

Markey	Pelosi	Smith (NJ)
Martinez	Peterson (PA)	Smith (OR)
Mascara	Pickering	Smith, Adam
Matsui	Pickett	Smith, Linda
McCarthy (MO)	Pitts	Snowbarger
McCarthy (NY)	Pombo	Snyder
McCollum	Pomeroy	Solomon
McCreary	Portman	Souder
McDade	Poshard	Spence
McDermott	Price (NC)	Spratt
McGovern	Pryce (OH)	Stabenow
McHugh	Quinn	Stearns
McIntosh	Radanovich	Stokes
McKeon	Rahall	Strickland
McNulty	Rangel	Stump
Meek	Redmond	Stupak
Menendez	Reyes	Sununu
Metcalf	Riggs	Talent
Mica	Riley	Thomas
Millender-	Rivers	Thompson
McDonald	Rodriguez	Thornberry
Miller (CA)	Rogan	Thune
Miller (FL)	Rogers	Thurman
Mink	Ros-Lehtinen	Tiahrt
Moakley	Rothman	Tierney
Molinari	Roukema	Torres
Mollohan	Roybal-Allard	Towns
Moran (KS)	Rush	Traficant
Moran (VA)	Ryun	Velazquez
Murtha	Sabo	Vento
Myrick	Salmon	Walsh
Nadler	Sanders	Waters
Neal	Sandlin	Watkins
Nethercutt	Sawyer	Watt (NC)
Ney	Saxton	Watts (OK)
Northup	Scarborough	Waxman
Nussle	Schaefer, Dan	Weldon (FL)
Oberstar	Schumer	Weldon (PA)
Obey	Scott	Weller
Olver	Serrano	Wexler
Ortiz	Sessions	Weygand
Owens	Shadegg	White
Oxley	Shaw	Whitfield
Packard	Shays	Wicker
Pappas	Sherman	Wise
Parker	Shimkus	Wolf
Pascrell	Shuster	Woolsey
Pastor	Skaggs	Wynn
Paul	Skeen	Yates
Paxon	Skelton	Young (FL)
Payne	Slaughter	
Pease	Smith (MI)	

NOT VOTING—6

Gonzalez	Pallone	Stark
Hutchinson	Schiff	Young (AK)

So the bill was not passed.

A motion to reconsider the vote whereby said bill was not passed was, by unanimous consent, laid on the table.

85.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2169

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 189):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of 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. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, clause 7 of rule XXI, or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: on page 4, line 1, through line 6; beginning with “, of which” on page 10, line 20,

through “Fund” on line 22; on page 52, line 8, through line 15; on page 53, line 3, through page 65, line 6. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendments specified in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. The amendments considered as adopted in the House and in the Committee of the Whole are as follows—

(1) page 31, line 24, strike “Staten Island-Midtown Ferry service project” and insert “St. George Ferry terminal project”; and

(2) page 60, strike line 13 and all that follows through page 65, line 3, and redesignate the following section accordingly.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

85.10 TRANSPORTATION APPROPRIATIONS

The SPEAKER pro tempore, Mr. BONILLA, pursuant to House Resolution 189 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of 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.

The SPEAKER pro tempore, Mr. BONILLA, by unanimous consent, designated Mr. BEREUTER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. GILCHREST, assumed the Chair.

When Mr. BEREUTER, Chairman, pursuant to House Resolution 189, reported the bill, as amended pursuant to said rule, back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I
OFFICE OF THE SECRETARY
SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$60,009,000, 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 no more than \$606,000 shall be available for the Office of Acquisition and Grants Management, solely for department-wide grants management activities: *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.

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; \$2,708,000,000, 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, \$379,000,000, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$191,650,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2002; \$33,900,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2000; \$47,050,000 shall be available for other equipment, to remain available until September 30, 2000; \$59,400,000 shall be available for shore facilities and aids to navigation facili-

ties, 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 so as to result in a final fiscal year 1998 appropriation from the General Fund of \$370,000,000: *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.

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, \$16,000,000, 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); \$645,696,000.

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 four passenger motor vehicles for replacement only, \$5,300,000,000, of which \$1,880,000,000 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.

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, \$1,875,000,000, of which \$1,655,890,000 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, municipali-

ties, 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, \$185,000,000, 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.

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

None of the funds in this Act shall be available for activities under this heading during fiscal year 1998.

ADMINISTRATIVE SERVICES FRANCHISE FUND

None of the funds in this Act shall be available to establish new activities under the Administrative Services Franchise Fund 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 \$510,313,000 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 \$202,226,000 of the amount provided herein shall remain available until September 30, 2000.

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

None of the funds in this Act shall be available for the implementation or execu-

tion 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 \$85,325,000 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, \$74,492,000, 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, \$72,415,000, 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, United States Code, of which \$140,200,000 shall be for "State and community highway safety grants", \$2,300,000 shall be for the "National Driver Register", \$9,000,000 shall be for "Occupant Protection Incentive Grants", subject to authorization, and \$35,000,000 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, \$19,434,000, 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: *Provided further*, That none of the funds for rental payments to the General Services Administration provided herein shall be used to pay the expenses of headquarters' employees outside of the Nassif building after January 1, 1998.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$56,967,000, 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, \$21,038,000, 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.

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, \$18,395,000, 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.

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 \$202,000,000 shall be available for operating losses, \$81,000,000 shall be available for mandatory passenger rail service payments, and \$260,000,000 shall be for capital improvements; *Provided*, That none of the funds herein appropriated for mandatory railroad retirement payments shall be used for payments for National Railroad Passenger Corporation employees; *Provided further*, That none of the funds in this Act may be obligated or expended for operating losses in excess of the amounts specifically provided herein; *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 prohibited by this Act or not expressly provided for in an appropriations 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 the Administrator of the Federal Railroad Administration shall submit a quarterly report to the House and Senate Committees on Appropriations detailing the financial status of, and future business forecasts for, the National Railroad Passenger Corporation as well as recommendations for reducing operating losses in the near-term and Federal financial support in the long-term; *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, \$290,000,000; *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 \$200,000,000 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, \$86,000,000, 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)); \$22,500,000 for activities under National Planning and Research (49 U.S.C. 5314); \$8,250,000 for activities under Transit Cooperative Research (49 U.S.C. 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 (subject to authorization);

\$46,300,000 for the Boston Piers MOS-2 project (subject to authorization);

\$2,300,000 for the Canton-Akron-Cleveland commuter rail project (subject to authorization);

\$1,000,000 for the Charlotte South corridor transitway project (subject to authorization);

\$500,000 for the Cincinnati Northeast/Northern Kentucky rail line project (subject to authorization);

\$5,000,000 for the Clark County, Nevada fixed guideway project (subject to authorization);

\$800,000 for the Cleveland Blue Line extension to Highland Hills project (subject to authorization);

\$700,000 for the Cleveland Berea Red Line extension to Hopkins International Airport (subject to authorization);

\$1,200,000 for the Cleveland Waterfront Line extension project (subject to authorization);

\$14,000,000 for the Dallas-Fort Worth RAILTRAN project (subject to authorization);

\$8,000,000 for the DART North Central light rail extension project (subject to authorization);

\$1,500,000 for the DeKalb County, Georgia light rail project (subject to authorization);

\$21,400,000 for the Denver Southwest Corridor project (subject to authorization);

\$7,000,000 for the Florida Tri-County commuter rail project (subject to authorization);

\$1,000,000 for the Galveston, Texas rail trolley system project (subject to authorization);

\$1,000,000 for the Houston Advanced Regional Bus Plan project (subject to authorization);

\$51,100,000 for the Houston Regional Bus project (subject to authorization);

\$1,000,000 for the Indianapolis Northeast corridor project (subject to authorization);

\$4,000,000 for the Jackson, Mississippi intermodal corridor project (subject to authorization);

\$76,000,000 for the Los Angeles MOS-3 project (subject to authorization);

\$27,000,000 for MARC commuter rail improvements (subject to authorization);

\$1,000,000 for the Memphis, Tennessee regional rail project (subject to authorization);

\$9,000,000 for the Metro-Dade Transit east-west corridor project (subject to authorization);

\$9,000,000 for the Miami-North 27th Avenue project (subject to authorization);

\$1,000,000 for the Mission Valley East corridor project (subject to authorization);

\$54,800,000 for the New Jersey-Hudson-Bergen project (subject to authorization);

\$27,000,000 for the New Jersey Secaucus project (subject to authorization);
 \$8,000,000 for the New Orleans Canal Street corridor project (subject to authorization);
 \$2,000,000 for the New Orleans Desire Streetcar project (subject to authorization);
 \$6,000,000 for the North Carolina Research Triangle Park project (subject to authorization);
 \$2,000,000 for the Northern Indiana South Shore commuter rail project (subject to authorization);
 \$5,000,000 for the Oceanside-Escondido light rail project (subject to authorization);
 \$1,600,000 for the Oklahoma City MAPS corridor transit project (subject to authorization);
 \$4,000,000 for the Orange County transitway project (subject to authorization);
 \$31,800,000 for the Orlando Lynx light rail project (subject to authorization);
 \$500,000 for the Pennsylvania Strawberry Hill/Diamond Branch rail project (subject to authorization);
 \$8,000,000 for the Phoenix metropolitan area transit project (subject to authorization);
 \$3,000,000 for the Pittsburgh airport busway project (subject to authorization);
 \$63,400,000 for the Portland-Westside/Hillsboro project (subject to authorization);
 \$20,300,000 for the Sacramento LRT project (subject to authorization);
 \$42,800,000 for the Salt Lake City South LRT project (subject to authorization);
 \$1,000,000 for the San Bernardino Metrolink project (subject to authorization);
 \$3,000,000 for the San Diego Mid-Coast corridor project (subject to authorization);
 \$54,800,000 for the San Francisco BART extension to the airport project (subject to authorization);
 \$25,700,000 for the San Juan Tren Urbano (subject to authorization);
 \$21,400,000 for the San Jose Tasman LRT project (subject to authorization);
 \$4,000,000 for the Seattle-Tacoma commuter rail project (subject to authorization);
 \$2,000,000 for the Seattle-Tacoma light rail project (subject to authorization);
 \$30,000,000 for the St. Louis-St. Clair LRT extension project (subject to authorization);
 \$5,000,000 for the St. George Ferry terminal project (subject to authorization);
 \$2,000,000 for the Tampa Bay regional rail project (subject to authorization);
 \$2,000,000 for the Tidewater, Virginia rail project (subject to authorization);
 \$1,000,000 for the Toledo, Ohio rail project (subject to authorization);
 \$20,000,000 for the Twin Cities transitways projects (subject to authorization);
 \$2,500,000 for the Virginia Rail Express Fredericksburg to Washington commuter rail project (subject to authorization);
 \$5,000,000 for the Whitehall ferry terminal project (subject to authorization); and
 \$5,000,000 for the Wisconsin central commuter rail project (subject to authorization).

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
 SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

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

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, 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, \$27,934,000, 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)

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, \$31,486,000, 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 \$28,186,000 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, \$1,000,000 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 section 7005 of the Consolidated Omnibus Budget Reconciliation Act of 1985.

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, \$15,853,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$2,000,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated for the general fund shall be reduced on a dollar for dollar basis as such offsetting collections are received during fiscal year 1998, to result in a final appropriation from the general fund estimated at no more than \$13,853,000: *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) \$46,000,000, 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, and 144 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, 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) During the period August 2 through September 30, 1998, the aggregate amount which may be obligated by all States shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

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

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code, which would not be obligated in fiscal year 1998 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1998, has the amount distributed to such State under paragraph (a) for fiscal year 1998 reduced under paragraph (c)(2).

SEC. 311. The limitation 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 light-

ing 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. 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. 317. 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. 318. 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. 319. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by \$25,000,000, which limits fiscal year 1998 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than \$96,800,000: *Provided*, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 320. 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. 321. 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. 322. 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. 323. 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 the provisions of section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991, 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. 324. 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. 325. 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. 326. 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. 327. 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. 328. No funds other than those appropriated to the Surface Transportation Board shall be used for conducting the activities of the Board.

SEC. 329. (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. 330. 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. 331. 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. 332. 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.

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

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GILCHREST, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the affirmative { Yeas 424
Nays 5

§85.11

[Roll No. 302]

YEAS—424

Abercrombie	Dellums	Jackson-Lee
Ackerman	Deutsch	(TX)
Aderholt	Diaz-Balart	Jefferson
Allen	Dickey	Jenkins
Andrews	Dicks	John
Archer	Dixon	Johnson (CT)
Armey	Doggett	Johnson (WI)
Bachus	Dooley	Johnson, E. B.
Baessler	Doolittle	Johnson, Sam
Baker	Doyle	Jones
Baldacci	Dreier	Kanjorski
Ballenger	Duncan	Kaptur
Barcia	Dunn	Kasich
Barr	Edwards	Kelly
Barrett (NE)	Ehlers	Kennedy (MA)
Barrett (WI)	Ehrlich	Kennedy (RI)
Bartlett	Emerson	Kennelly
Barton	Engel	Kildee
Bass	English	Kilpatrick
Bateman	Ensign	Kim
Becerra	Eshoo	Kind (WI)
Bentsen	Etheridge	King (NY)
Bereuter	Evans	Kingston
Berman	Everett	Kleccka
Berry	Ewing	Klink
Bilbray	Farr	Klug
Bilirakis	Fattah	Knollenberg
Bishop	Fawell	Kolbe
Blagojevich	Fazio	Kucinich
Bliley	Filner	LaFalce
Blumenauer	Flake	LaHood
Blunt	Foglietta	Lampson
Boehkert	Foley	Lantos
Boehner	Forbes	Largent
Bonilla	Ford	Latham
Bonior	Fowler	LaTourette
Bono	Fox	Lazio
Borski	Frank (MA)	Leach
Boswell	Franks (NJ)	Levin
Boucher	Frelinghuysen	Lewis (CA)
Boyd	Frost	Lewis (GA)
Brady	Furse	Lewis (KY)
Brown (CA)	Galleghy	Linder
Brown (FL)	Ganske	Lipinski
Brown (OH)	Gejdenson	Livingston
Bryant	Gekas	LoBiondo
Bunning	Gephardt	Lofgren
Burr	Gibbons	Lowe
Burton	Gilchrest	Lucas
Buyer	Gillmor	Luther
Callahan	Gilman	Maloney (CT)
Calvert	Gonzalez	Maloney (NY)
Camp	Goode	Manton
Canady	Goodlatte	Manzullo
Cannon	Goodling	Markey
Capps	Gordon	Martinez
Cardin	Goss	Mascara
Carson	Granger	Matsui
Castle	Green	McCarthy (MO)
Chabot	Greenwood	McCarthy (NY)
Chambliss	Gutierrez	McCollum
Chenoweth	Gutknecht	McCrery
Christensen	Hall (OH)	McDade
Clay	Hall (TX)	McDemott
Clayton	Hamilton	McGovern
Clement	Hansen	McHale
Clyburn	Harman	McHugh
Coble	Hastert	McInnis
Coburn	Hastings (FL)	McIntosh
Collins	Hastings (WA)	McIntyre
Combest	Hayworth	McKeon
Condit	Hefley	McKinney
Conyers	Hefner	McNulty
Cook	Herger	Meehan
Cooksey	Hill	Meek
Costello	Hillery	Menendez
Cox	Hilliard	Metcalf
Coyne	Hinches	Mica
Cramer	Hinojosa	Millender-
Crane	Hobson	McDonald
Crapo	Hoekstra	Miller (CA)
Cubin	Holden	Miller (FL)
Cummings	Hooley	Minge
Cunningham	Horn	Mink
Danner	Houghton	Moakley
Davis (FL)	Hoyer	Mollinari
Davis (IL)	Hulshof	Mollohan
Davis (VA)	Hunter	Moran (KS)
Deal	Hutchinson	Moran (VA)
DeFazio	Hyde	Morella
DeGette	Inglis	Murtha
DeLauro	Istook	Myrick
DeLay	Jackson (IL)	Nadler
		Neal