which is located an airline maintenance fa-*  
 18 *cility performing required Federal Aviation Regulation*  
 19 *heavy engine heavy structural airframe maintenance work*  
 20 *in accordance with Part 135.411(a)(2), or that require a*  
 21 *rate of subsidy per passenger in excess of \$200 unless*  
 22 *such point is greater than two hundred (13)and ten miles*  
 23 *from the nearest large or medium hub airport: Provided*  
 24 *further*, That of funds provided for “Small Community Air  
 25 Service” by Public Law 101–508, ~~(14)~~\$23,600,000

1 \$11,861,464 in fiscal year 1996 is hereby rescinded(15):—  
2 *Provided further*, That, notwithstanding any other provi-  
3 sion of law, effective January 1, 1996 no point in the 48  
4 contiguous States and Hawaii eligible for compensated  
5 transportation in fiscal year 1996 under subchapter H of  
6 chapter 417 of title 49, United States Code, including 49  
7 U.S.C. 41734(d), shall receive such transportation unless  
8 a State, local government, or other non-Federal entity  
9 agrees to pay at least fifty percent of the cost of providing  
10 such transportation, as determined by the Secretary of  
11 Transportation: *Provided further*, That the Secretary may  
12 require the entity or entities agreeing to pay such amounts  
13 to make advance payments or provide other security to  
14 ensure that timely payments are made: *Provided further*,  
15 That, notwithstanding any other provision of law, points  
16 covered by the cost-sharing provisions under this head for  
17 which no State, local government, or non-Federal entity  
18 agrees to pay at least fifty percent of the cost of providing  
19 such transportation shall receive a reduced level of service  
20 in fiscal year 1996, to be determined by the Secretary as  
21 follows: The Secretary shall subtract from the funds made  
22 available in this Act so much as is needed to provide com-  
23 pensation to all eligible points for which a State, local gov-  
24 ernment, or other non-Federal entity agrees to pay at least  
25 fifty percent of the cost of providing such transportation;

1 and, with remaining funds, allocate to each other point  
 2 an amount reduced by the ratio of the remainder cal-  
 3 culated above to all funds made available in this Act: *Pro-*  
 4 *vided further*, That the Secretary shall allocate any funds  
 5 that become unallocated as the year progresses to those  
 6 points for which a State, local government, or other non-  
 7 Federal entity does not agree to pay at least fifty percent  
 8 of the cost of such transportation.

#### 9 PAYMENTS TO AIR CARRIERS

#### 10 (RESCISSION)

11 Of the budgetary resources remaining available under  
 12 this heading, \$6,786,971 are rescinded.

#### 13 RENTAL PAYMENTS

14 For necessary expenses for rental of headquarters  
 15 and field space not to exceed 8,580,000 square feet and  
 16 for related services assessed by the General Services Ad-  
 17 ministration, ~~(16)\$130,803,000~~ \$139,689,000: *Provided*,  
 18 That of this amount, \$1,897,000 shall be derived from the  
 19 Highway Trust Fund, \$41,441,000 shall be derived from  
 20 the Airport and Airway Trust Fund, \$836,000 shall be  
 21 derived from the Pipeline Safety Fund, and \$169,000  
 22 shall be derived from the Harbor Maintenance Trust  
 23 Fund: *Provided further*, That in addition, for assessments  
 24 by the General Services Administration related to the  
 25 space needs of the Federal Highway Administration,

1 ~~(17)\$17,099,000~~ \$17,685,000, to be derived from “Fed-  
 2 eral-aid Highways”, subject to the “Limitation on General  
 3 Operating Expenses”.

#### 4 MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

#### 14 MINORITY BUSINESS OUTREACH

15 For necessary expenses of the Minority Business Re-  
 16 source Center outreach activities, ~~(18)\$2,900,000~~  
 17 \$2,100,000, of which ~~(19)\$2,642,000~~ \$1,842,000 shall re-  
 18 main available until September 30, 1997~~(20)~~: *Provided*,  
 19 *That notwithstanding 49 U.S.C. 332, these funds may be*  
 20 *used for business opportunities related to any mode of*  
 21 *transportation.*

#### 22 ~~(21)~~INTERSTATE COMMERCE COMMISSION SUNSET

23 *For necessary expenses, of the Office of the Secretary,*  
 24 *not otherwise provided for, \$4,705,000, to transfer residual*

1 *rail and motor carriers functions from the Interstate Com-*  
 2 *merce Commission to the Department of Transportation.*

3 COAST GUARD

4 OPERATING EXPENSES

5 For necessary expenses for the operation and mainte-  
 6 nance of the Coast Guard, not otherwise provided for; pur-  
 7 chase of not to exceed five passenger motor vehicles for  
 8 replacement only; payments pursuant to section 156 of  
 9 Public Law 97-377, as amended (42 U.S.C. 402 note),  
 10 and section 229(b) of the Social Security Act (42 U.S.C.  
 11 429(b)); and recreation and welfare; ~~(22)~~\$2,565,607,000  
 12 \$2,286,000,000, of which \$25,000,000 shall be derived  
 13 from the Oil Spill Liability Trust Fund~~(23)~~; ~~and of~~  
 14 ~~which \$25,000,000 shall be expended from the Boat Safe-~~  
 15 ~~ty Account:~~ *Provided*, That the number of aircraft on hand  
 16 at any one time shall not exceed two hundred and eight-  
 17 een, exclusive of aircraft and parts stored to meet future  
 18 attrition: *Provided further*, That none of the funds appro-  
 19 priated in this or any other Act shall be available for pay  
 20 or administrative expenses in connection with shipping  
 21 commissioners in the United States: *Provided further*,  
 22 That none of the funds provided in this Act shall be avail-  
 23 able for expenses incurred for yacht documentation under  
 24 46 U.S.C. 12109, except to the extent fees are collected  
 25 from yacht owners and credited to this appropriation: *Pro-*



1 *vided further*, That the Commandant shall reduce both  
 2 military and civilian employment levels for the purpose of  
 3 complying with Executive Order No. 12839(24):~~Pro-~~  
 4 *vided further*, That of the funds provided for operating ex-  
 5 penses for fiscal year 1996, in this or any other Act, not  
 6 less than ~~\$314,200,000~~ shall be available for drug enforce-  
 7 ment activities.

8 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS  
 9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of acquisition, construction,  
 11 renovation, and improvement of aids to navigation, shore  
 12 facilities, vessels, and aircraft, including equipment related  
 13 thereto, ~~(25)\$375,175,000~~ \$366,800,000, of which  
 14 \$32,500,000 shall be derived from the Oil Spill Liability  
 15 Trust Fund; of which ~~(26)\$191,200,000~~ \$178,000,000  
 16 shall be available to acquire, repair, renovate or improve  
 17 vessels, small boats and related equipment, to remain  
 18 available until September 30, 2000; ~~(27)\$16,500,000~~  
 19 \$14,500,000 shall be available to acquire new aircraft and  
 20 increase aviation capability, to remain available until Sep-  
 21 tember 30, 1998; ~~(28)\$42,200,000~~ \$47,600,000 shall be  
 22 available for other equipment, to remain available until  
 23 September 30, 1998; ~~(29)\$82,275,000~~ \$80,200,000 shall  
 24 be available for shore facilities and aids to navigation fa-  
 25 cilities, to remain available until September 30, 1998; and

1 ~~(30)~~\$43,000,000 \$46,500,000 shall be available for per-  
 2 sonnel compensation and benefits and related costs, to re-  
 3 main available until September 30, 1996: *Provided*, That  
 4 funds received from the sale of the VC-11A and HU-25  
 5 aircraft shall be credited to this appropriation for the pur-  
 6 pose of acquiring new aircraft and increasing aviation  
 7 capacity~~(31)~~:~~*Provided further*~~, That the Secretary may  
 8 transfer funds between projects under this head, not to  
 9 exceed \$50,000,000 in total for the fiscal year, thirty days  
 10 after notification to the House and Senate Committees on  
 11 Appropriations, solely for the purpose of providing funds  
 12 for facility renovation, construction, exit costs, and other  
 13 implementation costs associated with Coast Guard stream-  
 14 lining plans~~(32)~~: *Provided further*, That the Commandant  
 15 shall dispose of surplus real property by sale or lease and  
 16 the proceeds of such sale or lease shall be credited to this  
 17 appropriation.

18 ENVIRONMENTAL COMPLIANCE AND RESTORATION

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

1                   **(33)PORT SAFETY DEVELOPMENT**

2           *For necessary expenses for debt retirement of the Port*  
 3 *of Portland, Oregon, \$15,000,000 to remain available until*  
 4 *expended.*

5                   ALTERATION OF BRIDGES

6           For necessary expenses for alteration or removal of  
 7 obstructive bridges, **(34)\$16,000,000** \$2,000,000, to re-  
 8 main available until expended.

9                   RETIRED PAY

10          For retired pay, including the payment of obligations  
 11 therefor otherwise chargeable to lapsed appropriations for  
 12 this purpose, and payments under the Retired Service-  
 13 man's Family Protection and Survivor Benefits Plans, and  
 14 for payments for medical care of retired personnel and  
 15 their dependents under the Dependents Medical Care Act  
 16 (10 U.S.C. ch. 55), \$582,022,000.

17                   RESERVE TRAINING

18          For all necessary expenses for the Coast Guard Re-  
 19 serve, as authorized by law; maintenance and operation  
 20 of facilities; and supplies, equipment, and services;  
 21 **(35)\$61,859,000** \$62,000,000.

22          RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

23          For necessary expenses, not otherwise provided for,  
 24 for applied scientific research, development, test, and eval-  
 25 uation; maintenance, rehabilitation, lease and operation of

1 facilities and equipment, as authorized by law,  
 2 ~~36~~\$18,500,000 \$20,000,000, to remain available until  
 3 expended, of which \$3,150,000 shall be derived from the  
 4 Oil Spill Liability Trust Fund: *Provided*, That there may  
 5 be credited to this appropriation funds received from State  
 6 and local governments, other public authorities, private  
 7 sources, and foreign countries, for expenses incurred for  
 8 research, development, testing, and evaluation.

9 ~~37~~BOAT SAFETY

10 (AQUATIC RESOURCES TRUST FUND)

11 For payment of necessary expenses incurred for rec-  
 12 reational boating safety assistance under Public Law 92-  
 13 75, as amended, \$20,000,000, to be derived from the Boat  
 14 Safety Account and to remain available until expended.

15 ~~38~~EMERGENCY FUND

16 (LIMITATION ON PERMANENT APPROPRIATION)

17 (OIL SPILL LIABILITY TRUST FUND)

18 Except as provided in emergency supplemental appro-  
 19 priations provided in other appropriations Acts for fiscal  
 20 year 1996, not more than \$3,000,000 shall be obligated  
 21 or expended in fiscal year 1996 pursuant to section  
 22 6002(b) of the Oil Pollution Act of 1990 to carry out the  
 23 provisions of section 1012(a)(4) of that Act.

## 1       FEDERAL AVIATION ADMINISTRATION

## 2                       OPERATIONS

3                       **(39)***(INCLUDING TRANSFER OF FUNDS)*

4       For necessary expenses of the Federal Aviation Ad-  
 5   ministration, not otherwise provided for, including oper-  
 6   ations and research activities related to commercial space  
 7   transportation, administrative expenses for research and  
 8   development, establishment of air navigation facilities and  
 9   the operation (including leasing) and maintenance of air-  
 10   craft, and carrying out the provisions of subchapter I of  
 11   chapter 471 of title 49, U.S. Code, or other provisions of  
 12   law authorizing the obligation of funds for similar pro-  
 13   grams of airport and airway development or improvement,  
 14   lease or purchase of four passenger motor vehicles for re-  
 15   placement only, **(40)**~~\$4,600,000,000~~ \$4,550,000,000, of  
 16   which **(41)**~~\$1,871,500,000~~ \$1,865,000,000 shall be de-  
 17   rived from the Airport and Airway Trust Fund: *Provided,*  
 18   That there may be credited to this appropriation funds  
 19   received from States, counties, municipalities, foreign au-  
 20   thorities, other public authorities, and private sources, for  
 21   expenses incurred in the provision of **(42)**~~aviation~~ agency  
 22   services, including **(43)**~~receipts for~~ the maintenance and  
 23   operation of air navigation facilities and for issuance, re-  
 24   newal or modification of certificates, including airman,  
 25   aircraft, and repair station certificates, or for tests related

1 thereto, or for processing major repair or alteration forms  
2 ~~(44)~~and in addition \$10,000,000, to be credited to this ap-  
3 propriation from fees established and collected to cover the  
4 cost of safety and security regulation under the jurisdiction  
5 of the Federal Aviation Administration: *Provided further,*  
6 That funds may be used to enter into a grant agreement  
7 with a nonprofit standard setting organization to assist  
8 in the development of aviation safety standards: *Provided*  
9 *further,* That none of the funds in this Act shall be avail-  
10 able for new applicants for the second career training pro-  
11 gram: *Provided further,* That none of the funds in this Act  
12 shall be available for paying premium pay under 5 U.S.C.  
13 5546(a) to any Federal Aviation Administration employee  
14 unless such employee actually performed work during the  
15 time corresponding to such premium pay~~(45)~~: *Provided*  
16 *further,* That none of the funds appropriated in this or any  
17 subsequent Act may be used to pay premium pay under  
18 5 U.S.C. 5546a for any fiscal year beginning after Septem-  
19 ber 30, 1995; except that, (i) for fiscal year 1996, such pre-  
20 mium pay may be paid at 50 percent of the rate specified  
21 in 5 U.S.C. 5546a; and (ii) for fiscal year 1997, such pre-  
22 mium pay may be paid at 25 percent of the rate specified  
23 in 5 U.S.C. 5546a~~(46)~~: *Provided further,* That the unex-  
24 pended balances of the appropriation “Office of Commercial  
25 Space Transportation, Operations and Research” shall be

1 *transferred to and merged with this appropriation: Pro-*  
 2 *vided further, That none of the funds derived from the Air-*  
 3 *port and Airway Trust Fund may be used to support the*  
 4 *operations and activities of the Associate Administrator for*  
 5 *Commercial Space Transportation.*

6 FACILITIES AND EQUIPMENT

7 (AIRPORT AND AIRWAY TRUST FUND)

8 For necessary expenses, not otherwise provided for,  
 9 for acquisition, establishment, and improvement by con-  
 10 tract or purchase, and hire of air navigation and experi-  
 11 mental facilities and equipment as authorized under part  
 12 A of subtitle VII of title 49, U.S. Code, including initial  
 13 acquisition of necessary sites by lease or grant; engineer-  
 14 ing and service testing, including construction of test fa-  
 15 cilities and acquisition of necessary sites by lease or grant;  
 16 and construction and furnishing of quarters and related  
 17 accommodations for officers and employees of the Federal  
 18 Aviation Administration stationed at remote localities  
 19 where such accommodations are not available; and the  
 20 purchase, lease, or transfer of aircraft from funds avail-  
 21 able under this head; to be derived from the Airport and  
 22 Airway Trust Fund, ~~(47)\$2,000,000,000~~ \$1,890,377,000,  
 23 of which ~~(48)\$1,784,000,000~~ \$1,674,377,000 shall remain  
 24 available until September 30, 1998, ~~(49)and~~ of which  
 25 \$216,000,000 shall remain available until September 30,

1 1996~~(50)~~, and of which \$10,000,000, to remain available  
 2 until expended, is for funding noncompetitive cooperative  
 3 agreements with air carriers to assist them in acquiring  
 4 and installing the following advanced security equipment:  
 5 (1) hardened unit load devices, (2) explosive detection sys-  
 6 tems certified by the Federal Aviation Administration, and  
 7 (3) computer-aided screener training and proficiency sys-  
 8 tems, in order to evaluate such equipment's operational fea-  
 9 sibility and effectiveness in improving civil aviation secu-  
 10 rity): *Provided*, That there may be credited to this appro-  
 11 priation funds received from States, counties, municipali-  
 12 ties, other public authorities, and private sources, for ex-  
 13 penses incurred in the establishment and modernization  
 14 of air navigation facilities.

15 FACILITIES AND EQUIPMENT

16 (AIRPORT AND AIRWAY TRUST FUND)

17 (RESCISSION)

18 Of the available balances under this heading,  
 19 ~~(51)\$60,000,000~~ \$70,000,000 are rescinded.

20 RESEARCH, ENGINEERING, AND DEVELOPMENT

21 (AIRPORT AND AIRWAY TRUST FUND)

22 For necessary expenses, not otherwise provided for,  
 23 for research, engineering, and development, as authorized  
 24 under part A of subtitle VII of title 49, U.S.C., including  
 25 construction of experimental facilities and acquisition of  
 26 necessary sites by lease or grant, ~~(52)\$143,000,000~~



1 \$215,886,000, to be derived from the Airport and Airway  
 2 Trust Fund and to remain available until September 30,  
 3 1998: *Provided*, That there may be credited to this appro-  
 4 priation funds received from States, counties, municipali-  
 5 ties, other public authorities, and private sources, for ex-  
 6 penses incurred for research, engineering, and develop-  
 7 ment.

8 GRANTS-IN-AID FOR AIRPORTS

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (AIRPORT AND AIRWAY TRUST FUND)

11 **(53)**(*INCLUDING RESCISSION OF CONTRACT*

12 *AUTHORIZATION*)

13 For liquidation of obligations incurred for grants-in-  
 14 aid for airport planning and development, and for noise  
 15 compatibility planning and programs as authorized under  
 16 subchapter I of chapter 471 and subchapter I of chapter  
 17 475 of title 49, U.S. Code, and under other law authoriz-  
 18 ing such obligations, \$1,500,000,000, to be derived from  
 19 the Airport and Airway Trust Fund and to remain avail-  
 20 able until expended: *Provided*, That none of the funds in  
 21 this Act shall be available for the planning or execution  
 22 of programs the obligations for which are in excess of  
 23 **(54)**~~\$1,600,000,000~~ \$1,250,000,000 in fiscal year 1996  
 24 for grants-in-aid for airport planning and development,  
 25 and noise compatibility planning and programs, not-  
 26 withstanding section 47117(h) of title 49, U.S. Code

1 **(55)**: *Provided further, That none of the funds in this Act*  
 2 *shall be available for the planning and execution of pro-*  
 3 *grams the obligations for which are in excess of \$20,000,000*  
 4 *for the “Military Airports Program” and \$50,000,000 for*  
 5 *the “Reliever Airports Program”***(56)**: *Provided further,*  
 6 *That of the available contract authority balances under this*  
 7 *account, \$5,000,000 are rescinded.*

8 AVIATION INSURANCE REVOLVING FUND

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

17 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

18 None of the funds in this Act shall be available for  
 19 activities under this head the obligations for which are in  
 20 excess of \$1,600,000 during fiscal year 1996.

21 FEDERAL HIGHWAY ADMINISTRATION

22 LIMITATION ON GENERAL OPERATING EXPENSES

23 Necessary expenses for administration, operation, in-  
 24 cluding motor carrier safety program operations, and re-  
 25 search of the Federal Highway Administration not to ex-

1 ceed ~~(57)\$495,381,000~~ \$548,434,000 shall be paid in ac-  
 2 cordance with law from appropriations made available by  
 3 this Act to the Federal Highway Administration together  
 4 with advances and reimbursements received by the Fed-  
 5 eral Highway Administration: *Provided*, That  
 6 ~~(58)\$190,667,000~~ \$248,909,000 of the amount provided  
 7 herein shall remain available until September 30, 1998.

#### 8 HIGHWAY-RELATED SAFETY GRANTS

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (HIGHWAY TRUST FUND)

11 (INCLUDING TRANSFER OF FUNDS)

12 For payment of obligations incurred in carrying out  
 13 the provisions of title 23, United States Code, section 402  
 14 administered by the Federal Highway Administration, to  
 15 remain available until expended, ~~(59)\$10,000,000~~  
 16 \$13,000,000, to be derived from the Highway Trust Fund:  
 17 *Provided*, That not to exceed \$100,000 of the amount  
 18 made available herein shall be available for “Limitation  
 19 on general operating expenses”: *Provided further*, That  
 20 none of the funds in this Act shall be available for the  
 21 planning or execution of programs the obligations for  
 22 which are in excess of ~~(60)\$10,000,000~~ \$13,000,000 in  
 23 fiscal year 1996 for “Highway-Related Safety Grants”.

## 1 FEDERAL-AID HIGHWAYS

2 (LIMITATION ON OBLIGATIONS)

3 (HIGHWAY TRUST FUND)

4 None of the funds in this Act shall be available for  
5 the implementation or execution of programs the obliga-  
6 tions for which are in excess of ~~(\$18,000,000,000)~~  
7 \$17,000,000,000 for Federal-aid highways and highway  
8 safety construction programs for fiscal year 1996.

## 9 FEDERAL-AID HIGHWAYS

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (HIGHWAY TRUST FUND)

12 For carrying out the provisions of title 23, United  
13 States Code, that are attributable to Federal-aid high-  
14 ways, including the National Scenic and Recreational  
15 Highway as authorized by 23 U.S.C. 148, not otherwise  
16 provided, including reimbursements for sums expended  
17 pursuant to the provisions of 23 U.S.C. 308,  
18 \$19,200,000,000 or so much thereof as may be available  
19 in and derived from the Highway Trust Fund, to remain  
20 available until expended.

## 21 RIGHT-OF-WAY REVOLVING FUND

22 (LIMITATION ON DIRECT LOANS)

23 (HIGHWAY TRUST FUND)

24 None of the funds under this head are available for  
25 obligations for right-of-way acquisition during fiscal year  
26 1996.

1                   MOTOR CARRIER SAFETY GRANTS  
2           (LIQUIDATION OF CONTRACT AUTHORIZATION)  
3                   (HIGHWAY TRUST FUND)

4           For payment of obligations incurred in carrying out  
5 49 U.S.C. 31102, \$68,000,000, to be derived from the  
6 Highway Trust Fund and to remain available until ex-  
7 pended: *Provided*, That none of the funds in this Act shall  
8 be available for the implementation or execution of pro-  
9 grams the obligations for which are in excess of  
10 ~~(62)\$79,150,000~~ \$75,000,000 for “Motor Carrier Safety  
11 Grants”.

12                   ~~(63)~~*SURFACE TRANSPORTATION PROJECTS*

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

20                   NATIONAL HIGHWAY TRAFFIC SAFETY  
21                   ADMINISTRATION

22                   OPERATIONS AND RESEARCH

23           For expenses necessary to discharge the functions of  
24 the Secretary with respect to traffic and highway safety  
25 under part C of subtitle VI of title 49, United States Code,  
26 and chapter 301 of title 49, United States Code,

1 ~~(64)~~\$73,316,570 \$71,261,000, of which ~~(65)~~\$37,825,850  
 2 \$36,770,676 shall remain available until September 30,  
 3 1998~~(66)~~:*Provided*, That none of the funds appropriated  
 4 by this Act may be obligated or expended to plan, finalize,  
 5 or implement any rulemaking to add to section 575.104  
 6 of title 49 of the Code of Federal Regulations any require-  
 7 ment pertaining to a grading standard that is different  
 8 from the three grading standards (treadwear, traction,  
 9 and temperature resistance) already in effect.

10 OPERATIONS AND RESEARCH

11 (HIGHWAY TRUST FUND)

12 For expenses necessary to discharge the functions of  
 13 the Secretary with respect to traffic and highway safety  
 14 under 23 U.S.C. 403 and section 2006 of the Intermodal  
 15 Surface Transportation Efficiency Act of 1991 (Public  
 16 Law 102-240), to be derived from the Highway Trust  
 17 Fund, ~~(67)~~\$52,011,930 \$50,344,000, of which  
 18 ~~(68)~~\$32,770,670 \$31,716,720 shall remain available until  
 19 September 30, 1998.

20 ~~(69)~~OPERATIONS AND RESEARCH

21 (RESCISSIONS)

22 Of the amounts made available under this heading  
 23 in Public Law 103-331, Public Law 102-388, and Public  
 24 Law 101-516, \$4,547,185 are rescinded from the national  
 25 advanced driving simulator project.

1 HIGHWAY TRAFFIC SAFETY GRANTS  
 2 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
 3 (HIGHWAY TRUST FUND)

4 For payment of obligations incurred carrying out the  
 5 provisions of 23 U.S.C. 153, 402, 408, and 410, Chapter  
 6 303 of title 49, United States Code, and section 209 of  
 7 Public Law 95–599, as amended, to remain available until  
 8 expended, ~~(70)\$153,400,000~~ \$155,100,000, to be derived  
 9 from the Highway Trust Fund: *Provided*, That, notwith-  
 10 standing subsection 2009(b) of the Intermodal Surface  
 11 Transportation Efficiency Act of 1991, none of the funds  
 12 in this Act shall be available for the planning or execution  
 13 of programs the total obligations for which, in fiscal year  
 14 1996, are in excess of ~~(71)\$153,400,000~~ \$155,100,000 for  
 15 programs authorized under 23 U.S.C. 402 and 410, as  
 16 amended, of which ~~(72)\$126,000,000~~ \$128,000,000 shall  
 17 be for “State and community highway safety grants”,  
 18 ~~(73)\$2,400,000~~ \$2,100,000 shall be for the “National  
 19 Driver Register” ~~(74)(subject to passage hereafter by the~~  
 20 ~~House of a bill authorizing appropriations therefor, and~~  
 21 ~~only in amounts provided therein)~~ *subject to authorization*,  
 22 and \$25,000,000 shall be for section 410 “Alcohol-im-  
 23 paired driving countermeasures programs” ~~(75):—Provided~~  
 24 *further*, That none of these funds shall be used for con-  
 25 struction, rehabilitation or remodeling costs, or for office  
 26 furnishings and fixtures for State, local, or private build-

ings or structures: *Provided further*, That none of these funds shall be used to purchase automobiles or motorcycles for state, local, or private usage: *Provided further*, That not to exceed ~~(76)\$5,153,000~~ \$5,211,000 of the funds made available for section 402 may be available for administering "State and community highway safety grants": *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-impaired driving counter-measures programs" ~~(77)may~~ shall be available for technical assistance to the States: *Provided further*, That not to exceed ~~(78)\$890,000~~ \$777,000 of the funds made available for the "National Driver Register" may be available for administrative expenses.

## FEDERAL RAILROAD ADMINISTRATION

### OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, ~~(79)\$14,000,000~~ \$14,018,000, of which \$1,508,000 shall remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional



1 Rail Reorganization Act of 1973, as amended, shall be  
2 made: *Provided further*, That, as part of the Washington  
3 Union Station transaction in which the Secretary assumed  
4 the first deed of trust on the property and, where the  
5 Union Station Redevelopment Corporation or any succes-  
6 sor is obligated to make payments on such deed of trust  
7 on the Secretary's behalf, including payments on and after  
8 September 30, 1988, the Secretary is authorized to receive  
9 such payments directly from the Union Station Redevelop-  
10 ment Corporation, credit them to the appropriation  
11 charged for the first deed of trust, and make payments  
12 on the first deed of trust with those funds: *Provided fur-*  
13 *ther*, That such additional sums as may be necessary for  
14 payment on the first deed of trust may be advanced by  
15 the Administrator from unobligated balances available to  
16 the Federal Railroad Administration, to be reimbursed  
17 from payments received from the Union Station Redevel-  
18 opment Corporation.

19 RAILROAD SAFETY

20 For necessary expenses in connection with railroad  
21 safety, not otherwise provided for, ~~(80)\$49,940,660~~  
22 \$49,105,000, of which \$2,687,000 shall remain available  
23 until expended.

5 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

12 RAILROAD REHABILITATION AND IMPROVEMENT  
13 PROGRAM

**HR 2002 PP**

1 NATIONAL MAGNETIC LEVITATION PROTOTYPE  
 2 DEVELOPMENT

3 (LIMITATION ON OBLIGATIONS)  
 4 (HIGHWAY TRUST FUND)

5 None of the funds in this Act shall be available for  
 6 the planning or execution of the National Magnetic Levita-  
 7 tion Prototype Development program as defined in sub-  
 8 sections 1036(b) and 1036(d)(1)(A) of the Intermodal  
 9 Surface Transportation Efficiency Act of 1991.

10 NEXT GENERATION HIGH SPEED RAIL

11 For necessary expenses for Next Generation High  
 12 Speed Rail ~~(83)~~ technology development and demonstra-  
 13 tions, ~~\$10,000,000, to remain available until expended~~  
 14 *studies, corridor planning, development, demonstration,*  
 15 *and implementation, \$20,000,000, to remain available*  
 16 *until expended* ~~(84)~~: *Provided, That funds under this head*  
 17 *may be made available for grants to States for high speed*  
 18 *rail corridor design, feasibility studies, environmental anal-*  
 19 *yses and track and signal improvements.*

20 TRUST FUND SHARE OF NEXT GENERATION HIGH  
 21 SPEED RAIL

22 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
 23 (HIGHWAY TRUST FUND)

24 For grants and payment of obligations incurred in  
 25 carrying out the provisions of the High Speed Ground  
 26 Transportation program as defined in subsections 1036(c)

1 and 1036(d)(1)(B) of the Intermodal Surface Transpor-  
2 tation Efficiency Act of 1991, including planning and en-  
3 vironmental analyses, \$5,000,000, to be derived from the  
4 Highway Trust Fund and to remain available until ex-  
5 pended: *Provided*, That none of the funds in this Act shall  
6 be available for the implementation or execution of pro-  
7 grams the obligations for which are in excess of  
8 \$5,000,000.

9           **(85)ALASKA RAILROAD REHABILITATION**

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

14       **(86)PENNSYLVANIA STATION REDEVELOPMENT PROJECT**

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

1           **(87)** *RHODE ISLAND RAIL DEVELOPMENT*

2           *For the costs associated with construction of a third*  
 3 *track on the Northeast Corridor between Davisville and*  
 4 *Central Falls, Rhode Island, with sufficient clearance to ac-*  
 5 *commodate double stack freight cars, \$2,000,000 to be*  
 6 *matched by the State of Rhode Island or its designee on*  
 7 *a dollar for dollar basis and to remain available until ex-*  
 8 *pende*~~d~~*: Provided, That as a condition of accepting such*  
 9 *funds, the Providence and Worcester (P&W) Railroad shall*  
 10 *enter into an agreement with the Secretary to reimburse*  
 11 *Amtrak and/or the Federal Railroad Administration, on a*  
 12 *dollar for dollar basis, up to the first \$7,000,000 in damages*  
 13 *resulting from the legal action initiated by the P&W Rail-*  
 14 *road under its existing contracts with Amtrak relating to*  
 15 *the provision of vertical clearances between Davisville and*  
 16 *Central Falls in excess of those required for present freight*  
 17 *operations.*

18           GRANTS TO THE NATIONAL RAILROAD PASSENGER

19                                           CORPORATION

20           To enable the Secretary of Transportation to make  
 21 grants to the National Railroad Passenger Corporation  
 22 authorized by 49 U.S.C. 24104, **(88)**~~\$628,000,000~~  
 23 ~~\$605,000,000~~, to remain available until expended, of which  
 24 **(89)**~~\$336,000,000~~ ~~\$336,000,000~~ ~~\$305,000,000~~ shall be available for op-  
 25 erating losses and for mandatory passenger rail service

1 payments, ~~(90)\$62,000,000~~ \$100,000,000 shall be for  
 2 transition costs incurred by the Corporation, and  
 3 ~~(91)\$230,000,000~~ \$200,000,000 shall be for capital im-  
 4 provements: *Provided*, ~~(92)~~That none of the funds under  
 5 this head shall be made available until significant reforms  
 6 (including labor reforms) in authorizing legislation are en-  
 7 acted to restructure the National Railroad Passenger Cor-  
 8 poration: *Provided further*, That funding under this head  
 9 for capital improvements shall not be made available be-  
 10 fore July 1, 1996: *Provided further*, That none of the  
 11 funds herein appropriated shall be used for lease or pur-  
 12 chase of passenger motor vehicles or for the hire of vehicle  
 13 operators for any officer or employee, other than the presi-  
 14 dent of the Corporation, excluding the lease of passenger  
 15 motor vehicles for those officers or employees while in offi-  
 16 cial travel status.

## 17 FEDERAL TRANSIT ADMINISTRATION

### 18 ADMINISTRATIVE EXPENSES

19 For necessary administrative expenses of the Federal  
 20 Transit Administration's programs authorized by chapter  
 21 53 of title 49, United States Code, ~~(93)\$39,260,000~~  
 22 \$42,000,000.

### 23 FORMULA GRANTS

24 For necessary expenses to carry out 49 U.S.C. 5307,  
 25 5310(a)(2), 5311, and 5336, to remain available until ex-

1 pending, ~~(94)\$890,000,000~~ \$985,000,000: *Provided*, That  
 2 no more than ~~(95)\$2,000,000,000~~ \$2,105,850,000 of  
 3 budget authority shall be available for these purposes: *Pro-*  
 4 *vided further*, That of the funds provided under this head  
 5 for formula grants, no more than \$400,000,000 may be  
 6 used for operating assistance under 49 U.S.C.  
 7 5336(d)~~(96)~~: *Provided further*, That the limitation on op-  
 8 *erating assistance provided under this heading shall, for ur-*  
 9 *banized areas of less than 200,000 in population, be no less*  
 10 *than eighty percent of the amount of operating assistance*  
 11 *such areas are eligible to receive under Public Law 103–*  
 12 *331(97)*: *Provided further*, That before apportionment of  
 13 funds under this heading, \$29,325,031 shall be apportioned  
 14 to areas of 200,000 or greater in population.

#### 15 UNIVERSITY TRANSPORTATION CENTERS

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

#### 19 TRANSIT PLANNING AND RESEARCH

20 For necessary expenses for transit planning and re-  
 21 search as authorized by 49 U.S.C. 5303, 5311, 5313,  
 22 5314, and 5315, to remain available until expended,  
 23 ~~(98)\$82,250,000 of which \$39,436,250 shall be for ac-~~  
 24 ~~tivities under 49 U.S.C. 5303, \$4,381,250 for activities~~  
 25 ~~under 49 U.S.C. 5311(b)(2), \$8,051,250 for activities~~

1 ~~under 49 U.S.C. 5313(b), \$19,480,000 for activities under~~  
 2 ~~49 U.S.C. 5314, \$8,051,251 for activities under 49 U.S.C.~~  
 3 ~~5313(a), and \$2,850,000 for activities under 49 U.S.C.~~  
 4 ~~5315 \$90,000,000.~~

5 TRUST FUND SHARE OF EXPENSES

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out  
 9 49 U.S.C. 5338(a), \$1,120,850,000, to remain available  
 10 until expended and to be derived from the Highway Trust  
 11 Fund: *Provided*, That ~~(99)\$1,110,000,000~~  
 12 *\$1,120,850,000* shall be paid from the Mass Transit Ac-  
 13 count of the Highway Trust Fund to the Federal Transit  
 14 Administration's formula grants account.

15 DISCRETIONARY GRANTS

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 None of the funds in this Act shall be available for  
 19 the implementation or execution of programs the obliga-  
 20 tions for which are in excess of \$1,665,000,000 in fiscal  
 21 year 1996 for grants under the contract authority in 49  
 22 U.S.C. 5338(b): *Provided*, That there shall be available for  
 23 fixed guideway modernization, \$666,000,000; there shall  
 24 be available for the replacement, rehabilitation, and pur-  
 25 chase of buses and related equipment and the construction  
 26 of bus-related facilities, \$333,000,000; and ~~(100)there~~



1 shall be available for new fixed guideway systems,  
 2 \$666,000,000, to be available as follows, notwithstanding  
 3 any other provision of law, and except for fixed guideway  
 4 modernization projects, \$22,840,000 made available under  
 5 Public Law 102-388 under "Federal Transit Administra-  
 6 tion, Discretionary Grants" for projects specified in that  
 7 Act or identified in reports accompanying that Act, not ob-  
 8 ligated by September 30, 1995, shall be made available for  
 9 new fixed guideway systems together with the \$666,000,000  
 10 made available for new fixed guideway systems under this  
 11 Act, to be available as follows:

12           \$42,410,000 for the Atlanta-North Springs  
 13 project;

14           ~~(101)\$17,500,000~~ \$22,620,000 for the South  
 15 Boston Piers (MOS-2) project;

16           ~~(102)\$6,500,000~~ for the Canton-Akron-Cleve-  
 17 land commuter rail project (subject to passage here-  
 18 after by the House of a bill authorizing appropria-  
 19 tions therefor, and only in amounts provided there-  
 20 in);

21           ~~(103)\$2,000,000~~ for the Cincinnati Northeast/  
 22 Northern Kentucky rail line project (subject to pas-  
 23 sage hereafter by the House of a bill authorizing ap-  
 24 propriations therefor, and only in amounts provided  
 25 therein);

1           \$16,941,000 for the Dallas South Oak Cliff  
2 LRT project;

3           ~~(104)\$2,500,000~~ \$3,500,000 for the DART  
4 North Central light rail extension project  
5 ~~(105)~~(subject to passage hereafter by the House of  
6 a bill authorizing appropriations therefor, and only  
7 in amounts provided therein);

8           ~~(106)\$5,000,000~~ \$7,000,000 for the Dallas-  
9 Fort Worth RAILTRAN project ~~(107)~~(subject to  
10 passage hereafter by the House of a bill authorizing  
11 appropriations therefor, and only in amounts pro-  
12 vided therein);

13           \$10,000,000 for the Florida Tri-County com-  
14 muter rail project ~~(108)~~(subject to passage here-  
15 after by the House of a bill authorizing appropria-  
16 tions therefor, and only in amounts provided there-  
17 in);

18           \$22,630,000 for the Houston Regional Bus  
19 project;

20           ~~(109)\$12,500,000~~ for the Jacksonville ASE  
21 extension project;

22           ~~(110)\$125,000,000~~ \$45,000,000 for the Los  
23 Angeles Metro Rail (MOS-3);

24           ~~(111)\$10,000,000~~ for the Los Angeles-San  
25 Diego commuter rail project;

1           ~~(112)\$10,000,000~~ *\$15,000,000* for the MARC  
2 commuter rail project;

3           ~~(113)\$3,000,000~~ *\$22,630,000* for the Maryland  
4 Central Corridor LRT project;

5           \$2,000,000 for the Miami-North 27th Avenue  
6 project ~~(114)(subject to passage hereafter by the~~  
7 ~~House of a bill authorizing appropriations therefor,~~  
8 ~~and only in amounts provided therein);~~

9           ~~(115)\$2,500,000~~ for the Memphis, Tennessee  
10 Regional Rail Plan (subject to passage hereafter by  
11 the House of a bill authorizing appropriations there-  
12 for, and only in amounts provided therein);

13           ~~(116)\$75,000,000~~ *\$85,500,000* for the New  
14 Jersey Urban Core-Secaucus project;

15           ~~(117)\$10,000,000~~ for the New Orleans Canal  
16 Street Corridor project (subject to passage hereafter  
17 by the House of a bill authorizing appropriations  
18 therefor, and only in amounts provided therein);

19           ~~(118)\$114,989,000~~ *\$160,000,000* for the New  
20 York Queens Connection project;

21           ~~(119)\$5,000,000~~ for the Orange County  
22 Transitway project (subject to passage hereafter by  
23 the House of a bill authorizing appropriations there-  
24 for, and only in amounts provided therein);

1           \$22,630,000 for the Pittsburgh Airport Phase  
2       1 project;

3           ~~(120)\$85,500,000~~ \$130,140,000 for the Port-  
4       land Westside LRT project;

5           ~~(121)\$2,000,000~~ for the Sacramento LRT ex-  
6       tension project;

7           ~~(122)\$10,000,000~~ \$13,000,000 for the St.  
8       Louis Metro Link LRT project;

9           ~~(123)\$5,000,000~~ \$14,519,000 for the Salt Lake  
10      City light rail project~~(124):—Provided,~~ That such  
11      funding may be available only for related high-occu-  
12      pancy vehicle lane and intermodal corridor design  
13      costs;

14          ~~(125)\$10,000,000~~ \$22,620,000 for the San  
15      Francisco BART ~~(126)extension to the San Fran-~~  
16      cisco airport *extension/tasman corridor* project;

17          ~~(127)\$15,000,000~~ for the San Juan, Puerto  
18      Rico Tren Urbano project (subject to passage here-  
19      after by the House of a bill authorizing appropria-  
20      tions therefor, and only in amounts provided there-  
21      in);

22          ~~(128)\$1,000,000~~ for the Tampa to Lakeland  
23      commuter rail project (subject to passage hereafter  
24      by the House of a bill authorizing appropriations  
25      therefor, and only in amounts provided therein);

1           ~~(129)~~\$5,000,000 for the Whitehall ferry termi-  
 2           nal, New York, New York (subject to passage here-  
 3           after by the House of a bill authorizing appropria-  
 4           tions therefor, and only in amounts provided there-  
 5           in); and

6           \$14,400,000 for the Wisconsin central com-  
 7           muter project ~~(130)~~(subject to passage hereafter by  
 8           the House of a bill authorizing appropriations there-  
 9           for, and only in amounts provided therein);

10           ~~(131)~~\$11,300,000 for the Burlington-Charlotte,  
 11           Vermont commuter rail project; and

12           ~~(132)~~\$5,000,000 for the Chicago central area  
 13           circulator.

14                           MASS TRANSIT CAPITAL FUND

15                   (LIQUIDATION OF CONTRACT AUTHORIZATION)

16                           (HIGHWAY TRUST FUND)

17           For payment of obligations incurred in carrying out  
 18   49 U.S.C. 5338(b) administered by the Federal Transit  
 19   Administration, ~~(133)~~\$2,000,000,000 \$1,700,000,000 to  
 20   be derived from the Highway Trust Fund and to remain  
 21   available until expended.

22                           WASHINGTON METROPOLITAN AREA TRANSIT

23                           AUTHORITY

24           For necessary expenses to carry out the provisions  
 25   of section 14 of Public Law 96–184 and Public Law 101–

1 551, ~~(134)\$200,000,000~~ \$170,000,000, to remain avail-  
2 able until expended.

3 SAINT LAWRENCE SEAWAY DEVELOPMENT  
4 CORPORATION

5 The Saint Lawrence Seaway Development Corpora-  
6 tion is hereby authorized to make such expenditures, with-  
7 in the limits of funds and borrowing authority available  
8 to the Corporation, and in accord with law, and to make  
9 such contracts and commitments without regard to fiscal  
10 year limitations as provided by section 104 of the Govern-  
11 ment Corporation Control Act, as amended, as may be  
12 necessary in carrying out the programs set forth in the  
13 Corporation's budget for the current fiscal year~~(135)~~:  
14 *Provided, That, notwithstanding any other provision of*  
15 *law, no funds made available to the Saint Lawrence Sea-*  
16 *way Development Corporation from the Harbor Mainte-*  
17 *nance Trust Fund may be obligated for fiscal year 1996,*  
18 *if the Saint Lawrence Seaway Development Corporation*  
19 *expends or obligates funds from the financial reserve fund*  
20 *of the Corporation for the design, development, or procure-*  
21 *ment of a global position system vessel traffic service system*  
22 *during that fiscal year: Provided further, That no funds*  
23 *made available to the Saint Lawrence Seaway Development*  
24 *Corporation from the Harbor Maintenance Trust Fund*

1 *pursuant to this Act may be used by the Corporation during*  
 2 *fiscal year 1996 for those purposes.*

### 3 OPERATIONS AND MAINTENANCE

#### 4 (HARBOR MAINTENANCE TRUST FUND)

5 For necessary expenses for operation and mainte-  
 6 nance of those portions of the Saint Lawrence Seaway op-  
 7 erated and maintained by the Saint Lawrence Seaway De-  
 8 velopment Corporation, ~~(136)\$10,190,500~~ \$10,150,000,  
 9 to be derived from the Harbor Maintenance Trust Fund,  
 10 pursuant to Public Law 99-662.

### 11 RESEARCH AND SPECIAL PROGRAMS

#### 12 ADMINISTRATION

#### 13 RESEARCH AND SPECIAL PROGRAMS

14 For expenses necessary to discharge the functions of  
 15 the Research and Special Programs Administration,  
 16 ~~(137)\$26,030,000~~ \$24,281,000, of which \$574,000 shall  
 17 be derived from the Pipeline Safety Fund, and of which  
 18 \$7,606,000 shall remain available until September 30,  
 19 1998~~(138):—Provided, That \$2,322,000 shall be trans-~~  
 20 ~~ferred to the Bureau of Transportation Statistics for the~~  
 21 ~~expenses necessary to conduct activities related to Airline~~  
 22 ~~Statistics, and of which \$272,000 shall remain available~~  
 23 ~~until expended: Provided further, That up to \$1,000,000~~  
 24 ~~in fees collected under 49 U.S.C. 5108(g) shall be depos-~~  
 25 ~~ited in the general fund of the Treasury as offsetting re-~~

1 ceipts: *Provided further*, That there may be credited to this  
 2 appropriation funds received from States, counties, mu-  
 3 nicipalities, other public authorities, and private sources  
 4 for expenses incurred for training, for reports publication  
 5 and dissemination.

6 PIPELINE SAFETY

7 (PIPELINE SAFETY FUND)

8 For expenses necessary to conduct the functions of  
 9 the pipeline safety program for grants-in-aid to carry out  
 10 a pipeline safety program, as authorized by 49 U.S.C.  
 11 60107 and the Hazardous Liquid Pipeline Safety Act of  
 12 1979, as amended, and to discharge the pipeline program  
 13 responsibilities of the Oil Pollution Act of 1990,  
 14 ~~“(139)\$29,941,000~~ \$32,973,000, of which \$2,698,000 shall  
 15 be derived from the Oil Spill Liability Trust Fund and  
 16 shall remain available until September 30, 1998; and of  
 17 which ~~“(140)\$27,243,000~~ \$30,275,000 shall be derived  
 18 from the Pipeline Safety Fund, of which \$19,423,000  
 19 shall remain available until September 30, 1998: *Provided*,  
 20 That from amounts made available herein from the Pipe-  
 21 line Safety Fund, not to exceed ~~“(141)\$1,000,000~~  
 22 \$1,500,000 shall be available for grants to States for the  
 23 development and establishment of one-call notification  
 24 systems.



## 1 EMERGENCY PREPAREDNESS GRANTS

## 2 (EMERGENCY PREPAREDNESS FUND)

3 For necessary expenses to carry out 49 U.S.C.  
 4 5127(c), \$400,000 to be derived from the Emergency Pre-  
 5 paredness Fund, to remain available until September 30,  
 6 1998: *Provided*, That not more than ~~(142)\$8,890,000~~  
 7 \$9,200,000 shall be made available for obligation in fiscal  
 8 year 1996 from amounts made available by 49 U.S.C.  
 9 5116(i) and 5127(d): *Provided further*, That no such funds  
 10 shall be made available for obligation by individuals other  
 11 than the Secretary of Transportation, or his designees.

## 12 OFFICE OF INSPECTOR GENERAL

## 13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Inspector  
 15 General to carry out the provisions of the Inspector Gen-  
 16 eral Act of 1978, as amended, ~~(143)\$40,238,000~~  
 17 \$39,891,200.

18 ~~(144)~~BUREAU OF TRANSPORTATION STATISTICS

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

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

6 For expenses necessary for the Architectural and  
7 Transportation Barriers Compliance Board, as authorized  
8 by section 502 of the Rehabilitation Act of 1973, as  
9 amended, ~~(145)\$3,656,000~~ \$3,500,000: *Provided*, That,  
10 notwithstanding any other provision of law, there may be  
11 credited to this appropriation funds received for publica-  
12 tions and training expenses.

13 NATIONAL TRANSPORTATION SAFETY BOARD  
14 SALARIES AND EXPENSES

15 For necessary expenses of the National Transpor-  
16 tation Safety Board, including hire of passenger motor ve-  
17 hicles and aircraft; services as authorized by 5 U.S.C.  
18 3109, but at rates for individuals not to exceed the per  
19 diem rate equivalent to the rate for a GS-18; uniforms,  
20 or allowances therefor, as authorized by law (5 U.S.C.  
21 5901-5902), ~~(146)\$38,774,000~~ \$37,500,000, of which  
22 not to exceed \$1,000 may be used for official reception  
23 and representation expenses.

1                                   EMERGENCY FUND

2           For necessary expenses of the National Transpor-  
 3   tation Safety Board for accident investigations, including  
 4   hire of passenger motor vehicles and aircraft; services as  
 5   authorized by 5 U.S.C. 3109, but at rates for individuals  
 6   not to exceed the per diem rate equivalent to the rate for  
 7   a GS-18; uniforms, or allowances therefor, as authorized  
 8   by law (5 U.S.C. 5901-5902), ~~(147)\$160,802~~ \$360,802  
 9   to remain available until expended.

10                           INTERSTATE COMMERCE COMMISSION

11                           ~~(148)~~SALARIES AND EXPENSES

12           For necessary expenses of the Interstate Commerce  
 13   Commission, including services as authorized by 5 U.S.C.  
 14   3109, hire of passenger motor vehicles as authorized by  
 15   31 U.S.C. 1343(b), \$13,379,000, of which \$4,984,000  
 16   shall be for severance and closing costs: *Provided*, That  
 17   of the fees collected in fiscal year 1996 by the Interstate  
 18   Commerce Commission pursuant to 31 U.S.C. 9701, one-  
 19   twelfth of \$8,300,000 of those fees collected shall be made  
 20   available for each month the Commission remains in exist-  
 21   ence during fiscal year 1996.

22                           *SALARIES AND EXPENSES*

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

## 1           PAYMENTS FOR DIRECTED RAIL SERVICE

## 2                           (LIMITATION ON OBLIGATIONS)

3           None of the funds provided in this Act shall be avail-  
4 able for the execution of programs the obligations for  
5 which can reasonably be expected to exceed \$475,000 for  
6 directed rail service authorized under 49 U.S.C. 11125 or  
7 any other Act.

## 8                           PANAMA CANAL COMMISSION

## 9                           PANAMA CANAL REVOLVING FUND

10          For administrative expenses of the Panama Canal  
11 Commission, including not to exceed \$11,000 for official  
12 reception and representation expenses of the Board; not  
13 to exceed \$5,000 for official reception and representation  
14 expenses of the Secretary; and not to exceed \$30,000 for  
15 official reception and representation expenses of the Ad-  
16 ministrator, \$50,741,000, to be derived from the Panama  
17 Canal Revolving Fund: *Provided*, That funds available to  
18 the Panama Canal Commission shall be available for the  
19 purchase of not to exceed 38 passenger motor vehicles for  
20 replacement only (including large heavy-duty vehicles used  
21 to transport Commission personnel across the Isthmus of  
22 Panama), the purchase price of which shall not exceed  
23 \$19,500 per vehicle.

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

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

12 SEC. 302. Funds for the Panama Canal Commission  
13 may be apportioned notwithstanding 31 U.S.C. 1341 to  
14 the extent necessary to permit payment of such pay in-  
15 creases for officers or employees as may be authorized by  
16 administrative action pursuant to law that are not in ex-  
17 cess of statutory increases granted for the same period  
18 in corresponding rates of compensation for other employ-  
19 ees of the Government in comparable positions.

20 SEC. 303. Funds appropriated under this Act for ex-  
21 penditures by the Federal Aviation Administration shall  
22 be available (1) except as otherwise authorized by  
23 ~~(149)~~the Act of September 30, 1950 (20 U.S.C. 236–  
24 244) *title VIII of the Elementary and Secondary Education*  
25 *Act of 1965, 20 U.S.C. 7701, et. seq., for expenses of pri-*

1 mary and secondary schooling for dependents of Federal  
2 Aviation Administration personnel stationed outside the  
3 continental United States at costs for any given area not  
4 in excess of those of the Department of Defense for the  
5 same area, when it is determined by the Secretary that  
6 the schools, if any, available in the locality are unable to  
7 provide adequately for the education of such dependents,  
8 and (2) for transportation of said dependents between  
9 schools serving the area that they attend and their places  
10 of residence when the Secretary, under such regulations  
11 as may be prescribed, determines that such schools are  
12 not accessible by public means of transportation on a regu-  
13 lar basis.

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

19 SEC. 305. None of the funds for the Panama Canal  
20 Commission may be expended unless in conformance with  
21 the Panama Canal Treaties of 1977 and any law imple-  
22 menting those treaties.

23 SEC. 306. None of the funds in this Act shall be used  
24 for the planning or execution of any program to pay the  
25 expenses of, or otherwise compensate, non-Federal parties

1 intervening in regulatory or adjudicatory proceedings  
2 funded in this Act.

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

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

18 SEC. 309. The expenditure of any appropriation  
19 under this Act for any consulting service through procure-  
20 ment contract pursuant to section 3109 of title 5, United  
21 States Code, shall be limited to those contracts where such  
22 expenditures are a matter of public record and available  
23 for public inspection, except where otherwise provided  
24 under existing law, or under existing Executive order is-  
25 sued pursuant to existing law.

1        SEC. 310. (a) For fiscal year 1996 the Secretary of  
2 Transportation shall distribute the obligation limitation  
3 for Federal-aid highways by allocation in the ratio which  
4 sums authorized to be appropriated for Federal-aid high-  
5 ways that are apportioned or allocated to each State for  
6 such fiscal year bear to the total of the sums authorized  
7 to be appropriated for Federal-aid highways that are ap-  
8 portioned or allocated to all the States for such fiscal year.

9        (b) During the period October 1 through December  
10 31, 1995, no State shall obligate more than 25 per centum  
11 of the amount distributed to such State under subsection  
12 (a), and the total of all State obligations during such pe-  
13 riod shall not exceed 12 per centum of the total amount  
14 distributed to all States under such subsection.

15        (c) Notwithstanding subsections (a) and (b), the Sec-  
16 retary shall—

17            (1) provide all States with authority sufficient  
18 to prevent lapses of sums authorized to be appro-  
19 priated for Federal-aid highways that have been ap-  
20 portioned to a State;

21            (2) after August 1, 1996, revise a distribution  
22 of the funds made available under subsection (a) if  
23 a State will not obligate the amount distributed dur-  
24 ing that fiscal year and redistribute sufficient  
25 amounts to those States able to obligate amounts in



1 addition to those previously distributed during that  
2 fiscal year giving priority to those States having  
3 large unobligated balances of funds apportioned  
4 under sections 103(e)(4), 104, and 144 of title 23,  
5 United States Code, and under sections 1013(c) and  
6 1015 of Public Law 102–240; and

7 (3) not distribute amounts authorized for ad-  
8 ministrative expenses and funded from the adminis-  
9 trative takedown authorized by section 104(a), title  
10 23 U.S.C., the Federal lands highway program, the  
11 intelligent vehicle highway systems program, and  
12 amounts made available under sections 1040, 1047,  
13 1064, 6001, 6005, 6006, 6023, and 6024 of Public  
14 Law 102–240, and 49 U.S.C. 5316, 5317, and  
15 5338: *Provided*, That amounts made available under  
16 section 6005 of Public Law 102–240 shall be subject  
17 to the obligation limitation for Federal-aid highways  
18 and highway safety construction programs under the  
19 head “Federal-Aid Highways” in this Act.

20 (d) During the period October 1 through December  
21 31, 1995, the aggregate amount of obligations under sec-  
22 tion 157 of title 23, United States Code, for projects cov-  
23 ered under section 147 of the Surface Transportation As-  
24 sistance Act of 1978, section 9 of the Federal-Aid High-  
25 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-

1 lic Law 97–424, sections 1061, 1103 through 1108, 4008,  
 2 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,  
 3 and for projects authorized by Public Law 99–500 and  
 4 Public Law 100–17, shall not exceed \$277,431,840.

5 (e) During the period August 2 through September  
 6 30, 1996, the aggregate amount which may be obligated  
 7 by all States ~~(150)~~ pursuant to paragraph ~~(d)~~ shall not  
 8 exceed 2.5 percent of the aggregate amount of funds ap-  
 9 portioned or allocated to all States—

10 (1) under sections 104 and 144 of title 23,  
 11 United States Code, and 1013(c) and 1015 of Public  
 12 Law 102–240, and

13 (2) for highway assistance projects under sec-  
 14 tion 103(e)(4) of title 23, United States Code,  
 15 which would not be obligated in fiscal year 1996 if the  
 16 total amount of the obligation limitation provided for such  
 17 fiscal year in this Act were utilized.

18 (f) Paragraph (e) shall not apply to any State which  
 19 on or after August 1, 1996, has the amount distributed  
 20 to such State under paragraph (a) for fiscal year 1996  
 21 reduced under paragraph (c)(2).

22 SEC. 311. None of the funds in this Act shall be avail-  
 23 able for salaries and expenses of more than one hundred  
 24 ~~(151)~~ and ten political and Presidential appointees in the  
 25 Department of Transportation: *Provided*, That none of the

1 personnel covered by this provision may be assigned on  
2 temporary detail outside the Department of Transpor-  
3 tation.

4       SEC. 312. The limitation on obligations for the pro-  
5 grams of the Federal Transit Administration shall not  
6 apply to any authority under 49 U.S.C. 5338, previously  
7 made available for obligation, or to any other authority  
8 previously made available for obligation under the discre-  
9 tionary grants program.

10       ~~(152)SEC. 313. None of the funds in this Act shall~~  
11 ~~be used to implement section 404 of title 23, United~~  
12 ~~States Code.~~

13       SEC. 314. Such sums as may be necessary for fiscal  
14 year 1996 pay raises for programs funded in this Act shall  
15 be absorbed within the levels appropriated in this Act or  
16 previous appropriations Acts.

17       SEC. 315. Funds received by the Research and Spe-  
18 cial Programs Administration from States, counties, mu-  
19 nicipalities, other public authorities, and private sources  
20 for expenses incurred for training and for reports' publica-  
21 tion and dissemination may be credited to the Research  
22 and Special Programs account.

23       SEC. 316. None of the funds in this Act shall be avail-  
24 able to plan, finalize, or implement regulations that would  
25 establish a vessel traffic safety fairway less than five miles

1 wide between the Santa Barbara Traffic Separation  
2 Scheme and the San Francisco Traffic Separation  
3 Scheme.

4       SEC. 317. Notwithstanding any other provision of  
5 law, airports may transfer, without consideration, to the  
6 Federal Aviation Administration (FAA) instrument land-  
7 ing systems (along with associated approach lighting  
8 equipment and runway visual range equipment) which  
9 conform to FAA design and performance specifications,  
10 the purchase of which was assisted by a Federal airport  
11 aid program, airport development aid program or airport  
12 improvement program grant. The FAA shall accept such  
13 equipment, which shall thereafter be operated and main-  
14 tained by the FAA in accordance with agency criteria.

15       SEC. 318. None of the funds in this Act shall be avail-  
16 able to award a multiyear contract for production end  
17 items that (1) includes economic order quantity or long  
18 lead time material procurement in excess of \$10,000,000  
19 in any one year of the contract or (2) includes a cancella-  
20 tion charge greater than \$10,000,000 which at the time  
21 of obligation has not been appropriated to the limits of  
22 the government's liability or (3) includes a requirement  
23 that permits performance under the contract during the  
24 second and subsequent years of the contract without con-  
25 ditioning such performance upon the appropriation of

1 funds: *Provided*, That this limitation does not apply to a  
2 contract in which the Federal Government incurs no fi-  
3 nancial liability from not buying additional systems, sub-  
4 systems, or components beyond the basic contract require-  
5 ments.

6 SEC. 319. None of the funds provided in this Act  
7 shall be made available for planning and executing a pas-  
8 senger manifest program by the Department of Transpor-  
9 tation that only applies to United States flag carriers.

10 SEC. 320. None of the funds made available in this  
11 Act may be used to implement, administer, or enforce the  
12 provisions of section 1038(d) of Public Law 102–240.

13 SEC. 321. 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, Discretionary grants” for projects speci-  
17 fied in this Act or identified in reports accompanying this  
18 Act not obligated by September 30, 1998, shall be made  
19 available for other projects under 49 U.S.C. 5309.

20 SEC. 322. Notwithstanding any other provision of  
21 law, any funds appropriated before October 1, 1993, under  
22 any section of chapter 53 of title 49 U.S.C., that remain  
23 available for expenditure may be transferred to and ad-  
24 ministered under the most recent appropriation heading  
25 for any such section.

1        SEC. 323. None of the funds in this Act shall be avail-  
2   able to implement or enforce regulations that would result  
3   in the withdrawal of a slot from an air carrier at O'Hare  
4   International Airport under section 93.223 of title 14 of  
5   the Code of Federal Regulations in excess of the total slots  
6   withdrawn from that air carrier as of October 31, 1993  
7   if such additional slot is to be allocated to an air carrier  
8   or foreign air carrier under section 93.217 of title 14 of  
9   the Code of Federal Regulations.

10       SEC. 324. None of the funds made available by this  
11   Act may be obligated or expended to design, construct,  
12   erect, modify or otherwise place any sign in any State re-  
13   lating to any speed limit, distance, or other measurement  
14   on any highway if such sign establishes such speed limit,  
15   distance, or other measurement using the metric system.

16       SEC. 325. Notwithstanding any other provisions of  
17   law, tolls collected for motor vehicles on any bridge con-  
18   necting the boroughs of Brooklyn, New York, and Staten  
19   Island, New York, shall continue to be collected for only  
20   those vehicles exiting from such bridge in Staten Island.

21       SEC. 326. None of the funds in this Act may be used  
22   to compensate in excess of 335 technical staff years under  
23   the federally-funded research and development center  
24   contract between the Federal Aviation Administration

1 and the Center for Advanced Aviation Systems Develop-  
2 ment during fiscal year 1996.

3 SEC. 327. Funds provided in this Act for the Depart-  
4 ment of Transportation working capital fund (WCF) shall  
5 be reduced by ~~(153)\$10,000,000~~ \$5,000,000, which limits  
6 fiscal year 1996 WCF obligational authority for elements  
7 of the Department of Transportation funded in this Act  
8 to no more than ~~(154)\$92,231,000~~ \$99,364,000: *Pro-*  
9 *vided*, That such reductions from the budget request shall  
10 be allocated by the Department of Transportation to each  
11 appropriations account in proportion to the amount in-  
12 cluded in each account for the working capital fund.

13 SEC. 328. Funds received by the Federal Highway  
14 Administration, Federal Transit Administration, and Fed-  
15 eral Railroad Administration from States, counties, mu-  
16 nicipalities, other public authorities, and private sources  
17 for expenses incurred for training may be credited respec-  
18 tively to the Federal Highway Administration's "Limita-  
19 tion on General Operating Expenses" account, the Federal  
20 Transit Administration's "Transit Planning and Re-  
21 search" account, and to the Federal Railroad Administra-  
22 tion's "Railroad Safety" account, except for State rail  
23 safety inspectors participating in training pursuant to 49  
24 U.S.C. 20105.

1        SEC. 329. (a) PURCHASE OF AMERICAN-MADE  
 2 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-  
 3 gress that, to the greatest extent practicable, all equip-  
 4 ment and products purchased with funds made available  
 5 in this Act should be American-made.

6        (b) NOTICE REQUIREMENT.—In providing financial  
 7 assistance to, or entering into any contract with, any en-  
 8 tity using funds made available in this Act, the head of  
 9 each Federal agency, to the greatest extent practicable,  
 10 shall provide to such entity a notice describing the state-  
 11 ment made in subsection (a) by the Congress.

12        ~~(155) SEC. 330. None of the funds in this Act shall~~  
 13 ~~be available to prepare, propose, or promulgate any regu-~~  
 14 ~~lations pursuant to title V of the Motor Vehicle Informa-~~  
 15 ~~tion and Cost Savings Act (49 U.S.C. 32901, et seq.) pre-~~  
 16 ~~scribing corporate average fuel economy standards for~~  
 17 ~~automobiles, as defined in such title, in any model year~~  
 18 ~~that differs from standards promulgated for such auto-~~  
 19 ~~mobiles prior to enactment of this section.~~

20        SEC. 331. Notwithstanding 15 U.S.C. 631 et seq. and  
 21 10 U.S.C. 2301 et seq. as amended, the United States  
 22 Coast Guard acquisition of 47-foot Motor Life Boats for  
 23 fiscal years 1995 through 2000 shall be subject to full and  
 24 open competition for all U.S. shipyards. Accordingly, the  
 25 Federal Acquisition Regulations (FAR) (including but not



1 limited to FAR Part 19), shall not apply to the extent  
2 they are inconsistent with a full and open competition.

3 SEC. 332. None of the funds in this Act may be used  
4 for planning, engineering, design, or construction of a  
5 sixth runway at the new Denver International Airport,  
6 Denver, Colorado: *Provided*, That this provision shall not  
7 apply in any case where the Administrator of the Federal  
8 Aviation Administration determines, in writing, that safe-  
9 ty conditions warrant obligation of such funds.

10 SEC. 333. (a) Section 5302(a)(1) of title 49, United  
11 States Code, is amended by striking—

12 (1) in subparagraph (B), “that extends the eco-  
13 nomic life of the bus for at least 5 years”; and

14 (2) in subparagraph (C), “that extends the eco-  
15 nomic life of the bus for at least 8 years”.

16 (b) The amendments made by this section shall not  
17 take effect before March 31, 1996.

18 SEC. 334. Notwithstanding 31 U.S.C. 3302, funds re-  
19 ceived by the Bureau of Transportation Statistics from the  
20 sale of data products, for necessary expenses incurred pur-  
21 suant to the provisions of section 6006 of the Intermodal  
22 Surface Transportation Efficiency Act of 1991, may be  
23 credited to the Federal-aid highways account for the pur-  
24 pose of reimbursing the Bureau for such expenses: *Pro-*  
25 *vided*, That such funds shall not be subject to the obliga-

1 tion limitation for Federal-aid highways and highway safe-  
 2 ty construction.

3 SEC. 335. Of the budgetary resources provided to the  
 4 Department of Transportation ~~(156)(excluding the Mari-~~  
 5 ~~time Administration)~~ during fiscal year 1996,  
 6 \$25,000,000 are permanently canceled: *Provided*, That the  
 7 Secretary of Transportation shall reduce the existing field  
 8 office structure, and to the extent practicable  
 9 ~~(157)relocate~~ *consolidate* the Department's  
 10 ~~(158)surface transportation field offices administrative~~  
 11 *activities: Provided further*, That the Secretary may for  
 12 the purpose of consolidation of offices and facilities other  
 13 than those at Headquarters, after notification to and ap-  
 14 proval of the House and Senate Committees on Appropria-  
 15 tions, transfer the funds made available by this Act for  
 16 civilian and military personnel compensation and benefits  
 17 and other administrative expenses to other appropriations  
 18 made available to the Department of Transportation as  
 19 the Secretary may designate, to be merged with and to  
 20 be available for the same purposes and for the same time  
 21 period as the appropriations of funds to which transferred:  
 22 *Provided further*, That no appropriation shall be increased  
 23 or decreased by more than ten per centum by all such  
 24 transfers~~(159)~~: *Provided further, That, notwithstanding 5*  
 25 *U.S.C. 905(b), the President may prepare and transmit to*

1 Congress not later than the date for transmittal to Congress  
 2 of the Budget Request for Fiscal Year 1997, a reorganiza-  
 3 tion plan pursuant to chapter 9 of title 5, United States  
 4 Code, for the reorganization of the surface transportation  
 5 activities of the Department of Transportation and the rela-  
 6 tionship of the Saint Lawrence Seaway Development Cor-  
 7 poration to the Department.

8 SEC. 336. The Secretary of Transportation is author-  
 9 ized to transfer funds appropriated ~~(160)~~for any office  
 10 of the Office of the Secretary in this Act to “Rental pay-  
 11 ments” for any expense authorized by that appropriation  
 12 in excess of the amounts provided in this Act: *Provided*,  
 13 That prior to any such transfer, notification shall be pro-  
 14 vided to the House and Senate Committees on Appropria-  
 15 tions.

16 ~~(161)~~SEC. 337. None of the funds in this Act may  
 17 be obligated or expended for employee training which: (a)  
 18 does not meet identified needs for knowledge, skills and  
 19 abilities bearing directly upon the performance of official  
 20 duties; (b) contains elements likely to induce high levels  
 21 of emotional response or psychological stress in some par-  
 22 ticipants; (c) does not require prior employee notification  
 23 of the content and methods to be used in the training and  
 24 written end of course evaluations; (d) contains any meth-  
 25 ods or content associated with religious or quasi-religious

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

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

15       **(162)**~~SEC. 338.~~ None of the funds in this Act may  
 16 be used to enforce the requirement that airport charges  
 17 make the as airport self-sustaining as possible or the pro-  
 18 hibition against revenue diversion in the Airport and Air-  
 19 way Improvement Act of 1982 (49 U.S.C. 47107) against  
 20 Hot Springs Memorial Field in Hot Springs, Arkansas,  
 21 on the grounds of such airport’s failure to collect fair mar-  
 22 ket rental value for the facilities known as Kimery Park  
 23 and Family Park: *Provided*, That any fees collected by any  
 24 person for the use of such parks above those required for  
 25 the operation and maintenance of such parks shall be re-

mitted to such airport: *Provided further*, That the Federal Aviation Administration does not find that any use of, or structures on, Kimery Park and Family Park are incompatible with the safe and efficient use of the airport.

SEC. 339. (a) Except as provided in subsection (b) of this section, 180 days after attaining eligibility for an immediate retirement annuity under 5 U.S.C. 8336 or 5 U.S.C. 8412, an individual shall not be eligible to receive compensation under 5 U.S.C. 8105–8106 resulting from work injuries associated with employment with the Department of Transportation (excluding the Maritime Administration).

(b) An individual who, on the date of enactment of this Act, is eligible to receive an immediate annuity described in subsection (a) may continue to receive such compensation under 5 U.S.C. 8105–8106 until March 31, 1996.

~~(163)~~(c) *For the purposes of section (a), the time an individual has spent on the worker's compensation rolls shall be counted as regular employment time.*

~~(164)~~SEC. 340. None of the funds in this Act shall be available to pay the salaries and expenses of any individual to arrange tours of scientists or engineers employed by or working for the People's Republic of China, to hire citizens of the People's Republic of China to participate

1 in research fellowships sponsored by the Federal Highway  
2 Administration or other modal administrations of the De-  
3 partment of Transportation, or to provide training or any  
4 form of technology transfer to scientists or engineers em-  
5 ployed by or working for the People's Republic of China.

6       (165)SEC. 341. None of the funds in this Act may  
7 be used to support Federal Transit Administration's field  
8 operations and oversight of the Washington Metropolitan  
9 Area Transit Authority in any location other than from  
10 the Washington, D.C. metropolitan area.

11       (166)SEC. 342. In addition to the sums made avail-  
12 able to the Department of Transportation, \$8,421,000  
13 shall be available on the effective date of legislation trans-  
14 ferring certain rail and motor carrier functions from the  
15 Interstate Commerce Commission to the Department of  
16 Transportation: *Provided*, That such amount shall be  
17 available only to the extent authorized by law: *Provided*  
18 *further*, That of the fees collected pursuant to 31 U.S.C.  
19 9701 in fiscal year 1996 by the successors of the Inter-  
20 state Commerce Commission, one-twelfth of \$8,300,000 of  
21 those fees shall be made available for each month during  
22 fiscal year 1996 that the successors of the Interstate Com-  
23 merce Commission carry out the transferred rail and  
24 motor carrier functions.

1       **(167)***SEC. 343. Notwithstanding any other law, the*  
2 *funds available for obligation to carry out the project in*  
3 *West Calcasieu Parish, Louisiana, authorized by section*  
4 *149(a)(87) of the Surface Transportation and Uniform Re-*  
5 *location Assistance Act of 1987 (Public Law 101–17; 101*  
6 *Stat. 194) shall be made available for obligation to carry*  
7 *out the project for Lake Charles, Louisiana, authorized by*  
8 *item 17 of the table in section 1106(a)(2) of the Intermodal*  
9 *Surface Transportation Efficiency Act of 1991 (Public Law*  
10 *102–240; 105 Stat. 2038).*

11       **(168)***SEC. 344. Improvements identified as highest*  
12 *priority by section 1069(t) of Public Law 102–240 and*  
13 *funded pursuant to section 118(c)(2) of title 23, United*  
14 *States Code, shall not be treated as an allocation for Inter-*  
15 *state maintenance for such fiscal year under section*  
16 *157(a)(4) of title 23, United States Code, and sections*  
17 *1013(c), 1015(a)(1), and 1015(b)(1) of Public Law 102–*  
18 *240: Provided, That any discretionary grant made pursu-*  
19 *ant to Public Law 99–663 shall not be subject to section*  
20 *1015 of Public Law 102–240.*

21       **(169)***SEC. 345. The Secretary, in consultation with*  
22 *the Secretary of Labor and the Administrator of the Envi-*  
23 *ronmental Protection Agency shall, within three months of*  
24 *the date of enactment of this Act, carry out research to iden-*  
25 *tify successful telecommuting programs in the public and*

1 *private sectors and provide for the dissemination to the*  
2 *public of information regarding the establishment of suc-*  
3 *cessful telecommuting programs and the benefits and costs*  
4 *of telecommuting. Within one year of the date of enactment*  
5 *of this Act, the Secretary shall report to Congress its find-*  
6 *ings, conclusions, and recommendations regarding*  
7 *telecommuting developed under this section.*

8       **(170)***SEC. 346. Notwithstanding section 1003(c) of*  
9 *Public Law 102–240, authorizations for the Indian Res-*  
10 *ervation Roads under Section 1003(a)(6)(A) of Public Law*  
11 *102–240 shall be exempt from any reduction in authoriza-*  
12 *tions for budget compliance.*

13       **(171)***SEC. 347. Notwithstanding any other provision*  
14 *of law, for fiscal year 1996, the Secretary shall allocate to*  
15 *a State an additional amount of funding for its Federal-*  
16 *aid highway programs on a dollar for dollar basis to the*  
17 *extent that prior year unobligated balances are withdrawn*  
18 *and canceled. Such funds are subject to the obligation ceil-*  
19 *ing for Federal-aid Highways set by annual appropriations*  
20 *Acts: Provided, That prior year unobligated balances may*  
21 *not be withdrawn and canceled that were suballocated*  
22 *under title 23 or Public Law 102–240 or were made avail-*  
23 *able under the congestion mitigation and air quality pro-*  
24 *gram.*



1       **(172)***SEC. 348. Notwithstanding any other provision*  
2 *of law, for fiscal year 1996, a State may, at its option,*  
3 *transfer those funds authorized or appropriated for highway*  
4 *demonstration projects under Public Law 102–240, Public*  
5 *Law 100–17, Public Law 97–424, or under an applicable*  
6 *appropriations act for the Department of Transportation,*  
7 *to its apportionment under section 104(b)(1), (2), (3), (5),*  
8 *and 144 of title 23, United States Code: Provided, That*  
9 *demonstration projects upon which such funds are drawn*  
10 *have not gone to construction (although obligations may*  
11 *have been incurred for preliminary engineering or environ-*  
12 *mental studies). Funds transferred under this section shall*  
13 *be subject to the laws, regulations, policies, and procedures,*  
14 *relating to the apportionment to which they are transferred*  
15 *and shall be subject to the obligation ceiling for Federal-*  
16 *aid highways set by annual appropriations Acts.*

17       **(173)***SEC. 349. INTERSTATE COMPACT INFRASTRUC-*  
18 *TURE BANKS.—Chapter 3 of title 49, United States Code,*  
19 *is amended by the addition of the following new section 334:*  
20       *“SEC. 334. INTERSTATE COMPACT INFRASTRUCTURE*  
21 *BANKS.—(a) CONSENT TO INTERSTATE COMPACTS.—In*  
22 *order to increase public investment, attract needed private*  
23 *investment, and promote an intermodal transportation net-*  
24 *work, Congress grants consent to the States to establish*  
25 *State infrastructure banks and to enter into interstate com-*

1 *pacts establishing transportation infrastructure banks to*  
2 *promote regional or multi-State investment in transpor-*  
3 *tation infrastructure and thereby improve economic produc-*  
4 *tivity.*

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

16               “(1) *title 23, United States Code, and the Inter-*  
17 *modal Surface Transportation Efficiency Act of 1991;*  
18 *and*

19               “(2) *chapters 53 and 221 and subtitle VII, part*  
20 *B, of this title.*

21       “(c) *FORMS OF ASSISTANCE.—An Infrastructure Bank*  
22 *may loan or provide other assistance to a public or private*  
23 *entity in an amount equal to all or part of the cost of con-*  
24 *struction or capital cost of a qualifying project. The amount*  
25 *of any loan or other assistance received for a qualifying*

1 *project under this section may be subordinated to any other*  
2 *debt financing for the project. For purposes of this sub-*  
3 *section, the term ‘other assistance’ includes any use of funds*  
4 *for the purpose of credit enhancements, use as a capital re-*  
5 *serve for bond or debt instrument financing, bond or debt*  
6 *instrument financing issuance costs, bond or debt issuance*  
7 *financing insurance, subsidizing of interest rates, letters of*  
8 *credit, credit instruments, bond or debt financing instru-*  
9 *ment security, other forms of debt financing that relate to*  
10 *the qualifying project, and other leveraging tools approved*  
11 *by the Secretary.*

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

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

1           “(2) ensure that the Infrastructure Bank main-  
2           tains on a continuing basis an investment grade rat-  
3           ing on its debt issuances or has a sufficient level of  
4           bond or debt financing instrument insurance to  
5           maintain the viability of the fund;

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

9                       “(A) credited to the Infrastructure Bank;

10                      “(B) available for use in providing loans  
11                      and other assistance to qualifying projects, pro-  
12                      grams, or activities from the Infrastructure  
13                      Bank; and

14                      “(C) invested in U.S. Treasury securities,  
15                      bank deposits, or such other financing instru-  
16                      ments as the Secretary may provide to earn in-  
17                      terest to enhance the leveraging of qualifying  
18                      transportation activities;

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

24           “(5) ensure that any loan from an Infrastructure  
25           Bank shall bear any positive interest the Bank deter-

1        *mines appropriate to make the qualifying project fea-*  
2        *sible;*

3            *“(6) ensure that repayment of any loan from an*  
4        *Infrastructure Bank shall commence not later than*  
5        *five years after the facility has opened to traffic or the*  
6        *project, activity or facility has been completed;*

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

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

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

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

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

22            *“(2) specify procedures and guidelines for estab-*  
23        *lishing, operating, and making loans from an Infra-*  
24        *structure Bank.*

1       “(f) *AUTHORIZATION OF APPROPRIATIONS; CONTRIBU-*  
2   *TIONS FROM TITLE 23 APPORTIONMENTS.*—(1) *There are*  
3   *authorized to be appropriated from the Airport and Airway*  
4   *Trust Fund established under section 9502 of the Internal*  
5   *Revenue Code of 1986 (26 U.S.C. 9502) to carry out this*  
6   *section not more than \$250,000,000 in Fiscal Year 1996.*

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

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

23       “(g) *STATE ALLOCATION.*—*The Secretary shall appor-*  
24   *tion to the chief executive of each State choosing to partici-*  
25   *pate in an Infrastructure Bank the percentage allocation*

1 of the amount available under paragraph (e)(1) of this sec-  
 2 tion on the first day of the fiscal year, as follows:

| <i>“State</i>               | <i>Percentage</i> |
|-----------------------------|-------------------|
| “Alabama .....              | 1.26              |
| “Alaska .....               | 5.64              |
| “Arizona .....              | 2.20              |
| “Arkansas .....             | 0.74              |
| “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-  
4 gation on the part of the United States to any third party,  
5 nor shall any third party have any right against the United  
6 States for payment solely by virtue of the deposit. Further-  
7 more, any security or debt financing instrument issued by  
8 an Infrastructure Bank shall expressly state that the secu-  
9 rity or instrument does not constitute a commitment, guar-  
10 antee, or obligation of the United States.

11       “(h) *MANAGEMENT OF FEDERAL FUNDS.*—Sections  
12 3335 and 6503 of title 31, United States Code, shall not  
13 apply to funds used as a capital reserve under this section.

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

19       “(j) *RESCISSION OF CONTRACT AUTHORIZATION.*—Of  
20 the available contract authority balances under the account  
21 entitled “Grants-In-Aid for Airports” in this Act,  
22 \$250,000,000 are rescinded.”.

23       **(174)***SEC. 350. (a) In consultation with the employ-*  
24 *ees of the Federal Aviation Administration and such non-*



1 governmental experts in personnel management systems as  
2 he may employ, and notwithstanding the provisions of title  
3 5, United States Code, and other Federal personnel laws,  
4 the Secretary of Transportation shall develop and imple-  
5 ment, not later than January 1, 1996, a personnel manage-  
6 ment system for the Federal Aviation Administration that  
7 addresses the unique demands on the agency's workforce.  
8 Such new system shall, at a minimum, provide for greater  
9 flexibility in the hiring, training, compensation, and loca-  
10 tion of personnel.

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

15 (1) Section 2302(b), relating to whistleblower  
16 protection;

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

19 (3) Section 7204, relating to antidiscrimination;

20 (4) Chapter 73, relating to suitability, security,  
21 and conduct;

22 (5) Chapter 81, relating to compensation for  
23 work injury; and

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

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

2       **(175)***SEC. 351. (a) In consultation with such non-*  
3 *governmental experts in acquisition management systems*  
4 *as he may employ, and notwithstanding provisions of Fed-*  
5 *eral acquisition law, the Secretary of Transportation shall*  
6 *develop and implement, not later than January 1, 1996,*  
7 *an acquisition management system for the Federal Aviation*  
8 *Administration that addresses the unique needs of the agen-*  
9 *cy and, at a minimum, provides for more timely and cost-*  
10 *effective acquisitions of equipment and materials.*

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

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

16               (2) *The Office of Federal Procurement Policy Act*  
17 *(41 U.S.C. 401 et seq.);*

18               (3) *The Federal Acquisition Streamlining Act of*  
19 *1994 (Public Law 103–355);*

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

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

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

4           (7) *The Brooks Automatic Data Processing Act*  
5           *(40 U.S.C. 759); and*

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

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

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

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

22          **●(178)** *SEC. 354. Notwithstanding any other provision*  
23          *of law, the Secretary may use funds appropriated under*  
24          *this Act, or any subsequent Act, to administer and imple-*  
25          *ment the exemption provisions of 49 CFR 580.6 and to*

1 *adopt or amend exemptions from the disclosure require-*  
2 *ments of 49 CFR Part 580 for any class or category of vehi-*  
3 *cles that the Secretary deems appropriate.*

4       **(179)***SEC. 355. (a) The Federal Aviation Administra-*  
5 *tion Technical Center located at the Atlantic City Inter-*  
6 *national Airport in Pomona, New Jersey, shall be known*  
7 *and designated as the “William J. Hughes Technical Cen-*  
8 *ter”.*

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

14       **(180)***SEC. 356. None of the funds in this Act may*  
15 *be used to close any multi-mission small boat stations or*  
16 *subunits: Provided, That the Secretary may implement any*  
17 *management efficiencies within the small boat unit system,*  
18 *such as modifying the operational posture of units or reallo-*  
19 *cating resources as necessary to ensure the safety of the mar-*  
20 *itime public nationwide, provided that no stations or*  
21 *subunits may be closed.*

22       **(181)***SEC. 357. Notwithstanding any other provision*  
23 *of law, of the \$29,596,000 available for obligation author-*  
24 *ized by item 21 of the table in section 1105(f) of the Inter-*  
25 *modal Surface Transportation Efficiency Act of 1991 (Pub-*

1 *lic Law 102–240; 105 Stat. 2038), \$6,000,000 shall be made*  
 2 *available for obligation to carry out surface transportation*  
 3 *projects in Louisiana. Of this amount, \$5,000,000 shall be*  
 4 *made available for completion of the I–10 and I–610 project*  
 5 *in New Orleans, Louisiana and \$1,000,000 shall be made*  
 6 *available for three highway studies of which \$250,000 is*  
 7 *provided for a study to widen US 84/LA 6 traversing north*  
 8 *Louisiana, \$250,000 is provided for a study to widen La.*  
 9 *Hwy 42 from US Hwy. 61 to La. Hwy. 44 and extend*  
 10 *to I–10 in East Ascension Parish and \$500,000 is provided*  
 11 *for a study to connect Interstate 20 on both sides of the*  
 12 *Ouachita River.*

13       **(182)SEC. 358. TRANSFER OF CERTAIN FEDERAL**  
 14 *PROPERTY IN NEW JERSEY.—The first section of the Act*  
 15 *entitled “An Act transferring certain Federal property to*  
 16 *the city of Hoboken, New Jersey”, approved September 27,*  
 17 *1982 (Public Law 97–268, 96 Stat. 1140), is amended—*

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

20               *(2) by striking “Stat. 220), and” in subsection*  
 21               *(b) and all that follows through “New Jersey; concur-*  
 22               *rent with” and inserting the following: “Stat. 220);*  
 23               *concurrent with”.*

24       **(183)SEC. 359. ENERGY SAVINGS AT FEDERAL FA-**  
 25 **CILITIES.**

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

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

12           (1) *CONSERVATION MEASURES.*—Fifty percent of  
13 the amount shall remain available for the implemen-  
14 tation of additional energy conservation measures  
15 and for water conservation measures at such facilities  
16 used by the agency as are designated by the head of  
17 the agency.

18           (2) *OTHER PURPOSES.*—Fifty percent of the  
19 amount shall remain available for use by the agency  
20 for such purposes as are designated by the head of the  
21 agency, consistent with applicable law.

22       (c) *REPORT.*—

23           (1) *IN GENERAL.*—Not later than December 31,  
24 1996, the head of each agency described in subsection  
25 (a) shall submit a report to Congress specifying the

1        *results of the actions taken under subsection (a) and*  
2        *providing any recommendations concerning how to*  
3        *further reduce energy costs and energy consumption*  
4        *in the future.*

5            (2) *CONTENTS.—Each report shall—*

6                    (A) *specify the total energy costs of the fa-*  
7                    *cilities used by the agency;*

8                    (B) *identify the reductions achieved; and*

9                    (C) *specify the actions that resulted in the*  
10                  *reductions.*

11    **(184) SEC. 360. STUDY OF AIR FARES.**

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

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

17                    (2) *AIR CARRIER.—The term—*

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

21                            (B) *the terms “regional commuter air car-*  
22                            *rier”, and “major air carrier” shall have the*  
23                            *meanings provided those terms by the Secretary.*

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

4           (4) *COMMERCIAL AIR CARRIER.*—The term “com-  
5           mercial air carrier” means an air carrier that pro-  
6           vides air transportation for commercial purposes (as  
7           determined by the Secretary).

8           (5) *HUB AIRPORT.*—The term “hub airport” has  
9           the same meaning as in section 41731(a)(2) of title  
10          49, United States Code.

11          (6) *LARGE HUB AIRPORT.*—The term “large hub  
12          airport”—

13                (A) shall have the meaning provided that  
14                term by the Secretary; and

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

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

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

23          (b) *STUDY OF AIR FARES.*—

24                (1) *IN GENERAL.*—The Secretary shall conduct a  
25                study to—



1           (A) compare air fares paid (calculated as  
2           both actual and adjusted air fares) for air trans-  
3           portation on flights conducted by commercial air  
4           carriers—

5                   (i) between—

6                           (I) nonhub airports located in  
7                           small communities; and

8                           (II) large hub airports; and

9                   (ii) between large hub airports; and

10          (B) analyze—

11                   (i) the extent to which passenger serv-  
12                   ice that is provided from nonhub airports is  
13                   provided on—

14                           (I) regional commuter commercial  
15                           air carriers; or

16                           (II) major air carriers;

17                   (ii) the type of aircraft employed in  
18                   providing passenger service at nonhub air-  
19                   ports; and

20                   (iii) whether there is competition  
21                   among commercial air carriers with respect  
22                   to the provision of air service to passengers  
23                   from nonhub airports.

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

4           (A) *whether passengers who use commercial*  
5     *air carriers to and from rural areas (as defined*  
6     *by the Secretary) pay a disproportionately*  
7     *greater price for that transportation than do*  
8     *passengers who use commercial air carriers be-*  
9     *tween urban areas (as defined by the Secretary);*

10          (B) *the nature of competition, if any in*  
11     *rural markets (as defined by the Secretary) for*  
12     *commercial air carriers;*

13          (C) *whether a relationship exists between*  
14     *higher air fares and competition among commer-*  
15     *cial air carriers for passengers travelling on jet*  
16     *aircraft from small communities (as defined by*  
17     *the Secretary) and, if such relationship exists,*  
18     *the nature of that relationship;*

19          (D) *the number of small communities that*  
20     *have lost air service as a result of the deregula-*  
21     *tion of commercial air carriers with respect to*  
22     *air fares;*

23          (E) *the number of small communities served*  
24     *by airports with respect to which, after the date*  
25     *on which the deregulation referred to in subpara-*

1           graph (D) occurred, jet air service was replaced  
2           by turbo prop air service; and

3           (F) with respect to the replacement in serv-  
4           ice referred to in subparagraph (E), any cor-  
5           responding decreases in available seat capacity  
6           for consumers at the airports referred to in that  
7           subparagraph.

8           (c) *REPORT.*—Upon completion of the study conducted  
9           under subsection (b), but not later than 60 days after the  
10          date of enactment of this Act, the Secretary shall submit  
11          a report on the study and the findings of the Secretary to  
12          the Committee on Commerce, Science, and Transportation  
13          of the Senate.

14       **(185)SEC. 361. THE RAILROAD SAFETY INSTITUTE.**

15          Of the money appropriated to the United States De-  
16          partment of Transportation for Transportation Planning,  
17          Research and Development, \$1,000,000 shall be made avail-  
18          able to establish and operate the Institute for Railroad Safe-  
19          ty as authorized by the Swift Rail Development Act of 1994.

20       **(186)SEC. 362. SENSE OF SENATE REGARDING UNIT-**  
21       **ED STATES/JAPAN AVIATION DISPUTE.**

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

23               (1) the Governments of the United States and  
24               Japan entered into a bilateral aviation agreement in  
25               1952 that has been modified periodically to reflect

1       *changes in the aviation relationship between the two*  
2       *countries;*

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

7               *(3) the United States/Japan bilateral aviation*  
8       *agreement guarantees three United States carriers*  
9       *“beyond rights” that authorize them to fly into*  
10       *Japan, take on additional passengers and cargo, and*  
11       *then fly to another country;*

12               *(4) the United States/Japan bilateral aviation*  
13       *agreement requires that, within 45 days of filing a*  
14       *notice with the Government of Japan, the Government*  
15       *of Japan must authorize United States air carriers to*  
16       *serve routes guaranteed by their “beyond rights”;*

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

22               *(6) the Government of Japan has violated the*  
23       *United States/Japan bilateral aviation agreement by*  
24       *preventing United States air carriers from serving*

1        *routes clearly authorized by their “beyond rights”;*  
2        *and*

3            *(7) the refusal by the Government of Japan to*  
4        *respect the terms of the United States/Japan bilateral*  
5        *aviation agreement is having severe repercussions on*  
6        *United States air carriers and, in general, customers*  
7        *of these United States air carriers.*

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

9            *(1) calls upon the Government of Japan to honor*  
10       *and abide by the terms of the United States/Japan bi-*  
11       *lateral aviation agreement and immediately authorize*  
12       *United States air cargo and passenger carriers which*  
13       *have pending route requests relating to their “beyond*  
14       *rights” to immediately commence service on the re-*  
15       *quested routes;*

16           *(2) calls upon the President of the United States*  
17       *to identify strong and appropriate forms of counter-*  
18       *measures that could be taken against the Government*  
19       *of Japan for its egregious violation of the United*  
20       *States/Japan bilateral aviation agreement; and*

21           *(3) calls upon the President of the United States*  
22       *to promptly impose against the Government of Japan*  
23       *whatever countermeasures are necessary and appro-*  
24       *priate to ensure the Government of Japan abides by*

1        *the terms of the United States/Japan bilateral avia-*  
 2        *tion agreement.*

3        **(187)***SEC. 363. The Secretary of Transportation is*  
 4        *hereby authorized and directed to enter into an agreement*  
 5        *modifying the agreement entered into pursuant to Section*  
 6        *339 of the Department of Transportation and Related Agen-*  
 7        *cies Appropriations Act, 1993 (Public Law 102–388) to*  
 8        *conform such agreement to the provisions of Section 336*  
 9        *of the Department of Transportation and Related Agencies*  
 10       *Appropriations Act, 1995 (Public Law 103–331). Nothing*  
 11       *in this section changes the amount of the previous appro-*  
 12       *priation in section 339, and the line of credit provided for*  
 13       *shall not exceed an amount supported by the previous ap-*  
 14       *propriation. In implementing either Section 339 or Section*  
 15       *336, the Secretary may enter into an agreement requiring*  
 16       *an interest rate that is higher than that specified therein.*

17       **(188)SEC. 364. ELIMINATION OF CERTAIN HIGHWAY**  
 18       **SAFETY ADVISORY COMMITTEES.**

19       *(a) NATIONAL HIGHWAY SAFETY ADVISORY COMMIT-*  
 20       *TEE.—*

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

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

1       (b) *COMMERCIAL MOTOR VEHICLE SAFETY REGU-*  
 2 *LATORY REVIEW PANEL.—*

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

5           (2) *CONFORMING AMENDMENTS.—*

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

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

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

14           (ii) *in subsection (b)—*

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

17           (II) *by striking “the Panel” each*  
 18 *place it appears and inserting “the*  
 19 *Secretary”.*

20           (C) *Section 31141 of title 49, United States*  
 21 *Code, is amended—*

22           (i) *by striking subsection (b) and in-*  
 23 *serting the following:*

24       “(b) *ANNUAL ANALYSIS BY THE SECRETARY.—The*  
 25 *Secretary annually shall analyze State laws and regula-*

1 *tions and decide which of the laws and regulations are re-*  
 2 *lated to commercial motor vehicle safety.”; and*

3 *(ii) in subsection (c)—*

4 *(I) in paragraph (1), by striking*  
 5 *“The Secretary” and all that follows*  
 6 *through “shall—” and inserting “Not*  
 7 *later than 18 months after the date on*  
 8 *which the Secretary makes a decision*  
 9 *under subsection (b) that a State law*  
 10 *or regulation is related to commercial*  
 11 *motor vehicle safety or 18 months after*  
 12 *the date on which the Secretary pre-*  
 13 *scribes a regulation under section*  
 14 *31136, whichever is later, the Secretary*  
 15 *shall—”; and*

16 *(II) in paragraph (5), by striking*  
 17 *“(5)(A) In” and all that follows*  
 18 *through “(B) In” and inserting “(5)*  
 19 *In”.*

20 **(189)SEC. 365. DELAY OF RESTRICTION ON AVAIL-**  
 21 **ABILITY OF CERTAIN HIGHWAY FUNDS; NATIONAL**  
 22 **HIGHWAY SYSTEM DESIGNATION.**

23 *(a) DELAY OF RESTRICTION ON AVAILABILITY OF CER-*  
 24 *TAIN HIGHWAY FUNDS.—Section 103(b) of title 23, United*



1 *States Code, is amended in paragraph (3)(B), by striking*  
2 *“1995” and inserting “1997”.*

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

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

7 *“(1) DESIGNATION.—The most recent National*  
8 *Highway System (as of the date of enactment of this*  
9 *subsection) as submitted by the Secretary of Trans-*  
10 *portation pursuant to this section is designated as the*  
11 *National Highway System.*

12 *“(2) MODIFICATIONS.—*

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

15 *“(i) add a new route segment to the*  
16 *National Highway System, including a new*  
17 *intermodal connection; or*

18 *“(ii) delete a route segment in existence*  
19 *on the date of the request and any connec-*  
20 *tion to the route segment;*

21 *if the total mileage of the National Highway*  
22 *System (including any route segment or connec-*  
23 *tion proposed to be added under this subpara-*  
24 *graph) does not exceed 165,000 miles (265,542*  
25 *kilometers).*

1           “(B) *PROCEDURES FOR CHANGES RE-*  
2           *QUESTED BY STATES.—Each State that makes a*  
3           *request for a change in the National Highway*  
4           *System pursuant to subparagraph (A) shall es-*  
5           *tablish that each change in a route segment or*  
6           *connection referred to in the subparagraph has*  
7           *been identified by the State, in cooperation with*  
8           *local officials, pursuant to applicable transpor-*  
9           *tation planning activities for metropolitan areas*  
10          *carried out under section 134 and statewide*  
11          *planning processes carried out under section 135.*

12          “(3) *APPROVAL BY THE SECRETARY.—The Sec-*  
13          *retary may approve a request made by a State for a*  
14          *change in the National Highway System pursuant to*  
15          *paragraph (2) if the Secretary determines that the*  
16          *change—*

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

19                 “(B) *enhances the national transportation*  
20                 *characteristics of the National Highway Sys-*  
21                 *tem.”.*

1 **(190)TITLE IV—PROVIDING FOR THE**  
2 **ADOPTION OF MANDATORY STAND-**  
3 **ARDS AND PROCEDURES GOVERNING**  
4 **THE ACTIONS OF ARBITRATORS IN**  
5 **THE ARBITRATION OF LABOR DIS-**  
6 **PUTES INVOLVING TRANSIT AGENCIES**  
7 **OPERATING IN THE NATIONAL CAP-**  
8 **ITAL AREA**

9 **SECTION 401. SHORT TITLE.**

10 This title may be cited as the “National Capital Area  
11 Interest Arbitration Standards Act of 1995”.

12 **SEC. 402. FINDINGS AND PURPOSES.**

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

14 (1) affordable public transportation is essential  
15 to the economic vitality of the national capital area  
16 and is an essential component of regional efforts to  
17 improve air quality to meet environmental require-  
18 ments and to improve the health of both residents  
19 of and visitors to the national capital area as well  
20 as to preserve the beauty and dignity of the Nation’s  
21 capital;

22 (2) use of mass transit by both residents of and  
23 visitors to the national capital area is substantially  
24 affected by the prices charged for such mass transit  
25 services, prices that are substantially affected by

1 labor costs, since more than  $\frac{2}{3}$  of operating costs  
2 are attributable to labor costs;

3 (3) labor costs incurred in providing mass tran-  
4 sit in the national capital area have increased at an  
5 alarming rate and wages and benefits of operators  
6 and mechanics currently are among the highest in  
7 the Nation;

8 (4) higher operating costs incurred for public  
9 transit in the national capital area cannot be offset  
10 by increasing costs to patrons, since this often dis-  
11 courages ridership and thus undermines the public  
12 interest in promoting the use of public transit;

13 (5) spiraling labor costs cannot be offset by the  
14 governmental entities that are responsible for sub-  
15 sidy payments for public transit services since local  
16 governments generally, and the District of Columbia  
17 government in particular, are operating under severe  
18 fiscal constraints;

19 (6) imposition of mandatory standards applica-  
20 ble to arbitrators resolving arbitration disputes in-  
21 volving interstate compact agencies operating in the  
22 national capital area will ensure that wage increases  
23 are justified and do not exceed the ability of transit  
24 patrons and taxpayers to fund the increase; and

1           (7) Federal legislation is necessary under Arti-  
2       cle I of section 8 of the United States Constitution  
3       to balance the need to moderate and lower labor  
4       costs while maintaining industrial peace.

5       (b) PURPOSE.—It is therefore the purpose of this Act  
6       to adopt standards governing arbitration which must be  
7       applied by arbitrators resolving disputes involving inter-  
8       state compact agencies operating in the national capital  
9       area in order to lower operating costs for public transpor-  
10      tation in the Washington metropolitan area.

11   **SEC. 403. DEFINITIONS.**

12       As used in this Title—

13           (1) the term “arbitration” means—

14               (A) the arbitration of disputes, regarding  
15               the terms and conditions of employment, that is  
16               required under an interstate compact governing  
17               an interstate compact agency operating in the  
18               national capital area; and

19               (B) does not include the interpretation and  
20               application of rights arising from an existing  
21               collective bargaining agreement;

22           (2) the term “arbitrator” refers to either a sin-  
23       gle arbitrator, or a board of arbitrators, chosen  
24       under applicable procedures;

1           (3) an interstate compact agency's "funding  
2           ability" is the ability of the interstate compact agen-  
3           cy, or of any governmental jurisdiction which pro-  
4           vides subsidy payments or budgetary assistance to  
5           the interstate compact agency, to obtain the nec-  
6           essary financial resources to pay for wage and bene-  
7           fit increases for employees of the interstate compact  
8           agency;

9           (4) the term "interstate compact agency operat-  
10          ing in the national capital area" means any inter-  
11          state compact agency which provides public transit  
12          services;

13          (5) the term "interstate compact agency"  
14          means any agency established by an interstate com-  
15          pact to which the District of Columbia is a signa-  
16          tory; and

17          (6) the term "public welfare" includes, with re-  
18          spect to arbitration under an interstate compact—

19                (A) the financial ability of the individual  
20                jurisdictions participating in the compact to pay  
21                for the costs of providing public transit services;  
22                and

23                (B) the average per capita tax burden,  
24                during the term of the collective bargaining  
25                agreement to which the arbitration relates, of

1 the residents of the Washington, D.C. metro-  
2 politan area, and the effect of an arbitration  
3 award rendered pursuant to such arbitration on  
4 the respective income or property tax rates of  
5 the jurisdictions which provide subsidy pay-  
6 ments to the interstate compact agency estab-  
7 lished under the compact.

8 **SEC. 404. STANDARDS FOR ARBITRATORS.**

9 (a) ~~FACTORS IN MAKING ARBITRATION AWARD.~~—An  
10 arbitrator rendering an arbitration award involving the  
11 employees of an interstate compact agency operating in  
12 the national capital area may not make a finding or a deci-  
13 sion for inclusion in a collective bargaining agreement gov-  
14 erning conditions of employment without considering the  
15 following factors:

16 (1) The existing terms and conditions of em-  
17 ployment of the employees in the bargaining unit.

18 (2) All available financial resources of the inter-  
19 state compact agency.

20 (3) The annual increase or decrease in  
21 consumer prices for goods and services as reflected  
22 in the most recent consumer price index for the  
23 Washington, D.C. metropolitan area, published by  
24 the Bureau of Labor Statistics of the United States  
25 Department of Labor.

1           (4) The wages, benefits, and terms and condi-  
2           tions of the employment of other employees who per-  
3           form, in other jurisdictions in the Washington, D.C.  
4           standard metropolitan statistical area, services simi-  
5           lar to those in the bargaining unit.

6           (5) The special nature of the work performed  
7           by the employees in the bargaining unit, including  
8           any hazards or the relative ease of employment,  
9           physical requirements, educational qualifications, job  
10          training and skills, shift assignments, and the de-  
11          mands placed upon the employees as compared to  
12          other employees of the interstate compact agency.

13          (6) The interests and welfare of the employees  
14          in the bargaining unit, including—

15                (A) the overall compensation presently re-  
16                ceived by the employees, having regard not only  
17                for wage rates but also for wages for time not  
18                worked, including vacations, holidays, and other  
19                excused absences;

20                (B) all benefits received by the employees,  
21                including previous bonuses, insurance, and pen-  
22                sions; and

23                (C) the continuity and stability of employ-  
24                ment.

25          (7) The public welfare.



1       (b) COMPACT AGENCY'S FUNDING ABILITY.—An ar-  
2     bitrator rendering an arbitration award involving the em-  
3     ployees of an interstate compact agency operating in the  
4     national capital area may not, with respect to a collective  
5     bargaining agreement governing conditions of employ-  
6     ment, provide for salaries and other benefits that exceed  
7     the interstate compact agency's funding ability.

8       (c) REQUIREMENTS FOR FINAL AWARD.—In resolv-  
9     ing a dispute submitted to arbitration involving the em-  
10    ployees of an interstate compact agency operating in the  
11    national capital area, the arbitrator shall issue a written  
12    award that demonstrates that all the factors set forth in  
13    subsections (a) and (b) have been considered and applied.  
14    An award may grant an increase in pay rates or benefits  
15    (including insurance and pension benefits), or reduce  
16    hours of work, only if the arbitrator concludes that any  
17    costs to the agency do not adversely affect the public wel-  
18    fare. The arbitrator's conclusion regarding the public wel-  
19    fare must be supported by substantial evidence.

20    **SEC. 405. PROCEDURES FOR ENFORCEMENT OF AWARDS.**

21       (a) MODIFICATIONS AND FINALITY OF AWARD.—In  
22    the case of an arbitration award to which section 404 ap-  
23    plies, the interstate compact agency and the employees in  
24    the bargaining unit, through their representative, may  
25    agree in writing upon any modifications to the award with-

1 in 10 days after the award is received by the parties. After  
2 the end of that 10-day period, the award, with any such  
3 modifications, shall become binding upon the interstate  
4 compact agency, the employees in the bargaining unit, and  
5 the employees' representative.

6 (b) IMPLEMENTATION.—Each party to an award that  
7 becomes binding under subsection (a) shall take all actions  
8 necessary to implement the award.

9 (c) JUDICIAL REVIEW.—Within 60 days after an  
10 award becomes binding under subsection (a), the inter-  
11 state compact agency or the exclusive representative of the  
12 employees concerned may file a civil action in a court  
13 which has jurisdiction over the interstate compact agency  
14 for review of the award. The court shall review the award  
15 on the record, and shall vacate the award or any part of  
16 the award, after notice and a hearing, if—

17 (1) the award is in violation of applicable law;

18 (2) the arbitrator exceeded the arbitrator's pow-  
19 ers;

20 (3) the decision by the arbitrator is arbitrary or  
21 capricious;

22 (4) the arbitrator conducted the hearing con-  
23 trary to the provisions of this title or other statutes  
24 or rules that apply to the arbitration so as to sub-  
25 stantially prejudice the rights of a party;

~~ADDITIONAL GENERAL PROVISIONS~~

12        This Act may be cited as the “Department of Trans-  
13    portation and Related Agencies Appropriations Act,  
14    1996”.

Attest: ROBIN H. CARLE,  
*Clerk.*

Attest: SHEILA P. BURKE,  
*Secretary.*

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