

He was a presence in our office. As the director of our intern program and the manager of our softball team, Michael Queenan established himself as an enthusiastic leader on our staff. As a former intern, he made it a personal goal for every one of our interns to have a positive experience, to learn from their observations of the Senate at work, and to glean from their time in our office the value of hard work. Michael also brought to our office his fierce competitiveness on the softball field, earning the nickname "Wheels" for his speed and tenacity on the basepaths. Michael might well have earned that title for the hours he spent in my 1982 Dodge convertible, accompanying me to events around Washington.

Mr. President, I wish Michael well as he leaves my office to attend law school this summer. I will always be grateful for the hard work and long hours he dedicated to his job in my office, and I will be equally grateful for his friendship, one that will continue long after Michael moves back to Massachusetts. I know that I join his parents, Fran Holland and Dick Queenan, in expressing my pride at what Michael has accomplished, and great hopes and warmest wishes for the bright future ahead of him. •

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

(The text the bill (S. 2307), as passed by the Senate on Friday, July 24, 1998, is as follows:)

S. 2307

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, 1999, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, \$1,768,600: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received from user fees.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, \$554,700.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$8,645,000.

OFFICE OF THE ASSISTANT SECRETARY FOR POLICY

For necessary expenses of the Office of the Assistant Secretary for Policy, \$2,479,500.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, \$6,686,300: *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 THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, \$5,687,800, including not to exceed \$40,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, \$1,600,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, \$19,570,200.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, \$1,656,600.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, \$1,088,500.

BOARD OF CONTRACT APPEALS

For necessary expenses of the Board of Contract Appeals, \$460,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, \$1,000,000.

OFFICE OF INTELLIGENCE AND SECURITY

For necessary expenses of the Office of Intelligence and Security, \$935,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$4,652,700.

OFFICE OF INTERMODALISM

For necessary expenses of the Office of Intermodalism, \$1,000,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$5,562,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, \$8,328,400.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed \$158,468,000, 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 \$13,775,000. 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, 2000: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

AMTRAK REFORM COUNCIL

For necessary expenses of the Amtrak Reform Council authorized under section 203 of Public Law 105-134, \$450,000, to remain available until September 30, 2000: *Provided*, That none of the funds provided under this heading shall be for payments to outside consultants: *Provided further*, That the duties of the Amtrak Reform Council described in section 203(g)(1) of Public Law 105-134 shall include the identification of Amtrak routes which are candidates for closure or realignment, based on performance rankings developed by Amtrak which incorporate information on each route's fully allocated costs and ridership on core intercity passenger service, and which assume, for purposes of closure or realignment candidate identification, that federal subsidies for Amtrak will decline over the 4-year period from fiscal year 1999 to fiscal year 2002: *Provided further*, That these closure or realignment recommendations shall be included in the Amtrak Reform Council's annual report to the Congress required by section 203(h) of Public Law 105-134.

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; \$2,761,603,000, of which \$300,000,000 shall be available for national security-related activities and of which \$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 212, 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 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: *Provided further*, That the Secretary may transfer funds to this account, from Federal Aviation Administration "Operations", not to exceed \$60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, solely for the

purpose of providing additional funds for drug interdiction activities: *Provided further*, That not less than \$2,000,000 shall be available to support restoration of enhanced counter-narcotics operations around the island of Hispaniola: *Provided further*, That none of the funds in this Act shall be available for the Coast Guard to plan, finalize, or implement any regulation that would promulgate new maritime user fees not specifically authorized by law after the date of enactment of this Act.

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, \$426,173,000, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$234,553,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2003; \$55,131,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2001; \$44,789,000 shall be available for other equipment, to remain available until September 30, 2001; \$43,250,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2001; and \$48,450,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2000: *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 \$1,000,000 shall be credited as offsetting collections to this account, to be available for the purposes of this account: *Provided further*, That the amount herein appropriated from the General Fund shall be reduced by such amount: *Provided further*, That any proceeds from the sale or lease of Coast Guard surplus real property in excess of \$1,000,000 shall be retained and remain available until expended, but shall not be available for obligation until October 1, 1999: *Provided further*, That the Secretary, with funds made available under this heading, acting through the Commandant, may enter into a long-term Use Agreement with the City of Homer for dedicated pier space on the Homer dock necessary to support Coast Guard vessels when such vessels call on Homer, Alaska.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$21,000,000, to remain available until expended.

ALTERATION OF BRIDGES (HIGHWAY TRUST FUND)

For necessary expenses for alteration or removal of obstructive bridges, \$20,000,000, to be derived from the highway account of the highway trust fund, 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); \$684,000,000.

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, \$17,461,000, 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.

FEDERAL AVIATION ADMINISTRATION OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104-264, \$5,538,259,000, of which \$2,158,930,135 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 of the funds appropriated under this heading, \$6,000,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That the Secretary may transfer funds to this account, from Coast Guard "Operating expenses", not to exceed \$60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, solely for the purpose of providing additional funds for air traffic control operations and maintenance to enhance aviation safety and security: *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.

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, \$2,044,683,269, to remain available until September 30, 2001: *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 notwithstanding the Prompt Payment Act or any other provision of law, the Secretary of the Treasury may not make payments from this account in excess of \$1,516,000,000 in fiscal year 1999, except for payments for salaries and benefits: *Provided further*, That no action may be brought in any court of law for delay of payment pursuant to the preceding proviso: *Provided further*, That no funds may be transferred out of this account in fiscal year 1999: *Provided further*, That any obligation of funds that results in an expenditure in excess of \$1,736,000,000 in fiscal year 1999 shall be deemed to be an obligation in violation of section 1341 of title 31 of the United States Code: *Provided further*, That the Secretary shall submit monthly reports to the House and Senate Committees on Appropriations to ensure compliance with the preceding provisos and such reports shall include an analysis of cumulative obligations and expenditures from October 1, 1998, through the first day of the month in which the report is due and specific actions taken by the Secretary to ensure that the outlays in fiscal year 1999 resulting from the use of funds in this account shall not exceed \$1,736,000,000: *Provided further*, That no funds shall be available for the Wide Area Augmentation System until notification by the Secretary that outlays in fiscal year 1999 resulting from the use of funds in this account shall not exceed \$1,736,000,000: *Provided further*, That no funds shall be available for the Wide Area Augmentation System until certification to the House of Representatives Committee on Appropriations and the Senate Committee on Appropriations by the Secretary of Transportation and the Administrator of the FAA that the Wide Area Augmentation System will provide a sole means of navigation for aviation users, the Wide Area Augmentation System continuity problems will be solved without additional facilities or funding, and the cost/benefit ratio of the Wide Area Augmentation System exceeds the cost/benefit ratio of other landing and navigational aid

programs: *Provided further*, That no funds shall be available for the Wide Area Augmentation System until the Department of Transportation Inspector General validates and concurs in the certification of the Secretary and the Administrator to the House of Representatives Committee on Appropriations and the Senate Committee on Appropriations.

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, \$173,627,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2001: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

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

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs 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 \$2,100,000,000 in fiscal year 1999 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code: *Provided further*, That discretionary funds available for noise planning and mitigation shall not exceed \$225,000,000 and discretionary funds available for the military airport program shall not exceed \$26,000,000: *Provided further*, That up to \$100,000,000 shall be available for the procurement of explosive detection systems.

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 1999.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration not to exceed \$320,413,000 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.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

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

struction of, and improvements to, corridors of the Appalachian Development Highway System, \$200,000,000 to remain available until expended.

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

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of \$25,511,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1999: *Provided*, That, notwithstanding any other provision of law, within the \$25,511,000,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than \$200,000,000 shall be available for the implementation or execution of programs for Intelligent Transportation Systems (Sections 5204, 5205, 5206, 5207, 5208, and 5209 of Public Law 105-178) for fiscal year 1999; not more than \$178,150,000 shall be available for the implementation or execution of programs for transportation research (Sections 502, 503, 504, 506, 507, and 508 of title 23, United States Code, as amended; section 5505 of title 49, United States Code, as amended; and section 5112 of Public Law 105-178) for fiscal year 1999; not more than \$38,000,000 shall be available for the implementation or execution of programs for Ferry Boat and Ferry Terminal Facility Program (Section 1064 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 129 note; 105 Stat. 2005) as amended) for fiscal year 1999; not more than \$15,000,000 shall be available for the implementation or execution of programs for the Magnetic Levitation Transportation Technology Deployment Program (Section 1218 of Public Law 105-178) for fiscal year 1999; not more than \$31,000,000 shall be available for the implementation or execution of programs for the Bureau of Transportation Statistics (Section 111 of title 49, United States Code) for fiscal year 1999: *Provided further*, That within the \$20,000,000 made available for refuge roads in fiscal year 1999 by section 204 of title 23, United States Code, as amended, \$700,000 shall be made available to the United States Army Corps of Engineers to study rural access issues in Alaska, and \$1,500,000 shall be made available for improvements to the Crooked Creek access road in the Charles M. Russell National Wildlife Refuge, Montana: *Provided further*, That notwithstanding any other provision of law, within the \$25,511,000,000 obligation limitation, \$5,000,000 of the amounts made available as contract authority under section 1221(e) of the Transportation Equity Act for the 21st Century (Public Law 105-178) shall be made available to carry out section 5113 of that Act: *Provided further*, That notwithstanding any other provision of law, within the \$200,000,000 obligation limitation on Intelligent Transportation Systems, not less than the following sums shall be made available for Intelligent Transportation System projects in the specified areas:

Atlanta, GA, \$4,000,000
Brandon, VT, \$750,000
Buffalo, NY, \$1,750,000
Columbus, OH, \$2,000,000
Corpus Christi, TX, \$900,000
Delaware River, PA, \$4,000,000
Huntington Beach, CA, \$1,000,000
Inglewood, CA, \$1,000,000
Jackson, MS, \$4,000,000
Kansas City, MO, \$1,000,000
Mobile, AL, \$5,000,000
Monroe County, NY, \$1,000,000
Montgomery, AL, \$2,500,000
Nashville, TN, \$1,000,000
New York/Long Island, NY, \$5,000,000
Oakland County, MI, \$2,000,000
Onondaga County, NY, \$1,000,000

Raleigh-Wake County, NC, \$4,000,000
Spokane, WA, \$900,000
St. Louis, MO, \$1,500,000
State of Alaska, \$3,000,000
State of Idaho, \$1,000,000
State of Maryland, \$2,000,000
State of Missouri ITS project, \$1,000,000
State of Montana, \$2,000,000
State of Nevada, \$1,150,000
State of New Jersey, \$6,000,000
State of New Mexico, \$2,000,000
State of North Dakota, \$1,450,000
State of Pennsylvania, \$4,000,000
State of Texas, \$2,000,000
State of Utah, \$7,200,000
State of Washington, \$3,000,000
State of Wisconsin, \$3,000,000
Westchester and Putnam Counties, NY, \$1,000,000.

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, \$24,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

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

For payment of obligations incurred in carrying out 49 U.S.C. 31102, \$100,000,000, 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 \$100,000,000 for "Motor Carrier Safety Grants".

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
OPERATIONS AND RESEARCH
(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary, to be derived from the Highway Trust Fund, \$87,400,000 for traffic and highway safety under chapter 301 of title 49, U.S.C., and part C of subtitle VI of title 49, U.S.C., of which \$58,558,000 shall remain available until September 30, 2001; \$2,000,000 for chapter 303 of title 49, U.S.C., to remain available until September 30, 2001: *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
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, \$72,000,000, to be derived from the Highway Trust Fund: *Provided*, That 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 1999, are in excess of \$72,000,000 for programs authorized under 23 U.S.C. 403.

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

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411 to remain available until expended, \$200,000,000, to be derived from the Highway Trust Fund: *Provided*, That 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 1999, are in excess of \$200,000,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411 of which \$150,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402, \$10,000,000 shall be for "Occupant Protection Incentive Grants" under 23 U.S.C. 405, \$35,000,000 shall be for "Alcohol-Impaired Driving Countermeasures Grants" under 23 U.S.C. 410, \$5,000,000 shall be for the "State Highway Safety Data Grants" under 23 U.S.C. 411: *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 \$5,434,000 of the funds made available for Highway Safety Programs under 23 U.S.C. 402 shall be available to NHTSA for administering "Highway Safety Programs": *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-Impaired Driving Countermeasures Grants" 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, \$21,020,000, of which \$1,389,000 shall remain available until expended: *Provided*, 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 of the funds provided under this heading, \$5,000,000 shall be made available for grants authorized under title 49, United States Code, section 22301.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$61,876,000, of which \$3,825,000 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, \$25,760,000, to remain available until expended: *Provided*, That the Secretary of Transportation is au-

thorized to sell aluminum reaction rail, power rail base, and other related materials located at the Transportation Technology Center, near Pueblo, Colorado, and shall credit the receipts from such sale to this account, notwithstanding 31 U.S.C. 3302, to remain available until expended.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 United States Code sections 26101 and 26102, \$28,494,000, to remain available until expended: *Provided*, That funds under this heading may be made available for grants to States for high-speed rail corridor design, feasibility studies, environmental analyses, and track and signal improvements.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, \$10,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, \$7,500,000 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 \$28,000,000 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.

CAPITAL GRANTS TO THE NATIONAL RAILROAD
PASSENGER CORPORATION

For necessary expenses of capital improvements of the National Railroad Passenger Corporation, \$555,000,000; of which not less than \$200,000,000, to remain available until September 30, 2001, shall be for Northeast Corridor improvements authorized by chapter 249 of title 49, United States Code, and 49 U.S.C. 24104(a); and of which no more than \$355,000,000, to become available on October 1, 1998 and remain available until expended, shall be for capital grants authorized by 49 U.S.C. 24104(a): *Provided further*, That the term "capital improvements" includes projects for—(A)(i) acquisition, construction, supervision, or inspection, of a facility or equipment, for use in intercity rail transportation; (ii) expenses incidental to the acquisition or construction (including designing, engineering, location survey, mapping, acquiring rights of way, associated pre-revenue startup costs, and environmental mitigation), payments for rail trackage rights, Intelligent Transportation Systems; (B) rehabilitating rolling stock; (C) remanufacturing rolling stock; (D) overhauling rolling stock; and (E) preventive maintenance: *Provided further*, That the Secretary shall not obligate more than \$222,000,000 prior to September 30, 1999.

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, \$10,800,000: *Provided*, That no more than \$54,000,000 of budget authority shall be available for these purposes:

Provided further, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, \$1,000,000 shall be transferred to the Department of Transportation Inspector General for costs associated with the audit and review of new fixed guideway systems projects of national significance or that experience extensive changes in financial scope or system design.

FORMULA GRANTS

For necessary expenses to carry out 49 United States Code 5307, 5308, 5310, 5311, and 5327, \$570,000,000: *Provided*, That no more than \$2,850,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds made available under section 5308, up to \$10,000,000 may be used for the projects that include payments for the incremental costs of biodiesel fuels: *Provided further*, That such incremental costs shall be limited to the cost difference between the cost of alternative fuels and their petroleum-based alternatives.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 United States Code 5505, \$1,200,000: *Provided*, That no more than \$6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 United States Code 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, \$19,800,000: *Provided*, That no more than \$98,000,000 of budget authority shall be available for these purposes: *Provided further*, That \$5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)); \$4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315); \$8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)); \$43,841,600 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305); \$9,158,400 is available for state planning (49 U.S.C. 5313(b)); and \$27,500,000 is available for the national planning and research program (49 U.S.C. 5314): *Provided further*, That of the total budget authority made available for the national planning and research program, the Federal Transit Administration shall provide the following amounts to the projects listed below:

Santa Barbara Electric Transportation Institute and San Diego Clean Fuel Ferry program, \$1,000,000;

City of Branson, MO congestion study, \$450,000;

1999 Special Olympics World Summer Games planning and assistance, \$1,500,000;

Skagit County, WA North Sound connecting communities project, Skagit County Council of Governments, \$50,000;

2002 Winter Olympics security training and assistance, \$1,000,000;

Desert air quality comprehensive analysis, Las Vegas, NV, \$500,000;

Vegetation control on rail rights-of-way survey, \$250,000;

Zinc-air battery bus technology demonstration, \$1,000,000;

Virtual transit enterprise distributed information technology demonstration, \$1,400,000;

North Orange-South Seminole County, FL fixed guideway ITS application, \$750,000;

Galveston, TX fixed guideway ITS activities, \$750,000;

Washoe County, NV transit technology, \$1,250,000;

Massachusetts Bay Transit Authority advanced electric transit buses and related infrastructure, \$1,500,000;

Palm Springs, CA fuel cell buses, \$1,000,000;

Gloucester, MA intermodal technology center, \$1,500,000; and

Southeastern Pennsylvania Transit Authority advanced propulsion control system, \$2,000,000.

TRUST FUND SHARE OF EXPENSES
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5303 through 5308, 5310 through 5315, 5317(b), 5322, 5327 and 5334, \$2,446,200,000, to remain available until expended and to be derived from the Mass Transit Account of the Highway Trust Fund: *Provided*, That \$2,280,000,000 shall be paid to the Federal Transit Administration's formula grants account: *Provided further*, That \$78,200,000 shall be paid to the Federal Transit Administration's transit planning and research account: *Provided further*, That \$43,200,000 shall be paid to the Federal Transit Administration's administrative expenses account: *Provided further*, That \$4,800,000 shall be paid to the Federal Transit Administration's university transportation research account: *Provided further*, That \$40,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 United States Code 5308, 5309, 5318, and 5327, \$451,400,000: *Provided*, That no more than \$2,257,000,000 of budget authority shall be available for these purposes: *Provided further*, That there shall be available for fixed guideway modernization, \$902,800,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$451,400,000; and there shall be available for new fixed guideway systems \$902,800,000: *Provided further*, That, within the total funds provided for buses and bus-related facilities to carry out 49 U.S.C. section 5309, the following projects shall be considered eligible for these funds: *Provided further*, That the Administrator of the Federal Transit Administration shall, not later than 60 days after the enactment of this Act, individually submit to the congressional transit appropriations and authorization committees the recommended grant funding levels for the respective projects from the following projects here listed:

AC Transit electric bus program, CA
Albany, NY paratransit buses and facilities
Albuquerque, NM buses and bus facilities
Alexandria, VA King Street Station access
Alexandria, VA bus maintenance facility
Allegheny County, PA buses and intermodal station
Altoona, PA Metro Transit Authority buses
Altoona, PA pedestrian crossover
Altoona, PA Metro Transit Authority Logan Valley Mall suburban transfer center
Anacortes, WA ferry terminal information system
Anchorage, AK Ship Creek intermodal facility
Arkansas statewide bus needs
Armstrong County-Mid County, PA bus facilities and buses
Atlanta, GA MARTA buses
Austin, TX Capital Metro bus replacement
Babylon, NY intermodal center
Beaver County, PA transit facility
Bellingham, WA Whatcom Transit Authority bus maintenance facility
Berlin, NH Tri-County Community Action transit garage
Birmingham, AL intermodal facility
Birmingham-Jefferson County, AL buses
Boston, MA Logan Airport intermodal buses
Boston, MA Charles Street/MA General Hospital "T" Station Rehabilitation

Boston, MA South Station intermodal center connection link
Boulder/Denver, CO RTD buses
Bradford County, PA Endless Mountain Transportation Authority buses
Brattleboro, VT Union Station multimodal center
Brazos, TX Transit Authority buses and facilities
Bremerton, WA Sinclair's Landing, multimodal center
Brockton, MA intermodal transportation center
Brookhaven Town, NY elderly and disabled buses and vans
Brooklyn-Staten Island, NY mobility enhancement buses
Broome County, NY buses and fare collection equipment
Broward County, FL buses
Buffalo, NY Crossroads intermodal station
Buffalo, NY Auditorium intermodal center
Burlington, VT ferry terminal improvements
Burlington, VT multimodal center
Butte, MT bus replacements
California I-5 corridor intermodal transit centers
Cambria County, PA bus facilities and buses
Carroll County, NH transportation alliance buses
Cedar Rapids, IA Ground Transportation Center
Centre Area, PA Transportation Authority buses
Chambersburg, PA Transit Authority buses and intermodal center
Chelan, WA Chelan-Douglas multimodal center
Chester County, PA Paoli transportation center
Clark County, NV RTC CNG fueling facility
Clark County, NV Regional Transportation Commission buses
Cleveland, OH Triskett Garage bus maintenance facility
Clinton, WA ferry terminal
Colorado statewide buses
Columbia, SC bus replacement
Concord Area Transit, NH buses
Corpus Christi, TX transit authority buses and facilities
Crawford Area, PA buses
Culver City, CA CityBus buses
Dade County, FL Metro-Dade Transit Agency replacement buses
Dallas, TX Dallas Area Rapid Transit buses
Davis, CA Unitrans transit maintenance facility
Davis/Sacramento CA hydrogen bus technology validation
Dayton, OH multimodal transportation center
Daytona, FL intermodal center
Deerfield Valley, VT Transit Authority
Demonstration of universal electric transportation subsystems (DUETS), bus system, NM
Denver, CO Stapleton intermodal center
Des Moines, IA intermodal facility
Dothan, AL Wiregrass Transit Authority demand response shuttle vehicles and transit facility
Duluth, MN Transit Authority community circulation vehicles
Duluth, MN Transit Authority intelligent transportation systems
Duluth, MN Transit Authority transit hub
Dutchess County, NY Loop System buses
East Hampton, NY elderly and disabled buses and vans
El Paso, TX Sun Metro demand response, maintenance, and terminal facility
Erie, PA Metropolitan Transit Authority buses

Essex and Middlesex Counties, MA buses
Eugene, OR Lane Transit District buses
Everett, WA multimodal transportation center
Fairbanks, AK intermodal rail/bus transfer facility
Fayette County, PA intermodal facilities and buses
Fayetteville, AR University of Arkansas Transit System buses
Folsom, CA Railroad block project
Fort Ord, CA multi-modal transportation center
Fort Dodge, IA Intermodal Facility
Fort Worth, TX buses
Frankford, PA Septa transportation center
Galveston, TX alternative fuel buses
Gary, IN Transit Consortium buses
Georgetown University fuel cell bus development and manufacturing
Gloucester, MA intermodal transportation center
Grand Forks, Fargo, Bismarck-Mandan and Minot, ND buses
Grant County, WA buses and vans
Greater Laconia, NH Transit Agency buses
Greensboro, NC Transit Authority buses and vans
Greensboro, NC multimodal center
Harrison County, MS multimodal center/hybrid electric shuttle buses
Harrisonburg, VA buses
Hartford, CT transportation access project
Healdsburg, CA intermodal facility
Honolulu, HI bus facility and buses
Hot Springs, AR transportation depot and plaza
Humboldt, CA intermodal facility
Huntington Beach, CA senior center shuttle buses
Huntington, WV intermodal facility
Huntsville, AL intermodal space centers—East and West
Hyannis, MA intermodal transportation center
Illinois statewide buses and bus-related equipment
Indianapolis, IN buses
Iowa/Illinois Transit Consortium bus safety and security
Iowa statewide bus request
Ithaca, NY TCAT bus technology improvements
Jackson, MS buses and facilities
Jacksonville, FL Transit Authority buses and mini transit center
Jasper, AL buses
Johnson County, KS bus maintenance/operations facility
Kansas City, MO Union Station redevelopment
Kansas City, MO two-way radios; farebox system; facility repair
Keene, NH HCS Community Care buses and equipment
King County/Kingdome, WA pedestrian bridges
King County, WA Metro transit transfer facilities
Lackawanna County, PA Transit System buses
Lake Tahoe, CA intermodal terminal
Lake Tahoe, CA alternative fuels station
Lake Tahoe, CA coordinated transit system
Lakeland, FL Citrus Connection transit vehicles/equipment
Lane County, OR bus rapid transit
Lansing, MI CATA bus technology improvements
Las Cruces, NM buses, facilities and park and ride
Las Vegas, NV RTC South Resort Corridor transit center
Las Vegas, NV Citizen Area Transit System
Lebanon, NH Advance Transit buses
Lee County, AL buses

Little Rock, AR Central Arkansas Transit buses
 Little Rock, AR New Harbor Inlet intermodal center
 Livermore-Ardmore Valley, CA automatic vehicle locator program
 Long Beach, NY central bus facility
 Long Island, NY CNG transit vehicles and facilities
 Long Island, NY bus replacement
 Los Angeles County, CA Foothills transit buses
 Los Angeles County, CA Metropolitan Transportation Authority bus replacement
 Los Angeles, CA Foothills transit bus maintenance facility
 Los Angeles, CA San Fernando Valley smart shuttle buses
 Los Angeles, CA Union Station Gateway intermodal transit center
 Los Angeles, CA municipal transit operators consortium
 Louisiana statewide bus request
 Louisville, Kentucky University of Louisville and River City buses
 Lynchburg, VA buses
 Market Street, NJ bus maintenance facility
 Maryland statewide bus facilities and buses
 Massachusetts Bay Transportation Authority statewide bus replacement
 Mercer County, PA buses
 Miami Beach, FL electric shuttle service
 Miami-Dade, FL buses
 Michigan statewide buses
 Milwaukee, WI train station improvements
 Milwaukee County, WI buses
 Mineola/Hicksville, NY LIRR intermodal centers
 Minnesota Metro transit buses
 Minnesota I-35 corridor transit stations
 Missouri statewide bus and bus facilities
 Mobile, AL bus replacement
 Mobile, AL intermodal facilities
 Modesto, CA bus maintenance facility
 Monroe County, PA Transportation Authority buses
 Monroe, LA maintenance facility
 Monterey, CA Monterey-Salinas buses
 Montgomery, AL Union Station intermodal center and buses
 Morongo Basin, CA Transit Authority bus facility
 Mount Vernon, WA multimodal center
 New Bedford/Fall River, MA mobile access to health care
 New Hampshire statewide transit systems
 New Haven, CT bus facility
 New Jersey statewide buses and bus facilities
 New Jersey Transit jitney shuttle buses
 New Mexico statewide buses and bus facilities including northern New Mexico park and ride
 New Orleans, LA RTA maintenance facility
 New Rochelle, NY intermodal center
 New York City, CNG buses and refueling station
 New York City, NY Midtown west ferry terminal
 New York, NY West 72nd St. intermodal station
 Newark, NJ Morris and Essex Station access and buses
 Niagara Frontier Transportation Authority Hublink, NY
 North Carolina statewide buses and bus facilities
 North Dakota statewide buses and bus-related facilities
 North Slope Borough, AK buses
 Northern Kentucky Area Development District senior citizen buses
 Northstar Corridor, MN intermodal facilities and buses
 Norwich, CT buses

Oak Park, IL Marion Street multimodal transit center
 OATS Transit, MO
 Ogden, UT Intermodal Center
 Ohio statewide buses and bus facilities
 Oklahoma statewide bus facilities and buses
 Olympia, WA bus replacement
 Olympic Peninsula, WA International Gateway transportation center
 Omnitrans, CA replacement buses
 Oneida County, NY Union Station intermodal facility
 Oneida County, NY buses and equipment
 Orlando, FL Lynx buses and bus facilities
 Orlando, FL Downtown intermodal facility
 Pee Dee, SC Regional Transportation Authority
 Pennsylvania statewide request for small communities
 Perris, CA bus maintenance facility
 Phenix City, AL express transit system
 Philadelphia, PA Market Street bus maintenance facility
 Philadelphia, PA Frankford transportation center
 Philadelphia, PA SEPTA ADA bus acquisition
 Philadelphia, PA 30th Street intermodal station
 Philadelphia, PA regional transportation system for elderly and disabled
 Phoenix, AZ alternatively fueled buses
 Pittsfield, MA intermodal center
 Portland, OR Tri-Met buses
 Potomac and Rappahannock, VA Trans Commission buses
 Poughkeepsie, NY intermodal facility
 Pritchard, AL bus transfer facility
 Providence, RI buses and bus maintenance facility
 Rankin County, MI Intermodal Connector
 Reading, PA BARTA intermodal transportation facility
 Red Rose, PA transit bus terminal
 Reno, NV RTC transit passenger and facility security improvements
 Rensselaer, NY intermodal facility
 Rhode Island Public Transit Authority buses
 Rialto, CA Metrolink depot
 Richland, WA Ben Franklin Transit maintenance, operation, and administration facility
 Richmond, VA Main Street station
 Richmond, VA GRTC bus maintenance facility
 Riverhead, NY elderly and disabled buses and vans
 Riverside, CA Transit Agency buses, facilities and ITS applications
 Roanoke, VA buses
 Robinson, PA Towne Center intermodal facility
 Rochester-Genesee, NY CNG buses
 Rochester, NY Rochester central bus facility
 Rogue Valley, OR transit district bus purchase
 Rome, NY intermodal center
 Rural Texas bus replacement
 Sacramento, CA intermodal station
 Sacramento, CA CNG buses
 Salem, OR area mass transit buses
 San Francisco, CA Islais Creek maintenance facility
 San Joaquin, CA buses and facilities
 San Juan, Puerto Rico intermodal access
 Santa Clara, CA Valley Transportation Authority buses
 Santa Clarita, CA facilities and buses
 Santa Cruz, CA bus facility
 Santa Rosa/Cotati, CA intermodal transportation facilities
 Savannah, GA Chatham buses and bus facilities
 Savannah, GA downtown multimodal center

Seattle RTA buses
 Seattle, WA intermodal transportation terminal
 Seward, AK intermodal facility
 Shelter Island, NY elderly and disabled buses and vans
 Sinclair Landing transit facility, WA
 Sioux Falls, SD buses
 Sioux City, IA park and ride bus facility
 Smithtown, NY elderly and disabled buses and vans
 Solano Links, CA intercity transit consortium
 Solano County, CA automated vehicle locator
 Somerset County, PA bus facilities and buses
 Sonoma County, CA intermodal center
 South Amboy, NJ regional intermodal transportation initiative
 South Bend, IN urban intermodal transportation facility
 South Carolina statewide Virtual Transit Enterprise
 South Dakota computerized bus dispatch system, radios, money boxes, and lift replacements
 South Dakota statewide bus facilities and buses
 Southampton, NY elderly and disabled buses and vans
 Southeast Missouri transportation services
 Southold, NY elderly and disabled buses and vans
 Spartanburg, SC intermodal facility
 Springfield, MA Union Station
 Springfield/Branson, MO bus terminal
 St. Louis, MO Bi-state intermodal center
 St. Louis, MO Care-Cab
 St. Louis, MO Bi-State development agency bus replacement
 Suffolk County, NY elderly and disabled buses and vans
 Syracuse, NY CNG buses and facilities
 Tacoma, WA Tacoma Dome station
 Tampa, FL Hartline buses
 Tampa, FL Ybor intermodal station (Hillsborough Area Regional Transit Authority)
 Tennessee statewide bus and facility replacement
 Texas statewide small urban and rural buses
 Tompkins County, NY new technology project
 Towamencin Township, PA intermodal bus transportation center
 Tucson, AZ alternatively fueled buses
 Tuscaloosa, AL intermodal center
 Ukiah, CA transportation center
 Ulster County, NY bus garage and equipment
 University of North Alabama, pedestrian walkways
 Utah Olympics park and ride lots
 Utah Olympics intermodal transportation centers
 Utah Hybrid electric vehicle bus purchase
 Utah Transit Authority/Park City Transit, UT buses
 Utah Transit Authority, UT intermodal facilities
 Utica and Rome, NY bus facilities and buses
 Utica, NY Union Station
 Vancouver, WA C-Tran Seventh Street transit center expansion
 Vancouver, WA I-5 park and ride lots
 Vermont statewide bus needs
 Volusia County, FL bus systems integrated fleet operations system
 Washington County, PA intermodal facilities
 Washington, Community Transit bus replacement
 Washington statewide bus
 Washington RTA buses

Washington, D.C. intermodal transportation center
 Washoe County, NV transit improvements
 Waterbury, CT bus facility
 Waukesha, WI downtown transit center
 West Virginia statewide intermodal facilities and buses
 Westchester County, NY DOT articulated buses
 Westchester County, NY Bee-Line transit system shuttle buses and fareboxes
 Westfield, MA intermodal center
 Westmoreland County, PA intermodal facility
 Whittier, AK intermodal facility and pedestrian overpass
 Wilkes-Barre, PA intermodal facility
 Williamsport, PA bus facility
 Wilsonville, OR buses and bus shelters
 Windsor, CA intermodal facility
 Wisconsin statewide bus facilities and buses
 Woodland Hills, CA Warner Center transportation hub
 Worcester, MA Union Station intermodal transportation center
 Yonkers, NY intermodal facility
 Yosemite area, CA regional transportation strategies:
Provided further, That, the funds provided for new fixed guideway systems shall be made available as follows:
 \$10,400,000 for Alaska and/or Hawaii ferry projects;
 \$2,500,000 for the Albuquerque/Santa Fe regional multimodal transportation project;
 \$10,000,000 for the Albuquerque light rail project;
 \$55,000,000 for the Atlanta MARTA North Springs project;
 \$2,000,000 for the Austin Capital metro project;
 \$1,000,000 for the Baltimore central downtown transit alternatives major investment study;
 \$2,000,000 for the Baltimore light rail double-track project;
 \$37,600,000 for the BART San Francisco Airport and San Jose Tasman West extensions projects;
 \$1,000,000 for the Birmingham, AL light rail project feasibility study;
 \$1,000,000 for the Boston North-South rail link project;
 \$53,983,000 for the Boston-South Boston Piers MOS-2 project;
 \$1,500,000 for the Boston urban ring project;
 \$4,000,000 for the Burlington-Essex, Vermont commuter rail project;
 \$3,000,000 for the Charleston, SC monobeam rail project;
 \$3,000,000 for the Charlotte, NC North-South corridor transitway project;
 \$19,000,000 for Chicago Metra commuter rail extensions and upgrades;
 \$4,000,000 for the Chicago Transit Authority Ravenswood and Douglas branch lines projects;
 \$3,600,000 for the Cincinnati Northeast/Northern Kentucky rail line project;
 \$1,000,000 for the Cleveland Berea Red Line MIS;
 \$4,000,000 for the Cleveland Euclid corridor improvement project;
 \$500,000 for the Colorado-North Front Range corridor feasibility study;
 \$20,500,000 for the Dallas DART North Central light rail extension project;
 \$40,000,000 for the Denver Southwest Corridor project;
 \$1,000,000 for the Denver Southeast Corridor multimodal corridor project;
 \$10,000,000 for the Fort Lauderdale, FL Tri-County commuter rail project;
 \$12,000,000 for the Fort Worth, TX Railtran project;
 \$1,000,000 for the Galveston, Texas rail trolley system extension project;

\$2,000,000 for the Harrisburg, PA capitol area transit/corridor one project;
 \$1,000,000 for the Hartford, CT light rail project;
 \$1,000,000 for a major investment analysis of Honolulu transit alternatives;
 \$59,670,000 for the Houston Metro Regional Bus plan project;
 \$1,000,000 for a Jacksonville, FL light rail and bus corridors study;
 \$1,500,000 for the Johnson County, KS I-35 commuter rail project;
 \$500,000 for the Kansas City, MO commuter rail study;
 \$1,000,000 for the Kenosha-Racine-Milwaukee, WI commuter rail project;
 \$250,000 for the King County, WA Elliott Bay water taxi;
 \$2,000,000 for the Knoxville, TN transit program project;
 \$2,000,000 for the Largo, MD Metro Blue Line extension project;
 \$4,000,000 for the Las Vegas resort corridor fixed guideway system project;
 \$40,000,000 for the LIRR East Side access project, New York;
 \$4,000,000 for the Little Rock, AR Arkansas River rail project;
 \$30,000,000 for the Los Angeles MOS-3 project, of which \$24,000,000 shall be made available from funds provided in Public Law 105-66 under this head for this project: *Provided further*, That such sum shall be available to the grantee without restriction;
 \$17,000,000 for MARC commuter rail improvements;
 \$2,200,000 for the Memphis Medical Center rail extension project;
 \$3,000,000 for the Miami Metrorail Palmetto extension project;
 \$4,000,000 for the Miami Metro-Dade Transit east-west corridor project;
 \$8,000,000 for the Miami-North corridor transitway to Broward County project;
 \$4,500,000 for the Morgantown, WV fixed guideway modernization project;
 \$2,500,000 for the Nashville regional commuter rail project;
 \$70,000,000 for the New Jersey urban core Hudson-Bergen LRT project;
 \$12,000,000 for the New Jersey urban core Newark-Elizabeth rail link project;
 \$1,000,000 for the New London, CT waterfront access project;
 \$12,000,000 for the New York City, Kennedy class ferryboat replacement project;
 \$2,000,000 for the Niagara Frontier Transportation Authority light rail car rebuild project;
 \$6,000,000 for the Northern Indiana South Shore commuter rail project;
 \$20,000,000 for the Orlando Lynx light rail project;
 \$500,000 for the Philadelphia to Pittsburgh high-speed magnetic levitation project;
 \$6,500,000 for the Philadelphia-Reading SEPTA Schuylkill Valley Metro project;
 \$1,000,000 for the Philadelphia SEPTA Cross County Metro project;
 \$5,000,000 for the Pittsburgh Allegheny County Stage II light rail project;
 \$5,000,000 for the Pittsburgh Airborne Shuttle System project;
 \$1,000,000 for the Pittsburgh North Shore central business district transit options major investment study;
 \$26,700,000 for the Portland Westside and South-North light rail projects;
 \$13,000,000 for the Puget Sound RTA Link light rail project;
 \$47,000,000 for the Puget Sound RTA Sounder commuter rail project;
 \$14,000,000 for the Raleigh-Durham-Chapel Hill Triangle Transit project;
 \$23,480,000 for the Sacramento south corridor LRT project;
 \$70,000,000 for the Salt Lake City South LRT project: *Provided further*, That the non-

governmental share for these funds and for funds made available for this project under Public Law 105-66, shall be determined in accordance with section 3030(c)(2)(B)(ii) of the Transportation Equity Act for the 21st Century, as amended (Public Law 105-178);

\$8,000,000 for the Salt Lake City/Airport to University (West-East) light rail project: *Provided further*, That the non-governmental share for these funds shall be determined in accordance with Section 3030(c)(2)(B)(ii) of the Transportation Equity Act for the 21st Century, as amended (Public Law 105-178);

\$1,000,000 for the San Diego Mission Valley and Mid-Coast Corridors;

\$19,967,000 for the San Juan Tren Urbano;
 \$2,000,000 for the Santa Fe rail link project;
 \$250,000 for the Sioux City micro rail trolley system;

\$1,000,000 for the South DeKalb-Lindbergh Corridor LRT project;

\$200,000 for the Southeast Michigan commuter rail viability study;

\$10,000,000 for the St. George Ferry, NY terminal project;

\$35,000,000 for the St. Louis Metro link/St. Clair County LRT extension project;

\$500,000 for the St. Louis-Jefferson City-Kansas City, MO commuter rail project;

\$1,000,000 for the Stamford, CT fixed guideway connector;

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

\$15,000,000 for the Whitehall ferry terminal project.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, \$1,805,600,000, to be derived from the Highway Trust Fund and to remain available until expended.

DISCRETIONARY GRANTS

(HIGHWAY TRUST FUND, MASS TRANSIT

ACCOUNT)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized in Public Law 102-240 under 49 U.S.C. 5338(b)(1), \$392,000,000 are rescinded.

JOB ACCESS AND REVERSE COMMUTE GRANTS

For necessary expenses to carry out Section 3037 of the Federal Transit Act of 1998, \$10,000,000: *Provided*, That no more than \$50,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the amounts appropriated under this head, not more than \$10,000,000 shall be used for grants for reverse commute projects.

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, \$50,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

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

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint

Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, \$11,496,000, 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, \$29,000,000, of which \$574,000 shall be derived from the Pipeline Safety Fund, and of which \$3,460,000 shall remain available until September 30, 2001: *Provided*, That up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OILSPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$32,500,000, of which \$3,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2001; and of which \$29,000,000 shall be derived from the Pipeline Safety Fund, of which \$16,919,000 shall remain available until September 30, 2001: *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 49 U.S.C. 60301, and that an additional \$659,000 in amounts previously collected under 49 U.S.C. 60301 is available to conduct general functions of the pipeline safety program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), \$200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2001: *Provided*, That not more than \$11,000,000 shall be made available for obligation in fiscal year 1999 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): *Provided further*, That no such funds 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, \$42,720,000.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$13,853,000: *Provided*, That \$2,000,000 in fees collected in fiscal year 1999 by the Surface Transportation Board pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1999: *Provided further*, That any fees received in excess of \$2,000,000 in fiscal year 1999 shall remain available until expended, but shall not be available for obligation until October 1, 1999.

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, \$3,847,000: *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) \$53,473,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses, not otherwise provided for, of the National Transportation Safety Board for accident investigations, and for oversight and provision of services to families of victims of transportation disasters, 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 1999 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 91 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 1999, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative take-down authorized by section 104(a) of title 23, United States Code, and amounts authorized for the highway use tax evasion program and the Bureau of Transportation Statistics.

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety programs for the previous fiscal year the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) for section 117 of title 23, United States Code (relating to high priority

projects program), section 201 of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1995, and \$2,000,000,000 for such fiscal year under section 105 of the Transportation Efficiency Act for the 21st Century (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, \$2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5) for Federal-aid highway and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed \$2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under section 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of enactment of the Transportation Efficiency Act for the 21st Century; and (8) under section 105 of title 23, United States Code (but, only in an amount equal to \$639,000,000 for such fiscal year).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation 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 104 and 144, of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Efficiency Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Act of 1991 (105 Stat. 1943-1945).

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapters 3 and 5 of title 23, United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (1) that are authorized to be appropriated for such fiscal year for Federal-aid highway programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and chapter 4 of title 23, United States Code, and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for a section set forth in subsection (a)(4) shall remain available until used for obligation of funds for such section and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

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

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

SEC. 313. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. None of the funds in this Act shall be available to award a multiyear contract for production end items that: (1) includes economic order quantity or long lead time material procurement in excess of \$10,000,000 in any one year of the contract; or (2) includes a cancellation charge greater than \$10,000,000 which at the time of obligation has not been appropriated to the limits of the Government's liability; or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial

liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 316. Section 218 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in the first sentence by striking "the south Alaskan border" and inserting "Haines" in lieu thereof;

(B) in the third sentence by striking "highway" and inserting "highway or the Alaska Marine Highway System" in lieu thereof;

(C) in the fourth sentence by striking "any other fiscal year thereafter" and inserting "any other fiscal year thereafter, including any portion of any other fiscal year thereafter, prior to the date of the enactment of the Transportation Equity Act for the 21st Century" in lieu thereof;

(D) in the fifth sentence by striking "construction of such highways until an agreement" and inserting "construction of the portion of such highways that are in Canada until an agreement" in lieu thereof; and

(2) in subsection (b) by inserting "in Canada" after "undertaken".

SEC. 317. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, capital investment grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2001 and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 318. Notwithstanding any other provision of law, any funds appropriated before October 1, 1998, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 319. None of the funds in this Act may be used to compensate in excess of 350 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1999.

SEC. 320. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by \$17,247,000, which limits fiscal year 1999 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than \$165,215,000: *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. 321. Funds received by the Federal Highway 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 Administrative Expenses" account and to the Federal Railroad Administration's "Railroad Safety" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 322. None of the funds in this or any other Act may be used to compel, direct, or require agencies of the Department of Transportation in their own construction contract awards, or recipients of financial assistance for construction projects under this Act, to use a project labor agreement on any project, nor to preclude use of a project labor agreement in such circumstances.

SEC. 323. None of the funds made available in this Act may be used for the purpose of

promulgating or enforcing any regulation that has the practical effect of (a) requiring more than one attendant during unloading of liquefied compressed gases, or (b) preventing the attendant from monitoring the customer's liquefied compressed gas storage tank during unloading.

SEC. 324. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 325. None of the funds made available in this or any other Act may be used for grants to the National Railroad Passenger Corporation: *Provided*, That this provision shall not apply upon the public disclosure by Amtrak of its national average per passenger loss during the previous fiscal year for which a full fiscal year's data is available: *Provided further*, That Amtrak shall determine the national average per passenger loss by using revenues and fully allocated expenses of core intercity passenger rail service and such determination shall be verified by the United States General Accounting Office: *Provided further*, That the national average per passenger loss figure for each year shall be prominently displayed on every passenger ticket sold by any means or mechanism along with a specific reference to the American taxpayers' support for Amtrak: *Provided further*, That the Secretary, acting through the Administrator of the Federal Aviation Administration, shall by January 1, 1999, take such actions as may be necessary to ensure that each air carrier (as that term is defined in section 40102 of title 49 U.S.C.) prominently displays on every passenger ticket sold by any means or mechanism a statement that reflects the national average per passenger general fund subsidy based on the fiscal year 1997 general fund appropriation from the Federal Government to the Federal Aviation Administration: *Provided further*, That the Secretary of Transportation, acting through the administrator of the Federal Highway Administration, shall take such actions as may be necessary to ensure the placement of signs, on each Federal-aid highway (as that term is defined in section 101 of title 23, U.S.C.) that states that, during fiscal year 1997, the Federal Government provided a general fund appropriation at a level verified by the Department of Transportation, for the subsidy of State and local highway construction and maintenance.

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

SEC. 327. Not to exceed \$1,000,000 of the funds provided in this Act for the Department of Transportation shall be available for

the necessary expenses of advisory committees.

SEC. 328. BULK FUEL STORAGE TANKS. (a) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, the remainder of the balance in the Trans-Alaska Pipeline Liability Fund that is transferred and deposited into the Oil Spill Liability Trust Fund under section 8102(a)(2)(B)(ii) of the Oil Pollution Act of 1990 (43 U.S.C. 1653 note) after June 16, 1998 shall be used in accordance with this section.

(b) USE OF INTEREST ONLY.—The interest produced from the investment of the Trans-Alaska Pipeline Liability Fund balance that is transferred and deposited into the Oil Spill Liability Trust Fund under section 8102(a)(2)(B)(ii) of the Oil Pollution Act of 1990 (43 U.S.C. 1653 note) after June 16, 1998 shall be transferred annually by the National Pollution Funds Center to the Denali Commission for a program, to be developed in consultation with the Coast Guard, to repair or replace bulk fuel storage tanks in Alaska which are not in compliance with federal law, including the Oil Pollution Act of 1990, or State law.

(c) TAPS PAYMENT TO ALASKA DEDICATED TO BULK FUEL STORAGE TANK REPAIR AND REPLACEMENT.—Section 8102(a)(2)(B)(i) of Public Law 101-380 (43 U.S.C. 1653 note) is amended by inserting immediately before the semicolon, “, which shall be used to repair and replace bulk fuel storage tanks in Alaska so that such tanks comply with this Act and with other applicable federal and state laws”.

SEC. 329. No funds other than those appropriated to the Surface Transportation Board or fees collected by the Board shall be used for conducting the activities of the Board.

SEC. 330. (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. 331. 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. 332. Notwithstanding 49 U.S.C. 41742, no essential air service shall be provided to communities in the 48 contiguous States that are located fewer than 70 highway miles from the nearest large and medium hub airport, or that require a rate of subsidy per passenger in excess of \$200 unless such point is greater than 210 miles from the nearest large or medium hub airport.

SEC. 333. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 1999.

SEC. 334. LAND CONVEYANCE, COAST GUARD STATION OCRACOE, NORTH CAROLINA. (a) AUTHORITY TO CONVEY.—The Secretary of Transportation may convey, without consideration, to the State of North Carolina (in this section referred to as the “State”), all right, title, and interest of the United States in and to a parcel of real property, together with any improvements thereon, in Ocracoke, North Carolina, consisting of such portion of the Coast Guard Station Ocracoke, North Carolina, as the Secretary considers appropriate for purposes of the conveyance.

(b) CONDITIONS.—The conveyance under subsection (a) shall be subject to the following conditions:

(1) That the State accept the property to be conveyed under that subsection subject to such easements or rights of way in favor of the United States as the Secretary considers to be appropriate for—

(A) utilities;

(B) access to and from the property;

(C) the use of the boat launching ramp on the property; and

(D) the use of pier space on the property by search and rescue assets.

(2) That the State maintain the property in a manner so as to preserve the usefulness of the easements or rights of way referred to in paragraph (1).

(3) That the State utilize the property for transportation, education, environmental, or other public purposes.

(c) REVERSION.—(1) If the Secretary determines at any time that the property conveyed under subsection (a) is not to be used in accordance with subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(2) Upon reversion under paragraph (1), the property shall be under the administrative jurisdiction of the Administrator of General Services.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under subsection (a), and any easements or rights of way granted under subsection (b)(1), shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the State.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to the conveyance under subsection (a), and any easements or rights of way granted under subsection (b)(1), as the Secretary considers appropriate to protect the interests of the United States.

SEC. 335. Notwithstanding any other provisions of law, funds appropriated in this or any other Act intended for highway demonstration projects, railroad-highway crossings demonstration projects or railroad relocation projects in Augusta, Georgia are

available for implementation of a project consisting of modifications and additions to streets, railroads, and related improvements in the vicinity of the grade crossing of the CSX railroad and 15th Street in Augusta, Georgia.

SEC. 336. Notwithstanding any other provision of law, no approval from the Secretary (other than review of the project final design) shall be required to construct additional entrances and exits between exits 57 and 58 for a pilot project to demonstrate a streamlined process for project implementation on Interstate 495 in Suffolk County, New York provided such entrances and exits are designed, constructed or otherwise authorized by the responsible state transportation agency through the appropriate state environmental process.

SEC. 337. Notwithstanding and other provision of law, the Secretary of Transportation shall enter into agreements with the New York State Department of Transportation that would allow automotive service stations or other commercial establishments for serving motor vehicle users to be sited and constructed in the vicinity of exit 51 and either exits 66, 67, or 68 of the Long Island Expressway (Interstate 495) in Suffolk County.

SEC. 338. (a) IN GENERAL.—Section 30113 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “or passenger motor vehicles from a bumper standard prescribed under chapter 325 of this title,” after “a motor vehicle safety standard prescribed under this chapter”; and

(B) in paragraph (3)(A), by inserting “or chapter 325 of this title (as applicable)” after “this chapter”;

(2) in subsection (c)(1), by inserting “, or a bumper standard prescribed under chapter 325 of this title,” after “motor vehicle safety standard prescribed under this chapter”;

(3) in subsection (d), by inserting “(including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1))” after “subsection (b)(3)(B)(i) of this section”; and

(4) in subsection (h), by inserting “or bumper standard prescribed under chapter 325 of this title” after “each motor vehicle safety standard prescribed under this chapter”.

(b) CONFORMING AMENDMENTS.—

(1) Section 32502(c) of title 49, United States Code, is amended—

(A) in the matter preceding paragraph (1), by striking “any part of a standard” and inserting “all or any part of a standard”;

(B) in paragraph (1), by striking “or” at the end;

(C) in paragraph (2), by striking the period and inserting “; or”; and

(D) by adding at the end the following:

“(3) a passenger motor vehicle for which an application for an exemption under section 30013(b) of this title has been filed in accordance with the requirements of that section.”.

(2) Section 32506(a) of title 49, United States Code, is amended by inserting “and section 32502 of this title” after “Except as provided in this section”.

SEC. 339. Of the funds made available under this Act for capital investment grants, \$20,000,000 is provided for the Norfolk-Virginia Beach Corridor project; \$1,500,000 is provided for the Massachusetts North Shore Corridor project; \$5,000,000 is provided for the San Diego Mission Valley and Mid-Coast Corridor projects; \$3,300,000 is provided for the Hartford, CT light rail project; \$200,000 is provided for the Southeast Michigan commuter rail viability study; \$2,000,000 is provided for the major investment analysis of Honolulu transit alternatives; \$2,700,000 is provided for the Stamford, CT fixed guideway connector; \$3,500,000 is provided for the

Providence-Boston commuter rail project; and \$500,000 is provided for the Old Saybrook-Hartford rail extension project.

SEC. 340. (a) LIMITATION ON FUNDS USED TO ENFORCE REGULATIONS REGARDING ANIMAL FATS AND VEGETABLE OILS.—None of the funds made available by this Act or subsequent Acts may be used by the Coast Guard to issue, implement, or enforce a regulation or to establish an interpretation or guideline under the Edible Oil Regulatory Reform Act (Public Law 104-55) or the amendments made by that Act, that does not recognize and provide for, with respect to fats, oils, and greases (as described in that Act, or the amendments made by that Act) differences in (1) physical, chemical, biological and other relevant properties; and (2) environmental effects.

(B) DEADLINE FOR PROMULGATION OF REGULATIONS.—Not later than March 31, 1999, the Secretary of Transportation shall issue regulations amending 33 C.F.R. 154 to comply with the requirements of Public Law 104-55.

SEC. 341. AMENDMENT TO SUBSECTION 110(a) OF PUBLIC LAW 96-487, 95 STAT. 2464.—Amend Subsection 110(a) of Public Law 96-487, 95 Stat. 2565 as follows: strike “airplanes” and insert in lieu thereof “aircraft”.

SEC. 342. Notwithstanding any other provision of law, funds made available under section 1503 of Public Law 105-178 may be used to support a direct loan of \$85,000,000 to the city of Reno, Nevada for the Reno Transportation Corridor project, including the grade separation of at-grade rail lines and cross streets with a primarily below-grade corridor.

SEC. 343. Within the \$25,511,000,000 obligation limitation on the federal-aid highway program, funds allocated or authorized from the highway trust fund, in Public Law 105-178 for Miller Highway in New York City, New York shall be made available to the State of New York subject to the State and local planning and environmental review process.

SEC. 344. Notwithstanding any provision of law, the Secretary of Transportation is hereby authorized to waive repayment of any Federal-aid highway funds expended on the construction of high occupancy vehicle lanes or auxiliary lanes on I-287 in the State of New Jersey. Such waiver shall not be granted by the Secretary until such time as the Secretary is assured by the State of New Jersey that removal of the high occupancy vehicle restrictions on I-287 is in the public interest.

SEC. 345. MODIFICATION OF SUBSTITUTE PROJECT IN WISCONSIN. Section 1211 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

“(a) MODIFICATION OF SUBSTITUTE PROJECT IN WISCONSIN.—Section 1045(a) of the Intermodal Surface Transportation Efficiency Act of 1991 (as amended by subsection (n) of this section) is amended in paragraph (2)—

“(1) by inserting ‘after consultation with appropriate local government officials,’ after ‘Wisconsin,’; and

“(2) by striking ‘shall’ and inserting ‘may.’”.

SEC. 346. Discretionary grants funds for bus and bus-related facilities made available under Public Law 105-66 and its accompanying conference report for the Virtual Transit Enterprise project may be used to fund any aspect of the Virtual Transit Enterprise integration of information project in South Carolina.

SEC. 347. Section 3021 of the Transportation Equity Act for the 21st Century (Public Law 105-178) is amended—

(1) in subsection (a), by inserting “or the State of Vermont” after “the State of Oklahoma”; and

(2) in subsection (b)(2)(A), by inserting “and the State of Vermont” after “within the State of Oklahoma”.

SEC. 348. Item 1132 in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 298), relating to Mississippi, is amended by striking “Pirate Cove” and inserting “Pirates’ Cove and 4-lane connector to Mississippi Highway 468”.

SEC. 349. JUDICIAL REVIEW OF CONSTITUTIONAL CLAIMS. (a) EXPEDITED CONSIDERATION.—It shall be the duty of a district court of the United States and the Supreme Court of the United States to advance on the docket and to expedite to the maximum extent practicable the disposition of any claim challenging the constitutionality of section 1101(b) of the Transportation Equity Act for the 21st Century (23 U.S.C. 101 note; 112 Stat. 113), whether on its face or as applied.

(b) APPEAL TO SUPREME COURT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any order of a district court of the United States disposing of a claim described in subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States.

(2) DEADLINES FOR APPEAL.—

(A) NOTICE OF APPEAL.—Any appeal under paragraph (1) shall be taken by a notice of appeal filed within 10 calendar days after the date on which the order of the district court is entered.

(B) JURISDICTIONAL STATEMENT.—The jurisdictional statement shall be filed within 30 calendar days after the date on which the order of the district court is entered.

(3) STAYS.—No stay of an order described in paragraph (1) shall be issued by a single Justice of the Supreme Court.

(c) APPLICABILITY.—Subsections (a) and (b) shall apply with respect to any claim filed after June 9, 1998, but before June 10, 1999.

SEC. 350. The change in definition for Amtrak capital expenses shall not affect the legal characteristics of capital and operating expenditures for purposes of Amtrak’s requirement to eliminate the use of appropriated funds for operating expenses according to Public Law 105-134. No funds appropriated for Amtrak in this Act shall be used to pay for any wage, salary, or benefit increases that are a result of any agreement entered into after October 1, 1997: *Provided*, That nothing in this Act shall affect Amtrak’s legal requirements to maintain its current system of accounting under Generally Accepted Accounting Principles: *Provided further*, That no later than 30 days after the end of each quarter beginning with the first quarter in fiscal year 1999, Amtrak shall submit to the Amtrak Reform Council and the Senate Committee on Appropriations, and the Senate Committee on Commerce, Science, and Transportation, a reporting of specific expenditures for preventative maintenance, labor, and other operating expenses from amounts made available under this Act, and Amtrak’s estimate of the amounts expected to be expended for such expenses for the remainder of the fiscal year.

SEC. 351. Section 3 of the Act of July 17, 1952 (66 Stat. 746, chapter 921), and section 3 of the Act of July 17, 1952 (66 Stat. 571, chapter 922), are each amended in the proviso—

(1) by striking “That” and all that follows through “the collection of” and inserting “That the commission may collect”; and

(2) by striking “, shall cease” and all that follows through the period at the end and inserting a period.

SEC. 352. Section 1212(m) of Public Law 105-178 is amended— (1) in the subsection heading, by inserting “, Idaho and West Virginia” after “Minnesota”; and (2) by inserting “or the States of Idaho or West Virginia” after “Minnesota”.

SEC. 353. PROHIBITIONS AGAINST SMOKING ON SCHEDULED FLIGHTS. (a) IN GENERAL.—Section 41706 of title 49, United States Code, is amended to read as follows:

“§41706. Prohibitions against smoking on scheduled flights

“(a) SMOKING PROHIBITION IN INTRASTATE AND INTERSTATE AIR TRANSPORTATION.—An individual may not smoke in an aircraft on a scheduled airline flight segment within interstate air transportation or intrastate air transportation.

“(b) SMOKING PROHIBITION IN FOREIGN AIR TRANSPORTATION.—The Secretary of Transportation shall require all air carriers and foreign air carriers to prohibit, on and after the 120th day following the date of the enactment of this section, smoking in any aircraft on a scheduled airline flight segment within the United States or between a place in the United States and a place outside the United States.

“(c) LIMITATION ON APPLICABILITY.—With respect to an aircraft operated by a foreign air carrier, the smoking prohibitions contained in subsections (a) and (b) shall apply only to the passenger cabin and lavatory of the aircraft. If a foreign government objects to the application of subsection (b) on the basis that it is an extraterritorial application of the laws of the United States, the Secretary is authorized to waive the application of subsection (b) to a foreign air carrier licensed by that foreign government. The Secretary of Transportation shall identify and enforce an alternative smoking prohibition in lieu of subsection (b) that has been negotiated by the Secretary and the objecting foreign government through a bilateral negotiation process.

“(d) REGULATIONS.—The Secretary shall prescribe regulations necessary to carry out this section.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the 60th day following the date of enactment of this Act.

SEC. 354. HAZARDOUS MATERIALS. In the case of a State that, as of the date of enactment of this Act, has in force and effect State hazardous material transportation laws that are inconsistent with Federal hazardous material transportation laws with respect to intrastate transportation of agricultural production materials for transportation from agricultural retailer to farm, farm to farm, and from farm to agricultural retailer, within a 100-mile air radius, such inconsistent laws may remain in force and effect for fiscal year 1999 only.

SEC. 355. REIMBURSEMENT FOR SALARIES AND EXPENSES. The National Transportation Safety Board shall reimburse the State of New York and local counties in New York during the period beginning on June 12, 1997, and ending on September 30, 1999, an aggregate amount equal to \$6,059,000 for costs (including salaries and expenses) incurred in connection with the crash of TWA Flight 800.

SEC. 356. SIGNAGE ON HIGHWAYS WITH RESPECT TO THE NATIONAL CEMETERY SYSTEM. (a) DEFINITIONS.—In this section:

(1) FEDERAL-AID HIGHWAY.—The term “Federal aid highway” has the meaning given that term in section 101 of title 23, United States Code.

(2) NATIONAL CEMETERY SYSTEM.—The term “National Cemetery System” means the National Cemetery System, which is managed by the Secretary of Veterans Affairs.

(3) STATE.—The term “State” has the meaning given that term in section 101 of title 23, United States Code.

(b) FEDERAL-AID HIGHWAYS.—The Secretary of Transportation may encourage States to take such action as may be necessary to ensure that, for each cemetery of the National

Cemetery System that is located in the proximity of any Federal-aid highway, there is sufficient and appropriate signage along that highway to direct visitors to that cemetery.

(c) STATE HIGHWAYS.—Nothing in subsection (b) is intended to affect the provision of signage by a State along a State highway to direct visitors to a cemetery of the National Cemetery System.

This Act may be cited as the “Department of Transportation and Related Agencies Appropriations Act, 1999”.

AUTHORIZING TESTIMONY AND REPRESENTATION OF SENATE EMPLOYEE

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 258, submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 258) to authorize testimony and representation of Senate employee in *State of Tennessee v. Ronald W. Byrd*.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a request for testimony in a criminal trespass action pending in the Court of General Sessions for Sullivan County, Tennessee. The case involves an incident at Senator FRED THOMPSON'S Blountville office in which an individual refused to leave the premises and was arrested by public safety personnel for trespassing. The State is seeking testimony from the Senator's caseworker who has knowledge of these events.

This resolution would authorize the caseworker to testify, except where a privilege should be asserted, with representation by the Senate Legal Counsel.

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; that the motion to reconsider be laid upon the table; and that a statement of explanation appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 258) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 258

Whereas, in the case of *State of Tennessee v. Ronald W. Byrd*, Case No. S 113068, pending in the Court of General Sessions for Sullivan County, Tennessee, testimony has been requested from Kathy Tipton, an employee in the office of Senator Fred Thompson;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Kathy Tipton is authorized to testify in the case of *State of Tennessee v. Ronald W. Byrd*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Kathy Tipton in connection with the testimony authorized in section one of this resolution.

ORDERS FOR WEDNESDAY, JULY 29, 1998

Mr. CAMPBELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, July 29. I further ask unanimous consent that when the Senate reconvenes on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then resume consideration of S. 2312, the Treasury-Postal appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAMPBELL. I further ask unanimous consent that after the clerk reports the bill, Senator ASHCROFT be recognized to offer an amendment regarding the marriage penalty.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAMPBELL. I further ask unanimous consent that the Senate stand in recess on Wednesday from 12:30 p.m. to 2:15 p.m. to allow the weekly party caucuses to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Reserving the right to object, Mr. President, I ask the chairman if he is stating which amendments can be offered and no others.

Mr. CAMPBELL. No.

Mr. DOMENICI. I thank the chairman.

PROGRAM

Mr. CAMPBELL. Mr. President, for the information of all Senators, when the Senate reconvenes on Wednesday, Senator ASHCROFT will be recognized to offer his marriage penalty amendment. It is hoped that following approximately 2 hours of debate on the amendment, the Senate will vote on a motion to table the Ashcroft amendment. Following that vote, it is hoped that Members will come to the floor to offer and debate remaining amendments to the Treasury bill.

Upon disposition of the Treasury appropriations bill, the Senate may begin consideration of the foreign operations