

Public Law 103-331
103d Congress

An Act

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes.

Sept. 30, 1994

[H.R. 4556]

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, 1995, and for other purposes, namely:

Department of
Transportation
and Related
Agencies
Appropriations
Act, 1995.

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$58,094,000, of which \$3,962,000 shall remain available until expended; and of which not to exceed \$40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided*, That in addition to this amount and notwithstanding any other provision of law, of the funds provided in this or any other Act for the Department of Transportation, the Secretary may transfer not to exceed \$5,376,000 from accounts otherwise available for carrying out civil rights functions within the Department of Transportation to this account for carrying out internal civil rights functions through a consolidated departmental Office of Civil Rights within the Office of the Secretary: *Provided further*, That in addition, for transfer of civil rights and legal support activities related to the Federal Highway Administration, \$809,000 to be derived from "Federal-aid Highways" subject to the "Limitation on General Operating Expenses": *Provided further*, That notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this Act may be used for business opportunities related to any mode of transportation.

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, \$8,293,000.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

For necessary expenses for operations and research activities related to commercial space transportation, \$6,060,000, of which \$3,833,000 shall remain available until expended.

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)

(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

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, \$33,423,000, 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 \$33,423,000 for the Payments to Air Carriers program in fiscal year 1995: *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: *Provided further*, That of funds provided for "Small Community Air Service" by Public Law 101-508, \$4,000,000 in fiscal year 1995 is hereby rescinded.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space and related services assessed by the General Services Administration, \$144,419,000: *Provided*, That of this amount, \$1,976,000 shall be derived from the Highway Trust Fund, \$39,426,000 shall be derived from the Airport and Airway Trust Fund, \$713,000 shall be derived from the Pipeline Safety Fund, and \$181,000 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, \$18,044,000, 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, \$1,500,000, as authorized by 49 U.S.C. 332: *Provided*, 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 \$15,000,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000.

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 fifteen 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; \$2,598,000,000, of which \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which \$25,000,000 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 eighteen, 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 the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839.

14 USC 92 note.

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, \$362,950,000, of which \$32,500,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$187,900,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 1999; \$11,800,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1997; \$29,700,000 shall be available for other equipment, to remain available until September 30, 1997; \$89,350,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1997; and \$44,200,000 shall be available for personnel compensation and benefits and related costs, to remain

available until September 30, 1995: *Provided*, That funds received from the sale of the VC-11A and HU-25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity.

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, \$23,500,000, 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), \$562,585,000.

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; \$64,981,000: *Provided*, That funds provided under this head shall support a selected reserve force of 8,000 members.

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, \$20,310,000, to remain available until expended, of which \$3,150,000 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, \$25,000,000, 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 Improvement Act of 1982, 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, \$4,595,394,000, of which \$2,450,250,000 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 provision of aviation services, including 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, \$17,500,000 is available only for permanent change of station moves for members of the air traffic workforce: *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 in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

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 for 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, \$2,087,489,000, of which \$1,878,989,000 shall remain available until September 30, 1997, and of which \$208,500,000 shall remain available until September 30, 1996: *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: *Provided further*, That none of the funds under this head for the Advanced Automation System may be obligated until the Federal Aviation Administration submits to the House and Senate Committees on Appropriations and the House Committee on Public Works and Transportation and the Senate Committee on Commerce, Science, and Transportation a comprehensive program plan and up to date estimate of the fiscal year 1995 budget requirement for this program.

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, \$259,192,000, 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, \$1,500,000,000, 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 \$1,450,000,000 in fiscal year 1995 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

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 1995.

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 \$525,341,000 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 \$218,158,000 of the amount provided herein shall remain available until September 30, 1997.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION AND 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, \$10,800,000, 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 \$10,800,000 in fiscal year 1995 for "Highway-Related Safety Grants": *Provided further*, That of the funds authorized for section 402 highway safety programs in section 1003(a)(7) of Public Law 102-240, \$20,000,000 in unobligated contract authority is rescinded.

FEDERAL-AID HIGHWAYS

(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 \$17,160,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1995.

23 USC 104 note.

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, \$17,000,000,000 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 1995 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, \$73,000,000, 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 \$74,000,000 for "Motor Carrier Safety Grants".

SURFACE TRANSPORTATION PROJECTS

For up to 80 percent or as specified in authorizing legislation, of the expenses necessary for certain highway and surface transportation projects and parking facilities, including feasibility and environmental studies, that advance methods of improving safety, reducing congestion, or otherwise improving surface transportation, \$352,055,000, to remain available until expended.

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 (Public Law 89-563, as amended), \$79,556,000, of which \$42,965,000 shall remain available until September 30, 1997.

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, \$46,997,000, of which \$30,310,000 shall remain available until September 30, 1997.

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, 408, and 410, section 211(b) of the National Driver Register Act of 1982, as amended, and section 209 of Public Law 95-599, as amended, to remain available until expended, \$151,000,000, 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 1995, are in excess of \$151,400,000 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", \$3,400,000 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 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.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$13,090,000, 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 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, \$47,729,000, of which \$2,600,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses including grants for railroad research and development, \$20,500,000, to remain available until expended.

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, \$200,000,000, to remain available until September 30, 1997.

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 no new loan guarantee commitments shall be made during fiscal year 1995: *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 title V of such Act 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.

NEXT GENERATION HIGH SPEED RAIL

For necessary expenses for Next Generation High Speed Rail studies, corridor planning, development, demonstration, and implementation, \$20,000,000, to remain available until expended: *Provided*, That funds under this head may be made available for grants to states for high speed rail corridor design, feasibility studies, environmental analyses and track and signal improvements.

TRUST FUND SHARE OF NEXT GENERATION HIGH SPEED RAIL

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For grants and 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, including planning and environmental analyses, \$3,400,000, 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 \$5,000,000.

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, \$772,000,000, of which \$542,000,000 shall be available for operating losses incurred by the Corporation, for mandatory passenger rail service payments, and for labor protection costs, and of which \$230,000,000, not to become available until July 1, 1995, 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 of the funds provided under this head for operating losses, \$8,000,000 is available only for the National Railroad Passenger Corporation's share of short-term avoidable losses for state-supported rail services authorized under section 403(b) of the Rail Passenger Service Act, as amended.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, \$5,000,000, to be matched by the State of Rhode Island or its designee on a dollar for dollar basis and to remain available until expended: *Provided*, That as a condition of accepting such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first \$5,000,000 in damages resulting from any

Contracts.

legal action initiated by the P&W Railroad under its existing contracts with Amtrak relating to the provision of vertical clearances between Davisville and Central Falls in excess of those required for present freight operations.

PENNSYLVANIA STATION REDEVELOPMENT PROJECT

For grants to the National Railroad Passenger Corporation, \$40,000,000, to remain available until expended, for engineering, design and construction activities to enable the James A. Farley Post Office in New York City to be used as a train station and commercial center: *Provided*, That the Secretary may retain from these funds such amounts as the Secretary shall deem appropriate to undertake the environmental and historic preservation analyses associated with this project: *Provided further*, That none of these funds may be expended for construction activities (except for emergency and short-term and related repairs and environmental restoration) until the participants have entered into a binding agreement satisfactory to the Secretary that contains financial and related commitments from the participants sufficient to ensure the completion of the project: *Provided further*, That no funds provided under this head shall be available until authorized by law.

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, \$43,060,000.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

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, \$1,350,000,000: *Provided*, That no more than \$2,500,000,000 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 \$710,000,000 may be used for operating assistance under section 9(k)(2) of the Federal Transit Act: *Provided further*, That of the funds provided under this head, \$16,000,000 shall be available for grants for the costs of planning, delivery and temporary use of transit vehicles for special transportation needs of the XXVth Summer Olympiad and the Xth Paralympiad for the Disabled, to be held in Atlanta, Georgia, of which \$5,600,000 shall be available for the Paralympic Games: *Provided further*, That in allocating the funds designated in the preceding proviso, the Secretary may make grants to any public body the Secretary deems appropriate, and such grants shall not be subject to any local share requirement or limitation on operating assistance under this Act or the Federal Transit Act: *Provided further*, That of the funds made available under this head, \$8,000,000 shall be transferred to the Federal Transit Administration's Transit Planning and Research account and be administered

in accordance with section 26(b) of the Federal Transit Act, as amended.

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, \$6,000,000.

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, \$92,250,000.

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, \$1,150,000,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That \$1,150,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants 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 \$1,725,000,000 in fiscal year 1995 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, \$725,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$353,330,000; and there shall be available for new fixed guideway systems, \$646,670,000, to be available as follows:

- \$24,000,000 for the South Boston Piers transitway project;
- \$25,000,000 for the Chicago central area circulator project;
- \$16,925,000 for the Dallas South Oak Cliff LRT project;
- \$2,500,000 for the DART North Central light rail extension project;
- \$3,000,000 for the Dallas-Fort Worth RAILTRAN project;
- \$10,000,000 for the Florida Tri-County commuter rail project;
- \$30,000,000 for the Houston Regional Bus Plan program;
- \$165,000,000 for the Los Angeles Metro Rail (MOS-3) project;
- \$1,000,000 for the Miami Metrorail north corridor extension project;
- \$107,000,000 for the New Jersey Urban Core project;
- \$10,000,000 for the New Orleans Canal Street Corridor project;

\$55,000,000 for the New York Queens Connection project;
 \$1,200,000 for the Cincinnati Northeast/Northern Kentucky
 rail line project;
 \$5,000,000 for the Orange County Transitway project;
 \$10,000,000 for the Pittsburgh Busway projects;
 \$98,000,000 for the Portland Westside LRT project;
 \$5,000,000 for the Salt Lake City light rail project: *Pro-*
vided, That such funding may be made available for related
 high-occupancy vehicle lane and intermodal corridor design
 costs: *Provided further*, That notwithstanding the provisions
 of Public Law 103-122, funds provided for the Salt Lake City
 light rail project in that Act may be used for final design;
 \$20,150,000 for the San Francisco BART Extension/Tasman
 corridor project;
 \$5,000,000 for the San Juan, Puerto Rico Tren Urbano
 project;
 \$2,350,000 for the Seattle-Renton-Tacoma commuter rail
 project;
 \$12,095,000 for the St. Louis Metro Link LRT project;
 \$3,000,000 for the Maryland Central Corridor LRT project;
 \$3,600,000 for the Boston, Massachusetts to Portland,
 Maine Transportation Corridor Program;
 \$14,000,000 for the MARC Commuter Rail project;
 \$500,000 for the Tampa to Lakeland commuter rail project;
 \$5,000,000 for the Twin Cities central corridor project;
 \$2,500,000 for the Wisconsin central commuter project;
 \$2,500,000 for the Whitehall ferry terminal, New York,
 New York.
 \$1,100,000 for the Boston metropolitan "Urban Ring"
 project;
 \$1,500,000 for the Burlington to Gloucester, New Jersey
 line;
 \$750,000 for the New Bedford and Fall River, Massachu-
 setts commuter rail extensions; and
 \$4,000,000 for the West Shore Line, New Jersey.

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, \$1,500,000,000, 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, \$48,030,000, to remain available until expended: *Provided*, That notwithstanding the formula for apportionment under 23 U.S.C. 103(e)(4)(J), of the amount made available under this head, only \$9,500,000 shall be available for the substitute transit project approved under section 1045 of Public Law 102-240.

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, \$10,251,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, \$26,238,000, of which \$185,000 shall be derived from the Pipeline Safety Fund, and of which \$2,468,000 shall remain available until September 30, 1997: *Provided*, That up to \$1,000,000 in fees collected under section 106(c)(11) of the Hazardous Materials Transportation Act, as amended (49 U.S.C. App. 1805(c)(11)) shall be deposited in the general fund of the Treasury as offsetting receipts: *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.

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, as amended, and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$37,424,000; of which \$2,432,500 shall be derived from the Oil

Spill Liability Trust Fund and shall remain available until September 30, 1997; and of which \$34,991,500 shall be derived from the Pipeline Safety Fund, of which \$16,317,500 shall remain available until September 30, 1997: *Provided*, That from amounts made available herein from the Pipeline Safety Fund, not to exceed \$750,000 shall be available for grants to States for the development and establishment of one-call notification systems.

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 September 30, 1997: *Provided*, That not more than \$10,800,000 shall be made available for obligation in fiscal year 1995 from amounts made available by section 117A(h)(6)(B) and (i) (1), (2) and (4) of the Hazardous Materials Transportation Act, as amended: *Provided further*, That no such funds shall be made available for obligation by individuals other than the Secretary of Transportation, the Director of the National Institute of Environmental Health Sciences, or their designees.

ALASKA PIPELINE TASK FORCE

(RESCISSION)

(OIL SPILL LIABILITY TRUST FUND)

Of the funds made available under this heading in Public Law 102-388, \$544,000 are rescinded.

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, \$40,000,000: *Provided*, That of such amount, \$180,000 shall be available for employment by the Inspector General of independent legal counsel at the Department of Transportation.

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, \$3,350,000: *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), \$37,392,000, 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 and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), \$30,302,000: *Provided*, That \$8,300,000 in fees collected in fiscal year 1995 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1995.

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, \$50,030,000, 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 1995: *Provided further*, That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed forty-three 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 \$19,500 per vehicle.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INTEREST PAYMENTS AND REPAYMENTS OF PRINCIPAL

For payment of obligations incurred pursuant to Public Law 96-184 and the Initial Bond Repayment Participation Agreement,

\$664,666,667, to remain available until expended, which shall be used only to repay principal to the Federal Financing Bank for the Washington Metrorail construction loan; and in addition, such amounts as are necessary for payment to the Federal Financing Bank, of accrued interest and premium, if any, for such loan.

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.

20 USC 241 note.

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.

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 an Executive Level IV.

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: *Provided further*, That employment at the Center shall not exceed 550 full-time equivalent staff years in fiscal year 1995

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.

Contracts.
Public
information.

SEC. 310. (a) For fiscal year 1995 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.

23 USC 104 note.

(b) During the period October 1 through December 31, 1994, 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;

(2) after August 1, 1995, 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 and funded from the administrative takedown authorized by section 104(a), title 23 U.S.C., the Federal lands highway program, the intelligent vehicle highway systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024, of Public Law 102-240: *Provided*, That amounts made available under section 6005 of Public Law 102-240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction

programs under the head "Federal-Aid Highways" in this Act; and

(4) notwithstanding subsection (a), the Secretary shall withhold from initial distribution the fiscal year 1995 Federal-aid highways obligation limitation set aside for Interstate Construction Discretionary projects: *Provided*, That the Secretary shall distribute only after August 1, 1995, such obligation limitation withheld in accordance with this section to those States receiving Interstate Construction Discretionary allocations.

(d) During the period October 1 through December 31, 1994, 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 1108, 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 \$325,155,150.

(e) During the period August 2 through September 30, 1995, 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 1995 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, 1995, has the amount distributed to such State under paragraph (a) for fiscal year 1995 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 \$850,000 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 used to implement section 404 of title 23, United States Code.

SEC. 314A. For the purpose of carrying out a demonstration of the construction of highways in high priority corridors, authorized by section 1105(f) of Public Law 102-240, there is hereby appropriated \$6,000,000 for the Secretary to enter into an agreement to make a loan or loans not to exceed \$40,000,000 to the public entity or entities with the statutory duty to construct such facilities: *Provided*, That such loan or loans shall be repaid by direct repay-

ment no later than the fifth Federal fiscal year following the year in which a loan was made. Funds made available by this section shall not be subject to any limitation.

SEC. 315. Such sums as may be necessary for fiscal year 1995 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act.

SEC. 316. 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.

SEC. 317. 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.

49 USC 44502
note.

SEC. 318. 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. 319. 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. 320. 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. 321. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Discretionary grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 1997, shall be made available for other projects under section 3 of the Federal Transit Act, as amended.

SEC. 322. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of the Federal Transit Act, as amended, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 323. (a) Of the budgetary resources available to the Department of Transportation (excluding the Maritime Administration) during fiscal year 1995, \$65,120,000 are permanently canceled.

(b) The Secretary of Transportation shall allocate the amount of budgetary resources canceled among the Department's accounts (excluding the Maritime Administration) available for procurement and procurement-related expenses. Amounts available for procurement and procurement-related expenses in each such account shall be reduced by the amount allocated to such account.

(c) For the purposes of this section, the definition of "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and closeout, as specified in 41 U.S.C. 403(2).

SEC. 324. Of the funds appropriated in Public Law 103-122 for railroad-highway crossings projects, \$20,000,000 shall be available for costs, not to exceed 80 percent, of a project to reduce rail-highway conflicts on M-59 near Pontiac, Michigan, and a project on Bristol Road near Flint, Michigan, including \$500,000 which shall be made available to improve and upgrade Maple Road at Bishop Airport, Michigan: *Provided*, That of the funds appropriated in Public Law 94-387 for railroad-highway demonstration projects, \$486,000 in unobligated balances shall be made available for the rail relocation project in Lafayette, Indiana.

SEC. 324A. For necessary expenses to carry out a pilot project to provide direct financial assistance by contract, to a community group incorporated for the purpose of protecting the scenic qualities of a designated scenic byway, to demonstrate the effect of alternative highway designs on the scenic and historic qualities of a scenic byway, a sum of \$100,000: *Provided*, That such amount be derived from moneys available for contract programs for a national scenic byways study made available by Public Law 101-164 (Federal Highway Administration Limitation on General Operating Expenses) as further referenced by Conference Report 101-315 and not expended as of the date of this Act.

SEC. 325. 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. 326. 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. 327. 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. 327A. 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.

SEC. 328. 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. 329. None of the funds in this Act may be used to compensate in excess of 335 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1995.

SEC. 329A. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 330. Funds provided in this Act for the Department of Transportation working capital fund (WCF) shall be reduced by \$7,000,000, which limits fiscal year 1995 WCF obligational authority for elements of the Department of Transportation funded in this Act to no more than \$93,000,000: *Provided*, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included from each account for the working capital fund.

SEC. 331. Funds provided in this Act for bonuses and cash awards for employees of the Department of Transportation shall be reduced by \$5,590,000, which limits fiscal year 1995 obligational authority to no more than \$25,922,000: *Provided*, That this provision shall be applied to funds for Senior Executive Service bonuses, merit pay, and other bonuses and cash awards.

SEC. 332. Section 127(a) of title 23, United States Code, is amended by adding at the end the following: "With respect to the State of Maryland, laws and regulations in effect on June 1, 1993, shall be applicable for the purposes of this subsection."

23 USC 127.

SEC. 332A. The Federal Aviation Administration is directed to install a Terminal Doppler Weather Radar at Charlotte, North Carolina in fiscal year 1995, and to commission that radar no later than December 31, 1995.

SEC. 333. Funds received by the Research and Special Programs Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training and for reports' publication and dissemination may be credited to the Research and Special Programs account.

SEC. 334. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administra-

tion's "Limitation on General Operating Expenses" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Railroad Safety" account, except for State rail safety inspectors participating in training pursuant to section 206 of the Federal Railroad Safety Act of 1970.

SEC. 335. (a) Subsection (b) of section 1045 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1994) is amended to read as follows:

"(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—

"(1) GENERAL RULE.—Upon approval of any substitute project or projects under subsection (a)—

"(A) the costs of construction of the eligible transitway project for which such project or projects are substituted shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

"(B) a sum equal to the amount that would have been apportioned to the State of Wisconsin on October 1, 1994, under section 104(b)(5)(A) of title 23, United States Code, if the Secretary had not approved such project or projects shall be available to the Secretary from the Highway Trust Fund to incur obligations for the Federal share of the costs of such substitute project or projects.

"(2) AVAILABILITY.—Amounts made available under paragraph (1)(B) shall be available for obligation on and after October 1, 1994. Amounts made available under paragraph (1)(B) shall remain available until expended and shall be subject to any limitation on obligations for Federal-aid highways established by law.

"(3) APPLICABILITY OF TITLE 23 U.S.C.— Amounts made available under paragraph (1)(B) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project carried out with such funds shall be determined in accordance with section 103(e)(4)(D) of such title."

(b) CONFORMING AMENDMENTS.—

(1) SUBSECTION (c).—The second sentence of subsection (c) of section 1045 of such Act is amended by striking "the authority of section 103(e)(4) of title 23, United States Code," and inserting "section 21(a)(2) of the Federal Transit Act".

(2) SUBSECTION (d)(1).—Subsection (d)(1) of section 1045 of such Act is amended by striking "project for" and all that follows through the period at the end thereof and inserting "transit project."

(3) SUBSECTION (d).—Subsection (d) of section 1045 of such Act is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(c) REDUCTION OF INTERSTATE CONSTRUCTION AUTHORIZATION.—Section 108(b) of the Federal-Aid Highway Act of 1956 is amended by striking "\$1,800,000,000 for the fiscal year ending September 30, 1996" and inserting "\$1,800,000,000, reduced by the amount made available under section 1045(b)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, for the fiscal year ending September 30, 1996".

105 Stat. 1995.

23 USC 101 note.

SEC. 335A. Section 5302(a)(1) of title 49, United States Code, is amended by inserting "payments for the capital portions of rail trackage rights agreements," after "rights-of-way,".

SEC. 336. (a) FEDERAL LINE OF CREDIT.—For the purpose of carrying out a demonstration of the construction of public toll roads in Orange County, California, authorized by section 129(d) of title 23, United States Code, there is hereby appropriated \$8,000,000 for the Secretary to enter into an agreement to make a line of credit available, with a principal amount not to exceed \$120,000,000 to the public entity or entities with the statutory authority to construct such facilities.

(b) EFFECTIVE PERIOD.—The line of credit under this section shall be available for draws during the period beginning on the date of completion of construction and ending on the last day of the tenth calendar year following the date construction of the facilities is completed.

(c) PURPOSES.—The line of credit under this section shall be available to pay the costs of extraordinary repair and replacement of the facilities, unexpected Federal or State environmental restrictions, operation and maintenance expenses of the facilities, and debt service on tax-exempt or taxable obligations financing the facilities.

(d) LIMITATIONS.—

(1) CAPITAL EXPENDITURES.—With respect to capital expenditures, draws on the line of credit under this section shall only be made if and to the extent proceeds from the sale of the obligations issued by the public entity or entities which otherwise would be available for such purposes are exhausted, or are otherwise unavailable for the payment of such capital expenditures.

(2) EXPENSES.—With respect to expenses, including operation and maintenance expenses and debt service, a draw on the line of credit under this section shall only be made if revenues from toll operations and capitalized interest are insufficient (or are otherwise unavailable) for such purposes.

(3) PER YEAR.—No more than 10 percent of the total principal amount of the line of credit under this section shall be available for draws in any one year.

(4) THIRD PARTY CREDITOR RIGHTS.—No third party creditor of the public entity or entities shall have any right against the Federal Government with respect to draws on the line of credit under this section.

(5) AVAILABILITY FOR PARTICULAR COSTS.—There is no guaranteed availability of proceeds of the line of credit under this section for the payment of any particular cost of the public entity or entities which might be financed under this section.

(e) INTEREST RATE AND REPAYMENT PERIOD.—Any draws (except for operation and maintenance expenses) on the line of credit under this section shall accrue interest at the 30-year United States Treasury bond rate beginning on the date such draws are made and shall be repaid in not more than 30 years; except that any draws under the line of credit for operation and maintenance expenses shall accrue interest at the 3-year United States Treasury note rate beginning on the date such draws are made and shall be repaid in not more than 3 years.

SEC. 337. In addition to amounts otherwise provided by this Act, \$2,900,000 shall be available for "Interstate Commerce

Commission, Salaries and Expenses" for the discharge of liabilities, including severance pay, under title 5 of the United States Code to employees separated from the Interstate Commerce Commission on or after October 1, 1994.

SEC. 338. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 339. SAINT LAWRENCE SEAWAY TOLL COLLECTION.—(a) Section 13 of the Act of May 13, 1954, ch. 201 (33 U.S.C. 988a), added by section 805(a)(4) of title XIV of the Water Resources Development Act of 1986, Public Law 99-662 (100 Stat. 4272), is amended to read as follows:

"SEC. 13. WAIVER OF COLLECTION OF CHARGES OR TOLLS.

"(a) Notwithstanding section 12 of this Act or any other provision of law, the Corporation shall not collect any charge or toll established pursuant to section 12 of this Act with respect to a commercial vessel (as defined in section 4462(a)(4) of the Internal Revenue Code of 1986).

"(b) The Corporation will maintain a record of the annual amount of each charge or toll that would have been collected with respect to each such commercial vessel if it were not for paragraph (a) of this section."

(b) The table of sections at the beginning of chapter 19 of title 33 is amended by striking:

"Sec. 988a Rebate of charges and tolls.

"(a) Transfer of revenues to Harbor Maintenance Trust Fund.

"(b) Certifications to Secretary of the Treasury."

and adding in lieu thereof:

"Sec. 988a Waiver of Collection of Charges or Tolls.

"(a) Waiver of collection of charges or tolls.

"(b) Record of annual amount."

SEC. 340. The unspent balance of funds previously appropriated for the Meadowbrook Parkway project shall be available for the Loop Parkway Bridge rehabilitation project.

SEC. 341. Amounts not to exceed \$3,000,000 available in the obligation guarantee fund established under section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, and received from the Delaware and Hudson Railroad, shall be transferred to the Federal Railroad Administration, "Office of the administrator" for necessary expenses of the Federal Railroad Administration.

SEC. 342. Notwithstanding any other provision of law, funds made available under Public Law 103-122, the Fiscal Year 1994 Transportation Appropriations Act, for the domestic fuel cell development program under the Federal Transit Administration's Discretionary Grants account shall be transferred to that agency's Transit Planning and Research account and be administered in accordance with section 6 of the Federal Transit Act, as amended.

SEC. 343. Section 30308(a) of title 49, United States Code, is amended by inserting after "1994" "and \$2,550,000 for fiscal year 1995".

Records.

SEC. 344. Notwithstanding 15 U.S.C. 631, et seq. and 10 U.S.C. 2301, et seq. as amended, the United States Coast Guard acquisition of 47-foot Motor Life Boats for fiscal years 1995 through 2000 shall be subject to full and open competition for all U.S. shipyards. Accordingly, the Federal Acquisition Regulations (FAR) (including but not limited to FAR Part 19), shall not apply to the extent they are inconsistent with a full and open competition.

SEC. 345. None of the funds appropriated by this Act may be used for planning, engineering, design, or construction of a sixth runway at the new Denver International Airport, Denver, Colorado: *Provided*, That this provision shall not apply in any case where the Administrator of the Federal Aviation Administration determines, in writing, that safety conditions warrant obligation of such funds.

SEC. 346. (a) UNIFORM HOV-2 DEMONSTRATION PROJECT ON I-66 IN VIRGINIA.—Notwithstanding any other law or any prior decision of the Secretary of Transportation, the Governor of Virginia shall have the authority to carry out a 1-year demonstration project on Interstate Highway 66 (I-66) inside the Capital Beltway, to determine the impact of applying a uniform high-occupancy vehicle restriction to the portion of I-66 that is between the District of Columbia and Interstate Highway 495 (I-495) and the portion of I-66 that is west of I-495.

(b) PROJECT REQUIREMENTS.—

(1) UNIFORM HOV RESTRICTION.—Except as provided in paragraph (2), under the demonstration project established under this section, the uniform high-occupancy vehicle restriction applied to the two portions of I-66 described in subsection (a) shall be vehicles carrying two or more persons.

(2) AUTHORITY OF GOVERNOR OF VIRGINIA.—During the 1-year demonstration period under this section, the Governor of Virginia shall retain the flexibility to return the high-occupancy vehicle restriction applicable to the portion of I-66 that is between the District of Columbia and I-495 to vehicles carrying three or more persons, or to make any other revisions in the demonstration project that the Governor determines are necessary.

(3) APPROVAL.—The 1-year demonstration shall begin after approval by the Virginia delegation of the National Capital Region Transportation Planning Board, based on a one-member, one-vote process with the allowance for authorized alternates if necessary and inclusion of the general manager of the Washington Metropolitan Area Transit Authority, but not before January 1, 1995.

(c) STUDY AND REPORT.—If the Governor of Virginia makes use of the authority granted in subsection (a), the Governor shall—

(1) consult with interested parties to develop level of service standards, enforcement standards and assessment criteria;

(2) carry out an assessment of the effects of the uniform high-occupancy vehicle restriction under the demonstration project established under this section;

(3) carry out a study and assessment of the enforcement of the modified high-occupancy vehicle restriction under the demonstration project established under this section;

(4) within 6 months from beginning the demonstration project provide an interim assessment of the effects of the demonstration project to interested parties; and

(5) upon completion of the assessment, submit to the Congress and to the Secretary of Transportation a report setting forth the results of the assessment and the demonstration project.

(d) UNIFORM HOV-2 RESTRICTION.—Upon completion of the assessment described in subsection (c), the Governor of Virginia shall have the authority to apply a uniform HOV-2 restriction to Interstate 66 on a permanent basis following the formal approval process.

SEC. 347. The Eastport Port Authority facility at Estes Head in Eastport, Maine, is eligible for funding under section 1064 of Public Law 102-240.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1995".

Approved September 30, 1994.

LEGISLATIVE HISTORY—H.R. 4556:

HOUSE REPORTS: Nos. 103-543, Pts. 1 and 2 (both from Comm. on Appropriations) and 103-752 (Comm. of Conference).

SENATE REPORTS: No. 103-310 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 140 (1994):

June 16, considered and passed House.

June 21, considered and passed Senate, amended.

Sept. 28, House agreed to conference report.

Sept. 29, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Sept. 30, Presidential statement.