Public Law 95-85
95th Congress

An Act

Aug. 2, 1977
[H.R. 7557]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1978, and for other purposes.

Department of Transportation and Related Agencies Appropriation Act, 1978.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1978, 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 of Transportation, including not to exceed $27,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine, $33,400,000.

Transportation Planning, Research, and Development

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended, $25,000,000.

Limitation on Working Capital Fund

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed $39,847,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriation Acts to the Department of Transportation together with advances and reimbursements received by the Department 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 twelve passenger motor vehicles, for replacement only; and recreation and welfare; $878,865,000 of which $205,977 shall be applied to Capehart Housing debt reduction: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and seventy-nine

14 USC 92 note.

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exclusive of planes and parts stored to meet future attrition.: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; $236,000,000, to remain available until September 30, 1980.

ALTERATION OF BRIDGES

For necessary expenses for alteration of obstructive bridges; $15,100,000, 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 Benefit Plans; $155,401,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $36,560,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for basic and applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $20,000,000, to remain available until expended.

STATE BOATING SAFETY ASSISTANCE

For financial assistance for State boating safety programs in accordance with the provisions of the Federal Boat Safety Act of 1971, as amended (46 U.S.C. 1451 et seq.), $5,790,000, to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development and for establishment of air navigation facilities, and carrying out the provisions of the Airport and Airway Development Act; purchase of four passenger motor vehicles for replacement only and purchase and repair of skis and snowshoes: $1,802,700,000, of which $275,000,000 shall be derived from the Airport and Airway Trust Fund, for the purposes of subsection (e) of section 14 of the Airport and Airway Development Act of 1970, as amended, and subject to the conditions of that subsection, together with $5,600,000 to be derived by transfer from the appropriations for "Civil supersonic aircraft development termination" and "Civil supersonic aircraft development": *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 maintenance and operation of air navigation facilities.

49 USC 1701 note.

49 USC 1714.

FACILITIES, ENGINEERING AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for and for acquisition and modernization of facilities and equipment and service testing in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301–1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant and purchase of one aircraft for replacement only, $14,263,000, to remain available until expended; and, in addition, not to exceed $2,350,000 from unobligated balances in the appropriations for "Civil supersonic aircraft development" and "Civil supersonic aircraft development termination" may be transferred to this account for necessary expenses to conduct a study of high altitude pollution: *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 engineering and development.

FACILITIES AND EQUIPMENT (AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for; for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities, 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; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Avi-

ation Administration stationed at remote localities where such accommodations are not available; $200,000,000, to be derived from the Airport and Airway Trust Fund, together with $9,000,000 to be derived by transfer from the appropriation "Facilities and Equipment (Airport and Airway Trust Fund), 1975", to remain available until September 30, 1980: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That no part of the foregoing appropriation shall be available for the construction of a new wind tunnel, or to purchase any land for or in connection with the National Aviation Facilities Experimental Center, or to decommission in excess of five flight service stations.

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

For necessary expenses, not otherwise provided, for research, engineering and development in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301–1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant; $80,800,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering and development.

GRANTS-IN-AID FOR AIRPORTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for airport development under authority contained in section 14 of Public Law 91–258, as amended, to be derived from the Airport and Airway Trust Fund and to remain available until expended, $325,000,000; for airport planning grants $14,000,000; and to State standards grants, $1,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended. 49 USC 1714.

OPERATION AND MAINTENANCE, METROPOLITAN WASHINGTON AIRPORTS

For expenses incident to the care, operation, maintenance, improvement, and protection of the federally owned civil airports in the vicinity of the District of Columbia, including purchase of ten passenger motor vehicles for police or ambulance type use, for replacement only; and purchase of two motor bikes for replacement only; purchase, cleaning, and repair of uniforms; and arms and ammunition; $21,273,000.

CONSTRUCTION, METROPOLITAN WASHINGTON AIRPORTS

For necessary expenses for construction at the federally owned civil airports in the vicinity of the District of Columbia, $5,500,000, to remain available until September 30, 1980.

AVIATION WAR RISK INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Act of August 23, 1958, as amended (49 U.S.C. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for aviation war risk insurance activities under said Act.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, and research of the Federal Highway Administration not to exceed $159,725,000 shall be paid, in accordance with law, from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That not to exceed $34,000,000 of the amount provided herein shall remain available until expended.

MOTOR CARRIER SAFETY

For necessary expenses to carry out motor carrier safety functions of the Secretary, as authorized by the Department of Transportation Act (80 Stat. 939–40), $8,000,000: *Provided*, That not to exceed $630,000 of the amount appropriated herein shall remain available until expended and not to exceed $987,000 shall be available for "Limitation on general operating expenses".

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out provisions of title 23, United States Code, to be derived from the Highway Trust Fund, $9,000,000, to remain available until expended.

HIGHWAY BEAUTIFICATION

For necessary expenses to carry out the provisions of title 23, United States Code, sections 131 and 136, and the Federal-Aid Highway Act of 1976, section 105(a)(11), $19,150,000 to remain available until expended, together with $5,000,000 for payment of obligations incurred in carrying out the provisions of title 23, United States Code, sections 131, 136, and 319(b), to remain available until expended.

90 Stat. 427.

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

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, administered by the Federal Highway Administration, to remain available until expended, $20,000,000 to be derived from the Highway Trust Fund: *Provided*, That not to exceed $633,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses".

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

For necessary expenses in carrying out the provisions of 23 U.S.C. 322, to remain available until expended; $100,000: *Provided*, That the Secretary may waive the provisions of 23 U.S.C. 322 (c) and (d) if he determines such action would serve a public purpose; and for necessary expenses of railroad-highway crossings demonstration projects, as authorized by section 163 of the Federal-Aid Highway Act of 1973, as amended, and title III of the National Mass Transportation Assistance Act of 1974, to remain available until expended, $5,000,000, of which $3,333,333 shall be derived from the Highway Trust Fund.

23 USC 130 note.
49 USC 1605 note.

HIGHLAND SCENIC HIGHWAY STUDY

For necessary expenses to perform a study on the "Highland Scenic Highway", to remain available until expended, $1,500,000, to be derived from the "Highway Trust Fund", to be transferred to the Forest Service, Department of Agriculture.

OFF-SYSTEM RAILWAY-HIGHWAY CROSSINGS

For necessary expenses for the elimination of hazards of railway-highway crossings on roads other than those on any Federal-aid system in accordance with the provisions of section 203 of the Highway Safety Act of 1976, to remain available until September 30, 1981; $75,000,000.

90 Stat. 452.

TERRITORIAL HIGHWAYS

For necessary expenses in carrying out the provisions of title 23, United States Code, sections 152, 153, 215, and 402, $5,600,000, to remain available until expended, together with $290,000 for payment of obligations incurred in carrying out the provision of title 23, United States Code, sections 215, 402, and 405, to remain available until expended: *Provided*, That $14,464,000 of contract authority made available or authorized for the Territorial highways program is hereby rescinded.

Contract authority, rescission.

OFF-SYSTEM ROADS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of section 122 of Public Law 93-643; $45,000,000, to remain available until expended: *Provided*, That not to exceed $3,090,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses".

23 USC 219.

SAFER OFF-SYSTEM ROADS

For necessary expenses to carry out the provisions of 23 U.S.C. 219; $90,000,000, to remain available until September 30, 1981.

NATIONAL SCENIC AND RECREATIONAL HIGHWAY (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 148, to remain available until expended, $10,000,000, of which $7,300,000 shall be derived from the Highway Trust Fund.

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES

For necessary expenses not otherwise provided, to carry out the provisions of 23 U.S.C. 155, $8,650,000, to remain available until September 30, 1980.

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

For carrying out the provisions of title 23, United States Code, which are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $5,850,000,000 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 (LIQUIDATION OF CONTRACT AUTHORIZATION) (TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 108(c), as authorized by section 7(c) of the Federal-Aid
23 USC 108 note. Highway Act of 1968, to remain available until expended, $20,000,000, to be derived from the Highway Trust Fund at such times and in such amounts as may be necessary to meet current withdrawals.

HIGHWAYS CROSSING FEDERAL PROJECTS

For necessary expenses in carrying out the provisions of 23 U.S.C. 156, $20,000,000, to remain available until September 30, 1980.

OVERSEAS HIGHWAY

For necessary expenses for construction of the Overseas Highway in accordance with the provisions of section 118, Federal-Aid High-
88 Stat. 2288. way Amendments of 1974, to remain available until expended, $17,000,000 to be derived from the Highway Trust Fund, together with $8,000,000 to be allocated from amounts available for obligation as authorized by section 105(c)(2) of the Federal-Aid Highway Act
90 Stat. 427. of 1976.

PROJECT ACCELERATION DEMONSTRATION PROGRAM

For necessary expenses to enable the Secretary to conduct a demonstration project authorized by section 141 of the Federal-Aid Highway
23 USC 124 note. Act of 1976, $5,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

TRAFFIC CONTROL SIGNALIZATION DEMONSTRATION PROJECTS

For necessary expenses to carry out the provisions of section 146 of
23 USC 135 note. the Federal-Aid Highway Act of 1976, $20,000,000, to be derived from the Highway Trust Fund and to remain available until September 30, 1981.

INTERMODAL URBAN DEMONSTRATION PROJECT

For necessary expenses to carry out the provisions of section 124 of
88 Stat. 2290. the Federal-Aid Highway Amendments of 1974; $2,250,000, to be derived from the Highway Trust Fund and to remain available until September 30, 1981.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Traffic and Highway Safety

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety and functions under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended), $78,388,000, of which $26,220,000 shall be derived from the Highway Trust Fund: *Provided*, That not to exceed $33,927,000 shall remain available until expended, of which $7,841,000 shall be derived from the Highway Trust Fund. 15 USC 1901 note.

State and Community Highway Safety (Liquidation of Contract Authorization)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402 and 406, to remain available until expended, $112,000,000, to be derived from the Highway Trust Fund, and for necessary expenses in carrying out the provisions of 23 U.S.C. 402 and 406, $1,140,000, to remain available until expended.

FEDERAL RAILROAD ADMINISTRATION

Office of the Administrator

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $6,950,000.

Railroad Safety

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in connection with railroad safety, not otherwise provided for, $19,100,000, of which $5,000,000 shall remain available until expended: *Provided*, That the unobligated balances from "Grants-in-aid for railroad safety" shall be transferred to this appropriation.

Railroad Research and Development

For necessary expenses for railroad research and development, $53,600,000, to remain available until expended: *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 engineering, testing and development.

Rail Service Assistance

For necessary expenses for rail service assistance authorized by section 803 of Public Law 94-210, section 402 of Public Law 93-236, as amended, and for necessary administrative expenses in connection with Federal rail assistance programs not otherwise provided for, $74,000,000, together with $3,500,000 for the programs authorized by 90 Stat. 130. 45 USC 762.

49 USC 1657a.
90 Stat. 149.

section 11(c) (6) and (7) of the Department of Transportation Act, as amended, and $4,000,000 for the Minority Business Resource Center, as authorized by section 906 of Public Law 94-210, to remain available until expended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

45 USC 851.

For necessary expenses related to Northeast Corridor improvements authorized by title VII of Public Law 94-210, $400,000,000, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

45 USC 851.

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation, $646,500,000, to remain available until expended, of which not more than $488,500,000 shall be available for operating losses incurred by the Corporation, including payment of additional operating expenses of the Corporation, resulting from the operation, maintenance, and ownership or control of the Northeast Corridor pursuant to title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, not more than $108,000,000 shall be available for capital improvements, not more than $25,000,000 shall be available for the fiscal year 1978 purchase payments for the Northeast Corridor, and not more than $25,000,000 shall be available for the retirement of loan guarantees made pursuant to 45 U.S.C. 602: *Provided*, That none of the funds herein appropriated shall be used for the 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 National Railroad Passenger Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status.

THE ALASKA RAILROAD

ALASKA RAILROAD REVOLVING FUND

63 Stat. 954.
5 USC 5332 note.

The Alaska Railroad Revolving Fund shall continue available until expended for the work authorized by law, including operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for transportation of freight, passengers, or mail, when deemed necessary for the benefit and development of industries or travel in the area served; and payment of compensation and expenses as authorized by 5 U.S.C. 8146, to be reimbursed as therein provided: *Provided*, That no employee shall be paid an annual salary out of said fund in excess of the salaries prescribed by the Classification Act of 1949, as amended, for grade GS-15, except the general manager of said railroad, one assistant general manager at not to exceed the salaries prescribed by said Act for GS-17, and five officers at not to exceed the salaries prescribed by said Act for grade GS-16.

PAYMENTS TO THE ALASKA RAILROAD REVOLVING FUND

For payment to the Alaska Railroad Revolving Fund for capital replacements, improvements, and maintenance, $3,000,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

The Secretary of Transportation is hereby authorized to expend proceeds from the sale of Fund anticipation notes to the Secretary of the Treasury and any other monies deposited in the Railroad Rehabilitation and Improvement Fund pursuant to sections 502, 505–507 and 509 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, for the uses authorized for the Fund, in amounts not to exceed $200,000,000. The Secretary of Transportation is also 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 time as may be necessary to pay any amounts required pursuant to the guarantee not to exceed $600,000,000 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 the aggregate principal amount of guarantees and commitments to guarantee obligations under section 511 of Public Law 94–210, as amended, shall not exceed $600,000,000.

45 USC 822, 825–827, 829.

45 USC 832.

45 USC 831–833.

URBAN MASS TRANSPORTATION ADMINISTRATION

URBAN MASS TRANSPORTATION FUND

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the urban mass transportation program authorized by the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et seq., as amended by Public Law 91–453 and Public Law 93–503); the Federal-Aid Highway Act of 1973 (Public Law 93–87) and the Federal-Aid Highway Act of 1976 (Public Law 94–280) in connection with the activities, including uniforms and allowances therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicle; and services as authorized by 5 U.S.C. 3109; $20,000,000.

49 USC 1601a note.
49 USC 1601b note.
23 USC 101 note.
23 USC 101 note.

RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS AND UNIVERSITY RESEARCH AND TRAINING

For an additional amount for the urban mass transportation program, as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended; $70,000,000: *Provided*, That $67,500,000 shall be available for research, development, and demonstrations, $2,000,000 shall be available for university research and training and not to exceed $500,000 shall be available for managerial training as authorized under the authority of the said Act.

LIQUIDATION OF CONTRACT AUTHORIZATION

For payment to the urban mass transportation fund, for liquidation of contractual obligations incurred under authority of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et seq., as amended by Public Law 91–453 and Public Law 93–503) and 23 U.S.C. 142(c) and of obligations incurred for projects substituted for Interstate System segments withdrawn prior to enactment of the Federal-Aid Highway Act of 1976; $1,756,000,000, to remain available until expended:

Provided, That none of these funds shall be made available for the establishment of depreciation reserves or reserves for replacement accounts: *Provided further*, That amounts for highway projects substituted for Interstate System segments shall be transferred to the Federal Highway Administration.

RAIL SERVICE OPERATING PAYMENTS

For an additional payment to the Urban Mass Transportation Fund there is hereby appropriated to remain available until expended, for the purposes of the Urban Mass Transportation Act of 1964, as amended by Public Law 94-210, $45,000,000.

49 USC 1601 note.
45 USC 801 note.

PROJECTS SUBSTITUTED FOR INTERSTATE SYSTEM PROJECTS

For necessary expenses to carry out the provisions of 23 U.S.C. 103 (e)(4), to remain available until expended, $439,000,000: *Provided*, That amounts for highway projects substituted for Interstate System segments shall be transferred to the Federal Highway Administration.

Funds, transfer.

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 such 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 budget for the current fiscal year for Corporation except as hereinafter provided.

31 USC 849.

LIMITATION ON ADMINISTRATIVE EXPENSES, SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Not to exceed $1,114,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to exceed $3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation: *Provided*, That Corporation funds shall be available for the hire of passenger motor vehicles and aircraft, operation and maintenance of aircraft, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 5901-5902), and $15,000 for services as authorized by 5 U.S.C. 3109.

MATERIALS TRANSPORTATION BUREAU

MATERIALS TRANSPORTATION PROGRAM

For expenses necessary to discharge the functions of the Materials Transportation Bureau, $8,100,000 of which not to exceed $900,000 shall remain available until expended for expenses for conducting research and development; of which not to exceed $2,400,000 shall remain available until expended for grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the National Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674).

TITLE II

RELATED AGENCIES

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), $14,710,000, of which not to exceed $300 shall be used for official reception and representation expenses. 5 USC 5332 note.

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

For necessary expenses of the Civil Aeronautics Board, including hire of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); and not to exceed $1,000 for official reception and representation expenses, $23,367,000.

PAYMENTS TO AIR CARRIERS

For payments to air carriers of so much of the compensation fixed and determined by the Civil Aeronautics Board under section 406 of the Federal Aviation Act of 1958 (49 U.S.C. 1376), as is payable by the Board, $72,510,000, to remain available until expended.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, $60,525,000, of which $150,000 shall be available for valuation of pipelines and $800,000 shall be available for necessary expenses of the Office of Rail Public Counsel: *Provided*, That Joint Board members and cooperating state commissioners may use Government transportation requests when traveling in connection with their official duties as such. 49 USC 305a.

THE PANAMA CANAL

CANAL ZONE GOVERNMENT

OPERATING EXPENSES

For operating expenses necessary for the Canal Zone Government, including operation of the Postal Service of the Canal Zone; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); expenses incident to conducting hearings on the Isthmus; expenses of special training of employees of the Canal Zone Government as authorized by 5 U.S.C. 4101–4118, contingencies of the Governor, residence for the Governor; medical

aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable; and maintaining and altering facilities of other Government agencies in the Canal Zone for Canal Zone Government use, $70,500,000.

CAPITAL OUTLAY

For acquisition of land and land under water and acquisition, construction, and replacement of improvements, facilities, structures, and equipment, as authorized by law (2 C.Z. Code, sec. 2; 2 C.Z. Code, sec. 371), including the purchase of not to exceed nineteen passenger motor vehicles for replacement only; improving facilities of other Government agencies in the Canal Zone for Canal Zone Government use; and expenses incident to the retirement of such assets; $2,130,000, to remain available until expended.

PANAMA CANAL COMPANY

CORPORATION

The Panama Canal Company is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to it and in accordance 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 (31 U.S.C. 849), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation, including maintaining and improving facilities of other Government agencies in the Canal Zone for Panama Canal Company use.

LIMITATION ON GENERAL AND ADMINISTRATIVE EXPENSES

Not to exceed $26,231,000 of the funds available to the Panama Canal Company shall be available for obligation during the current fiscal year for general and administrative expenses of the Company, including operation of tourist vessels and guide services. Funds available to the Panama Canal Company for obligation shall be available for the purchase of not to exceed twenty-five passenger motor vehicles, including one medium sedan, for replacement only, and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

DEPARTMENT OF THE TREASURY

OFFICE OF THE SECRETARY

INVESTMENT IN FUND ANTICIPATION NOTES

45 USC 829.

For the acquisition, in accordance with section 509 of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended, of fund anticipation notes, $200,000,000.

UNITED STATES RAILWAY ASSOCIATION

ADMINISTRATION EXPENSES

45 USC 701 note.

For necessary administrative expenses to enable the United States Railway Association to carry out its functions under the Regional Rail Reorganization Act of 1973, as amended, $10,000,000.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Federal Contribution

To enable the Department of Transportation to pay the Washington Metropolitan Area Transit Authority, as part of the Federal contribution toward expenses necessary for the design and construction of facilities for the handicapped as authorized by Public Law 93-87, including acquisition of rights-of-way, land, and interest therein, $2,700,000, to remain available until expended. 23 USC 101 note.

Interest Payments

To enable the Department of Transportation to pay the Washington Metropolitan Area Transit Authority costs of debt service assistance and the interest subsidy authorized by Public Law 92-349, $60,900,000, to remain available until expended: *Provided*, That $12,243,000 of such amount shall become available upon the date of enactment of this Act: *Provided further*, That the Secretary of Transportation shall execute an agreement with the Authority whereby the Authority agrees to (1) issue no additional bonds under title I of Public Law 92-349, (2) provide a minimum of 20 percent of the Authority's unreimbursed debt service costs under title I of Public Law 92-349, and (3) develop and execute a plan, with the participating local governments, that will provide for the Authority to be financially responsible for the remaining capital and operating costs of the rail transit system in a manner consistent with the Urban Mass Transportation Act of 1964, as amended, the Federal-Aid Highway Act of 1973, as amended, and the terms and conditions the Secretary may require. D.C. Code 1-1441 note. D.C. Code 1-1446 note. D.C. Code 1-1441. 49 USC 1601 note. 23 USC 101 note.

NATIONAL TRANSPORTATION POLICY STUDY COMMISSION

Salaries and Expenses

For necessary expenses to enable the National Transportation Policy Study Commission to carry out its functions under section 154 of the Federal-Aid Highway Act of 1976, $2,000,000, to remain available until expended. 23 USC 101 note.

TITLE III

GENERAL PROVISIONS

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 departmental business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

Sec. 302. None of the funds provided in this Act shall be available for the planning or execution of programs the commitments for which are in excess of $540,000,000 in fiscal year 1978 for "Grants-in-aid for airports" under 49 U.S.C. 1714 (a) and (b). Airport grants.

Highway safety funds.

SEC. 303. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $28,000,000 in fiscal year 1978 for "Highway-related safety grants".

SEC. 304. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $172,000,000 in fiscal year 1978 for "State and Community Highway Safety".

SEC. 305. None of the funds provided in this Act shall be available for administrative expenses in connection with commitments for the Urban Mass Transportation Act of 1964, as amended, aggregating more than $2,365,000,000 in fiscal year 1978.

49 USC 1601 note.

SEC. 306. None of the funds provided under this Act shall be available for administrative expenses in connection with obligations against contract authority for interstate substitutions under 23 U.S.C. 103(e)(4) aggregating more than $350,000,000 in fiscal year 1978.

Everglades National Park, Fla. Ecology study.

SEC. 307. None of the funds provided under this Act shall be available for the planning or execution of programs for any further construction of the Miami jetport or of any other air facility in the State of Florida lying south of the Okeechobee Waterway and in the drainage basins contributing water to the Everglades National Park until it has been shown by an appropriate study made jointly by the Department of the Interior and the Department of Transportation that such an airport will not have an adverse environmental effect on the ecology of the Everglades and until any site selected on the basis of such study is approved by the Department of the Interior and the Department of Transportation: *Provided*, That nothing in this section shall affect the availability of such funds to carry out this study.

Canal Zone, consultants.

SEC. 308. The Governor of the Canal Zone is authorized to employ services as authorized by 5 U.S.C. 3109, in an amount not exceeding $150,000.

Canal Zone Government, pay increases.

SEC. 309. Funds appropriated for operating expenses of the Canal Zone Government may be apportioned notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

FAA and Coast Guard personnel, dependents' school expenses. 20 USC 241 note.

SEC. 310. Funds appropriated under this Act for expenditure by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents and (2) for transportation of said dependents between schools serving the area which they attend and their places of residence when the Secretary, under such regulations as he may prescribe, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 311. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18. 5 USC 5332 note.

SEC. 312. None of the funds in this Act shall be available for the implementation or execution of a program in the Department of Transportation to collect fees, charges or prices for approvals, tests, authorizations, certificates, permits, registrations, and ratings which are in excess of the levels in effect on January 1, 1973, or which did not exist as of January 1, 1973, until such program is reviewed and approved by the appropriate committees of the Congress. Review by congressional committees.

SEC. 313. None of the funds provided in this Act for liquidation of contractual obligations under the Urban Mass Transportation Act of 1964, as amended, shall be made available for liquidation of obligations entered into under section 5 of that Act, to support mass transit facilities, equipment or operating expenses unless the applicant for such assistance has given satisfactory assurances in such manner and form as the Secretary may require, and in accordance with such terms and conditions as the Secretary may prescribe, that the rates charged elderly and handicapped persons during nonpeak hours shall not exceed one-half of the rates generally applicable to other persons at peak hours: *Provided*, That the Secretary, in prescribing the terms and conditions for the provision of such assistance shall (1) permit applicants to continue the use of preferential fare systems for elderly or handicapped persons where those systems were in effect on or prior to November 26, 1974, (2) allow applicants a reasonable time to expand the coverage of operating preferential fare systems as appropriate, and (3) allow applicants to define the eligibility of "handicapped persons" for the purposes of preferential fares in conformity with other Federal laws and regulations governing eligibility for benefits for disabled persons. Mass transit fares for elderly and handicapped. 49 USC 1601 note. 49 USC 1604.

SEC. 314. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein. Fiscal year limitation.

SEC. 315. None of the funds provided under or included in this Act shall be available for the planning or execution of programs, the obligations for which are in excess of $7,445,000,000 for "Federal-Aid Highways" in fiscal year 1978: *Provided*, That this limitation shall not apply to obligations for emergency relief authorized by 23 U.S.C. 125: *Provided further*, That this limitation shall not become effective if subsequent legislation containing an obligation limitation on "Federal-Aid Highways" for fiscal year 1978 is enacted into law by September 30, 1977. Federal-Aid Highways.

SEC. 316. None of the funds provided in this act shall be available for the planning or execution of programs for any construction or improvements at Flushing Airport in New York City. Flushing Airport, N.Y.

SEC. 317. Obligations for the Great River Road shall include preliminary engineering and the planning or execution of projects for the acquisition of areas of archeological, scientific, or historical importance and of necessary easements for scenic purposes, the construction or reconstruction of roadside rest areas, bicycle trails, and scenic viewing areas, the reconstruction and rehabilitation of existing road segments, and the construction of new route segments. No such funds, however, shall be used for constructing new segments until 60 per centum of the Great River Road in each State is completed: *Provided*, That such completion may be waived if the Administrator determines that circumstances in such State prevent such completion. Great River Road.

Midway Airport, Ill.
Air traffic plan.

SEC. 318. Such funds as may be necessary shall be utilized from the appropriations above made available to the Federal Aviation Administration and to the Civil Aeronautics Board for the preparation of a plan to coordinate as promptly as possible the use of Midway Airport with O'Hare Airport in Chicago, Illinois, for service by regularly scheduled airline carriers in order to relieve air traffic congestion and to promote air safety in that area.

Ante, p. 92.

SEC. 319. Funds appropriated for grants to the National Railroad Passenger Corporation under Public Law 95-26 and for the fiscal year 1978 purchase payments for the Northeast Corridor shall be used for the payment of any principal and interest costs due or payable to the Consolidated Rail Corporation after March 11, 1977.

Short title.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriation Act, 1978".

Approved August 2, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-383 (Comm. on Appropriations) and No. 95-470 (Comm. of Conference).
SENATE REPORT No. 95-268 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 123 (1977):
June 8, considered and passed House.
June 23, considered and passed Senate, amended.
July 18, House agreed to conference report; concurred in certain Senate amendments, in others with amendments.
July 20, Senate agreed to conference report; concurred in House amendments.