

Public Law 103-122
103d Congress

An Act

Oct. 27, 1993
[H.R. 2750]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

Department of
Transportation
and Related
Agencies
Appropriations
Act, 1994.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, namely:

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, \$1,173,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, \$481,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$7,667,000.

For the necessary legal expenses of the 5 former employees of the White House Travel Office who were placed on paid administrative leave during calendar year 1993, \$150,000 to be made available to the Office of the General Counsel: *Provided*, That such funds shall be deposited in a Fund established by the General Counsel: *Provided further*, That the General Counsel shall disburse a portion of such funds to any such employee—

(1) after submission of a valid claim for reimbursement of necessary legal expenses incurred as a result of an investigation conducted by the Federal Bureau of Investigation of the operations of the White House Travel Office during calendar year 1993; and

(2) upon notification or finding by the Department of Justice that such employee is not a subject of such investigation.

OFFICE OF THE ASSISTANT SECRETARY FOR TRANSPORTATION POLICY

For necessary expenses of the Office of the Assistant Secretary for Transportation Policy, \$2,410,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND
INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, \$8,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, \$2,826,000, including not to exceed \$60,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, \$2,100,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, \$27,066,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, \$1,355,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, \$900,000.

CONTRACT APPEALS BOARD

For necessary expenses of the Contract Appeals Board, \$602,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$1,430,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, \$934,000: *Provided*, That, notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this or any other Act may be used for business opportunities related to any mode of transportation.

OFFICE OF INTELLIGENCE AND SECURITY

For necessary expenses of the Office of Intelligence and Security, \$1,000,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended, \$9,232,000.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

For necessary expenses for operations and research activities related to commercial space transportation, \$4,700,000, of which \$1,500,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, there may be credited to this account up to \$200,000 received from user fees established for regulatory services.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed \$93,000,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriations Acts to the Department of Transportation, together with advances and reimbursements received by the Department of Transportation.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under section 419 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1389), as is payable by the Department of Transportation, \$33,423,077, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs in excess of \$33,423,077 for the Payments to Air Carriers program in fiscal year 1994: *Provided further*, That none of the funds in this Act shall be used by the Secretary of Transportation to make payment of compensation under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the appropriation in this Act for liquidation of obligations incurred under the "Payments to air carriers" program: *Provided further*, That none of the funds in this Act shall be used for the payment of claims for such compensation except in accordance with this provision: *Provided further*, That none of the funds in this Act shall be available for service to communities in the forty-eight contiguous States that are located fewer than seventy highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of \$200, unless such point is greater than two hundred and ten miles from the nearest large or medium hub airport.

For necessary expenses for rental of headquarters and field space and related services assessed by the General Services Administration, \$149,605,000: *Provided*, That of this amount, \$3,262,000 shall be derived from the Highway Trust Fund, \$37,114,000 shall be derived from the Airport and Airway Trust Fund, \$576,000 shall be derived from the Pipeline Safety Fund, and \$175,000 shall be derived from the Harbor Maintenance Trust Fund: *Provided further*, That in addition, for assessments by the General Services Administration related to the space needs of the Federal Highway Administration, \$17,524,000, to be derived from "Federal-aid Highways", subject to the "Limitation on General Operating Expenses".

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, \$300,000, as authorized by 49 U.S.C. 332: *Provided*, That of this amount, \$120,000 shall be derived from unobligated balances of the Office of Small and Disadvantaged Business Utilization: *Provided further*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$7,500,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000: *Provided further*, That of this amount \$180,000 shall be derived from unobligated balances of the Office of Small and Disadvantaged Business Utilization.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed four passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; \$2,570,000,000, of which \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which \$32,250,000 shall be expended from the Boat Safety Account: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and twenty-three, exclusive of aircraft and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That of the funds provided under this head, not less than \$6,000,000 in work currently scheduled to be conducted at the Coast Guard Yard is to be awarded based upon a competitive solicitation of both public and private shipyards: *Provided further*, That the Commandant shall reduce both military and civilian

14 USC 92 note.

employment levels for the purpose of complying with Executive Order No. 12839.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$327,500,000, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$95,300,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 1998; \$49,685,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1996; \$44,500,000 shall be available for other equipment, to remain available until September 30, 1996; \$96,400,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1996; and \$41,615,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1994: *Provided*, That funds received from the sale of the VC-11A aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity.

(RESCISSION)

Of the funds provided under this heading in Public Law 102-388, \$20,000,000 are rescinded.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$22,600,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$12,940,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), \$548,774,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$64,000,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance,

rehabilitation, lease and operation of facilities and equipment, as authorized by law, \$22,500,000, to remain available until expended, of which \$4,457,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, \$32,250,000, to be derived from the Boat Safety Account and to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of the Airport and Airway Development Act, as amended, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, \$4,580,518,000, of which \$2,294,500,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That, of the funds available under this head, \$2,000,000 shall be made available for the Mid-American Aviation Resource Consortium in Minnesota to operate an air traffic controller training program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds provided shall be made available for pay raises or bonuses in fiscal year 1994 for Federal Aviation Administration employees whose responsibilities include noise abatement policy function, managing aircraft route design or changes, and responsibility for preparing, managing, and overseeing the environmental impact statement mandated by section 9119 of Public Law 101-508, until the final report on such impact statement is issued: *Provided further*, That none of these funds shall be available for new applicants for the second career training program.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized by the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations of officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, \$2,120,104,000, of which \$1,922,104,000 shall remain available until September 30, 1996, and of which \$198,000,000 shall remain available until September 30, 1995: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, in accordance with the provisions of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$254,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs under the Airport and Airway Improvement Act of 1982, as amended, and under other law authorizing such obligations, \$2,200,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of \$1,690,000,000 in fiscal year 1994 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982, as amended.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under title XIII of the Federal Aviation Act of 1958.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

The Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to any guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note). None of the funds in this Act shall be available for activities under this head the obligations for which are in excess of \$9,970,000 during fiscal year 1994. Such obligations shall be redeemed by the Secretary from appropriations authorized by this section. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force. The purposes for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchases, redemptions, and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States.

49 USC app.
1324 note.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed \$468,856,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That not to exceed \$168,475,000 of the amount provided herein shall remain available until expended: *Provided further*, That, notwithstanding any other provision of law, there may be credited to this account funds received from States, counties, municipalities, other public authorities, and private sources, for training expenses incurred for non-Federal employees.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, \$10,000,000 to be derived from the Highway Trust Fund: *Provided*, That not to exceed \$100,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses": *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$10,000,000 in fiscal year 1994 for "Highway-Related Safety Grants".

RAILROAD-HIGHWAY CROSSINGS PROJECTS

For necessary expenses of certain railroad-highway crossings projects as authorized by section 163 of the Federal-Aid Highway Act of 1973, as amended, to remain available until expended, \$30,262,000.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

23 USC 104 note.

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$17,590,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1994.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the funds made available for the functional replacement of publicly-owned facilities located within the proposed right-of-way of Interstate Route 170 in Public Law 96-131, \$200,000 are rescinded.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the funds made available under this heading in Public Law 100-71, \$364,180 are rescinded.

(RESCISSION)

Of the authority made available for the intersection safety demonstration project in Public Law 100-457 and Public Law 101-516, \$3,059,960 are rescinded.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

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

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS)

(HIGHWAY TRUST FUND)

During fiscal year 1994 and with the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed \$42,500,000.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 402 of Public Law 97-424, \$68,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$65,000,000 for "Motor Carrier Safety Grants".

BALTIMORE-WASHINGTON PARKWAY

For necessary expenses, not otherwise provided, to carry out the provisions of the Federal-Aid Highway Act of 1970 and section 1069 of Public Law 102-240 for the Baltimore-Washington Parkway, to remain available until expended, \$12,800,000.

KENTUCKY BRIDGE PROJECT

For up to 80 percent of the expenses necessary for continuing construction to replace the Glover Cary Bridge in Owensboro, Kentucky, \$12,000,000.

BORDER HIGHWAY PROJECT

For up to 80 percent of the expenses necessary for the border highway project authorized in Public Law 89-795, \$6,400,000.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended) and the National Traffic and Motor Vehicle Safety Act, \$75,909,000, to remain available until September 30, 1996.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991, to be derived from the Highway Trust Fund, \$48,236,000, to remain available until September 30, 1996.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 406, 408, and 410, section 2007 of the Intermodal Surface Transportation Efficiency Act of 1991, and section 209 of Public Law 95-599, as amended, to remain available until expended, \$138,550,000, to be derived from the Highway Trust Fund: *Provided*, That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1994, are in excess of \$163,500,000 for programs authorized under 23 U.S.C. 402 and 410, as amended, of which \$123,000,000 shall be for "State and community highway safety grants", \$12,000,000 shall be for section 153 "Safety belt and motorcycle helmet use" grants, \$3,500,000 shall be for the "National Driver Register", and \$25,000,000 shall be for section 410 "Alcohol-impaired driving countermeasures programs": *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which are in excess of \$10,500,000 for "Alcohol safety incentive grants" authorized under 23 U.S.C. 408: *Provided further*, That not to exceed \$5,153,000 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 may be available for technical assistance to the States: *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs authorized under section 209 of Public Law 95-599, as amended, the total obligations for which are in excess of \$4,750,000 in fiscal years 1982 through 1994.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$12,011,000, of which \$2,435,000 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 that no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

40 USC 817
note.

LOCAL RAIL FREIGHT ASSISTANCE

For necessary expenses for rail assistance under section 5(q) of the Department of Transportation Act, as amended, \$17,000,000, to remain available until expended.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$44,420,000, of which \$2,711,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from non-Federal sources for expenses incurred in training safety employees of private industry, State and local authorities, or other public authorities other than State rail safety inspectors participating in training pursuant to section 206 of the Federal Railroad Safety Act of 1970.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$37,613,000, to remain available until expended: *Provided*, That up to \$100,000 shall be made available to support, by financial assistance agreement, railroad-highway grade crossing safety programs, including Operation Lifesaver: *Provided further*, That \$100,000 is available until expended to support by financial assistance agreement railroad metallurgical and welding studies at the Oregon Graduate Institute.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.) and the Rail Safety Improvement Act of 1988, \$225,000,000, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 45 U.S.C. 601, to remain available until expended, \$546,700,000, of which \$351,700,000 shall be available for operating losses incurred by the Corporation and for labor protection costs, and of which \$195,000,000, not to become available until July 1, 1994, shall be available for capital improvements: *Provided*, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status: *Provided further*, That no funds in this Act may be used, either directly or indirectly, to support intercity bus routes unconnected by a rail segment provided by the National Railroad Passenger Corporation Thruway Bus Service Program.

MANDATORY PASSENGER RAIL SERVICE PAYMENTS

To enable the Secretary of Transportation to pay obligations and liabilities of the National Railroad Passenger Corporation, \$137,000,000, to remain available until expended: *Provided*, That this amount is available only for the payment of: (1) tax liabilities under section 3221 of the Internal Revenue Code of 1986 due in fiscal year 1994 in excess of amounts needed to fund benefits for individuals who retired from the National Railroad Passenger Corporation and for their beneficiaries; (2) obligations of the National Railroad Passenger Corporation under section 358(a) of title 45, United States Code, due in fiscal year 1994 in excess of its obligations calculated on an experience-rated basis; and (3) obligations of the National Railroad Passenger Corporation due under section 3321 of the Internal Revenue Code of 1986.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That not more than \$5,000,000 in loan guarantee commitments shall be made during fiscal year 1994 and \$250,000 is hereby made available for the cost of such loan guarantee commitments: *Provided further*, That, notwithstanding any other provision of law, for fiscal year 1989 and each fiscal year thereafter all amounts

realized from the sale of notes or securities sold under authority of this section shall be considered as current year domestic discretionary outlay offsets and not as "asset sales" or "loan prepayments" as defined by section 257(12) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That any underwriting fees and related expenses shall be derived solely from the proceeds of the sales.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the planning or execution of the National Magnetic Levitation Prototype Development program as defined in subsections 1036(b) and 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991.

HIGH-SPEED GROUND TRANSPORTATION

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of the High-Speed Ground Transportation program as defined in subsections 1036(c) and 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, \$4,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$3,500,000 for the "High-Speed Ground Transportation" program.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by the Federal Transit Act and 23 U.S.C. chapter 1 in connection with these activities, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$21,295,000: *Provided*, That no more than \$39,457,000 of budget authority shall be available for these purposes.

FORMULA GRANTS

For necessary expenses to carry out the provisions of sections 9, 16(b)(2), and 18 of the Federal Transit Act, to remain available until expended, \$1,284,916,000: *Provided*, That no more than \$2,414,867,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds provided under this head for formula grants no more than \$802,278,000 may be used for operating assistance under section 9(k)(2) of the Federal Transit Act.

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by section 11(b) of the Federal Transit Act, to remain available until expended, \$3,238,000: *Provided*, That no more than \$6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by section 26 of the Federal Transit Act, to remain available until expended, \$48,125,000: *Provided*, That no more than \$92,250,000 of budget authority shall be available for these purposes: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for training.

TRUST FUND SHARE OF TRANSIT PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out section 21(a) of the Federal Transit Act, \$1,195,000,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That \$18,162,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's administrative expenses account: *Provided further*, That \$1,129,951,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account: *Provided further*, That \$2,762,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's university transportation centers account: *Provided further*, That \$44,125,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's transit planning and research account.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$1,785,000,000 in fiscal year 1994 for grants under the contract authority in section 21(b) of the Federal Transit Act: *Provided*, That notwithstanding any provision of law, there shall be available for fixed guideway modernization, \$760,060,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$357,000,000; and there shall be available for new fixed guideway systems, \$667,940,000, as follows—

\$10,000,000 for alternatives analysis only for the South Boston Piers Transitway Project;

\$24,090,000 for the Chicago Central Area Circulator Project;

\$800,000 for the Cleveland Dual Hub Corridor Project;

\$9,500,000 for the Boston, Massachusetts to Portland, Maine Commuter Rail Project;

\$40,000,000 for the Dallas South Oak Cliff LRT Project;

\$39,000,000 for the Houston Regional Bus Plan Program of Projects;

\$62,500,000 for the New Jersey Urban Core;

\$170,000,000 for the Los Angeles Metro Rail MOS-2 and MOS-3 Projects;

\$3,600,000 for alternatives analysis, preliminary engineering, and environmental analysis for the New Orleans Canal Street Corridor Project;

\$1,000,000 for the Northeast Ohio Commuter Rail Project;

\$500,000 for the South Jersey alternatives analysis;

\$15,500,000 for the Orange County Transitway System Project;

\$36,700,000 for the Pittsburgh Busway Projects;

\$65,000,000 for the New York Queens Connection Project;

\$3,000,000 for the Orlando Streetcar Project;

\$83,500,000 for the Portland Westside LRT Project;

\$1,000,000 for the Sacramento LRT Extension Project;

\$28,200,000 for the San Francisco Airport BART Extension Project and the Tasman Corridor LRT Project;

\$3,000,000 for preliminary engineering only for the Salt Lake City South LRT Project;

\$15,200,000 for the St. Louis METRO Link LRT to Airport Project;

\$10,000,000 for the Florida Tri-County Commuter Rail Project;

\$2,800,000 for preliminary engineering only for the Twin Cities Central Corridor Project;

\$23,500,000 for the Maryland Commuter Rail Project;

\$8,000,000 for the Wisconsin Central Commuter Line Project;

\$3,000,000 for the Lakewood Freehold and Matawan or Jamesburg Commuter Rail Project;

\$6,700,000 for the Hawthorne-Warwick Commuter Rail Project;

\$1,350,000 for alternatives analysis for Cincinnati, Ohio Commuter Rail; and

\$500,000 for Memphis, Tennessee Regional Rail Plan: *Provided further*, That Public Law 102-388 is amended under Federal Transit Administration, "Discretionary grants" by deleting "not less than \$76,500,000 for the Honolulu Rapid Transit Starter Line of Projects;": *Provided further*, That of the funds affected by the preceding proviso, \$10,000,000 shall be for the South Boston Piers Transitway, \$8,500,000 shall be for the Chicago Central Area Circulator Project, \$4,000,000 shall be for the Dallas South Oak Cliff LRT Project, \$1,000,000 shall be for the Houston Regional Bus Plan Program of Projects, \$5,000,000 shall be for the Pittsburgh Busway Projects, \$3,000,000 shall be for the Milwaukee, Wisconsin East-West Corridor Project, and \$45,000,000 shall be allocated at the discretion of the Secretary.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out section 21(b) of the Federal Transit Act, administered by the Federal Transit Administration, \$1,000,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

INTERSTATE TRANSFER GRANTS—TRANSIT

For necessary expenses to carry out the provisions of 23 U.S.C. 103(e)(4) related to transit projects, \$45,000,000, to remain available until expended.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

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

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, \$10,765,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

ADDITIONAL HIGHWAY PROJECTS

APPALACHIAN CORRIDOR IMPROVEMENT PROJECT

For 80 percent of the expenses necessary to continue construction on Kentucky Corridor B and West Virginia Corridor L of the Appalachian Development Highway System, as authorized by section 1069(y) of Public Law 102-240, \$57,000,000.

CUMBERLAND GAP TUNNEL PROJECT

For expenses necessary for the Cumberland Gap Tunnel Project, as authorized by section 1069(c) of Public Law 102-240, \$6,000,000.

LOCK AND DAM NO. 4 BRIDGE

For 80 percent of the expenses necessary for the Lock and Dam No. 4 bridge in Pine Bluff, Arkansas, \$4,000,000.

MINEOLA GRADE CROSSING**(HIGHWAY TRUST FUND)**

For 80 percent of the expenses necessary for the Mineola, New York grade crossing project, as authorized by Public Law 99-591, \$7,800,000, to be derived from the Highway Trust Fund and to remain available until expended.

CONGESTION MITIGATION

For 80 percent of the expenses necessary for the Syracuse, New York congestion mitigation project, as authorized by section 1069(bb) of Public Law 102-240, \$1,600,000.

CROSS WESTCHESTER EXPRESSWAY

For 80 percent of the expenses necessary for the I-287 Cross Westchester, New York Expressway high occupancy vehicle lane project, as authorized by section 1069(ff) of Public Law 102-240, \$9,800,000.

SCHENECTADY BRIDGE

For 80 percent of the expenses necessary for construction of the Exit 26 bridge in Schenectady County, New York, as authorized by section 1069(b) of Public Law 102-240, \$3,200,000.

COLUMBIA GORGE HIGHWAY

For 80 percent of the expenses necessary for the Hood River to Mosier Connection project, as authorized by section 16(b)(3) of Public Law 99-663, \$2,500,000.

MANASSAS BATTLEFIELD BYPASS

For 75 percent of the expenses necessary for the Manassas Battlefield highway projects, as authorized by section 10004(d) of Public Law 100-647, \$3,000,000.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION**HAZARDOUS MATERIALS SAFETY**

For expenses necessary to discharge the functions of Hazardous Materials Safety and for expenses for conducting research and development, \$12,600,000, of which \$1,364,000 shall remain available until expended: *Provided*, That up to \$1,000,000 in fees collected under section 106(c)(11) of the Hazardous Materials Transportation Act (49 U.S.C. App. 1805(c)(11)) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, and for reports publication and dissemination.

AVIATION INFORMATION MANAGEMENT

For expenses necessary to discharge the functions of Aviation Information Management, \$2,521,000: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for aviation information management: *Provided further*, That, notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received from user fees established to support the electronic tariff filing system: *Provided further*, That there may be credited to this appropriation funds received from user fees established to defray the costs of obtaining, preparing, and publishing in automatic data processing tape format the United States International Air Travel Statistics data base published by the Department.

EMERGENCY TRANSPORTATION

For expenses necessary to discharge the functions of Emergency Transportation and for expenses for conducting research and development, \$842,000: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, and for reports publication and dissemination.

RESEARCH AND TECHNOLOGY

For expenses necessary to discharge the functions of Research and Technology and for expenses for conducting research and development, \$1,766,000, of which \$585,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, and for reports publication and dissemination.

PROGRAM AND ADMINISTRATIVE SUPPORT

For expenses necessary to discharge the functions of Program and Administrative Support, \$6,279,000, of which \$180,000 shall be derived from the Pipeline Safety Fund: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, and for reports publication and dissemination: *Provided further*, That no employees other than those compensated under this appropriation shall serve in the Office of the Administrator, the Office of Policy and Programs, the Office of Management and Administration, and the Office of the Chief Counsel.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, and to discharge the pipeline program responsibilities

of the Oil Pollution Act of 1990, \$19,376,000; of which \$2,449,000 shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended; and of which \$16,927,000 shall be derived from the Pipeline Safety Fund, of which \$8,400,000 shall remain available until expended.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out section 117A(i)(3)(B) of the Hazardous Materials Transportation Act, as amended, \$400,000 to be derived from the Emergency Preparedness Fund, to remain available until expended: *Provided*, That not more than \$11,000,000 shall be made available for obligation in fiscal year 1994 for amounts made available by section 117A (h)(6)(B) and (i) (1), (2) and (4) and section 118 of the Hazardous Materials Transportation Act, as amended: *Provided further*, That such amounts shall only be available to the Secretary of Transportation and the National Institute of Environmental Health Sciences.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$39,000,000: *Provided*, That not more than \$1,000,000 of the funds made available under this head shall be available for implementation of Public Law 101-576.

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$3,348,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$37,105,000, of which not to exceed \$1,000 may be used for official reception and representation expenses.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), and not to exceed \$1,500 for official reception and representation expenses, \$44,960,000: *Provided*, That joint board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their official duties as such: *Provided further*, That \$7,300,000 in fees collected in fiscal year 1994 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1994.

49 USC 10344
note.

PAYMENTS FOR DIRECTED RAIL SERVICE

(LIMITATION ON OBLIGATIONS)

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

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For administrative expenses of the Panama Canal Commission, including not to exceed \$11,000 for official reception and representation expenses of the Board; not to exceed \$5,000 for official reception and representation expenses of the Secretary; and not to exceed \$30,000 for official reception and representation expenses of the Administrator, \$51,742,000, to be derived from the Panama Canal Revolving Fund: *Provided*, That none of these funds may be used for the planning or execution of nonadministrative and capital programs the obligations for which are in excess of \$540,000,000 in fiscal year 1994: *Provided further*, That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed thirty-five passenger motor vehicles for replacement only (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama), the purchase price of which shall not exceed \$19,000 per vehicle.

DEPARTMENT OF THE TREASURY

REBATE OF SAINT LAWRENCE SEAWAY TOLLS

(HARBOR MAINTENANCE TRUST FUND)

For rebate of the United States portion of tolls paid for use of the Saint Lawrence Seaway, pursuant to Public Law 99-662, \$9,707,000, to remain available until expended and to be derived from the Harbor Maintenance Trust Fund, of which not to exceed \$225,000 shall be available for expenses of administering the rebates.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INTEREST PAYMENTS

For necessary expenses for interest payments, to remain available until expended, \$51,663,569: *Provided*, That these funds shall be disbursed pursuant to terms and conditions established by Public Law 96-184 and the Initial Bond Repayment Participation Agreement.

TITLE III—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

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

SEC. 302. Funds for the Panama Canal Commission may be apportioned notwithstanding 31 U.S.C. 1341 to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law that are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

20 USC 241 note.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18.

SEC. 305. None of the funds for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

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

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

SEC. 308. None of the funds in this Act shall be available for the planning or implementation of any change in the current Federal status of the Volpe National Transportation Systems Center, and none of the funds in this Act shall be available for the implementation of any change in the current Federal status of the Turner-Fairbank Highway Research Center: *Provided*, That the Secretary may plan for further development of the Volpe National Transportation Systems Center and for other compatible uses of the Center's real property: *Provided further*, That any such planning does not alter the Federal status of the Center's research and development operation.

Contracts.
Public
information.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

23 USC 104 note.

SEC. 310. (a) For fiscal year 1994 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1993, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 15 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned to a State, except in those instances in which a State indicates its intention to lapse sums apportioned under section 104(b)(5)(A) of title 23, United States Code;

(2) after August 1, 1994, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104 and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240;

(3) not distribute amounts authorized for administrative expenses, the Federal lands highway program, the intelligent vehicle highway systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6006, 6023, and 6024 of Public Law 102-240, and not more than \$1,050,000 for section 5002 of Public Law 102-240 and \$458,629 for the National Commission on Intermodal Transportation authorized by section 5005 of Public Law 102-240. Amounts for section 5002 and section 5005 of Public Law 102-240 shall be deemed

necessary for administration under section 104(a) of title 23, United States Code; and

(4) notwithstanding subsection (a), the Secretary shall withhold from initial distribution the fiscal year 1994 Federal-aid highways obligation limitation set aside for Interstate Construction Discretionary projects: *Provided*, That the Secretary shall distribute only after August 1, 1994, such obligation limitation withheld in accordance with this section to those States receiving Interstate Discretionary allocations.

(d) During the period October 1 through December 31, 1993, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97-424, sections 1061, 1103 through 1109, 4008, and 6023(b)(8) and 6023(b)(10) of Public Law 102-240, and for projects authorized by Public Law 99-500 and Public Law 100-17, shall not exceed \$302,551,350.

(e) During the period August 2 through September 30, 1994, the aggregate amount which may be obligated by all States pursuant to paragraph (d) shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

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

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which would not be obligated in fiscal year 1994 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1994, has the amount distributed to such State under paragraph (a) for fiscal year 1994 reduced under paragraph (c)(2).

SEC. 311. None of the funds in this Act shall be available for salaries and expenses of more than one hundred and ten political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 312. Not to exceed \$1,500,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 313. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under section 21 of the Federal Transit Act, previously made available for obligation, or to any other authority previously made available for obligation under the Discretionary Grants program.

SEC. 314. None of the funds in this Act shall be available for the construction of, or any other costs related to, the Central Automated Transit System (Downtown People Mover) in Detroit, Michigan.

SEC. 315. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 316. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided*, That no appropriation shall be increased or decreased by more

49 USC app.
1617 note.

than 12 per centum by all such transfers: *Provided further*, That any such transfer shall be submitted for approval to the House and Senate Committees on Appropriations.

SEC. 317. Such sums as may be necessary for fiscal year 1994 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act.

SEC. 318. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

49 USC app.
2205 note.

SEC. 319. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to Federal Aviation Administration design and performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by the Federal Aviation Administration in accordance with agency criteria.

SEC. 320. None of the funds made available in this Act may be used by the Federal Aviation Administration for a new national weather graphics system.

SEC. 321. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of \$10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than \$10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 322. None of the funds provided in this Act shall be made available for planning and executing a passenger manifest program by the Department of Transportation that only applies to United States flag carriers.

SEC. 323. None of the funds in this Act shall be available for the planning or implementation of any change in the current Federal status of the Federal Aviation Administration's flight service stations at Red Bluff Airport in Red Bluff, California, and Tri-City Airport in Bristol, Tennessee.

Grants.

SEC. 324. Of the funds provided for "Research, development, test, and evaluation" in this Act, the Coast Guard shall utilize \$1,000,000 to enter into a grant agreement with the International Oceanographic Foundation, Inc. for research activities at the South Florida oil spill research center.

SEC. 325. None of the funds made available in this Act may be used to implement, administer, or enforce the provisions of section 1038(d) of Public Law 102-240.

SEC. 326. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made avail-

able by this Act or previous Acts under "Federal Transit Administration, Discretionary Grants" for projects specified in this Act or previous Acts or identified in reports accompanying this Act or previous Acts not obligated by September 30, 1996, shall be made available for other projects under section 3 of the Federal Transit Act, as amended.

SEC. 327. Funds appropriated in Public Laws 101-516, 102-143, and 102-388 for a structure to replace the bridge over the 17th Street Causeway in Fort Lauderdale, Florida, may be used either for a replacement bridge or a tunnel.

SEC. 328. None of the funds provided by this Act shall be made available to any State, municipality or subdivision thereof that diverts revenue generated by a public airport in violation of the provisions of the Airport and Airway Improvement Act of 1982, as amended.

SEC. 329. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 330. None of the funds in this Act may be used for the planning, design or construction of an additional air carrier runway at Tulsa International Airport.

SEC. 331. None of the funds made available by this Act may be obligated or expended to design, construct, erect, modify or otherwise place any sign in any State relating to any speed limit, distance, or other measurement on any highway if such sign establishes such speed limit, distance, or other measurement using the metric system.

SEC. 332. None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

SEC. 333. None of the funds provided by this Act shall be made available for any airport development project, or projects, proposed in any grant application submitted in accordance with title V of Public Law 97-248 (96 Stat. 671; 49 U.S.C. App. 2201 et seq.) to any public agency, public authority, or public airport that imposes a fee for any passenger enplaning at the airport in any instance where the passenger did not pay for the air transportation which resulted in such enplanement, including any case in which the passenger obtained the ticket for the air transportation with a frequent flyer award coupon.

SEC. 334. Notwithstanding any other provisions of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.

New York.

SEC. 335. None of the funds provided in this Act shall be used to remote radar coverage from the Roswell, New Mexico, airport unless the Federal Aviation Administration shows a significant cost savings by remote radar coverage based upon a cost study applying (1) actual personnel staffing levels used at com-

Reports. parable facilities, and (2) the actual equipment costs based on integration with existing systems rather than acquisition of wholly redundant systems. The Federal Aviation Administration will report back to the House and Senate Committees on Appropriations with an appropriate study not later than December 31, 1993.

SEC. 336. Monies previously appropriated for the Chattanooga fixed rail project out of the section 3 "New Construction" account shall be made available for the Chattanooga electric vehicle project through the "Bus and Bus Facilities" account.

SEC. 337. Funds previously appropriated for Project Breakeven in Portland, Oregon, may, upon application by Tri-Met to the Federal Transit Administration, be expended on the Westside Light Rail Project in the Portland metropolitan region.

Alaska. SEC. 338. The Administrator of the Federal Aviation Administration, pursuant to the Federal Aviation Administration's participation in the National Implementation Plan for the Modernization and Associated Restructuring of the National Weather Service, shall install seven standard Federal Aviation Administration redundant configuration NEXRAD radar systems, to provide coverage to each of the following areas in Alaska: Anchorage; Sitka; King Salmon; Middleton Island; Fairbanks; Nome; and Bethel. *Provided*, That the Administrator of the Federal Aviation Administration shall submit a study to the House and Senate Committees on Appropriations on the adequacy and effect on aviation safety of installing fewer than nine NEXRAD systems in Alaska.

Florida. SEC. 339. (a) The Secretary of Transportation shall permit the obligation of not to exceed \$4,000,000, apportioned under title 23, United States Code, section 104(b)(5)(B) for the State of Florida for operating expenses of the Tri-County Commuter Rail project in the area of Dade, Broward, and Palm Beach Counties, Florida, during each year that Interstate 95 is under reconstruction in such area.

North Carolina. (b) The Secretary of Transportation shall permit the obligation of not to exceed \$9,000,000, apportioned under title 23, United States Code, section 104(b)(1) for the State of North Carolina for capital improvements for their Rail Impact project in the Interstate 40/85 corridor from Raleigh to Charlotte during reconstruction of Interstate 40/85.

Reports. SEC. 340. None of the funds appropriated by this Act shall be available for use for closing or otherwise reducing the services of any flight service station in the State of Alaska in operation on the date of the enactment of this Act, until after the expiration of the 90-day period following the date that the Secretary of Transportation has reported to Congress regarding the effects on safety of the flight service station closing and reduction in services plan being carried out by the Federal Aviation Administration in the State of Alaska on the date immediately preceding the date of the enactment of this Act. Such report shall be submitted no later than 90 days after enactment of this Act.

45 USC 563 note.

SEC. 341. If any State or local interest, within one year following the date of the enactment of this Act, can demonstrate to the satisfaction of the National Railroad Passenger Corporation that such State or local interest can cover any potential operating losses including the cost of equipment depreciation, or that the National Railroad Passenger Corporation will not incur or absorb any part of operational losses including the cost of equipment depreciation due to the initiation of new State-supported service, the Corporation

shall initiate such new service: *Provided*, That the corporation determines equipment is available to initiate such service.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1994".

Approved October 27, 1993.

LEGISLATIVE HISTORY—H.R. 2750:

HOUSE REPORTS: Nos. 103-190 (Comm. on Appropriations) and 103-300 (Comm. of Conference).

SENATE REPORTS: No. 103-150 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 139 (1993):

Sept. 22, 23, considered and passed House.

Oct. 4, 6, considered and passed Senate, amended.

Oct. 21, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments. Senate agreed to conference report; concurred in House amendments.