

has happened and hopefully find out that the President is exonerated.

Mr. EHRlich. Reclaiming my time, I agree with my colleague. Nobody wants the President or First Lady or anybody to get in trouble. We are in public office. We know it is not easy. Nobody deserves a medal for running, but it is not easy to be in public office in this day.

But at some point, at some point in time, the dog-ate-my-homework excuse literally cannot fly anymore and the American people are going to say, hey, what went on? Give me the facts. Please do not stonewall. We want to judge for ourselves. Cooperate with those folks. Produce the documents. Honor subpoenas. Produce your witnesses. Do not misuse power. Do not abuse power.

Because of all the discussions we have here in this body about policy, we can agree and disagree, the abuse of power is something the American people simply will not stand for.

Mr. McINTOSH. Let me also address another point, which is the excuse that everybody has. It does not hold water in this case. We have seen unprecedented abuses of power and abuses of the campaign finance laws.

First of all, all these coffees that went on and selling the Lincoln bedroom. No other President in U.S. history has had the gall to use the White House in this way for this type of political partisan activity. They do not do it. It has never been done before.

It is a violation of the requirements that the Federal Government property not be used for political campaign activities. Even the Attorney General acknowledges, when you start using other buildings, the Government, like the Old Executive Office Building, there is a serious problem under the law with that use of that.

Second, we have never had an administration that systematically went out and solicited funds from people who were not legitimate donors, illegal donors, under our campaign finance laws. Never before in our history has a political party returned \$3 million in contributions. Some of us think that may be just the tip of the iceberg.

Never before has an administration in this country said, we are going to launder that money if we have a donor that we know is illegal. Because they are a foreign citizen, well, let us see if they can give to another party. Maybe the unions in their elections and the unions will give us money in exchange for that.

That is money laundering, straight and simple. Never before has that been done in American politics. Never before has there been a systematic decision to ignore your lawyers and their legal advice, that Government equipment, like the White House computer, cannot be used for political fundraising and political activities.

And yet, we see evidence that memos were circulating in the White House among very senior advisors to the

President to try to figure out exactly how to do that, to use that Government computer for partisan political activities.

So to say that everybody does it is just plain false. It has never happened in our history. It is unprecedented, and it is wrong.

Mr. EHRlich. It is false, and it appeals to the lowest common denominator.

I will close on this point. It goes back to that cynical attitude that I suspect this administration has used pretty successfully over the years.

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They all do it, they are all dirty, gosh, let us change it. We did not do it, and if we did it, we will not do it again.

Well, at some point in life, that is not good enough. At some point one actually has to put up or shut up. Our plea tonight, I know on behalf of many of our colleagues on both sides of the aisle is, just stop it. Just stop it. Come clean with the American people. Obey the subpoenas. Not the "whoops," not "the dog ate my homework," not the "no-controlling legal authority," not "the witnesses escaped overseas," not that "we forgot," not "the maid found something in the White House," not the "we did not do it and we apologize if we did." We are tired of it. Let us get on with the real issue of campaign finance reform, but we cannot do that until this administration actually obeys the law.

I thank the gentleman for the time this evening.

Mr. McINTOSH. Mr. Speaker, let me close in saying that tomorrow the gentleman from Indiana [Mr. BURTON] the chairman of our Committee on Government Reform and Oversight, will begin his hearings. We will begin to hear testimony from individuals who tell us about how they were given funds from a foreign government and they were told, "If you would only give that money as the donation to the Democratic National Committee, that would help us enormously in this campaign." It is a concrete example of how the laws were broken, it is a sad, sad tale, and as I pointed out earlier, it is unprecedented in American politics.

I thank my colleague from Maryland for joining me on this special order tonight. I look forward to working with him to continue to bring out the facts in this case, as well as to promote our efforts to provide equality for married couples in this country.

#### CONFERENCE REPORT ON H.R. 2169

Mr. WOLF submitted the following conference report and statement on the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes:

#### CONFERENCE REPORT H. REPT. 105-313

The committee of conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H.R. 2169) "making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

*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, 1998, and for other purposes, namely:*

#### TITLE I

#### DEPARTMENT OF TRANSPORTATION

#### OFFICE OF THE SECRETARY

#### SALARIES AND EXPENSES

*For necessary expenses of the Office of the Secretary, \$61,000,000, 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 notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received in user fees: Provided further, That none of the funds appropriated in this Act or otherwise made available may be used to maintain custody of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; and open to inspection by the Department.*

#### OFFICE OF CIVIL RIGHTS

*For necessary expenses of the Office of Civil Rights, \$5,574,000.*

#### TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

*For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, \$4,400,000.*

#### TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

*Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed \$121,800,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.*

#### PAYMENTS TO AIR CARRIERS

#### (RESCISSION OF CONTRACT AUTHORIZATION)

#### (AIRPORT AND AIRWAY TRUST FUND)

*Of the budgetary resources provided for "Small Community Air Service" by Public Law 101-508, for fiscal year 1998, \$38,600,000 are rescinded.*

#### 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.

#### MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$2,900,000, of which \$2,635,000 shall remain available until September 30, 1999: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

#### COAST GUARD

##### OPERATING EXPENSES

###### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five 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; \$2,715,400,000, of which \$300,000,000 shall be available for defense-related activities and \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That the number of aircraft on hand at any one time shall not exceed two hundred and twelve, 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: Provided further, That \$34,300,000 of the funds provided under this heading for increased drug interdiction activities are not available for obligation until the Director, Office of National Drug Control Policy: (1) reviews the specific activities and associated costs and benefits proposed by the Coast Guard; (2) compares those activities to other drug interdiction efforts government-wide; and (3) certifies, in writing, to the House and Senate Committees on Appropriations that such expenditures represent the best investment relative to other options: Provided further, That should the Director, Office of National Drug Control Policy decline to make such certification, after notification in writing to the House and Senate Committees on Appropriations, the Director may transfer, at his discretion, up to \$34,300,000 of funds provided herein for Coast Guard drug interdiction activities to any other entity of the Federal Government for drug interdiction activities: Provided further, That up to \$615,000 in user fees collected pursuant to section 1111 of Public Law 104-324 shall be credited to this appropriation as offsetting collections in fiscal year 1998.

#### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$397,850,000, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$212,100,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2002; \$25,800,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2000; \$44,650,000 shall be available for other

equipment, to remain available until September 30, 2000; \$68,300,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2000; and \$47,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1999: Provided, That funds received from the sale of HU-25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: Provided further, That the Commandant may dispose of surplus real property by sale or lease and the proceeds shall be credited to this appropriation, of which not more than \$9,000,000 shall be credited as offsetting collections to this account, to be available for the purposes of this account: Provided further, That the amount herein appropriated from the General Fund shall be reduced by such amount: Provided further, That any proceeds from the sale or lease of Coast Guard surplus real property in excess of \$9,000,000 shall be retained and remain available until expended, but shall not be available for obligation until October 1, 1998: Provided further, That the Secretary, acting through the Commandant, may enter into a long-term Use Agreement with the City of Unalaska for dedicated pier space on the municipal dock necessary to support Coast Guard enforcement vessels when such vessels call on the Port of Dutch Harbor, Alaska.

#### 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, \$21,000,000, to remain available until expended.

#### ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$17,000,000, 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); \$653,196,000.

#### RESERVE TRAINING

##### (INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$67,000,000: Provided, That no more than \$20,000,000 of funds made available under this heading may be transferred to Coast Guard "Operating expenses" or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve.

#### 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, \$19,000,000, to remain available until expended, of which \$3,500,000 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, \$35,000,000, 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 operations and research activities related to commercial space transportation, 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 subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104-264, \$5,301,934,000, of which \$1,901,628,000 shall be derived from the Airport and Airway Trust Fund: Provided, That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of enactment of this Act: Provided further, 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 agency services, including receipts for 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 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: Provided further, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: Provided further, That none of the funds derived from the Airport and Airway Trust Fund may be used to support the operations and activities of the Associate Administrator for Commercial Space Transportation: Provided further, That up to \$5,000 of funds appropriated under this heading may be used for activities under the Aircraft Purchase Loan Guarantee 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 under part A of subtitle VII of title 49, United States Code, 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, \$1,875,477,000, of which \$1,656,367,000 shall remain available until September 30, 2000, and of which \$219,110,000 shall remain available until September 30, 1998: 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, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$199,183,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2000: 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: Provided further, That none of the funds in this Act may be obligated or expended for the "Flight 2000" Program.

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 as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, \$1,600,000,000, 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 obligations for which are in excess of \$1,700,000,000 in fiscal year 1998 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code: Provided further, That discretionary funds available for noise planning and mitigation shall not exceed \$200,000,000 and discretionary funds available for the military airport program shall not exceed \$26,000,000.

GRANTS-IN-AID FOR AIRPORTS  
(AIRPORT AND AIRWAY TRUST FUND)  
(RESCISSION OF CONTRACT AUTHORIZATION)  
Of the unobligated balances authorized under 49 U.S.C. 48103 as amended, \$412,000,000 are rescinded.

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 49 U.S.C. 44307, 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 chapter 443 of title 49, United States Code.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

Except as specifically provided elsewhere in this Act, none of the funds in this Act shall be available for activities under this heading during fiscal year 1998.

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 \$552,266,000 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 \$241,708,000 of the amount provided herein shall remain available until September 30, 2000.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

For carrying out the provisions of section 1069(y) of Public Law 102-240, relating to con-

struction of, and improvements to, corridors of the Appalachian Development Highway System, \$300,000,000 to remain available until expended: Provided, That none of the funds provided under this heading shall be available for engineering, design, right-of-way acquisition, or major construction of the Appalachian development highway system between I-81 in Virginia and the community of Wardsville, West Virginia.

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 \$21,500,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1998.

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, \$20,800,000,000 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)

None of the funds under this head are available for obligations for right-of-way acquisition during fiscal year 1998.

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

For payment of obligations incurred in carrying out 49 U.S.C. 31102, \$85,000,000, 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 \$84,825,000 for "Motor Carrier Safety Grants".

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 part C of subtitle VI of title 49, United States Code, and chapter 301 of title 49, United States Code, \$74,901,000, of which \$40,674,000 shall remain available until September 30, 2000: Provided, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

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 (Public Law 102-240), to be derived from the Highway Trust Fund, \$72,061,000, of which \$49,520,000 shall remain available until September 30, 2000.

HIGHWAY TRAFFIC SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and

410, and chapter 303 of title 49, United States Code, to remain available until expended, \$186,000,000, 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 1998, are in excess of \$186,500,000 for programs authorized under 23 U.S.C. 402, 410, and chapter 303 of title 49, U.S.C., of which \$149,700,000 shall be for "State and community highway safety grants", \$2,300,000 shall be for the "National Driver Register", and \$34,500,000 shall be for section 410 "Alcohol-impaired driving counter-measures 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 \$5,268,000 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 \$150,000 of the funds made available for section 402 may be available for administering the highway safety grants authorized by section 1003(a)(7) of Public Law 102-240: Provided further, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-impaired driving counter-measures programs" shall 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, \$20,290,000, of which \$1,389,000 shall remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional 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.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$57,067,000, of which \$5,511,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated under this heading are available for the reimbursement of out-of-state travel and per diem costs incurred by employees of State governments directly supporting the Federal railroad safety program, including regulatory development and compliance-related activities.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$20,758,000, 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 49 U.S.C. 24909, \$250,000,000, to remain available until September 30, 2000, of which \$12,000,000 shall be for the Pennsylvania Station Redevelopment Project.

#### 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 1998.

#### NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for Next Generation High-Speed Rail studies, corridor planning, development, demonstration, and implementation, \$20,395,000, 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.

#### ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, \$15,280,000 shall be for capital rehabilitation and improvements benefiting its passenger operations.

#### 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, \$10,000,000, 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 \$23,000,000 in damages resulting from the 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.

#### GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 49 U.S.C. 24104, \$543,000,000, to remain available until expended, of which \$344,000,000 shall be available for operating losses, and \$199,000,000 shall be for capital improvements: Provided, That if Amtrak reform legislation as required by section 977(f) of the Taxpayer Relief Act of 1997 is enacted into law prior to the distribution by the Secretary of any of the funds appropriated above for capital improvements, then the portion of this appropriation made available for capital improvements shall not be available for obligation and the Secretary shall not transfer any of the funds appropriated under this heading for capital improvements to Amtrak: Provided further, That in the event Amtrak reform legislation required by section 977(f) of the Taxpayer Relief Act of 1997 is enacted into law after the distribution of some or all of the funds appropriated under this account for capital improvements are transferred by the Secretary to Amtrak, then the Secretary of the Treasury shall reduce the amount refunded to Amtrak under section 977 of the Taxpayer Relief Act of 1997 by an amount equal to the funds distributed to Amtrak under this

heading for capital improvements and the portion of this appropriation made available for capital improvements shall not be available for obligation and no additional funds appropriated under this heading shall be transferred by the Secretary to Amtrak for capital improvements: Provided further, That none of the funds provided for capital improvements may be transferred to operating losses to pay for debt service interest unless specifically authorized by law after the date of enactment of this Act: Provided further, That the incurring of any obligation or commitment by the Corporation for the purchase of capital improvements with funds appropriated herein which is prohibited by this Act shall be deemed a violation of 31 U.S.C. 1341: Provided further, That funding under this head for capital improvements shall not be made available before July 1, 1998: Provided further, 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.

#### FEDERAL TRANSIT ADMINISTRATION

##### ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$45,738,000: Provided, That none of the funds in this Act shall be available for the execution of contracts under section 5327(c) of title 49, United States Code, in an aggregate amount that exceeds \$15,000,000.

##### FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to remain available until expended, \$240,000,000: 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 \$150,000,000 may be used for operating assistance under 49 U.S.C. 5336(d): Provided further, That the limitation on operating assistance provided under this heading shall, for urbanized areas of less than 200,000 in population, be no less than seventy-five percent of the amount of operating assistance such areas are eligible to receive under Public Law 103-331: Provided further, That in the distribution of the limitation provided under this heading to urbanized areas that had a population under the 1990 census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact of reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

##### UNIVERSITY TRANSPORTATION CENTERS

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

##### TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by 49 U.S.C. 5303, 5311, 5313, 5314, and 5315, to remain available until expended, \$92,000,000, of which \$39,500,000 shall be for activities under Metropolitan Planning (49 U.S.C. 5303); \$4,500,000 for activities under Rural Transit Assistance (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under State Planning and Research (49 U.S.C. 5313(b)); \$36,750,000 for activities including National Planning and Research (49 U.S.C. 5314 and 5313(a)); and \$3,000,000 for National Transit Institute (49 U.S.C. 5315).

#### TRUST FUND SHARE OF EXPENSES

##### (LIQUIDATION OF CONTRACT AUTHORIZATION)

##### (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(a), \$2,210,000,000, to remain available until expended and to be derived from the Highway Trust Fund: Provided, That \$2,210,000,000 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 \$2,000,000,000 in fiscal year 1998 for grants under the contract authority in 49 U.S.C. 5338(b): Provided, That there shall be available for fixed guideway modernization, \$800,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$400,000,000; and there shall be available for new fixed guideway systems \$800,000,000, to be available as follows:

\$44,600,000 for the Atlanta-North Springs project;  
 \$1,000,000 for the Austin Capital metro project;  
 \$46,250,000 for the Boston Piers MOS-2 project;  
 \$1,000,000 for the Boston urban ring project;  
 \$5,000,000 for the Burlington-Essex, Vermont commuter rail project;  
 \$2,000,000 for the Canton-Akron-Cleveland commuter rail project;  
 \$1,500,000 for the Charleston monobeam rail project;  
 \$1,000,000 for the Charlotte South corridor transitway project;  
 \$500,000 for the Cincinnati Northeast/Northern Kentucky rail line project;  
 \$5,000,000 for the Clark County, Nevada fixed guideway project;  
 \$800,000 for the Cleveland Blue Line extension to Highland Hills project;  
 \$700,000 for the Cleveland Berea Red Line extension to Hopkins International Airport;  
 \$1,000,000 for the Cleveland Waterfront Line extension project;  
 \$8,000,000 for the Dallas-Fort Worth RAILTRAN project;  
 \$11,000,000 for the DART North Central light rail extension project;  
 \$1,000,000 for the DeKalb County, Georgia light rail project;  
 \$23,000,000 for the Denver Southwest Corridor project;  
 \$20,000,000 for the New York East Side access project;  
 \$8,000,000 for the Florida Tri-County commuter rail project;  
 \$2,000,000 for the Galveston, Texas rail trolley system project;  
 \$1,000,000 for the Houston Advanced Regional Bus project;  
 \$51,100,000 for the Houston Regional Bus project;  
 \$1,250,000 for the Indianapolis Northeast corridor project;  
 \$3,000,000 for the Jackson, Mississippi intermodal corridor project;  
 \$61,500,000 for the Los Angeles MOS-3 project;  
 \$31,000,000 for MARC commuter rail improvements;  
 \$1,000,000 for the Memphis, Tennessee regional rail project;  
 \$5,000,000 for the Metro-Dade Transit east-west corridor project;  
 \$5,000,000 for the Miami-North 27th Avenue project;  
 \$1,000,000 for the Mission Valley East corridor project;  
 \$500,000 for the Nassau Hub rail link EIS project;

\$60,000,000 for the New Jersey Hudson-Bergen LRT project;

\$27,000,000 for the New Jersey Secaucus project;

\$6,000,000 for the New Orleans Canal Street corridor project;

\$2,000,000 for the New Orleans Desire Street-car project;

\$12,000,000 for the North Carolina Research Triangle Park project;

\$4,000,000 for the Northern Indiana South Shore commuter rail project;

\$3,000,000 for the Oceanside-Escondido light rail project;

\$1,600,000 for the Oklahoma City MAPS corridor transit project;

\$2,000,000 for the Orange County transitway project;

\$31,800,000 for the Orlando Lynx light rail project;

\$500,000 for the Pennsylvania Strawberry Hill/Diamond Branch rail project;

\$4,000,000 for the Phoenix metropolitan area transit project;

\$5,000,000 for the Pittsburgh airport busway project;

\$63,400,000 for the Portland-Westside/Hillsboro project;

\$2,000,000 for the Roaring Fork Valley rail project;

\$20,300,000 for the Sacramento LRT project;

\$63,400,000 for the Salt Lake City South LRT project;

\$4,000,000 for the Salt Lake City regional commuter system project;

\$1,000,000 for the San Bernardino Metrolink project;

\$1,500,000 for the San Diego Mid-Coast corridor project;

\$29,900,000 for the San Francisco BART extension to the airport project;

\$15,000,000 for the San Juan Tren Urbano;

\$21,400,000 for the San Jose Tasman LRT project;

\$18,000,000 for the Seattle-Tacoma light rail and commuter rail projects;

\$30,000,000 for the St. Louis-St. Clair LRT extension project;

\$2,500,000 for the St. George Ferry terminal project;

\$500,000 for the Springfield-Branson, Missouri commuter rail project;

\$1,000,000 for the Tampa Bay regional rail project;

\$2,000,000 for the Tidewater, Virginia rail project;

\$1,000,000 for the Toledo, Ohio rail project;

\$12,000,000 for the Twin Cities transitways projects;

\$2,000,000 for the Virginia Rail Express Fredericksburg to Washington commuter rail project;

\$2,500,000 for the Whitehall ferry terminal project; and

\$3,000,000 for the Wisconsin central commuter rail project.

#### MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, \$2,350,000,000, to be derived from the Highway Trust Fund and 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 con-

tracts 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, including the Great Lakes Pilotage functions delegated by the Secretary of Transportation, \$11,200,000, 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, \$28,450,000, of which \$574,000 shall be derived from the Pipeline Safety Fund, and of which \$4,950,000 shall remain available until September 30, 2000: Provided, That up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

#### PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OILSPILL LIABILITY TRUST 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 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$31,300,000, of which \$3,300,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2000; and of which \$28,000,000 shall be derived from the Pipeline Safety Fund, of which \$14,839,000 shall remain available until September 30, 2000: Provided, That in addition to amounts made available for the Pipeline Safety Fund, \$1,100,000 shall be available for grants to States for the development and establishment of one-call notification systems and shall be derived from amounts previously collected under 49 U.S.C. 60301, and that an additional \$365,000 in amounts previously collected under 49 U.S.C. 60301 is available to conduct general functions of the pipeline safety program.

#### EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), \$200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2000: Provided, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

#### OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$42,000,000: Provided, That none of the funds under this heading shall be for the conduct of contract audits.

#### SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized

by 5 U.S.C. 3109, \$13,853,000: Provided, That \$2,000,000 in fees collected in fiscal year 1998 by the Surface Transportation Board pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1998: Provided further, That any fees received in excess of \$2,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998.

#### 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, \$3,640,000: 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) \$48,371,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

#### EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, 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), \$1,000,000, to remain available until expended.

#### 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. Such sums as may be necessary for fiscal year 1998 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) 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 in this Act shall be available for salaries and expenses of more than one hundred seven 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. 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. 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. 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.

SEC. 310. (a) For fiscal year 1998 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, 1997, 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 12 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, 1998, 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, 144, and 160 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240; and

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a) of title 23, United States Code, the Federal lands highway program, the intelligent transportation systems program, the Truman-Hobbs bridges funded under the discretionary bridge program, and amounts made available

under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024 of Public Law 102-240, and 49 U.S.C. 5316, 5317, and 5338: 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.

(d) During the period October 1 through December 31, 1997, 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, 1103-1108, 4008, 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 \$277,431,840.

(e) Notwithstanding any other provision of law, none of the funds in this Act shall be available for the distribution of bonus limitation under the federal-aid highways program.

SEC. 311. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program.

SEC. 312. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 313. 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. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA 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 FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. 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. 316. For the purposes of funds made available under the heading, Formula Grants, the term "Capital Project" includes a project for—

(A)(i) acquisition, construction, supervision, or inspection of a facility or equipment, including inspection thereof, for use in mass transportation; and

(ii) expenses incidental to the acquisition or construction (including designing, engineering, location survey, mapping, acquiring rights of way, associated pre-revenue startup costs, and environmental mitigation), payments for rail trackage rights, Intelligent Transportation Systems, relocation assistance, acquiring replacement housing sites, and acquiring, constructing,

relocating, and rehabilitating replacement housing;

(B) rehabilitating a bus;

(C) remanufacturing a bus;

(D) overhauling rail rolling stock;

(E) preventive maintenance; and

(F) financing the operating costs of equipment and facilities used in mass transportation in urbanized areas with a population of less than 200,000.

SEC. 317. 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, 2000, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 318. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 319. None of the funds in this Act may be used to compensate in excess of 350 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 1998.

SEC. 320. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by \$3,000,000, which limits fiscal year 1998 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than \$118,800,000: Provided, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriation account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 321. 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 Administration'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 49 U.S.C. 20105.

SEC. 322. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901 et seq.) prescribing corporate average fuel economy standards for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 323. None of the funds in this Act may be used for planning, engineering, design, or construction of a sixth runway at the 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: Provided further, That funds may be used for activities related to planning or analysis of airport noise issues related to the sixth runway project.

SEC. 324. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided,

That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 325. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 326. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation: Provided, That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 327. None of the funds in this Act may be used to support Federal Transit Administration's field operations and oversight of the Washington Metropolitan Area Transit Authority in any location other than from the Washington, D.C. metropolitan area.

SEC. 328. Not to exceed \$1,000,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 329. Notwithstanding any other provision of law, the Secretary may use funds appropriated under this Act, or any subsequent Act, to administer and implement the exemption provisions of 49 CFR 580.6 and to adopt or amend exemptions from the disclosure requirements of 49 CFR part 580 for any class or category of vehicles that the Secretary deems appropriate.

SEC. 330. No funds other than those appropriated to the Surface Transportation Board or fees collected by the Board shall be used for conducting the activities of the Board.

SEC. 331. (a) COMPLIANCE WITH BUY AMERICAN ACT.—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 the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

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

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

available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 332. Notwithstanding any other provision of law, receipts, in amounts determined by the Secretary, collected from users of fitness centers operated by or for the Department of Transportation shall be available to support the operation and maintenance of those facilities.

SEC. 333. None of the funds made available in this Act may be used for improvements to the Miller Highway in New York City, New York.

SEC. 334. 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. 335. Notwithstanding any other provision of law, of amounts made available under Federal Aviation Administration "Operations", the FAA shall provide personnel at Dutch Harbor, Alaska to provide real-time weather and runway observation and other such functions to help ensure the safety of aviation operations.

SEC. 336. Notwithstanding 49 U.S.C. 41742, no essential air service shall be provided to communities in the forty-eight contiguous States that are located fewer than seventy highway miles from the nearest large and 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.

SEC. 337. (a) IN GENERAL.—For purposes of the exception set forth in section 29(a)(2) of the International Air Transportation Competition Act of 1979 (Public Law 96–192; 94 Stat. 48), the term "passenger capacity of 56 passengers or less" includes any aircraft, except aircraft exceeding gross aircraft weight of 300,000 pounds, reconfigured to accommodate 56 or fewer passengers if the total number of passenger seats installed on the aircraft does not exceed 56.

(b) INCLUSION OF CERTAIN STATES IN EXEMPTION.—The first sentence of section 29(c) of the International Air Transportation Competition Act of 1979 (Public Law 96–192; 94 Stat. 48 et seq.) is amended by inserting "Kansas, Alabama, Mississippi," before "and Texas".

(c) SAFETY ASSURANCE.—The Administrator of the Federal Aviation Administration shall monitor the safety of flight operations in the Dallas-Fort Worth metropolitan area and take such actions as may be necessary to ensure safe aviation operations. If the Administrator must restrict aviation operations in the Dallas-Fort Worth area to ensure safety, the Administrator shall notify the House and Senate Committees on Appropriations as soon as possible that an unsafe airspace management situation existed requiring the restrictions.

SEC. 338. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department

and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 1998.

SEC. 339. Notwithstanding any other provision of law, the Department of the Navy is directed to transfer the USNS EDENTON (ATS-1), currently in Inactive Ship status, to the United States Coast Guard.

SEC. 340. (a) FINDINGS.—The Congress finds that—

(1) Congress has the authority under article I, section 8 of the Constitution to regulate the air commerce of the United States;

(2) section 47107 of title 49, United States Code, prohibits the diversion of certain revenue generated by a public airport as a condition of receiving a project grant;

(3) a grant recipient that uses airport revenues for purposes that are not airport related in a manner inconsistent with chapter 471 of title 49, United States Code, illegally diverts airport revenues;

(4) illegal diversion of airport revenues undermines the interest of the United States in promoting a strong national air transportation system;

(5) the policy of the United States that airports should be as self-sustaining as possible and that revenues generated at airports should not be diverted from airport purposes was stated by Congress in 1982 and reaffirmed and strengthened in 1987, 1994, and 1996;

(6) certain airports are constructed on lands that may have belonged, at one time, to native Americans, native Hawaiians, or Alaskan natives;

(7) contrary to the prohibition against diverting airport revenues from airport purposes under section 47107 of title 49, United States Code, certain payments from airport revenues may have been made for the betterment of native Americans, native Hawaiians, or Alaskan natives based upon the claims related to lands ceded to the United States;

(8) Federal law prohibits diversions of airport revenues obtained from any source whatsoever to occur in the future whether related to claims for periods of time prior to or after the date of enactment of this Act; and

(9) because of the special circumstances surrounding such past diversions of airport revenues for the betterment of native Americans, native Hawaiians, or Alaskan natives, it is in the national interest that amounts from airport revenues previously received by any entity for the betterment of native Americans, native Hawaiians, or Alaskan natives, as specified in subsection (b) of this section, should not be subject to repayment.

(b) TERMINATION OF REPAYMENT RESPONSIBILITY.—Notwithstanding the provisions of 47107 of title 49, United States Code, or any other provision of law, monies paid for claims related to ceded lands and diverted from airport revenues and received prior to April 1, 1996, by any entity for the betterment of native Americans, native Hawaiians, or Alaskan natives, shall not be subject to repayment.

(c) PROHIBITION ON FURTHER DIVERSION.—There shall be no further payment of airport revenues for claims related to ceded lands, whether characterized as operating expenses, rent, or otherwise, and whether related to claims for periods of time prior to or after the date of enactment of this Act.

(d) CLARIFICATION.—Nothing in this Act shall be construed to affect any existing federal statutes, enactments, or trust obligations created thereunder, or any statute of the several States that define the obligations of such States to native Hawaiians, native Americans, or Alaskan Natives in connection with ceded lands, except to make clear that airport revenues may not be used to satisfy such obligations.

SEC. 341. LIMITATION ON FUNDS USED TO ENFORCE REGULATIONS REGARDING ANIMAL FATS AND VEGETABLE OILS.—None of the funds made available in this Act may be used by the Coast

Guard to issue, implement, or enforce a regulation or to establish an interpretation or guideline under the Edible Oil Regulatory Reform Act (Public Law 104-55), or the amendments made by that Act, that does not recognize and provide for, with respect to fats, oils, and greases (as described in that Act, or the amendments made by that Act) differences in—

(1) physical, chemical, biological, and other relevant properties; and

(2) environmental effects.

SEC. 342. Notwithstanding the provisions of any other law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 343. Subsection (d)(4) of 49 U.S.C. 31112 is amended by striking "September 30, 1997" and inserting "February 28, 1998".

SEC. 344. None of the funds in this Act shall be used to enforce against air carriers, conducting operations under part 135 of the Federal Aviation Administration (FAA) regulations (14 C.F.R. 135.1 et seq.) that are not scheduled operations (as defined in 14 C.F.R. 119.3), the requirement in section 44936(f)(1) of title 49 that records be checked before hiring an individual as a pilot, until the FAA determines, in writing that it can furnish to such air carriers the requested records within 30 days, as required by section 44936(f)(5) of title 49. If the Administrator cannot make the determination, in writing, within 150 days after enactment of this Act, then the Administrator shall report to the Committees on Appropriations, the Senate Committee on Commerce, Science, and Transportation, and the House Committee on Transportation and Infrastructure, the reasons why the determination cannot be made.

SEC. 345. EXEMPTION AUTHORITY FOR AIR SERVICE TO SLOT-CONTROLLED AIRPORTS.—Section 41714 of title 49, United States Code, is amended by adding at the end thereof the following:

"(i) EXPEDITIOUS CONSIDERATION OF CERTAIN EXEMPTION REQUESTS.—Within 120 days after receiving an application for an exemption under subsection (a)(2) to improve air service between a nonhub airport (as defined in section 41731(a)(4)) and a high density airport subject to the exemption authority under subsection (a), the Secretary shall grant or deny the exemption. The Secretary shall notify the Senate Committee on Commerce, Science, and Transportation and the House Committee on Transportation and Infrastructure of the grant or denial within 14 calendar days after the determination and state the reasons for the determination."

SEC. 346. (a) As soon as practicable after the date of enactment of this Act, the Secretary of Transportation, acting for the Department of Transportation, may take receipt of such equipment and sites of the Ground Wave Emergency Network (referred to in this section as "GWEN") as the Secretary of Transportation determines to be necessary for the establishment of a nationwide system to be known as the "Nationwide Differential Global Positioning System" (referred to in this section as "NDGPS").

(b) As soon as practicable after the date of enactment of this Act, the Secretary of Transportation may establish the NDGPS. In establishing the NDGPS, the Secretary of Transportation may—

(1) if feasible, reuse GWEN equipment and sites transferred to the Department of Transportation under subsection (a);

(2) to the maximum extent practicable, use contractor services to install the NDGPS;

(3) modify the positioning system operated by the Coast Guard at the time of the establishment of the NDGPS to integrate the reference stations made available pursuant to subsection (a);

(4) in cooperation with the Secretary of Commerce, ensure that the reference stations referred to in paragraph (3) are compatible with,

and integrated into, the Continuously Operating Reference Station (commonly referred to as "CORS") system of the National Geodetic Survey of the Department of Commerce; and

(5) in cooperation with the Secretary of Commerce, investigate the use of the NDGPS reference stations for the Global Positioning System Integrated Precipitable Water Vapor System of the National Oceanic and Atmospheric Administration.

(c) The Secretary of Transportation may—

(1) manage and operate the NDGPS;

(2) ensure that the service of the NDGPS is provided without the assessment of any user fee; and

(3) in cooperation with the Secretary of Defense, ensure that the use of the NDGPS is denied to any enemy of the United States.

(d) In any case in which the Secretary of Transportation determines that contracting for the maintenance of 1 or more NDGPS reference stations is cost-effective, the Secretary of Transportation may enter into a contract to provide for that maintenance.

(e) The Secretary of Transportation may—

(1) in cooperation with appropriate representatives of private industries and universities and officials of State governments—

(A) investigate improvements (including potential improvements) to the NDGPS;

(B) develop standards for the NDGPS; and

(C) sponsor the development of new applications for the NDGPS; and

(2) provide for the continual upgrading of the NDGPS to improve performance and address the needs of—

(A) the Federal Government;

(B) State and local governments; and

(C) the general public.

SEC. 347. The Secretary of Transportation is authorized to transfer funds appropriated to the Coast Guard in Public Law 102-368 in order to pay rent assessments by the General Services Administration related to prior year space needs of the Department: Provided, That prior to any such transfer, notification shall be provided to the House and Senate Committees on Appropriations.

SEC. 348. (a) Subsection (b) of section 642 of the Treasury and General Government Appropriations Act, 1998 is amended by inserting "other than a Member of Congress," after "Code,".

(b) Paragraph (1) of section 642(c) of such Act is amended by striking "(1)(A) subject to subparagraph (B)," and inserting "(1)" and by striking "December 31, 1998" and all that follows through the end and inserting "December 31, 1998";.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1998".

And the Senate agree to the same.

FRANK R. WOLF,  
TOM DELAY,  
RALPH REGULA,  
HAROLD ROGERS,  
RON PACKARD,  
SONNY CALLAHAN  
TODD TIAHRT,  
ROBERT B. ADERHOLT,  
BOB LIVINGSTON,  
MARTIN OLAV SABO,  
THOMAS M. FOGLIETTA,  
ESTEBAN EDWARD TORRES,  
JOHN W. OLVER,  
ED PASTOR,  
DAVID R. OBEY,

Managers on the Part of the House.

RICHARD C. SHELBY,  
PETE V. DOMENICI,  
ARLEN SPECTER,  
CHRISTOPHER S. BOND,  
SLADE GORTON,  
ROBERT F. BENNETT,  
LAUCH FAIRCLOTH,  
TED STEVENS,

FRANK R. LAUTENBERG,  
ROBERT C. BYRD,  
BARBARA A. MIKULSKI,  
HARRY REID,  
HERB KOHL,  
PATTY MURRAY,  
DANIEL K. INOUE,

Managers on the Part of the Senate.

#### JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

#### CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch propensities cannot substitute for Congress' own statements concerning the best evidence of Congressional intentions; that is, the official reports of the Congress. Report language included by the House (House Report 105-188) or the Senate (Senate Report 105-55 accompanying the companion measure S. 1048) that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

#### PROGRAM, PROJECT AND ACTIVITY

During fiscal year 1998, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended, with respect to funds provided for the Department of Transportation and related agencies, the terms "program, project and activity" shall mean any item for which a dollar amount is contained in an appropriations Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. In addition, the reductions made pursuant to any sequestration order to funds appropriated for "Federal Aviation Administration, Facilities and equipment" and for "Coast Guard, Acquisition, construction, and improvements" shall be applied equally to each "budget item" that is listed under said accounts in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriations Acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference. The conferees recognize that adjustments to the above allocations may be required due to changing program requirements or priorities. The conferees expect any such adjustment, if required, to be accomplished only through the normal reprogramming process.

#### STAFFING INCREASES PROVIDED BY CONGRESS

The conferees direct the Department of Transportation to fill expeditiously any positions added in this bill, without regard to agency-specific staffing targets which may have been previously established to meet the mandated government-wide staffing reductions. The conferees support the overall

staffing reductions, and have made reductions in the bill which more than offset staffing increases provided for a small number of specific activities.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY  
SALARIES AND EXPENSES

The conference agreement provides \$61,000,000 for salaries and expenses of the office of the secretary, instead of \$60,009,000 as proposed by the House and \$66,703,000 as proposed by the Senate.

The conference agreement deletes language proposed by the Senate that provides not to exceed \$10,567,000 for rental of headquarters space, related services assessed by the General Services Administration, and for department-wide facility security enhancements. Sufficient funds are included within the appropriation to cover the office of the secretary's costs associated with the rental of headquarters space and related services assessed by the General Services Administration.

The conference agreement deletes bill language proposed by the House that would limit to \$606,000 funds made available to the office of acquisition and grants management, solely for department-wide grants management activities.

The conference agreement includes the following changes to the budget request for this office:

Reductions in staff:	
-5 Attorney advisors .....	-400,000
-2 Congressional liaison officers .....	-150,000
-2 Intergovernmental liaison officers .....	-150,000
-3 Office of public affairs .....	-175,000
-3 Office of administration .....	-125,000
-1 Office of intermodalism .....	-100,000
Office of the chief information officer .....	-225,000
Fitness reviews of airlines, +3 FTE .....	+180,000

OFFICE OF CIVIL RIGHTS

The conference agreement provides \$5,574,000 for the office of civil rights, as proposed by both the House and Senate.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

The conference agreement provides \$4,400,000, as proposed by both the House and the Senate. Within the funds provided, \$300,000 is included to conduct a national

capital region congestion mitigation study and to hold a summit; \$100,000 is included to develop with the Department of Agriculture, the private sector and the transportation industry a comprehensive strategy to distribute excess food and commodities from fields and warehouses to food banks and other public and non-profit organizations that assist the poor; and sufficient funds are included for transportation planning assistance for the 2002 Winter Olympics in Salt Lake City and for a multimodal transportation study for Albuquerque and Santa Fe, New Mexico.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

The conference agreement includes a limitation on activities financed through the transportation administrative service center at \$121,800,000, as proposed by the House. Language is included in the conference agreement that stipulates that the limitation shall not apply to non-DOT entities and that services provided by the transportation administrative service center to entities within the department shall be provided on a competitive basis. In addition, the conference agreement includes two language provisions, as proposed by the House. The first provision limits activities transferred to the transportation administrative service center to only those approved by the agency modal administrator; the second limits special assessments or reimbursable agreements levied against any program, project, or activity funded in this Act to only those assessments or reimbursable agreements presented to and approved by the House and Senate Committees on Appropriations. The Senate bill contained no similar provisions.

The conferees reiterate that the department shall submit with the department's Congressional budget submission an approved annual operating plan of the transportation administrative service center and quarterly reports for the Committees' review. Quarterly reports and approvals of the Secretary's management council shall also be provided to the Committees in a timely manner.

The conferees direct the Office of Inspector General to undertake a study that evaluates the utility and cost effectiveness of the transportation administrative service center both to the individual modes and the department generally; whether the transportation administrative service center provides quality services responsive to customer needs at a competitive price; and whether the Federal

Aviation Administration's franchise fund duplicates or reduces the cost effectiveness of a department-wide service center. The conferees direct that this report be provided to the House and Senate Committees on Appropriations not later than April 1, 1998.

PAYMENTS TO AIR CARRIERS  
(RESCISSION OF CONTRACT AUTHORIZATION)  
(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement rescinds \$38,600,000 in contract authority which was provided in previous authorizing Acts, as proposed by the Senate. The House bill contained no similar rescission.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

The conference agreement includes a limitation on direct loans of \$15,000,000 and provides subsidy and administrative costs totaling \$1,900,000, as proposed by both the House and Senate.

MINORITY BUSINESS OUTREACH

The conference agreement provides \$2,900,000 for minority business outreach activities, as proposed by both the House and Senate.

COAST GUARD  
OPERATING EXPENSES

The conference agreement provides \$2,715,400,000 for Coast Guard operating expenses instead of \$2,708,000,000 as proposed by the House and \$2,435,400,000 as proposed by the Senate. In addition, the Senate-passed Department of Defense Appropriations Bill, 1998 included \$300,000,000 for national security activities of the Coast Guard. The House bill included similar funding within the overall total provided in this bill.

The agreement limits Coast Guard aircraft to 212, as proposed by the House, instead of 221 as proposed by the Senate.

The agreement includes House provisions prohibiting the obligation of \$34,300,000 budgeted for Coast Guard drug interdiction activities until the Director, Office of National Drug Control Policy (ONDCP) reviews such activities and provides a specific certification to the Congress regarding the merit of such activities. The bill also allows the Director, ONDCP to transfer all or part of these funds to other federal entities for other drug interdiction activities.

The following table compares the House and Senate bills and the conference agreement for items in conference:

Coast Guard  
Operating Expenses  
Fiscal Year 1998  
Conference Agreement

	House	Senate	Conference
<b>Personnel Resources:</b>			
Budget estimate:	\$1,723,261,000	\$1,723,261,000	\$1,723,261,000
Adjustments to budget estimate:			
Public affairs staffing	-840,000	0	-600,000
Professional training/education	-1,645,000	0	-1,645,000
Recruiting	-1,000,000	0	-1,000,000
FTE staffyear savings	-19,600,000	0	-18,440,000
<b>Amount recommended</b>	<b>1,700,176,000</b>	<b>1,723,261,000</b>	<b>1,701,576,000</b>
<b>Operating Funds &amp; Unit Level Maintenance:</b>			
Budget estimate:	620,749,000	620,749,000	620,749,000
Adjustments to budget estimate:			
Governor's Island caretaker status	-8,300,000	-8,300,000	-2,300,000
<b>Amount recommended</b>	<b>612,449,000</b>	<b>612,449,000</b>	<b>618,449,000</b>
<b>Depot Level Maintenance:</b>			
Budget estimate:	395,990,000	395,990,000	395,990,000
Adjustments to budget estimate:	0	0	
<b>Amount recommended</b>	<b>395,990,000</b>	<b>395,990,000</b>	<b>395,990,000</b>
<b>Account-Wide Adjustments:</b>			
User fee offset, foreign flag cruise ships	-615,000	0	-615,000
GWEN/DGPS	0	+3,700,000	0
<b>Amount recommended</b>	<b>-615,000</b>	<b>3,700,000</b>	<b>-615,000</b>
<b>Total appropriation</b>	<b>2,708,000,000</b>	<b>*2,735,400,000</b>	<b>2,715,400,000</b>

\* Includes \$2,435,400,000 in this bill and \$300,000,000 in the Department of Defense Appropriations Bill, 1997. Shown together here for comparability purposes.

*Ballast water management program.*—The conferees agree that, within the total amount provided, \$1,995,000 is to implement the nationwide ballast water management program, as proposed by the House.

*Governor's Island caretaker status.*—The conference agreement provides \$6,000,000 for Coast Guard maintenance of Governor's Island in a "caretaker" status pending transfer to the General Services Administration. This is a reduction of \$2,300,000 from the budget estimate. The Coast Guard has indicated that Governor's Island can be adequately maintained until such transfer during fiscal year 1998 at this funding level; however, if costs are higher than currently expected, the Coast Guard should advise the Congress as soon as possible. The conferees do not expect to support Coast Guard funding for caretaker expenses in fiscal year 1999, since such funding would be beyond the normal responsibility of federal agencies under existing regulations.

*Sand Island Bridge, Honolulu, HI.*—The conferees direct the Coast Guard to conduct a study, using operating funds, to determine the eligibility of the Sand Island Bridge in Honolulu Harbor, Hawaii for funding under the "Alteration of bridges" program.

ACQUISITION, CONSTRUCTION, AND  
IMPROVEMENTS

The conference agreement includes \$397,850,000 for acquisition, construction, and improvements instead of \$379,000,000 as proposed by the House and \$412,300,000 as proposed by the Senate. The bill allocates funds by budget activity as follows:

*Vessels, small boats, and related equipment.*—\$212,100,000 instead of \$191,650,000 as proposed by the House and \$214,700,000 as proposed by the Senate;

*Aircraft and related programs.*—\$25,800,000 instead of \$33,900,000 as proposed by the House and \$26,400,000 as proposed by the Senate;

*Other equipment.*—\$44,650,000 instead of \$47,050,000 as proposed by the House and \$51,200,000 as proposed by the Senate;

*Shore facilities and aids to navigation facilities.*—\$68,300,000 instead of \$59,400,000 as proposed by the House and \$73,000,000 as proposed by the Senate.

The bill also allows up to \$9,000,000 in offsetting collections from asset sales to be credited to this appropriation during fiscal year 1998, as proposed in both bills, with technical language as proposed by the House and the Senate.

The bill provides that the Secretary may enter into a long-term agreement with the City of Unalaska in Alaska for dedicated pier space on the municipal dock for Coast Guard vessels, as proposed by the Senate.

A table showing the distribution of this appropriation by project as included in the fiscal year 1998 budget estimate, House bill, Senate bill, and the conference agreement follows:

Acquisition, Construction, and Improvements  
Fiscal Year 1998  
Conference Agreement

Program Name	FY 1997 Enacted	FY 1998 Estimate	FY 1998 House	FY 1998 Senate	Conference Agreement
<b>Vessels:</b>	<b>216,500,000</b>	<b>186,900,000</b>	<b>191,650,000</b>	<b>214,700,000</b>	<b>212,100,000</b>
Survey and design - cutters and boats	500,000	500,000	500,000	500,000	500,000
Seagoing buoy tender (WLB) replacement	54,000,000	55,000,000	55,000,000	41,000,000	41,000,000
Coastal buoy tender (WLM) replacement	75,000,000	21,000,000	21,000,000	21,000,000	21,000,000
47-foot motor lifeboat (MLB) replacement project	26,000,000	21,600,000	31,600,000	21,600,000	31,600,000
Buoy boat replacement project (BUSL)	7,800,000	12,000,000	12,000,000	12,000,000	12,000,000
Polar icebreaker replacement follow-on	4,000,000	4,000,000	3,500,000	4,000,000	3,500,000
82-foot WPB capability replacement	33,100,000	0	0	0	0
Configuration management	3,500,000	3,800,000	3,800,000	3,800,000	3,800,000
Surface search radar replacement project	4,000,000	15,400,000	15,400,000	15,400,000	15,400,000
Motor surfboat replacement	1,100,000	0	0	0	0
210-foot medium endurance cutter MMA	2,500,000	0	0	0	0
Polar class icebreaker reliability improvement program	5,000,000	9,300,000	6,550,000	5,300,000	5,300,000
Coastal patrol boat (CPB)	0	37,300,000	37,300,000	68,100,000	63,000,000
Mackinaw replacement	0	0	2,000,000	2,000,000	2,000,000
Independent maritime response vessel	0	2,000,000	0	2,000,000	0
Deepwater capability concept exploration	0	5,000,000	3,000,000	5,000,000	3,000,000
Reprogramming (FY 1996 IMARV funds)	0	0	[2,000,000]	[2,000,000]	[2,000,000]
ATS-1 conversion	0	0	0	13,000,000	10,000,000
<b>Aircraft:</b>	<b>18,040,000</b>	<b>26,400,000</b>	<b>33,900,000</b>	<b>26,400,000</b>	<b>25,800,000</b>
Traffic alert & collision avoidance system (TCAS)	5,700,000	3,300,000	3,300,000	3,300,000	3,300,000
Global positioning system installation	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
HC-130 engine conversion	6,800,000	5,200,000	5,200,000	5,200,000	4,100,000
HH-65A helicopter kapton rewiring	2,000,000	3,200,000	3,200,000	3,200,000	3,200,000
HH-65A helicopter mission computer replacement	2,000,000	4,400,000	4,400,000	4,400,000	4,400,000
HH-65 offset (FY 1995 reprogramming)	-360,000	0	0	0	0
Long range search aircraft capability preservation	0	4,600,000	4,100,000	4,600,000	4,100,000
HC-130 aircraft sensor upgrade	0	3,800,000	11,800,000	3,800,000	4,800,000
Reprogramming (FY 1996 C-130 SLAR funds)	0	0	[2,000,000]	[0]	[2,000,000]
<b>Other Equipment:</b>	<b>41,700,000</b>	<b>49,700,000</b>	<b>47,050,000</b>	<b>51,200,000</b>	<b>44,650,000</b>
Fleet logistics system	9,300,000	9,200,000	9,200,000	9,200,000	8,200,000
Ports and waterways safety system (PAWSS)	0	5,500,000	5,500,000	5,500,000	5,500,000
Marine information for safety and law enforcement (MISLE)	5,000,000	4,000,000	4,000,000	4,000,000	4,000,000
Conversion of software applications	6,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Finance center information system replacement	2,100,000	0	0	0	0
Aviation logistics management information system (ALMIS)	4,800,000	2,700,000	2,700,000	2,700,000	2,700,000
National distress system modernization	1,000,000	7,000,000	7,000,000	5,000,000	5,000,000
Communication systems 2000	4,000,000	1,000,000	1,000,000	1,000,000	1,000,000
WLB/WLM support facility	1,800,000	0	0	0	0
Global maritime distress and safety system	700,000	0	0	0	0
Personnel MIS/Jt uniform military pay system	1,600,000	1,600,000	0	1,600,000	1,600,000
VHF-FM high level site upgrade	4,400,000	7,400,000	7,400,000	7,400,000	7,400,000
VTS requirements evaluation	1,000,000	0	0	0	0
Local notice to mariners automation	0	1,800,000	750,000	1,800,000	750,000
Frequency spectrum reallocation	0	5,100,000	5,100,000	5,100,000	4,100,000
Defense message system implementation	0	1,400,000	1,400,000	1,400,000	1,400,000
Differential GPS phase II (coastal gaps)	0	1,000,000	1,000,000	1,000,000	1,000,000
Port security equipment	0	0	0	3,500,000	0
<b>Shore Facilities and Aids to Navigation:</b>	<b>52,350,000</b>	<b>69,000,000</b>	<b>59,400,000</b>	<b>73,000,000</b>	<b>68,300,000</b>
Survey and design - shore projects	6,000,000	6,000,000	6,000,000	6,000,000	5,000,000
Minor AC&I shore construction projects	2,400,000	8,000,000	6,600,000	8,000,000	7,000,000
Mid-atlantic air station consolidation	1,300,000	0	0	0	0
Coast Guard Yard ship handling facility (phase II)	4,950,000	0	0	0	0
Support center Portsmouth - upgrade sandblast facility	2,000,000	0	0	0	0

Acquisition, Construction, and Improvements  
Fiscal Year 1998  
Conference Agreement

Program Name	FY 1997	FY 1998	FY 1998	FY 1998	Conference
	Enacted	Estimate	House	Senate	Agreement
Support Ctr San Pedro, CA - construct medical facility	3,700,000	0	0	0	0
Public family quarters	12,000,000	15,900,000	15,900,000	15,900,000	14,900,000
Base San Juan, PR - reconstruction	7,000,000	0	0	0	0
Waterways ATON projects	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Station Juneau, AK - renovate/expand station	2,000,000	0	0	0	0
Station Sabine - reconstruct/expand waterfront facilities	4,000,000	0	0	0	0
Owensboro, KY - relocate cutter moorings	2,000,000	0	0	0	0
Station Bellingham, WA - relocation	0	4,000,000	4,000,000	4,000,000	4,000,000
Group Woods Hole, MA - waterfront renovation	0	2,900,000	2,900,000	2,900,000	2,900,000
Group/Station New Orleans, LA - relocation	0	4,200,000	8,400,000	4,200,000	8,400,000
Base Ketchikan, AK - replace breakwater	0	1,600,000	1,600,000	1,600,000	1,600,000
Omega termination cost	0	6,700,000	0	6,700,000	0
Bayonne, NJ - construct pier	0	4,100,000	0	4,100,000	4,100,000
ISC Portsmouth, VA - command & control engineering center	0	4,700,000	4,700,000	4,700,000	4,700,000
New London, CT - leadership development center	0	5,900,000	4,300,000	5,900,000	4,300,000
Reprogramming (FY 1996 Wadsworth, NY funds)	0	0	[1,600,000]	[1,600,000]	[1,600,000]
ISC Kodiak - hanger renovation	0	0	0	4,000,000	4,000,000
Ground wave emergency network (GWEN)/DGPS	0	0	0	0	2,400,000
<b>Personnel and Related Support:</b>	<b>46,250,000</b>	<b>47,000,000</b>	<b>47,000,000</b>	<b>47,000,000</b>	<b>47,000,000</b>
Direct personnel costs	45,400,000	46,500,000	46,500,000	46,500,000	46,500,000
Core acquisition costs	850,000	500,000	500,000	500,000	500,000
<i>Total gross appropriation</i>	<i>374,840,000</i>	<i>379,000,000</i>	<i>379,000,000</i>	<i>412,300,000</i>	<i>397,850,000</i>
<i>Offsetting collections from asset sales</i>	<i>0</i>	<i>-9,000,000</i>	<i>-9,000,000</i>	<i>-9,000,000</i>	<i>-9,000,000</i>
<i>Total net appropriation</i>	<i>374,840,000</i>	<i>370,000,000</i>	<i>370,000,000</i>	<i>403,300,000</i>	<i>388,850,000</i>

*Group/Station New Orleans.*—The conferees agree to direct that \$3,000,000 of the funds provided for relocation of Group/Station New Orleans is only to improve the condition of the waterway adjoining the relocation site, as proposed by the House.

*Ground wave emergency network (GWEN)/DGPS.*—The conference agreement includes \$2,400,000 to initiate the establishment of a nationwide differential global positioning system (DGPS) utilizing decommissioned United States Air Force ground wave emergency network (GWEN) sites and equipment. The Coast Guard and Federal Railroad Administration have successfully converted a demonstration GWEN site into a Coast Guard-operated precision DGPS. The funds provided to the Coast Guard shall be used for site, tower, and antenna acquisition, equip-

ment, construction, and other hardware and software costs related to the expansion of the Coast Guard's current DGPS coverage to a ground-based nationwide system. These increased mapping and locator capabilities will have far-reaching applications in the areas of positive train control, intelligent transportation systems, search and rescue, fire fighting, precision farming, and other public safety missions.

*Hampton, Long Island seasonal search and rescue facility.*—The conferees agree that the Department of Defense and the Coast Guard should sign a memorandum of agreement providing for a seasonal search and rescue capability operating out of the Air National Guard facility at the Francis S. Gabreski Airport in Hampton, Long Island for the period April 15 to October 15, 1998. However, the

conferees agree that this activity should result in no additional costs being borne by the Department of Defense or the Air National Guard, and is approved at this time for one year only.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

The conference agreement includes \$21,000,000 for environmental compliance, as proposed by both the House and the Senate.

ALTERATION OF BRIDGES

The conference agreement includes \$17,000,000 for the alteration of bridges program instead of \$16,000,000 as proposed by the House and \$26,000,000 as proposed by the Senate. The following table compares the conference agreement by project to the levels proposed by the House and Senate:

Bridge and location	House bill	Senate bill	Conference agreement
New Orleans, LA, Florida Avenue RR/HW Bridge .....	\$7,000,000	\$3,000,000	\$7,000,000
Brunswick, GA, Sidney Lanier HW Bridge .....	9,000,000	18,000,000	10,000,000
Honolulu, HI, Sand Island Road Tunnel .....	0	5,000,000	0
Total .....	16,000,000	26,000,000	17,000,000

RETIRED PAY

The conference agreement includes \$653,196,000 for Coast Guard retired pay as proposed by the Senate instead of \$645,696,000 as proposed by the House. This is scored as a mandatory appropriation in the Congressional budget process.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$67,000,000 for reserve training as proposed by the House instead of \$65,535,000 as proposed by the Senate. The conferees agree with the direction of the House that, of the increase provided, \$1,000,000 is for additional recruiting activities. The conference agreement also includes a provision proposed by the House which limits to \$20,000,000 the amount of this appropriation which may be transferred to Coast Guard "Operating expenses" or otherwise used to reimburse the active duty Coast Guard for its support of the reserves.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement includes \$19,000,000 for Coast Guard research, development, test and evaluation as proposed by the House instead of \$20,000,000 as proposed by the Senate. The conferees agree that the additional work proposed by the Senate to improve ballast water management practices can be accommodated within the \$1,995,000 allocated in Coast Guard "Operating expenses" for this activity.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

The conference agreement includes \$35,000,000 for boat safety, as proposed by both the House and the Senate.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

The conference agreement includes \$5,301,934,000 for operating expenses of the Federal Aviation Administration instead of \$5,300,000,000 as proposed by the House and \$5,325,900,000 as proposed by the Senate. The bill also provides that these funds are in addition to amounts made available as a mandatory appropriation of user fees in the Federal Aviation Administration Reauthorization Act of 1996 (Public Law 104-264). These mandatory appropriations are estimated to add \$50,000,000 to the FAA's operating budget for fiscal year 1998, providing a total budgetary increase of \$451,934,000 (9.2 percent) over fiscal year 1997. Of the total amount provided, \$1,901,628,000 shall be derived from the airport and airway trust fund as proposed by the Senate instead of \$1,880,000,000 as proposed by the House. The balance of this appropriation is drawn from the general fund.

The bill includes a provision proposed by the House which prohibits funds from planning, finalizing, or implementing any regulation to impose new aviation user fees not specifically authorized by law after the date of enactment of this Act. Both the House and Senate Committees on Appropriations expressed very serious concerns this year with FAA's recent aviation user fee proposals on

both technical and policy-related grounds. The recent bipartisan budget agreement authorizes aviation excise taxes for the foreseeable future which provide sufficient revenues to finance the FAA's activities without additional user fees. The significant increases in this bill for FAA's budget prove that Congress can provide adequately for the agency without augmenting appropriations with user fees.

The conferees are aware of FAA's opinion that the agency has the legal authority to establish new user fees under the generic authority provided in the User Fee Statute, and do not wish to see FAA circumvent the legislative process and avoid the normal cost controls which apply to other federal agencies through the administrative implementation of new user fees. The conferees emphasize, however, that this provision does not prevent the FAA from implementing new user fees. It only provides that such fees must be specifically authorized by the Congress.

The bill includes no limitation on the number of passenger motor vehicles which may be leased or purchased by the FAA, as proposed by the Senate. The House had proposed a limitation of four vehicles.

The bill allocates up to \$5,000 for activities of the "Aircraft purchase loan guarantee program", as proposed by the Senate. The House bill contained no similar allocation.

The following table compares the conference agreement to the levels proposed in the House and Senate bills by budget activity:

FAA Operations  
Fiscal Year 1998  
Conference Agreement

	House	Senate	Conference
<b>Air Traffic Services:</b>			
Budget estimate:	\$4,192,516,000	\$4,192,516,000	\$4,192,516,000
Adjustments to budget estimate:			
HAZMAT program	-6,000,000	0	-6,000,000
ATR office	-2,625,000	0	-2,000,000
Contract maintenance	-3,659,000	0	0
Leased telecommunications	-6,200,000	-4,000,000	-5,000,000
Assoc. admin. ATS HQ staffing	-2,325,000	0	0
MARC	+1,500,000	0	0
PCS moves	-1,500,000	0	-1,500,000
Sat Comm, Anchorage, AK	0	+400,000	+400,000
NAS plan hand-off	0	-7,000,000	-7,000,000
<b>Amount recommended</b>	<b>4,171,707,000</b>	<b>4,181,916,000</b>	<b>4,171,416,000</b>
<b>Aviation Regulation/Certification:</b>			
Budget estimate:	613,768,000	613,768,000	613,768,000
Adjustments to budget estimate:			
Human intervention and motivation study (HIMS)	0	+400,000	+400,000
<b>Amount recommended</b>	<b>613,768,000</b>	<b>614,168,000</b>	<b>614,168,000</b>
<b>Aviation Security:</b>			
Budget estimate:	98,651,000	98,651,000	98,651,000
Adjustments to budget estimate:	-497,000	0	-497,000
<b>Amount recommended</b>	<b>98,154,000</b>	<b>98,651,000</b>	<b>98,154,000</b>
<b>Research and Acquisition:</b>			
Budget estimate:	92,858,000	92,858,000	92,858,000
Adjustments to budget estimate:	0	0	0
<b>Amount recommended</b>	<b>92,858,000</b>	<b>92,858,000</b>	<b>92,858,000</b>

	House	Senate	Conference
<b>Administration of Airports:</b>			
Budget estimate:	48,052,000	48,052,000	48,052,000
Adjustments to budget estimate:			
Staffing adjustment	0	0	0
<b>Amount recommended</b>	<b>48,052,000</b>	<b>48,052,000</b>	<b>48,052,000</b>
<b>Commercial Space Transportation</b>			
Budget estimate:	6,182,000	6,182,000	6,182,000
Adjustments to budget estimate:			
Staffing adjustment	0	0	0
<b>Amount recommended</b>	<b>6,182,000</b>	<b>6,182,000</b>	<b>6,182,000</b>
<b>Administration:</b>			
Budget estimate:	262,143,000	262,143,000	262,143,000
Adjustments to budget estimate:			
Executive staff-administration	-1,852,000	0	-1,852,000
Business & info consultation	-1,800,000	0	-1,800,000
<b>Amount recommended</b>	<b>258,491,000</b>	<b>262,143,000</b>	<b>258,491,000</b>
<b>Staff Offices:</b>			
Budget estimate:	71,930,000	71,930,000	71,930,000
Adjustments to budget estimate:			
Staffing adjustment	-1,825,000	0	0
Office of policy-periodic fitness reviews	-180,000	0	-180,000
<b>Amount recommended</b>	<b>69,925,000</b>	<b>71,930,000</b>	<b>71,750,000</b>
<b>Account-Wide Adjustments:</b>			
Travel reform	-5,900,000	0	-5,900,000
Time off awards	-2,875,000	0	-2,875,000
DOT library contribution	-120,000	0	-120,000
Interest on Sunday premium pay	-242,000	0	-242,000
<b>Amount recommended</b>	<b>-9,137,000</b>	<b>0</b>	<b>-9,137,000</b>

Total appropriation .....	5,350,000,000	5,375,900,000	5,351,934,000
(Appropriation in this bill) .....	(5,300,000,000)	(5,325,900,000)	(5,301,934,000)
(Mandatory user fees) .....	(50,000,000)	(50,000,000)	(50,000,000)

*Mid-America Aviation Resource Consortium (MARC).*—The conference agreement includes \$1,700,000, as requested in the budget, to continue the agency's commitment to the Mid-America Aviation Resource Consortium (MARC) in Minnesota. The conferees believe that MARC provides cost-effective services to the FAA's air traffic controller training program, and does not compete with training services provided by the Mike Monroney Aeronautical Center in Oklahoma City.

*Leased telecommunications.*—The conferees agree that the reduction of \$5,000,000 in leased telecommunications is based on the concern cited in the Senate report.

*Cherry Capital Airport study.*—The conferees agree with the direction of the House that the General Accounting Office should conduct a review of FAA's critical value studies on the Cherry Capital Airport in Michigan.

*WINGS.*—The conferees direct that no funds may be used in fiscal year 1998 to develop the proposed new personnel and payroll system known as WINGS.

*Contract towers.*—The conferees direct the FAA to study air traffic in New Bern and Hickory, North Carolina and Salisbury/Wicomico County Airport in Maryland and open contract towers at those airports in fiscal year 1998 if those studies show such airports: (a) meet existing benefit-cost criteria; or (b) are justified after consideration of cost-sharing agreements with non-federal parties. This modifies the Senate's proposal, which would have also directed establishment of a contract tower at these locations if the FAA projected that the airport might meet benefit-cost criteria within the next two years.

*Regulations on the operation of lighter than air vehicles.*—The conferees recognize the increasing popularity of hot air ballooning as a spectator and aviation sport. Currently, hot air balloons, also known as lighter than air (LTA) vehicles, are restricted by 14 CFR 91.119, the federal aviation regulation on minimum safe altitude requirement which normally applies to fixed wing aircraft. Understanding the vast differences between LTA and fixed wing aircraft, the conferees question the feasibility of requiring pilots of hot air balloons to comply with 14 CFR 91.119. The FAA currently exempts helicopters from this provision, and usually waives this regulation for hot air balloon rallies. The conferees encourage the FAA to examine this safety concern for balloonists

and report back to the House and Senate Committees on Appropriations on the feasibility of exempting hot air balloons from this provision.

*Electromagnetic hazards on commercial aircraft.*—The conferees recognize the national need to examine the safety of commercial aircraft from electromagnetic interference. Currently, there is no independent organization that has the requisite resources such as aircraft, test facilities, and expertise that can function to provide science-based technical guidance for government and industry. The Department of Energy's Sandia National Laboratory and Army Test and Evaluation Command Directorate of Applied Technology Test and Simulation have the resources and ongoing programs that can provide science-based electromagnetic analysis and testing services for evaluation of aircraft safety issues due to the use of portable electric devices on board or other off-board electromagnetic sources such as high power radars and newer communication transmitters. The conferees encourage the FAA to examine the resources that exist within these organizations in order to begin addressing this issue.

GENERAL PROVISIONS

*Wright Amendment.*—The conferees have included the provision recommended by the Senate clarifying the meaning of section 29(a)(2) of the International Air Transportation Competition Act of 1979 regarding air transportation provided by commuter airlines operating aircraft with a passenger capacity of 56 passengers or less. The conferees do not adopt the Senate bill and report language relating to the Dallas City Council, and the discussions in the Senate report regarding regional jets. In addition, the conferees have added bill language including additional states to be covered under section 29(c) of the International Air Transportation Competition Act of 1979.

The conferees are concerned about the safety of flight operations in U.S. airspace, and have included language directing the FAA Administrator to ensure that aviation operations in the Dallas-Fort Worth metropolitan area are, and will remain, safe. In addition, the language directs the FAA Administrator to notify the House and Senate Committees on Appropriations and the Senate Committee on Commerce, Science, and Transportation of any restrictions on operations the Administrator directs to ensure

safety. Further, the Administrator shall report to the House and Senate Committees on Appropriations and the Senate Committee on Commerce, Science, and Transportation within 45 days of enactment of this Act outlining any additional equipment or air traffic control support necessary to enhance traffic flow, airspace management, and safety in the Dallas-Fort Worth metropolitan area.

Upon a 25 percent increase in total flight operations from the levels existing as of the date of enactment of this Act at either Dallas Love Field or Dallas-Fort Worth International Airport, the Administrator of the Federal Aviation Administration shall initiate a review of air traffic management within the Dallas-Fort Worth metroplex and report to the House and Senate Committees on Appropriations and the Senate Committee on Commerce, Science, and Transportation within 180 days. This review shall include an analysis of congestion and delays in the metroplex airspace, the impact on Love Field or Dallas-Fort Worth International Airport, and air traffic management constraints in the region. Upon a 50 percent increase in total flight operations from the levels existing on the date of enactment of this Act at either of the airports mentioned in this section, the Administrator shall report to the House and Senate Committees on Appropriations and the Senate Committee on Commerce, Science, and Transportation within 30 days describing what actions, if any, are recommended to ensure the efficient and safe operation of Dallas-Fort Worth metroplex airspace.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides \$1,875,477,000 for facilities and equipment instead of \$1,875,000,000 as proposed by the House and \$1,889,004,883 as proposed by the Senate. The bill provides that funds for programs in budget activities one through four have an obligational availability of three years and funds for programs in budget activity five are available for two years, as proposed by the House and Senate. The total appropriation is derived from the airport and airway trust fund.

The following table provides a breakdown of the House and Senate bills and the conference agreement by program:

FACILITIES AND EQUIPMENT  
Fiscal Year 1998  
Conference Agreement  
(In thousands of dollars)

TITLE	FY 1997 Enacted	FY 1998 Estimate	FY 1998 House	FY 1998 Senate	Conference Agreement
<b>ENGINEERING DEVELOPMENT, TEST AND EVALUATION:</b>					
AVIATION WEATHER SERVICES IMPROVEMENTS	19,942.0	23,000.0	33,000.0	23,000.0	23,000.0
EN ROUTE AUTOMATION	96,500.0	0.0	0.0	0.0	0.0
VOICE SWITCHING AND CONTROL SYSTEM (VSCS) - EDT&E	13,300.0	0.0	0.0	0.0	0.0
OCEANIC AUTOMATION SYSTEM	39,000.0	32,000.0	42,000.0	32,000.0	32,000.0
AERONAUTICAL DATA LINK (ADL) APPLICATIONS	0.0	0.0	15,000.0	0.0	15,000.0
NEXT GENERATION VHF A/G COMMUNICATION SYSTEM	2,090.0	7,400.0	7,400.0	7,400.0	5,400.0
WIDE AREA AUGMENTATION SYSTEM (WAAS) FOR GPS	95,000.0	0.0	0.0	0.0	0.0
NATIONAL SATELLITE TEST BED	11,500.0	0.0	0.0	0.0	0.0
AIR TRAFFIC MANAGEMENT (ATM)	0.0	18,240.0	45,440.0	18,240.0	45,440.0
WEATHER AND RADAR PROCESSOR (WARP)	0.0	0.0	24,400.0	0.0	24,400.0
<b>SUBTOTAL - EN ROUTE PROGRAMS</b>	<b>277,332.0</b>	<b>80,640.0</b>	<b>167,240.0</b>	<b>80,640.0</b>	<b>145,240.0</b>
TERMINAL DIGITAL RADAR (ASR-11)	13,300.0	42,200.0	42,200.0	35,800.0	35,800.0
TERMINAL AUTOMATION	48,000.0	68,000.0	73,000.0	68,000.0	68,000.0
REMOTE MAINTENANCE MONITORING SYSTEM	6,000.0	0.0	0.0	0.0	0.0
WEATHER SYSTEMS PROCESSOR (WSP)	8,055.0	6,200.0	6,200.0	5,200.0	5,200.0
AIRPORT SURFACE TARGET IDENTIFICATION SYSTEM	4,000.0	0.0	0.0	0.0	0.0
INNOVATIVE INFRARED DEICING TECHNOLOGY	0.0	0.0	970.0	0.0	970.0
<b>SUBTOTAL - TERMINAL PROGRAMS</b>	<b>79,355.0</b>	<b>116,400.0</b>	<b>122,370.0</b>	<b>109,000.0</b>	<b>109,970.0</b>
LOCAL AREA AUGMENTATION SYSTEM FOR GPS (LAAS)	6,000.0	6,500.0	6,500.0	6,500.0	6,500.0
WIDE AREA AUGMENTATION SYSTEM (WAAS)	0.0	101,530.0	114,000.0	101,530.0	152,830.0
<b>SUBTOTAL - LANDING/NAVAIDS</b>	<b>6,000.0</b>	<b>108,030.0</b>	<b>120,500.0</b>	<b>108,030.0</b>	<b>159,330.0</b>
FAA TECHNICAL CENTER FACILITY - BUILDING LEASE	5,290.0	5,290.0	5,290.0	5,290.0	5,290.0
UTILITY PLANT MODIFICATIONS	910.0	0.0	0.0	0.0	0.0
NAS IMPROVEMENT OF SYSTEM SUPPORT LABORATORY	2,000.0	2,000.0	2,000.0	2,000.0	2,000.0
TECHNICAL CENTER FACILITIES	9,000.0	7,000.0	7,000.0	7,000.0	7,000.0
INDEPENDENT OPERATIONAL TEST SUPPORT	3,500.0	3,200.0	3,200.0	3,200.0	3,200.0
INNOVATIVE INFRARED DEICING TECHNOLOGY	0.0	0.0	0.0	970.0	0.0
<b>SUBTOTAL, RDT&amp;E EQUIPMENT AND FACILITIES</b>	<b>20,700.0</b>	<b>17,490.0</b>	<b>17,490.0</b>	<b>18,460.0</b>	<b>17,490.0</b>
<b>TOTAL ACTIVITY 1</b>	<b>383,387.0</b>	<b>322,560.0</b>	<b>427,600.0</b>	<b>316,130.0</b>	<b>432,030.0</b>
<b>AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT:</b>					
LONG RANGE RADAR (LRR) PROGRAM - REPLACE/ESTABLISH	16,500.0	6,600.0	6,600.0	6,600.0	6,600.0
EN ROUTE AUTOMATION	106,100.0	214,240.0	214,190.2	214,240.0	212,290.2
NEXT GENERATION WEATHER RADAR (NEXRAD)	0.0	3,000.0	3,000.0	3,000.0	3,000.0
AIR TRAFFIC OPERATIONS MANAGEMENT	1,000.0	1,000.0	1,000.0	1,000.0	1,000.0
WEATHER AND RADAR PROCESSOR (WARP)	24,650.0	24,400.0	0.0	24,400.0	0.0
AERONAUTICAL DATA LINK (ADL) APPLICATIONS	17,425.0	8,000.0	0.0	4,000.0	0.0
ARTCC BUILDING IMPROVEMENTS/PLANT IMPROVEMENTS	62,087.0	98,551.7	86,451.7	98,551.7	96,851.2
VOICE SWITCHING AND CONTROL SYSTEM (VSCS)	101,700.0	50,700.0	50,700.0	50,700.0	45,400.0
RCF - EXPAND/RELOCATE	2,825.0	1,440.0	1,440.0	3,140.0	3,140.0
TRAFFIC FLOW MANAGEMENT	38,000.0	0.0	0.0	0.0	0.0
AIR TRAFFIC MANAGEMENT	0.0	44,200.0	17,000.0	44,200.0	40,000.0
DATA MULTIPLEXING NETWORK (DMN)	3,900.0	3,900.0	3,900.0	3,900.0	2,900.0
CRITICAL COMMUNICATIONS SUPPORT	0.0	4,300.0	4,300.0	4,300.0	3,000.0
SATELLITE COMMUNICATIONS CIRCUIT BACK-UP	2,000.0	0.0	0.0	0.0	0.0
DOD BASE CLOSURE - FACILITY TRANSFER	500.0	2,200.0	2,200.0	2,200.0	2,200.0
BACK-UP EMERGENCY COMMUNICATIONS (BUEC)	3,000.0	8,500.0	8,500.0	8,500.0	8,500.0
AIR/GROUND COMMUNICATION RFI ELIMINATION	0.0	2,000.0	2,000.0	2,000.0	2,000.0
VOLCANO MONITOR	2,000.0	0.0	0.0	2,000.0	2,000.0

## FACILITIES AND EQUIPMENT

Fiscal Year 1998

Conference Agreement

(In thousands of dollars)

TITLE	FY 1997	FY 1998	FY 1998	FY 1998	Conference
	Enacted	Estimate	House	Senate	Agreement
ATC BEACON INTERROGATOR (ATCBI) REPLACEMENT	1,000.0	7,400.0	7,400.0	7,400.0	7,400.0
SPECTRUM AUCTION IMPACT	40,000.0	0.0	0.0	0.0	0.0
LOW DENSITY RADIO COMMUNICATIONS LINK	0.0	29,840.0	23,840.0	23,840.0	23,840.0
ATC EN ROUTE RADAR FACILITIES	0.0	6,748.3	6,748.3	6,748.3	6,748.3
EN ROUTE COMMS AND CONTROL FACILITIES IMPROVEMENT	3,265.0	918.3	918.3	918.3	918.3
OMEGA TERMINATION COST	0.0	0.0	6,700.0	0.0	6,700.0
<b>SUBTOTAL - EN ROUTE PROGRAMS</b>	<b>425,952.0</b>	<b>517,938.3</b>	<b>446,888.5</b>	<b>511,638.3</b>	<b>474,488.0</b>
TERMINAL DOPPLER WEATHER RADAR (TDWR) - PROVIDE	4,655.0	4,800.0	2,300.0	2,300.0	2,300.0
MODE S - PROVIDE	3,980.0	0.0	0.0	0.0	0.0
TERMINAL AUTOMATION	16,300.0	40,000.0	33,800.0	40,000.0	36,500.0
REMOTE MAINTENANCE MONITORING SYSTEM (RMMS)	17,900.0	0.0	0.0	0.0	0.0
TERMINAL AIR TRAFFIC CONTROL FACILITIES - REPLACE	74,400.0	62,000.0	67,000.0	70,000.0	67,000.0
CONTROL TOWER/TRACON FACILITIES - IMPROVE	16,354.0	18,631.1	4,800.0	0.0	0.0
TERMINAL VOICE SWITCH REPLACEMENT (TVSR)	12,300.0	9,940.0	1,640.0	1,640.0	1,640.0
RADIO CONTROL EQUIPMENT (RCE) - PROVIDE	0.0	3,000.0	3,000.0	3,000.0	3,000.0
EMPLOYEE SAFETY/OSHA AND ENVIRONMENTAL COMPLIANCE	21,000.0	43,700.0	23,000.0	43,700.0	23,000.0
CHICAGO METROPLEX	2,900.0	4,700.0	4,700.0	4,700.0	4,700.0
NEW AUSTIN AIRPORT AT BERGSTROM	16,900.0	3,700.0	2,000.0	0.0	1,000.0
POTOMAC METROPLEX	1,000.0	2,600.0	27,600.0	2,600.0	27,600.0
DENVER METROPLEX	4,000.0	1,200.0	1,200.0	1,200.0	1,200.0
NORTHERN CALIFORNIA METROPLEX	7,500.0	21,700.0	21,700.0	21,700.0	21,700.0
ATLANTA METROPLEX	6,500.0	15,600.0	25,400.0	15,600.0	20,000.0
TOWER AUTOMATION PROGRAM	10,000.0	2,000.0	0.0	0.0	0.0
DIGITAL VOICE RECORDER SYSTEM	4,000.0	3,000.0	3,000.0	3,000.0	3,000.0
NAS INFRASTRUCTURE MANAGEMENT SYSTEM (NIMS)	0.0	26,750.0	18,000.0	25,350.0	18,000.0
AIRPORT SURVEILLANCE RADAR (ASR-9)	0.0	23,700.0	23,700.0	23,700.0	23,700.0
AIRPORT SURFACE DETECTION EQUIPMENT (ASDE-3)	4,000.0	0.0	8,600.0	0.0	7,500.0
TERMINAL RADAR (ASR) - IMPROVE	4,445.0	3,240.5	3,240.5	3,240.5	3,240.5
SOUTHERN CALIFORNIA METROPLEX	5,700.0	0.0	0.0	0.0	0.0
AIRPORT MOVEMENT AREA SAFETY SYSTEM (AMASS)	15,393.0	0.0	14,300.0	0.0	11,600.0
TERMINAL COMMUNICATIONS IMPROVEMENTS	3,406.0	2,189.0	0.0	0.0	0.0
GRR/GRT RADIO REPLACEMENT	12,000.0	0.0	0.0	0.0	0.0
<b>SUBTOTAL - TERMINAL PROGRAMS</b>	<b>264,633.0</b>	<b>292,450.6</b>	<b>288,980.5</b>	<b>261,730.5</b>	<b>276,680.5</b>
AUTOMATED SURFACE OBSERVING SYSTEM (ASOS)	12,644.0	14,850.0	14,850.0	24,850.0	24,850.0
OASIS	500.0	4,900.0	3,900.0	4,900.0	3,900.0
AUTOMATED WEATHER OBSERVING SYSTEM (AWOS)	550.0	0.0	0.0	0.0	0.0
AWOS/ASOS AUGMENTATION-STATE OF ALASKA	550.0	0.0	0.0	0.0	0.0
ADVANCED WEATHER OBSERVING SYSTEMS	0.0	0.0	7,150.0	0.0	0.0
DIGITAL ALTIMETER SETTING INDICATORS (DASI) - REPLACE	0.0	1,600.0	1,600.0	1,600.0	1,600.0
FLIGHT SERVICE FACILITIES IMPROVEMENT	0.0	1,418.5	1,418.5	1,418.5	1,418.5
<b>SUBTOTAL - FLIGHT SERVICE PROGRAMS</b>	<b>14,244.0</b>	<b>22,768.5</b>	<b>28,918.5</b>	<b>32,768.5</b>	<b>31,768.5</b>
VOR/DME/TACAN NETWORK PLAN	1,900.0	2,445.0	2,445.0	2,445.0	2,445.0
INSTRUMENT LANDING SYSTEM (ILS) - ESTABLISH/UPGRADE	2,900.0	3,000.0	3,000.0	23,000.0	3,000.0
ILS - REPLACE MARK 1A, 1B, AND 1C	0.0	2,200.0	2,200.0	2,200.0	2,200.0
LOW LEVEL WINDSHEAR ALERT SYSTEM (LLWAS)	17,399.0	4,300.0	4,300.0	4,300.0	4,300.0
RUNWAY VISUAL RANGE (RVR)	3,000.0	3,500.0	3,500.0	3,500.0	3,500.0
INSTRUMENT APPROACH PROCEDURES AUTOMATION (IAPA)	2,400.0	0.0	0.0	0.0	0.0
GULF OF MEXICO OFFSHORE PROGRAM	5,950.0	3,200.0	3,200.0	3,200.0	3,200.0
ILS REPLACEMENT/WILCOX CAT II/III	0.0	2,745.0	2,745.0	2,745.0	2,745.0
WIDE AREA AUGMENTATION SYSTEM (WAAS)	0.0	51,300.0	0.0	51,300.0	0.0
NDB SUSTAIN	0.0	1,400.0	1,400.0	1,400.0	1,400.0
NAVIGATIONAL AND LANDING AIDS - IMPROVE	3,744.0	2,402.5	2,402.5	3,357.5	3,000.0
ILS - REPLACE GRN-27	9,000.0	0.0	0.0	0.0	0.0
APPROACH LIGHTING SYSTEM IMPROVEMENT (ALSIP)	2,000.0	0.0	0.0	0.0	0.0

## FACILITIES AND EQUIPMENT

Fiscal Year 1998

Conference Agreement

(In thousands of dollars)

TITLE	FY 1997	FY 1998	FY 1998	FY 1998	Conference
	Enacted	Estimate	House	Senate	Agreement
LORAN-C UPGRADES	4,650.0	0.0	5,000.0	0.0	3,000.0
PRECISION APPROACH PATH INDICATORS (PAPI)	3,125.0	0.0	5,000.0	5,000.0	3,500.0
ANEMOMETERS AND RELATED EQUIPMENT-JUNEAU, AK	375.0	0.0	0.0	3,500.0	3,500.0
TACTICAL LANDING SYSTEMS	0.0	0.0	0.0	10,000.0	0.0
<b>SUBTOTAL - LANDING AND NAVIGATIONAL AIDS</b>	<b>56,443.0</b>	<b>76,492.5</b>	<b>35,192.5</b>	<b>115,947.5</b>	<b>35,790.0</b>
ALASKAN NAS INTERFACILITY COMM SYSTEM (ANICS)	12,000.0	8,600.0	8,600.0	8,600.0	8,600.0
FUEL STORAGE TANK REPLACEMENT AND MONITORING	40,000.0	30,000.0	30,000.0	30,000.0	25,000.0
FAA BUILDINGS AND EQUIPMENT - IMPROVE/MODERNIZE	12,600.0	10,000.0	10,000.0	10,000.0	10,000.0
ELECTRICAL POWER SYSTEMS - SUSTAIN/SUPPORT	15,000.0	16,200.0	16,200.0	20,200.0	19,200.0
AIR NAVAIDS AND ATC FACILITIES (LOCAL PROJECTS)	2,000.0	2,000.0	2,000.0	2,000.0	2,000.0
AIRCRAFT RELATED EQUIPMENT PROGRAM	4,900.0	2,000.0	2,000.0	2,000.0	2,000.0
AIRCRAFT FLEET MODERNIZATION	0.0	2,701.0	2,701.0	18,951.0	2,701.0
AIRPORT CABLE LOOP SYSTEMS - SUSTAINED SUPPORT	0.0	500.0	500.0	500.0	500.0
COMPUTER AIDED ENG GRAPHICS (CAEG) REPLACEMENT	1,500.0	1,000.0	1,000.0	1,000.0	1,000.0
<b>SUBTOTAL - OTHER ATC FACILITIES</b>	<b>88,000.0</b>	<b>73,001.0</b>	<b>73,001.0</b>	<b>93,251.0</b>	<b>71,001.0</b>
<b>TOTAL ACTIVITY 2</b>	<b>849,272.0</b>	<b>982,650.9</b>	<b>872,981.0</b>	<b>1,015,335.8</b>	<b>889,728.0</b>
<b>NON-ATC FACILITIES AND EQUIPMENT:</b>					
NAS MANAGEMENT AUTOMATION PROGRAM (NASMAP)	0.0	1,000.0	1,000.0	1,000.0	1,000.0
HAZARDOUS MATERIALS MANAGEMENT	15,000.0	20,000.0	15,000.0	7,000.0	7,000.0
AVIATION SAFETY ANALYSIS SYSTEM (ASAS)	19,400.0	16,800.0	16,800.0	16,800.0	16,800.0
OPERATIONAL DATA MANAGEMENT SYSTEM (ODMS)	5,100.0	1,600.0	0.0	1,600.0	1,000.0
FAA EMPLOYEE HOUSING - PROVIDE	5,000.0	0.0	0.0	0.0	0.0
LOGISTICS SUPPORT SYSTEM AND FACILITIES	1,500.0	9,749.0	9,749.0	9,749.0	9,749.0
TEST EQUIPMENT - MAINTENANCE SUPPORT	1,000.0	500.0	500.0	500.0	500.0
INTEGRATED FLIGHT QUALITY ASSURANCE	2,000.0	4,000.0	4,000.0	4,000.0	3,000.0
SAFETY PERFORMANCE ANALYSIS SUBSYSTEM (SPAS)	2,600.0	4,100.0	4,100.0	4,100.0	4,100.0
NATIONAL AVIATION SAFETY DATA CENTER	3,700.0	2,000.0	2,000.0	2,000.0	2,000.0
NAS RECOVERY COMMUNICATIONS (RCOM)	1,500.0	0.0	0.0	0.0	0.0
PERFORMANCE ENHANCEMENT SYSTEM	5,400.0	11,000.0	11,000.0	11,000.0	11,000.0
EXPLOSIVE DETECTION SYSTEMS	144,200.0	0.0	0.0	0.0	0.0
<b>SUBTOTAL - SUPPORT EQUIPMENT</b>	<b>206,400.0</b>	<b>70,749.0</b>	<b>64,149.0</b>	<b>57,749.0</b>	<b>56,149.0</b>
COMPUTER BASED INSTRUCTION (CBI) - EXPAND/IMPROVE	3,000.0	5,500.0	3,000.0	5,500.0	3,000.0
AERONAUTICAL CENTER TRAINING AND SUPPORT FACILITIES	0.0	6,000.0	6,000.0	6,000.0	6,000.0
NATIONAL AIRSPACE SYSTEM (NAS) TRAINING FACILITIES	1,000.0	1,500.0	1,500.0	1,500.0	1,500.0
DSR TRAINING SIMULATOR (MARC)	0.0	0.0	4,000.0	0.0	4,000.0
AIRPORT FIREFIGHTING TRAINING (RMESTC)	0.0	0.0	0.0	750.0	0.0
<b>SUBTOTAL - TRAINING EQUIPMENT &amp; FACILITIES</b>	<b>4,000.0</b>	<b>13,000.0</b>	<b>14,500.0</b>	<b>13,750.0</b>	<b>14,500.0</b>
<b>TOTAL ACTIVITY 3</b>	<b>210,400.0</b>	<b>83,749.0</b>	<b>78,649.0</b>	<b>71,499.0</b>	<b>70,649.0</b>
<b>MISSION SUPPORT:</b>					
SYSTEM ENGINEERING AND DEVELOPMENT SUPPORT	31,341.0	31,930.0	30,960.0	31,930.0	28,960.0
PROGRAM SUPPORT LEASES	29,600.0	27,500.0	27,500.0	27,500.0	27,500.0
LOGISTICS SUPPORT SERVICES	8,800.0	6,000.0	6,000.0	6,000.0	6,000.0
MIKE MONRONEY AERONAUTICAL CENTER - LEASE	15,500.0	15,200.0	15,200.0	15,200.0	15,200.0
IN-PLANT NAS CONTRACT SUPPORT SERVICES	4,800.0	2,500.0	2,500.0	2,500.0	2,500.0
TRANSITION ENGINEERING SUPPORT	47,500.0	44,800.0	44,800.0	44,800.0	44,800.0
FREQUENCY AND SPECTRUM ENGINEERING - PROVIDE	1,200.0	1,500.0	1,500.0	1,500.0	1,500.0
PERMANENT CHANGE OF STATION MOVES	8,500.0	3,800.0	3,800.0	3,800.0	3,800.0
FAA SYSTEM ARCHITECTURE	6,500.0	5,200.0	5,200.0	5,200.0	3,500.0
TECHNICAL SERVICES SUPPORT CONTRACT (TSSC)	65,900.0	54,700.0	54,700.0	54,700.0	54,700.0

FACILITIES AND EQUIPMENT  
 Fiscal Year 1998  
 Conference Agreement  
 (In thousands of dollars)

TITLE	FY 1997	FY 1998	FY 1998	FY 1998	Conference
	Enacted	Estimate	House	Senate	Agreement
RESOURCE TRACKING PROGRAM	1,000.0	500.0	500.0	500.0	500.0
CENTER FOR ADVANCED AVIATION SYSTEM DEV. (MITRE)	57,000.0	55,300.0	59,000.0	55,300.0	57,000.0
FY 2000 COMPUTER REPLACEMENT	0.0	18,000.0	18,000.0	18,000.0	18,000.0
WAREHOUSED EQUIPMENT	0.0	0.0	7,000.0	0.0	0.0
<b>TOTAL ACTIVITY 4</b>	<b>277,641.0</b>	<b>266,930.0</b>	<b>276,660.0</b>	<b>266,930.0</b>	<b>263,960.0</b>
<b>PERSONNEL AND RELATED EXPENSES:</b>					
PERSONNEL AND RELATED EXPENSES	217,000.0	219,110.0	219,110.0	219,110.0	219,110.0
<b>TOTAL ACTIVITY 5</b>	<b>217,000.0</b>	<b>219,110.0</b>	<b>219,110.0</b>	<b>219,110.0</b>	<b>219,110.0</b>
<b>TOTAL</b>	<b>1,937,700.0</b>	<b>1,874,999.9</b>	<b>1,875,000.0</b>	<b>1,889,004.8</b>	<b>1,875,477.0</b>

*Funding responsibility for navigation and landing aids.*—The conferees agree with the direction of the House that the FAA should not move forward on any proposal to shift funding responsibility for navigation and landing aids from the FAA to other parties without specific Congressional authorization.

*Instrument landing systems—establishment.*—The conference agreement provides \$3,000,000 for installation of previously purchased instrument landing systems as requested in the budget and proposed by the House, instead of \$23,000,000 as proposed by the Senate. The conferees agree not to direct these funds be allocated to specific locations.

*Assessments.*—The conferees agree with the direction of the House that the FAA is to discontinue the practice of “assessing” F&E projects for administrative costs unrelated to the specific F&E program.

*GPS wide area augmentation system.*—The conferees agree to provide \$152,830,000 for continued development of the GPS wide area augmentation system (WAAS), as proposed by the Senate, instead of \$114,000,000 as proposed by the House. All funds are provided under budget activity one, as proposed by the House, reflecting the developmental nature of this program.

The conferees are very concerned about the current status of this important program, and that comprehensive and timely planning—in concert with budget deliberations—is not being conducted. In the last three years, this program has witnessed changes in the prime contractor, the program manager, and the program sponsor. Significant new requirements have been announced by the FAA, the cost to complete has risen, and the schedule has slipped. And all this has occurred in a program which has enjoyed the highest level of Congressional and Executive Branch support for funding—and which has been held up as an example of FAA’s new acquisition management system.

The conferees are concerned that this critical program not turn into another debacle like the advanced automation system. Therefore, the conferees direct:

(a). That no more than 25 percent of fiscal year 1998 funds be obligated until the Secretary of Transportation reports to the House and Senate Committees on Appropriations regarding the status and management of the program, including a funding profile for all years of the program;

(b). That no more than 70 percent of fiscal year 1998 funds be obligated until April 1, 1998, unless the Appropriations Committees provide approval prior to that date;

(c). That the FAA administrator provide quarterly reports to the Appropriations Committees on cost, schedule, and technical performance status; and

(d). That the Comptroller General report to the Appropriations Committees on the status of the program, not later than March 1, 1998.

The conferees are uncertain of how FAA intends to provide satellite communications capability for this program, and the extent to which those costs are included in long range capital budget plans. Therefore, the conferees request the Secretary of Transportation to submit a report detailing the specific plans in this regard, including a detailed funding profile and schedule, by February 15, 1998.

The conference agreement provides funding sufficient for this program to maintain its current schedule. As a result, the conferees have deleted funds proposed by the Senate for additional instrument landing systems and for tactical landing systems. However, the conferees advise the FAA that a reprogramming for these systems might be directed during fiscal year 1998 if the FAA is unable to meet the tests above ensuring timely obligation of fiscal year 1998 WAAS funding.

*Potomac metroplex.*—The conference agreement provides \$27,600,000 for construction of the Potomac metroplex, as proposed by the House, instead of \$2,600,000 as proposed by the Senate. After many years of study, to the conferees’ knowledge the FAA has not identified any aircraft noise-related issues attendant with the construction of this new facility. However, should the FAA determine in the future that adverse noise impacts might occur, the FAA is expected to advise the House and Senate Appropriations Committees in a timely manner.

*Terminal automation.*—The conferees are alarmed to learn that the FAA has internally reported a shortfall in the funding needed to continue production of the DDM-2300 series monitors, which are key elements in the architecture of the STARS program. This could not only jeopardize the fixed price contract, but also halt U.S. production of these monitors. The conferees direct the FAA to report to the House and Senate Committees on Appropriations by December 15,

1997 explaining how the agency will locate the resources necessary to continue to monitor production during fiscal year 1998.

*Weather observing systems.*—The conferees do not agree with the House’s direction requiring a competitive procurement between AWOS and ASOS systems, but direct the FAA to perform a cost-capability tradeoff study to determine the appropriateness of procuring more AWOS units in fiscal year 1999. The conference agreement includes \$10,000,000 as proposed by the Senate for the acquisition of additional ASOS systems.

*ARTCC building improvements.*—The conferees agree that, of the funds provided for “ARTCC building/plant improvements”, \$12,100,000 is for relocation of the Honolulu center/radar approach control (CERAP), as proposed by the Senate. The House recommended no funding for this facility.

*Navigational and landing aids.*—The conferees agree that, within funds provided for “Navigational and landing aids”, the FAA should allocate \$80,000 for an ODALS system at the airport in Cordova, Alaska, and sufficient funding to develop instrument approaches at the airport in Rutland, Vermont.

*Terminal automated radar display and information system.*—The conferees encourage the FAA to give full consideration to installing a terminal automated radar display and information system (TARDIS) at Paine Field in Washington.

*Tucson International Airport tower study.*—The conferees are concerned that the extension of the main runway at Tucson International Airport has altered the line of sight of air traffic controllers at this facility, and that the current placement of the control tower does not allow the controllers full visibility of the airfield. The conferees direct the FAA to conduct a study to determine if the air traffic control tower needs to be relocated to ensure the continued safety of flight operations at this airport.

RESEARCH, ENGINEERING, AND DEVELOPMENT  
(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides \$199,183,000 for FAA research, engineering, and development instead of \$185,000,000 as proposed by the House and \$214,250,000 as proposed by the Senate.

The following table shows the distribution of funds in the House and Senate bills and the conference agreement:

RESEARCH, ENGINEERING, AND DEVELOPMENT  
Fiscal Year 1998  
Conference Agreement

Program Name	Budget Estimate	Comparative Estimate	FY 1998 House	FY 1998 Senate	Conference Agreement
<b>System Development and Infrastructure</b>	<b>75,550,000</b>	<b>16,379,000</b>	<b>9,804,000</b>	<b>75,550,000</b>	<b>14,654,000</b>
System planning & resource management	1,164,000	2,889,000	1,860,000	1,164,000	1,164,000
Technical laboratory facility	3,341,000	8,046,000	2,500,000	3,341,000	8,046,000
Center for Advanced Aviation System Development	5,444,000	5,444,000	5,444,000	5,444,000	5,444,000
Personnel and related expenses	65,601,000	0	0	65,601,000	0
<b>Capacity and Air Traffic Management Technology</b>	<b>9,108,000</b>	<b>24,383,000</b>	<b>25,297,000</b>	<b>9,108,000</b>	<b>21,258,000</b>
Air traffic management technology	2,986,000	4,812,000	2,986,000	2,986,000	2,986,000
Oceanic automation program	0	4,202,000	5,000,000	0	4,202,000
Runway incursion reduction	2,990,000	3,294,000	6,000,000	2,990,000	6,000,000
System capacity, planning and improvements	1,367,000	4,013,000	7,241,000	1,367,000	4,000,000
Cockpit technology	1,765,000	4,070,000	4,070,000	1,765,000	4,070,000
General aviation/vertical flight technology	0	1,172,000	0	0	0
Modeling, analysis, and simulation	0	0	0	0	0
Free flight implementation	0	2,820,000	0	0	0
<b>Communications, Navigation &amp; Surveillance</b>	<b>15,132,000</b>	<b>23,362,000</b>	<b>15,132,000</b>	<b>15,132,000</b>	<b>18,103,000</b>
Communications	4,706,000	9,965,000	4,706,000	4,706,000	4,706,000
Navigation	10,426,000	13,397,000	10,426,000	10,426,000	13,397,000
Surveillance	0	0	0	0	0
<b>Weather</b>	<b>3,982,000</b>	<b>6,055,000</b>	<b>15,300,000</b>	<b>8,982,000</b>	<b>15,300,000</b>
<b>Airport Technology</b>	<b>5,458,000</b>	<b>7,854,000</b>	<b>5,000,000</b>	<b>5,458,000</b>	<b>5,000,000</b>
<b>Aircraft Safety Technology</b>	<b>26,625,000</b>	<b>38,999,000</b>	<b>42,662,000</b>	<b>34,625,000</b>	<b>49,202,000</b>
Aircraft systems fire safety	2,049,000	5,665,000	6,993,000	2,049,000	6,993,000
Advanced materials/structural safety	1,700,000	2,706,000	3,065,000	1,700,000	3,065,000
Propulsion and fuel systems	1,691,000	3,048,000	5,000,000	1,691,000	5,000,000
Flight safety/atmospheric hazards research	1,660,000	3,018,000	2,063,000	1,660,000	2,063,000
Aging aircraft	12,966,000	16,040,000	15,000,000	20,966,000	21,540,000
Aircraft catastrophic failure prevention research	1,270,000	1,981,000	4,000,000	1,270,000	4,000,000
Aviation safety risk analysis	5,289,000	6,541,000	6,541,000	5,289,000	6,541,000
<b>System Security Technology</b>	<b>49,895,000</b>	<b>56,045,000</b>	<b>39,655,000</b>	<b>51,145,000</b>	<b>44,225,000</b>
Explosives and weapons detection	36,200,000	39,568,000	30,135,000	37,450,000	34,200,000
Airport security technology integration	4,000,000	5,358,000	2,485,000	4,000,000	2,485,000
Aviation security human factors	4,695,000	5,512,000	5,540,000	4,695,000	5,540,000
Aircraft hardening	5,000,000	5,607,000	1,495,000	5,000,000	2,000,000
<b>Human Factors &amp; Aviation Medicine</b>	<b>10,737,000</b>	<b>21,668,000</b>	<b>26,550,000</b>	<b>10,737,000</b>	<b>26,550,000</b>
Flight deck/maintenance/system integration human factors	7,272,000	9,457,000	12,550,000	7,272,000	12,550,000
Air traffic control/airway facilities human factors	3,078,000	7,624,000	10,000,000	3,078,000	10,000,000
Aeromedical research	387,000	4,587,000	4,000,000	387,000	4,000,000
<b>Environment and Energy</b>	<b>2,891,000</b>	<b>2,891,000</b>	<b>3,600,000</b>	<b>2,891,000</b>	<b>2,891,000</b>
<b>Innovative/Cooperative Research</b>	<b>622,000</b>	<b>2,364,000</b>	<b>2,000,000</b>	<b>622,000</b>	<b>2,000,000</b>
<i>Total appropriation</i>	<i>200,000,000</i>	<i>200,000,000</i>	<i>185,000,000</i>	<i>214,250,000</i>	<i>199,183,000</i>

**Runway incursion reduction.**—The conferees agree that, within the funds available, the FAA should pursue, as a high priority, further development of the surface movement advisor and the demonstration of low-cost ASDE technology.

**Weather research.**—The conferees provide \$15,300,000 for weather research as proposed by the House instead of \$8,982,000 as proposed by the Senate. The FAA is directed not to reprogram any of these funds to activities outside the weather research program, as proposed by the House. Within the amount provided, the FAA is to allocate funds as follows:

Center for Wind, Ice and Fog, New Hampshire .....	\$500,000
Project Socrates .....	3,000,000
National Center for Atmospheric Research (NCAR) .....	11,000,000

**ATC/AF human factors.**—The conferees agree that, of the funds provided for ATC/AF human factors, \$500,000 is available only for additional research into assessment, evaluation, and development of training methodologies related to the English language proficiency problem.

**Flight 2000.**—The conference agreement includes bill language prohibiting funds in this Act from implementing the Flight 2000 demonstration program during fiscal year 1998. While the conferees agree that this program may ultimately prove to have merit, a great deal of financial and technical planning, and justification before the Congress, still needs to take place. The administration has not requested funds for this effort in fiscal year 1998, and the conferees agree with the House that funds should not be reprogrammed from other important FAA activities to begin such a large program midway through the year.

**Aging aircraft.**—Of the \$21,540,000 provided for "Aging aircraft", the conferees agree to the following allocations: \$3,000,000 for direct support of the Aging Aircraft Nondestructive Inspection Validation Center; \$1,000,000 for aging aircraft-related activities at the Center for Aviation Systems Reliability; \$6,000,000 for the Airworthiness Assurance Center of Excellence; \$1,500,000 to conduct research at the Center for Intelligent Aviation Technologies; and \$4,400,000 to further engine titanium component inspection.

**Explosives and weapons detection.**—The conferees agree that, of the funds provided for "Explosives and weapons detection", \$1,250,000 is to continue to develop pulsed fast neutron transmission spectroscopy technology, as specified in the Senate report.

**Explosive detection systems.**—Consistent with the administration's budget request for fiscal year 1998, the conferees have not provided fiscal year 1998 funding for the acquisition and deployment of explosive detection systems. Since submission of the administration's fiscal year 1998 budget, the House and Senate Committees on Appropriations have repeatedly impressed upon the department that the Congress is open to a budget amendment on this issue. However, no amendment requesting funds for these systems has been submitted. The conferees reiterate a willingness to consider such funding in future appropriations action, should funding be requested. The conferees also note that acquisition of these systems is eligible for funding, under the airport improvement program. The conference agreement provides \$1,700,000,000 for this program, which is a substantial increase over fiscal year 1997.

#### GRANTS-IN-AID FOR AIRPORTS

##### (LIQUIDATION OF CONTRACT AUTHORIZATION) (AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes a liquidating cash appropriation of \$1,600,000,000, as proposed by the House and the Senate.

**Obligation limitation.**—The conferees agree to an obligation limitation of \$1,700,000,000

for the "Grants-in-aid for airports" program, as proposed by both the House and the Senate. The conferees also agree to the provision in the Senate bill which limits funds for the military airport program and the noise planning and mitigation program in order to provide additional funds for capacity enhancements and safety projects. Without this provision, there would be an imbalance between the various components of this program, with safety, security, small hubs, true discretionary, and capacity-enhancement funds held at the fiscal year 1997 level while allowing huge increases in two particular programs: the military airport set-aside and the noise-mitigation set-aside (increases of 252 percent and 66 percent, respectively). While providing an overall increase of 16 percent, the conference agreement provides more consistent and fair increases for each of these categories, as follows:

Noise mitigation .....	Percent
Military airport program .....	+39.4
Capacity/safety/security/noise .....	+40.5
(CSSN) .....	+27.0
Remaining discretionary .....	+27.0

**Priority consideration.**—The conferees agree that the FAA should give priority consideration to grant applications for the projects listed in the House or Senate reports, or in this statement of the managers, in the categories of discretionary grants for which they are eligible. If projects cited in these reports which are eligible for fiscal year 1998 AIP funding are not funded with funds in the remaining discretionary category, the conferees expect that any projects funded within this discretionary category will be:

(a). Projects for which FAA has issued letters of intent (LOIs);

(b). Projects that will produce significant aviation safety improvements;

(c). Projects otherwise necessary for rehabilitation of airport infrastructure; or

(d). Projects with a positive net present value, as determined by a benefit-cost analysis, for those projects exceeding \$5,000,000 in capacity discretionary funding.

In addition to those airports listed in the House and Senate reports, the conferees agree to the following:

**Akron-Canton Regional Airport, North Canton, Ohio.**—The conferees urge the FAA to give priority consideration to requests for discretionary funding for the extension of runway 1-19.

**Rickenbacker International Airport, Columbus, Ohio.**—The conferees are pleased to note the significant progress made in the transition of the former Rickenbacker Air Force Base to Rickenbacker International Airport and foreign trade zone number 138. The conferees encourage the FAA to give favorable consideration to grant applications within available discretionary programs that will support Rickenbacker's five year capital improvement plan to address essential infrastructure needs.

**Montgomery County Airport, PA.**—The conferees agree that projects at this airport should receive priority consideration by the FAA, except the conferees agree that the safety concerns of residents adjacent to Wings Field should be addressed to their satisfaction before grant funding is considered or approved.

**Waynesboro Airport, MS.**—The conferees direct the FAA to give priority consideration to requests for discretionary funding to support continuation of the airport's improvement program, including earthwork and site preparation for a project to lengthen and widen a runway and construct a parallel taxiway and apron.

**Breunton Municipal Airport, AL.**—The conferees urge the FAA to give priority consideration to needed safety improvements at this joint military/civilian use airport.

**Pueblo Airport, CO.**—The conferees urge the FAA to give priority consideration to

projects to improve and expand the Pueblo Airport in Colorado.

**Philadelphia International Airport, PA.**—The conferees urge the FAA to give high priority to the installation of an instrument landing system and precision runway monitor at Philadelphia International Airport in line with support for timely completion of a new runway at this facility. The conferees note the consistent support for this new runway by both FAA and the Congress. The schedule for installation of navigational aids at Philadelphia by the FAA needs to coincide with completion of the new runway, now scheduled to occur in December 1999, to ensure the safe and efficient use of the runway under instrument weather conditions.

**Colorado Springs Airport, CO.**—The conferees agree that the FAA should give priority consideration to rehabilitation of runway 17R/35L at Colorado Springs Airport instead of the projects cited in the Senate report.

**Moore County Airport, NC.**—Enplanements at the Moore County Airport, which serves the resort area of Pinehurst, continue to increase and the airport is thus eager to embark on the first phase of its four stage expansion plan. The airport wishes to accelerate the requisite land acquisitions due to the rapid growth of the area and the resultant appreciation of local real estate values. The conferees urge the FAA to give priority consideration to requests for discretionary funding for these land purchases and for projects related to timely safety and security improvements at the Moore County Airport.

**Anchorage International Airport, AK.**—The conferees have provided language in the Senate report urging FAA to issue a letter of intent to support planned improvements at Anchorage International Airport. Instead, the conferees urge FAA to give priority consideration for discretionary grants for surface improvements at the airport to support a new air cargo facility, to be developed with private funds, and for other improvements planned to meet expected growth in passenger traffic over the next twenty years.

**Isbell Field Municipal Airport, AL.**—The conferees are pleased that, since 1993, the FAA has assisted the City of Fort Payne, Alabama in its efforts to acquire the requisite land to expand the Isbell Field Municipal Airport. The multiyear funding requested by the City of Fort Payne would expand Isbell Field and increase its capacity to meet the growing aviation needs of De Kalb County. The conferees recognize the need for land acquisition at this airport and urge the FAA to award discretionary grants for the expanded runway project consistent with existing evaluation criteria.

**Clover Field Airport, TX.**—The conferees are pleased to note that, since 1989, the FAA has assisted local public sponsors in their efforts to acquire Clover Field Airport, a privately owned, public use federal reliever airport near Houston Hobby Airport in Texas. The FAA has helped fund Clover Field's feasibility study, airport master plan, and environmental assessment. The conferees consider this to be a worthy project, recognizing that Clover Field has served the region for over fifty years, and noting that the FAA has also recognized its importance by choosing it as the site for the recently commissioned doppler weather radar system and by making it one of the few general aviation facilities with a GPS weather station. Therefore, if the public sponsors complete their due diligence in fiscal year 1998, the conferees encourage the FAA to provide the needed funding to them for the final acquisition of Clover Field Airport.

*San Diego International Airport, CA.*—As a result of noise litigation, in 1993 the San Diego Unified Port District made a commitment to the community surrounding the San Diego International Airport to complete a school sound attenuation program. Of the five schools in the program, only one—Point Loma High School—remains to be sound attenuated. The conferees encourage FAA to give priority consideration to requests for discretionary funding to expedite and complete this program.

*Ogden-Hinckley International Airport, UT.*—The conferees are concerned about the adequacy of security provided for the Ogden-Hinckley Airport, not just the immediate area around the terminal. While security fencing of the terminal area might address the security needs of the airport in its existing role, the fencing may be inadequate for the 2002 Winter Olympics or for anticipated growth. The conferees are concerned about the vulnerability to intrusion of the taxiways, hangers, tie-downs, the heli-pad, the deicing area, and other facilities outside the 650 feet of fencing immediately adjacent to the terminal. Accordingly, the conferees urge the administrator to give priority consideration to construction of fencing which meets section 107 security mandates around the entire perimeter of the airport, to include Olympics-related security needs. In evaluating security needs related to the Olympics, the administrator should confer with local and federal law enforcement agencies.

*Westmoreland County Airport, PA.*—The conferees are aware of the need for funding for the second phase of the expansion of the terminal at the Westmoreland County Airport. This project, when completed, will include more efficient passenger and baggage handling systems, as well as new commercial space. The conferees urge the FAA to give this project priority consideration for available discretionary funds.

*Johnstown-Cambria County Municipal Airport, PA.*—The conferees are aware of the need for funding of the terminal renovation project and for constructing a firefighting and snow removal equipment building at Johnstown-Cambria County Municipal Airport. The terminal has not been renovated since 1966, and a bigger terminal would attract larger aircraft and more passengers. The conferees urge the FAA to give this project priority consideration for available discretionary funds.

*Instrument landing systems.*—The conferees agree that the following AIP-eligible equipment should be given priority consideration for discretionary grants:

Zanesville Airport, OH.—installation of localizer and glideslope equipment;

Hays Municipal Airport, KS.—instrument landing system;

Stanly County Airport, NC.—installation of instrument landing system;

Bessemer Airport, AL.—instrument landing system;

Manistee Blacker Airport, MI.—instrument landing system; and

Stennis International Airport, MS.—instrument landing system.

*Letters of intent.*—The conferees encourage the FAA to consider signing a letter of intent (LOI) for major capacity enhancement projects at the following airports:

- New Orleans International, LA
- Philadelphia International, PA
- Atlanta Hartsfield International, GA
- Seattle-Tacoma International, WA
- Minneapolis-St. Paul International, MN
- Salt Lake City International, UT

The conferees also direct the FAA to advise the House and Senate Committees on Appropriations thirty days prior to awarding any new LOI. This letter should detail any

cost savings to the overall project expected to result from the proposed LOI and should list any other LOI applications pending before the FAA. The conferees note that the policy of prior written Congressional notification has been in effect for several years for LOIs totaling more than \$10,000,000. However, greater attention needs to be paid to this requirement.

*Minneapolis-St. Paul International Airport, MN.*—The Minneapolis-St. Paul airport serves as a major hub and a regional air service connector for the upper midwest states. Construction of the planned new 8,000 foot north-south runway, primarily for air carrier operations, is projected to increase the operational capacity of the airport by 25 percent. As such, this project, including land acquisition, would significantly enhance system-wide airport capacity and reduce congestion and delay for aircraft and passengers in a multistate area. The FAA expects that its environmental review of this new runway will be completed during the first quarter of calendar year 1998. The conferees encourage the FAA to consider signing a letter of intent of AIP discretionary funds to this project so this capacity-enhancement project can be constructed as soon as feasible.

*Salt Lake City International Airport, UT.*—The Salt Lake City International Airport has embarked on a capacity enhancement development program designed to provide much-needed additional airport capacity for the future, as well as for the 2002 Winter Olympic Games. During the past five years, passenger activity has grown 60 percent, making Salt Lake City the second fastest growing airport in the nation. The conferees encourage the FAA to consider signing a letter of intent for the development program at this important airport.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement rescinds \$412,000,000 in contract authority instead of \$190,000,000 as proposed by the Senate. These funds are unavailable for obligation because they represent a portion of the amount of budget authority above the fiscal year 1997 obligation limitation. Therefore, this rescission will have no effect on ongoing airport construction programs.

AVIATION INSURANCE REVOLVING FUND

The conference agreement includes language authorizing the expenditure of funds for aviation insurance activities as proposed in the House and Senate bills. This legislative language has been carried in appropriations Acts for many years, and is expected to result in no budget authority or outlays during fiscal year 1998.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

The conference agreement includes the qualified limitation on funds for the "Aircraft purchase loan guarantee program" proposed by the Senate instead of the outright prohibition on funds proposed by the House. Funding of up to \$5,000 for this program has been included under FAA "Operations".

ADMINISTRATIVE SERVICES FRANCHISE FUND

The conference agreement deletes the prohibition on funding new activities under FAA's Administrative Services Franchise Fund during fiscal year 1998 proposed by the House. The conferees direct FAA to submit a report to the House and Senate Committees on Appropriations no later than March 1, 1998 detailing any cost savings which have been achieved by the FAA from operation of the franchise fund.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

The conference agreement limits general operating expenses of the Federal Highway

Administration (FHWA) to \$552,266,000, instead of \$510,313,000 as proposed by the House and \$558,440,000 as proposed by the Senate.

The conference agreement provides extended availability of \$241,708,000 for contract programs of the Federal Highway Administration, instead of \$202,226,000 as proposed by the House and \$245,687,000 as proposed by the Senate.

The recommended funding distribution by program and activity of the administrative expenses and research and development programs of the FHWA is as follows:

<i>Program/Activity</i>	<i>Conference level</i>
Administrative expenses ...	\$259,558,000
Motor carrier safety administrative expenses ....	51,000,000
Contract programs:	
Research and technology:	
Highway research and development .....	61,087,000
Intelligent transportation systems .....	130,160,000
Technology development .....	13,311,000
National advanced driving simulator .....	13,250,000
Local technical assistance .....	
National Highway Institute .....	
Minority business enterprises .....	10,000,000
International transportation .....	900,000
Rehabilitation of TFHRC .....	2,000,000
Technical assistance to Russia .....	
GPS support .....	1,000,000
R and T technical support .....	10,000,000
Total .....	552,266,000

The highway research and development and intelligent transportation systems programs by activity are displayed below:

<i>Program/Activity</i>	<i>Conference level</i>
Highway research and development:	
Safety .....	\$9,500,000
Pavements .....	10,500,000
Structures .....	15,256,000
Environment .....	5,666,000
Right-of-way .....	365,000
Policy .....	5,400,000
Planning .....	7,000,000
Motor carrier .....	7,400,000
Total .....	61,087,000
Intelligent transportation systems:	
Research and development .....	31,500,000
Operational tests .....	83,900,000
Evaluations .....	7,000,000
Program support .....	7,760,000
Total .....	130,160,000

*Office of motor carriers.*—The conferees have provided \$51,000,000 for the office of motor carriers' administrative expenses within the FHWA's limitation on general operating expenses. The conference agreement includes the following adjustments to the budget request:

Operating expenses excluding rent .....	-\$245,000
Federal/industry training ..	-1,220,000
Outreach .....	-300,000

*Flexibility in the use of funds provided under the limitation on general operating expenses.*—The conferees acknowledge that certain activities funded under the limitation on general operating expenses in prior years are

not recommended for funding in fiscal year 1998. This treatment is consistent with the administration's fiscal year 1998 budget request, which assumed that these activities will be provided contract authority under legislation pending to reauthorize the federal-aid highway program. The conferees agree that if legislation is not enacted in fiscal year 1998 providing contract authority for these activities, the FHWA may, following notification to and approval of the House and Senate Committees on Appropriations, utilize funds provided within this limitation on general operating expenses for such activities.

**Highway research and development.**—The conference agreement deletes the House's direction that up to \$100,000 of the funds provided for highway research and development be allocated for the San Joaquin air quality study. Funds for the air quality study have been allocated within the funds provided for environment research and development.

The conference agreement deletes the House's direction that funds for various highway research and development activities shall not be obligated until after FHWA has increased its cost sharing from non-federal sources. The FHWA is directed, however, to increase substantially its cost sharing arrangements with non-federal sources in fiscal year 1998 and is directed to document those efforts and successes to the House and Senate Committees on Appropriations with its annual Congressional justifications.

**Safety.**—The conference agreement includes \$250,000 for pedestrian and bicycle safety and \$250,000 to conduct a demonstration of technologies and practices to improve the driving performance of elderly drivers.

**Structures.**—The conference agreement provides sufficient funds to pursue research into high performance materials and bridge systems. The conferees encourage FHWA to work with an academic and industry-led national consortium to demonstrate the applications of an all-composite bridge for civil engineering purposes.

**Environment.**—The conference agreement includes funding for FHWA's participation in the assessment of methodologies needed for estimating emissions of particulate matter in the San Joaquin Valley of California. The conferees encourage the FHWA to continue its work with the National Center for Physical Acoustics to identify scientific issues which impede accurate noise prediction.

**Planning.**—The conference agreement provides \$7,000,000 for planning research and development. The conferees encourage the FHWA to assess the Red River corridor transportation infrastructure of the five state area pursuant to the recommendations of the Northern Great Plains Rural Development Commission. The conference agreement does not include any funding for the sustainable transportation initiative.

**Motor carrier.**—The conference agreement includes sufficient funds to conduct a study on the prevalence of sleep apnea in truck drivers and for an operational test and validation of technological aids to improve fatigue management among commercial truck drivers.

**Intelligent transportation systems (ITS).**—Within the funds provided for operational tests, the conferees direct that funding shall be available for the following projects in the amounts specified below:

Project	Conference level
Advanced transportation weather information system, University of North Dakota .....	\$775,000
Arizona National Center for Traffic and Logistics Management ..	1,000,000
Commercial vehicle operations, I-5, California .....	1,500,000

Project	Conference level
Cumberland Gap tunnel, Kentucky .....	1,550,000
Dade County Expressway, Florida toll collection system .....	1,000,000
Franklin County, Massachusetts traveler information system ....	875,000
Greater Milwaukee freeway traffic management system (MONITOR) .....	5,500,000
Houston, Texas .....	1,500,000
I-90/I-94 rural ITS corridor, Wisconsin .....	1,700,000
Inglewood, California .....	500,000
Louisiana interstates 55, 10, and 610, ITS systems .....	5,500,000
Market Street and Pennsylvania convention center passenger information center .....	325,000
Minnesota Guidestar .....	6,000,000
Nashville, Tennessee traffic guidance system .....	750,000
National capital region congestion mitigation .....	6,000,000
National Institute for Environmental Renewal .....	1,000,000
I-90 connector, Rensselaer County, New York .....	1,250,000
I-275, St. Petersburg, Florida .....	1,000,000
Syracuse, New York advanced transportation management system .....	1,000,000
Texas Transportation Institute ... Rt. 236/I-495, Northern Virginia, ITS systems .....	500,000
Bozeman, Montana, Western Transportation Institute .....	1,000,000
Southeast Michigan snow and ice management (SEMSIMS) .....	1,150,000
Utah intelligent transportation systems .....	3,500,000
Kansas City, MO, intermodal common communications technology .....	1,000,000
Reno, NV, intelligent transportation systems .....	1,875,000
Barboursville—Ona, WV, traffic management .....	8,000,000
North Dakota State University advanced traffic analysis center Sullivan County, NY, emergency weather system .....	1,000,000
Urban Transportation Safety Systems Center (Philadelphia) .....	250,000
New York City toll plaza scanners .....	1,100,000
Cleveland, OH, computer integrated transit maintenance environment project .....	1,000,000
Santa Teresa, NM, intermodal technology demonstration project <sup>1</sup> .....	1,000,000
Operation Respond hazardous materials emergency response software .....	1,000,000
Washington State radio communication emergency call boxes ..	750,000
Washington statewide roadway weather information system ....	1,250,000
I-95 multi-state corridor coalition .....	1,000,000
Colorado I-25 truck safety improvements .....	9,000,000
Tuscaloosa, AL, traffic integration and flow control .....	2,200,000
Pennsylvania Turnpike Commission ITS .....	6,000,000
Alaska cold weather ITS sensing ..	1,000,000

<sup>1</sup>To be provided to the ATR Institute. Should the reauthorization or the temporary extension of the Intermodal Surface Transportation Efficiency Act limit the administrative draw down of the Federal Highway Administration in such a way as to limit resources available to fully fund the preceding ITS projects under the limitation on general operating expenses, the conferees

direct the FHWA to fund these ITS projects at the levels specified from funds made available for ITS deployment and research and development in the temporary extension and the reauthorization of the Intermodal Surface Transportation Efficiency Act.

**International transportation.**—The conferees encourage the FHWA to undertake a study on the potential for establishing a roadlink from Wrangell, Alaska to the Canadian border along a proposed Brandfield alignment.

HIGHWAY-RELATED SAFETY GRANTS  
(HIGHWAY TRUST FUND)  
(LIQUIDATION OF CONTRACT AUTHORIZATION)

The conference agreement deletes an appropriation proposed by the Senate for liquidating cash for highway-related safety grants. The House bill contained no similar appropriation.

**APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM**  
The conference agreement includes \$300,000,000 for the Appalachian development highway system as proposed by the Senate. The House bill contained no similar appropriation.

The conference agreement includes language that prohibits the expenditure of funds made available under this heading for engineering, design, right-of-way acquisition or major construction of the Appalachian development highway system between I-81 in Virginia and the community of Wardensville, West Virginia.

FEDERAL-AID HIGHWAYS  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

The conference agreement limits obligations for the federal-aid highway program to \$21,500,000,000 as proposed by the House instead of \$21,800,000,000 as proposed by the Senate.

The conference agreement deletes the Senate references of priority designations and set-asides within the Federal Highway Administration's discretionary grant programs.

**Emergency relief program.**—In view of a recent Inspector General report questioning the use of over \$100 million in highway emergency relief funds, the conferees are concerned about the FHWA's stewardship of the emergency relief program. The conferees expect FHWA to improve its program management by closely monitoring the expenditure of such funds and adhering to the program eligibility criteria. The conferees further require FHWA to provide a report explaining when emergency relief funds can be used to pay for "betterments". The report shall provide specific examples of the types of betterments FHWA would expect to be funded as a result of the environmental process. The conferees direct that the report be delivered to the House and Senate Committees on Appropriations not later than February 1, 1998.

**Central Artery/Third Harbor Tunnel project.**—The conferees are concerned that the cost estimate for the Central Artery/Third Harbor tunnel (CA/THT) project in Boston, Massachusetts has increased to approximately \$11 billion. As noted in the past, the Commonwealth of Massachusetts must recognize that any cost growth that occurs in this project through the point of its completion will detract from what the state can hope to accomplish in its transportation investments throughout the state for many years to come. The conferees will not support any additional special federal-aid highway funding for the Commonwealth of Massachusetts for this project other than those funds that are apportioned to the state by formula as enacted by Congress. Therefore, cost increases in the project must either be covered by state funds or Massachusetts' formula federal-aid funding.

Further, although the state is currently free to utilize its federal-aid formula funds to support the project, the conferees are concerned that (1) support of the project not adversely impact transportation investments throughout the Commonwealth of Massachusetts; and (2) the project be completed consistent with its current budget. The currently approved finance plan for the project commits the state to support a \$400 million annual highway program in the remainder of the state. The conferees are aware that the finance plan must be approved at least annually and that the next update was due October 1, 1997. The Department is directed to submit periodic updates of the plan to the House and Senate Committees on Appropriations, the Inspector General, and the General Accounting Office for review. The conferees feel that it is essential that the finance plan continue to commit the state to a statewide highway program of at least \$400 million per year.

With the implementation of the Massachusetts Metropolitan Highway System legislation, the state has put in place mechanisms to help it secure the needed local funds to support both the short and long term needs of the project. That enabling legislation must be followed with specific actions to obtain the local funding. The next finance plan update must recognize the cost increase that occurred during the past year and it must ensure that the local funding sources are adequate to cover total project costs and cash flow needs that can not be met by reasonable expectations of federal-aid formula funds that will be available for obligation to the state.

The conferees note that the project design is virtually complete and the majority of the construction contracts are already awarded. The very nature of this project, constructing underground in a dense urban environment, provides many opportunities for cost increases that must be vigorously guarded against. The finance plan sets out a very stringent target for controlling costs on construction contracts once they are awarded and underway. The Commonwealth of Massachusetts has acknowledged that these goals are tough but achievable. The conferees believe that the state must fully commit its energies to controlling all costs for the remainder of the project life with special emphasis on the cost of awarded contracts. This will require that the state appropriately utilize the best available contract management techniques and also make full use of the contractor value engineering provisions of their contracts.

The conferees direct the state to continue to share project cost information with the Federal Highway Administration on at least a monthly basis and direct the Federal Highway Administration to evaluate trends that could warrant an update of the finance plan at a point sooner than its normal fiscal year anniversary, and to inform the House and Senate Committees on Appropriations of any variance of those trends from the preceding month.

The conferees reiterate that should cost estimates to complete the project exceed the current \$11 billion estimate, there may be no other choice in the future but to cap the federal financial participation in the program and/or limit the percentage of federal-aid funds that may be allocated to the project from the state's overall federal-aid apportionment.

**Federal lands.**—The conferees encourage the FHWA central federal lands highways division to conduct a geographical engineering study to furnish data that will lead to the mitigation of a landslide affecting a major highway within the boundaries of Badlands National Park. The study should include sur-

vey, subsurface investigation and required instrumentation. The landslide in the area poses a significant threat to the safety of the traveling public and is a costly and continual maintenance burden.

FEDERAL-AID HIGHWAYS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of \$20,800,000,000 for the federal-aid highways program as proposed by the House, instead of \$20,850,000,000 as proposed by the Senate.

RIGHT-OF-WAY REVOLVING FUND  
(LIMITATION ON DIRECT LOANS)  
(HIGHWAY TRUST FUND)

The conference agreement deletes an appropriation of \$8,000,000 for the cost of direct loans from the right-of-way revolving fund as proposed by the Senate and includes a limitation prohibiting obligations for right-of-way acquisition during fiscal year 1998 as proposed by the House.

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

A total of \$85,000,000 has been provided in liquidating cash for motor carrier safety grants as proposed by both the House and the Senate.

MOTOR CARRIER SAFETY GRANTS  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

The conference agreement provides \$84,825,000 for motor carrier safety grants instead of \$85,325,000 as proposed by the House and \$84,300,000 as proposed by the Senate. This agreement allocates the funding in the following manner:

Basic grants to states .....	\$73,500,000
Border assistance .....	2,500,000
Priority initiatives .....	2,000,000
Administrative costs .....	825,000
Information systems and planning .....	6,000,000
<b>Total .....</b>	<b>84,825,000</b>

**Basic grants to states.**—The conferees have agreed to provide \$73,500,000 for basic grants to states. Of this total, the Office of Motor Carriers has the flexibility to provide some of the total funding to states to improve data analysis, information systems, and program management necessary for the implementation of performance-based safety grants in fiscal year 1999, if requested.

**Border assistance.**—The conference agreement provides \$2,500,000 for border assistance, as proposed by the House. Funding has not been provided to the second tier states because Mexican commercial motor vehicles cannot operate beyond Arizona, California, New Mexico, and Texas until the year 2000.

**State training and administration.**—The conferees provide \$825,000 for state training and administration, and direct that no more than \$100,000 from any motor carrier account be used to support the Challenge program in fiscal year 1998. Further, the conferees expect that this program will be entirely self-supporting in fiscal year 1999.

**Information systems.**—The conference agreement provides \$6,000,000 for information systems and planning, which shall be allocated as follows: \$2,000,000 for information systems and analysis; \$3,000,000 for commercial vehicle information; and \$1,000,000 for the driver program.

NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION  
OPERATIONS AND RESEARCH

The conference agreement provides \$74,901,000 from the general fund for highway

and traffic safety activities instead of \$74,492,000 as proposed by the House and \$74,760,000 as proposed by the Senate. Of the total, \$40,674,000 shall remain available until September 30, 2000 as proposed by the House. The Senate bill contained no similar provision.

The agreement includes a provision which prohibits NHTSA from obligating or expending funds to plan, finalize, or implement any rulemaking that would add requirements pertaining to tire grading standards that are different from those standards already in effect. This provision was contained in both the House and Senate bills.

OPERATIONS AND RESEARCH  
(HIGHWAY TRUST FUND)

The conference agreement provides \$72,061,000 from the highway trust fund for operations and research activities instead of \$72,415,000 as proposed by the House and \$71,740,000 as proposed by the Senate. Of the total, \$49,520,000 shall remain available until September 30, 2000 as proposed by the House. The Senate bill contained no similar provision.

The conference agreement for operations and research (general fund and highway trust fund combined) includes the following adjustments to the budget request:

Auto safety hotline .....	-\$236,000
Odometer fraud .....	-75,000
School bus restraint .....	+700,000
Youth, drugs, and driving initiative .....	-600,000
Enforcement and emergency services .....	-454,000
Head injury management .....	+250,000
Accountwide adjustment .....	-123,000

**Biomechanics.**—Within the funds provided, the conferees direct NHTSA to provide \$100,000 to develop a biofidelic child crash test dummy, as requested by the House.

**School bus restraint devices.**—The conferees have provided \$700,000 for a new pilot program for states to experiment with alternative safety restraint bar devices on school buses. NHTSA shall report back to the House and Senate Committees on Appropriations by December 31, 1997, on the implementation of this program and provide the Committees with an evaluation of these safety devices by August 1, 1998.

**Youth, drugs, and driving initiative.**—The conferees have not funded the administration's youth, drugs, and driving initiative. No state has been willing to participate in this demonstration program because of serious constitutional, legal, and privacy issues raised by this program, and the enormous startup costs states would incur without federal assistance. This program is estimated to cost at least \$16,000,000 during the next three years, and would detract from the amount of funding available for many other critical highway safety initiatives, such as alcohol-impaired driving, increasing seat belt usage, and reducing drug impaired driving. However, the conferees are concerned about the growing problem with youth and drugs, and have provided \$1,400,000 to bolster training and education for law enforcement, prosecutors, and judges on detecting, arresting, and sanctioning youth alcohol and drug offenders. As part of this effort, NHTSA should consider developing model policies for youth enforcement, treatment and sentencing and then conducting a demonstration in 3 to 5 jurisdictions using this model.

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

The conference agreement provides \$186,000,000 to liquidate contract authorizations for highway traffic safety grants, as proposed by both the House and the Senate.

HIGHWAY TRAFFIC SAFETY GRANTS  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

The conference agreement limits obligations for highway traffic safety grants to \$186,500,000 as proposed by the House instead of \$187,000,000 as proposed by the Senate. The conferees provide \$5,268,000 for administration of the grant program as proposed by the House instead of \$4,948,000 as proposed by the Senate. The conference agreement prohibits the use of funds for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for state, local, or private buildings or structures, as proposed by both the House and the Senate. Further, the conference agreement limits funds for the administration of highway safety grants to \$150,000, as proposed by both the House and the Senate. The bill includes separate obligation limitations with the following funding allocations:

State and community grants .....	\$149,700,000
Alcohol incentive grants ...	34,500,000
National driver register ....	2,300,000

*State and community grants.*—The conferees have provided \$149,700,000 for state and community grants, instead of \$140,200,000 as proposed by the House and \$150,700,000 as proposed by the Senate. Of this total, \$9,000,000 shall be used to expedite the efforts of States to increase seat belt usage beyond the estimated amount that each State spent in this area in fiscal year 1997, as proposed by the Senate. The House had provided \$9,000,000 for occupant protection incentive grants as a separate item, subject to authorization; but authorization did not occur prior to the beginning of fiscal year 1998. Combining this funding with state and community grants does not prejudice the occupant protection incentive grant program from receiving consideration for funding in future appropriation bills, if authorized. The conferees have not earmarked any new funding for performance-based plans, as proposed by the Senate, because forty-one states are already preparing these plans in fiscal year 1997 and all states will prepare such plans in fiscal year 1998.

*Alcohol incentive grants.*—The conference agreement provides \$34,500,000 for alcohol incentive grants instead of \$35,000,000 as proposed by the House and \$34,000,000 as proposed by the Senate. The conference agreement also includes bill language that limits to \$500,000 the funds for alcohol-impaired driving countermeasures programs that are made available for technical assistance to the states, as proposed by the House and the Senate.

*National driver register.*—A total of \$2,300,000 has been provided for the national driver register, as proposed by both the House and the Senate.

FEDERAL RAILROAD ADMINISTRATION  
OFFICE OF THE ADMINISTRATOR

The conference agreement appropriates \$20,290,000 for the Office of the Administrator instead of \$19,434,000 as proposed by the House and \$19,800,000 as proposed by the Senate. Of the total amount, \$1,389,000 shall remain available until expended, as proposed by the House instead of \$1,339,000 as proposed by the Senate.

The conferees agree to the following adjustments to the budget request:

Limit growth in support services .....	-\$68,000
Reduction in information technology .....	-140,000
Reduction in rent .....	-25,000
Reduction in Chief Counsel staffing .....	-36,000
Net reduction to budget .....	-269,000

*GSA rent.*—The conference agreement deletes a prohibition on the use of funds for rental payments to the General Services Administration to pay for the expenses of headquarters employees outside the Nassif building after January 1, 1998, as proposed by the House. The Senate bill contained no similar provision. However, the conferees have reduced the appropriation for rent by \$25,000, or the square foot cost differential between housing FRA employees in the Nassif building or locating these employees in offices outside of the building. The conferees remain concerned that an entire modal administration previously housed within the Nassif building is now located a significant distance away from the department's other daily operations and is no longer fully integrated within the department. The conferees would strongly prefer to see FRA relocated back to the Nassif building, but recognize that it is only slightly more costly to house these employees outside of the main headquarters building.

*Railroad relocation.*—The conferees direct the FRA to continue, within available funds, consultative efforts to support the implementation of short term railroad operating and long term relocation solutions between railroads and local communities, including Metairie, Louisiana.

RAILROAD SAFETY

The conferees have provided \$57,067,000 for railroad safety as proposed by the Senate instead of \$56,967,000 as proposed by the House. Of the total amount, \$5,511,000 shall remain available until expended as proposed by the House instead of \$5,400,000 as proposed by the Senate. The conference agreement includes the following adjustments to the budget request:

Reduction in technology systems .....	-\$77,000
Rail safety advisory committee ..	-100,000
Administrative reduction .....	-98,000
Enhance grade crossing safety initiatives .....	+275,000

*Grade crossing safety initiatives.*—The conferees have provided \$275,000 above the request for the office of safety personnel and programs to support new and additional highway/rail grade crossing safety initiatives. FRA shall use this funding to perform interstate rail corridor and crossing safety evaluations; provide technical assistance to state transportation departments in identifying the most dangerous crossings; evaluate and disseminate best practices for crossing hazard mitigation; assess the effectiveness of crossing signal technologies; interface with the motor carrier industry through FHWA's office of motor carriers regarding safer commercial driving practices at highway/rail crossings; and, in accordance with new statutory requirements contained in the 1996 Federal Aviation Administration Reauthorization Act, work with affected local communities that are considering train whistle restrictions, to help develop effective supplementary safety measures.

RAILROAD RESEARCH AND DEVELOPMENT

The conference agreement provides \$20,758,000 for railroad research and development instead of \$21,038,000 as proposed by the House and \$24,906,000 as proposed by the Senate and includes the following adjustments to the budget request:

Equipment related research .....	-\$50,000
Operation Lifesaver .....	+200,000
T-6 railcar .....	-500,000
Magnetic levitation .....	-500,000
Environmental issues .....	-100,000
Research and development facilities .....	-80,000
TRB study .....	+150,000

*1-800 emergency notification system.*—The conferees have deleted funding provided by

the Senate for expedited development of a computer-based emergency response system for notification of malfunctioning grade crossing signals and track obstacles, based on unobligated balances. FRA and two states are already working on the development of this system. The conferees expect that the agency's fiscal year 1999 budget submission will include a definitive schedule for completion of this project and a description of the process by which FRA will promote state investment in this approach to improving grade crossing safety.

*Positive train control.*—In conjunction with FRA, eastern railroads are developing positive train control (PTC) capable of operating with present and future technologies to adapt to the various types of railroad infrastructure. As the first step, an interoperable locomotive platform is being developed. As the next step, a positive train separation (PTS) pilot will be run on the rail line between Manassas, Virginia through Hagerstown, Maryland to Harrisburg, Pennsylvania to demonstrate the operation of locomotives over different types of PTC territory. This project, funded jointly by FRA and the railroads, was begun last year. The conferees direct FRA and the affected railroads to proceed under previously negotiated cost-sharing agreements with the second phase of the pilot project, which is intended to develop a PTS system that builds on existing infrastructure, is interoperable, and cost-effective.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

The conference agreement provides \$250,000,000 for the Northeast corridor improvement program as proposed by the House instead of \$273,450,000 as proposed by the Senate. Funding shall be available until September 30, 2000 as proposed by the House instead of September 30, 1999 as proposed by the Senate. Of this total, \$12,000,000 shall be available for the Pennsylvania station redevelopment project solely for life and safety improvements.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The conference agreement does not permit any new loan guarantee commitments to be made during fiscal year 1998 as proposed by both the House and the Senate.

NEXT GENERATION HIGH SPEED RAIL

The conference agreement provides \$20,395,000 for the next generation high speed rail program instead of \$18,395,000 as proposed by the House and \$26,000,000 as proposed by the Senate. The following table summarizes the conference agreement by budget activity:

	<i>Conference level</i>
Train control systems .....	\$3,750,000
Non-electric locomotives ..	9,300,000
(ALPS) .....	(2,000,000)
(Prototype locomotive) ..	(4,800,000)
(RTL-3) .....	(2,500,000)
Grade crossings and innovative technologies: .....	5,600,000
(Sealed corridor) .....	(2,000,000)
(Mitigating hazards) .....	(2,500,000)
(Low-cost HSR crossing) ..	(1,100,000)
Track & structures .....	1,200,000
Planning technology .....	545,000
Administration .....	545,000
Total .....	20,395,000

*Prototype locomotives.*—The conferees have provided \$4,800,000 for prototype locomotives, which shall be available to FRA to: (1) continue its focus on high-speed fossil fuel research on flywheel turbine technology; (2) design, develop, and test different nonelectric locomotive concepts; and (3) evaluate technologies, which incorporate modern, recently developed locomotive car bodies that

meet FRA's Tier II passenger rail car construction standards, other applicable federal safety regulations, and have the potential to operate at 150 miles per hour, yet be available for revenue demonstration at speeds of 125 miles per hour within a two to three year period.

*Planning technology.*—Although the conferees are supportive of analytic and technical assistance to states for the development of high-speed rail programs, the conferees have deferred funding for planning technology pending reauthorization.

ALASKA RAILROAD REHABILITATION

The conference agreement provides \$15,280,000 for the Alaska Railroad instead of \$17,000,000 as proposed by the Senate. The House bill contained no similar appropriation. Within the appropriation, \$10,000,000 shall be available for track rehabilitation and \$5,280,000 shall be for improvements to the Seward dock.

*Seward dock.*—The conferees have reduced the amount for improvements to the Seward dock from \$7,000,000 in the Senate bill to \$5,280,000. Such reduction will result in increased local participation in the project, particularly by the city of Seward. Therefore, the conferees direct the department to provide funding for the dock improvements directly to the city to complete the intermodal improvements on behalf of the Alaska Railroad.

RHODE ISLAND RAIL DEVELOPMENT

Total funding for the Rhode Island rail development project is \$10,000,000 as proposed by both the House and the Senate. The conference agreement includes language that requires, as a condition of accepting such funds, the Providence and Worcester Railroad to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first \$23,000,000 if damages occur in vertical clearances in excess of those required for present freight operations as proposed by the House. The Senate bill required reimbursement up to the first \$13,000,000.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The conference agreement provides \$543,000,000 for grants to the National Railroad Passenger Corporation (Amtrak) as proposed by the House instead of \$344,000,000 as proposed by the Senate. Within the appropriation, \$344,000,000 shall be available for operating subsidies and \$199,000,000 for capital grants instead of \$202,000,000 for operating losses, \$81,000,000 for retirement payments, and \$260,000,000 for capital grants as proposed by the House. The Senate bill contained \$344,000,000 solely for Amtrak operations.

The conference agreement deletes a number of language provisions included in either the House or Senate bills. These include: (1) deleting language proposed by the House that prohibits any of the funds appropriated for mandatory payments to be used for payments for Amtrak employees; (2) deleting language proposed by the House that prohibits obligation or expenditure of operating losses in excess of the amounts specified; (3) deleting language proposed by the House requiring the Federal Railroad Administration to submit quarterly reports on the financial status of Amtrak; and (4) deleting language proposed by the Senate that provides \$641,000,000 for qualified expenses of Amtrak and non-Amtrak states, subject to the enactment of the Intercity Passenger Rail Fund, but withholding the amount until the enactment of a subsequent appropriation Act releasing such funds for obligation.

The conference agreement retains bill language proposed by the House that prohibits the transfer of capital improvement funds to

pay for debt service interest unless specifically authorized by law and deems as a violation of the Anti-Deficiency Act the incurring of any obligation or commitment for the purchase of capital improvements prohibited in this appropriations Act. The Senate bill contained no similar provisions.

The conference agreement also retains language that makes funds available for capital improvements on July 1, 1998, as proposed by the House. The Senate bill included no similar provision.

The conference agreement includes language that requires the Secretary of Transportation to reduce the tax credit enacted under the Taxpayer Relief Act of 1997 by the amount appropriated for capital improvements, should Amtrak reforms be enacted. Neither the House nor the Senate bill contained a similar provision.

*Operating subsidies.*—The conference agreement provides \$344,000,000 for operating subsidies. Of this total, the conferees believe that the federal appropriation for railroad retirement payments should not be greater than \$81,000,000. This figure has been calculated by identifying Amtrak's tax liabilities (including Amtrak employer Tier 2 taxes and supplemental taxes) and subtracting the Railroad Retirement Board's payments to Amtrak's beneficiaries. The conferees believe that Amtrak has been overstating its passenger rail service payments and understating its routine operating expense subsidy. However, providing \$81,000,000 in federal appropriations for railroad retirement payments in no way affects the railroad's statutory obligations. Amtrak shall continue to be liable for all taxes that normally would be payable by the corporation as a railroad employer under the Railroad Retirement Act of 1974, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act.

The conferees direct the department to include an estimate of Amtrak's total tax liability and its components in FRA's annual congressional justification, and a comprehensive listing of Amtrak's operating expenses that, by statute, are eligible for federal subsidy. In addition, Amtrak is directed to provide to the House and Senate Committees on Appropriations a copy of the Railroad Retirement Board's annual letter to Amtrak, upon receipt, which identifies Amtrak's railroad retirement payments.

*Route closure and realignment report.*—The conferees direct the General Accounting Office (GAO) to examine economic data for Amtrak's system and develop system-wide performance rankings of all routes currently in service based on short- and long-term economic loss. This report should consider all income and all costs, and perform a revenue-to-cost yield analysis of each Amtrak route. Also, the economic implications of multi-year capital requirements and declining federal operating subsidies should be examined. Amtrak shall provide GAO with this data within 30 days after the bill is enacted. If Amtrak reauthorization is enacted into law by December 31, 1997, GAO should include, as part of its review, any reforms that may impact on each route's viability. GAO should provide the House and Senate Committees on Appropriations with interim briefings on the issues and prepare a final report by May 15, 1998.

FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

The conference agreement provides \$45,738,000 as proposed by the House instead of \$41,497,000 as proposed by the Senate. The conference agreement limits funds available for the execution of contracts under section 5327(c) of title 49, U.S.C. for project management oversight activities to \$15,000,000 as proposed by both the House and Senate.

FORMULA GRANTS

The conference agreement provides a total program level of \$2,500,000,000 for transit formula grants, as proposed by the House instead of \$2,400,000,000 as proposed by the Senate. Within this total, the conference agreement appropriates \$240,000,000 from the general fund instead of \$290,000,000 as proposed by the House and \$190,000,000 as proposed by the Senate.

The conference agreement limits to \$150,000,000 funds available for operating assistance, instead of \$200,000,000 as proposed by the House. The Senate bill contained no similar limitation on operating expenses. In addition, the conference agreement retains language proposed by the House that provides transit operating assistance to urbanized areas of less than 200,000 in population at a level no less than seventy-five percent of the amount such areas were to receive under Public Law 103-331; and, that in the distribution of the limitation of operating assistance to urbanized areas that have a population of 1,000,000 or more, instructs the Secretary to direct each area to give priority consideration to the impact of reductions of operating assistance on smaller transit authorities operating within the area. The Senate bill contained no similar provisions.

UNIVERSITY TRANSPORTATION CENTERS

The conference agreement appropriates \$6,000,000 for university transportation centers as proposed by both the House and Senate.

TRANSIT PLANNING AND RESEARCH

The conference agreement provides a total of \$92,000,000 for transit planning and research instead of \$86,000,000 as proposed by the House and \$77,250,000 as proposed by the Senate. Within the funds provided, \$36,750,000 shall be available for national planning and research activities and other activities of the transit cooperative research program.

The conference agreement deletes language proposed by the Senate that provides \$500,000 to the Colorado Department of Transportation to study the metropolitan planning process and organization in the Denver metropolitan area. The House bill contained no similar provision.

The conferees direct that within the funding level provided for transit planning and research, the Federal Transit Administration shall make available the following amounts for the programs and activities listed below:

Project	Conference level
Joblinks employment transportation program	\$1,000,000
Hennepin community works program, Hennepin County, Minnesota	1,000,000
Project ACTION	2,000,000
Advanced technology transit bus	10,000,000
Fuel cell bus program	4,000,000
Advanced transportation and alternative fueled technologies consortium	1,500,000
Rural transportation assistance program	750,000
Fatigue awareness and safety training program	1,000,000
Zinc-air battery research	2,000,000
Colorado metropolitan planning organization study	500,000
Electronic distribution center for surplus transit-related equipment	500,000
Low-speed magnetic levitation	1,000,000

*Colorado metropolitan planning organization study.*—The conferees have included \$500,000 which shall be made available to study the metropolitan planning process and organization in the Denver metropolitan area. The

study shall be based on a scope of work agreed to by Douglas County (on behalf of selected Denver regional county and municipal governments), the Denver Regional Council of Governments, and the Colorado Department of Transportation. In order to insure that the study is fair and objective, the conferees recommend that the Colorado Department of Transportation make these funds available to a Denver based, private sector, non-profit university based research organization with expertise in public policy. The conferees direct that the recommendations of the study be provided to the House and Senate Committees on Appropriations within twenty-four months of enactment of this Act.

*Honolulu, HI.*—The conferees direct the Federal Transit Administration to support a comprehensive transportation investment analysis of the primary urban corridor from Ewa to east Honolulu, Hawaii.

*Fuel cell bus program.*—The conferees have provided up to \$4,000,000 to continue development of the fuel cell bus. The conferees direct that none of the funds provided in this Act shall be available for the construction of a parking garage or an Intermodal and National Depository Fuel Cell facility at Georgetown University in Washington, DC.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides \$2,210,000,000 in liquidating cash for the trust fund share of transit expenses as proposed by both the House and Senate.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for the discretionary grants program to \$2,000,000,000 as proposed by the House instead of \$2,008,000,000 as proposed by the Senate. The conference agreement also limits obligations for fixed guideway modernization to \$800,000,000; for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities to \$400,000,000; and for new fixed guideway systems to \$800,000,000 as proposed by the House. The Senate bill limits obligations to \$780,000,000; \$440,000,000; and \$788,000,000, respectively.

The conference agreement deletes language proposed by the Senate that reallocates \$6,345,000 in previously provided funds for the Alaska-Hollis to Ketchikan ferry project. The House bill contained no similar provision.

*Three-year availability of section 5309 discretionary funds.*—The conferees direct that the FTA not reallocate funds provided in fiscal year 1995 for the Whitehall ferry terminal project or the New Jersey Burlington to Gloucester rail project before September 30, 1998, because the Committees have been informed that these projects are nearing obligation. Further, the conferees direct the FTA to deobligate funds in the amount of \$2,779,000 made available in Public Law 103-122, for preliminary engineering associated with the Minneapolis-St. Paul Twin Cities Central Corridor project and make these funds available for bus and bus facilities projects in the Twin Cities Central Corridor. The conferees also direct the FTA to reallocate funds in the amount of \$4,962,500, made available in Public Law 103-331 for the Twin Cities Central Corridor project and not obligated by the end of fiscal year 1997, and make these funds available for similar bus and bus facilities projects in the Twin Cities Central Corridor.

Further, should additional funds from previous appropriations Acts be available for re-

allocation, the conferees direct the FTA to reprogram these funds no earlier than fifteen days after notification to the House and Senate Committees on Appropriations and only to the extent that those projects are able to fully obligate additional resources in the course of fiscal year 1998. With respect to re-allocation of discretionary bus funds, the FTA is directed to reallocate funds to only those projects identified in the reports accompanying the Department of Transportation and Related Agencies Appropriations Act, 1998, no earlier than fifteen days after notification to the House and Senate Committees on Appropriations.

*Bus and bus-related facilities.*—The conference agreement provides \$400,000,000 for the replacement, rehabilitation and purchase of buses and related equipment and the construction of bus-related facilities, together with \$978,000 of funds originally provided in the fiscal year 1995 Department of Transportation and Related Agencies Appropriations Act. The conferees agree that the recommended funding is to be distributed as follows:

<i>Project</i>	<i>Conference</i>
<i>State of Alabama:</i>	
Birmingham/Jefferson County buses .....	\$3,000,000
Birmingham downtown intermodal transportation facility, phase 2	6,000,000
Gadsden, buses and vans	100,000
Huntsville Intermodal center, phase 1 .....	5,000,000
Mobile southern market historic intermodal center .....	1,000,000
Mobile municipal pier intermodal waterfront access rehabilitation project .....	1,000,000
Mobile bus replacement	1,500,000
Mobile intermodal facility .....	5,500,000
Montgomery bus replacement .....	1,500,000
Tuscaloosa bus replacement .....	1,000,000
<i>State of Arizona:</i>	
Phoenix buses and bus facilities .....	4,500,000
Tucson intermodal center .....	1,000,000
<i>State of California:</i>	
Folsom multimodal facility .....	1,500,000
Foothill transit bus maintenance facility ...	9,000,000
I-5 Consortium Cities Joint Powers Authority facilities .....	5,000,000
Inglewood transit center project .....	500,000
Lake Tahoe intermodal center .....	1,000,000
Long Beach buses and bus facilities .....	1,500,000
Marina/Ft. Ord buses and multimodal center .....	1,000,000
Mendocino County buses	800,000
Modesto bus maintenance facility .....	1,750,000
Rialto MetroLink depot	1,100,000
Riverside County buses and bus facility .....	2,350,000
Riverside County transit vehicle ITS communications .....	1,000,000
Sacramento bus facility	1,000,000
San Joaquin (Stockton) bus facilities .....	2,000,000
Santa Clara buses .....	2,500,000
Santa Cruz metropolitan transit district buses and bus facility .....	1,000,000
San Ysidro border intermodal center .....	500,000

<i>Project</i>	<i>Conference</i>	
Solano County buses and bus-related equipment	1,200,000	
Sonoma County bus facilities .....	1,000,000	
Unitrans maintenance facility .....	1,000,000	
Woodland transfer facility .....	200,000	
Yolo County buses and paratransit vehicles ...	1,000,000	
Yosemite area regional transportation solution	500,000	
State of Colorado, buses and bus facilities .....	5,500,000	
<i>State of Connecticut:</i>		
Bridgeport buses and bus facilities .....	2,000,000	
Bridgeport intermodal center .....	3,750,000	
New Haven bus facility ...	1,200,000	
State of Delaware: New Castle bus facility .....	1,500,000	
<i>State of Florida:</i>		
Daytona Beach intermodal facility .....	2,000,000	
Florida Citrus Connection buses .....	1,500,000	
Lakeland transit buses ...	1,000,000	
Lakeworth buses and bus facilities .....	1,000,000	
LYNX buses and bus facilities .....	3,000,000	
Metro-Dade County buses and bus facilities .....	5,000,000	
Orlando intermodal facility .....	1,000,000	
Palm Beach County buses and bus facilities	2,000,000	
Tampa (Hillsborough County), HARTline buses and bus facilities	1,500,000	
Volusia County buses and bus facilities .....	2,000,000	
<i>State of Georgia:</i>		
Chatham bus facility .....	4,000,000	
MARTA buses .....	5,000,000	
<i>State of Hawaii: Honolulu buses and bus facility .....</i>		5,000,000
<i>State of Illinois: Buses and bus facilities .....</i>		4,500,000
<i>State of Indiana:</i>		
Indianapolis buses .....	2,000,000	
South Bend intermodal facility .....	2,000,000	
<i>State of Iowa:</i>		
Statewide bus and bus facilities .....	2,750,000	
Sioux City park and ride facility .....	1,250,000	
<i>State of Kansas: Johnson County bus maintenance/operations facility .....</i>		1,000,000
<i>State of Louisiana:</i>		
Statewide buses and bus facilities .....	13,900,000	
<i>State of Maryland: Buses and bus facilities .....</i>		8,000,000
<i>Commonwealth of Massachusetts:</i>		
Franklin RTA buses .....	500,000	
Greenfield Montague Transportation Area buses .....	700,000	
South Station intermodal transportation center .....	1,000,000	
Springfield intermodal center .....	1,000,000	
Worcester Union Station	3,000,000	
<i>State of Michigan: Buses and bus facilities .....</i>		7,500,000
<i>State of Minnesota:</i>		
Metropolitan Council transit operations, buses and bus facilities	9,000,000	
St. Paul, Snelling bus garage .....	1,500,000	

Project	Conference	Project	Conference	Project	Conference
State of Mississippi: Jackson bus facility .....	2,000,000	Lawrence County buses ..	1,000,000	King County metro commuter intermodal connector .....	1,500,000
State of Missouri:		Lehigh and Northampton buses .....	1,000,000	King County park and ride lots .....	5,000,000
Kansas City buses and fare box collection system .....	3,500,000	Mid Mon Valley transit authority buses .....	750,000	Olympic Peninsula International Gateway Transportation Center .....	1,000,000
Kansas City Union Station intermodal center .....	4,500,000	New Castle area transit authority buses .....	750,000	Snohomish County buses .....	2,500,000
State of Missouri bus and bus facilities .....	8,000,000	North Philadelphia intermodal facility .....	1,000,000	Tacoma Dome station project .....	1,500,000
State of Nevada: .....		Philadelphia Eastwick intermodal center .....	1,000,000	Thurston County intercity buses .....	1,000,000
Clark County buses .....	8,000,000	Schuykill County buses ..	200,000	Whatcom Transportation Authority, facilities ....	1,500,000
Reno, Washoe County Regional Transportation Commission, buses and bus facilities .....	1,500,000	Scranton buses and bus facility .....	1,500,000	State of West Virginia:	
State of New Jersey: NJ Transit alternative fuel buses .....	6,000,000	SEPTA buses .....	7,500,000	Huntington intermodal facility and buses .....	7,000,000
State of New Mexico:		Towanda Borough intermodal bus facility .....	2,000,000	Statewide buses and bus facilities, communications and computer systems .....	9,250,000
Albuquerque uptown transit center .....	1,000,000	Wilkes-Barre intermodal facility .....	1,500,000	State of Wisconsin:	
Demonstration of universal electric transportation subsystems (DUETS) .....	1,000,000	Williamsport buses and bus facility .....	1,250,000	Milwaukee rail station rehabilitation .....	1,000,000
Las Cruces, Santa Fe, and Albuquerque park and ride .....	1,000,000	Statewide bus and bus facilities projects .....	4,000,000	Wisconsin Transit System buses .....	13,000,000
Sante Fe buses and bus facilities .....	1,000,000	State of South Carolina:		Total .....	400,975,000
Statewide, buses and bus facilities .....	3,750,000	Columbia buses and facility .....	2,000,000		
State of New York:		Pee Dee Regional Planning Authority, buses and facilities .....	3,000,000		
Nassau County and Long Island buses and bus facilities (Goodwill Games) .....	1,000,000	Virtual Transit Enterprise, integration of transit information processing systems .....	1,000,000		
Nassau County natural gas buses .....	5,000,000	State of South Dakota:			
New Rochelle intermodal facility .....	1,500,000	Statewide bus and bus facilities .....	2,250,000		
New York City natural gas buses .....	7,500,000	State of Tennessee: Buses and bus facilities .....	8,000,000		
NFTA HUBLINK program .....	1,000,000	State of Texas:			
Poughkeepsie intermodal facility .....	2,000,000	Austin buses .....	3,000,000		
Rensselaer County intermodal facility .....	1,875,000	Brazos Transit Authority, transit facilities and buses .....	3,000,000		
Staten Island/Brooklyn mobility project .....	1,000,000	Corpus Christi bus facilities .....	1,950,000		
Suffolk County buses .....	2,150,000	El Paso buses .....	1,000,000		
Syracuse buses .....	4,300,000	Fort Worth buses .....	1,500,000		
Westchester County buses .....	5,000,000	Galveston alternatively fueled vehicles .....	2,000,000		
Yonkers intermodal facility .....	2,000,000	Rural Texas bus replacement program .....	2,500,000		
State of North Carolina:		State of Utah:			
Chapel Hill University of North Carolina buses ...	1,000,000	Utah Transit Authority Olympic park and ride lots .....	2,000,000		
Statewide buses and bus facilities .....	5,000,000	Park City Transit buses .....	400,000		
State of Ohio: Buses and bus facilities .....	12,500,000	Utah Transit Authority bus acquisition .....	2,000,000		
State of Oregon:		Utah Transit Authority Olympic intermodal transportation centers .....	2,500,000		
Eugene-Springfield-Lane County buses and bus facilities .....	1,000,000	Statewide buses and bus facilities .....	2,000,000		
Lane Transit District bus system .....	1,000,000	State of Vermont:			
Salem and Corvallis buses and bus facilities .....	1,000,000	Burlington multimodal center .....	1,500,000		
Commonwealth of Pennsylvania:		Statewide bus and bus facilities .....	1,000,000		
Allegheny County buses .....	1,000,000	Commonwealth of Virginia:			
Armstrong Mid-County buses and bus facility ..	200,000	Clarendon canopy project .....	250,000		
Berks Area Reading transit intermodal facility .....	500,000	Falls Church electric buses .....	400,000		
Cambria County buses and bus facilities .....	800,000	Dulles corridor buses and bus facilities .....	2,500,000		
Fayette and Somerset buses, vans, and bus facilities .....	600,000	Richmond multimodal center .....	2,500,000		
Indiana County buses .....	500,000	State of Washington:			
Lackawanna County paratransit vans .....	300,000	Bremerton buses and transportation center ..	1,000,000		
		Chelan-Douglas multimodal center .....	1,000,000		
		Community Transit, Kasch Park facility .....	1,500,000		
		Everett intermodal center .....	2,500,000		
		King County multimodal facility .....	1,000,000		

*Mobile, Alabama intermodal facility.*—The conference agreement includes \$5,500,000 for phase 1 of an intermodal and transit transfer facility in the city of Mobile, Alabama. These funds are to be used for preliminary engineering, design, site acquisition, improvement and rehabilitation of an intermodal facility to link local transit, intercity bus and passenger rail, automobile, for-hire transportation and charter/excursion tours in the downtown area. The conferees encourage the city to seek additional appropriations in fiscal year 1999 to complete phase 2 of the intermodal facility.

*Lake Tahoe intermodal center.*—The conferees urge the Administrator to consider funds that have already been spent by non-federal sources on planning of this project towards the local match requirements.

*State of Louisiana.*—The conference agreement includes \$13,900,000 for the state of Louisiana to be distributed as follows: Baton Rouge bus-related facilities, \$600,000; Jefferson Parish buses, \$1,200,000; Lafayette bus-related facility, \$750,000; Lake Charles buses, \$150,000; LA DOTD vans and equipment, \$700,000; Monroe buses and bus-related equipment, \$800,000; New Orleans buses and bus-related facilities, \$7,500,000; Shreveport buses and bus-related facility, \$400,000; and St. Tammany Parish, bus and bus-related facility, \$300,000.

*State of Michigan.*—The conference agreement includes \$7,500,000 for the state of Michigan. In addition to the funds provided in this Act, the conferees direct the FTA to make available to the state of Michigan for the procurement of buses and bus-related equipment funds originally provided in the fiscal year 1995 Department of Transportation and Related Agencies Appropriations Act for a passenger intermodal transit center in Detroit, Michigan.

*New fixed guideway systems.*—The conference agreement deletes language proposed by the House that would make distribution of the funds available for new fixed guideway systems subject to authorization. The Senate bill contained no similar provisions. The conference agreement provides for the following distribution of the recommended funding for new fixed guideway systems as follows:

Project	Conference level
Atlanta-North Springs project .....	\$44,600,000

Project	Conference level
Austin Capital metro .....	1,000,000
Boston Piers Mos-2 project .....	46,250,000
Boston urban ring .....	1,000,000
Burlington-Essex, VT, commuter rail .....	5,000,000
Canton-Akron-Cleveland commuter rail project ....	2,000,000
Charleston monobeam rail project .....	1,500,000
Charlotte South corridor transitway project .....	1,000,000
Cincinnati Northeast/Northern Kentucky rail line project .....	500,000
Clark County, Nevada, fixed guideway project ...	5,000,000
Cleveland blue line extension to Highland Hills project .....	800,000
Cleveland Berea red line extension to Hopkins International Airport ....	700,000
Cleveland waterfront line extension project .....	1,000,000
Dallas-Fort Worth RAILTRAN project .....	8,000,000
DART North central light rail extension project ....	11,000,000
DeKalb County, Georgia light rail project .....	1,000,000
Denver Southwest corridor project .....	23,000,000
East Side access project, New York .....	20,000,000
Florida Tri-County commuter rail project .....	8,000,000
Galveston rail trolley system project .....	2,000,000
Houston advanced regional bus plan project .....	1,000,000
Houston regional bus project .....	51,100,000
Indianapolis Northeast corridor project .....	1,250,000
Jackson, Mississippi intermodal corridor project ...	3,000,000
Los Angeles MOS-3 project	61,500,000
MARC commuter rail improvements .....	31,000,000
Memphis, Tennessee regional rail project .....	1,000,000
Metro-Dade transit east-west corridor project .....	5,000,000
Miami North 27th Avenue project .....	5,000,000
Mission Valley East corridor project .....	1,000,000
Nassau hub rail link EIS ...	500,000
New Jersey—Hudson-Bergen project .....	60,000,000
New Jersey Secaucus project .....	27,000,000
New Orleans Canal Street corridor project .....	6,000,000
New Orleans Desire streetcar project .....	2,000,000
North Carolina Research Triangle Park project ....	12,000,000
Northern Indiana South Shore commuter rail project .....	4,000,000
Oceanside-Escondido light rail project .....	3,000,000
Oklahoma City MAPS corridor transit project .....	1,600,000
Orange County transitway project .....	2,000,000
Orlando Lynx light rail project .....	31,800,000
Pennsylvania Strawberry Hill/Diamond Branch rail project .....	500,000
Phoenix metropolitan area transit project .....	4,000,000
Pittsburgh airport busway project .....	5,000,000
Portland—Westside/Hillsboro project .....	63,400,000

Project	Conference level
Roaring Fork Valley rail ...	2,000,000
Sacramento LRT project ...	20,300,000
Salt Lake City South LRT project .....	63,400,000
Salt Lake City regional commuter rail .....	4,000,000
San Bernardino Metrolink project .....	1,000,000
San Diego Mid-Coast corridor project .....	1,500,000
San Francisco BART extension to the airport project .....	29,900,000
San Juan Tren Urbano .....	15,000,000
San Jose Tasman LRT project .....	21,400,000
Seattle-Tacoma commuter and light rail projects ....	18,000,000
St. Louis-St. Claire LRT extension project .....	30,000,000
St. George ferry terminal project .....	2,500,000
Springfield-Branson, MO commuter rail .....	500,000
Tampa Bay regional rail project .....	1,000,000
Tidewater, Virginia rail project .....	2,000,000
Toledo, Ohio rail project ...	1,000,000
Twin Cities transitways projects .....	12,000,000
Virginia Railway Express Fredericksburg to Washington commuter rail project .....	2,000,000
Whitehall ferry terminal project .....	2,500,000
Wisconsin central commuter rail project (METRA) .....	3,000,000

*Charleston, SC monobeam rail project.*—The conference agreement provides \$1,500,000 for conceptual planning and engineering and related work for a full-scale demonstration monobeam rail line in the Charleston, South Carolina area.

*Denver southwest corridor project.*—Congress has stated clearly that airport funds should not be used for non-airport purposes. Moreover, the House Subcommittee on Transportation Appropriations has stated that it will consider any action to divert revenue illegally from airports in all its decisions regarding funding for transportation projects within its jurisdiction. The conferees are concerned that the City of Denver may be considering the diversion of airport revenues to buy rights of way from the Union Pacific Railroad. The Inspector General is directed to inform the House and Senate Committees on Appropriations and the Federal Aviation Administration immediately should an illegal diversion of airport revenue occur.

*Los Angeles MOS-3 project.*—The conference agreement provides \$61,500,000 for the Los Angeles MOS-3 project, of which \$24,000,000 shall be available for the East Side extension, together with the required local matching funds. The conferees agree that none of the funds in this Act shall be available until (1) after the LACMTA produces a financially constrained rail recovery plan which complies with the consent decree for enhanced bus service; (2) the FTA conducts a final review and accepts the plans and certifies to the House and Senate Committees on Appropriations that the fiscal management of the project meets or exceeds accepted US government standards; (3) the General Accounting Office and the Department of Transportation's inspector general conduct an independent analysis of the plans and provide such analysis to the House and Senate Committees on Appropriations within sixty days of FTA accepting the plan; (4) the House and Senate have concluded their review of the

analysis within sixty days of the transmittal of the analysis to the Committees; and (5) after the FTA has re-negotiated parts 1A and 1B of the MOS-3 full funding grant agreement.

*Pittsburgh airport busway project.*—In conjunction with the FTA and its project management oversight consultant, the Port Authority of Allegheny County, Pennsylvania has developed a recovery plan for the Phase I Pittsburgh Airport Busway/Wabash HOV facility in order to address budget and schedule variances from the original full funding grant agreement. The conferees believe that the recovery plan has yielded a revised project scope that will provide virtually all of the transit benefits within the original full funding grant agreement amount of \$326.8 million. The conference agreement provides \$5,000,000 for the Pittsburgh busway project, completing the federal government's commitment to the project.

The FTA has proposed to deobligate \$19,410,000 of funds necessary to implement the recovery plan. These funds have already been provided by Congress for this project. Retaining these already-appropriated and obligated funds and adding the final \$5,000,000 will complete the full funding grant agreement. Accordingly, the conferees direct the FTA not to deobligate the funds already obligated to the Port Authority.

*Twin Cities transitways project.*—The conference agreement provides \$12,000,000 for the Twin Cities Transitways project. Of this amount, not less than \$10,500,000 is provided for the development and construction of the Hiawatha Corridor fixed guideway. Up to \$1,500,000 may be available for the planning, analysis and engineering on the Riverview, Northstar and Northwest Corridors, including a major investment study of the Riverview Corridor. In the Northstar and Northwest Corridors, a portion of the \$1,500,000 may be used for minor transit improvements, as well as planning, analysis and engineering of transit routes and alternatives, including commuter rail.

*Virginia Railway Express (VRE) Fredericksburg to Washington commuter rail project.*—The conferees agree that the funds provided in this Act shall be distributed as follows: \$1,100,000 shall be available for right-of-way acquisition at Route 123 and Route 1 to provide direct access to the Woodbridge station of the VRE and \$900,000 shall be available to improve pedestrian safety at the King Street Metro and VRE station area.

*Wisconsin central commuter rail project.*—The conference agreement includes \$3,000,000 for Wisconsin central commuter rail, or Metra. Funds provided in this Act are to be available for engineering and design work on proposed expansions to the Metra system, as well as station reconstruction on the South Shore line in Chicago.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides \$2,350,000,000 in liquidating cash for mass transit capital programs, as proposed by both the House and the Senate.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

The conference agreement includes \$200,000,000 for the construction of the Washington, DC Metrorail system, as proposed by the House instead of \$160,000,000 as proposed by the Senate.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

The conference agreement appropriates \$11,200,000 for operations and maintenance of the Saint Lawrence Seaway Development Corporation as proposed by the House. The Senate bill presumed that authorizing legislation would convert the Corporation into a performance-based organization, requiring no direct appropriation in fiscal year 1998.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

The conference agreement appropriates \$28,450,000 for research and special programs as proposed by the Senate instead of \$27,934,000 as proposed by the House. The conferees have made the following reductions to the budget estimate:

Reduction in hazardous materials personnel, compensation and benefits .....	-\$150,000
Limit research and development activities .....	-1,850,000
Increase funding for crisis response center .....	+450,000

Reduction in program support personnel, compensation and benefits .... -102,000

Net change to the budget request ..... -1,652,000

*Crisis response center.*—The conferees have provided \$450,000 for a transportation emergency preparedness and response demonstration project, as described in the Senate report. The state should provide at least \$300,000 in cost sharing for this project. The conferees expect that the establishment of this center will be a one-time occurrence and do not expect the department to provide on-going consulting or other services for the center.

*Program and administrative support.*—The conferees recommend \$8,219,000 for program and administrative support. The conferees agree that a \$102,000 reduction in program and administrative support shall be allocated at the discretion of the administrator, and permit the administration to continue using detailees as necessary.

*Simultaneous vehicle and infrastructure design.*—The conferees direct the Secretary of Transportation to submit a letter to the House and Senate Committees on Appropriations on the concept of simultaneous vehicle and infrastructure design by January 30, 1998.

Bill language, as proposed by the House, permitting credits to this appropriation to be used for expenses related to training, report publication, and dissemination, and for travel expenses incurred in the performance of hazardous materials exemptions and approval functions has been retained in the conference agreement. The Senate bill proposed similar language, but did not restrict the credit of funds received from state and other public and private authorities expenses only to travel.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

The conference agreement provides total funding of \$31,300,000 for the pipeline safety program, instead of \$31,486,000 as proposed by the House and \$31,000,000 as proposed by the Senate. In addition, the conferees have provided \$1,465,000 from the reserve fund for one-call notification activities and some contract programs, instead of \$1,000,000 for one-call activities as proposed by the House and \$2,000,000 for one-call activities and some contract programs as proposed by the Senate.

The following table summarizes the conference agreement by budget activity and funding sources:

Budget activity	Pipeline safety fund	Oil spill liability trust fund	Reserve fund <sup>1</sup>	Total
Personnel, compensation and benefits .....	\$7,706,000	\$259,000	—	\$7,965,000
Operating expenses .....	3,687,000	—	—	3,687,000
Contract programs:	2,942,000	713,000	\$365,000	4,020,000
(Information systems) .....	—	—	—	(1,200,000)
(Risk assessment and technical studies) .....	—	—	—	(1,200,000)
(Compliance) .....	—	—	—	(300,000)
(Training and information dissemination) .....	—	—	—	(820,000)
(Emergency notification) .....	—	—	—	(100,000)
(National public education) .....	—	—	—	(400,000)
Oil pollution act .....	—	2,328,000	—	2,328,000
Research and development .....	1,165,000	—	—	1,165,000
Grants:	12,500,000	—	—	12,500,000
(State grants) .....	(12,000,000)	—	—	(12,000,000)
(Risk management grants) .....	(500,000)	—	—	(500,000)
One-call program .....	—	—	1,100,000	1,100,000
<b>Total .....</b>	<b>28,000,000</b>	<b>3,300,000</b>	<b>1,465,000</b>	<b>32,765,000</b>

<sup>1</sup> Funding derived from the reserve fund is not directly appropriated.

*Coal log pipeline research study.*—The conferees agree that the office of pipeline safety shall not complete a research study on coal log pipelines, as requested by the Senate, since the issue falls outside the scope and expertise of this office.

EMERGENCY PREPAREDNESS GRANTS

The conference agreement provides \$200,000 for emergency preparedness grants as proposed by both the House and the Senate.

OFFICE OF INSPECTOR GENERAL

Salaries and Expenses

The conference agreement includes \$42,000,000 for salaries and expenses of the office of inspector general as proposed by the House instead of \$38,900,000 as proposed by the Senate.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

The conference agreement provides \$13,853,000 for salaries and expenses of the Surface Transportation Board instead of \$15,853,000 as proposed by the House and \$12,300,000 as proposed by the Senate. In addition, the conference agreement includes language that permits the Board to collect \$2,000,000 in fees to supplement its appropriation in fiscal year 1998, instead of \$3,100,000 as proposed by the Senate. The House bill provided the Board with the ability to offset \$2,000,000 of its appropriation from fees collected during the fiscal year. The conferees agree that any fees received in excess of \$2,000,000 in fiscal year 1998 shall not be available for obligation until October 1, 1998,

as proposed by the House. The Senate bill proposed that fees in excess of \$3,100,000 shall not be available until October 1, 1998.

BUREAU OF TRANSPORTATION STATISTICS

Funding for the Bureau of Transportation Statistics (BTS) is provided through the federal-aid highways budget. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) authorized \$25,000,000 for fiscal year 1997, and the conference agreement defers funding decisions for fiscal year 1998 to the appropriate authorizing committees which shall determine BTS' funding levels in fiscal year 1998 in the context of the reauthorization of ISTEA. The conferees are concerned, however, that the BTS has sought to reduce activities of the Office of Airline Information (OAI), whose mission is to provide the US government, the department and other users with uniform and comprehensive financial, traffic, and economic data on individual air carrier operations and the air transportation industry, citing insufficient funding. Last year the conferees noted that ample funding was provided through BTS' core program to fund all on-going activities related to OAI, and the conferees again expect that all OAI activities shall be fully funded in fiscal year 1998 within the core funding provided to the BTS.

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

The conference agreement provides \$3,640,000 for salaries and expenses of the Architectural and Transportation Barriers

Compliance Board as proposed by both the House and the Senate.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement appropriates \$48,371,000 for salaries and expenses of the National Transportation Safety Board instead of \$46,000,000 as proposed by the House and \$49,700,000 as proposed by the Senate. At this level, the conferees agree that sufficient funding is provided to fund 402 positions and to continue operating the communications center on a contract basis.

EMERGENCY FUND

The conference agreement provides \$1,000,000 to the National Transportation Safety Board's emergency fund, as proposed by both the House and the Senate.

TITLE III

GENERAL PROVISIONS

The conference agreement includes general provisions that were in both the House and Senate versions of the bill that were not amended.

The conference agreement modifies the section on the distribution of the Federal-aid highway obligation authority contained in both the House and Senate bills by deleting the provisions relating to bonus limitation. The conference agreement prohibits bonus obligations and includes the limitation on federal-aid highway obligations during the period October 1 through December 31, 1997, as proposed by the House. The Senate bill contained no similar limitations.

The conference agreement includes the Senate provision that redefines the term "capital project" under the Federal Transit Administration's formula grants program to allow preventive maintenance and other activities to be funded as a capital expense. Also, the provision allows areas under 200,000 in population to use formula assistance grants for any transit purpose, including capital, planning and operating costs. The House bill contained no similar provision.

The conference agreement includes the House provision that limits funds to compensate in excess of 350 staff years under the federally funded research and development contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development. The Senate bill contained no similar provision.

The conference agreement modifies the House provision that reduces funding for activities of the transportation administrative service center of the Department of Transportation and limits obligation authority of the center to \$118,800,000. The Senate bill contained no similar provision.

The conference agreement includes the House provision that prohibits funds to be used to prepare, propose, or promulgate any regulation pursuant to title V of the Motor Vehicle Information and Cost Savings Act prescribing corporate average fuel economy standards for automobiles as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section. The Senate bill contained no similar provision.

The conference agreement includes the House provision that prohibits the use of funds to be used for planning, engineering, design or construction of a sixth runway at the new Denver International Airport unless the Federal Aviation Administrator determines that safety conditions warrant obligation of such funds, and allows funds to be used for planning or analysis of airport noise issues related to a sixth runway. The Senate bill contained no similar provision.

The conference agreement includes the Senate technical correction to the House provision that allows for the sale and credit of receipts for Bureau of Transportation Statistics data products.

The conference agreement includes the House provision that prohibits the use of funds for any type of training which: (a) does not meet needs for knowledge, skills, and abilities bearing directly on the performance of official duties; (b) could be highly stressful or emotional to the students; (c) does not provide prior notification of content and methods to be used during the training; (d) contains any religious concepts or ideas; (e) attempts to modify a person's values or lifestyle; or (f) is for AIDS awareness training, except for raising awareness of medical ramifications of AIDS and workplace rights. The Senate bill contained no similar provision.

The conference agreement includes the House provision that requires the Federal Transit Administration's oversight of the Washington Metropolitan Area Transit Authority (WMATA) to be based in Washington, D.C. metropolitan area. The Senate bill contained no similar provision.

The conference agreement includes the Senate provision that limits the necessary expenses of advisory committees to \$1,000,000. The House bill contained no similar provision.

The conference agreement includes "or fees collected by the Board" as proposed by the Senate as funds to be used for conducting the activities of the Surface Transportation Board. The House proposed to use only appropriated funds.

The conference agreement includes the House provision that prohibits the use of

funds for the improvement of Miller Highway in New York City, New York. The Senate bill contained no similar provision.

The conference agreement includes the House provision that prohibits funds to implement or enforce regulations that would result in slot allocations for international operations to any carrier at O'Hare International Airport in excess of the number of slots allocated to and scheduled by that carrier as of October 1, 1993, if that slot is withdrawn from an air carrier under existing regulations. The Senate bill contained no similar provision.

The conference agreement includes the Senate provision that directs the Federal Aviation Administration to provide real-time weather and runway observation and other such functions at Dutch Harbor, Alaska. The House bill contained no similar provision.

The conference agreement includes the Senate provision that limits the number of communities that receive essential air service funding by excluding points in the 48 contiguous United States that are located 70 highway miles from the nearest large or medium hub airport, or that require a subsidy in excess of \$200 per passenger, unless such a point is more than 210 miles from the nearest large or medium hub airport. The House bill contained no similar provision.

The conference agreement modifies the Senate provision on the definition of "passenger capacity of 56 passengers or less" for reconfigured aircraft under section 29(a)(2) of the International Air Transportation Competition Act of 1979. This provision is discussed under Federal Aviation Administration, Operations. The House bill contained no similar provision.

The conference agreement modifies the Senate provision that credits to appropriations of the Department of Transportation rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources. Such funds received shall be available until December 31, 1998, instead of December 31 of the next fiscal year. The House bill contained no similar provision.

The conference agreement includes the Senate provision that directs the Department of the Navy to transfer an inactive Navy vessel, USNS EDENTON (ATS-1), to the Coast Guard. The House bill contained no similar provision.

The conference agreement modifies the Senate provision that clarifies the treatment of airport revenues in the State of Hawaii. Any existing obligations, trust or otherwise, to Native Hawaiians, Native Americans, or Alaskan Natives with respect to ceded lands, arising under existing federal or State statutes, remain unaffected. The agreement only prohibits airport revenues from being used to satisfy any such obligations. Therefore, the State of Hawaii's obligations to Native Hawaiians arising under the Admission Act (Public Law 96-3, 93 Stat. 4) remain unaffected by this provision, except that airport revenues may not be used to satisfy those obligations. The House bill contained no similar provision.

The conference agreement includes the Senate provision that prohibits the Coast Guard from issuing or enforcing regulations regarding animal fats and vegetable oils. The House bill contained no similar provision.

The conference agreement includes the Senate provision that authorizes the Secretary of Transportation to allow issuers to redeem or repurchase preferred stock sold to the Department of Transportation. The House bill contained no similar provision.

The conference agreement includes the Senate provision that extends the expiration

date from September 30, 1997 to February 28, 1998 relating to the operation of longer combination vehicles in the State of Nebraska. The House bill contained no similar provision.

The conference agreement modifies the Senate provision that would have required the Federal Aviation Administration to implement pilot record sharing requirements of section 44936(f) of title 49, U.S.C., not later than February 1, 1998, if possible, and to work with non-scheduled air carriers under part 135 of the Federal Aviation Administration's regulations to implement such requirements. The conference agreement prohibits funds being used to enforce pilot record sharing requirements against unscheduled operations of part 135 carriers unless the Federal Aviation Administration determines that such records can be provided within 30 days. The Administrator shall report to Congress if that determination cannot be made within 150 days of enactment of this Act. The House bill contained no similar provision.

The conference agreement includes the Senate provision that requires the Secretary of Transportation to exercise the exemption authority under section 41714 of title 49, U.S.C., with respect to certain air service between slot-controlled airports subject to that authority and non-hub points, within 120 days after receiving a request for such an exemption. The House bill contained no similar provision.

The conference agreement includes the Senate provision that provides for the development and operation of the nationwide differential global positioning system. The House bill contained no similar provision.

The conference agreement includes a provision that authorizes the Secretary of Transportation to transfer funds appropriated to the Coast Guard in fiscal year 1993 in order to pay rent assessments by the General Services Administration related to prior year space needs of the Department. The Senate bill contained a provision that authorizes the Secretary of Transportation to transfer funds to make rental payments to the General Services Administration in excess of the amounts provided in the bill. The House bill contained no similar provision.

The conference agreement includes a provision which precludes Members of Congress from participating in a retirement plan change open season. The House and Senate bills contained no similar provision.

Those general provisions that were not included in the conference agreement follow:

The conference agreement deletes the Senate provision that allows the Department of Transportation to transfer up to 5 percent of any discretionary appropriation to another appropriation provided that the recipient account does not increase by more than 10 percent, and provides that any transfer be treated as a reprogramming of funds. The House bill contained no similar provision.

The conference agreement deletes the Senate provision that authorizes the Department of Transportation to receive and use funds resulting from fees charged to providers of telecommunications services for using Federal property for the siting of mobile service antennas. The House bill contained no similar provision.

The conference agreement deletes the Senate provision that allows the Federal Aviation Administration to approve closing the Richards-Gebaur Memorial Airport in Kansas City, Missouri, and the Bader Field in Atlantic City, New Jersey, as public airports and redeveloping such property for non-aeronautical use. The House bill contained no similar provision.

The Conference agreement has deleted, without prejudice, the language included in

the Senate bill regarding Richards-Gebaur Memorial Airport located in Kansas City, MO and Bader Field located in Atlantic City, NJ. The conferees believe that additional statutory authorities are not necessary for the FAA to make the necessary findings regarding closure of civil aviation airports.

The conference agreement deletes the Senate provision that directs the New York Metropolitan Transportation Authority (MTA) to use its transit formula grants to study the costs and benefits of instituting an integrated fare system for commuters who use both the Metro North Railroad or the Long Island Rail Road and the New York City subway or bus systems, and to report to the Senate Appropriations Committee. The House bill contained no similar provision. The conferees understand that the MTA is prepared to undertake the preceding study using funds available to the MTA, and direct that the results of the study be submitted to the House and Senate Committees on Approp-

priations within 45 days of enactment of this Act.

The conference agreement deletes the Senate provision that provides up to \$20,000,000 to the State of Michigan and \$12,000,000 to the State of Illinois from transit discretionary grants for buses and bus facilities. The House bill contained no similar provision.

The conference agreement deletes the Senate provision that expresses the sense of the Senate concerning the imminent expiration of highway and mass transit spending authorizations and the function of this bill. The House bill contained no similar provision.

CONFERENCE TOTAL—WITH  
COMPARISONS

The total new budget (obligational) authority for the fiscal year 1998 recommended by the Committee of Conference, with comparisons to the fiscal year 1997 amount, the 1998 budget estimates, and the House and Senate bills for 1998 follow:

New budget (obligational) authority, fiscal year 1997 .....	\$12,068,308,000
Budget estimates of new (obligational) authority, fiscal year 1998 .....	13,115,727,000
House bill, fiscal year 1998 .....	13,162,271,000
Senate bill, fiscal year 1998 .....	12,808,122,883
Conference agreement, fiscal year 1998 .....	13,062,718,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1997 .....	+994,410,000
Budget estimates of new (obligational) authority, fiscal year 1998 .....	-53,009,000
House bill, fiscal year 1998 .....	-99,553,000
Senate bill, fiscal year 1998 .....	+254,595,117

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
<b>TITLE I - DEPARTMENT OF TRANSPORTATION</b>						
<b>Office of the Secretary</b>						
Salaries and expenses.....	52,866,000	56,136,000	60,009,000	66,703,000	61,000,000	+ 8,034,000
Office of civil rights.....	5,574,000	5,574,000	5,574,000	5,574,000	5,574,000	.....
Transportation planning, research, and development.....	3,000,000	6,008,000	4,400,000	4,400,000	4,400,000	+ 1,400,000
Transportation Administrative Service Center.....	(124,812,000)	.....	(121,800,000)	.....	(121,800,000)	(-3,012,000)
Payments to air carriers (Airport and Airway Trust Fund):						
(Liquidation of contract authorization).....	(25,900,000)	.....	.....	.....	.....	(25,900,000)
(Limitation on obligations).....	(25,900,000)	.....	.....	.....	.....	(25,900,000)
Rescission of contract authorization.....	(-12,700,000)	(-38,600,000)	.....	(-38,600,000)	(-38,600,000)	.....
Rescission.....	(-1,133,000)	.....	.....	.....	.....	(-1,133,000)
Rental payments.....	127,447,000	10,567,000	.....	.....	.....	-127,447,000
Minority business resource center program.....	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000	.....
(Limitation on direct loans).....	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	.....
Minority business outreach.....	2,900,000	2,900,000	2,900,000	2,900,000	2,900,000	.....
<b>Total, Office of the Secretary.....</b>	<b>193,787,000</b>	<b>83,085,000</b>	<b>74,783,000</b>	<b>81,477,000</b>	<b>75,774,000</b>	<b>-118,013,000</b>
(Limitations on obligations).....	(25,900,000)	.....	.....	.....	.....	(25,900,000)
<b>Total budgetary resources.....</b>	<b>(219,687,000)</b>	<b>(83,085,000)</b>	<b>(74,783,000)</b>	<b>(81,477,000)</b>	<b>(75,774,000)</b>	<b>(-143,913,000)</b>
<b>Coast Guard</b>						
Operating expenses.....	2,319,725,000	2,440,000,000	2,408,000,000	2,435,400,000	2,415,400,000	+ 95,675,000
Defense function (050).....	.....	300,000,000	300,000,000	.....	300,000,000	+ 300,000,000
(Transfer from DOD).....	(300,000,000)	.....	.....	(300,000,000)	.....	(-300,000,000)
Supplemental (P.L. 105-18).....	1,600,000	.....	.....	.....	.....	-1,600,000
Acquisition, construction, and improvements:						
Offsetting collections.....	.....	-9,000,000	-9,000,000	-9,000,000	-9,000,000	-9,000,000
Vessels.....	216,500,000	186,900,000	191,650,000	214,700,000	212,100,000	-4,400,000
Aircraft.....	18,040,000	26,400,000	33,900,000	26,400,000	25,800,000	+ 7,760,000
Other equipment.....	41,700,000	49,700,000	47,050,000	51,200,000	44,650,000	+ 2,850,000
Shore facilities and aids to navigation facilities.....	52,350,000	69,000,000	59,400,000	73,000,000	68,300,000	+ 15,950,000
Personnel and related support.....	46,250,000	47,000,000	47,000,000	47,000,000	47,000,000	+ 750,000
<b>Subtotal, A, C &amp; I appropriations.....</b>	<b>374,840,000</b>	<b>370,000,000</b>	<b>370,000,000</b>	<b>403,300,000</b>	<b>388,850,000</b>	<b>+ 14,010,000</b>

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference compared with enacted
Environmental compliance and restoration .....	22,000,000	21,000,000	21,000,000	21,000,000	-1,000,000
Port Safety Development .....	5,000,000	.....	.....	.....	-5,000,000
Alteration of bridges .....	18,000,000	16,000,000	16,000,000	26,000,000	+1,000,000
Retired pay .....	608,684,000	645,696,000	645,696,000	653,196,000	+45,112,000
Supplemental (P.L. 105-19) .....	9,200,000	.....	.....	.....	-9,200,000
Reserve training .....	65,890,000	65,000,000	67,000,000	65,535,000	+1,110,000
Research, development, test, and evaluation .....	19,200,000	19,000,000	19,000,000	20,000,000	-200,000
Boat safety (Aquatic Resources Trust Fund) .....	35,000,000	50,000,000	35,000,000	35,000,000	.....
<b>Total, Coast Guard .....</b>	<b>3,476,539,000</b>	<b>3,910,696,000</b>	<b>3,881,696,000</b>	<b>3,659,431,000</b>	<b>+439,907,000</b>
<b>Federal Aviation Administration</b>					
Operations .....	4,925,500,000	5,036,100,000	5,300,000,000	5,325,900,000	+376,434,000
Appropriation of user fees .....	.....	300,000,000	.....	.....	.....
Offsetting Collections .....	-75,000,000	.....	.....	.....	+75,000,000
Emergency appropriations .....	(32,400,000)	.....	.....	.....	(-32,400,000)
Facilities and equipment (Airport and Airway Trust Fund) .....	1,793,500,000	1,875,000,000	1,875,000,000	1,889,004,983	+81,977,000
Emergency appropriations .....	(144,200,000)	.....	.....	.....	(-144,200,000)
Research, engineering, and development (Airport and Airway Trust Fund) .....	187,412,000	200,000,000	185,000,000	214,250,000	+11,771,000
Emergency appropriations .....	(21,000,000)	.....	.....	.....	(-21,000,000)
Grants-in-aid for airports (Airport and Airway Trust Fund):					
(Liquidation of contract authorization) .....	(1,500,000,000)	(1,500,000,000)	(1,600,000,000)	(1,600,000,000)	(+100,000,000)
(Limitation on obligations) .....	(1,460,000,000)	(1,000,000,000)	(1,700,000,000)	(1,700,000,000)	(+240,000,000)
Rescission of contract authorization .....	(-800,000,000)	.....	.....	(-190,000,000)	(+388,000,000)
<b>Total, Federal Aviation Administration .....</b>	<b>6,831,412,000</b>	<b>7,411,100,000</b>	<b>7,360,000,000</b>	<b>7,429,154,883</b>	<b>+545,182,000</b>
(Limitations on obligations) .....	(1,460,000,000)	(1,000,000,000)	(1,700,000,000)	(1,700,000,000)	(+240,000,000)
<b>Total budgetary resources .....</b>	<b>(8,281,412,000)</b>	<b>(8,411,100,000)</b>	<b>(9,060,000,000)</b>	<b>(9,129,154,883)</b>	<b>(+785,182,000)</b>

	FY 1987 Enacted	FY 1988 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Federal Highway Administration</b>						
Limitation on general operating expenses.....	(521,114,000)	(484,376,000)	(510,313,000)	(558,440,000)	(552,266,000)	(+31,152,000)
Highway-related safety grants (Highway Trust Fund):						
(Liquidation of contract authorization) .....	(2,049,000)	(4,000,000)		(4,000,000)		(-2,049,000)
Rescission of contract authority .....	(-9,100,000)					(+9,100,000)
Appalachian Development Highway system.....				300,000,000	300,000,000	+300,000,000
Federal-aid highways (Highway Trust Fund):						
(Limitation on obligations).....	(18,000,000,000)	(20,170,000,000)	(21,500,000,000)	(21,800,000,000)	(21,500,000,000)	(+3,500,000,000)
Supplemental obligation authority (P.L. 105-18) .....	(694,810,534)					(-694,810,534)
(Exempt obligations) (sec. 310 a-d) .....	(1,783,237,000)	(1,510,571,000)	(1,390,570,000)	(1,390,600,000)	(1,390,570,000)	(-392,667,000)
(Bonus program) (sec. 310 e).....	(241,173,000)		(268,656,000)			(-241,173,000)
(Liquidation of contract authorization) .....	(19,800,000,000)	(19,800,000,000)	(20,800,000,000)	(20,850,000,000)	(20,800,000,000)	(+1,000,000,000)
Emergency appropriations .....	(82,000,000)					(-82,000,000)
Emergency relief program (P.L. 105-18) .....	(650,000,000)					(-650,000,000)
Right-of-way revolving fund.....				8,000,000		
Motor carrier safety grants (Highway Trust Fund):						
(Liquidation of contract authorization) .....	(74,000,000)	(90,000,000)	(85,000,000)	(85,000,000)	(85,000,000)	(+11,000,000)
(Limitation on obligations).....	(78,225,000)	(100,000,000)	(85,325,000)	(84,300,000)	(84,825,000)	(+6,800,000)
Rescission of contract authorization .....	(-12,300,000)					(+12,300,000)
State infrastructure banks.....	150,000,000	150,000,000				-150,000,000
State infrastructure banks (Highway Trust Fund) .....		100,000,000				
Transportation infrastructure credit program (Highway Trust Fund).....						
Total, Federal Highway Administration.....	150,000,000	250,000,000		308,000,000	300,000,000	+150,000,000
(Limitations on obligations) .....	(18,773,035,534)	(20,270,000,000)	(21,585,325,000)	(21,884,300,000)	(21,584,825,000)	(+2,811,769,466)
(Sec. 310 obligations).....	(2,024,410,000)	(1,510,571,000)	(1,660,228,000)	(1,390,600,000)	(1,390,570,000)	(-633,840,000)
Total budgetary resources.....	(20,947,445,534)	(22,030,571,000)	(23,245,551,000)	(23,582,900,000)	(23,275,395,000)	(+2,327,949,466)
<b>National Highway Traffic Safety Administration</b>						
Operations and research .....	80,900,000		74,492,000	74,760,000	74,901,000	-5,999,000
Operations and research (Highway Trust Fund) .....	51,712,000	147,500,000	72,415,000	71,740,000	72,081,000	+20,349,000
Subtotal, Operations and research.....	132,612,000	147,500,000	146,907,000	146,500,000	146,982,000	+14,350,000

	FY 1987 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Highway traffic safety grants (Highway Trust Fund):</b>						
(Liquidation of contract authorization).....						
State and community highway safety grants (Sec. 402) (limitation on obligations).....	(168,100,000)	(185,000,000)	(186,000,000)	(186,000,000)	(186,000,000)	(+17,900,000)
National Driver Register (Sec. 402) (limitation on obligations).....	(128,700,000)	(140,200,000)	(140,200,000)	(150,700,000)	(149,700,000)	(+21,000,000)
Contract authorization (P.L. 105-18).....	2,500,000	(2,300,000)	(2,300,000)	(2,300,000)	(2,300,000)	(-100,000)
Highway safety grants (Sec. 1003(a)(7)) (limitation on obligations) Occupant protection incentive grants (limitation on obligations).....	(11,500,000)					-2,500,000
Alcohol-impaired driving countermeasures programs (Sec. 410) (limitation on obligations).....		(9,000,000)	(9,000,000)			(-11,500,000)
Contract authorization (P.L. 105-18).....	(25,500,000)					
Rescission of contract authorization.....	500,000					
	(-24,800,000)					(+24,800,000)
<b>Total, National Highway Traffic Safety Administration.....</b>	<b>135,612,000</b>	<b>147,500,000</b>	<b>146,907,000</b>	<b>146,500,000</b>	<b>146,962,000</b>	<b>+11,350,000</b>
(Limitations on obligations).....	(186,100,000)	(185,500,000)	(186,500,000)	(187,000,000)	(186,500,000)	(+18,400,000)
<b>Total budgetary resources.....</b>	<b>(303,712,000)</b>	<b>(333,000,000)</b>	<b>(333,407,000)</b>	<b>(333,500,000)</b>	<b>(333,462,000)</b>	<b>(+28,750,000)</b>
<b>Federal Railroad Administration</b>						
Office of the Administrator.....	16,739,000	20,559,000	19,434,000	19,800,000	20,290,000	+3,551,000
Railroad safety.....	51,407,000	57,067,000	56,967,000	57,067,000	57,067,000	+5,660,000
Railroad research and development.....	20,100,000	21,638,000	21,038,000	24,906,000	20,758,000	+658,000
Northeast corridor improvement program.....	175,000,000		250,000,000	273,450,000	250,000,000	+75,000,000
High-speed rail trainsets and facilities.....	80,000,000					-80,000,000
Next generation high speed rail.....	24,757,000	19,595,000	18,395,000	26,000,000	20,395,000	-4,362,000
Trust fund share of next generation high-speed rail (Highway Trust Fund): (Liquidation of contract authorization).....	(2,855,000)					(-2,855,000)
Alaska Railroad rehabilitation.....	10,000,000			17,000,000	15,280,000	+5,280,000
Rhode Island Rail Development.....	7,000,000	10,000,000	10,000,000	10,000,000	10,000,000	+3,000,000
Direct loan financing program.....	58,680,000					-58,680,000
Direct loan financing program limitation.....	(400,000,000)					(-400,000,000)
<b>Grants to the National Railroad Passenger Corporation:</b>						
Operations.....	364,500,000		283,000,000	344,000,000	344,000,000	-20,500,000
Capital.....	223,450,000		280,000,000		199,000,000	-24,450,000
<b>Subtotal, Grants to Amtrak.....</b>	<b>587,950,000</b>		<b>543,000,000</b>	<b>344,000,000</b>	<b>543,000,000</b>	<b>-44,950,000</b>

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Capital grants to the National Railroad Passenger Corporation (Highway Trust Fund).....		445,450,000				
(Northeast corridor improvements).....		(200,000,000)				
Pennsylvania Station Redevelopment Project).....		(23,450,000)				
Operating grants to the National Railroad Passenger Corporation (Highway Trust Fund).....		344,000,000				
Emergency railroad rehabilitation and repair:						
Emergency funding (P.L. 105-18).....	(18,900,000)					(-18,900,000)
Total, Federal Railroad Administration.....	1,031,633,000	918,309,000	918,834,000	772,223,000	936,790,000	-84,643,000
Federal Transit Administration						
Administrative expenses.....	41,497,000		45,738,000	41,497,000	45,738,000	+4,241,000
Administrative expenses (Highway Trust Fund, Mass Transit Account).....		47,018,000				
Formula grants.....	490,000,000		290,000,000	190,000,000	240,000,000	-250,000,000
Formula grants (Highway Trust Fund):						
(Limitation on obligations).....	(1,659,185,000)		(2,210,000,000)	(2,210,000,000)	(2,290,000,000)	(+600,815,000)
Operating assistance grants.....	(400,000,000)		(200,000,000)		(150,000,000)	(-250,000,000)
Subtotal, Formula grants.....	(2,149,185,000)		(2,500,000,000)	(2,400,000,000)	(2,500,000,000)	(+350,815,000)
Formula programs (Highway Trust Fund, Mass Transit Account):						
(Limitation on obligations).....	(3,498,500,000)					
(Liquidation of contract authorization).....	(1,500,000,000)			(2,210,000,000)		
University transportation centers.....	6,000,000		6,000,000	6,000,000	6,000,000	
Transit planning and research.....	85,500,000		86,000,000	77,250,000	82,000,000	+6,500,000
Metropolitan planning.....	(39,500,000)		(39,500,000)	(39,500,000)	(39,500,000)	
Rural transit assistance.....	(4,500,000)		(4,500,000)	(4,500,000)	(4,500,000)	
Transit cooperative research.....	(6,250,000)		(6,250,000)			
National planning and research.....	(22,000,000)		(22,000,000)	(22,000,000)	(36,750,000)	(-8,250,000)
State planning and research.....	(8,250,000)		(8,250,000)	(8,250,000)	(8,250,000)	
National transit institute.....	(3,000,000)		(3,000,000)	(3,000,000)	(3,000,000)	
Subtotal, Transit planning and research.....	(85,500,000)		(86,000,000)	(77,250,000)	(92,000,000)	(+6,500,000)

	FY 1987 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Transit planning and research (Highway Trust Fund, Mass Transit Account).....		91,800,000				
Metropolitan planning.....		(39,500,000)				
Transit cooperative research.....		(6,250,000)				
Statewide planning.....		(18,800,000)				
National planning and research.....		(3,000,000)				
National mass transportation institute.....		(6,000,000)				
University transportation centers.....		(10,000,000)				
Advanced Technology Transit Bus.....		(91,800,000)				
Subtotal, Transit planning and research.....						
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization).....	(1,920,000,000)		(2,210,000,000)	(2,210,000,000)	(2,210,000,000)	(+ 290,000,000)
Rescission of contract authorization.....	(-271,000,000)					(+ 271,000,000)
Discretionary grants (Highway Trust Fund) (limitation on obligations):						
Fixed guideway modernization.....	(760,000,000)		(800,000,000)	(780,000,000)	(800,000,000)	(+ 40,000,000)
Bus and bus-related facilities.....	(360,000,000)		(400,000,000)	(440,000,000)	(400,000,000)	(+ 20,000,000)
New starts.....	(760,000,000)		(800,000,000)	(788,000,000)	(800,000,000)	(+ 40,000,000)
Subtotal, Discretionary grants.....	(1,900,000,000)		(2,000,000,000)	(2,008,000,000)	(2,000,000,000)	(+ 100,000,000)
Rescission of contract authorization.....	(-588,000,000)					(+ 588,000,000)
Major capital investments (Highway Trust Fund, Mass Transit Account) (limitation on obligations).....		(650,000,000)				
Mass capital investments (Highway Trust Fund, Mass Transit Account) (liquidation of contract authority).....		(2,350,000,000)				
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization).....	(2,300,000,000)		(2,350,000,000)	(2,350,000,000)	(2,350,000,000)	(+ 50,000,000)



	FY 1987 Enacted	FY 1988 Estimate	House	Senate	Conference	Conference compared with enacted
<b>General Provisions</b>						
Bureau of Transportation Statistics (transfer from Federal-aid Highways) .....	(25,000,000)	(31,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	
Transportation Administrative Service Center reduction .....	-10,000,000	-80,000,000	-25,000,000		-3,000,000	+7,000,000
Railroad safety offsetting collections .....						
Net total, title I, Department of Transportation .....	11,883,102,000	13,065,087,000	13,111,631,000	12,753,782,883	13,009,707,000	+1,026,605,000
Appropriations .....	(12,750,635,000)	(13,103,687,000)	(13,111,631,000)	(12,982,382,883)	(13,460,307,000)	(+709,672,000)
Rescissions .....	(-1,171,933,000)	(-33,600,000)		(-228,600,000)	(-450,600,000)	(+1,288,433,000)
Emergency appropriations .....	(951,500,000)					(-951,500,000)
(Limitations on obligations) .....	(23,886,220,534)	(25,604,000,000)	(27,681,825,000)	(27,989,300,000)	(27,731,325,000)	(+3,745,104,466)
(Sec. 310 obligations) .....	(2,024,410,000)	(1,510,571,000)	(1,660,226,000)	(1,390,600,000)	(1,390,570,000)	(-633,840,000)
Net total budgetary resources .....	(37,863,732,534)	(40,179,658,000)	(42,453,682,000)	(42,133,682,883)	(42,131,602,000)	(+4,137,869,466)
<b>TITLE II - RELATED AGENCIES</b>						
<b>Architectural and Transportation Barriers Compliance Board</b>						
Salaries and expenses .....	3,540,000	3,640,000	3,640,000	3,640,000	3,640,000	+100,000
<b>National Transportation Safety Board</b>						
Salaries and expenses .....	42,407,000	40,000,000	46,000,000	49,700,000	48,371,000	+5,964,000
Appropriation of user fees .....		6,000,000				(-6,000,000)
Emergency appropriations .....	(6,000,000)					(-6,000,000)
Emergency funding (P.L. 105-18) .....	(29,859,000)					(-29,859,000)
Emergency fund .....		1,000,000	1,000,000	1,000,000	1,000,000	+1,000,000
Emergency fund (emergency appropriations) .....	(1,000,000)					(-1,000,000)
Total, National Transportation Safety Board .....	42,407,000	47,000,000	47,000,000	50,700,000	49,371,000	+6,964,000
<b>Total, title II, Related Agencies</b>						
Appropriations .....	82,806,000	50,640,000	50,640,000	54,340,000	53,011,000	-28,795,000
Emergency appropriations .....	(45,947,000)	(50,640,000)	(50,640,000)	(64,340,000)	(53,011,000)	(+7,064,000)
Emergency appropriations .....	(36,859,000)					(-36,859,000)

	FY 1987 Enacted	FY 1988 Estimate	House	Senate	Conference	Conference compared with enacted
<b>TITLE III - GENERAL PROVISIONS</b>						
National Civil Aviation Review Commission .....	2,400,000	13,115,727,000	13,162,271,000	12,808,122,863	13,062,718,000	-2,400,000
Net total appropriations .....	12,068,308,000	13,115,727,000	13,162,271,000	12,808,122,863	13,062,718,000	+984,410,000
<b>Scorekeeping adjustments:</b>						
Emergency appropriations .....	-289,600,000					+289,600,000
Emergency funding (P.L. 105-18) .....	-688,759,000					+688,759,000
General provision: Bonuses & awards .....	-513,604					+513,604
Pipeline safety .....	1,000,000		1,000,000	2,000,000	1,000,000	
Railroad Safety .....	-3,000,000					+3,000,000
Total, adjustments .....	-990,872,604		1,000,000	2,000,000	1,000,000	+991,872,604
Net grand total .....	11,077,435,396	13,115,727,000	13,163,271,000	12,810,122,863	13,063,718,000	+1,986,282,604
Appropriations .....	(12,796,468,396)	(13,154,327,000)	(13,163,271,000)	(13,038,722,863)	(13,514,318,000)	(+717,849,604)
Rescissions .....	(-1,719,033,000)	(-38,600,000)		(-228,600,000)	(-450,600,000)	(+1,268,433,000)
(Limitations on obligations) .....	(23,986,220,534)	(25,604,000,000)	(27,681,825,000)	(27,988,300,000)	(27,731,325,000)	(+3,745,104,466)
(Sec. 310 obligations) .....	(2,024,410,000)	(1,510,571,000)	(1,860,226,000)	(1,390,600,000)	(1,390,570,000)	(-633,840,000)
Net grand total budgetary resources .....	(37,088,065,930)	(40,230,298,000)	(42,505,322,000)	(42,190,022,863)	(42,185,613,000)	(+5,097,547,070)
<b>RECAP</b>						
Total mandatory and discretionary .....	11,077,435,396	13,115,727,000	13,163,271,000	12,810,122,863	13,063,718,000	+1,986,282,604
Mandatory .....	617,284,000	645,696,000	645,696,000	653,196,000	653,196,000	+35,912,000
Discretionary:		300,000,000	300,000,000		300,000,000	+300,000,000
Defense (050) .....	10,460,151,396	12,170,031,000	12,217,575,000	12,156,926,863	12,110,522,000	+1,650,370,604
Nondefense .....	10,460,151,396	12,470,031,000	12,517,575,000	12,156,926,863	12,410,522,000	+1,950,370,604
Total, Discretionary .....						

FRANK R. WOLF,  
TOM DELAY,  
RALPH REGULA,  
HAROLD ROGERS,  
RON PACKARD,  
SONNY CALLAHAN,  
TODD TIAHRT,  
ROBERT B. ADERHOLT,  
BOB LIVINGSTON,  
MARTIN OLAV SABO,  
THOMAS M. FOGLIETTA,  
ESTEBAN EDWARD TORRES,  
JOHN W. OLVER,  
ED PASTOR,  
DAVID R. OBEY,

*Managers on the Part of the House.*

RICHARD C. SHELBY,  
PETE V. DOMENICI,  
ARLEN SPECTER,  
CHRISTOPHER S. BOND,  
SLADE GORTON,  
ROBERT F. BENNETT,  
LAUCH FAIRCLOTH,  
TED STEVENS,  
FRANK R. LAUTENBERG,  
ROBERT C. BYRD,  
BARBARA A. MIKULSKI,  
HARRY REID,  
HERB KOHL,  
PATTY MURRAY,  
DANIEL K. INOUE,

*Managers on the Part of the Senate.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEWIS of Kentucky (at the request of Mr. ARMEY), for today after 7 p.m., and for the balance of the week, on account of illness in the family.

Mr. HILLIARD of Alabama (at the request of Mr. GEPHARDT), for Monday, October 6, and the balance of the week, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CAPPS) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. POSHARD, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

(The following Members (at the request of Mr. KINGSTON) to revise and extend their remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

Mr. BUYER, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today and October 8.

Mr. FOLEY, for 5 minutes, today and October 8.

Mr. PAXON, for 5 minutes, on October 8.

Mr. DUNCAN, for 5 minutes, on October 8.

Mr. KASICH, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

Mr. TALENT, for 5 minutes, today.  
(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. TAYLOR, for 5 minutes, today.  
(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SOUDER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. CAPPS) and to include extraneous matter:)

Mr. STARK.  
Mr. SCHUMER.  
Mr. KENNEDY of Rhode Island.  
Mr. CLYBURN.  
Mr. FRANK of Massachusetts.  
Mrs. MALONEY of New York.  
Mr. COYNE.  
Mr. MORAN of Virginia.  
Mr. MCGOVERN.  
Mrs. MEEK of Florida.  
Ms. FURSE.  
Mr. GORDON.  
Ms. NORTON.  
Mr. LIPINSKI.  
Mr. DELLUMS.  
Ms. EDDIE BERNICE JOHNSON of Texas.  
Mr. WAXMAN.  
Mr. UNDERWOOD.  
Mr. LANTOS.  
Mr. FILNER.  
Mr. KIND.  
Mr. KUCINICH.  
Mr. BONIOR.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. ARCHER.  
Mr. DUNCAN.  
Mr. WELLER.  
Mr. GRAHAM.  
Mr. BILIRAKIS.  
Mr. FRELINGHUYSEN.  
Mr. TAUZIN.  
Mr. HERGER.  
Mr. PACKARD.

(The following Members (at the request of Mr. EHRLICH) and to include extraneous matter:)

Mr. GANSKE.  
Mr. ETHERIDGE.  
Mr. RADANOVICH.  
Mr. SPRATT.  
Mrs. MEEK of Florida.  
Mrs. CHENOWETH.  
Mr. KIM.  
Mr. MATSUI.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 590. An act to provide for a land exchange involving certain land within the Routt National Forest in the State of Colorado; to the Committee on Resources.

S. 750. An act to consolidate certain mineral interests in the National Grasslands in

Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes; to the Committee on Resources.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2378. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes.

ADJOURNMENT

Mr. EHRLICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 8, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5385. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling; Statement of Identity, Nutrition Labeling and Ingredient Labeling of Dietary Supplements; Compliance Policy Guide, Revocation [Docket Nos. 95N-0245 and 94P-0110] (RIN: 0910-AA59) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5386. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling; Requirement for Nutrient Content Claims, Health Claims, and Statements of Nutritional Support for Dietary Supplements [Docket No. 95N-0282] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5387. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling; Nutrient Content Claims: Definition for "High Potency" and Definition of "Antioxidant" for Use in Nutrient Content Claims for Dietary Supplements and Conventional Foods [Docket Nos. 95N-0245, 95N-0282, and 95N-0347] (RIN: 0905-AD96) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5388. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling; Notification Procedures for Statements on Dietary Supplements [Docket No. 96N-0240] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5389. A letter from the Director, Regulations Policy and Management Staff, Office of