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109TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 109–153

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2006

JUNE 24, 2005.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. KNOLLENBERG, from the Committee on Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 3058]

The Committee on Appropriations submits the following report in explanation of the accomopanying bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006.

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OPERATING PLAN AND REPROGRAMMING PROCEDURES

The Committee continues to have a particular interest in being informed of reprogrammings which, although they may not change either the total amount available in an account or any of the purposes for which the appropriation is legally available, represent a significant departure from budget plans presented to the Committee in an agency's budget justifications and supporting documents, the basis of this appropriations Act.

Consequently, the Committee directs the departments, agencies, boards, commissions, corporations and offices funded at or in excess of $100,000,000 in this bill, to consult with the Committee prior to each change from the approved budget levels in excess of $500,000 between programs, activities, object classifications or elements unless otherwise provided for in the Committee report accompanying this bill. For agencies, boards, commissions, corporations and offices funded at less than $100,000,000 in this bill, the reprogramming threshold shall be $250,000 between programs, activities, initiatives object classifications or elements unless otherwise provided for in the Committee report accompanying this bill. Additionally, the Committee expects to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts. If such actions would have the effect of significantly

changing an agency's funding requirements in future years, or if programs or projects specifically cited in the Committee's reports are affected by the reprogramming, the reprogramming must be approved by the Committee regardless of the amount proposed to be moved. Furthermore, the Committee wishes to be consulted regarding reorganizations of offices, programs, and activities prior to the planned implementation of such reorganizations.

The Committee also directs that the Departments of Transportation, Treasury and Housing and Urban Development, as well as the Judiciary, the General Services Administration, and the Office of Personnel Management, shall submit operating plans, signed by the respective secretary, administrator, or agency head, for the Committee's review within 60 days of the bill's enactment.

RELATIONSHIP WITH BUDGET OFFICES

Through the years, the Committee has channeled most of its inquiries and requests for information and assistance through the budget offices of the various departments, agencies, and commissions. The Committee has often pointed to the natural affinity and relationship between these organizations and the Committee which makes such a relationship workable. The Committee reiterates its longstanding position that while the Committee reserves the right to call upon all offices in the departments, agencies, and commissions, the primary conjunction between the Committee and these entities must normally be through the budget offices. The Committee appreciates all the assistance received from each of the departments, agencies, and commissions during the past year. The workload generated by the budget process is large and growing, and therefore, a positive, responsive relationship between the Committee and the budget offices is absolutely essential to the appropriations process.

THE EFFECT OF GUARANTEED SPENDING

Over the objections of the Appropriations and Budget Committee, in 1998 the Transportation Equity Act for the 21st Century (TEA-21) amended the Budget Enforcement Act to provide two new additional spending categories or "firewalls", the highway category and the mass transit category. The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21) provided a similar treatment for certain aviation programs. Although using different procedures, each of these Acts produced the same results: they significantly raised spending, and they have had the effect of prohibiting the Appropriations Committee from reducing those spending levels in the annual appropriations process. As the Committee noted during deliberations on these bills, the Acts essentially created mandatory spending programs within the discretionary caps. This undermines Congressional flexibility to fund other equally important programs not protected by funding guarantees and to address emerging priorities, such as homeland security and overseas military requirements, within projected budget totals. The reorganization of the Committee in the 108th Congress posed additional challenges in this regard, because funding guarantees for selected transportation programs compete in the budget process against funding for non-transportation agencies such as the De-

partment of Housing and Urban Development, Office of National Drug Control Policy, enforcement of anti-terrorism and money laundering activities in the Treasury Department, the Internal Revenue Service, and the General Services Administration as well as the Judiciary. As in past years, the Committee has done all in its power, considering this environment, to produce a balanced bill providing adequately for all modes of transportation as well as all non-transportation programs under the jurisdiction of this bill.

Although the funding guarantees in AIR–21 were extended in the Vision-100 Century of Aviation Reauthorization Act last year, the guarantees of TEA–21 expired on September 30, 2003. The Committee's recommendations were developed based on the very generous funding levels in H.R. 3, the Transportation Equity Act, A Legacy for Users. As reauthorization of our surface transportation programs continues to be debated during the current session of Congress, the Committee wants to make clear that the continued use of spending guarantees to "wall-off" parts of the discretionary budget for particular constituencies could cause both transportation and non-transportation programs across the government to be under more severe budget pressure, in order to keep the overall budget in balance. The effect of maintaining and enforcing these guarantees would leave its mark on non-covered programs and activities in this bill, since they must compete for leftover funding. The Committee continues to believe that funding guarantees skew transportation priorities inappropriately, by providing increases to highway, transit, and airport spending while leaving safety-related operations in the FAA and FRA, as well as critical housing financial, and judicial programs, to scramble for the remaining resources.

TABULAR SUMMARY

A table summarizing the amounts provided for fiscal year 2005 and the amounts recommended in the bill for fiscal year 2006 compared with the budget estimates is included at the end of this report.

COMMITTEE HEARINGS

The Committee has conducted extensive hearings on the programs and projects provided for in this bill. Pursuant to House rules, each of these hearings was open to the public. The Committee received testimony from cabinet officers, agency heads, inspectors general, and other officials of the executive branch in areas under the bill's jurisdiction. In addition, the Committee has considered written material submitted for the hearing record by Members of Congress, private citizens, local government entities, and private organizations. The bill recommendations for fiscal year 2006 have been developed after careful consideration of all the information available to the Committee.

PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2006, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms "program, project, and activity" shall mean

any item for which a dollar amount is contained in an appropriations Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided, as well as to capital investment grants, Federal Transit Administration. In addition, the percentage reductions made pursuant to a sequestration order to funds appropriated for facilities and equipment, Federal Aviation Administration shall be applied equally to each "budget item" that is listed under said accounts in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriations Acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Appropriation, fiscal year 2005 [1]	$86,536,000
Budget request, fiscal year 2006	87,046,000
Recommended in the bill	84,913,000
Bill compared with:	
Appropriation, fiscal year 2005	−1,623,000
Budget request, fiscal year 2006	−2,133,000

[1] Includes across the board reduction of .8 percent.

COMMITTEE RECOMMENDATION

The bill provides $84,913,000 for the salaries and expenses of the various offices comprising the office of the secretary. The following table compares the fiscal year 2005 enacted level to the fiscal year 2006 budget estimate and the Committee's recommendation by office:

	Fiscal year 2005 enacted [1]	Fiscal year 2006 estimate	House recommended
Immediate office of the secretary	$2,202,000	$2,198,000	$2,198,000
Office of the deputy secretary	699,000	698,000	698,000
Office of the executive secretariat	1,444,000	1,442,000	1,442,000
Office of the under secretary of transportation for policy	12,526,000	11,680,000	11,680,000
Board of contract appeals	698,000	697,000	697,000
Official of small and disadvantaged business utilization	1,268,000	1,265,000	1,265,000
Office of the chief information officer	11,301,000	11,895,000	11,895,000
Office of the assistant secretary for governmental affairs	2,297,000	2,293,000	2,052,000
Office of the general counsel	15,272,000	15,183,000	15,183,000
Office of the assistant secretary for budget and programs	8,504,000	9,485,000	7,593,000
Office of the assistant secretary for administration	23,249,000	23,139,000	23,139,000
Office of public affairs	1,914,000	1,910,000	1,910,000
Office of intelligence and security	2,037,000	2,033,000	2,033,000
Office of emergency transportation	3,125,000	3,128,000	3,128,000
Total	$86,536,000	$87,046,000	$84,913,000

[1] Includes across the board reduction of .8 percent.

Funding for individual offices.—The Committee's recommendations include individual funding for all of the offices within the office of the secretary, as has been done in past years, rather than

consolidating them as proposed in the budget request. In each instance, the recommendation provides a small funding increase over the fiscal year 2005 enacted levels to fund the estimated fiscal year 2006 civilian pay increase, inflation, and other mandatory increases as requested, unless otherwise noted in the sections that follow.

Office of the general counsel.—The Committee recommends $15,183,000 for the office of the general counsel in fiscal year 2006. This level should fully fund 104 full time equivalent staff years (FTEs) as described in the budget justification, which includes $150,000 as requested for one additional FTE for the office of emergency transportation's litigation caseload and three additional FTEs for which no new funding was requested.

Office of the assistant secretary for governmental affairs.—The Committee recommends $2,052,000 for the office of governmental affairs, which represents a cut in funding below the fiscal year 2005 enacted level.

When there is a legislative issue of importance to the department, the Committee expects the office of the secretary to contact the majority and minority staff of both the House and the Senate Committees on Appropriations.

Additionally, the annual appropriations bill for the Department of Transportation directs the department to notify the Committee no less than three full business days before any grant totaling $1,000,000 is announced. In fiscal year 2005, due to the fact that funding for some programs was released incrementally as the result of enactment of a series of extension acts, the Committee was not notified prior to the announcement of dozens of grants where the incremental amount being released at the time was less than $1,000,000, even though the total amount of the grant was over $1,000,000. Although the department may feel as though it did not violate the letter of the law on grant announcements, it most certainly violated the spirit of this provision. The bill once again includes a provision that prohibits the Secretary of Transportation from issuing funds for any grant unless the House and Senate Committees on Appropriations have been notified not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations. In addition, due to the possibility that certain programs may again face incremental funding in fiscal year 2006, the Committee directs the department to consider grants based on their full-year funding level, not just the incremental amount being released, when complying with this grant announcement provision.

Office of the assistant secretary for budget and programs.—The Committee's recommendation of $7,593,000 for fiscal year 2006 is 20% below the request and 11% below the fiscal year 2005 enacted level. As part of this reduction, the request for two additional FTEs for oversight of the department's credit programs is denied due to inadequate justification. The Committee also denies the department's request to hire contract support for these credit programs.

Through the years, the Committee has channeled most of its inquiries and requests for information and assistance through the budget offices of the various modal administrations. The Committee has often pointed to the natural affinity and relationship be-

tween these offices and the Committee which makes such a relationship workable. The Committee reiterates its longstanding position that, while the Committee reserves the right to call upon all offices within the department, the primary communication between the Committee and the department must normally be through the budget offices. As such, the Committee expects to have uninhibited access to the budget officers in the modal administrations, especially when questions arise or when additional information is needed pertaining to the budget justifications. The Committee will not tolerate continued interference by the office of the secretary in these matters. The Committee appreciates all the assistance received from each of the offices within the department and the modal administrations during the past year. The workload generated by the budget process is large and growing, and therefore, a positive, responsive relationship between the Committee and the budget offices is absolutely essential to the appropriations process.

Congressional budget justifications.—The past few years, the Committee has urged the department to improve the quality of the budget submissions. However, once again, there were significant inconsistencies in the quality and type of information provided in the department's budget documents. The Committee expects the office of the assistant secretary for budget and programs to take a stronger role in ensuring that the same quality of information is supplied by each of the modal administrations within the department. Similarly, the Committee has had numerous discussions with departmental staff regarding the type of information and the level of detail that should be provided in the Congressional justification materials. In fact, in last year's report, the Committee directed the department to include the same level of detail that was provided in the Congressional justifications presented in fiscal year 2003. Yet, many of the budget documents submitted for fiscal year 2006 did not adhere to that standard. Therefore, the Committee once again directs the department to submit its fiscal year 2007 Congressional justification materials at the same level of detail provided in the Congressional justifications presented in fiscal year 2003. Further, the department is directed to include in the budget justification funding levels for the prior year, current year, and budget year for all programs, activities, initiatives, and program elements. Each budget submitted by the department must also include detailed justification for the incremental funding increases and additional FTEs being requested above the enacted level, by program, activity, or program element.

Operating plan.—The Committee directs the department to submit an operating plan for fiscal year 2006, signed by the secretary for review by the Committees on Appropriations of both the House and Senate within 60 days of the bill's enactment. The operating plan should include funding levels for the various offices, programs and initiatives detailed down to the object class or program element covered in the budget justification and supporting documents or referenced in the House and Senate appropriations reports, and the statement of the managers.

Form M.—The Committee is concerned that the Department of Transportation allowed the motor carriers financial and operating statistics survey (Form M data) to lapse in March of 2005 despite direction to the contrary in the statement of managers accom-

panying the Transportation, Treasury, Independent Agencies, and General Government Appropriations Act, 2005. The fiscal year 2005 statement of managers denied the request to transfer responsibility and funding for the Form M data from the Bureau of Transportation Statistics (BTS) to FMCSA but it was not the Conferees intent to let the collection and reporting of survey data lapse. In fact, the report accompanying the fiscal year 2005 Senate transportation appropriations bill stated, "these activities should remain within the province of the BTS, which receives sufficient funding to continue these activities." Collection of this data is important because it provides safety-related information on motor carriers and is widely used by the industry. The Secretary of Transportation is directed to immediately resume the motor carrier financial and operating statistics survey. The secretary is directed to provide a report within 30 days of the bill's enactment to the Committees on Appropriations of both the House and Senate that identifies the agency responsible for the survey and the funds to be allocated to this priority during fiscal year 2006.

Bill language.—Language prohibiting funding for the assistant secretary for public affairs position has been retained from last year. Also, the bill continues language that permits up to $2,500,000 of fees to be credited to the office of the secretary for salaries and expenses.

OFFICE OF CIVIL RIGHTS

Appropriation, fiscal year 2005 [1]	$8,630,400
Budget request, fiscal year 2006	8,550,000
Recommended in the bill	8,550,000
Bill compared with:	
Appropriation, fiscal year 2005	−80,400
Budget request, fiscal year 2006	

[1] Includes across the board reduction of .8 percent.

The office of civil rights is responsible for advising the secretary on civil rights and equal opportunity matters and ensuring full implementation of civil rights opportunity precepts in all of the department's official actions and programs. This office is responsible for enforcing laws and regulations that prohibit discrimination in federally operated and federally assisted transportation programs. This office also handles all civil rights cases related to department of Transportation employees. The recommendation provides $8,550,000 for the office of civil rights, the same as the budget request.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Appropriation, fiscal year 2005 [1]	$19,840,000
Budget request, fiscal year 2006	9,030,000
Recommended in the bill	40,613,000
Bill compared with:	
Appropriation, fiscal year 2005	+20,773,000
Budget request, fiscal year 2006	+31,583,000

[1] Includes across the board reduction of .8 percent.

This appropriation finances those research activities and studies concerned with planning, analysis, and information development needed to support the secretary's responsibilities in the formulation of national transportation policies. It also finances the staff necessary to conduct these efforts. The overall program is carried out

primarily through contracts with other federal agencies, educational institutions, nonprofit research organizations, and private firms.

The Committee recommends an appropriation of $40,613,000 for transportation planning, research and development, an increase of $20,773,000 above the fiscal year 2005 enacted level and $31,583,000 above the budget request. Within the funds provided, the Committee directs the secretary to provide $10,000,000 to support the orderly discontinuation of Amtrak's mail and express service; and $20,000,000 to be held in reserve, which may be transferred to the Surface Transportation Board in order to carry out directed service should Amtrak cease operations.

WORKING CAPITAL FUND

Appropriation, fiscal year 2005	($129,002,000)
Budget request, fiscal year 2006 [1]	.....
Recommended in the bill	(120,014,000)
Bill compared with:	
Appropriation, fiscal year 2005	(−8,988,000)
Budget request, fiscal year 2006	(+120,014,000)

[1] Proposed without limitation.

The working capital fund (WCF) was created to provide common administrative services to the various modes and outside entities that desire those services for economy and efficiency. The fund is financed through negotiated agreements with the department's operating administrations and other governmental elements requiring the center's capabilities.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $120,014,000 on the working capital fund. The budget request proposed a limitless program level for the fund in fiscal year 2006. The Committee's recommendation is appropriate considering the funding levels of the operations and administrative accounts.

Modal usage of WCF.—Consistent with past practice, the Committee directs the department, in its fiscal year 2007 Congressional justifications for each of the modal administrations, to account for increases or decreases in WCF billings based on planned usage requested or anticipated by the modes rather than anticipated by WCF managers.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

	Appropriation	*Limitation on guaranteed loans*
Appropriation, fiscal year 2005	$892,800	($18,367,000)
Budget request, fiscal year 2006	900,000	(18,367,000)
Recommended in the bill	900,000	(18,367,000)
Bill compared to:		
Appropriation, fiscal year 2005	+7,200	(.....)
Budget request, fiscal year 2006	.....	(.....)

The minority business resource center of the office of small and disadvantaged business utilization provides assistance in obtaining short-term working capital and bonding for disadvantaged, minority, and women-owned businesses. The program enables qualified businesses to obtain loans at prime interest rates for transportation-related projects.

The recommendation fully funds the budget request of $500,000 to cover the subsidy costs for the loans, not to exceed $18,367,000, and $400,000 for administrative expenses to carry out the guaranteed loan program.

MINORITY BUSINESS OUTREACH

Appropriation, fiscal year 2005 [1]	$2,976,000
Budget request, fiscal year 2006	3,000,000
Recommended in the bill	3,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+24,000
Budget request, fiscal year 2006	.....

[1] Includes across the board reduction of .8 percent.

This appropriation provides contractual support to assist minority business firms, entrepreneurs, and venture groups in securing contracts and subcontracts arising out of projects that involve federal spending. It also provides grants and contract assistance that serves DOT-wide goals. The Committee has provided $3,000,000 for this program, $24,000 above the fiscal year 2005 funding level and equal to the budget request.

NEW HEADQUARTERS BUILDING

Appropriation, fiscal year 2005 [1]	$67,456,000
Budget request, fiscal year 2006	100,000,000
Recommended in the bill	100,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+32,544,000
Budget request, fiscal year 2006	.....

[1] Includes across the board reduction of .8 percent.

This appropriation finances fiscal year 2006 costs for the new Department of Transportation headquarters building, which would consolidate all of the department's headquarters operating administration functions (except the Federal Aviation Administration) from various locations around the Washington, D.C. metropolitan area into a leased building within the central employment area of the District of Columbia.

The Committee's recommendation includes $100,000,000 in fiscal year 2006 for the new headquarters building, $32,544,000 above the fiscal year 2005 funding level and equal to the budget request. The Committee commends the department for its efforts to adequately answer all of the questions raised regarding the funding of this building.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2005 [1]	$51,584,000
Budget request, fiscal year 2006	.....
Recommended in the bill	54,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+2,416,000
Budget request, fiscal year 2006	+54,000,000

[1] Includes across the board reduction of .8 percent.

The Essential Air Service (EAS) program was originally created by the Airline Deregulation Act of 1978 as a temporary measure to continue air service to communities that had received federally mandated air service prior to deregulation. The program currently

provides subsidies to air carriers serving small communities that meet certain criteria.

The Federal Aviation Administration Reauthorization Act of 1996 (Public Law 104–264) authorized the collection of user fees for services provided by the Federal Aviation Administration (FAA) to aircraft that neither take off from, nor land in the United States, commonly known as overflight fees. In addition, the Act permanently appropriated these fees for authorized expenses of the FAA and stipulated that the first $50,000,000 of annual fee collections must be used to finance the EAS program. In the event of a shortfall in fees, the law requires FAA to make up the difference from other funds available to the agency.

The fiscal year 2006 budget proposes to fund the EAS program at a total of $50,000,000, solely from new overflight fee collections credited to the Airport and Airway Trust Fund. The Committee finds the budget proposal unrealistic considering that in fiscal year 2005 the department came to the Committee seeking additional funding for the EAS program as several communities were in jeopardy of losing air service.

The Committee recommends a total program level of EAS in fiscal year 2006 of $104,000,000, roughly a $2,000,000 increase above the level provided in fiscal year 2005. This funding consists of an appropriation of $54,000,000 and $50,000,000 to be derived from new overflight fee collections.

The Committee includes language to ensure prompt availability of funds for obligation to air carriers providing service under the EAS program. The language removes an unintended penalty whereby if $50,000,000 is made immediately available by the FAA to the EAS program at the beginning of each fiscal year, the FAA must take that amount from its appropriations, without the ability to credit back amounts transferred from the FAA once sufficient overflight fees are available. Without this language, the result would be a permanent reduction in the appropriations to the FAA. The Committee has also included language that allows the secretary to take into consideration the subsidy requirements of carriers when selecting between carriers competing to provide service to a community.

The bill includes a provision (sec. 182) prohibiting the use of funds to implement the essential air service local participation program.

The Committee is concerned that the Department of Transportation has yet to implement the code-sharing pilot program required under section 406 of the Vision 100—Century of Aviation Reauthorization Act (49 Stat. 41731 note; 117 Stat. 2545). The implementation of this pilot program will increase the number of viable transportation options available to small communities by giving communities more options and fostering competition among non-aligned commuter carriers. The Committee feels that this pilot program has the potential to improve air service in rural communities, leading to decreased dependency on Essential Air Service and other government subsidies. The Committee strongly recommends that the Department implement this pilot program.

FEDERAL AVIATION ADMINISTRATION

The Federal Aviation Administration (FAA) is responsible for the safety and development of civil aviation and the evolution of a national system of airports. The Federal Government's regulatory role in civil aviation began with the creation of an Aeronautics Branch within the department of Commerce pursuant to the Air Commerce Act of 1926. This Act instructed the Secretary of Commerce to foster air commerce; designate and establish airways; establish, operate, and maintain aids to navigation; arrange for research and development to improve such aids; issue airworthiness certificates for aircraft and major aircraft components; and investigate civil aviation accidents. In the Civil Aeronautics Act of 1938, these activities were subsumed into a new, independent agency named the Civil Aeronautics Authority.

After further administrative reorganizations, Congress streamlined regulatory oversight in 1957 with the creation of two separate agencies, the Federal Aviation Agency and the Civil Aeronautics Board. When the Department of Transportation began its operations on April 1, 1967, the Federal Aviation Agency was renamed the Federal Aviation Administration (FAA) and became one of several modal administrations within the department. The Civil Aeronautics Board was later phased out with enactment of the Airline Deregulation Act of 1978, and ceased to exist at the end of 1984. FAA's mission expanded in 1995 with the transfer of the Office of Commercial Space Transportation from the Office of the Secretary, and decreased in December 2001 with the transfer of civil aviation security activities to the new Transportation Security Administration.

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2005	$7,712,800,000
Budget request, fiscal year 2006	8,201,000,000
Recommended in the bill	8,192,920,000
Bill compared with:	
Appropriation, fiscal year 2005	+480,120,000
Budget request, fiscal year 2006	−8,077,000

This appropriation provides funds for the operation, maintenance, communications, and logistical support of the air traffic control and air navigation systems. It also covers administrative and managerial costs for the FAA's regulatory, international, medical, engineering and development programs as well as policy oversight and overall management functions.

The operations appropriation includes the following major activities: (1) operation on a 24-hour daily basis of a national air traffic system; (2) establishment and maintenance of a national system of aids to navigation; (3) establishment and surveillance of civil air regulations to assure safety in aviation; (4) development of standards, rules and regulations governing the physical fitness of airmen as well as the administration of an aviation medical research program; (5) administration of the acquisition, research and development programs; (6) headquarters, administration and other staff offices; and (7) development, printing, and distribution of aeronautical charts used by the flying public.

COMMITTEE RECOMMENDATION

The Committee recommends $8,192,920,000 for FAA operations, an increase of $480,120,000 (6.2 percent) above the level provided in fiscal year 2005, and $8,077,000 below the budget request. Within the funds provided, the Committee includes $150,000,000 for competitive sourcing for flight service stations transition costs.

A comparison of the fiscal year 2006 budget estimate to the Committee recommendation by budget activity is as follows:

Budget activity	FY06 estimate	FY06 recommended
Air traffic organization	$6,647,305,000	$6,424,229,000
Research and acquisition	(1)	222,171,000
Flight Service Stations A–76	150,000,000	150,000,000
Aviation safety	941,742,000	951,042,000
Commercial space transportation	11,759,000	11,759,000
Financial services	(2)	50,583,000
Human resources	(2)	69,943,000
Region and center operations	(2)	150,744,000
Staff offices	450,191,000	140,337,000
Information services	(2)	36,612,000
Account-wide adjustments		−14,500,000
Total	8,200,997,000	8,192,920,000

[1] Estimate includes $222,171,000 under ''Air traffic organization''.
[2] Estimate includes such funds under ''Staff offices'', as follows: Financial services, $50,983,000; Human resources, $69,943,000; Region and center operations coordination, $150,744,000; Office of information services, $36,612,000.

TRUST FUND SHARE OF FAA BUDGET

The bill derives $11,769,000,000 of the total appropriation from the airport and airway trust fund. The balance of the appropriation ($3,206,920,000) will be drawn from the general fund of the Treasury. Under these provisions, 79.3 percent of the FAA's operating costs will be borne by air travelers and industries using those services. The remaining 21.6 percent will be borne by the general taxpayer, regardless of whether they directly utilize FAA services.

STATE OF THE AIRPORT AND AIRWAY TRUST FUND

According to Administration estimates, fiscal year 2006 will continue the recent trend where necessary outlays for FAA programs outstrip the revenues from aviation users deposited into the airport and airway trust fund. The following table compares trust fund revenue to trust fund outlays for the past three fiscal years. As the table indicates, under current estimates the Federal Government is not only spending all the revenues coming into the trust fund, it is going beyond that, and spending down the cash balance. The Administration estimates that, at the end of fiscal year 2006, the uncommitted cash balance in the trust fund will be approximately $1,195,000,000. This represents a drop of 51 percent from the figure two years before.

	Fiscal year 2004	Fiscal year 2005	Fiscal year 2006
Trust fund revenue [1]	$9,687,000,000	$11,092,000,000	$11,921,000,000
Trust fund outlays	10,415,000,000	11,165,000,000	12,660,000,000
Difference	−728,000,000	−73,000,000	−739,000,000

[1] Includes excise taxes, offsetting collections, and interest on trust fund cash balance.

It is imperative for the agency to lower its operating costs and find ways to be more efficient in all its operations. For several

years, the Committee has indicated that improvement was needed in the area of personnel costs. Although the Committee did not receive timely information on the average full-time equivalent (FTE) workyear cost for fiscal year 2006, the fiscal year 2005 level was $130,957. FAA's workyear costs have historically been among the highest of all federal agencies, and increased 22 percent over the four year period covering fiscal years 2001 through 2005. Average sick leave costs historically have been 20 percent higher than the government average, raising the agency's staffing costs. The current average yearly sick leave consumed is 11.23 days per FAA employee. In addition, special pays will cost the agency $364,015,000 in fiscal year 2006, an increase of 3 percent over the previous year.

Given the severe budget constraints facing the nation, the Committee directs FAA to continue focusing on ways to reduce sick leave, to improve productivity and lessen the need for additional staffing resources in future years.

The Committee notes that the agency has made some progress in the area of the memoranda of understanding (MOU) entered into with different bargaining units at the regional, local and national level, outside the national collective bargaining agreement. FAA has begun to track the number of MOUs in a recently established database, and has implemented a process to accept new or renegotiate existing MOUs. The FAA indicates it will renegotiate those that infringe on management's reserved rights under federal labor laws, are too costly, or make no business sense. Currently, there are 3,238 MOUs in the database. In fiscal year 2005, 37 new MOUs were signed, and 49 are pending review. Given the number of total, new, and pending MOUs and their potential implications to the agency, the Committee directs the Inspector General to provide a follow-up to its September 12, 2003 report on FAA management and controls over MOUs.

AIR TRAFFIC SERVICES

The bill provides $6,424,229,000 for air traffic services, a reduction of $223,076,000 from the budget request. These resources would be managed by FAA's air traffic organization. Recommended adjustments to the budget estimate are listed and described below:

	Amount
Contract tower base program	+$3,200,000
Contract tower cost-sharing program	+395,000
Restoration of Research and Acquisitions office	−222,171,000
Management of MOUs and MOAs	−500,000
BTS aviation statistics	−4,000,000

Contract tower program.—The bill includes $90,500,000, an increase of $3,200,000 above the budget estimate, to continue the contract tower base program. The President's budget inflated the program and did not reflect the estimate for new contracts being negotiated during fiscal year 2006, or costs to continue operations at an estimated 15 new towers entering the program during fiscal year 2006.

In addition, the bill provides $7,500,000, an increase of $395,000 above the budget estimate, to continue the contract tower cost-sharing program. The Committee continues to believe this is a valuable program that provides safety benefits to small communities. Communities in this program as of May 22, 2005 are shown below:

Airport name	State
King Salmon	AK
Fayetteville	AR
Springdale	AR
Laughlin/Bullhead City	AZ
Hawthorne	CA
Waterbury/Oxford	CT
Macon	GA
Bloomington	IN
Columbus Municipal	IN
Gary Regional	IN
Muncie/Delaware County	IN
Garden City	KS
Manhattan	KS
Barkley regional (Paducah)	KY
Worcester	MA
Sawyer	MI
Jefferson City	MO
Joplin Regional	MO
Concord	NC
Kinston	NC
Smith Reynolds (Winston-Salem)	NC
Hickory Regional	NC
Lebanon Municipal	NH
Lea County/Hobbs	NM
Elko	NV
Oneida County	NY
Stillwater	OK
Latrobe	PA
Williamsport/Lycoming County	PA
Greenville Donaldson Center	SC
Grand Strand/Myrtle Beach	SC
McKeller-Sipes (Jackson)	TN
Walla Walla Regional	WA
Morgantown	WV

Restoration of research and acquisition office.—The Committee recommendation restores funding for a separate office of research and acquisition. The President's budget proposed to transfer this funding to the air traffic organization. Inasmuch as not all research and acquisition staffing is related to air traffic services activities, and in recognition that there are separate appropriations for these important activities, the Committee maintains the traditional budget structure.

Management of MOUs and MOAs.—Recognizing that the improvements in the MOU process and oversight are likely to result in reduced operating costs, the Committee assumes cost savings of $500,000 from this effort.

Controller staffing.—According to FAA, the agency expects that over the next 10 years, 73 percent of its 15,000 controllers will become eligible to retire. Consistent with its 10 year staffing plan, the FAA budget assumes hiring of 1,249 new controllers. This hiring will be offset by the estimated loss of 654 controllers. The bill includes $24,875,000 for salaries, benefits, training, and ancillary support costs associated with a net increase of 595 in controller work force.

The Committee agrees with FAA that a one for one replacement of retiring controllers is not prudent, as it would not assume productivity improvements from procedural changes, facility consolidation, or even new technology. The Committee believes the business-like mindset of the air traffic organization, as well as the unusual flexibility provided to the agency through personnel and procure-

ment reform, will make such productivity improvements a reality and lessen the need for additional personnel. In addition, many controllers working traffic today are certified to work traffic, but are not yet certified professional controllers (CPC). FAA data indicates that new controllers are sent to an operational facility within four months of initial qualification training, not three years. FAA also has issued regulations to waive the mandatory retirement age of 56 for controllers. The Committee believes that this is a good hedge against the retirement surge in future years. Further, the FAA expects to complete an analysis in December of staffing needs for each facility based on its size, complexity and traffic volume. This important analysis will provide a more accurate estimate of needs.

Airway facilities technical workforce.—The bill provides a total of $5,400,000, consistent with the budget request, to hire and train 258 additional maintenance technicians. A recent arbitration ruling upheld the contractual requirement that FAA maintain a minimum level (6,100) of technical staff (systems specialists, electronics technicians, and computer specialists) for maintenance of the air traffic control equipment. This staffing level is contained in the Professional Airways System Specialists (PASS) Union Contract signed in January 2000.

Bureau of transportation statistics studies.—The Committee denies the $4,000,000 requested for aviation statistical studies to be conducted by bureau of transportation statistics. It is not clear to the Committee how these studies will be relevant to FAA's mission.

New York/New Jersey airspace redesign.—No funds made available for national airspace redesign may be used to prepare the environmental impact statement for the redesign of the New York/New Jersey/Philadelphia regional airspace, or to conduct any work as part of the review of the redesign project conducted under the National Environmental Policy Act and related laws, as long as the FAA fails to consider noise mitigation.

COMPETITIVE SOURCING FOR FLIGHT SERVICE STATIONS

The bill provides $150,000,000 for competitive sourcing for flight service stations, consistent with the budget request.

AVIATION SAFETY

The bill provides $951,042,000 for aviation safety, an increase of $47,760,666 above the fiscal year 2005 level and $9,300,000 above the budget request. Recommended adjustments to the budget are described below.

	Amount
Additional safety inspectors and engineers	+$8,000,000
Safety and security analytics	+1,000,000
Professional Aerial Application support system	+50,000
Certification of upset training program	+250,000

Aviation safety inspectors.—The Committee provides $15,103,000 for aviation safety personnel, an increase of $8,000,000 over the budget estimate. The budget assumes the office of aviation safety will attrit 151 full time equivalents (FTEs) during fiscal year 2005. The Committee understands that actual attrition appears to be 125 to 170 FTEs and that the Air Transportation Oversight System

(ATOS) may affect the number of inspectors required to ensure safety.

The Committee notes that loss of certification staff has negatively impacted the domestic aviation industry's ability to bring new products to the marketplace, and in turn affect global leadership and competitiveness. Therefore, the Committee directs that $4,000,000 of the $8,000,000 additional provided will result in a total FTE level in the office of aircraft certification of 1,189. The remaining $4,000,000 above the request shall be available to increase inspectors in the office of flight standards.

Funds provided for the offices of aircraft certification and flight standards shall not be reprogrammed for any other purpose within or outside of the aviation safety office, including hiring other types of personnel within aviation safety. Further, this is designated as a special Congressional item of interest. The Committee directs the Secretary to provide a summary by March 1, 2006 regarding the use of the funds provided, including, but not limited to the total FTE in the offices of aircraft certification and flight standards, total employees, vacancies, positions under active recruitment to the House and Senate Committees on Appropriations.

The Committee directs the FAA to issue a report on the publication and implementation of final regulations implementing organizational designation authority to increase efficiency within the office of aircraft certification.

Safety inspections of air carriers.—In 1998, the FAA began implementation of the Air Transportation Oversight Systems (ATOS). Under this system, FAA inspectors are to use data analysis to focus their inspections on areas that pose the greatest safety risks and to shift the focus of those inspections in response to changing conditions within air carrier operations. In 1999, FAA began to transition the remaining air carriers to the ATOS system. In 2002, the Inspector General reported that ATOS program was conceptually sound, and suggested improvements, each of which the FAA implemented. The IG issued a second report on June 3, 2005 that again stated that the program was conceptually sound. However, it identified opportunities to fully implement the program to enhance FAA's ability to perform safety oversight of air carriers in transition. The IG stated that implementation of its recommendations will make a safe aviation system even stronger, and the FAA has agreed to implement the recommendations. This Committee directs the FAA to provide a report of the House and Senate Committees on Appropriation by March 1, 2006 on the status of implementing the IG's recommendations.

Safety and security analytics project.—The recommendation includes $1,000,000 to initiate the safety and security analytics project. Current software is available to analyze electronic text found in descriptions of accidents, incidents, pilot and controller reports, and other databases to determine trends, patterns, and anomalies earlier than using other methods. This technology will help FAA meet its long-term goal of reducing the fatal accident rate among commercial air carriers by focusing on long-term trends rather than specific cases.

Professional Aerial Application Support System.—The recommendation includes $50,000 for the National Agricultural Avia-

tion Research and Education Foundation's Professional Aerial Application Support System.

Certification of upset recovery training.—The Committee recommends $250,000 for FAA to evaluate and validate state of the art methods of conducting enhanced upset recovery training using centrifuge based flight simulator technology. Funds are to conduct human factors experiments at the Civil Aeormedical Institute to verify the benefits of this technology.

Flight attendant fatigue.—The Committee looks forward to receiving the flight attendant fatigue study, as required the fiscal year 2005 House report 108–671, and will give due consideration to the report's recommendations.

Detroit Metropolitan air traffic control tower.—In September 2004, mold contamination was discovered in various locations of the Detroit Metropolitan Air Traffic Control Tower during a safety inspection. The Committee urges the FAA to conduct thorough and complete remediation of the mold found in the air traffic control tower based on standard industry practice. The Committee directs the FAA to consider the safety and health of the employees that work in the tower as a priority during any remediation efforts.

RESEARCH AND ACQUISITION

The Committee recommends $222,171,000 for the office of research and acquisition, the same as the budget estimate, and $2,385,483 above the fiscal year 2005 level.

COMMERCIAL SPACE TRANSPORTATION

The Committee recommends $11,759,000 for the office of commercial space transportation, consistent with the budget request, and an increase of $248,827 above fiscal year 2005.

STAFF OFFICES

The Committee recommends $448,219,000 for staff offices, a reduction of $1,972,000 from the budget request. Adjustments to the budget are explained below.

Office	Adjustment	Recommended
Financial services	−$400,000	$50,583,000
Other staff offices	−1,572,000	140,337,000

Financial services.—The Committee recommends $50,583,000, a reduction of $400,000 from the budget request. The Committee recommendation does not include the requested funding for eight additional staff in the office of budget, the office has 17 vacant positions. The FAA states that 8 of the vacant positions are being transferred to Oklahoma City, Oklahoma, and six positions are currently under recruitment. Therefore, the Committee will reevaluate its recommendation if the vacancy status in the near future warrants.

Human resource management.—The Committee recommends $69,493,000, consistent with the budget estimate.

Region and center operations.—The Committee recommends $150,774,000, consistent with the budget estimate.

Information services.—The Committee recommends $36,612,000, consistent with the budget estimate.

Other staff offices.—The Committee recommends $140,237,000 for other staff offices. The Committee recommendation does not include the requested funding for eight new employees for the office of chief counsel and one new employee for the security and hazmat office, as the current vacant positions are 10 and 38, respectively. Further, the FAA states the security and hazmat office is under tight hiring restrictions and plans to do limited hiring in the 4th quarter of fiscal year 2005. The Committee recommendation does not provide funding for four new employees in the Administrator's office. Although the office has just one vacancy, the budget documents did not provide any justification of need for this request. The Committee is willing to reconsider this with adequate and timely justification. The Committee provides an additional $100,000 for a new FTE in the office of government and industry affairs, for a total funding level of $1,396,000.

ACCOUNT-WIDE ADJUSTMENTS

Personnel compensation and benefits.—The recommendation includes a reduction of $8,000,000 in agency-wide personnel compensation and benefits costs due to budget constraints.

Unfilled executive positions.—The Committee recommends a reduction of $5,000,000, reflecting the unfilled roster of 19 executive positions in the agency, including 15 which were not under active recruitment. Past hearing records indicate that, at any given time, the agency is likely to have between 10 and 20 unfilled executive positions. For an agency with 176 executive positions, this level of openings may not be problematic. However, it does indicate excess costs are being budgeted for positions that are not likely to be filled in the entirety of the fiscal year.

Working capital fund costs.—The recommendation allows $23,879,000 for working capital fund costs, a reduction of $1,500,000 below the budget estimate.

BILL LANGUAGE

Manned auxiliary flight service stations.—The bill includes the limitation requested in the President's budget prohibiting funds from being used to operate a manned auxiliary flight service station in the contiguous United States. The FAA budget includes no funding to operate such stations during fiscal year 2006.

Second career training program.—Once again this year, the bill includes a prohibition on the use of funds for the second career training program. This prohibition has been in annual appropriations Acts for many years, and is included in the President's budget request.

Sunday premium pay.—The bill retains a provision begun in fiscal year 1995 which prohibits the FAA from paying Sunday premium pay except in those cases where the individual actually worked on a Sunday. The statute governing Sunday premium pay (5 U.S.C. 5546(a)) is very clear: "An employee who performs work during a regularly scheduled 8–hour period of service which is not overtime work as defined by section 5542(a) of this title a part of which is performed on Sunday is entitled to . . . premium pay at a rate equal to 25 percent of his rate of basic pay." Disregarding the plain meaning of the statute and previous Comptroller General decisions, however, in Armitage v. United States, the Federal Cir-

cuit Court held in 1993 that employees need not actually perform work on a Sunday to receive premium pay. The FAA was required immediately to provide back pay totaling $37,000,000 for time scheduled but not actually worked between November 1986 and July 1993. Without this provision, the FAA would be liable for significant unfunded liabilities, to be financed by the agency's annual operating budget. This provision is identical to that in effect for fiscal years 1995 through 2005.

Aviation User Fees.—The bill includes a limitation carried for several years prohibiting funds from being used to finalize or implement any new unauthorized user fees.

Nonprofit safety standard setting organization.—The Committee retains a provision that allows the use of funds to enter into an agreement with a nonprofit standard setting organization to develop safety standards.

Aeronautical charting and cartography.—The bill maintains the provision which prohibits funds in this Act from being used to conduct aeronautical charting and cartography (AC&C) activities through the working capital fund (WCF). Public Law 106–181 authorized the transfer of these activities from the Department of Commerce to the FAA, a move which the Committee supported. The Committee believes this work should continue to be conducted by the FAA, and not administratively delegated to the WCF.

Store gift cards and gift certificates.—The bill maintains the limitation in effect since fiscal year 2004 prohibiting FAA from using funds to purchase store gift cards or gift certificates through a government-issued credit card. This provision responds to abuses documented by the U.S. Government Accountability Office last year.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2005	$2,519,680,000
Budget request, fiscal year 2006	2,448,000,000
Recommended in the bill	3,053,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+533,320,000
Budget request, fiscal year 2006	+605,000,000

The Facilities and Equipment (F&E) account is the principal means for modernizing and improving air traffic control and airway facilities. The appropriation also finances major capital investments required by other agency programs, experimental research and development facilities, and other improvements to enhance the safety and capacity of the airspace system.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,053,000,000 for this program, an increase of $533,320,000 (21 percent) above the level provided for fiscal year 2005 and 605,000,000 above the budget estimate. The bill provides that of the total amount recommended, $2,618,000,000 is available for obligation until September 30, 2008, and $435,000,000 (the amount for personnel and related expenses) is available until September 30, 2006. These obligation availabilities are consistent with past appropriations Acts.

ENGINEERING DEVELOPMENT, TEST, AND EVALUATION

The bill includes $234,310,000 for engineering development, test, and evaluation activities.

Advanced technology development and prototyping.—The Committee recommends $41,460,000, to be distributed as follows:

	Amount
Runway incursion	$7,100,000
Aviation system capacity improvement	6,500,000
Separation standards	2,500,000
GA/vertical flight technology	1,500,000
Operational concept validation	3,000,000
NAS requirements	800,000
Safer skies	3,400,000
NAS safety assessment	1,500,000
GPS anti-jam technologies	1,000,000
Wake turbulence	2,000,000
Airspace management laboratory	7,000,000
Lithium technologies to mitigate ASR	1,000,000
Airport-related research	1,000,000
Wind profiling and weather research Juneau	3,160,000
Total	41,460,000

Airport-related research.—Of the funds provided, $1,000,000 is for FAA to enter into cooperative agreements with non-profit research entities to conduct research to develop safer, more durable, more cost-effective airfield pavements.

GPS anti-jam technology.—The Committee recommendation includes $1,000,000 to continue the GPS anti-jam program to reduce or remove GPS system vulnerabilities.

San Francisco International Airport.—The Committee commends the Federal Aviation Administration for working cooperatively with San Francisco International Airport (SFO), airlines, pilots, and air traffic controllers to address policy and safety issues related to implementation of a precision runway monitoring/simultaneous offset instrument approach (PRM/SOIA) procedure that has resulted in additional capacity when weather conditions warrant.

Safe flight 21.—The Committee recommends $42,950,000, an increase of $10,000,000 above the budget request. The additional funds are to augment ADS-B funding: $500,000 is for certification of a NAS-wide system; $6,000,000 is needed for installation of 20 pre-production 1090 ground-based stations in the contiguous United States; and $330,000 is for technical program support.

AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT

The Committee recommends $1,588,286,000 for programs and activities designed to establish, replace, modify, or otherwise improve air traffic control facilities and equipment.

Terminal automation modernization program.—The Committee has provided a total of $64,300,000 for the terminal automation modernization program, $25,000,000 over the budget request. Of the funds provided, an increase of $10,000,000 is for FAA to continue to provide updated software to the busiest facilities in the National Airspace System (NAS), and $15,000,000 is provided to replace aging equipment at Minneapolis and St. Louis. The budget request included replacement at Chicago and Denver; however, Minneapolis and St. Louis are two other large, critical sites identi-

fied by the DOT IG where current displays used by controllers are suffering from significant reliability problems.

The Committee remains concerned that FAA has not yet provided reliable cost estimates and timetables for completing Standard Terminal Automation Replacement (STARS) program as directed. Delays and indecision with STARS are now directly impacting the NAS. FAA has deferred action on replacing aging displays at the 4 large critical sites addressed above for too long. According to a recent report by the Inspector General, these aging displays could have serious safety implications.

The Committee is disappointed that FAA will not make a decision regarding how to complete terminal modernization this summer as expected. Rather, FAA will approve only a handful of sites and, once again, defer important decisions about many facilities that manage aircraft in terminal airspace. Assuming FAA can take action to replace aging displays at large sites as directed by the Committee and that STARS deployments continue at medium sites, questions and options then focus squarely on the small sites.

Beyond fiscal year 2006, decisions need to be made about the best way to address these smaller sites. All of FAA's smaller sites—which number over 100—have a shortcoming with respect to aging displays, not the automation platform. While the display problems are not yet approaching the levels experienced by the larger sites, decisions about what to do cannot be postponed indefinitely. The Committee urges FAA to make a decision about these sites that is based on an open, transparent, and competitive process.

Terminal air traffic control facilities replacement.—The Committee recommends $130,000,000 for the replacement of aged air traffic control towers.

Instrument landing system establishment.—The recommendation includes $30,000,000 for establishment of instrument landing systems (ILSs) nationwide.

Voice recorder replacement program.—The Committee recommends $7,000,000, an increase of $1,500,000 above the budget estimate.

GPS approaches.—The Committee understands that the fiscal year 2006 budget request for the wide area augmentation system includes funds for the development of additional approaches and flight procedures at the nation's non-part 139 certified airports. The Committee supports this effort, and has provided $110,000,000 for WAAS, an increase of $10,000,000 above the budget request. Additional funds are provided to publish WAAS approaches at airports without an existing ILS approach.

Integrated control and monitoring system.—The Committee recommends $3,500,000 for continued procurement and installation of the integrated control and monitoring system (ICMS). FAA is currently using ICMS in Denver, Seattle, Newark, Minneapolis, Salt Lake City, and Phoenix. This system would offer significant benefits to other operational evolution plan (OEP) airports as well as others with substantial landing aids and lighting systems. The Committee expects the agency to obligate these funds within six months of enactment, and to install such systems at airports with the highest need.

Transponder landing system.—The recommendation includes $20,000,000 for the transponder landing system (TLS).

Distance Measuring Equipment. The Committee recommends $4,000,000 for distance measuring equipment, an increase of $2,800,000 over the budget request.

Loran-C.—The Committee recommendation includes $25,000,000 for continued modernization of the Loran-C navigation system. The Committee directs that none of these funds be reprogrammed except through the Congressional reprogramming process.

Houston area air traffic system (HAATS).—The Committee recommends $10,200,000, the same as the budget estimate for HAATS.

Approach lighting system improvement program.—The recommendation includes $25,000,000 for the approach lighting system improvement program (ALSIP).

Medium-intensity approach lighting system replacement (MALSR).—The Committee provides $5,000,000 for the MALSR nationwide program, and recommends that FAA continue to procure the latest MALSR equipment that has been approved for use in the national airspace system and in support of small business initiatives.

NON-AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT

The Committee recommends $138,100,000 for programs to replace, modify, or otherwise improve facilities and equipment not directly related to the provision of air traffic control services in the national airspace system (NAS).

MISSION SUPPORT

The Committee recommends $266,703,100 for mission support activities.

Frequency and spectrum engineering.—The Committee recommendation includes $8,600,000 for frequency and spectrum engineering, and increase of $2,500,000 over the budget request. The additional funds are for the NAS interference, detection, location, and mitigation (IDLM) project. This project will enable FAA to more effectively identify radio signals interfering with air traffic control functions and resolve them quickly. Over the past few years, FAA has recorded an average of over 1,500 interference events per year.

Center for advanced systems development.—The recommendation provides $86,000,000 for the center for advanced systems development, an increase of $16,400,000 above the budget estimate, and equal to the fiscal year 2005 level.

PERSONNEL AND RELATED EXPENSES

The Committee recommends $435,000,000 for personnel and related expenses. This appropriation finances the installation and commissioning of new equipment and modernization of FAA facilities.

BILL LANGUAGE

Capital investment plan.—The bill continues to require the submission of a five year capital investment plan.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2005	$129,880,000
Budget request, fiscal year 2006	130,000,000
Recommended in the bill	130,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+120,000
Budget request, fiscal year 2006	

This appropriation provides funding for long-term research, engineering and development programs to improve the air traffic control system and to raise the level of aviation safety, as authorized by the Airport and Airway Improvement Act and the Federal Aviation Act. The appropriation also finances the research, engineering and development needed to establish or modify federal air regulations.

COMMITTEE RECOMMENDATION

The Committee recommends $130,000,000, an increase of $120,000 above the fiscal year 2005 enacted level and the same as the President's budget request.

A table showing the fiscal year 2005 enacted level, the fiscal year 2006 budget estimate, and the Committee recommendation follows:

RESEARCH, ENGINEERING AND DEVELOPMENT

Program	Fiscal year 2006 estimate	Committee recommended
Improve Commercial Aviation Safety	$88,932	$88,932
Fire research and safety	6,244	6,244
Propulsion and fuel systems	4,049	4,049
Advanced materials/structural safety	2,613	2,613
Atmospheric hazards/digital system safety	3,441	3,441
Aging aircraft	19,007	19,007
Aircraft catastrophic failure prevention	3,340	3,340
Flightdeck safety/systems integration	8,181	8,181
Aviation safety risk analysis	4,932	4,932
ATC/AF human factors	9,654	9,654
Aeromedical research	6,889	6,889
Weather research	20,582	20,582
Improve Efficiency of the ATC System	20,396	20,396
Joint program and development office	18,100	18,100
Wake turbulence	2,296	2,296
Reduce Environmental Impacts:	16,008	16,008
Environment and energy	16,008	16,008
Mission Support	4,664	4,664
System planning and resource mgmt	1,271	1,271
Technical laboratory facilities	3,393	3,393
Total	130,000	130,000

Joint Planning and Development Office.—The bill includes $18,100,000, as requested, for FAA's contribution to the multi-agency Joint Planning and Development Office (JPDO). This office involves the Departments of Defense, Commerce, and Homeland Security, FAA, and the National Aeronautics and Space Administration in developing a national plan for the transformation of air transportation. This plan is expected to establish a vision for the future air transportation system, set national aerospace goals, and provide a forum to engage industry and customer input. It is an ad-

visory committee as defined in the Federal Advisory Committee Act.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(RESCISSION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

	Liquidation of contract authorization	*Limitation on obligations*
Appropriation, fiscal year 2005	$2,800,000,000	($3,472,000,000)
Budget request, fiscal year 2006	3,300,000,000	(3,000,000,000)
Recommended in the bill	3,600,000,000	(3,600,000,000)
Bill compared with:		
Appropriation, fiscal year 2005	+800,000,000	(+128,000,000)
Budget request, fiscal year 2006	+300,000,000	(+600,000,000)

The bill includes a liquidating cash appropriation of $3,600,000,000 for grants-in-aid for airports, authorized by the Airport and Airway Improvement Act of 1982, as amended. This funding provides for liquidation of obligation incurred pursuant to contract authority and annual limitations on obligations for grants-in-aid for airport planning and development, noise compatibility and planning, the military airport program, reliever airports, airport program administration, and other authorized activities. This is $300,000,000 above the amount requested in the President's budget and $800,000,000 above the level enacted for fiscal year 2005.

LIMITATION ON OBLIGATIONS

The bill includes a limitation on obligations of $3,600,000,000 for fiscal year 2006. This is $600,000,000 above the President's budget request and $128,000,000 above the fiscal year 2005 level.

DISCRETIONARY GRANTS

Within the overall obligation limitation in this bill, funding of $973,112,398 is available for discretionary grants to airports.

ADMINISTRATION

The bill provides that, within the overall obligation limitation, $81,346,000 is available for administration of the airports program by the FAA. This level includes $10,000,000 for the airport cooperative research pilot program, as requested.

Letter of Intent.—The Committee understands that the Panama City-Bay County International Airport Authority has applied for a letter of intent (LOI) for the construction of a new airport. According to the authority, two-thirds of the cost of this proposed project will be funded from non-federal sources. The committee encourages the FAA to promptly consider this application.

BILL LANGUAGE

Runway incursion prevention systems and devices.—Consistent with the provisions of Public Law 106–181 and the fiscal year 2004 and 2005 Appropriations Acts, the bill allows funds under this limi-

tation to be used for airports to procure and install runway incursion prevention systems and devices.

Small community air service pilot program.—The bill specifies that $20,000,000 of the total amount limited is available to continue the small community air service pilot program. This is the same funding level as enacted since fiscal year 2002.

The Committee recommendation includes a rescission of contract authorization of $469,000,000. The rescission is from contract authority in fiscal year 2005 that "popped-up" above the obligation limitation available for that fiscal year. Therefore, this rescission has no effect on any grants-in-aid program. The proposed rescission is a result of section 107 of AIR–21 (P.L. 106–181). This section specified that, in the event appropriations for the facilities and equipment program were less than authorized in a given fiscal year, additional contract authorization would automatically be made available for the grants-in-aid for airports program. The Committee understands that the legislative committees intended to provide flexibility in meeting the funding guarantees, by allowing the Appropriations Committees to meet the guarantee by providing a single, combined total of funding for the F&E and grants-in-aid programs rather than hitting the precise authorized amounts for each as specified in the authorization Act. Because the Appropriations Committees are not provided an allocation of budget authority for the grants-in-aid program, section 107 provided automatic budget authority for this purpose. The Committee continues to disagree with the Congressional Budget Offices' scoring of this provision.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 101. The Committee retains a provision requiring FAA to accept landing systems, lighting systems, and associated equipment procured by airports, subject to certain criteria.

Section 102. The Committee retains, with modification, a provision limiting the number of technical workyears at the Center for Advanced Aviation Systems Development. The modification raises the limitation from 350 in fiscal year 2005 to 375 in fiscal year 2006.

Section 103. The Committee retains a provision prohibiting FAA from requiring airport sponsors to provide the agency "without cost" building construction, maintenance, utilities and expenses, or space in sponsor-owned buildings, except in the case of certain specified exceptions.

Section 104. The Committee retains a provision prohibiting funds to change weight restrictions or prior permission rules at Teterboro Airport, Teterboro, New Jersey.

Section 105. The Committee continues a provision extending the current terms and conditions of FAA's aviation insurance program, commonly known as the "war risk insurance" program, for one additional year, from December 31, 2005 to December 31, 2006. Although the underlying program is authorized until March 2008, certain provisions including premium price caps were set to expire at the end of this calendar year. The Committee recommendation preserves the status quo under this program, a savings of $80,000,000 from the budget estimate. Savings accrue because the bill's provisions result in additional revenue from insurance pre-

miums, which were assumed to be zero in the budget estimate for fiscal year 2006.

Section 106. The bill retains a provision the prohibits funds for engineering work related to an additional runway at Louis Armstrong International Airport in New Orleans, Louisiana.

FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration (FHWA) provides financial assistance to the states to construct and improve roads and highways, and provides technical assistance to other agencies and organizations involved in road building activities. Title 23 of the United States Code and other supporting legislation provide authority for the various activities of the FHWA. Funding is provided by contract authority, with program levels established by annual limitations on obligations set in Appropriations Acts.

The most recent long-term surface transportation authorization act, the Transportation Equity Act for the 21st Century (TEA–21), expired on September 30, 2003. Since that time, Congress has passed several short-term extension bills that have provided additional contract authority for the FHWA. The current extension will expire on June 30, 2005. Because reauthorization actions have not yet been completed, the Committee has provided funding levels consistent with the House-passed surface transportation reauthorization legislation, the Transportation Equity Act: A Legacy for Users (TEA–LU), even though the actual structure of the federal highway program in fiscal year 2006 is unknown at this time.

LIMITATION ON ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2005 [1]	($343,728,000)
Budget request, fiscal year 2006	(367,638,000)
Recommended in the bill	(359,529,000)
Bill compared with:	
Appropriation, fiscal year 2005	(+15,801,000)
Budget request, fiscal year 2006	(−8,109,000)

[1] Includes across the board reduction of .8 percent.

This limitation controls spending for the salaries and expenses of the FHWA required to conduct and administer the federal-aid highway program and most other federal highway programs.

The Committee recommends a limitation of $359,529,000. This level is sufficient to fund six additional full time equivalent staff years (FTEs) to oversee major projects, for an overall agency total of 2,430 FTEs. The recommended level assumes the following adjustment to the budget request:

Reduce funding for adjustments to agency operations funding	−$8,109,000

Reductions from the budget request.—The Committee reduces funding for the line item identified in the budget request as being for increased administrative funding in support of oversight and stewardship activities (−$8,109,000) due to inadequate justification. The Committee is willing to reconsider this reduction should the FHWA provide adequate documentation to support this funding increase.

Staff for oversight of major projects.—The Committee provides $603,000 for 6 FTEs for oversight of major projects as requested by the administration. The Inspector General has recommended, and the Committee agrees, that the FHWA needs to have better over-

sight of its program, specifically the major projects. Major projects, with a total cost of $10,000,000 or more, have a history of significant cost overruns and schedule slippage, as seen again recently with reports on quality of work issues relating to water leaks in the Interstate 93 tunnels of the central artery project in Boston and poor analysis and inadequate disclosure of cost estimates relating to the San Francisco-Oakland Bay Bridge in California.

LIMITATION ON TRANSPORTATION RESEARCH

This limitation controls spending for the transportation research and technology contract programs of the FHWA. In prior years, it has included a number of contract programs including intelligent transportation systems, surface transportation research, technology deployment, training and education, and university transportation research.

Appropriation, fiscal year 2005	$462,500,000
Budget request, fiscal year 2006 [1]	.....
Recommended in the bill	485,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+22,500,000
Budget request, fiscal year 2006	+485,000,000

[1] An unspecified amount for fiscal year 2006 is assumed within the federal-aid obligation limitation.

COMMITTEE RECOMMENDATION

The recommendation includes an obligation limitation for transportation research of $485,000,000, which is consistent with the House-passed surface transportation reauthorization legislation, TEA–LU. Because reauthorization actions have not yet been completed, the Committee has not provided a break out of the transportation research program by activities since this pending legislation is likely to change the structure of the existing program. Even so, the Committee provides a limitation on the research program as has been past practice.

BUREAU OF TRANSPORTATION STATISTICS

Under the obligation limitation of the FHWA and within the sublimitation for transportation research, the Committee provides $33,000,000 for the Bureau of Transportation Statistics (BTS). As stated previously, due to the lack of a surface transportation authorization act for fiscal year 2006, the Committee has funded programs at a level that is consistent with the House-passed reauthorization legislation, TEA–LU. Also, since passage of the Norman Y. Mineta Research and Special Programs Improvement Act, Public Law 108–426, on November 30, 2004, BTS is a part of the Research and Innovative Technology Administration (RITA) within the department. Accordingly, additional information regarding BTS is included in the RITA section of this report.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	*Limitation on obligation*
Appropriation, fiscal year 2005	$35,000,000,000	[1] ($34,422,400,000)
Budget request, fiscal year 2006	35,000,000,000	(34,700,000,000)
Recommended in the bill	36,000,000,000	(36,287,100,000)
Bill compared to:		
Appropriation, fiscal year 2005	+1,000,000,000	(+1,864,700,000)
Budget request, fiscal year 2006	+1,000,000,000	(+1,587,100,000)

[1] Includes across the board reduction of .8 percent.

Federal-aid highways and bridges are managed through a federal-state partnership. States and localities maintain ownership and responsibility for maintenance, repair and new construction of roads. State highway departments have the authority to initiate federal-aid projects subject to FHWA approval of plans, specifications, and cost estimates. The federal government provides financial support for construction and repair through matching grants, the terms of which vary with the type of road.

There are almost four million miles of public roads in the United States and approximately 577,000 bridges. The federal government provides grants to states to assist in financing the construction and preservation of about 958,000 miles (24 percent) of these roads, which represents an extensive Interstate system plus key feeder and collector routes. Highways eligible for federal aid carry about 85 percent of total U.S. highway traffic.

COMMITTEE RECOMMENDATION

The Committee recommends a liquidating cash appropriation of $36,000,000,000. This is the required amount to pay the outstanding obligations of the various highway programs at levels provided in this Act and prior appropriations Acts.

The Committee has included bill language, as requested by the administration, that allows the secretary to charge and collect fees from the applicant for a direct loan, guaranteed loan, or line of credit to cover the cost of the financial and legal analyses performed on behalf of the department. The fees so collected are not subject to any obligation limitation or the limitation on administrative expenses set for the TIFIA program under section 188 of title 23, United States Code.

The bill includes language limiting fiscal year 2006 federal-aid highways obligations to $36,287,100,000, an increase of $1,864,700,000 from the fiscal year 2005 enacted level and an increase of $1,587,100,000 from the fiscal year 2006 budget request.

The Committee sets, through the annual appropriations process, an overall limitation on the total contract authority that can be obligated under the federal-aid highway program in a given year. The Committee also provides direction and other guidance regarding some of the programs that operate under this overall limitation. With regard to fiscal year 2006, the Committee finds itself in a position where the existing authorizing legislation has expired and no

program authority extends into the coming fiscal year, yet the House has passed its version of a multi-year surface transportation reauthorization bill. However, many of the details regarding the scope and structure of the federal highway program are likely to be reshaped by the pending actions of the House and Senate conferees. Therefore, to the extent feasible, the Committee has honored the overall funding levels set by TEA–LU but has remained silent regarding the underlying program structure since these details are unknown at this time.

For years, federal-aid highways funds have been made available to the states through a mix of apportioned programs, which are distributed using a formula provided in law, and allocated programs, which are distributed based on criteria set in law and allow for some discretion on the part of the secretary in selecting recipients. As stated previously, the structure of the federal-aid highway program for fiscal year 2006 is unknown at this time due to the lack of authorizing legislation. However, many of the apportioned programs that currently exist are likely to continue and, therefore, the descriptions of major highway programs that follow are based on current law:

National highway system.—The ISTEA of 1991 authorized—and the National Highway System Designation Act of 1995 subsequently established—the National Highway System (NHS). This 163,000-mile road system serving major population centers, international border crossings, intermodal transportation facilities and major travel destinations, is the culmination of years of effort by many organizations, both public and private, to identify routes of national significance. It includes all Interstate routes, other urban and rural principal arterials, the defense strategic highway network, and major strategic highway connectors, and is estimated to carry up to 76 percent of commercial truck traffic and 44 percent of all vehicular traffic. A state may choose to transfer up to 50 percent of its NHS funds to the surface transportation program category. If the secretary approves, 100 percent may be transferred. The federal share of the NHS is 80 percent, with an availability period of four years.

Interstate maintenance.—The 46,567-mile Dwight D. Eisenhower National System of Interstate and Defense Highways retains a separate identity within the NHS. This program finances projects to rehabilitate, restore, resurface and reconstruct the Interstate system. Reconstruction of bridges, interchanges, and over-crossings along existing Interstate routes is also an eligible activity if it does not add capacity other than high occupancy vehicle (HOV) and auxiliary lanes.

All remaining federal funding to complete the initial construction of the Interstate system has been provided through previous highway legislation. TEA–21 and the extension acts provide flexibility to states in fully utilizing remaining unobligated balances of prior Interstate construction authorizations. States with no remaining work to complete the Interstate system may transfer any surplus Interstate construction funds to their Interstate maintenance program. States with remaining completion work on Interstate gaps or open-to-traffic segments may relinquish Interstate construction fund eligibility for the work and transfer the federal share of the cost to their Interstate maintenance program.

Surface transportation program.—The surface transportation program (STP) is a flexible program that may be used by the states and localities for any roads (including NHS) that are not functionally classified as local or rural minor collectors. These roads are collectively referred to as federal-aid highways. Bridge projects paid with STP funds are not restricted to federal-aid highways but may be on any public road. Transit capital projects are also eligible under this program. The total funding for the STP may be augmented by the transfer of funds from other programs and by minimum guarantee funds under TEA–21 and the extension acts, which may be used as if they were STP funds. Once distributed to the states, STP funds must be used according to the following percentages: 10 percent for safety construction; 10 percent for transportation enhancement; 50 percent divided among areas of over 200,000 population and remaining areas of the state; and, 30 percent for any area of the state. Areas of 5,000 population or less are guaranteed an amount based on previous funding, and 15 percent of the amounts reserved for these areas may be spent on rural minor collectors. The federal share for the STP program is 80 percent with a 4-year availability period.

Bridge replacement and rehabilitation program.—This program provides assistance for bridges on public roads including a discretionary set-aside for high cost bridges and for the seismic retrofit of bridges. Fifty percent of a state's bridge funds may be transferred to the NHS or the STP, but the amount of any such transfer is deducted from national bridge needs used in the program's apportionment formula for the following year.

Congestion mitigation and air quality improvement program.—The congestion mitigation and air quality improvement (CMAQ) program provides funds to states to improve air quality in non-attainment and maintenance areas. A wide range of transportation activities are eligible, provided DOT, after consultation with EPA, determines they are likely to help meet national ambient air quality standards. TEA–21 provides greater flexibility to engage public-private partnerships, and expands and clarifies eligibilities to include programs to reduce extreme cold starts, maintenance areas, and particulate matter (PM–10) nonattainment and maintenance areas. If a state has no non-attainment or maintenance areas, the funds may be used as if they were STP funds.

On-road and off-road demonstration projects may be appropriate candidates for funding under the CMAQ program. Both sectors are critical for satisfying the purposes of the CMAQ program, including reducing regional emissions and verifying new mobile source control techniques.

Federal lands highways.—This program provides funding through four major categories—Indian reservation roads, parkways and park roads, public lands highways (which incorporates the previous forest highways category), and federally-owned public roads providing access to or within the National Wildlife Refuge System. TEA–21 also established a new program for improving deficient bridges on Indian reservation roads.

Minimum guarantee.—Under TEA–21 and the extension acts, after the computation of funds for major federal-aid programs, additional funds are distributed to ensure that each state receives an additional amount based on equity considerations. This minimum

guarantee provision ensures that each state will have a return of 90.5 percent on its share of contributions to the highway account of the Highway Trust Fund. To achieve the minimum guarantee each fiscal year, $2.8 billion nationally is available to the states as though they are STP funds (except that requirements related to set-asides for transportation enhancements, safety, and sub-state allocations do not apply), and any remaining amounts are distributed among core highway programs.

Appalachian development highway system.—This program makes funds available to construct highways and access roads under section 201 of the Appalachian Regional Development Act of 1965. Under TEA–21 and the extension acts, funding is authorized at $450,000,000 for each of fiscal years 1999–2004; is available until expended; and distributed based on the latest available cost-to-complete estimate.

Emergency relief.—This program provides for the repair and reconstruction of federal-aid highways and federally-owned roads which have suffered serious damage as the result of natural disasters or catastrophic failures. Emergency relief (ER) funds can be used only for emergency repairs to restore essential highway traffic, to minimize the extent of damage resulting from a natural disaster or catastrophic failure, or to protect the remaining facility and make permanent repairs. If ER funds are exhausted, the Secretary of Transportation may borrow funds from other highway programs.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Section 110. The Committee includes a provision that distributes obligation authority among federal-aid highways programs.

Section 111. The Committee continues a provision that credits funds received by the Bureau of Transportation Statistics to the federal-aid highways account.

Section 112. The Committee continues a provision allowing Nevada and Arizona to reimburse debt service payment on the Bypass Bridge at Hoover Dam project with future apportionments, in accordance with title 23, United States Code.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to improve the safety of commercial vehicle operations on our nation's highways. To accomplish this mission, the FMCSA is focused on reducing the number and severity of large truck crashes. Agency resources and activities contribute to ensuring safety in commercial vehicle operations through enforcement, including the use of stronger enforcement measures against safety violators; expedited safety regulation; technology innovation; improvements in information systems; training; and improvements to commercial driver's license testing, record keeping, and sanctions. To accomplish these activities, the FMCSA works closely with federal, state, and local enforcement agencies, the motor carrier industry, highway safety organizations, and individual citizens. In addition, the FMCSA has the responsibility to ensure that Mexican commercial vehicles, entering the U.S. in accordance with the

North American Free Trade Agreement (NAFTA), meet all U.S. hazardous material and safety regulations.

The FMCSA's scope was expanded in fiscal year 2003 by the U.S.A. Patriot Act (P.L. 107–56), which called for new security measures. In addition, beginning in fiscal year 2002, Appropriations Acts (P.L. 107–87, P.L. 108–7, P.L. 108–199, and P.L. 108–447) have funded border enforcement and safety related activities associated with implementation of NAFTA, and activities associated with permitting of hazardous materials.

Since the most recent long-term surface transportation authorization act, the Transportation Equity Act for the 21st Century (TEA–21), expired on September 30, 2003, Congress has passed several short-term extension bills that have provided additional contract authority for the FMCSA. The current extension will expire on June 30, 2005. Because reauthorization actions have not yet been completed, the Committee has provided funding levels consistent with the House-passed surface transportation reauthorization legislation, the Transportation Equity Act: A Legacy for Users (TEA–LU).

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIMITATION ON OBLIGATIONS)

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2005	$257,547,000	[1] ($255,487,000)
Budget request, fiscal year 2006	233,000,000	(233,000,000)
Recommended in the bill	215,000,000	(215,000,000)
Bill compared to:		
Appropriation, fiscal year 2005	−42,547,000	(−40,487,000)
Budget request, fiscal year 2006	−18,000,000	(−18,000,000)

[1] Includes across the board reduction of .8 percent.

This limitation controls spending for salaries and operating expenses and for motor carrier research by the FMCSA. In recent years, the Committee has provided funding for a few grant programs under this administrative account because no flexibility existed to fund these priorities elsewhere. However, consistent with TEA–LU, the Committee is providing a limitation solely on the administrative expenses of the agency, including research and technology activities, in fiscal year 2006.

COMMITTEE RECOMMENDATION

The Committee recommends $215,000,000 in liquidating cash for the operations and research activities of the FMCSA.

LIMITATION ON OBLIGATIONS

The Committee recommends a limitation on obligations of $215,000,000 for the operating expenses of and motor carrier safety research by the FMCSA. This is a level consistent with the House-passed surface transportation reauthorization legislation, TEA–LU. This funding level represents a reduction of $40,487,000 below the

fiscal year 2005 enacted level. However, the fiscal year 2005 level included funding for several grant programs that are not being continued in this account in fiscal year 2006 because it is expected that these grant programs will be funded under the national motor carrier safety program in the next surface transportation authorization.

The recommended level assumes the following adjustments from the $205,051,000 that was identified in the FMCSA's budget justification as being the fiscal year 2005 enacted level for operations and programs, excluding grant programs:

Adjustments to base	+$5,682,000
New quality assurance and regulatory evaluation programs	+1,800,000
Promote transportation specialists in field to GS–13	+838,000
Additional funding to address backlog of enforcement cases	+500,000
Increased funding to research and technology programs	+941,000
Increased funding for information management activities	+1,188,000
Undistributed reduction	−1,000,000

A discussion of program funding levels follow:

Adjustments to base.—The Committee provides an increase of $5,682,000 above the fiscal year 2005 enacted level for required pay raises, GSA rent, working capital fund adjustments, and inflation, as was requested in the budget submission.

Quality assurance and regulatory evaluation programs.—The Committee provides $1,800,000 for three additional federal full time equivalent staff years (FTEs) and the associated contract support for a new quality assurance program and a new regulatory evaluation program.

Field transportation specialists.—Consistent with the budget request, the Committee provides an additional $838,000 to promote a large number of transportation specialists in the field to GS–13 commensurate with the level of responsibility that these program managers are performing.

Backlog of enforcement cases.—The FMCSA requested a $500,000 increase to address the agency's backlog of enforcement cases. The Committee provides this funding as requested.

Research and technology.—The Committee provides $9,500,000 for research and technology, a reduction of $1,453,000 below the budget request and an increase of $941,000 above the fiscal year 2005 level.

New entrant program.—This Committee provided funding for this program for the first time in fiscal year 2004 and, in a little over one year, over 40 states have implemented a state new entrant program. Consistent with this success, the Committee continues the program structure that limits federal responsibility to program oversight and to respond to the rare case where a state does not have the authority or ability to implement the program by managing third party contracts. Therefore, the Committee denies the request for the additional $13,700,000 and the 20 additional FTEs to implement an expanded federal role in the new entrant program.

Information management.—The Committee provides $42,370,000 for information management, an increase of $1,188,000 over last year, but $3,334,000 below the budget request.

Education and outreach.—The Committee does not support the FMCSA's proposed reduction to the agency's outreach and education programs. As such, the Committee directs that no less than

$2,500,000 of the funds provided be used for outreach and education. Within the funding provided, $500,000 is provided to continue a program to increase the commercial motor vehicle safety belt usage rate; $100,000 is provided to continue the "safety is good business" program; $150,000 is provided to continue the motorcoach transportation service selection, and $250,000 is provided for the household goods outreach program. This funding level also includes $100,000 for the "share the road safely" program that had previously been funded under the National Highway Traffic Safety Administration (NHTSA). In addition, the Committee directs the NHTSA to return to the FMCSA the one FTE that had been detailed from FMCSA to help oversee the program.

For each of these initiatives and all other outreach initiatives, the FMCSA must first develop a goal, message, and coherent and explicit program strategy that clearly and directly link FMCSA's outreach and education program initiatives to each program's goal. The FMCSA shall provide information regarding the goals and strategies to the House and Senate Committees on Appropriations by February 10, 2006. The Committee encourages the FMCSA to combine its outreach efforts with other interactions it has with motor carrier companies, such as security sensitivity visits, compliance reviews, and safety audits.

Consistent with last year, the Committee provides $375,000 for FMCSA's telephone hotline.

Commercial vehicle analysis reporting system.—The Committee directs that up to $6,800,000 of the funds provided shall be available for the FMCSA to make grants to, or enter into contracts with, states, local government, or other persons for the commercial vehicle analysis reporting system.

Undistributed reduction.—An undistributed reduction of $1,000,000 is also included to control the growth of the agency's administrative expenses and to keep the fiscal year 2006 funding level within the levels set by TEA–LU. All other requested increases not specifically cited in this report as being approved are denied.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2005	$190,000,000	[1] ($188,480,000)
Budget request, fiscal year 2006	232,000,000	(232,000,000)
Recommended in the bill	286,000,000	(286,000,000)
Bill compared to:		
Appropriation, fiscal year 2005	+96,000,000	(+97,520,000)
Budget request, fiscal year 2006	+54,000,000	(+54,000,000)

[1] Includes across the board reduction of .8 percent.

The FMCSA's national motor carrier safety program (NMCSP) was authorized by TEA–21, amended by the Motor Carrier Safety Improvement Act of 1999, and continued into 2004 and 2005 by a series of short-term extension acts. Under the previous authorizing legislation, this program consisted of two major areas: the motor

carrier safety assistance program (MCSAP) and the information systems and strategic safety initiatives (ISSSI) program. MCSAP provides grants and project funding to states to develop and implement national programs for the uniform enforcement of federal and state rules and regulations concerning motor carrier safety. The major objective of this program is to reduce the number and severity of accidents involving commercial motor vehicles. Grants are made to qualified states for the development of programs to enforce the federal motor carrier safety and hazardous materials regulations and the Commercial Motor Vehicle Safety Act of 1986. The basic program is targeted at roadside vehicle safety inspections of both interstate and intrastate commercial motor vehicle traffic. ISSSI provides funds to develop and enhance data-related motor carrier programs.

COMMITTEE RECOMMENDATION

The Committee recommends $286,000,000 in liquidating cash for this program.

LIMITATION ON OBLIGATIONS

The Committee recommends a limitation on obligations of $286,000,000 for the national motor carrier safety program. This is a level consistent with the House-passed surface transportation reauthorization legislation, TEA–LU, and is $97,520,000 greater than the fiscal year 2005 enacted level.

Because reauthorization actions have not yet been completed, the Committee has not provided a break out of the various motor carrier safety grant programs that would be covered by this obligation limitation since this pending legislation is likely to change the structure of the existing program. Even so, the Committee provides a limitation on the total amount of contract authority that can be obligated in fiscal year 2006, regardless of the form these grant programs take.

Under TEA–LU, the Secretary has the discretion to deduct up to $15,000,000 of the funds made available for motor carrier safety grants and use it for audits of new entrant motor carriers. The interim final rule for the new entrant safety assurance process was published on May 13, 2002, with an effective date of January 2003. This rule requires all new entrants to pass a safety audit within the first 18 months of operations in order to receive permanent DOT registration. The Committee notes the positive results that have been gained so far by these audits. Therefore, should a reauthorization bill get signed into law that provides this discretionary authority to the secretary, the Committee strongly urges the department to use this authority to fund the new entrant program to the full extent allowable.

In addition, the secretary is encouraged to use the funding designated for high priority activities and projects under section 31104(f)(2)(A) of title 49, United States Code, to supplement the new entrant audit program as necessary to ensure that this program is sufficiently funded to conduct all of the required audits. Furthermore, although it is the intent of the Congress that this program be a grant program to the states, the secretary may withhold such funds from a state or local government that is unable to

use government employees to conduct new entrant motor carrier audits and may instead use contract audits in those jurisdictions.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Section 120. The Committee continues a provision subjecting funds appropriated in this Act to the terms and conditions of section 350 of Public Law 107–87, including a requirement that the secretary submit a report on Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The National Highway Traffic Safety Administration (NHTSA) was established as a separate organizational entity in the Department of Transportation in March 1970. It succeeded the National Highway Safety Bureau, which previously had administered traffic and highway safety functions as an organizational unit of the Federal Highway Administration.

The majority of NHTSA's programs are currently authorized under extensions to the Transportation Equity Act for the 21st Century (TEA–21). In the absence of a long-term surface transportation reauthorization, the Committee recommends funding NHTSA programs under the levels prescribed in the House-passed version of H.R. 3, the Transportation Equity Act: A Legacy for Users.

Budget justifications.—The Committee directs NHTSA in its fiscal year 2007 budget justification to provide information on all proposed changes from the prior year, including the rationale as to why particular programs are proposed for reductions or elimination. Additionally, to the maximum extent possible, NHTSA should include enacted fiscal year funding data along with request data so that the Committee can make appropriate comparisons.

OPERATIONS AND RESEARCH

Appropriation, fiscal year 2005 [1]	$231,122,000
Budget request, fiscal year 2006	231,367,000
Recommended in the bill	231,367,000
Bill compared with:	
Appropriation, fiscal year 2005	+245,000
Budget request, fiscal year 2006	.....

[1] Includes transfer of funds from FHWA.

The Committee provides a total of $231,367,000 for operations and research, to be distributed as follows:

	Amount
Salaries and benefits	$71,852,000
Travel	1,336,000
Operating expenses	25,698,000
Contract programs:	
Safety performance (rulemaking)	11,518,000
Safety assurance (enforcement)	18,351,000
Highway safety programs	46,345,000
Research and analysis	72,086,000
General administration	681,000
Grant administration reimbursements	−16,500,000
Total	231,367,000

The recommendation makes the following adjustments to the budget request:

Reduce transfer of funding for grant administration	+$765,000
Deny funding for harmonization of vehicle safety standards	−200,000
Reduce funding for hydrogen fuel cell program	−850,000
Reduce travel	−70,000
Increase funding for the National EMS Information System	+355,000

OPERATING EXPENSES

Administrative grant reimbursements.—The Committee recommends $16,500,000 for transfers for grant administration, which is $324,000 above the fiscal year 2005 level and $765,000 below the request. The Committee does not believe a 6.4 percent increase, as proposed by NHTSA, is necessary in this tight budget climate and believes investing limited resources directly to improve highway safety is a much higher priority.

Harmonization of vehicle safety standards and workforce planning and development.—Due to budget constraints, funding is not provided for the harmonization of vehicle safety standards initiative.

HIGHWAY SAFETY PROGRAMS

Emergency medical services (EMS).—The Committee is aware that national databases exist that support police and fire services; however, there has been no similar national repository for EMS data. EMS systems vary in their ability to collect and use patient and EMS systems data to improve emergency medical response and patient care in post-crash events. Therefore, the Committee supported the inclusion of additional funds in fiscal year 2005 to support a National EMS Resource Center to assist state and local EMS systems in data collection and analysis. The Resource and Technical Assistance Center will provide technical assistance, including site visits, to state emergency medical services offices and local EMS agencies in converting to the National EMS Information System (NEMSIS). The next steps in NEMSIS development will be the full implementation of a national EMS database, full operation of a NEMSIS Technical Assistance Center, and eventual support of state data collection systems. The Committee has provided an additional $355,000 over the budget request to support continuation costs of the NEMSIS Technical Assistance Center. The Committee encourages NHSTA to continue towards full implementation of NEMSIS, which will provide data entry and reporting capabilities at the local EMS level, data collection and reporting capabilities at the state level, and a national EMS database to be housed at NHTSA with a Technical Assistance Center to assist EMS systems in data collection and use. One of the ultimate goals of NEMSIS is to reduce post-crash death and disability by developing a better understanding of current EMS response and performance in order that scarce resources can be best directed towards critical training, equipment, planning and other needs that can best improve patient outcomes.

Next generation enhanced 9–1–1.—The Committee encourages NHTSA to develop a pilot project of "Next Generation" Enhanced 9–1–1 (E9–1–1) activities, as defined by the ENHANCE 911 Act of 2004. In particular, the Committee is interested in Internet Pro-

tocol (IP) based E9–1–1 demonstration projects. The Committee expects that any demonstration would comply with industry standards as adopted by the National Emergency Number Association's Future Path Plan and Next Generation E9–1–1 capabilities.

RESEARCH AND ANALYSIS

Vehicle Identification Numbers.—The Committee is aware that NHTSA and several states have been discussing collecting vehicle identification numbers (VIN) at crash sites. Such data would be extremely valuable to determine what safety technologies were on the vehicles involved in a crash and understand how those countermeasures performed. Therefore, the Committee strongly encourages NHTSA and state governments to collect and report these data in order to inform future crash avoidance and automobile safety technology development.

Data collection and analysis.—The Committee supports NHTSA's data collection and analysis activities, particularly as they relate to using sound science as the basis for any regulatory action. The Committee is concerned, however, that NHTSA may be duplicating effort in the multiple databases it maintains. Therefore, the Committee directs NHTSA to conduct a comprehensive review of data collection activities and report back to the Committees on Appropriations of the House of Representatives and Senate by March 31, 2006 with respect to the specific types of data collected in each of its data collection and analysis programs and any opportunities to consolidate these data into a system or systems that require less annual operating support yet retain critical safety information.

National Motor Vehicle Crash Causation Survey.—The Committee provides $10,000,000 for the NMVCCS, which is an increase of $3,056,000 above the fiscal year 2005 enacted level. The Committee strongly supports efforts to identify the factors that contributed to automobile accidents so that research and development activities for crash avoidance and crash survivability technologies can proceed quickly. The Committee urges NHTSA to move forward as expeditiously as possible in order to speed potential life-saving technologies to market.

OPERATIONS AND RESEARCH

Appropriation, fiscal year 2005	.....
Budget request, fiscal year 2006	.....
Recommended in the bill	$152,367,000
Bill compared with:	
Appropriation, fiscal year 2005	+152,367,000
Budget request, fiscal year 2006	+152,367,000

The Committee recommends a total of $152,367,000 for operations and research funding from the general fund. The administration proposed to fund these programs through the highway trust fund, and therefore requested no general funds.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2005	($227,551,000)
Budget request, fiscal year 2006	(227,367,000)
Recommended in the bill	(75,000,000)
Bill compared with:	
Appropriation, fiscal year 2005	(−149,820,000)
Budget request, fiscal year 2006	(−152,551,000)

[1] Includes transfer from FHWA.

COMMITTEE RECOMMENDATION

The Committee recommends $75,000,000 from the highway trust fund for authorized activities associated with operations and research.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2005	($3,571,000)
Budget request, fiscal year 2006	(4,000,000)
Recommended in the bill	(4,000,000)
Bill compared to:	
Appropriation, fiscal year 2005	(+429,000)
Budget request, fiscal year 2006	.....

The National Driver Register facilitates the interstate exchange of driver licenses due to concerns regarding problem drivers whose licenses to drive have been suspended or revoked for cause. The Committee recommends $4,000,000 from the highway trust fund for operations and research activities associated with the national driver register, of which $3,075,000 is for program activities and $925,000 is for salaries and benefits.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2005	$225,000,000	($223,200,000)
Budget request, fiscal year 2006	465,000,000	(465,000,000)
Recommended in the bill	551,000,000	(551,000,000)
Bill compared to:		
Appropriation, fiscal year 2005	+326,000,000	(+327,800,000)
Budget request, fiscal year 2006	+86,000,000	(+86,000,000)

TEA–LU reauthorizes three state grant programs: the highway safety program, the alcohol-impaired driving countermeasures grant program, and the occupant protection incentive grant pro-

gram, and authorizes for the first time an additional four state grant programs: state traffic safety information systems improvement grants, high visibility enforcement grants, child safety and booster seat grants and motorcyclist safety grants. The Committee recommends $551,000,000 in liquidating cash, which is the same as the amount authorized in the House-passed version of TEA–LU.

LIMITATION ON OBLIGATIONS

As in past years, the bill includes language limiting the obligations to be incurred under the various highway traffic safety grants programs. These obligations are currently set in extensions to TEA–21. For fiscal year 2006, the Committee has provided limitations on obligations at the level prescribed in the House-passed version of TEA–LU. The bill includes separate obligation limitations with the following funding allocations:

Highway safety programs	($229,000,000)
Occupant protection incentive grants	(136,000,000)
Alcohol-impaired driving countermeasures	(129,000,000)
State traffic safety information systems improvements	(30,000,000)
High visibility enforcement	(15,000,000)
Child safety and booster seat grants	(6,000,000)
Motorcyclist safety	(6,000,000)

The fiscal year 2006 budget submission reflected NHTSA's reauthorization proposal, which restructures the highway safety grant programs into a consolidated program, funded at the combined level of TEA–21 sections 402, 410, 405, 411, 2003(b), and 163 and 157 of title 23 of the United States Code. The Committee has provided funding as envisioned in the House-passed version of TEA–LU.

Bill language.—The bill maintains language that prohibits the use of funds for construction, rehabilitation, and remodeling costs or for office furnishings or fixtures for state, local, or private buildings or structures. Language is also continued that limits the amount available for technical assistance to $500,000 under section 410.

ADMINISTRATIVE PROVISION—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Section 130. The Committee continues a provision that allows states to use funds provided under section 402 of title 23, U.S.C., to produce and place highway safety public service messages in television, radio, cinema, print media, and on the internet. The provision provides that any state that uses funds for such purposes must submit a report to the Secretary, who in turn is directed to submit the reports to the House and Senate Committees on Appropriations. The provision allocates $10,000,000 for national paid media to support national safety belt mobilizations under section 405 and $20,000,000 under section 410 to include: $6,000,000 to support state impaired driving mobilization enforcement efforts and $14,000,000 for paid media to support national law enforcement mobilizations on impaired driving.

FEDERAL RAILROAD ADMINISTRATION

The Federal Railroad Administration (FRA) is responsible for planning, developing, and administering programs to achieve safe operating and mechanical practices in the railroad industry, as well as managing the high-speed ground transportation program. Grants to the National Railroad Passenger Corporation (Amtrak) and other financial assistance programs serving to rehabilitate and improve the railroad industry's physical plant are also administered by FRA.

SAFETY AND OPERATIONS

Appropriation, fiscal year 2005	$138,651,000
Budget request, fiscal year 2006	145,949,000
Recommended in the bill	145,949,000
Bill compared with:	
Appropriation, fiscal year 2005	+7,298,000
Budget request, fiscal year 2006	.....

The safety and operations account provides support for FRA's rail safety and passenger and freight program activities. Funding also supports salaries and expenses and other operating costs related to FRA staff and programs.

COMMITTEE RECOMMENDATION

A total of $145,949,000 is recommended for safety and operations, which is a $7,298,000 increase above the fiscal year 2005 enacted level. Of this total, $13,856,000 is available until expended.

Push-pull operations.—The Committee is concerned about the safety of passenger rail operations with the use of cab cars as the forward car in the push-pull mode or self-propelled locomotives with passenger seating (MU locomotives), particularly after the tragic and deadly Metrolink train derailment in Glendale, California in January. Previous studies have noted that occupants of the relatively exposed cab car, including the engineer, are vulnerable to serious injury or fatality in the event of a collision with either a road vehicle at a grade crossing or with another train. Current railroad requirements must be reassessed to ensure the safety of passengers occupying the leading car. In light of these concerns, the Committee directs FRA to conduct a definitive study regarding the use of cab cars during the push-pull mode or in MU locomotives as compared to standard passenger locomotives as leading vehicles in passenger trains, to include a review of the following: the relative frequency and severity of accidents, with special emphasis placed on the differences associated with derailments; the efficacy of crashworthiness features; and a review of the FRA's Emergency Order No. 20 and its effectiveness in increasing passenger safety. FRA should report to the House and Senate Committees on Appropriations no later than June 1, 2006.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2005	$35,737,000
Budget request, fiscal year 2006	46,325,000
Recommended in the bill	26,325,000
Bill compared with:	
Appropriation, fiscal year 2005	−9,412,000
Budget request, fiscal year 2006	−20,000,000

The railroad research and development appropriation finances FRA contract research activities. The objectives of this program are to reduce the frequency and severity of railroad accidents and to provide technical support for rail safety rulemaking and enforcement activities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $26,325,000, a reduction of $20,000,000 below the request as a result of denying funds without prejudice for the Nationwide Differential GPS program.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

TEA–21 established the Railroad Rehabilitation and Improvement Financing loan and loan guarantee program. The aggregate unpaid principal amounts of the obligations may not exceed $3,500,000,000 at any one time. Not less than $1,000,000,000 is reserved for projects primarily benefiting freight railroads other than class I carriers. The funding may be used: (1) to acquire, improve, or rehabilitate intermodal or rail equipment or facilities, including track, components of track, bridges, yards, buildings, or shops; (2) to refinance existing debt; or (3) to develop and establish new intermodal or railroad facilities. No Federal appropriation is required, since a non-Federal infrastructure partner may contribute the subsidy amount required by the Credit Reform Act of 1990 in the form of a credit risk premium. Once received, statutorily established investigation charges are immediately available for appraisals and necessary determinations and findings.

The Committee continues bill language specifying that no new direct loans or loan guarantee commitments may be made using federal funds for the payment of any credit premium amount during fiscal year 2006.

NEXT GENERATION HIGH-SPEED RAIL

Appropriation, fiscal year 2005	$19,493,000
Budget request, fiscal year 2006	.....
Recommended in the bill	10,165,000
Bill compared with:	
Appropriation, fiscal year 2005	– 19,493,000
Budget request, fiscal year 2006	.....

COMMITTEE RECOMMENDATION

The Committee recommends $10,165,000 for the next generation high-speed rail program, which is $10,165,000 above the budget request and $9,328,000 below the fiscal year 2005 enacted level. The Committee points out to the administration that this program provides value beyond passenger rail, and disputes the notion that until the future of passenger rail service is decided, no funding should be spent on high-speed rail planning or research and development. Total funding is allocated as follows:

Train control systems:	
North American joint PTC project	$7,000,000
Grade crossing and innovative structures	2,165,000
Corridor planning	1,000,000
Total	10,165,000

Train control systems.—The Committee is encouraged by the promise of positive train control technologies and the impact they can have on reducing rail accidents—particularly accidents that are caused by human error. Accordingly, the Committee recommends $7,000,000 to continue the North American joint PTC project, and encourages FRA to implement field demonstrations that validate the use of PTC technologies.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(AMTRAK)

Appropriation, fiscal year 2005	$1,207,264,000
Budget request, fiscal year 2006	360,000,000
Recommended in the bill	550,000,000
Bill compared to:	
Appropriation, fiscal year 2005	−657,264,000
Budget request, fiscal year 2006	+190,000,000

COMMITTEE RECOMMENDATION

The Committee recommends $550,000,000 for grants to Amtrak in fiscal year 2006, which represents an increase of $190,000,000 over the budget request. The administration asked for $360,000,000, but reserved the entire sum for transfer to the Surface Transportation Board to carry out directed service for commuter rail operations in the event Amtrak is forced to cease operations, thereby providing no funding for Amtrak operations on the grounds that passenger rail service in the United States requires reform. While the Committee agrees that reform is critical, it is also equally important to sustain passenger rail service in geographic regions where this service is viable. Accordingly, the Committee recommendation specifically prohibits Federal funding for the eighteen Amtrak routes that operate at subsidy levels of greater than or equal to $30 per passenger, based on fully-allocated profit/loss data that excludes depreciation and interest. The Committee notes that the 24 routes that remain eligible for Federal funding under the recommendation (those requiring less than a $30 subsidy per passenger) represented more than 80 percent of Amtrak's passengers in fiscal year 2004.

Capital grants.—The Committee is concerned that, whenever Amtrak has faced fiscal crises, it has chosen to defer critical maintenance and capital investments rather than scale back other areas to fund these needs. Accordingly, the Committee includes bill language providing $50,000,000 to the Secretary of Transportation to make repairs to the Northeast Corridor. The Secretary is directed to consult with Amtrak to determine which capital projects are the most critical to further efforts to bring the Northeast Corridor into a state of good repair.

Monthly reporting requirements.—The Committee directs Amtrak to continue submitting monthly performance reports containing the same information as has been presented throughout fiscal year 2005.

Annual operating plan.—The Committee expects that Amtrak will submit its annual operations report as required by 49 USC 24315.

ADMINISTRATIVE PROVISION—FEDERAL RAILROAD ADMINISTRATION

Section 140. The Committee includes an administrative provision permitting FRA, in conjunction with Operation Lifesaver, to conduct public awareness activities with respect to grade crossing safety.

FEDERAL TRANSIT ADMINISTRATION

The Federal Transit Administration (FTA) was established as a component of the Department of Transportation on July 1, 1968, when most of the functions and programs under the Federal Transit Act (78 Stat. 302; 49 U.S.C. 1601 et seq.) were transferred from the Department of Housing and Urban Development. Known as the Urban Mass Transportation Administration until enactment of the Intermodal Surface Transportation Efficiency Act of 1991, the Federal Transit Administration administers federal financial assistance programs for planning, developing, and improving comprehensive mass transportation systems in both urban and non-urban areas.

Much of the funding for the Federal Transit Administration is provided by annual limitations on obligations provided in appropriations Acts. However, direct appropriations are required for specific portions of programs.

Authorization for the programs funded by the Federal Transit Administration is contained in the Transportation Equity Act for the 21st Century (TEA–21). TEA–21 also amended the Budget Enforcement Act (which expired on September 30, 2003) by creating the mass transit budget category which funds transit formula grants, transit capital projects, Federal Transit Administration administrative expenses, transit planning and research, and university transportation center expenses. The seventh extension of TEA–21 will expire on June 30, 2005. Because the conference of the surface transportation reauthorization legislation has not yet concluded, the Committee's recommendation continues the account and program structure of TEA–21 and prior year appropriations Act, but meets the overall funding level contained in H.R. 3 as passed by the House of Representatives on March 10, 2005.

ADMINISTRATIVE EXPENSES

	Appropriation (general fund)	Limitation on obligations (trust fund)	Total funding
Appropriation, fiscal year 2005	$9,704,000	$67,704,000	$77,367,000
Budget request, fiscal year 2006	83,500,000	0	83,500,000
Recommended in the bill	12,000,000	68,000,000	80,000,000
Bill compared to:			
Appropriation, fiscal year 2005	+2,328,000	+296,000	+2,624,000
Budget request, fiscal year 2006	−71,500,000	+68,000,000	−3,500,000

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $80,000,000 for FTA's salaries and expenses, an increase of $2,624,000 over the fiscal year 2005 funding level and $3,500,000 below the budget re-

quest. The recommendation is comprised of an appropriation of $12,000,000 from the general fund and $68,000,000 from limitations on obligations from the mass transit account of the highway trust fund. Funds for the National Transit Database are assumed under "Forumla grants" as proposed in the budget request.

The administrator is authorized to transfer funding between offices. Any transfers totaling more than three percent of the initial appropriation from this account must be approved by the House and Senate Committees on Appropriations. No new positions have been approved.

E-gov.—The Committee denies funding for e-gov initiatives based in the office of the secretary for lack of adequate justification.

The Committee's recommendation includes funds for only those information technology initiatives that directly support FTA and its grant applications. No funds are provided for transfer to another agency in support of other e-gov initiatives.

Budget justifications.—It is important for the department and the Congress to have the ability to analyze the needs of FTA on an office-by-office basis consistent with other DOT agencies. The Committee directs FTA to submit its fiscal year 2006 congressional budget justification for administrative expenses itemized by office, with material detailing salaries and expenses, staffing increases, and programmatic initiatives of each office. The initiatives for each should be clearly stated, and include a justification for each new position or full-time equivalent, should FTA seek any next year. In addition, FTA is directed to continue providing a breakout of staff resources spent per new fixed guideway project in the fiscal year 2006 budget request.

Transit security.—The Committee reiterates its direction as stated in House Report 108–671 regarding transit security. The Committee's position remains that the Department of Homeland Security is the lead agency on transportation security. As stated on the TSA website: "All new improvements will be coordinated with the Transportation Security Administration (TSA) which has overall responsibility for transportation security among all modes of transportation, including rail and transit lines." As such, the Committee recommends the same number of FTE for the security office as provided in fiscal year 2005.

Project management oversight activities.—The Committee directs that FTA continue reporting monthly to the House and Senate Committees on Appropriations on the status of each project with a full funding grant agreement.

To further support oversight activities, the bill continues a provision requiring FTA to reimburse the Department of Transportation Office of Inspector General $2,000,000 for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems. This reimbursement must come from funds available for the execution of contracts. Over the past several years, the IG has provided critical oversight of numerous major transit projects and FTA activities, which the Committee has found invaluable. The Committee directs the Inspector General will continue such oversight activities in fiscal year 2006.

Full funding grant agreements (FFGAs).—TEA–21, as amended, requires that the FTA notify the House and Senate Committees on Appropriations as well as the House Committee on Transportation

and Infrastructure and the Senate Committee on Banking sixty days before executing a full funding grant agreement. In its notification to the House and Senate Committees on Appropriations, the Committee directs the FTA to include the following: (1) a copy of the proposed full funding grant agreement; (2) the total and annual federal appropriations required for that project; (3) yearly and total federal appropriations that can be reasonably planned or anticipated for future FFGAs for each fiscal year through 2006; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization; (5) an evaluation of whether the alternatives analysis made by the applicant fully assessed all viable alternatives; (6) a financial analysis of the project's cost and sponsor's ability to finance the project, which shall be conducted by an independent examiner and which shall include an assessment of the capital cost estimate and the finance plan; (7) the source and security of all public-and private-sector financial instruments; (8) the project's operating plan, which enumerates the project's future revenue and ridership forecasts; and (9) a listing of all planned contingencies and possible risks associated with the project.

The Committee also directs FTA to inform the House and Senate Committees on Appropriations in writing thirty days before approving schedule, scope, or budget changes to any full funding grant agreement. Correspondence relating to changes shall include any budget revisions or program changes that materially alter the project as originally stipulated in the full funding grant agreement, including any proposed change in rail car procurements.

FORMULA GRANTS

	Appropriation (general fund)	Limitation on obligations (trust fund)	Total funding
Appropriation, fiscal year 2005	$499,990,000	$3,499,928,000	$3,999,918,000
Budget request, fiscal year 2006 [1]	0	6,315,000,000	6,315,000,000
Recommended in the bill	662,550,000	3,754,450,000	4,417,000,000
Bill compared to:			
Appropriation, fiscal year 2005	+162,560,000	+162,560,000	+417,082,000
Budget request, fiscal year 2006	+662,550,000	−2,380,550,000	−1,718,000,000

[1] The request proposed combining formula, planning, capital, JARC, and research grants into two accounts titled "Formula Grants and Research" and "Major Capital Investment Grants." The Committee recommendation instead provides for separate accounts.

Formula grants to states and local agencies funded under the Federal Transit Administration fall into four categories: urbanized area formula grants; clean fuels formula grants; formula grants and loans for special needs of elderly individuals and individuals with disabilities; and formula grants for other than urbanized areas. In addition, set asides of formula funds are directed to a grant program for intercity bus operators to finance Americans with Disabilities Act (ADA) accessibility costs and the Alaska Railroad for improvements to its passenger operations.

COMMITTEE RECOMMENDATION

The accompanying bill provides $4,417,000,000 for transit formula grants. The recommended level is comprised of an appropriation of $662,550,000 from the general fund and $3,754,450,000 from limitations on obligations from the mass transit account of the highway trust fund.

Major project alternatives analysis and preliminary engineering and design.—Funds in the bill can be used, among other activities, for alternatives analysis and preliminary engineering and design (PE&D) of new rail systems, extensions, or busways. The Committee continues to assert that local project sponsors of new rail systems, extensions, or busways must use these formula funds (or those provided under section 5303 metropolitan planning) for alternatives analysis and preliminary engineering and design activities rather than seek section 5309 discretionary set-asides. Moreover, the Committee expects FTA, when evaluating the local financial commitment of a given project, to consider the extent to which the project's sponsors have used these formula grant apportionments for alternatives analysis and PE&D activities of proposed new systems.

UNIVERSITY TRANSPORTATION RESEARCH

	Appropriation (general fund)	Limitation on obligations (trust fund)	Total funding
Appropriation, fiscal year 2005	$744,000	$5,208,000	$5,952,000
Budget request, fiscal year 2006 [1]	0	0	0
Recommended in the bill	1,200,000	6,800,000	8,000,000
Bill compared to:			
Appropriation, fiscal year 2005	+456,000	+1,592,000	+2,048,000
Budget request, fiscal year 2006	+1,200,000	+6,800,000	+8,000,000

[1] The request proposed combining formula, planning, capital, JARC, and research grants into two accounts titled "Formula Grants and Research" and "Major Capital Investment Grants." The Committee recommendation instead provides for separate accounts.

Grants for university transportation research are awarded to non-profit institutions of higher learning by the Research and Innovative Technology Administration (RITA) using funds appropriated to FTA. This program focuses on the transfer of knowledge relevant to national, state, and local transit issues, and builds the professional capacity of the transportation workforce.

COMMITTEE RECOMMENDATION

The accompanying bill provides a total of $8,000,000 for university transportation research. The recommended program level is comprised of an appropriation of $1,200,000 from the general fund and $6,800,000 from a limitation on obligations from the mass transit account of the highway trust fund.

TRANSIT PLANNING AND RESEARCH

	Appropriation (general fund)	Limitation on obligations (trust fund)	Total funding
Appropriation, fiscal year 2005	$15,872,000	$111,104,000	$126,976,000
Budget request, fiscal year 2006 [1]	0	0	0
Recommended in the bill	24,049,000	136,276,000	160,325,000
Bill compared to:			
Appropriation, fiscal year 2005	+8,177,000	+25,172,000	+33,349,000
Budget request, fiscal year 2006	+24,049,000	+136,276,000	+160,325,000

[1] The request proposed combining formula, planning, capital, JARC, and research grants into two accounts titled "Formula Grants and Research" and "Major Capital Investment Grants." The Committee recommendation instead provides for separate accounts.

The transit planning and research program provides financial assistance to states for statewide planning and other technical assistance activities, planning support for metropolitan areas, nonurbanized areas, research, development and demonstration projects, fellowships for training in the public transportation field, university research, and human resource development.

COMMITTEE RECOMMENDATION

The accompanying bill provides $160,325,000 for transit planning and research. The recommended level is comprised of an appropriation of $24,049,000 from the general fund and $136,276,000 from limitations on obligations from the mass transit account of the highway trust fund. Of the funds provided, the Committee expects $103,325,000 to go toward planning activities and assistance and $57,000,000 to research and development initiatives.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2005	$6,744,500,000
Budget request, fiscal year 2006	690,000,000
Recommended in the bill	7,209,700,000
Bill compared with:	
Appropriation, fiscal year 2005	+465,200,000
Budget request, fiscal year 2006	+6,520,000,000

This account provides the portion of funds for each of FTA's programs derived from the Mass Transit Account of the Highway Trust Fund. For fiscal year 2006, the Committee has provided $7,209,700,000 for liquidation of contract authorization.

CAPITAL INVESTMENT GRANTS

	Appropriation (general fund)	*Limitation on obligations (trust fund)*	*Total funding*
Appropriation, fiscal year 2005	$414,014,000	$2,898,100,000	$3,312,114,000
Budget request, fiscal year 2006 [1]	872,800,000	689,700,000	1,562,500,000
Recommended in the bill	546,251,000	3,095,424,000	3,641,675,000
Bill compared to:			
Appropriation, fiscal year 2005	+132,237,000	+197,324,000	+329,561,000
Budget request, fiscal year 2006	−326,549,000	+2,405,724,000	+2,079,175,000

[1] The request proposed combining formula, planning, capital, JARC, and research grants into two accounts title "Formula Grants and Research" and "Major Capital Investment Grants." The Committee recommendation instead provides for separate accounts.

The transit capital investment program provides capital assistance for three primary activities: new and replacement buses and facilities; modernizing existing rail systems; and new fixed guideway systems. Eligible recipients for capital investment funds are public bodies and agencies (transit authorities and other state and local public bodies and agencies thereof) including states, municipalities, other political subdivisions of states; public agencies and instrumentalities of one or more states; and certain public corporations, boards, and commissions established under state law. Buses and bus facilities funds are allocated on a discretionary basis, as are new starts funds. Fixed guideway modernization funds are allocated by statutory formula to urbanized areas with rail systems that have been in operation for at least seven years.

COMMITTEE RECOMMENDATION

The accompanying bill provides a total of $3,641,675,000 to be available for capital investment grants, of which $546,251,000 is from the general fund and $3,095,424,000 from a limitation on obligations from the mass transit account of the highway trust fund.

Funds provided for capital investment grants shall be distributed as follows:

	Amount
Bus and bus facilities	$693,335,000
Fixed guideway modernization	1,386,670,000
New starts	1,561,670,000
Total	3,641,675,000

Parallel electric hybrid buses.—The Committee is strongly supportive of efforts to encourage local transit authorities to adopt clean bus technology such as the parallel electric-diesel hybrid system into their fleets. The Committee notes that the FTA has been unable to meet its target of increasing the number of low emission buses by two percent per year in three of the last four years for which data is available. Because of the significantly lower emissions and potentially reduced operating expenses of parallel electric diesel hybrids systems, and the benefits those outcomes would realize, the Committee will be looking for ways to increase incentives to help local transit authorities adopt this technology more rapidly than the current two percent per year target. The Committee expects the FTA to provide a report by March 1, 2006 on how best

to increase the rate of introducing new low emission technology, including parallel electric-diesel hybrids.

New starts rating and evaluation process.—Transit use is important in a number of the nation's major urban centers. However, many cities have built or are building systems that are overpriced or underutilized. The Committee has encouraged FTA to continually and consistently improve the evaluation and decision-making process for the new starts process. All parties involved, including FTA, the Congress, and local transit agencies, need to be able to assess projects based on a capable ratings and evaluation system, and the FTA needs to be more adept at weeding out projects that do not relieve the most congestion, move the most people and have the greatest cost-benefit ratio. The Committee is encouraged by the recent proposed changes to the new starts program earlier this year. The proposed change to the cost effectiveness rating and the adjustment of the cost effectiveness breakpoints shows an effort by FTA to manage the exploding expectations for new starts funding.

As local communities develop their own preferred transportation alternatives, the Committee continues its insistance that these communities use Federal standards and procedures in their local analysis if they are to seek federal transportation funding through the new starts program. Further, FTA shall not approve the entry of any project into preliminary engineering if the project's alternatives analysis does not clearly espouse the federal new starts criteria and standards, by showing that the project will attract and move more riders, at lower cost, than other transportation alternatives.

New starts report.—The Committee is satisfied with the timely submission of FTA's fiscal year 2006 annual report on new starts projects. To ensure that this report continues to be submitted on time, the Committee has continued bill language included in fiscal year 2006 that requires FTA to submit its annual new starts report with the initial submission of the President's budget request.

The Committee directs FTA not to reallocate funds provided in prior year appropriations Acts for the Department of Transportation as follows:

Bus and Bus Facilities:

Lawrence Transit System Transfer Center, KS (Fiscal year 2003)

Minneapolis Downtown Circulator, MN (Fiscal year 2003)

Minneapolis, 63rd Ave. Park and Ride, MN (Fiscal year 2003)

Northwest Corridor Busway, MN (Fiscal year 2003)

Jefferson Transit Facilities, WA (Fiscal year 2003)

Attleboro Intermodal Mixed-Use Garage Facility (Fiscal year 2003)

Tompkins Consolidated Transit Center, NY (Fiscal year 2002)

Jamaica Intermodal Facilities, NY (Fiscal year 2002)

Macon Terminal Intermodal Station, GA (Fiscal year 2003)

Intermodal/Inland Port Terminal, SC (Fiscal year 2003)

New Starts:

Northstar Corridor, MN (Fiscal year 2003)

Dulles Corridor Project, VA (Fiscal year 2002)

Lowell, MA—Nashua, NH Commuter Rail (Fiscal year 2003)

JOB ACCESS AND REVERSE COMMUTE GRANTS

	Appropriation (general fund)	*Limitation on obligations (trust fund)*	*Total funding*
Appropriation, fiscal year 2005 ..	$15,500,000	$108,500,000	$124,000,000
Budget request, fiscal year 2006[1]	0	0	0
Recommended in the bill	26,250,000	148,750,000	175,000,000
Bill compared to:			
Appropriation, fiscal year 2005	+10,750,000	+40,250,000	+51,000,000
Budget request, fiscal year 2006	+26,250,000	+148,750,000	+175,000,000

[1] The request proposed combining formula, planning, capital, JARC, and research grants into two accounts titled "Formula Grants and Research" and "Major Capital Investment Grants." The Committee recommendation instead provides for separate accounts.

The purpose of the job access and reverse commute grant program is to develop services designed to transport welfare recipients and low income individuals to and from jobs and to develop transportation services for residents of urban centers and rural and suburban areas to suburban employment opportunities.

COMMITTEE RECOMMENDATION

For fiscal year 2006, the job access and reverse commute (JARC) grants program is funded at a total level of $175,000,000, with $26,250,000 derived from the general fund and $148,750,000 derived from the mass transit account of the highway trust fund.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

Section 150. The Committee continues the provision that exempts previously made transit obligations from limitations on obligations.

Section 151. The Committee continues the provision that allows unobligated funds for projects under "Capital Investment Grants" in prior year appropriations Acts to be used in this fiscal year.

Section 152. The Committee continues the provision that allows for the transfer of prior year appropriations from older accounts to be merged into new accounts with similar, current activities.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

Appropriation, fiscal year 2005	$15,773,000
Budget request, fiscal year 2006	8,000,000
Recommended in the bill	16,284,000
Bill compared with:	
Appropriation, fiscal year 2005	+511,000
Budget request, fiscal year 2006	+8,284,000

The Saint Lawrence Seaway Development Corporation (the Corporation) is a wholly owned Government corporation established by the St. Lawrence Seaway Act of May 13, 1954. The corporation is responsible for the operation, maintenance, and development of the United States portion of the St. Lawrence Seaway between Montreal and Lake Erie, including the two Seaway locks located in Massena, NY and vessel traffic control in areas of the St. Lawrence River and Lake Ontario. The mission of the corporation is to serve

the United States intermodal and international transportation system by improving the operation and maintenance of a safe, secure, reliable, efficient, and environmentally responsible deep-draft waterway. The corporation's major priorities include: safety, reliability, trade development, management accountability, and bi-national collaboration with its Canadian counterpart.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $16,284,000 to fund the operations and maintenance of the corporation, $8,284,000 above the budget request and $511,000 above the fiscal year 2005 enacted level. Appropriations from the harbor maintenance trust fund and revenues from non-federal sources finance the operation and maintenance of the Seaway for which the corporation is responsible. The Committee denies the request to re-establish tolls on the U.S. portion of the Saint Lawrence Seaway. Bill language to authorize the toll provision was not provided to the Committee in time to review or identify ramifications of the toll proposal. In addition, the Seaway provided insufficient justification to support the provision and did not address the Committees concerns regarding "double-taxation and other factors affecting the industry on the Seaway."

MARITIME ADMINISTRATION

The Maritime Administration (MARAD) is responsible for programs that strengthen the U.S. maritime industry in support of the Nation's security and economic needs, as authorized by the Merchant Marine Act, 1936. MARAD's mission is to promote the development and maintenance of an adequate, well-balanced United States merchant marine, sufficient to carry the Nation's domestic waterborne commerce and a substantial portion of its waterborne foreign commerce, and capable of serving as a naval and military auxiliary in time of war or national emergency. MARAD, working with the Department of Defense (DOD), helps provide a seamless, time-phased transition from peacetime to wartime operations, while balancing the defense and commercial elements of the maritime transportation system. MARAD also manages the maritime security program, the voluntary intermodal sealift agreement program and the ready reserve force, which assure DOD access to commercial and strategic sealift and associated intermodal capability. Further, MARAD's education and training programs through the U.S. Merchant Marine Academy and six state maritime schools help provide skilled U.S. merchant marine officers.

MARITIME SECURITY PROGRAM

Appropriation, fiscal year 2005	$97,910,400
Budget request, fiscal year 2006	156,000,000
Recommended in the bill	156,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+58,089,600
Budget request, fiscal year 2006	.....

COMMITTEE RECOMMENDATION

The Committee recommends $156,000,000 for the Maritime Security Program (MSP), consistent with the budget request. This rec-

ommendation provides funding directly to MARAD and assumes that MARAD will continue to administer the program with support and consultation of the Department of Defense. The purpose of the MSP is to maintain and preserve a U.S. flag merchant fleet to serve the national security needs of the United States. The MSP provides direct payments to U.S. flag ship operators engaged in U.S.-foreign trade. Participating operators are required to keep the vessels in active commercial service and are required to provide intermodal sealift support to the Department of Defense in times of war or national emergency. The Committee's recommendation provides funding consistent with the National Defense Authorization Act, which increased the authorization for ships under the MSP from 47 to 60, and the payment per ship from $2,100,000 to $2,600,000 per year. In January, MARAD awarded 60 MSP operating agreements for the most commercially viable and militarily useful ships. The recommendation will provide the necessary resources for the operation of the MSP at the authorized level through fiscal year 2006.

OPERATIONS AND TRAINING

Appropriation, fiscal year 2005	$108,602,176
Budget request, fiscal year 2006	113,650,000
Recommended in the bill	112,336,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,733,824
Budget request, fiscal year 2006	−1,314,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $112,336,000 to fund programs under the operations and training account of MARAD, an increase of $3,733,824 above the fiscal year 2005 appropriation and $1,314,000 below the budget request. Funds provided for this account are to be distributed as follows:

Activity (all figures in $000's)	FY06 Request	House recommended
U.S. Merchant Marine Academy:		
Salary and Benefits	$23,750	$23,750
Midshipmen Program	7,032	7,032
Instructional Program	5,746	5,746
Program Direction and Administration	2,945	2,945
Maintenance, Repair, & Operating Requirements	7,381	7,381
Capital Improvements	17,000	17,000
Subtotal, USMMA	63,854	63,854
State Maritime Schools:		
Student Incentive Payments	1,200	1,200
Direct Scholarship Payments	1,200	1,800
Scholarship Maintenance and Repair	8,211	8,211
Subtotal, State Maritime Academies	10,611	11,211
MARAD Operations:		
Base Operations	34,029	34,029
Information technology, electronic government	5,062	3,149
GSA Space Increase	93	93

Activity (all figures in $000's)	FY06 Request	House recommended
Subtotal, MARAD Operations	39,185	37,271
Subtotal, Operations and Training	113,650	112,336

Under the United States Merchant Marine Academy, the Committee recommendation includes $63,854,000 for the operation and maintenance of the U.S. Merchant Marine Academy (USMMA), consistent with the budget request. The $8,387,000 increase from the fiscal year 2005 level is to fund infrastructure improvements, technological improvements, and simulation techniques that will efficiently provide the training necessary to meet current and future standards imposed by Federal and other organizational entities, and to ensure continued academic accreditation.

Under the State Maritime Schools, the Committee recommendation includes $11,211,000 for the six State Maritime Schools (SMS), an increase of $600,000 over the budget request. These additional funds are provided for cadet training and facilities to result in $300,000 per school in direct scholarship payments.

The Committee provides $37,271,000 for MARAD operations, a reduction of $1,914,000 from the budget request. Within the operations total, the Committee provides the fiscal year 2005 level of $3,050,000 for IT related activities and $99,000 for electronic government, consistent with the level provided in fiscal year 2005. This is below the request level due to lack of sufficient justification. The Committee will reconsider the funding level if it receives adequate justification in a timely manner. The Committee notes that it never received adequate justification last year regarding MARAD's IT funding request.

SHIP DISPOSAL

Appropriation, fiscal year 2005	$21,443,072
Budget request, fiscal year 2006	21,000,000
Recommended in the bill	21,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−443,072
Budget request, fiscal year 2006	

MARAD serves as the federal government's disposal agent for government-owned merchant vessels weighing 1,500 gross tons or more. The ship disposal program provides resources to dispose of obsolete merchant-type vessels in the National Defense Reserve Fleet (NDRF). The Maritime Administration is required by law to dispose of its obsolete inventory by the end of 2006; however, MARAD has acknowledged that it will not meet this statutory deadline. There are currently 124 vessels located in three fleet sites in the NDRF awaiting disposal. In fiscal year 2004, MARAD removed fifteen ships for disposal and projects that it will remove another 15 in 2005 and 13 in 2006. These vessels pose a significant environmental threat due to the presence of hazardous substances such as asbestos and solid and liquid polychlorinated biphenyls (PCBs). The list includes a nuclear ship, the SAVANNAH, which contains remnants of a nuclear reactor.

COMMITTEE RECOMMENDATION

The Committee recommends $21,000,000 for ship disposal, consistent with the budget request and $443,072 below the fiscal year 2005 enacted level. Within the funds provided for ship disposal, the Committee provides $3,000,000 to decommission the SAVANNAH.

In a March 2005 report, GAO identified management weaknesses in MARAD's ship disposal program. The report stated that MARAD lacked the vision needed to sustain a long-term effort, and that its managers are not in a position to make sound decisions concerning the ship disposal program. The Committee requires MARAD to strengthen the management of the ship disposal program, including the development of a comprehensive integrated approach. The Committee continues to encourage MARAD to pursue various disposal options, including international disposal. Further, the Committee notes the recent increased competitiveness of domestic scrapping operations and encourages MARAD to promote aggressive competition among the domestic scrapping industry and international disposal facilities for funds appropriated for disposal.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

Appropriation, fiscal year 2005	$4,725,888
Budget request, fiscal year 2006	3,526,000
Recommended in the bill	3,526,000
Bill compared with:	
Appropriation, fiscal year 2005	−1,199,888
Budget request, fiscal year 2006	.....

The maritime guaranteed loan account as provided for by title XI of the Merchant Marine Act of 1936, provides for guaranteed loans for purchasers of ships from the U.S. shipbuilding industry and for modernization of U.S. shipyards. Funds for administrative expenses for the Title XI program are appropriated to this account, and then transferred by reimbursement to operations and training to be obligated and outlayed.

As required by the Federal Credit Reform Act of 1990, this account includes the subsidy costs associated with the loan guarantee commitments made in 1992 and beyond (including modifications of direct loans or loan guarantees that resulted from obligations or commitments in any year), as well as administrative expenses of this program. The subsidy amounts are estimated on a net present value basis; the administrative expenses are estimated on a cash basis.

COMMITTEE RECOMMENDATION

The Committee recommends $3,526,000, consistent with the budget request. This is $1,199,888 below the fiscal year 2005 level.

SHIP CONSTRUCTION

(RESCISSION)

Appropriation, fiscal year 2005	−$1,979,000
Budget request, fiscal year 2006	.....
Recommended in the bill	−2,071,280
Bill compared with:	
Appropriation, fiscal year 2005	−92,280
Budget request, fiscal year 2006	−2,071,280

The Committee rescinds $2,071,280 from the ship construction account. This account is currently inactive except for determinations regarding the use of vessels built under the program, final settlement of open contracts, and closing of financial accounts.

NATIONAL DEFENSE TANK VESSEL CONSTRUCTION PROGRAM

Appropriation, fiscal year 2005	$74,400,000
Budget request, fiscal year 2006	−74,400,000
Recommended in the bill	
Bill compared with:	
Appropriation, fiscal year 2005	−148,800,000
Budget request, fiscal year 2006	+74,400,000

The fiscal year 2004 Defense Authorization Act (Public Law 108–136) authorized the National Defense Tank Vessel Construction Program to provide financial assistance for the construction of five privately owned product tank vessels to be available for national defense purposes in time of war or national emergency. The purpose of the program is to revitalize commercial tank ship construction in the U.S. The Department of Defense has stated that a critical deficiency exists for U.S. flag tankers capable of carrying multiple petroleum cargoes. Vessels constructed under this program will operate as part of the Maritime security fleet.

COMMITTEE RECOMMENDATION

The Committee provides no new funding for this program. Further, it does not rescind funding provided in fiscal year 2005, nor does it repeal Subtitle D, National Defense Tank Vessel Construction Assistance, of Title XXXV of the Maritime Security Act of 2003, Public Law 108–136, as proposed in the budget request.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 160. The Committee continues a provision that allows the Maritime Administration to furnish utilities and services and make repairs to any lease, contract, or occupancy involving government property under the control of MARAD and rental payments shall be covered into the Treasury as miscellaneous receipts.

Section 161. The Committee continues a provision that prohibits obligations incurred during the current year from construction funds in excess of the appropriations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

The Pipeline and Hazardous Materials Safety Administration (PHMSA), which was established as an administration within the Department of Transportation effective November 30, 2004, pursuant to the Norman Y. Mineta Research and Special Programs Improvement Act (Public Law 108–246), is responsible for the department's pipeline safety program and oversight of hazardous materials transportation safety operations. As part of its mission, the agency is dedicated to safety by working toward the elimination of transportation-related deaths and injuries in hazardous materials and pipeline transportation, and by promoting transportation solutions that enhance communities and protect the natural environment.

ADMINISTRATIVE EXPENSES

This appropriation finances the program support costs for the PHMSA. This includes policy development, counsel, budget, financial management, civil rights, management, administration and agency-wide expenses.

COMMITTEE RECOMMENDATION

The Committee provides $17,027,000 for these costs, of which $645,000 is to be provided from the Pipeline Safety Fund.

Administrative support.—A total of six new positions are requested in fiscal year 2006 to provide accounting, financial support and administrative support—two human resources positions; two positions for personnel security and continuity of operations; one administrative support position to oversee real estate, space, telecommunications, property, and other administrative services; and one accounting position. The Committee approves all six of these positions and half-year funding has been provided.

Information technology activities.—The PHMSA requests a $198,000 increase in its information technology program to support information exchange, such as electronic communications, filing pipeline incident reports, and online applications for exemptions from hazardous materials regulations. The Committee provides this funding as requested.

Administrative costs for new positions.—Consistent with the new positions that have been provided, $129,000 is provided for associated administrative costs.

HAZARDOUS MATERIALS SAFETY

The PHMSA oversees the safety of the more than 800,000 daily shipments of hazardous materials in the United States and uses risk management principles and security threat assessments to understand, communicate, and reduce dangers inherent in hazardous materials transportation. The agency formulates, issues and revises hazardous materials regulations which cover hazardous materials definitions and classifications, hazard communications, shipper and carrier operations, training and security requirements, and packaging and container specifications.

COMMITTEE RECOMMENDATION

The bill includes $26,183,000 to continue the agency's hazardous materials safety functions.

Spent nuclear fuel and high-level radioactive waste shipments.—The budget requests four new positions to support the legal challenges regarding shipments of spent nuclear fuel and high-level radioactive waste to Skull Valley, Utah. The Committee approves two of these positions and the associated half-year costs.

Hazardous materials regulations compliance.—The PHMSA is requesting three new positions to help ensure compliance with current hazmat regulations. The Committee approves two of these positions and half-year funding associated with these positions has been provided.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

	(Pipeline safety fund)	*(Oil spill liability trust fund)*	Total
Appropriation, fiscal year 2005 [1]	$54,331,000	$14,880,000	$69,211,000
Budget request, fiscal year 2006	54,165,000	19,000,000	73,165,000
Recommended in the bill	57,860,000	15,000,000	72,860,000
Bill compared to:			
Appropriation, fiscal year 2005	+3,529,000	+120,000	+3,649,000
Budget request, fiscal year 2006	+3,695,000	−4,000,000	−305,000

[1] Includes across the board reduction of .8 percent.

PHMSA oversees the safety, security, and environmental protection of pipelines through analysis of data, damage prevention, education and training, enforcement of regulations and standards, research and development, grants for states pipeline safety programs, and emergency planning and response to accidents. The pipeline safety program is responsible for a national regulatory program to protect the public against the risks to life and property in the transportation of natural gas, petroleum and other hazardous materials by pipeline. The enactment of the Oil Pollution Act of 1990 also expanded the role of the pipeline safety program in environmental protection and resulted in a new emphasis on spill prevention and containment of oil and hazardous substances from pipelines.

COMMITTEE RECOMMENDATION

The bill includes $72,860,000 to continue pipeline safety operations, research and development, and state grants-in-aid in fiscal year 2006. The bill specifies that of the total appropriation, $15,000,000 shall be derived from the oil spill liability trust fund and $57,860,000 shall be from the pipeline safety fund.

State one-call grants.—The Committee directs that no less than $1,000,000 of the funds provided is for the one-call grants program, as was directed in fiscal year 2005.

Pipeline safety staffing.—The staff levels of the office of pipeline safety (OPS) have increased dramatically over the past few fiscal years and again the agency is requesting a significant staffing increase for 2006, asking that eight new positions be added. The Committee approves five of these additional positions—two new pipeline inspectors for Houston, Texas, where over 50% of the major pipeline operators are headquartered; one new inspector to work on integrity management program compliance; and two new state program managers to evaluate state pipeline programs. All other proposed positions are denied.

State pipeline safety grants.—The OPS requests funding to assist state pipeline agencies to increase inspection and enforcement activities required by the Pipeline Safety Integrity Act. Funding totaling $185,000 is provided for this purpose.

Oil spill liability trust fund.—The Committee continues to be concerned with the significant increases in the request of funds from the oil spill liability trust fund. The Oil Pollution Act of 1990 requires that these trust funds be used exclusively for oil spill prevention and response activities, and the Committee strongly encourages the OPS to allocate oversight activities between the hazardous liquid and gas pipelines and to factor the oil spill liability trust fund into the allocation formula that determines the hazardous liquid pipeline user fee assessment to accurately reflect the amount and type of oversight activities being conducted by the office consistent with the trust fund. Last year, the Committee directed that the fiscal year 2006 budget justification should adequately address this issue by containing an itemization of how these funds are being allocated within the OPS. That information was not included. Without this information, the Committee cannot support the administration's request to increase the level of funding drawn from the oil spill liability trust fund from $15,000,000 to $19,000,000. Furthermore, the Committee is once again directing the agency to include an itemization of how funds from the oil spill liability trust fund are being allocated within the OPS in the fiscal year 2007 budget justification.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

	(Emergency preparedness fund)	(Emergency preparedness grant program)	Total
Appropriation, fiscal year 2005	[1] $198,000	($14,300,000)	$14,498,000
Budget request, fiscal year 2006	200,000		200,000
Recommended in the bill	200,000	(14,300,000)	14,500,000
Bill compared to:			
Appropriation, fiscal year 2005	+2,000		+2,000
Budget request, fiscal year 2006		(+14,300,000)	+14,300,000

[1] Includes across the board reduction of .8 percent.

The Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA) requires the PHMSA to: (1) develop and implement a reimbursable emergency preparedness grant program; (2) monitor public sector emergency response training and planning and provide technical assistance to states, political subdivisions and Indian tribes; and (3) develop and update periodically a mandatory training curriculum for emergency responders.

COMMITTEE RECOMMENDATION

The Committee recommends $200,000, the same amount as requested, for activities related to emergency response training curriculum development and updates, as authorized by section 117(A)(i)(3)(B) of HMTUSA. The Committee has provided an obligation limitation of $14,300,000 for the emergency preparedness grant program.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

The Research and Innovative Technology Administration (RITA) was established as an administration within the Department of Transportation effective November 30, 2004, pursuant to the Nor-

man Y. Mineta Research and Special Programs Improvement Act, Public Law 108–426. The mission of RITA is to provide strategic clarity to the department's multi-modal and intermodal research efforts, while coordinating the multifaceted research agenda of the department.

RITA coordinates, facilitates, and reviews research and development programs and activities through: advancement and research and development of innovative technologies, including intelligent transportation systems; comprehensive transportation statistics research, analysis, and reporting; education and training in transportation and transportation-related fields, including the University Transportation Centers; and activities of the Volpe National Transportation Center.

Also included within RITA is the Bureau of Transportation Statistics (BTS), which is funded by an allocation from Federal Highway Administration's federal-aid highway account. BTS compiles, analyzes, and makes accessible information on the nation's transportation systems; collects information on intermodal transportation and other areas as needed; and enhances the quality and effectiveness of the statistical programs of the Department of Transportation through research, the development of guidelines, and the promotion of improvements in data acquisition and use.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2005 [1]	$4,310,000
Budget request, fiscal year 2006	6,274,000
Recommended in the bill	4,326,000
Bill compared with:	
Appropriation, fiscal year 2005	+16,000
Budget request, fiscal year 2006	−1,948,000

[1] FY 2005 amount represents the transfer of resources from the Office of the Secretary of Transportation ($975,000) and the Research and Special Programs Administration ($3,335,000).

COMMITTEE RECOMMENDATION

The bill includes $4,326,000 to continue research and development activities in fiscal year 2006. This funding level represents only a minor increase over the fiscal year 2005 level and is attributable to the amount identified in the budget justification as being necessary for inflation and other mandatory increases.

Reductions from the budget request.—The Committee reduces funding by $1,948,000 below the request due to inadequate justification. The Committee is disturbed by the poor quality of the budget justification that was provided for this newly formed agency and notes the complete lack of information pertaining to specific requested increases above prior year funding levels. As has been noted in the past, the Committee cannot meet the administration's request if it does not come with adequate justification.

For similar reasons, the Committee denies funding for seven additional full-time equivalent staff years (FTEs). Although identified in several charts within the budget request document, these additional FTEs were never described within the written justification and no explanation was provided as to why they were needed, thereby making it impossible for the Committee to determine the significance of either funding or not funding these FTEs.

Therefore, the Committee denies the increased funding and additional FTEs that have been requested until such time as the department can adequately explain the need for these increases.

Poor planning behind reorganization.—The budget justification for RITA stated repeatedly that "not enough is known about the impending reorganization structure and distribution of its functions to confidently predict RITA priorities" as it relates to the various program and performance goals. The Committee notes that P.L. 108–426, which created RITA, was passed in November 2004 based on the department's recommendations to Congress to reorganize. Yet, the department still does not appear to have a clear direction as to how this newly created agency should operate. This shows a lack of planning and foresight on the part of the department and causes this Committee to question the planning process that was behind the department's request for the reorganization. It is the Committee's hope that the department's budget request for next fiscal year will be better organized and will provide a clearer picture as to the long-term goals and objectives of this agency.

BUREAU OF TRANSPORTATION STATISTICS

Under the appropriation of the Federal Highway Administration, the bill provides $33,000,000 for the BTS.

The most recent long-term surface transportation reauthorization act, the Transportation Equity Act for the 21st Century, expired on September 30, 2003. Since that time, Congress has passed several short-term extension bills that have provided contract authority for the various surface transportation programs, with the current extension set to expire on June 30, 2005. Because reauthorization actions have not yet been completed, the Committee has funded BTS at a level for fiscal year 2006 that is consistent with the House-passed surface transportation reauthorization legislation, the Transportation Equity Act: A Legacy for Users.

As has been the practice in previous years, the Committee limits BTS staff to 126 FTEs in fiscal year 2006 in order to curtail the significant growth in staffing that occurred previously within this agency.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The Inspector General's office was established in 1978 to provide an objective and independent organization that would be more effective in: (1) preventing and detecting fraud, waste, and abuse in departmental programs and operations; and (2) providing a means of keeping the Secretary of Transportation and the Congress fully and currently informed of problems and deficiencies in the administration of such programs and operations. According to the authorizing legislation, the Inspector General (IG) is to report dually to the Secretary of Transportation and to the Congress.

Appropriation, fiscal year 2005	$58,528,000
Budget request, fiscal year 2006	62,499,000
Recommended in the bill	62,499,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,971,000
Budget request, fiscal year 2006	

COMMITTEE RECOMMENDATION

The Committee recommendation provides $62,499,000 for activities of the Office of Inspector General, consistent with the budget request. The Committee continues to value highly the work of the Office of Inspector General in oversight of departmental programs and activities.

In addition, the OIG will receive $7,224,000 from other agencies in this bill, as noted below:

Federal Highway Administration	$3,524,000
Federal Transit Administration	2,000,000
Federal Aviation Administration	1,200,000
National Transportation Safety Board	500,000

Funding is sufficient to finance 435 full-time equivalent (FTE) staff years in fiscal year 2006, for an increase of 5 FTE.

Unfair business practices.—The bill maintains language first enacted in fiscal year 2000 which authorizes the OIG to investigate allegations of fraud and unfair or deceptive practices and unfair methods of competition by air carriers and ticket agents.

Audit reports.—The Committee requests the Inspector General to continue forwarding copies of all audit reports to the Committee immediately after they are issued, and to continue to make the Committee aware immediately of any review that recommends cancellation or modifications to any major acquisition project or grant, or which recommends significant budgetary savings. The OIG is also directed to withhold from public distribution for a period of 15 days any final audit or investigative report which was requested by the House or Senate Committees on Appropriations.

SURFACE TRANSPORTATION BOARD

The Surface Transportation Board was created on January 1, 1996 by P.L. 104–88, the Interstate Commerce Commission (ICC) Termination Act of 1995. Consistent with the continued trend toward less regulation of the surface transportation industry, the Act abolished the ICC; eliminated certain functions that had previously been implemented by the ICC; transferred core rail and certain other provisions to the Board; and transferred certain motor carrier functions to the Federal Highway Administration (now under the Federal Motor Carrier Safety Administration). The Board is specifically responsible for regulation of the rail and pipeline industries and certain non-licensing regulations of motor carriers and water carriers. The law empowers the Board through its exemption authority to promote deregulation administratively on a case-by-case basis and continues intact the important rail reforms made by the Staggers Rail Act of 1980.

SALARIES AND EXPENSES

Appropriation, fiscal year 2005 [1]	$20,030,000
Budget request, fiscal year 2006 [2]	23,138,000
Recommended in the bill [3]	25,372,000
Bill compared with:	
Appropriation, fiscal year 2005	+5,342,000
Budget request, fiscal year 2006	+2,234,000

[1] Includes $1,050,000 in collections of user fees.
[2] Assumes collection of $1,250,000 in user fees, to offset the appropriation as the fees are collected throughout the fiscal year.
[3] Assumes collection of $1,250,000 in user fees, to offset the appropriation as the fees are collected throughout the fiscal year.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $25,372,000, an increase of $2,234,000 above the budget request. Included in the recommended amount is an estimated $1,250,000 in fees, which will offset the appropriated funding. At this funding level, the Board will be able to accommodate 150 full-time equivalent staff years. In addition, the Committee has provided one-time funding of $4,500,000 to accommodate STB's pending office relocation.

User fees.—Current statutory authority, under 31 U.S.C. 9701, grants the Board the authority to collect user fees. The Committee believes that $1,250,000 in user fees is reasonable. Language is included in the bill allowing the fees to be credited to the appropriation as offsetting collections, and reducing the general fund appropriation on a dollar-for-dollar basis as the fees are received and credited. This language, continued from last year, simplifies the tracking of the collections and provides the Board with more flexibility in spending its appropriated funds.

Union Pacific/Southern Pacific merger.—On December 12, 1997, the Board granted a joint request of Union Pacific Railroad Company and the City of Wichita and Sedgwick County, KS (Wichita/Sedgwick) to toll the 18-month mitigation study pending in Finance Docket No. 32760. The decision indicated that at such time as the parties reach agreement or discontinue negotiations, the Board would take appropriate action.

By petition filed June 26, 1998, Wichita/Sedgwick and UP/SP indicated that they had entered into an agreement, and jointly petitioned the Board to impose the agreement as a condition of the Board's approval of the UP/SP merger. By decision dated July 8, 1998, the Board agreed and imposed the agreement as a condition to the UP/SP merger. The terms of the negotiated agreement remain in effect. If UP/SP or any of its divisions or subsidiaries materially changes or is unable to achieve the assumptions on which the Board based its final environmental mitigation measures, then the Board should reopen Finance Docket 32760 if requested by interested parties, and prescribe additional mitigation properly reflecting these changes if shown to be appropriate.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 170. The Committee continues the provision allowing the Department of Transportation to use funds for aircraft; motor vehicles; liability insurance; uniforms; or allowances, as authorized by law.

Section 171. The Committee continues the provision limiting appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV.

Section 172. The Committee continues the provision prohibiting funds in this Act for salaries and expenses of more than 100 political and Presidential appointees in the Department of Transportation, and prohibits political and Presidential personnel assigned on temporary detail outside the Department of Transportation.

Section 173. The Committee continues the provision prohibiting funds for the implementation of section 404 of title 23, United State Code.

Section 174. The Committee continues the provision prohibiting recipients of funds made available in this Act from releasing personal information, including social security number, medical or disability information, and photographs from a driver's license or motor vehicle record, without express consent of the person to whom such information pertains; and prohibits the withholding of funds provided in this Act for any grantee if a state is in noncompliance with this provision.

Section 175. The Committee continues the provision allowing funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from states, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited to each agency's respective accounts.

Section 176. The Committee continues the provision authorizing the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation.

Section 177. The Committee continues the provision prohibiting funds in Title I of this Act from being issued for any grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations.

Section 178. The Committee continues a provision for the Department of Transportation allowing funds received from rebates, refunds, and similar sources to be credited to appropriations.

Section 179. The Committee continues a provision allowing amounts from improper payments to a third party contractor that are lawfully recovered by the Department of Transportation to be available to cover expenses incurred in the recovery of such payments.

Section 180. The Committee continues a provision allowing the Secretary of Transportation to transfer unexpended sums from "Office of the Secretary, Salaries and Expenses" to "Minority Business Outreach".

Section 181. The Committee continues the provision prohibiting the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 182. The Committee continues the provision prohibiting the use of funds to implement an essential air service local cost share participation pilot program.

TITLE II—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005 [1]	$156,299,000
Budget request, fiscal year 2006	195,253,000
Recommended in the bill	187,452,000
Bill compared with:	
Appropriation, fiscal year 2005	+31,153,000
Budget request, fiscal year 2006	−7,801,000

[1] Does not include $22,113,000 for the office of foreign assets control.

The Departmental Offices' function in the Treasury Department is to provide basic support to the Secretary of the Treasury, who is the chief operating executive of the Department. The Secretary of the Treasury also has a primary role in formulating and managing the domestic and international tax and financial policies of the Federal Government. The Secretary's responsibilities funded by the salaries and expenses appropriation include: recommending and implementing United States domestic and international economic and tax policy; fiscal policy; governing the fiscal operations of the Government; maintaining foreign assets control; managing the public debt; managing development of financial policy; representing the United States on international monetary, trade and investment issues; overseeing Treasury Department overseas operations; directing the administrative operations of the Treasury Department; and providing executive oversight of the bureaus within the Treasury Department. This account also includes funding for the office of professional responsibility.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $187,452,000 for departmental offices, salaries and expenses, an increase of $31,153,000 over the fiscal year 2005 enacted level and $7,153,000 below the request. The funding recommendations are made based on information included in the budget justification. Therefore, the transfer authority provided to the department under this heading is set at 2 percent. Funds are to be allocated as follows:

Executive direction	$7,216,000
General counsel	7,521,000
Economic polices and programs	32,011,000
Financial policies and programs	24,721,000
Terrorism and financial crimes programs [1]	35,409,000
Treasury-wide management policies and programs	16,843,000
Administration	63,731,000

[1] Includes the office of foreign assets controls.

The Committee has included a travel limitation of $3,000,000 for fiscal year 2006 and restates the travel report directives contained in House Report 108–792. The Committee is recommending the travel limitation to ensure that adequate resources are available for the day-to-day operations of the department. The Committee directs the secretary to ensure that a portion of the travel funds are made available to general schedule employees to support the training and development of all departmental office employees.

Additionally, the bill includes $258,000 for unforeseen emergencies, $5,173,000 for the department-wide financial statement audit and internal control programs, $3,000,000 for information technology modernization requirements, and $100,000 for official reception and representation expenses.

The Committee recommends $35,409,000 for the office of terrorism and financial intelligence (TFI). Of the amount provided, $1,998,000 is for the office of the undersecretary, $3,700,000 is for the office of terrorist financing and financial crimes (OTTC), 22,032,000 is for the office of financial assets control (OFAC), and $7,679,000 is for the office of intelligence analysis (OIA). The Committee is concerned that the Office of Terrorism and Financial Intelligence is resourcing its operations at the expense of its key analytic and intelligence units and shortchanging the ability of OFAC to perform its mission effectively. Earlier this year, Treasury proposed to detail 23 OFAC FTE to OIA, and then request 9 new FTE for OFAC in the budget justification. The Committee's recommendation funds 9 FTE in OFAC as requested, and an additional 14 FTE in OIA. The Committee made its decision based on the fact that Treasury has not provided adequate justification for the additional FTE, nor a comprehensive plan for this office, which was created less than one year ago.

The Committee directs the department to provide to the Committee a report of TFI's short and long-term personnel and resource requirements for the next five years, and a narrative of the TFI's strategic plan for its organizational structure, including its interaction and relationship with subordinate agencies such as the OIA, OFAC, and the Financial Crimes Enforcement Newtork (FinCEN). Morevoer, the Committee directs the Government Accountability Office (GAO) to assess TFI and include a discussion of the strategic goals of TFI; an assessment of its implementation plan and strategies for accomplishing its legislative mandates; whether its structure, policies, resources, human capital requirements, mission, direction and other organizational factors are in alignment with the functions of subordinate agencies such as OIA, FinCEN, and OFAC and avoids duplication of performance; if its control and measurements systems are consistent with keeping TFI on track toward its goals; and include recommendations for program and organizational improvements. The Committee directs the Treasury Department and the GAO to deliver their reports to the Committee no later than February 1, 2006.

The Committee's recommendation does not include an increase of $720,000 over the fiscal year 2005 funding level for media room operations. The Committee determines this cost increase to be excessive and directs Treasury to bring down the cost of this initiative.

The Committee's recommendation does not include $1,000,000 for building maintenance and repairs. While the Committee agrees that in the future funds should be set aside for routine repair and maintenance of the Treasury Building, the T–BARR initiative should be able to address any issues in fiscal year 2006.

The Committee's recommendation does not include funds for any e-gov project outside of the regular scope of the department's operations, or any project coordinated by another agency.

The Committee appreciates Treasury's efforts to retool the department's budget documents in response to concerns expressed

from a year ago. In fiscal year 2005, senior Treasury officials coordinated with the Committee early in the 2006 budget process to make adjustments to Treasury budget presentation materials. As a result, the fiscal year 2006 budget-in-brief (BIB) is a remarkable improvement over previous years. It is a clear, concise and usable document. Nevertheless, while the BIB has improved, the Treasury congressional justification documents continue to need major changes. The Committee expects the same process used to transform the BIB to change the justification. A retooled congressional justification should provide detailed discussion of proposed new initiatives, and changes in the agency's financial plan from prior year enactment that build on a request for the new year such as transfers and annualization of prior year programs.

The Committee recognizes the positive first step in significantly reducing the performance information in the fiscal year 2006 budget documents. The Committee encourages the department to continue to refine and better focus its performance measures. Good performance information should demonstrate to the Committee the marginal benefits received from dollars appropriated. In light of tight fiscal constraints, the Committee also values Treasury efforts to reduce ineffective, low priority and obsolete programs. The Committee expects Treasury to continue to hold programs to a firm test of accountability and focus funding on top priorities, but developing fair and responsible budgets, in this austere fiscal environment.

Once the fiscal year 2006 appropriations Act is signed into law, the Committee directs the department to submit an operating plan for the fiscal year 2006 resources provided to the department, including all offices and bureaus, not more than 60 days after enactment. The operating plan must include funding and FTE levels for all offices and objectives by fiscal year 2005 actual, fiscal year 2006 request, and fiscal year 2006 enacted. In addition, the plan must include information on any initiative, major procurement, and program at the department. The operating plan should incorporate input from all senior level managers of the department, and once submitted, the final plan should be made available to those managers. In the past two years, the department has undertaken a large number of reprogramming actions that rely heavily on attrition and deferments to meet various new initiatives and priorities during the fiscal year. The Committee understands the need for some flexibility to meet unanticipated needs, but has the experience to know that a stable operating budget will help anchor an agency in its mission and enable managers to meet the day-to-day needs of the department.

The Committee has noticed the inordinate amount of time it takes the department to respond to basic budget inquiries. Information related to the expenditure of current year and budget year funds is directly the jurisdiction of the Committee and one of its basic oversight responsibilities. Further, once an appropriations Act is enacted, or the budget submitted, the department should have definite answers regarding the obligation of funds and the justification for all budget requests. The Committee directs the department to respond in a more timely manner to all Committee requests. Further, in order to eliminate confusion over which Treasury official is responsible for signing correspondence to the Committee, the Committee directs that correspondence related to the Committee

shall be signed by either the Secretary, the Chief Financial Officer, or the relevant bureaus director.

The Committee recognizes the prominence placed on economic and financial issues at the Organization for Economic Cooperation and Development in Paris, France, and directs the department to maintain a senior staff presence attached to the United States Mission in Paris. Over the years, there has been an erosion in the presence of the Treasury Department at the United States Mission, but the importance of the issues involved necessitate that this trend now cease and that a senior position be established.

The Committee is concerned about the failure of airlines to properly fund the pension obligations of their employees and retirees. Recent bankruptcy court rulings and announcements by other airlines that they may seek similar relief from pension obligations, have precipitated a crisis for the Pension Benefit Guaranty Corporation. As a result, airlines are asking taxpayers to further subsidize their continuing losses.

Within 90 days of the enactment of this Act, the Government Accountability Office is directed to analyze the impact that a re-regulation of the airline industry would have on reducing potential pension defaults by airlines.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$32,002,000
Budget request, fiscal year 2006	24,412,000
Recommended in the bill	21,412,000
Bill compared with:	
Appropriation, fiscal year 2005	−10,590,000
Budget request, fiscal year 2006	−3,000,000

This appropriation funds the modernization of Treasury business processes and increases in department-wide systems efficiency through technology investments for systems that involve more than one Treasury bureau or Treasury's interface with other governmental agencies.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $21,412,000 for department-wide systems and capital investment programs, $3,000,000 below the budget request and $10,590,000 below the fiscal year 2005 enacted level.

Of the amount recommended, the Committee has provided $3,000,000 for various TFI information technology investments. Should the department require additional resources for this initiative, the Committee directs the department to utilize revenue from the Treasury Forfeiture Fund, up to $3,000,000. To ensure the rational and reasonable development and procurement of such investments, the Committee directs the Government Accountability Office to provide assistance and oversight as TFI embarks on this system development.

Recent reports of unrealized savings from major information technology (IT) investments, such as those associated with the development and implementation of the HR-Connect system, and award protests associated with the Treasury Communications En-

terprise (TCE) Network do little to inspire the confidence of the Committee in the department's ability to manage its IT portfolio, or inspire the Committee to fund new systems. Too often, the Committee is backed into the corner of funding initiatives and systems based on the promise of management reform, the threat of departmental collapse, or the argument that too much money has been invested to pull the plug. In this budget climate, the Committee cannot afford to fund the failure and shortcomings of IT investments. The Committee directs the department to provide more detailed information in the operating plan regarding all IT initiatives and investments, development and implementation timelines, and costs and savings.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$16,368,000
Budget request, fiscal year 2006	16,722,000
Recommended in the bill	17,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+632,000
Budget request, fiscal year 2006	+278,000

This appropriation provides agency-wide audit and investigative functions to identify and correct operational and administrative deficiencies, which create conditions for existing or potential instances of fraud, waste, and mismanagement. The audit function provides program, contract, and financial statement audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, repricing, and settlement of contracts. Program audits review and evaluate all facets of agency operations. Financial statement audits assess whether financial statements fairly present the agency's financial condition and results of operations, the adequacy of accounting controls, and compliance with laws and regulations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $17,000,000 for the Office of Inspector General, an increase of $632,000 above the fiscal year 2005 enacted level and an increase of $278,000 above the budget request. The increase is for additional audit capability in the areas of regulation responsibility and the on-going audit of the Treasury building renovation project. The bill includes $2,000,000 for official travel expenses, $2,000 for reception and representation expenses, and up to $100,000 for unforeseen emergencies.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$128,093,000
Budget request, fiscal year 2006	133,286,000
Recommended in the bill	133,286,000
Bill compared with:	
Appropriation, fiscal year 2005	+5,193,000
Budget request, fiscal year 2006	.....

The Internal Revenue Service (IRS) Restructuring and Reform Act of 1998 established the Office of Treasury Inspector General for Tax Administration (TIGTA) and abolished the IRS Office of the Chief Inspector. TIGTA conducts audits, investigations, and evaluations to assess the operations and programs of the IRS and its related entities, the IRS Oversight Board and the Office of Chief Counsel. The purpose of those audits and investigations is to: (1) promote the economic, efficient, and effective administration of the nation's tax laws and to detect and deter fraud and abuse in IRS programs and operations; and (2) recommend actions to resolve fraud and other serious problems, abuses, and deficiencies in these programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $133,286,000 for the Treasury Inspector General for Tax Administration, an increase of $5,193,000 above the fiscal year 2005 enacted level and equal to the budget request.

AIR TRANSPORTATION STABILIZATION PROGRAM

Appropriation, fiscal year 2005	$1,984,000
Budget request, fiscal year 2006	2,942,000
Recommended in the bill	2,500,000
Bill compared with:	
Appropriation, fiscal year 2005	+16,000
Budget request, fiscal year 2006	−942,000

The Air Transportation Stabilization Board was authorized in the Air Transportation Safety and Stabilization Act to issue $10,000,000,000 of federal credit instruments to air carriers. The purpose is "to compensate air carriers for losses incurred by the air carriers as a result of the terrorist attacks on the United States that occurred on September 11, 2001", providing among other criteria, that "such agreement is a necessary part of maintaining a safe, efficient, and viable commercial aviation system in the United States".

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,500,000 for the air transportation stabilization program, an increase of $16,000 over the fiscal year 2005 enacted level and $942,000 below the budget request. The Committee's recommendation is based on a lack of justification for the greater expense.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$12,217,000
Budget request, fiscal year 2006	10,000,000
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−2,217,000
Budget request, fiscal year 2006	.....

This appropriation funds the repairs, selected improvements, and construction necessary to renovate and maintain the main Treasury Building, the Treasury annex, and other Treasury buildings.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $10,000,000 for Treasury Building and Annex Repair and Restoration (T–BARR), a decrease of $2,217,000 below the fiscal year 2005 enacted level and the same as the budget request. The requested and proposed funding level should be adequate for the final year of funding for this project.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$71,922,000
Budget request, fiscal year 2006	73,630,000
Recommended in the bill	73,630,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,708,000
Budget request, fiscal year 2006	.....

The Financial Crimes Enforcement Network (FinCEN) is responsible for implementing Treasury's anti-money laundering regulations through administration of the Bank Secrecy Act, 31 U.S.C. section 5311, et seq. (BSA). It also serves as a United States Government source for the systematic collection and analysis of information to assist in the investigation of money laundering and other financial crimes. FinCEN supports law enforcement investigative efforts by federal, state, local and international agencies, and fosters interagency and global cooperation against domestic and international financial crimes. It also provides U.S. policymakers with strategic analyses of domestic and worldwide trends and patterns. It prevents money laundering through its regulatory and outreach programs, including setting policy for and overseeing BSA compliance by financial institutions, and by providing BSA training for law enforcement, bankers, and bank regulators. Pursuant to the USA Patriot Act of 2001, FinCEN was made a Treasury Bureau in recognition of its key role in supporting investigations and other government efforts to identify and stop the financing of terrorist organizations and activity. The Patriot Act also gave FinCEN substantial new responsibilities for collecting, sharing, and managing financial and other information as part of its counter-terrorism mission.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $73,630,000 for the financial crimes enforcement network, an increase of $1,708,000 above the fiscal year 2005 enacted level and the same as the budget request.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$82,336,000
Budget request, fiscal year 2006	62,486,000
Recommended in the bill	91,126,000
Bill compared with:	
Appropriation, fiscal year 2005	+8,790,000
Budget request, fiscal year 2006	+28,640,000

The Alcohol and Tobacco Tax and Trade Bureau (TTB) is responsible for the enforcement of laws designed to eliminate certain illicit activities and to regulate lawful activities relating to distilled spirits, beer, wine and nonbeverage alcohol products, and tobacco. Its responsibilities are focused on collecting revenue; reducing taxpayer burden and improving service while preventing diversion; and protecting the public and preventing consumer deception in certain regulated commodities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $91,126,000 for the Alcohol and Tobacco Tax and Trade Bureau, an increase of $8,790,000 above the fiscal year 2005 enacted level and $28,790,000 above the budget request. The budget request assumed $28,640,000 in revenue from new user fees to be enacted. However, the Committee never received the proposed legislation authorizing such fees and assumes that the proposal did not have much merit. In addition, the bill includes up to $6,000 for official reception and representation expenses and up to $50,000 for cooperative research and development programs.

BUREAU OF ENGRAVING AND PRINTING

The Bureau of Engraving and Printing (BEP) designs, manufactures, and supplies Federal Reserve notes, various public debt instruments, as well as most evidences of a financial character issued by the United States, such as postage and internal revenue stamps. The BEP also executes certain printings for various territories administered by the United States, particularly postage and revenue stamps.

The operations of the BEP are financed by a revolving fund established in accordance with the provisions of Public Law 81–656, August 4, 1950 (31 U.S.C. 181), which requires the BEP to be reimbursed by customer agencies for all costs of manufacturing products and services performed. The BEP is also authorized to assess amounts to acquire capital equipment and provide for working capital needs. The anticipated work volume is based on estimates of requirements submitted by agencies served. The following table summarizes BEP revenue and expense data for fiscal years 2004 through 2006:

	2004 (actual)	2005 (estimate)	2006 (estimate)
Total revenue	$524,752,000	$530,000,000	$575,000,000
Revenue from currency	491,179,000	507,000,000	569,000,000
Revenue from stamps	19,501,000	17,000,000	0
Other revenue	14,072,000	6,000,000	6,000,000
Cost of operations	553,558,000	530,000,000	575,000,000
Net revenue [1] (to Treasury)	−28,806,000		

[1] Capital investments will be less than depreciation, a non-cash expense, in each of these years. In order to avoid accumulating working capital in excess of Bureau needs, currency prices are set at a level that will result in an annual loss (on paper). This loss will not exceed the depreciation expense, ensuring the solvency of the Bureau's revolving fund.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

Appropriation, fiscal year 2005	$173,765,000
Budget request, fiscal year 2006	176,923,000
Recommended in the bill	176,923,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,158,000
Budget request, fiscal year 2006	.....

This appropriation provides funds for the conduct of all public debt operations and the promotion of the sale of U.S. securities.

COMMITTEE RECOMMENDATION

The Committee recommends a net appropriation of $176,923,000 for administering the public debt, an increase of $3,158,000 above the fiscal year 2005 enacted level and the same as the budget request. The bill includes up to $2,000,000 for systems modernization.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

Appropriation, fiscal year 2005	$55,078,000
Budget request, fiscal year 2006	7,900,000
Recommended in the bill	55,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−78,000
Budget request, fiscal year 2006	+47,100,000

The Community Development Financial Institutions Fund provides grants, loans and technical assistance to new and existing community development financial institutions such as community development banks, community development credit unions, revolving loan funds and micro-loan funds. Recipients must use the funds to support mortgage, small business and economic development lending in currently underserved, distressed neighborhoods. The Fund is also responsible for implementation of the Community Renewal Tax Relief Act of 2000.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $55,000,000 for the program in fiscal year 2006, an increase of $47,100,000 when compared to the budget request, and $78,000 below the fiscal year 2005 funding level. The budget request proposed moving the pro-

gram to the Department of Commerce as a part of the "Strengthening America's Communities" program, leaving only the administration of the New Markets Tax Credit program and the outstanding award portfolio. The Committee recommends the entire program remain at the Treasury. Of the funds provided, $13,000,000 is for administrative costs of the program.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$229,083,000
Budget request, fiscal year 2006	236,243,000
Recommended in the bill	236,243,000
Bill compared with:	
Appropriation, fiscal year 2005	+7,160,000
Budget request, fiscal year 2006	.....

The Financial Management Service (FMS) is responsible for the management of Federal finances and the collection of Federal debt. As the Federal Government's central financial agent, FMS receives and disburses public monies, maintains government accounts, and reports on the status of the government's finances. FMS is also accountable for developing and implementing the most reliable and efficient financial methods and systems to manage and improve the Government's cash management, credit management, and debt collection programs. Pursuant to the Debt Collection Improvement Act of 1996, FMS became the primary agency for the collecting of federal non-tax debt that is due and owed to the government. Through FMS, there is a coordinated effort to collect debt from those who have defaulted on agreements with the Federal government.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $236,243,000 for the Financial Management Service, an increase of $7,160,000 above the fiscal year 2005 enacted level and the same as the budget request. The bill includes up to $9,220,000 for information systems modernization initiatives and up to $2,500 for official reception and representation expenses.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The United States Mint manufactures coins, receives deposits of gold and silver bullion, and safeguards the Federal government's holdings of monetary metals. For fiscal year 1997, Congress established the United States Mint Public Enterprise Fund (Public Law 104–52), which authorized the U.S. Mint to use proceeds from the sale of coins to finance the costs of its operations and which consolidated all existing Mint accounts into a single fund. Public Law 104–52 also provides that, in certain situations, the levels of capital investments for circulating coins and protective services shall factor into the decisions of the Congress such that those levels compete with other requirements for funding.

COMMITTEE RECOMMENDATION

The Committee recommends a spending level for capital investments by the U.S. Mint for circulating coinage and protective services of $36,900,000, an increase of $12,900,000 above the fiscal year 2005 spending level and the same as the level included in the budget request. The following table provides basic information on the revenues, costs, and products of the Mint for fiscal years 2004 through 2006:

	Circulating coins	Commemorative quarters	Numismatic coins	Protection
2004 (actual):				
Number of coins	11.1 billion	2.2 billion	24 million.	
Cost of operations.	$194 million	$241 million	$521 million	$39 million.
Revenue	$443 million	$560 million	$667 million.	
2005 (est.):				
Number of coins	12.8 billion	2.6 billion	22 million.	
Cost of operations.	$253 million	$228 million	$709 million	$36 million.
Revenue	$524 million	$655 million	$800 million.	
2006 (est.):				
Number of coins	12.7 billion	2.9 billion	22 million.	
Cost of operations.	$242 million	$238 million	$696 million	$39 million.
Revenue	$524 million	$718 million	$825 million.	
Net revenue (to Treasury).	$439 million	$775 million	$500 million	($41 million).

INTERNAL REVENUE SERVICE

TAX ADMINISTRATION AND OPERATIONS

Appropriation, fiscal year 2005	
Budget request, fiscal year 2006	$10,013,555,000
Recommended in the bill	
Bill compared with:	
Appropriation, fiscal year 2005	
Budget request, fiscal year 2006	−10,013,555,000

COMMITTEE RECOMMENDATION

The Internal Revenue Service requested that Congress consolidate its existing accounts into a single account that would fund all taxpayer service and enforcement activities. The Committee denies this request and retains the existing, discrete account structure.

PROCESSING, ASSISTANCE, AND MANAGEMENT

Appropriation, fiscal year 2005	$4,056,857,000
Budget request, fiscal year 2006	
Recommended in the bill	4,181,520,000
Bill compared with:	
Appropriation, fiscal year 2005	+124,663,000
Budget request, fiscal year 2006	+4,181,520,000

This appropriation provides for processing tax returns and related documents; processing data for compiling statistics of income; assisting taxpayers in correct filing of their returns and in paying taxes that are due; overall planning and direction of the Internal Revenue Service; and management of financial resources and procurement.

COMMITTEE RECOMMENDATION

The Committee recommends $4,181,520,000 for Processing, Assistance and Management, which is $4,181,520,000 above the budget request and $124,663,000 above fiscal year 2005.

Taxpayer service.—The Committee is concerned that, with the increasing focus on enforcement, the IRS might exacerbate problems with compliance as a result of a lack of resources for taxpayer service. It is clear to the Committee that IRS has rushed to meet an arbitrary figure specified for cuts to service programs, so much so that clearly IRS has not had time to evaluate the impact its proposals would have on taxpayers, nor has it consulted with stakeholders. The Committee does not question the notion that some taxpayer assistance centers (TACs) should be closed or realigned with other IRS assets to achieve savings. However, the methodology used to develop the list of TACs to be closed leaves a great deal to be desired. Specifically, the Committee is disturbed that the National Taxpayer Advocate (NTA), the Treasury Inspector General for Tax Administration (TIGTA), the IRS Oversight Board, and other important stakeholder groups were not consulted during the development phase of the model that was used to identify which TACs should be closed. The Committee has included an administrative provision prohibiting the use of funds to close TACs for fiscal year 2006 until TIGTA has completed a thorough, scientific review of the impact this initiative would have on individual taxpayers. The Committee has included additional bill language that requires IRS to consult with NTA, TIGTA, the IRS Oversight Board, and other appropriate parties to receive feedback regarding data points that are incorporated in the model that determines which TACs should be closed and the weighting of those factors in the process.

IRS Oversight Board.—The Committee is concerned that IRS proposed to reduce funding for the IRS Oversight Board by 50 percent in its budget request. As a result of this concern, the Committee has included bill language that dedicates $1,500,000 to support the continued operations of the IRS Oversight Board, which is an important source of independent information and analysis of IRS activities. The Committee expects this action will not be necessary in future fiscal years.

The Committee is concerned that disabled military retirees, whose successful VA disability claims take more than 3 years to be resolved, are unable to receive the back tax they are owed for more than 3 years due to IRS statute of limitations. The Committee directs the IRS to work with the VA and report back to the Committee within 90 days of the enactment of this act on how many disabled military retirees have been denied the full back tax that they are owed due to the 3 year statute of limitations, and how many military retirees have VA disability claims that have been pending for 3 years or longer and will be penalized by the 3 year statute of limitations.

TAX LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$4,363,539,000
Budget request, fiscal year 2006	.....
Recommended in the bill	4,541,466,000
Bill compared with:	
Appropriation, fiscal year 2005	+177,927,000
Budget request, fiscal year 2006	+4,541,466,000

This appropriation provides for the examination of tax returns, both domestic and international; the administrative and judicial settlement of taxpayer appeals of examination findings; technical rulings; monitoring employee pension plans; determining qualifications of organizations seeking tax-exempt status; examining tax returns of exempt organizations; enforcing statutes relating to detection and investigation of criminal violations of the internal revenue laws; collecting unpaid accounts; compiling statistics of income and compliance research; securing unfiled tax returns and payments; and expanded efforts to reduce overclaims and erroneous filings associated with the earned income tax credit.

COMMITTEE RECOMMENDATION

The Committee recommends $4,541,466,000, an increase of $4,541,466,000 over the request and $177,927,000 over fiscal year 2005. Included in the recommendation is $55,584,000 to support IRS activities under the Interagency Crime and Drug Enforcement program.

INFORMATION SYSTEMS

Appropriation, fiscal year 2005	$1,577,768,000
Budget request, fiscal year 2006	.....
Recommended in the bill	1,606,846,000
Bill compared with:	
Appropriation, fiscal year 2005	+29,078,000
Budget request, fiscal year 2006	+1,606,846,000

This appropriation provides for service-wide data processing support, including the evaluation, development, and implementation of computer systems (including software and hardware) requirements.

COMMITTEE RECOMMENDATION

The Committee recommends $1,606,846,000, an increase of $1,606,846,000 over the request and $29,078,000 over fiscal year 2005. The Committee has included bill language that makes $75,000,000 available until September 30, 2007 in order to facilitate information technology purchases as requested by IRS.

Information systems vulnerability.—The Committee is concerned that vulnerability management has been largely overlooked by the Federal government as a means of securing cyberspace and critical computer networks. By applying basic vulnerability management principles, agencies can reduce the annual cost of securing networks by identifying cyber security weaknesses, quantifying their business risk due to exposure, knowing the state of their network with respect to their specific security policies, enforcing these security policies, measuring performance against them over time, and verifying policy compliance across distributed organizations. In ad-

dition, vulnerability management can also result in reduced severity and more effective responses when incidents do occur.

The Committee is aware that the National Institute of Standards and Technology (NIST) has evaluated and certified a new technology providing such a vulnerability management solution. This technology will allow for a greater understanding of where exposures exist, will identify the corresponding business risk, and allow risks to be eliminated in a systematic, priority-driven manner. The Committee encourages IRS to review this technology and implement it, if appropriate.

BUSINESS SYSTEMS MODERNIZATION

Appropriation, fiscal year 2005	$203,360,000
Budget request, fiscal year 2006	199,000,000
Recommended in the bill	199,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−4,360,000
Budget request, fiscal year 2006	.....

This appropriation provides funding for IT contractors to modernize key business systems of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $199,000,000 for business systems modernization, a decrease of $4,360,000 from the fiscal year 2005 enacted level and the same as the budget request. The release of funding from this account is governed by the same statutory conditions that governed the funds appropriated into this account in previous years.

The Committee notes that there have been serious concerns voiced by the IRS Oversight Board, the Government Accountability Office and the Treasury Inspector General for Tax Administration with respect to prior program performance. The Committee recognizes that IRS and the PRIME contractor have scaled back the proposed BSM work plan to a more manageable level, and expects that each milestone for fiscal year 2006 will be met on time and within budget as a result of providing the budget request.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

Appropriation, fiscal year 2005	$34,562,000
Budget request, fiscal year 2006	20,210,000
Recommended in the bill	20,210,000
Bill compared with:	
Appropriation, fiscal year 2005	−14,352,000
Budget request, fiscal year 2006	.....

This appropriation provides contractor support to develop and administer the advance payment option for the health insurance tax credit included in Public Law 107–210, the Trade Act of 2002.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $20,210,000 for health insurance tax credit administration, a decrease of $14,352,000 below the fiscal year 2005 enacted level and the same as the budget request.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

Sec. 201. The Committee continues a provision that allows the transfer of 5 percent (3 percent in the case of Tax Law Enforcement) of any appropriation made available to the IRS to any other IRS appropriation.

Sec. 202. The Committee continues a provision that requires that IRS maintain a training program in taxpayer rights, dealing courteously with taxpayers, and cross-cultural relations.

Sec. 203. The Committee continues a provision that requires IRS to institute policies and procedures that will safeguard the confidentiality of taxpayer information.

Sec. 204. The Committee continues a provision that makes funds available for improved facilities and increased manpower to provide efficient and effective 1–800 help line service for taxpayers.

Sec. 205. The Committee includes a provision that prohibits IRS from closing or consolidating taxpayer assistance centers (TACs) until a thorough study is completed that assesses the impact of closures on taxpayer compliance. In addition, language is included that requires IRS to consult with the National Taxpayer Advocate, the IRS Oversight Board, the Treasury Inspector General for Tax Administration and IRS employees on the model used to determine which TACs should be closed.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Section 210. The Committee continues the provision that allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitation, and enter into contracts with the State Department for health and medical services for Treasury employees in overseas locations.

Section 211. The Committee continues the provision that authorizes transfer, up to 2 percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 212. The Committee continues the provision limiting funds for the purchase of law enforcement vehicles unless the purchase is consistent with vehicle management principles.

Section 213. The Committee continues the provision that prohibits the Department of the Treasury from undertaking a redesign of the $1 Federal Reserve note.

Section 214. The Committee continues the provision that provides for transfers from and reimbursements to "Financial management service, salaries and expenses" for the purposes of debt collection.

Section 215. The Committee continues the provision extending the life of Treasury's franchise fund.

Section 216. The Committee continues the provision that requires Congressional approval for the construction and operation of a museum by the United States Mint.

Section 217. The Committee includes a provision prohibiting funds in this Act from being used to merge the United States Mint and the Bureau of Engraving and Printing without the approval of the House and Senate committees of jurisdiction.

Section 218. The Committee has modified last year's provision directing the Secretary of the Treasury to provide report within 90 days of enactment describing how Treasury defines and reports on the statutory provisions addressing currency manipulation by America's trading partners. The department should include in the report specific examples of what it defines to be currency manipulation, and should include those examples that encompass the full range of the International Monetary Fund (IMF) definitions, including currency pegs, interventions and other forms used to artificially value a currency. In addition, the department should address how it consults with the IMF as required by the 1988 Omnibus Trade Act, how the IMF and the Treasury each separately and independently define currency manipulation to gain unfair trade advantage, how the Treasury factors its own evaluation and definition of manipulation into consultations with IMF, and how the Treasury's final determination in the semi-annual report to Congress reflects both views. The secretary should report the countries and occasions when it has cited a trading partner since the 1988 Trade Act, the specific citations and definitions for citing them, and the total numbers of times the department has cited America's trading partners.

TITLE III—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Fiscal year 2006 recommendation:	
Program Level	$37,650,238,000
Rescissions	−2,493,600,000
Offsetting Collections	−2,016,000,000
Net Appropriation	33,452,052,000
Fiscal year 2005 appropriation:	
Program Level	35,108,400,000
Rescissions	−2,321,000,000
Offsetting Collections	−2,850,000,000
Net Appropriation	31,915,207,000
Fiscal year 2006 budget request:	
Program Level	33,347,486,000
Rescissions	−2,321,000,000
Offsetting Collections	−1,959,000,000
Net Appropriation	29,147,486,000
Comparison with Fiscal year 2005 appropriation:	
Program Level	1,536,845,000
Rescissions	172,600,000
Offsetting Collections	834,000,000
Net Appropriation	1,536,845,000
Comparison with Fiscal year 2006 budget request:	
Program Level	4,304,566,000
Rescissions	−149,248,000
Offsetting Collections	−57,000,000
Net Appropriation	4,304,566,000

The Department of Housing and Urban Development (HUD) was established by the Department of Housing and Urban Development Act of 1965 (Public Law 89–174). HUD is the principal federal agency responsible for administering and regulating programs and industries concerned with the nation's housing needs, economic and community development, and fair housing opportunities.

In carrying out the mission of serving the needs and interests of the nation's communities and of the people who live and work in them, HUD administers mortgage and loan insurance programs,

rental and homeownership subsidy programs for low-income families, neighborhood rehabilitation programs, and community development programs.

The Committee recommends a total program level of $33,452,042,000 for the Department of Housing and Urban Development, an increase of $1,536,835,000 above the fiscal year 2005 level, and $4,304,556,000 above the request.

Over the past five years, the Committee has demonstrated the high priority it places on housing and community development programs by providing significant additional resources to the Department at a time of fiscal constraint. Total funding provided for HUD programs has increased by 15 percent in five years. However, despite this large increase, funding for most HUD programs has remained flat, or been reduced, because Section 8 funding has grown by 45 percent and in the budget recommended by the Committee for 2006, Section 8 will consume 60 percent of the entire HUD budget. Most of the growth has occurred in Section 8 voucher renewals, which has increased by almost 30 percent since fiscal year 2001. Such growth is not sustainable and reform is imperative to ensure that all of the nation's housing and community development needs can continue to receive Federal assistance.

PUBLIC AND INDIAN HOUSING

TENANT BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$15,531,400,000
Fiscal year 2005 appropriation	14,765,900,000
Fiscal year 2006 budget request	15,845,194,000
Comparison with Fiscal year 2005 appropriation	+765,480,000
Comparison with Fiscal year 2006 budget request	−313,794,000

The Committee recommends a total of $15,531,400,000 in total funding for this account, an increase of almost $765,480,000 above the 2005 enacted level in total and $734,471,000 above the amount enacted in 2005 for the renewal of tenant-based Section 8 vouchers. Consistent with the Administration's request the Committee continues the advance of $4,200,000,000 of the funds appropriated under this heading for Section 8 programs to October 1, 2006. The entire advance is limited to this account. However, language in included in this account, which allows the Secretary to transfer up to $200,000,000 of the advance appropriation to the Project Based Rental Assistance Account during periods of Continuing Resolutions and if funds are available.

Voucher Renewals.—The Committee is providing $14,089,756,000 the same as requested and a 6% increase in funds compared to fiscal year 2005 for the renewal of tenant based vouchers. This is considerably more than rents have increased and, in fact, there is some evidence to suggest that, nation-wide, subsidies for rental assistance have begun to level off relative to their 2004 levels. However funds are not being reduced to reflect the potential for lower costs because the evidence is not yet complete and the rise in tenant-based rents over the past 5 years has been more than 40%. The Department is instructed to monitor and report to the House and Senate Committees on Appropriations each quarter on the trends

in Section 8 subsidy and to report on the extent to which changes in subsidy are due to changes in rent or changes in tenant income. The Committee will conduct a review of the trends in gross rents and subsidy requirements prior to enactment of a final bill.

The 2006 Committee recommendation completes the transition of the appropriations for this program from a "unit-based" system back to a "budget-based" program as the program has historically operated. Whereas in fiscal year 2005, Congress estimated the costs of the Tenant-based program based on units under lease during the three-month period that immediately preceded passage of the Act, that level set the baseline for all future appropriations. This Act builds upon that by providing sufficient funds to renew all of the vouchers under lease on which appropriations were based in FY 2005 prior to the pro rata reduction required to stay within appropriated amounts, adjusted by the local Annual Adjustment Factor (reflecting actual local rent increases) for 2005 and inflation estimates for 2006, plus funds for the estimated number of renewal of units entering the TBRA Account from other forms of assistance for the first time in 2005.

The Committee recognizes that a fully "budget based" system now in effect leaves the Public Housing Authorities with a single fixed amount for the calendar year and with the difficult task of maximizing the renewal of vouchers while existing under a complex regime of rules and requirements that do nothing to facilitate the process. Absent real reforms to the program to reduce costs and dramatic changes to the program's implementation guidelines to reduce the administrative burden, the Committee directs the Department to take whatever regulatory and administrative actions it can to increase flexibility, reduce administrative burden and streamline program implementation. The Committee directs the Department to provide a full report on the regulatory and administrative actions available to the Department by September 1, 2005.

HUD is also instructed to establish the formula necessary to distribute funds to the PHAs based on the methodology described above and must communicate to each PHA, within 45 days of enactment, the fixed amount that will be made available to each PHA for calendar year 2006. Language is repeated this year to ensure that all funds are assigned and obligated expeditiously and that the Department holds no funds in reserve. The amount being provided in this account is the only source of Federal funds that may be used to renew tenant-based vouchers. The amounts appropriated here may not be augmented from any other source.

The Committee has been made aware that the use of the May/June/July data may have had an adverse impact on some of the June PHAs or created other anomalous results. Therefore, language is included to set aside up to $45,000,000 within renewal funding for the purpose of restoring vouchers to those public housing entities that were severely reduced solely due to the snapshot of costs in the fiscal year 2005 Act and due to an extraordinary increase in costs from portability over the past year. The Secretary shall set the thresholds for each request for funds by a public housing and has complete discretion on the amount to provide, if any, after verification of the information provided.

These are one-time adjustments that reset the baseline for the future allocation of funds and Public housing agencies must con-

tinue to manage their Section 8 programs on a budget basis established in the 2005 Appropriations Act. Yet the issue of portability continues to be troubling and the Department is instructed, prior to the submission of the 2007 budget, to develop and submit proposals to minimize the cost that portability could have on PHAs operating on a fixed annual budget.

The Committee has reviewed carefully but not agreed to the Administration's request for a central fund. The Administration has not clearly identified the circumstances under which the funds would be made available, and its inclusion could lead public housing agencies to anticipate the availability of additional funding above their fixed budget allocation.

The Committee encourages HUD to continue working with the City of Baltimore Housing Authority to identify ways that the City of Baltimore Housing Authority can implement the terms of the federal court order arising out of *Bailey et al v. Housing Authority of Baltimore City.*

Tenant protection.—The Committee provides $165,700,000 for tenant protection vouchers, $4,004,000 more than enacted for 2005 and $188,381,000 less than the Administration requested. The Administration's request assumed the full implementation of a final mandatory conversion (demolition) rule for public housing units that should not be rehabilitated on the basis of a cost benefit analysis. This rule is not going to be fully implemented in time to require that first time vouchers of the entire 30,000 units assumed. Hence, the Committee has provided funding for tenant protection vouchers at the historic levels requested for this fiscal year.

Administrative Fees.—The Committee recommends $1,225,000,000 for allocation to the PHAs to conduct activities associated with placing and maintaining individuals under Section 8 assistance. This amount is $24,574,000 below the enacted level for 2005 and $70,408,000 below the levels proposed by the Administration. This reduction reflects the shift of contracts currently handled by HUD's financial management center (FMC) to the project based Section 8 program, and therefore no longer administered by the PHAs. The Committee does not include funds as requested for a contract to determine the appropriate and reasonable administrative fee structure. The proper time to readdress the issue of Administrative fee structures is after the Congress has implemented significant reforms to the administrative requirements. Until then the Department is instructed to allocate fees based on the pro rata allocation methodology used for the 2005.

Although no assumption is made about the enactment of authorizing legislation to reduce the administrative burden on PHAs, it is reasonable for the Committee to assume that some immediate short-term reductions in burden can occur. Therefore, the Department shall provide the Committee with a list of administrative and regulatory changes that can be put in place in time to benefit PHAs for 2006, no later than September 1, 2005.

Family Self-Sufficiency Coordinators (FSS).—The Committee includes $45,000,000 for FSS coordinators, the same amount as enacted for 2005 and $10,000,000 less than requested by the Administration. Coordinators help residents link up with important services in the community to speed the achievement of self-sufficiency. The Department provided no data or other information to dem-

onstrate that the number of PHAs participating in the FSS program would increase by more than 50. Hence the requested increase is denied.

Working Capital Fund.—The Committee provides the requested amount of $5,900,000 for transfer to the Working Capital Fund (WCF). In that this is a minimum amount, the Department is encouraged to apply whatever resources are needed to complete the development of a secure, scalable and workable information collection system so that the Department and the Congress can get a better understanding of the public assistance inventory. This should be HUD's top priority for infrastructure development.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	5,088,300,000
Fiscal year 2005 appropriation	5,298,272,000
Fiscal year 2006 budget request	5,072,100,000
Comparison with fiscal year 2006 budget request	+16,200,000
Comparison with fiscal year 2005 appropriations	−209,972,000

The Project-Based Rental Assistance account (PBRA) provides a rental subsidy to a private landlord tied to a specific housing unit so that the properties themselves, rather than the individual living in the unit, remain subsidized. Amounts provided in this account include funding for the renewal of expiring project-based contracts, including Section 8, moderate rehabilitation, and single room occupancy (SRO) contracts, amendments to Section 8 project-based contracts, and administrative costs for performance-based project-based Section 8 contract administrators and costs associated with administering moderate rehabilitation and single room occupancy contracts.

The Committee provides a total of $5,088,300,000 for the annual renewal of project-based contracts, of which $147,200,000 is for the costs of contract administrators and $1,000,000 is for the Working Capital Fund.

This is $255,103,000 below the enacted level for fiscal year 2005 and is $17,000,000 above the Administration's Request. The Committee agrees with the Administration's request to use the recapture of project-based recaptures for the renewal of project based contracts as well as amendments beginning in 2006. Until now the use of excess funds from long-term expiring contracts has been limited to amendments. Therefore, the Committee agrees that no increase in new appropriations is necessary to meet the 2006 needs of this program. However, the Committee concluded that the Administration's assumptions concerning costs savings due to the rental income verification (RHIIP) and mark-to-market restructures is pure speculation and unsupportable. Therefore, savings proposed by the Administration for these activities, are rejected by the Committee.

Instead, language is included in the Tenant-Based Rental Assistance Account that allows the Department to transfer up to $200,000,000 of the advance appropriation available during fiscal year 2006, if sufficient new funds or recaptures are not available when needed or the government operates under a continuing resolution. Prior to 2005, the project based program had access to the

advanced appropriation during periods when new appropriations were not available on October 1st.

The Committee is taking action that was not proposed by the Administration to protect all project-based units covered by HUD contracts. Language is included to permit Section 8 performance-based contract administration funds to be available for performance-based contract administration for other forms of project-based subsidy payments such as the debt service subsidy paid on Sec. 236 projects and the rent subsidies provided Supportive Housing for the Elderly and the Disabled as well as the rent supplement and rental assistance payment programs. The Department will be permitted to use a portion of appropriations, in addition to recaptures, to utilize performance-based contract administrators to improve oversight and management of these other forms of project-based assistance.

HOUSING CERTIFICATE FUND

(RESCISSION)

Fiscal year 2006 recommendation	−$2,493,600,000
Fiscal year 2005 appropriation	−1,557,000,000
Fiscal year 2006 budget request	−2,500,000,000
Comparison with fiscal year 2005 appropriation	+936,600,000
Comparison with fiscal year 2006 budget request	−6,400,000

The Committee recommends a rescission of $2,493,600,000 from unobligated balances and carryover remaining in the Housing Certificate Fund from the Section 8 tenant-based and project-based rental assistance programs as proposed in the budget request.

Language is included under this account clarifying that excess balances in the Housing Certificate Fund shall not be used to augment fiscal year 2006 funding for the tenant-based rental assistance. The Committee believes such practice is inappropriate since it results in total program spending in excess of the levels appropriated in the bill leading to future funding problems that create instability and uncertainty for the individuals who rely on the program and jeopardize funding for other important housing programs.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$2,600,000,000
Fiscal year 2005 appropriation	2,579,200,000
Fiscal year 2006 budget request	2,327,200,000
Comparison with fiscal year 2005 appropriation	+20,800,000
Comparison with fiscal year 2006 budget request	+272,800,000

The Public Housing Capital Fund provides funding for public housing capital programs, including public housing development and modernization. Examples of capital modernization projects include replacing roofs and windows, improving common spaces, upgrading electrical and plumbing systems, and renovating the interior of an apartment.

The Committee recommends a total funding level of $2,600,000,000, an increase of $20,080,000 above the 2005 enacted level and $272,800,000 above the Administration's request. Within the amounts provided the committee directs that:

—$17,000,000 is made available for Emergency Capital needs; the Committee continues last year's language to ensure that funds are used only for repairs needed due to an unforeseen and unanticipated emergency event or natural disaster event that occurs during fiscal year 2006.

—$24,000,000 is directed to the Resident Opportunity and Supportive Services, as requested by the Administration.

—$11,000,000 is directed to Administrative receiverships, as requested for remediation of troubled PHAs. No funds are being provided for Technical Assistance based on the large build up of unobligated balances. The Department is expected to cover the costs of the fair market rents (FMR) surveys from funds remaining available in this account;

—$8,820,000 is directed to the support of administrative and judicial receiverships, as requested, and

—No less than $10,000,000 for transfer to the Working Capital Fund to support the development of and modifications to, information technology systems which support Public and Indian Housing (PIH) programs. This reflects the Committee's continued concern that investments must be made to correct deficiencies in PIH information technology systems to improve PIH's ability to conduct appropriate financial and management oversight of its programs.

As requested, the recommendation does not designate a separate set-aside for the Neighborhood Networks grants because such activities are already an eligible use of capital funds.

In addition the Committee does not provide funding for the Section 23 Lease adjustments since all Section 23 public housing units have already been converted to Section 8 vouchers.

The Department is directed to continue to provide the quarterly detailed reports on those PHA with obligation rates of less than 90 percent.

PUBLIC HOUSING OPERATING FUND

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$3,600,000,000
Fiscal year 2005 appropriation	2,438,300,000
Fiscal year 2006 budget request	3,407,300,000
Comparison with fiscal year 2005 appropriation	1,161,644,000
Comparison with fiscal year 2006 budget request	+192,700,000

The Public Housing Operating Fund (PHOF) subsidizes the costs associated with operating and maintaining public housing. This subsidy supplements funding received by public housing authorities (PHA) from tenant rent contributions and other income. In accordance with Section 9 of the United States Housing Act of 1937, as amended, funds are allocated by formula to public housing authorities for the following purposes: utility costs; anticrime and antidrug activities, including the costs of providing adequate security; routine maintenance cost; administrative costs; and general operating expenses.

The Committee has provided $3,600,000,000 for the Federal share of PHA operating expenses. This amount is $192,700,000 greater than the Administration requested and $1,161,644,000 greater than the enacted level for fiscal year 2005. In 2005 the

Congress enacted a one-time shift in the payment of funds to PHAS, which resulted in the one-time savings of almost one billion dollars. The Committee has restored funding for public housing operating subsidies to but could only do so by reducing other HUD programs. As requested, up to $10,000,000 may be used for the "graduation bonus."

In 2001, Congress funded and mandated that the Department establish the costs of operating a well run Public Housing Authority. This report to the Congress, which became known as the Harvard Study, made several important recommendations to reform the current allocation formula to better align the allocation with the actual costs. Congress, in fiscal year 2005 mandated that HUD and the public housing industry negotiate a new regulation to implement the Harvard Study. This was completed and a consensus report was issued on June 10, 2004. The PHA community entered into negotiations in good faith and the results were negotiated not on the basis of a specific dollar amount but on a more equitable distribution of the funds. Once transition costs are removed, the amount required is not significantly greater than the amounts appropriated in recent years. That negotiation process and the result has been undercut and rendered irrelevant by the Administration's proposed rule.

Hence language is included that requires funds be allocated to the PHAs in accordance with the negotiated outcome as set forth in the "Post 4th Session Rule" signed on June 10th 2004. In addition $50,000,000 is designated within the amounts provided to assist in the conversion to asset management for those public housing agencies that would lose more than 5 percent in funding compared to the existing Performance Funding System.

The detailed operating formula based on the instructions above shall be developed and submitted to the Committee in conjunction with or as part of the Department's Operating Plan.

As proposed, language designating $10,000,000 for transfer to the Department of Justice to be allocated by the Attorney General through existing programs, such as Weed and Seed is not included in fiscal year 2006. However, all activities previously authorized under the public housing drug elimination program (PHDEP) are permissible activities under the operating and capital fund accounts.

The Committee includes language, as proposed in the budget, restating fundamental principles of appropriations law which prohibits funds appropriated in this Act for fiscal year 2005 payments from being used to supplement a prior year appropriation for prior year payments.

The committee also continues language, carried in prior years, prohibiting funds from being used for section 9(k) activities. Proposed language is not included making funds available for two years.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

Fiscal year 2006 Recommendation	$0
Fiscal year 2005 Appropriation	142,848,000
Fiscal year 2006 budget request	−142,848,000
Comparison with fiscal year 2005 Appropriation	−142,848,000
Comparison with fiscal year 2006 budget request	+142,848,000

The Revitalization of Severely Distressed Public Housing program, also known as HOPE VI, provides competitive grants to public housing authorities to revitalize entire neighborhoods adversely impacted by the presence of badly deteriorated public housing projects. In addition to developing and constructing new affordable housing, the program provides PHAs with the authority to demolish obsolete projects and to provide self-sufficiency services for families who reside in and around the facility.

The Committee does not provide funds for the HOPE VI program in 2006. The Administration did not request funds for this program. Language proposed by the Administration to rescind funds appropriated for 2005 is not included.

The Committee recognizes that this program has had a varied and controversial history. On the one hand, the projects that have been completed have been successful and demonstrate what the program could accomplish. On the other hand, the Administration has provided an overwhelming case that far too many projects have not been completed in a timely way. Many funded years ago have yet to start. Currently over $2 billion in funds from prior years remain in a backlog and hundreds of vouchers have remained unused for years. Furthermore, resistance to the program from tenants remains strong, further delaying many projects.

Most importantly, the Committee is convinced that, although 10 years have been an important demonstration period, the per-unit costs of the program is too high, relative to alternatives, to be sustained over the long run. Yet promises of reform and a new long-term strategy for achieving some of the program's objectives has not been forthcoming.

Therefore, the Committee believes that the best course of action is to reject the Administration's request to rescind the 2005 funding making those funds available in 2006 for grant awards, but until a new authorization is enacted by Congress to revise and reform the program, no further funding is merited.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

Fiscal year 2006 Recommendation	$600,000,000
Fiscal year 2005 Appropriation	621,984,000
Fiscal year 2006 budget request	582,600,000
Comparison with fiscal year 2005 appropriation	−21,984,000
Comparison with fiscal year 2006 budget request	+17,400,000

The Native American Housing Block Grants program provides funds to Indian tribes and their tribally designated housing entities (TDHEs) to address housing needs within their communities. The block grant is designed to fund a TDHE's operating requirements and capital needs.

The Committee recommends $600,000,000 for the Native American Block Grant and the Indian Community Development Block Grant Fund. This is $17,400,000 more than the Administration requested and $21,984,000 less than enacted in 2005. The Committee's recommendation to reduce funding relative to 2005 enacted levels is based on the Administration's official estimate that $97,000,000 in previously appropriated funds will carry over into 2006.

In 2003 when HUD began using the new 2000 Census data HUD shifted the basis for the needs portion of the formula distribution of funds from single race to the multi-race database. The Committee has become aware that this shift has caused serious disruption and the loss of funding for a majority of single race tribes, which benefit from the use of single race data. Therefore, language is included instructing HUD to distribute funds on the basis of single race of multi race data which ever is the higher amount for each recipient. Additional funding has been provided to ensure that no grant recipient will lose funding as a result of the new calculation of need.

The Indian CDBG program was previously funded as a set aside in the Community Development Block Grant, and the Committee agrees with the Administration's proposal that the Indian CDBG program is best combined with the Native American Block grant and should be administered by the Office of Public and Indian Housing. However, as proposed, the balances remaining in each program shall remain separate and be administered separately.

Of the amounts made available under this heading,

—$549,342,000 is provided for the Native American Block Grant

—$45,000,000 is provided for the Indian Community Block Grant

—$2,000,000 is included for Section 601 loan guarantees, the same as enacted for FY 2005, to guarantee $17,900,000 in new loans. However, the Department is advised that loan level activity must be monitored to ensure that sufficient grant funds are available as collateral for new loans.

—$2,308,000 is for Technical Assistance training and associated travel;

—$150,000 is transferred to the Department Salary and Expenses account and;

—$1,200,000 for the Native for American Indian Housing Council to conduct training and technical assistance.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

Fiscal year 2006 recommendation	$8,815,000
Fiscal year 2005 appropriation	0
Fiscal year 2006 budget request	8,815,000
Comparison with fiscal year 2005 appropriation	+8,815,000
Comparison with fiscal year 2006 budget request	0

The Hawaiian Homelands Homeownership Act of 2000 created the Native Hawaiian Housing Block Grant program to provide grants to the State of Hawaii Department of Hawaiian Home Lands (DHHL) for housing and housing related assistance to develop, maintain and operate affordable housing for eligible low-income Native Hawaiian families.

The Committee recommends $8,815,000 for this program, the same as provided in fiscal year 2005 as a set aside under the Community Development Block Grant heading. The committee agrees to fund the program as a separate account as proposed in the budget. Of the amounts provided, $352,606 is for technical assistance.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Program account	Limitation on direct Loans
Fiscal year 2006 Recommendation	$2,645,000	$98,966,942
Fiscal year 2005 appropriation	4,960,000	145,345,000
Fiscal year 2006 budget request	2,645,000	98,967,000
Comparison with fiscal year 2005 appropriation	−2,315,000	−46,378,000
Comparison with fiscal year 2006 budget request	0	0

Section 184 of the Housing and Community Development Act of 1992 establishes a loan guarantee program for Native Americans to build or purchase homes on trust land. This program provides access to sources of private financing for Indian families and Indian housing authorities that otherwise cannot acquire financing because of the unique legal status of Indian trust land. This financing vehicle enables families to construct new homes or to purchase existing properties on reservations.

The Committee recommends $2,645,000 in new credit subsidy for the Section 184 loan guarantee program, the same amount requested by the Administration and $2,315,000 below the fiscal year 2005 enacted level. This will be sufficient to guarantee $98,967,000 in new loans. The Committee strongly supports the issue of the program of loan guarantees for the purchase, construction or rehabilitation of single-family homes on trust or restricted lands. However, the Department has indicated that of the $4,960,000 enacted for fiscal year 2005, $3,161,000 will carry over into 2006. Hence in total, more resources will be available in fiscal year 2006 than in fiscal year 2005. Of the amounts made available, $250,000 is transferred to the Department's Salary and Expenses Account.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Program account	Limitation on direct Loans
Fiscal year 2006 recommendation	$882,000	$35,000,000
Fiscal year 2005 appropriation	992,000	39,403,000
Fiscal year 2006 budget request	882,000	35,000,000
Comparison with Fiscal year 2005 appropriation	−110,000	−2,403,000
Comparison with Fiscal year 2006 budget request	0	0

The Hawaiian Homelands Homeownership Act of 2000 created the Native Hawaiian Housing Loan Guarantee Fund program to provide loan guarantees for native Hawaiian individuals and their families, the Department of Hawaiian Home Lands, the Office of

Hawaiian Affairs, and private nonprofit organizations experienced in the planning and in the development of affordable housing for Native Hawaiians for the purchase, construction, and/or rehabilitation of single-family homes on Hawaiian Home Lands. This program provides access to private sources of financing that would otherwise not be available because of the unique legal status of Hawaiian Home Lands.

The Committee recommends $882,000 for this program the same as requested to guarantee a total loan volume of $35,000,000, the full amount requested. Language is included transferring $35,000 to the HUD salaries and expenses account for administrative expenses.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Fiscal year 2006 recommendation	$285,000,000
Fiscal year 2005 appropriation	281,751,000
Fiscal year 2006 budget request	268,000,000
Comparison with fiscal year 2005 appropriation	+3,272,000
Comparison with fiscal year 2006 budget request	+17,000,000

The Housing Opportunities for Persons with AIDS (HOPWA) program is authorized by the Housing Opportunities for Persons with AIDS Act. This program provides States and localities with resources and incentives to devise long-term comprehensive strategies to meet the housing needs of persons with HIV/AIDS and their families. Ninety percent of funding is distributed by formula to qualifying States and metropolitan areas on the basis of the cumulative number and incidences of AIDS reported to the Centers for Disease Control. The remaining 10 percent of funding is distributed through a national competition. Government recipients are required to have a HUD-approved Comprehensive Plan/Comprehensive Housing Affordability Strategy (CHAS).

For fiscal year 2006, the Committee recommends $285,000,000, an increase of $3,272,000 over the enacted levels for fiscal year 2005, and an increase of $17,000,000 above the budget request. Within the total amount provided, $1,000,000 is for technical assistance, training and oversight as requested. The Committee continues to believe that creating new housing opportunities for persons with AIDS should be the priority for HOPWA funding.

Bill language is included, carried in previous years, which requires the Secretary to renew expiring permanent supportive housing contracts previously funded under the national competition, which meet all program requirements, before awarding new competitive grants.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

Fiscal year 2006 recommendation	$10,000,000
Fiscal year 2005 appropriation	23,808,000
Fiscal year 2006 budget request	0
Comparison with fiscal year 2005 appropriation	−13,808,000
Comparison with fiscal year 2006 budget request	+10,000,000

This account provides funding to rural non-profit organizations, community development corporations, Indian tribes, State housing

finance agencies, State economic development and/or Federally recognized community development agencies.

The Committee recommends $10,000,000 funding for this program. The Administration requested no funds for this program. Most initiatives in rural economic transformation are and should be funded through the US Department of Agriculture (USDA), which has the expertise in rural economic development, rural housing and community stabilization. These funds are intended to develop innovative economic strategies.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

Fiscal year 2006 recommendation	$0
Fiscal year 2005 appropriation	9,920,000
Fiscal year 2006 budget request	0
Comparison with fiscal year 2005 appropriation	−9,920,000
Comparison with fiscal year 2006 budget request	0

This account provides discretionary grant funding to 15 urban Enterprise Zones and Enterprise Communities (EZ/ECs) designated in Round II.

The statute that created Round II EZ/ECs did not authorize discretionary grant funding for these communities, but instead authorized tax incentives to stimulate revitalization efforts in these communities. However, since fiscal year 1999, discretionary grant funds have been provided under this account.

The Committee recommends no funding for this program. The Administration requested no funding for this program. As the 10-year Round II program winds down communities should use their remaining funds from prior year appropriations to close out activities funded by the grants.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

Fiscal year 2006 recommendation	$4,151,500,000
Fiscal year 2005 appropriation	4,671,328,000
Fiscal year 2006 budget request	0
Comparison with fiscal year 2005 appropriation	−519,828,000
Comparison with fiscal year 2005 budget request	+4,151,500,000

The Community Development Fund provides funding to State and local governments, and to other entities that carry out community and economic development activities under various programs.

The Committee recommends a total of $4,151,500,000 for the Community Development Fund account, a decrease of $519,828,000 from the amount provided in fiscal year 2005 and an increase of $4,151,500,000 to the fiscal year 2006 budget request.

Of the amounts made available:

—$3,859,900,000 is for the formula grants and the state share, $250,000,000 below the level enacted for FY 2005. The Administration proposed to eliminate this program. HUD is instructed to use the same methodology as used in FY 2005 to distribute these funds.

—$290,000,000 for economic development initiative activities; and

—$1,600,000 is transferred to the Working Capital Fund.

The Committee has maintained the formula program at the highest possible level for fiscal year 2006, consistent with the need to fully fund rental assistance and operating programs for low income families administered by public housing authorities, the disabled and in spite of the Administration's pressure to reduce and retarget the funds to non-economic development activities. However, while maintaining the basic program intact, the Committee was not able to also maintain the large number of set asides for special programs and organizations that have been traditionally funded within this account.

As a result, the Committee has recommended a significant reduction in the number of programs to be included as set asides in the Community Development Fund, and agrees that the Community Development Fund should focus entirely on traditional CDBG activities. Self-Help and other organizations that assist primarily in home ownership will no longer be funded as part of the Community Development Fund in order to maximize the amount to be distributed for the formula.

In addition, the Department's renewed emphasis on maximizing the allocation of funds where the needs are greatest is undermined by the continued growth in set asides that diminish the amount of funds that can be distributed in this manner. This problem was made more acute in fiscal year 2006 because the Committee was not able to fully fund the Community Development Fund at the levels provided in 2005.

However, although many of the programs that began as one time funding requirements have not achieved self-sufficiency as hoped, the Committee does not agree with the Administration's proposal to terminate all funding for all set asides that were funded in fiscal year 2005 within the CDF. Several have been merged with other similar programs in HUD, as noted elsewhere in this report. Youthbuild is proposed by the Administration for transfer and merger with the Job Corps in the Department of Labor and therefore is not funded in this bill. Others are funded in a new account, which was proposed by the Administration solely for The Self-Help Homeownership Opportunity program, but which the Committee has expanded to include other homeownership assistance activities and organizations formerly funded under this heading.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Program cost	Limitation on Guaranteed loans
Fiscal year 2006 recommendation	$0	$0
Fiscal year 2005 appropriation	5,952,000	275,000,000
Fiscal year 2006 budget request	0	0
Comparison with fiscal year 2005 appropriation	5,952,000	−275,000,000
Comparison with fiscal year 2006 budget request;	0	0

The Section 108 Loan Guarantees program underwrites private market loans to assist local communities in the financing of the acquisition and rehabilitation of publicly-owned real property, rehabilitation of housing, and certain economic development projects.

The Committee recommends no funds for this program. No funds were requested by the Administration. $6,900,000 was enacted in fiscal year 2005 for a loan level of $275,000,000. While the Committee recognizes that there is a place for a non-competitive loan program to fill gaps in funding at the local level, this program is not consistent with current government loan principles and has not been fully utilized due to the reluctance to use CDBG funds as collateral. It is also somewhat inconsistent with HUD's attempts to refocus and a target CDBG grant funds to localities in the greatest need. The committee would welcome program changes that would reduce the loan guarantee below 100 percent and provide for collateral from non-CDBG sources of funds.

BROWNFIELDS REDEVELOPMENT

Fiscal year 2006 recommendation	$0
Fiscal year 2005 appropriation	23,808,000
Fiscal year 2006 budget request	0
Comparison with fiscal year 2005 appropriation	−23,808,000
Comparison with fiscal year 2005 budget request	0

The Brownfields Redevelopment program provides competitive economic development grants in conjunction with section 108 loan guarantees for qualified Brownfields projects. Grants are made in accordance with section 108(q) selection criteria.

The goal of the program is to return contaminated sites to productive uses with an emphasis on creating substantial numbers of jobs for lower-income people in physically and economically distressed neighborhoods.

The Committee recommends no funding for the Brownfields Redevelopment Program at HUD. The Administration has requested no funding for the past several years. Congress enacted $23,808,000 in fiscal year 2005. The Committee believes that due to the recent dramatic increases in funding in EPA and expanded EPA authority in recent authorizations for this program, HUD funding is no longer essential or appropriate.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$1,900,000,000
Fiscal year 2005 appropriation	1,899,680,000
Fiscal year 2006 budget request	1,941,000,000
Comparison with fiscal year 2005 appropriation	+320,000
Comparison with fiscal year 2006 budget request	−41,000,000

The HOME investment partnerships program provides grants to States, units of local government, Indian tribes and insular areas, through formula allocation, for the purpose of expanding the supply of affordable housing in the jurisdiction. Upon receipt, State and local governments develop a comprehensive housing affordability strategy that enables them to acquire, rehabilitate, or construct new affordable housing, or to provide rental assistance to eligible families.

The Committee recommends $1,900,000,000 for activities funded under this account, the same as enacted in fiscal year 2005 and $41,000,000 below the request. Funds are provided as follows:

—Formula Grants: $1,790,000,000 for formula grants for participating jurisdictions (States, units of local government and consortia of units of local government) and insular areas, an increase of $59,000,000 above the amount requested and $10,000,000 above the amount enacted for fiscal year 2005 level. Of the amount provided, pursuant to the statute, at least 15 percent of each participating jurisdiction's allocation is reserved for housing that is developed, sponsored, or owned by Community Housing Development Organizations (CHDOs);

—Housing Counseling: $41,700,000 for housing counseling programs. The Committee has continued funding for this activity within this account rather than creating a separate account as proposed in the budget request;

—HOME/CHDO Technical Assistance: $17,300,000 for technical assistance activities for State and local participating jurisdictions and non-profit CHDOs. The Committee notes that the HOME statute authorizes technical assistance to be provided through contracts with eligible non-profit intermediaries as well as with other organizations recommended by participating jurisdictions and therefore directs HUD to use $8,000,000 to contract with qualified non-profit intermediaries to provide CHDO technical assistance in fiscal year 2006;

—Working Capital Fund: no less than $1,000,000 for transfer to the Working Capital Fund to support the development and modification of information technology systems that serve programs and activities under Community Planning and Development.

In addition to the amounts above:

—Down-payment Assistance Initiative: $50,000,000 for the Down-payment Assistance Initiative to be allocated by the Secretary to participating jurisdictions to provide down-payment assistance to low-income families to help them achieve homeownership. The budget request had included $200,000,000 for down-payment assistance. The amount enacted for fiscal year 2005 was $49,600,000.

The Committee is concerned that recent changes to metropolitan statistical area (MSA) boundaries may significantly lower area median incomes (AMI) in some communities with high housing costs, making ineligible many families and individuals who are currently eligible for housing subsidized through the Community Development Block Grant program and the HOME program, which have AMI eligibility requirements. The Committee encourages HUD to explore ways to help such mass transition to the new AMI, other than through any adjustment of funding formulas, to reduce the impact of MSA boundary changes on affordable housing and homeownership opportunities.

SELF-HELP AND ASSISTED HOMEOWNERSHIP

Fiscal year 2006 Recommendation	$60,800,000
Fiscal year 2005 Appropriations	0
Fiscal year 2006 Budget Request	30,000,000
Comparison with 2005 appropriations	60,800,000
Comparison with 2006 request	30,800,000

The Committee recommends $60,800,000 for the Self Help Opportunity Program. This is a new account, which is proposed by the

Administration to fund programs that previously have been funded as set asides within the Community Development Fund (CDF). The Administration requested $30,000,000 to fund the SHOP/Habitat for Humanity program. The Administration recommended no funding for all other programs previously included in the Community Development Fund.

The Committee has expanded this account to include other activities, which are primarily focused on assisting low to moderate income families achieve homeownership and that were formerly funded within the Community Development Fund (CDF.) Most are funded at levels slightly below the fiscal year 2005 enacted levels. Reductions recommended by the committee for these programs, are consistent with reductions taken in most HUD programs to meet rental assistance priorities. Therefore language is included that provides:

—$23,800,000 for the Self Help Homeownership Program,

—$28,000,000 for the National Community Development Initiative (NCDI) for LISC and Enterprise Foundation, of which $1,000,000 is for capacity building activities administered by Habitat for Humanity and not less than $1,000,000, is for rural areas.

—$3,000,000 for the Housing Assistance Council;

—$4,000,000 for the Housing Partnership Network for a one-time grant to capitalize the reinsurance pool;

—$1,000,000 for the Native American Indian Housing Council; and

—$1,000,000 for the Special Olympics.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$1,340,000,000
Fiscal year 2005 appropriation	1,240,511,000
Fiscal year 2006 budget request	1,404,000,000
Comparison with fiscal year 2005 appropriation	+99,489,000
Comparison with fiscal year 2006 budget request	−100,000,000

The homeless assistance grants account provides funding for the following homeless programs under title IV of the McKinney Act: (1) the emergency shelter grants program; (2) the supportive housing program; (3) the section 8 moderate rehabilitation (single room occupancy) program; and (4) the shelter plus care program. This account also supports activities eligible under the innovative homeless initiatives demonstration program.

The Committee recommends funding homeless programs at $1,340,000,000, an increase of $99,489,000 above the enacted level for 2005 and $100,000,000 below the request. The recommendation includes no less than $238,000,000 to provide full funding for the costs associated with the renewal of all expiring Shelter Plus Care contracts. Language is included in the bill requiring funds to be made available for this purpose.

The recommendation includes $11,674,000 for the national homeless data analysis project and for technical assistance, and no less than $1,000,000 for transfer to the Working Capital Fund for development and modifications of information technology systems that serve activities under Community Planning and Development.

Language is included in the bill that: (1) requires not less than 30 percent of the funds appropriated, excluding amounts made available for renewals under the shelter plus care program, be used for permanent housing; (2) requires the renewal of all expiring shelter plus care contracts; (3) requires funding recipients to provide a 25 percent match for social services activities; (4) requires all homeless programs to coordinate their programs with mainstream health, social services and employment programs; and (5) provides two-year availability for obligation of funds provided under this account, except that no year availability is provided for the portion of funding necessary to meet initial contract requirements for the Single Room Occupancy program.

Funding for the Prisoner Re-entry Initiative is not included since authorizing language has not been enacted.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$741,000,000
Fiscal year 2005 appropriation	741,000,000
Fiscal year 2006 budget request	741,000,000
Comparison with fiscal year 2005 appropriation	0
Comparison with fiscal year 2006 budget request	0

The housing for the elderly (Section 202) program provides eligible private, non-profit organizations with capital grants to finance the acquisition, rehabilitation or construction of housing intended for low-income elderly people. In addition, the program provides project-based rental assistance contracts (PRAC) to support operational costs for units constructed under the program.

The Committee recommends a $741,000,000 for the Section 202 program for fiscal year 2005, the same levels as enacted for 2005 and requested for 2006. The recommendation allocates funding as follows:

—$656,200,000 for new capital and project rental assistance contracts (PRAC);

—$10,000,000 for one-year renewals of expiring PRAC payments;

—$49,600,000 for service coordinators and the continuation of congregate services grants;

—$24,800,000 for grants to convert section 202 projects to assisted living facilities; and

—No less than $400,000 for transfers to the Working Capital Fund to support the development of and modifications to information technology systems, which support programs and activities for the elderly.

Language is included, carried in prior years, relating to the initial contract and renewal terms for assistance provided under this heading. Language is also included to allow these funds to be used for inspections and analysis of data by HUD's REAC program office.

HOUSING FOR THE PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$238,100,000
Fiscal year 2005 appropriation	238,100,000
Fiscal year 2006 budget request	119,900,000
Comparison with fiscal year 2005 appropriation	0
Comparison with fiscal year 2006 budget request	+118,200,000

The housing for the persons with disabilities (Section 811) program provides eligible private, non-profit organizations with capital grants to finance the acquisition, rehabilitation or construction of supportive housing for disabled persons and provides project-based rental assistance (PRAC) to support operational costs for such units. The Committee recommends a $238,000,000 for Section 811 activities, the same as fiscal year 2005 enacted level, and $118,200,000 above the request. The recommendation allocates funding as follows:

—Up to $157,100,000 for capital grants and PRAC;

—$78,300,000 for renewals or amendments of expiring tenant-based rental assistance;

—$2,300,000 PRAC renewals;

—$400,000 for transfer to the Working Capital Fund for the development and maintenance of information technology systems for programs and activities for housing for persons with disabilities programs; and

—Up to $5,000,000 may be made available for incremental vouchers, at the Secretary's discretion.

The Committee recommends $238,100,000 for the Section 811 program. This is the same as the enacted level for 2005 and is $118,200,000 million above the Administration's request. The Administration proposes to eliminate funding for the construction of facilities that accommodate low-income disabled individuals arguing instead that disabled individuals prefer section 8 tenant based vouchers. The committee completely rejects this argument and has not been able to corroborate the Administration's claims that there is no urgent need for additional facilities. The Committee finds that, in fact, there is universal agreement at all levels of analysis that facility construction and vouchers are needed for this program in fiscal year 2006. The Administration's analysis is based on fundamentally flawed assumptions and blames the Department for following Congressional mandate.

Language is included to allow these funds to be used for inspections and analysis of data by HUD's REAC program office. The Committee directs HUD to issue program guidance for the Section 811 "mainstream" tenant-based program by March 15, 2006. HUD shall include guidance on: (1) targeting of rental assistance consistent with 811 eligibility criteria; (2) maintenance of these vouchers exclusively for persons eligible under Section 811 upon turnover; (3) retention of a meaningful role for non-profit disability organizations. The Committee is aware of concerns that funding for Section 811 tenant-based rental assistance may be diverted to the Section 8 voucher program. Such diversion would be a violation of Section 811 statute. No more than $5,000,000 is provided for incremental vouchers in fiscal year 2006 given the inexorable increase in renewal costs that would be required in subsequent years.

HOUSING COUNSELING

Fiscal year 2006 recommendation	$0
Fiscal year 2005 appropriation	0
Fiscal year 2006 budget request	39,700,000
Comparison with fiscal year 2005 appropriation	0
Comparison with fiscal year 2006 budget request	−39,700,000

In fiscal year 2005, $39,764,000 was appropriated for housing counseling as a set-aside under the HOME Investments Partnership Program account.

Section 106 of the Housing and Urban Development Act of 1968 authorized HUD to provide housing counseling services to homebuyers, homeowners, low and moderate income renters, and the homeless. The Committee does not recommend the creation of a separate account for housing counseling activities, but instead has provided $41,700,000 for this activity as a set-aside within the HOME Investments Partnership Program account.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

The Housing and Urban Development Act of 1968 authorized HUD to establish a revolving fund into which rental collections in excess of the established basic rents for units in Section 236 subsidized projects are deposited. Subject to approval in appropriations acts, the Secretary is authorized under the Housing and Community Development Amendment of 1978 to transfer excess rent collections received after 1978 to the Troubled Projects Operating Subsidy program, renamed the Flexible Subsidy Fund.

The Committee recommends that the account continue to serve as a repository of excess rental charges appropriated from the Rental Housing Assistance Fund. Although these resources will not be used for new reservations, they will continue to offset Flexible Subsidy outlays and other discretionary expenditures to support affordable housing projects.

The recommendation includes language identical to language carried in prior years, to allow surplus funds derived from rental collections which were in excess of allowable rent levels to be returned to project owners only for the purposes of rehabilitating and renovating those properties.

MANUFACTURED HOUSING FEES TRUST FUND

Fiscal year 2006 recommendation	$12,896,000
Offsetting collections	12,896,000
Fiscal year 2005 appropriation	12,896,000
Offsetting collections	12,896,000
Fiscal year 2006 budget request	13,000,000
Offsetting collections	13,000,000
Comparison with fiscal year 2005 appropriation	0
Comparison with fiscal year 2005 budget request	−104

The National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the Manufactured Housing Improvement Act of 2000, authorized the Secretary to establish Federal manufactured home construction and safety standards for the construction, design, and performance of manufactured homes.

All manufactured homes are required to meet the Federal standards, and fees are charged to producers to cover the costs of administering the Act.

The Committee recommends up to $12,896,000 for the manufactured housing standards programs to be derived from fees collected and deposited in the Manufactured Housing Fees Trust Fund established pursuant to the Manufactured Housing Improvement Act of 2000. The amount recommended is the same as the 2006 request and the 2005 enacted level. Language contained in previous Acts is continued to ensure that the net expenditures do not exceed fee collections at the end of the fiscal year.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

	Limitation of direct loans	Limitation of guaranteed loans	Administrative expenses
Fiscal year 2006 recommendation	$50,000,000	$185,000,000,000	$355,000,000
Fiscal year 2005 appropriation	50,000,000	185,000,000,000	354,051,000
Fiscal year 2006 budget request	50,000,000	185,000,000,000	355,000,000
Comparison with fiscal year 2005 appropriation	0	0	+949,000
Comparison with fiscal year 2006 budget request	0	0	0

The FHA mutual mortgage insurance program account includes the mutual mortgage insurance (MMI) and cooperative management housing insurance (CMHI) funds. This program account covers unsubsidized programs, primarily the single-family home mortgage program, which is the largest of all the FHA programs. The cooperative housing insurance program provides mortgages for cooperative housing projects of more than five units that are occupied by members of a cooperative housing corporation.

The Committee recommends the following limitations on loan commitments in the MMI program account as follows: $185,000,000,000 for loan guarantees and $50,000,000 for direct loans. The recommendation also includes $355,000,000 for administrative expenses, of which $351,000,000 is transferred to the Salaries and expenses account, and $4,000,000 is transferred to the Office of Inspector General. In addition, $62,600,000 is provided for non-overhead administrative contract expenses, of which no less than $18,281,000 is transferred to the Working Capital Fund for development and modifications to information technology systems that serve programs or activities under Housing Programs or the Federal Housing Administration. Language is continued as requested and carried in previous years appropriating additional administrative expenses in certain circumstances.

General and Special Risk Program Account

(INCLUDING TRANSFERS OF FUNDS)

	Limitation of direct loans	Limitation of guaranteed loans	Administrative expenses	Program costs
Fiscal year 2006 recommendation	$50,000,000	$35,000,000,000	$231,400,000	$8,800,000
Fiscal year 2005 appropriation	50,000,000	35,000,000,000	225,945,000	9,920,000
Fiscal year 2006 budget request	50,000,000	35,000,000,000	231,400,000	8,800,000
Comparison with fiscal year 2005 appropriation	0	0	5,455,000	−1,120,000
Comparison with fiscal year 2006 budget request	0	0	0	0

The FHA general and special risk insurance (GI and SRI) program account includes 17 different programs administered by FHA. The GI fund includes a wide variety of insurance programs for special purpose single and multi-family loans, including loans for property improvements, manufactured housing, multi-family rental housing, condominiums, housing for the elderly, hospitals, group practice facilities and nursing homes. The SRI fund includes insurance programs for mortgages in older, declining urban areas that would not be otherwise eligible for insurance, mortgages with interest reduction payments, mortgages for experimental housing and for high-risk mortgagors who would not normally be eligible for mortgage insurance without housing counseling.

The Committee recommends the following limitations on loan commitments for the general and special risk insurance program account as requested: $35,000,000,000 for loan guarantees and $50,000,000 for direct loans.

As requested, the recommendation includes $8,800,000 direct appropriation for credit subsidy. The recommendation also includes $231,400,000 for administrative expenses, of which $211,400,000 is transferred to the Salaries and Expenses account and $20,000,000 is transferred to the Office of Inspector General. An additional $71,900,000 is provided for non-overhead administrative expenses, of which no less than $10,800,000 is transferred to the Working Capital Fund for development and modifications to information technology systems that serve activities under Housing Programs or the Federal Housing Administration.

Language is continued, carried in previous years, appropriating additional administrative expenses in certain circumstances.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Limitation of guaranteed loans	Administrative expenses
Fiscal year 2006 recommendation	$200,000,000,000	$10,700,000
Fiscal year 2005 appropriation	200,000,000,000	10,609,000
Fiscal year 2006 budget request	200,000,000,000	11,360,000
Comparison with fiscal year 2005 appropriation	0	+91,000
Comparison with fiscal year 2006 budget request	0	−660,000

The guarantee of mortgage-backed securities program facilitates the financing of residential mortgage loans insured or guaranteed by the Federal Housing Administration (FHA), the Department of Veterans Affairs (VA) and the Rural Housing Services program. The Government National Mortgage Association (GNMA) guarantees the timely payment of principal and interest on securities issued by private service institutions such as mortgage companies, commercial banks, savings banks, and savings and loan associations that assemble pools of mortgages, and issues securities backed by the pools. In turn, investment proceeds are used to finance additional mortgage loans. Investors include non-traditional sources of credit in the housing market such as pension and retirement funds, life insurance companies and individuals.

The recommendation includes a $200,000,000,000 limitation on loan commitments for mortgage-backed securities as requested, the same level provided in fiscal year 2005. The Committee also recommends $10,700,000 for administrative expenses to be transferred to the Salaries and Expenses account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Fiscal year 2006 recommendation	$60,600,000
Fiscal year 2005 appropriation	45,100,000
Fiscal year 2006 budget request	69,700,000
Comparison with fiscal year 2005 appropriation	+15,464,000
Comparison with fiscal year 2006 budget request	−9,138,000

The Housing and Urban Development Act of 1970 directs the Secretary to undertake programs of research, studies, testing, and demonstrations related to the HUD mission. These functions are carried out internally through contracts with industry, non-profit research organizations, and educational institutions and through agreements with State and local governments and other Federal agencies.

The Committee recommends $60,600,000 for PD&R. The Administration requested $69,700,000 for PD&R under a restructured program content, which includes basic PD&R programs and Section 107 programs formerly funded as set asides within CDBG. In fiscal

year 2005 $88,400,000 was provided for these same programs. Of the amounts made available, language is included to designate:

—$26,562,000 for basic research, of which $750,000 is directed to the National Academy of Sciences, National Research Council for a review of HUD ongoing research and to recommend the future of HUD's research program. The committee is concerned that HUD's research office has become largely a grant making organization rather than conducting leading edge research with a strong in house capability. The Council is directed to provide a report to the House and Senate Committees on Appropriations, prior to the submission of the President's fiscal year 2007 budget request that reviews current research priorities and makes recommendation on a new course of research for HUD. The Report should include specific recommendations and should examine the elimination of an in house research office, if the Council sees no long-term value to HUD specific research or that HUD related research can or should be done by other Departments.

—$29,038,000 for grants to institutions of higher education funded under Section 107.

—$5,000,000 for the PATH program. The Committee retains language included last year that exempts 50% of the funds provided from competition. HUD is encouraged to shift this program, in its entirety, including staff, to the Office of Housing.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Fiscal year 2006 recommendation	$38,800,000
Fiscal year 2005 appropriation	46,128,000
Fiscal year 2006 budget request	38,800,000
Comparison with fiscal year 2005 appropriation	−7,328,000
Comparison with fiscal year 2006 budget request	0

The Fair Housing Act, title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, prohibits discrimination in the sale, rental and financing of housing and authorizes assistance to State and local agencies in administering the provision of fair housing statutes. The Fair Housing Assistance Program (FHAP) assists State and local fair housing enforcement agencies that are certified by HUD as "substantially equivalent" to HUD with respect to enforcement policies and procedures. FHAP assures prompt and effective processing of complaints filed under title VIII that are within the jurisdiction of State and local fair housing agencies. The Fair Housing Initiatives Program (FHIP) alleviates housing discrimination by providing support to private nonprofit organizations, State and local government agencies and other nonfederal entities for the purpose of eliminating or preventing discrimination in housing, and to enhance fair housing opportunities.

The Committee recommends a total of $38,800,000 for this account, a decrease of $7,328,000 below the fiscal year 2005 enacted level and the same as the budget request.

Of this amount, $22,700,000 is for FHAP and $16,100,000 is for FHIP.

The Committee expects HUD to continue to provide quarterly reports on obligation and expenditure of these funds, delineated by each program and activity.

Language is included, carried in previous years, designating the amount available for FHIP.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

Fiscal year 2006 recommendation	$119,000,000
Fiscal year 2005 appropriation	166,656,000
Fiscal year 2006 budget request	119,000,000
Comparison with fiscal year 2005 appropriation	−47,656,000
Comparison with fiscal year 2006 budget request	0

The Lead Hazard Reduction Program, authorized under the Housing and Community Development Act of 1992, provides grants to State and local governments to perform lead hazard reduction activities in housing occupied by low-income families. The program also provides technical assistance, undertakes research and evaluations of testing and cleanup methodologies, and develops technical guidance and regulations in cooperation with EPA.

The Committee recommends $119,000,000 for this account, the same as requested. Amounts provided are to be allocated as follows:

—$92,600,000 for the lead-based paint hazard control grant program to provide assistance to State and local governments and Native American tribes for lead-based paint abatement in private low-income housing;

—$8,800,000 for Operation LEAP (Lead Elimination Action Program), which provides competitive grants to non-profit organizations and the private sector for activities, which leverage funds for local lead hazard control programs;

—$8,800,000 for technical assistance and support to State and local agencies and private property owners. This is an increase of $100,000 over the budget request;

—$8,800,000 for the Healthy Homes Initiative for competitive grants for research, standards development, and education and outreach activities to address lead-based paint poisoning and other housing-related diseases and hazards;

Language is included, as requested by the Administration, delegating the authority and responsibility for performing environmental review for the Healthy Homes Initiative, LEAP, and Lead Technical Studies projects and programs to governmental entities that are familiar with local environmental conditions, trends and priorities. This delegated environmental review authority is currently available in the CDBG, HOPWA, SHOP, SHP, and special projects programs.

The Committee reminds the Department that all funding provided under this heading is to be competitively awarded as required under the HUD Reform Act of 1989 and Section 305 under Administrative Provisions under this title.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

2006 recommendation	$579,000,000
Transfers FHA/GNMA	573,535,000
Total	1,152,535,000
Fiscal Year 2005 appropriation	542,800,000
Transfers	568,200,000
Fiscal Year 2006 budget request	579,000,000
Transfers	573,135,000
Total	1,152,519,000
Comparison with Fiscal year 2005 appropriation;	+36,181,000
Comparison with Fiscal year 2005 budget request;	+16,000

A single appropriation has been provided to finance all salaries and related costs associated with administering the programs of the Department of Housing and Urban Development, except the Office of Inspector General and the Office of Federal Housing Enterprise Oversight. These activities include housing, mortgage credit and secondary market programs community planning and development programs, departmental management, legal services, and field direction and administration.

The Committee recommends total funding of $1,152,100,000 for the salaries and expenses of the Department, the same level requested.

The committee has provided funding based for the Department's requested level of FTEs and object classes. The Department is limited to the object class levels that are described in the 2006 Congressional Budget Submission (page I–4.) This is the distribution that HUD must use unless changes are granted as part of the Department's Operating Plan.

Language is included to allow the department to transfer up to $15,000,000 from the S&E Account to the Working Capital Fund after receipt and approval of an Operating Plan change detailing the uses of the transfers and the object classes being reduced in this account.

However, the Committee notes that the disparity between the true workload number as defined by the REAP process and the number of FTEs requested suggests that the workload model is not much more than a theoretical construct adhered to in the abstract rather than in practice. More importantly, the REAP process is forcing the allocation of FTEs to be prorated across program areas and administrative offices alike in order to meet the ceiling established by the funding. This is not a successful long term staffing plan. Therefore, the Committee is instructing the department to seek outside expertise to study alternatives and develop a new long-range staffing plan that will significantly reduce or offload overhead and administrative functions, activities and offices in order to preserve or increase the allocation of FTEs in program offices that deliver or oversee Congressionally mandated and funded programs. This new staffing plan should be submitted to the Committee no later than August 1, 2005.

To better manage and facilitate the allocation of resources to field offices, language is included instructing the department to change the mechanism by which field offices are provided funds for

activities in the object classes for supplies. Funding included for indemnities is at the requested level but is further limited to nonprogrammatic litigation and is limited to the payment of attorney fees only. Program-related litigation must be paid for from the individual program office Salary and Expenses allocation. Beginning in fiscal year 2007 the Congressional submission must include program-related litigation costs as a separate line item request.

Operating Plans/Reprogramming Requirements.—All Departments within the Subcommittee's jurisdiction are required to submit operating plans and reprogramming letters and reorganization proposals for Committee approval. HUD is reminded that operating plans or reprogramming requirements apply to any reallocation of resources totaling more than $500,000 among any program, project or activity as well as to any significant reorganization within offices or the proposed creation or elimination of any program or office, regardless of the dollar amount involved; and any reorganization, regardless of the dollar amount involved. Object classification changes above $500,000 also are subject to operating plan or reprogramming requirements. Unless otherwise specified in this Act or the accompanying report, the approved level for any program, project, or activity is that amount detailed for that program, project, or activity in the Department's annual detailed Congressional submission. These requirements apply to all funds provided to the Department. The Department is expected to make any necessary changes during fiscal year 2006 to its current procedures and systems to ensure that it is able to meet the necessary operating plan and reprogramming requirements applied to other agencies funded in the bill.

Budget Submission—. The Committee expects the Department's fiscal year 2007 submission to be submitted in the identical format and continues its direction that strategic planning documents, formats or materials are not to be incorporated into the submission. Language has been continued under Administrative Provisions, carried since fiscal year 2004, setting forth such requirements.

Language is included in the bill, similar to language carried in prior Acts, which designates amounts provided from various accounts for salaries and expenses and which requires the department to implement appropriate funds control and financial management procedures. Language carried in previous years regarding limitations on certain positions at the department is deleted as proposed in the budget.

WORKING CAPITAL FUND

Fiscal year 2006 recommendation	$165,000,000
Fiscal year 2005 appropriation	267,840,000
Fiscal year 2006 budget request	265,000,000
Comparison with fiscal year 2005 appropriation	−102,840,000
Comparison with fiscal year 2006 budget request	−100,000,000

The Working Capital Fund was established pursuant to 42 U.S.C. 3535 to provide necessary capital for the development of, modifications to, and infrastructure for Department-wide information technology systems, and for the continuing operation of both Department-wide and program-specific information technology systems.

The Committee recommends $165,000,000 in direct appropriation for the Working Capital Fund to support Department-wide information technology system activities, a reduction of $102,840,000 below the fiscal year 2005 level and $100,000,000 below the request. In addition to the direct appropriation for Department-wide systems, funds are transferred from various accounts to be used exclusively for program-specific information technology requirements.

The Committee has included language that precludes the use of these or any other funds appropriated previously to the WCF or program offices for transfer to the WCF that would be used or transferred to any other entity in HUD or elsewhere for the purposes of implementing Administration's "e-Gov" initiative without the Committee's approval in HUD's operating plan. The Committee is on record that funds appropriated for specific projects and activities should not be reduced or eliminated in order to fund other activities inside and outside of HUD without the expressed approval of the Committee. HUD is not to contribute or participate in activities that were specifically precluded in legislation, unless the Committee agrees to a change.

The Committee has reduced funding from the request because the request was submitted before the successful resolution of the Department's HITS contract dispute. Hence the budget request, which assumed that the dispute would continue, is no longer applicable. Full funding for the new contract has been included based on HUD's latest estimate of the final contract's costs.

The Committee remains committed to improving HUD's information technology capacity. To a large extent, both HUD's and Congress' ability to oversee the effectiveness of HUD's programs is undermined due to the failure of HUD's information systems to provide the information necessary to assess program performance and ensure effective resource management. The Committee continues to have concerns regarding the Department's progress in implementing several of its major information technology projects. The Department is directed to provide an updated five-year IT plan consistent with such format no later than November 15, 2005. In addition, the Department is directed to submit to the Committee no later than September 15, 2005 a report on updating the status of, funds spent to date, and estimated fiscal year 2005 funding requirements for the following major projects: PIH Information Center (PIC), FHA Subsidiary Ledger, HUD Integrated Financial Management Improvement Project (HIFMIP), and the Single Family Integration System. Such report shall include a comparison to the information submitted to the Committee on November 15, 2005.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

	Appropriation	FHA funds	Total
Fiscal year 2006 recommendation	$79,000,000	$24,000,000	$103,000,000
Fiscal year 2005 appropriation	79,360,000	24,000,000	103,360,000
Fiscal year 2006 request	79,000,000	24,000,000	103,000,000
Comparison with fiscal year 2005 appropriation	−300,000	0	−360,000
Comparison with fiscal year 2006 budget request	0	0	0

The Office of Inspector General provides agency-wide audit and investigative functions to identify and correct management and ad-

ministrative deficiencies that create conditions for existing or potential instances of fraud, waste and mismanagement. The audit function provides internal audit, contract audit, and inspection services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, re-pricing and settlement of contracts. Internal audits evaluate all facets of agency operations. Inspection services provide detailed technical evaluations of agency operations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel and operations.

The Committee recommends $103,000,000 for the Office of Inspector General, a decrease of $360,000 below the amount provided in fiscal year 2005 and the same as the budget request. Of this amount, $24,000,000 is derived from transfers from FHA funds.

Language is included in the bill, similar to language carried in prior Acts, which: (1) designates amounts available to the Inspector General from other accounts; and (2) clarifies the authority of the Inspector General with respect to certain personnel issues.

The Committee has become aware that the IG has advocated forcing HUD to rescind obligated balances for project based contracts that have already received appropriations and which are obligated on live contracts. The Committee is strongly opposed to the rescission of funds that may still be needed in the future and which, if enacted, could force the Committee to appropriate funds a second time.

This situation has now occurred in the Section 236 program with amounts rescinded in fiscal year 2005 declared in excess only to have appropriations required in fiscal year 2006. The IG is instructed to identify, in any audit or non-audit related decision, recommendation or conclusion that refers to excess funds available for rescission, those funds, which are obligated on live contracts. Further the IG is to include in its operating plan any proposed evaluation of live programs, contracts or projects instituted for the purpose of identifying excess funds for rescission.

The Committee also recommends language that precludes the audit of GNMA on any terms and conditions other than those currently in effect, and which have been in effect for years. GNMA does not belong under credit reform rules and has never been subjected to those rules in any previous audit.

The Committee directs the IG to increase its audits and investigative efforts related to Public Housing Agencies' administration of the Section 8 voucher program. The Committee requests that the IG provide a work plan for these activities no later than January 1, 2006.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Fiscal year 2006 recommendation	$60,000,000
Fiscal year 2005 appropriation	58,735,000
Fiscal year 2006 budget request	60,000,000
Comparison with fiscal year 2005 appropriation	+1,265,000
Comparison with fiscal year 2005 budget request	0

The Office of Federal Housing Enterprise Oversight (OFHEO) was established in 1992 to regulate the financial safety and soundness of the two housing government-sponsored enterprises (GSEs)—the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). The office was authorized in the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, which also provided the regulator enhanced authority to enforce these standards. In addition to financial regulation, the OFHEO monitors the GSEs compliance with affordable housing goals that were contained in the Act.

The Committee recommends a total of $60,000,000 for OFHEO, as requested and to be derived from fees assessed to the GSEs and deposited into the Federal Housing Enterprises Oversight Fund.

OFHEO received an additional $5 million in 2005 supplemental funds, which will be available to augment the 2006 appropriation.

ADMINISTRATIVE PROVISIONS

The bill contains a number of administrative provisions.

Section 301 relates to the division of financing adjustment factors, as requested.

Section 302 prohibits available funds from being used to investigate or prosecute lawful activities under the Fair Housing Act, which was proposed for deletion.

Section 303 continues language to correct an anomaly in the HOPWA formula that results in the loss of funds for certain States.

Section 304 authorizes the Secretary to waive certain requirements related to an assisted living pilot project, as requested.

Section 305 continues language requiring funds appropriated to be distributed on a competitive basis in accordance with the Department of Housing and Urban Development Reform Act of 1989.

Section 306 continues language, carried in previous years, regarding the availability of funds subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 307 continues language, carried in previous years, regarding allocation of funds in excess of the budget estimates.

Section 308 continues language, carried in previous years, regarding the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 309 continues language, carried in previous years, requiring submission of a spending plan for technical assistance, training and management improvement activities prior to the expenditure of funds.

Section 310 continues language requiring the Secretary to provide quarterly reports on uncommitted, unobligated and excess funds in each departmental program and activity.

Section 311 continues language requiring the Secretary to maintain Section 8 assistance on certain properties occupied by elderly or disabled families.

Section 312 extends a technical amendment included in the fiscal year 2000 Appropriations Act relating to the allocation of HOPWA funds in the Philadelphia and Raleigh-Cary metropolitan areas. A proviso is added to allow a state to administer the HOPWA program in the event that a local government is unable to undertake the HOPWA grants management functions.

Section 313 continues language allowing the Secretary to maintain and dispose of certain elderly and disabled projects upon foreclosure.

Section 314 continues language requiring HUD to report on voucher utilization and costs.

Section 315 continues language setting certain requirements for the Department's annual congressional justification of appropriations.

Section 316 continues language carried in previous years elsewhere in this title requiring public housing authorities to continue to reserve incremental vouchers funded in previous years for persons with disabilities upon turnover.

Section 316 clarifies an equitable title issue for the Section 202 program.

Section 317 relates to state authority regarding participation on housing boards.

Section 318 continues language in previous acts specifying the allocation of Indian Block grants to Native Alaskan recipients.

Section 319 requires that the 2005 audit of the National Mortgage Association continue in its current business-oriented format.

Section 320 includes language to clarify the use of mortgage insurance with respect to health care facilities.

Section 321 requires that the holders of mortgages in the Section 236 program submit invoices electronically.

Section 322. The new definition of nonprofit organization was enacted on December 27, 2000. The amendment clarifies that the projects selected by HUD for Section 202b assistance prior to December 1, 2003 are also be eligible to use the limited partnership ownership structure. No more than three commercial properties are authorized to receive grants under section 202b of the Housing Act of 1959.

The Committee does not recommend several new administrative provisions requested in the budget to amend various housing authorization statutes.

TITLE IV—THE JUDICIARY

The funds recommended by the Committee in Title IV of the accompanying bill are for the operation and maintenance of United States Courts and include the salaries of judges, magistrates, probation and pretrial services officers, and supporting personnel and other expenses of the Federal Judiciary.

In addition to direct appropriations, the Judiciary collects fees and has various carryover authorities. The Judiciary uses these non-appropriated funds to offset its direct appropriation requirements. Consistent with prior year practices, the Committee expects the Judiciary to submit a financial plan, allocating all sources of available funds including appropriations, fee collections, and carryover balances. The Judiciary should consider this financial plan to be the baseline for determining if reprogramming notification is required. The Committee expects the plan to be submitted within 45 days after enactment of this Act.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$57,372,000
Budget request, fiscal year 2006	60,730,000
Recommended in the bill	60,730,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,358,000
Budget request, fiscal year 2006	.....

The Committee recommends an appropriation of $60,730,000 for fiscal year 2005 for the salaries and expenses of personnel and the cost of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is $3,358,000 above the fiscal year 2005 level and is the same as the request for this account. The recommendation provides inflationary and other standard adjustments and supports additional security staff to support operations of the Court. The Committee expects this funding will be more than sufficient to provide for security needs for the foreseeable future.

The Committee has included bill language making $2,000,000 available until expended for the purpose of making information technology investments. The Committee directs the Supreme Court to provide an annual report, to be included in its budget justification materials, showing information technology carry-over balances and describing each expenditure made in the previous fiscal year.

As noted in the fiscal year 2005 and 2006 budget hearings for the Supreme Court, the Committee wants to ensure that the public is provided sufficient insight into the Supreme Court's operations. The Committee commends the Supreme Court and the American Bar Association for posting transcripts of proceedings and certain briefs on the Internet.

CARE OF THE BUILDING AND GROUNDS

Appropriation, fiscal year 2005	$9,846,000
Budget request, fiscal year 2006	5,624,000
Recommended in the bill	5,624,000
Bill compared with:	
Appropriation, fiscal year 2005	−4,222,000
Budget request, fiscal year 2006	.....

The Committee recommends an appropriation of $5,624,000 for fiscal year 2006 for personnel and other services relating to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol (AoC). The recommendation is the same as the request and $4,222,000 below the fiscal year 2005 level. The Committee appreciates the restraint the Supreme Court has shown in adhering to its construction budget and schedule, and urges the Supreme Court and the AoC to remain diligent in their efforts to control the costs of the project. However, if any changes to the scope of the original project are made, the Committee expects to be informed. Language in the bill allows funds to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$21,520,000
Budget request, fiscal year 2006	26,462,000
Recommended in the bill	24,613,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,350,000
Budget request, fiscal year 2006	−1,849,000

The Committee recommends an appropriation of $24,613,000 for fiscal year 2006 for the salaries and expenses of the United States Court of Appeals for the Federal Circuit. The recommendation is $3,350,000 above the fiscal year 2005 appropriation and $1,849,000 below the request.

The recommendation includes funding for inflationary adjustments and increased contractual costs for Court Security Officers. The Committee denies funding for all requested program increases.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$14,713,000
Budget request, fiscal year 2006	15,480,000
Recommended in the bill	15,480,000
Bill compared with:	.....
Appropriation, fiscal year 2005	+767,000
Budget request, fiscal year 2006	.....

The Committee recommends an appropriation of $15,480,000 for fiscal year 2006 for the salaries and expenses of the United States Court of International Trade. The Committee recommendation is the same as the budget request and $767,000 above the fiscal year 2005 level.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$4,125,321,000
Budget request, fiscal year 2006	4,460,939,000
Recommended in the bill	4,348,780,000
Bill compared with:	
Appropriation, fiscal year 2005	+223,459,000
Budget request, fiscal year 2006	−112,159,000

The Committee recommends an appropriation of $4,348,780,000 for the operations of the regional courts of appeals, district courts, bankruptcy courts, the Court of Federal Claims, and probation and pretrial services offices. The recommendation is $112,159,000 below the request and $223,459,000 above the fiscal year 2005 appropriation.

The Committee understands that the Judiciary's staffing, operations and maintenance, and information technology resources are allocated to the courts according to formulas used to equitably distribute resources based on the actual workload of each district. The Committee believes this is the optimal method of making such allocations and expects the Judiciary to continue to allocate its resources using the formulas approved by the Judicial Conference.

The Committee also expects the Administrative Office to periodically update the formulas to ensure their accuracy.

VACCINE INJURY COMPENSATION TRUST FUND

Appropriation, fiscal year 2005	$3,254,000
Budget request, fiscal year 2006	3,833,000
Recommended in the bill	3,833,000
Bill compared with:	
Appropriation, fiscal year 2005	+579,000
Budget request, fiscal year 2006	.....

The Committee recommends a reimbursement of $3,833,000 for fiscal year 2006 from the Special Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This amount is $579,000 above the amount available in fiscal year 2005 and equal to the request.

DEFENDER SERVICES

Appropriation, fiscal year 2005	$667,351,000
Budget request, fiscal year 2006	768,064,000
Recommended in the bill	721,919,000
Bill compared with:	
Appropriation, fiscal year 2005	+54,568,000
Budget request, fiscal year 2006	−46,145,000

The Committee recommends an appropriation of $721,919,000 for fiscal year 2006. The recommendation is $54,568,000 above the fiscal year 2005 level and $46,145,000 below the request.

This account provides funding for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act (CJA) for representation in criminal cases.

FEES OF JURORS AND COMMISSIONERS

Appropriation, fiscal year 2005	$60,713,000
Budget request, fiscal year 2006	71,318,000
Recommended in the bill	60,053,000
Bill compared with:	
Appropriation, fiscal year 2005	−660,000
Budget request, fiscal year 2006	−11,265,000

The Committee recommends an appropriation of $60,053,000 for payments to jurors, which is $660,000 below the fiscal year 2005 level and $11,265,000 below the request. The Committee does not provide the $10,000,000 requested for payments to jurors for cases related to the recent Supreme Court Booker/Fanfan decision based on reports from the Judiciary that these funds are not needed.

COURT SECURITY

Appropriation, fiscal year 2005	$327,565,000
Budget request, fiscal year 2006	389,626,000
Recommended in the bill	379,461,000
Bill compared with:	
Appropriation, fiscal year 2005	+51,896,000
Budget request, fiscal year 2006	−10,165,000

The Committee recommends an appropriation of $379,461,000 for Court Security for fiscal year 2006 to provide for necessary expenses of security and protective services for the United States Courts in courtrooms and adjacent areas. This is an increase of $51,896,000 above the fiscal year 2005 level and $10,165,000 below the request. The Committee has made this reduction in consultation with the Judiciary, which has indicated costs for court security officers will be less than originally anticipated.

The recommendation provides for inflationary increases, for additional equipment and security systems, and for new contract court security officers. The recommendation also funds the program increase for additional staff to assist the USMS in managing the judicial facility security program as well as home security programs for Federal judges.

Bill language is included allowing up to $15,000,000 to remain available until expended.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$67,289,000
Budget request, fiscal year 2006	72,198,000
Recommended in the bill	70,262,000
Bill compared with:	
Appropriation, fiscal year 2005	+2,973,000
Budget request, fiscal year 2006	−1,936,000

The Committee recommends an appropriation of $70,262,000 for the salaries and expenses of the Administrative Office of the United States Courts (AO), which is $2,973,000 above the fiscal year 2005 level and $1,936,000 below the request.

The AO provides administrative and management support to the United States Courts, including the probation and bankruptcy systems. It also supports the Judicial Conference of the United States in determining Judiciary policies, developing methods to allow the courts to conduct business efficiently and economically, and enhancing the use of information technology in the courts.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$21,447,000
Budget request, fiscal year 2006	22,876,000
Recommended in the bill	22,249,000
Bill compared with:	
Appropriation, fiscal year 2005	+802,000
Budget request, fiscal year 2006	−627,000

The Committee recommends an appropriation of $22,249,000 for the salaries and expenses of the Federal Judicial Center for fiscal year 2006, which is $802,000 above the fiscal year 2005 level and $627,000 below the request.

The Center improves the management of Federal judicial dockets and court administration through education for judges and staff, and research, evaluation, and planning assistance for the courts and the Judicial Conference.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

Appropriation, fiscal year 2005	$36,700,000
Budget request, fiscal year 2006	40,600,000
Recommended in the bill	40,600,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,900,000
Budget request, fiscal year 2006	

The Committee provides $40,600,000 for payments to the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities Fund, and the Claims Court Judges Retirement Fund for fiscal year 2006. This amount is the same as the budget request and $3,900,000 above the fiscal year 2005 level. These payments are considered mandatory for budget scorekeeping purposes.

These funds cover the estimated annuity payments to be made to retired bankruptcy judges, magistrate judges, Claims Court judges, and spouses and dependent children of deceased judicial officers.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$13,126,000
Budget request, fiscal year 2006	14,700,000
Recommended in the bill	14,046,000
Bill compared with:	
Appropriation, fiscal year 2005	+920,000
Budget request, fiscal year 2006	−654,000

The Committee recommends $14,046,000 for the salaries and expenses of the United States Sentencing Commission for fiscal year 2006, which is $920,000 above the fiscal year 2005 appropriation and $654,000 below the request.

The purpose of the Commission is to establish, review, and revise sentencing guidelines, policies, and practices for the Federal criminal justice system. The Commission is also required to monitor the operation of the guidelines and to identify and report necessary changes to the Congress.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

Sec. 401. The Committee continues language to permit funds in the bill for salaries and expenses for the Judiciary to be available for employment of experts and consultant services as authorized by 5 U.S.C. 3109.

Sec. 402. The Committee continues language that permits up to 5 percent of any appropriation made available for fiscal year 2006 to be transferred between Judiciary appropriations accounts provided that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 810 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 403. The Committee continues language authorizing not to exceed $11,000 to be used for official reception and representation expenses incurred by the Judicial Conference of the United States.

TITLE V—DISTRICT OF COLUMBIA

FEDERAL PAYMENTS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

Appropriation, fiscal year 2005	$25,359,000
Budget request, fiscal year 2006	33,200,000
Recommended in the bill	33,200,000
Bill compared with:	
Appropriation, fiscal year 2005	+7,805,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $33,200,000 for the resident tuition support program, $7,805,000 above the fiscal year 2005 appropriation and the same as the budget request. These funds are to be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at eligible public and private institutions of higher education.

The program was created by the District of Columbia College Access Act of 1999 to provide District college-bound students the opportunity to expand their higher education choices. The program receives its funding through a Federal appropriation which is deposited into a dedicated account under the control of the District of Columbia Chief Financial Officer.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS

Appropriation, fiscal year 2005	$14,880,000
Budget request, fiscal year 2006	15,000,000
Recommended in the bill	15,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+120,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $15,000,000 for emergency planning and security costs, $120,000 above the fiscal year 2005 appropriation and the same as the President's request. These funds are for emergency planning and security costs related to the presence of the Federal government in the District of Columbia and surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriation, fiscal year 2005	$189,274,000
Budget request, fiscal year 2006	221,693,000
Recommended in the bill	221,693,000
Bill compared with:	
Appropriation, fiscal year 2005	+32,419,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $221,693,000 for operation of District of Columbia Courts, including the Family Court, $32,419,000 above the fiscal year 2005 appropriation and the same as the President's request. This amount includes

$9,198,000 for the Court of Appeals, $87,342,000 for the Superior Court, $41,643,000 for the Court System, and $83,510,000 for capital improvements to courthouse facilities.

DEFENDER SERVICES IN THE DISTRICT OF COLUMBIA COURTS

Appropriation, fiscal year 2005	$38,192,000
Budget request, fiscal year 2006	45,000,000
Recommended in the bill	45,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+6,808,000
Budget request, fiscal year 2006	.....

The Committee recommends $45,000,000 for Defender Services in District of Columbia Courts, $6,808,000 above the fiscal year 2005 appropriation and the same as the President's request. These funds provide payment for counsel appointed in proceedings in the Family Court of the Superior Court and under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

Appropriation, fiscal year 2005	$178,560,000
Budget request, fiscal year 2006	203,388,000
Recommended in the bill	203,388,000
Bill compared with:	
Appropriation, fiscal year 2005	+24,828,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $178,560,000 for the Court Services and Offender Supervision Agency (CSOSA) and the Public Defender Service for the District of Columbia, $24,828,000 above the fiscal year 2005 appropriation and the same as the President's request.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Appropriation, fiscal year 2005	$4,762,000
Budget request, fiscal year 2006	.....
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+5,238,000
Budget request, fiscal year 2006	+10,000,000

The Committee recommends a Federal payment of $10,000,000 to the District of Columbia Water and Sewer Authority (WASA), $5,238,000 above the fiscal year 2005 appropriation and over the President's request. These funds are to continue implementation of the Combined Sewer Overflow Long-Term Plan and are to be matched 100 percent by WASA.

The District's combined sewer system was designed and constructed by the U.S. Army Corps of Engineers in the late 1800's and serves about a third of the District. The capacity of the system is exceeded during storms with the excess flow being discharged to the Anacostia and Potomac Rivers, Rock Creek, and tributary waters. WASA has developed a long-term plan to control these overflows and improve the water quality of the rivers. The plan is estimated to cost $1.3 billion and take between 15 to 40 years to com-

plete depending on how much Federal assistance is obtained. While the Committee is supportive of the project and is providing funding for it in the bill, the Committee does not have the resources to provide the level of funding WASA is seeking from the Federal government. Therefore, the Committee strongly encourages WASA to pursue other sources of public and private funding.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE

Appropriation, fiscal year 2005	$2,976,000
Budget request, fiscal year 2006	5,000,000
Recommended in the bill	5,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+2,024,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $5,000,000 for the Anacostia Waterfront Initiative, $2,024,000 over the fiscal year 2005 appropriation and the same as the President's request. These funds are for the design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland.

The Anacostia Waterfront Initiative is a multi-year, multi-project initiative to revitalize the Anacostia River and its waterfront communities. The design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland is one such project. The Committee provides $5,000,000 to continue construction in fiscal year 2006.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

Appropriation, fiscal year 2005	$1,290,000
Budget request, fiscal year 2006	1,300,000
Recommended in the bill	1,300,000
Bill compared with:	
Appropriation, fiscal year 2005	+10,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $1,300,000 to the Criminal Justice Coordinating Council, $10,000 above the fiscal year 2005 appropriation and the same as the President's request. These funds are to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

The Committee recognizes the Criminal Justice Coordinating Council (CJCC) as an important agency within the law enforcement and criminal justice community in the District of Columbia. Federal and local agencies are expected to demonstrate accountability on the initiatives undertaken each year to improve public safety in the city. To this end, we request the CJCC collect and analyze data that measures progress made on the individual CJCC initiatives and to include these measures in the annual report.

FEDERAL PAYMENT TO THE OFFICE OF CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

Appropriation, fiscal year 2005	$32,240,000
Budget request, fiscal year 2006	.....
Recommended in the bill	20,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−12,240,000
Budget request, fiscal year 2006	+20,000,000

The Committee recommends a Federal payment of $20,000,000 for the Chief Financial Officer of the District of Columbia, $12,240,000 below the fiscal year 2005 appropriation and $20,000,000 above the President's request. These funds are for education, public safety, health, economic development, and infrastructure initiatives in the District of Columbia.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

Appropriation, fiscal year 2005	$39,680,000
Budget request, fiscal year 2006	41,616,000
Recommended in the bill	41,616,000
Bill compared with:	
Appropriation, fiscal year 2005	$1,936,000
Budget request, fiscal year 2006	.....

COMMITTEE RECOMMENDATION

The Committee recommends $41,616,000 for the Federal payment for school improvement, $1,936,000 above fiscal year 2005 and the same as the budget request. These funds are allocated as follows: $13,525,000 to improve public school education in the District of Columbia, and $14,566,000 to the Secretary of Education for opportunity scholarships for low-income children in the District of Columbia, of which $1,000,000 is for administrative expenses.

FEDERAL PAYMENT FOR BIOTERRORISM AND FORENSICS LABORATORY

Appropriation, fiscal year 2005	$7,936,000
Budget request, fiscal year 2006	7,200,000
Recommended in the bill	7,200,000
Bill compared with:	
Appropriation, fiscal year 2005	+736,000
Budget request, fiscal year 2006	.....

The Committee recommends a Federal payment of $7,200,000 for costs associated with the continued construction of a bioterrorism and forensics laboratory in the District of Columbia, the same funding level as the budget request and $736,000 below the fiscal year 2005 appropriation. The Federal payment is contingent upon the District providing $1,500,000 in local funds for this project.

DISTRICT OF COLUMBIA FUNDS

The Committee recommends a total of $8,700,158,000 for the operating expenses of the District of Columbia as contained in the fiscal year 2006 proposed budget and financial plan submitted to the Congress by the Government of the District of Columbia on June 6, 2005. Of the total, $5,007,344,000 is from local funds, $1,921,287,000 is from Federal grant funds, $1,754,399,000 is from other funds, $17,129,000 is from private funds, and $163,116,000 is from prior year funds. The Committee directs that any changes

to the financial plan as submitted by the District must follow the reprogramming guidelines.

The Committee has included two administrative provisions that would allow the mayor, upon certification by the chief financial officer, to expend local and other funds of the District not identified in this bill should there be an unanticipated growth in revenue. The additional funds are subject to the administrative provisions of this title and the normal reprogramming procedures contained in section 505 of this title. The Committee makes this recommendation based on the leadership and efforts of the past control boards, the mayor, and the chief financial officer, with the cooperation of the city council to bring about financial reform to the District. The Committee is optimistic that the District's leadership will continue on the course of building financial growth and soundness. The Committee will revisit these provisions in consideration of the fiscal year 2007 bill. Should the District government fail to adhere to the notification and reprogramming requirements, or fail to create and implement a plan to address the dire state of DC's capital infrastructure, or the cost of services rise without reason, the Committee will not consider favorably the continuation of the provisions.

With the expanded authority to use District funds, the Committee expects the District government to first and foremost address capital infrastructure needs.

The following tables detail the revenue and expenses plans of the District for fiscal year 2006:

Fiscal Year 2006 Financial Plan
[Amount in Thousands]

	Local Funds	Grants and Other Revenue	Gross funds
Revenues			
Local sources:			
Property taxes	1,242,479	0	1,242,479
Sales taxes	876,129	0	876,129
Income taxes	1,405,670	0	1,405,670
Gross receipts	246,891	0	246,891
Other taxes	330,364	0	330,364
Liscenses and permits	66,470	0	66,470
Fines and forfeitures	113,613	0	113,613
Charges/services	56,436	0	56,436
Miscellaneous	416,335	0	416,335
Fund Balance Use	591,642	0	591,642
Transfers to Capital	(30,000)	0	(30,000)
Revenue Proposals/Onetime Revenues	8,729	0	8,729
Subtotal local revenues	5,324,758	0	5,324,758
Federal and other sources:			
Federal Payments	0	34,500	34,500
Federal Grants		1,904,539	1,904,539
Private Grants	0	16,213	16,213
Subtotal federal sources revenues	0	1,955,252	1,955,252
Other financing sources:			
Lottery transfer	73,100	0	73,100
Subtotal Federal Resources	73,100	0	73,100
Total General Fund Revenues	5,397,858	1,955,252	7,353,110
Expenditures			
Current Operating:			
Governmental Direction and Support	340,859	171,975	512,834
Economic Development and Regulation	328,156	118,312	446,468
Public Safety and Justice	827,037	10,577	837,614
Public Education System	1,189,302	240,194	1,429,496
Human Support Services	1,307,530	1,405,819	2,713,349
Public Works	366,101	8,375	374,476
Financing and Other	588,717	0	588,717
Cash Reserve (Budgeted Contingency)	50,000	0	50,000
Lease Purchase Costs	0	0	0
Subtotal, Operating Expenditures	4,997,702	1,955,252	6,952,954
Paygo Capital	207,083	0	207,083
Transfer to Trust Fund for Post-Employment Ben	138,000	0	138,000
General Fund Contribution to Capital Fund Balan	53,800	0	53,800
Total General Fund Expenditures	5,396,585	1,955,252	7,351,837
Operating Margin, Budget Basis	1,273	0	1,273

GOVERNMENTAL DIRECTION AND SUPPORT
[Amount in Thousands]

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
COUNCIL OF THE DISTRICT OF COLUMBIA	12,809	14,038	0	14,038	14,038	0	14,038	1,230	0
OFFICE OF THE D.C. AUDITOR	1,784	2,008	0	2,008	2,008	0	2,008	224	0
ADVISORY NEIGHBORHOOD COMMISSIONS	976	976	0	976	976	0	976	0	0
OFFICE OF THE MAYOR	10,439	13,454	(110)	13,343	13,454	(110)	13,343	3,014	0
OFFICE OF SECRETARY	3,679	4,241	0	4,241	4,241	0	4,241	563	0
CUSTOMER SERVICE OPERATIONS	1,052	1,048	(695)	353	1,048	(695)	353	(3)	0
OFFICE OF CITY ADMINISTRATOR	111,424	173,880	(584)	173,297	173,880	(584)	173,297	62,456	0
OFFICE OF RISK MANAGEMENT	2,023	2,365	(500)	1,865	2,365	(500)	1,865	343	0
OFFICE OF PERSONNEL	14,056	13,544	(2,594)	10,950	13,544	(2,594)	10,950	(511)	0
HUMAN RESOURCES DEVELOPMENT	1,978	2,000	0	2,000	2,000	0	2,000	22	0
OFFICE OF FINANCE AND RESOURCE MANAGEMENT	188,016	200,888	(190,259)	10,630	200,888	(190,259)	10,630	12,873	0
OFFICE OF CONTRACTING AND PROCUREMENT	12,334	14,642	(1,653)	12,989	14,642	(1,653)	12,989	2,308	0
OFFICE OF THE CHIEF TECHNOLOGY OFFICER	44,685	43,474	(4,052)	39,422	43,474	(4,052)	39,422	(1,211)	0
OFFICE OF PROPERTY MANAGEMENT	61,625	69,346	(49,795)	19,551	69,346	(49,795)	19,551	7,721	0
CONTRACT APPEALS BOARD	764	806	0	806	806	0	806	42	0
BOARD OF ELECTION & ETHICS	4,805	5,042	0	5,042	5,042	0	5,042	237	0
OFFICE OF CAMPAIGN FINANCE	1,324	1,374	0	1,374	1,374	0	1,374	50	0
PUBLIC EMPLOYEE RELATIONS BOARD	776	801	0	801	801	0	801	25	0
OFFICE OF EMPLOYEE APPEALS	1,536	1,589	0	1,589	1,589	0	1,589	53	0
METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS	926	440	0	440	440	0	440	(486)	0
OFFICE OF THE ATTORNEY GENERAL FOR THE DISTRICT OF COLUMBIA	62,381	66,275	(2,392)	63,883	66,275	(2,392)	63,883	3,894	0
OFFICE OF THE INSPECTOR GENERAL	11,295	12,942	0	12,942	12,942	0	12,942	1,647	0
OFFICE OF THE CHIEF FINANCIAL OFFICER	107,054	124,242	(3,951)	120,291	124,242	(3,951)	120,291	17,189	0
EMERGENCY PURCHASE CARDS	0	0	0	0	0	0	0	0	0
TOTAL, GOVERNMENTAL DIRECTION AND SUPPORT	657,740	769,418	(256,585)	512,834	769,418	(256,585)	512,834	111,678	0

ECONOMIC DEVELOPMENT AND REGULATION
[Amount in Thousands]

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
OFFICE OF THE DEPUTY MAYOR OF PLANNING	22,309	42,980	0	42,980	42,980	0	42,980	20,671	0
OFFICE OF PLANNING	6,512	6,673	0	6,673	6,673	0	6,673	162	0
OFFICE OF LOCAL BUSINESS DEVELOPMENT	1,040	1,438	0	1,438	1,438	0	1,438	398	0
OFFICE OF MOTION PICTURES AND TELEVISION	564	579	0	579	579	0	579	15	0
OFFICE OF ZONING	2,581	2,902	0	2,902	2,902	0	2,902	321	0
DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT	145,265	210,710	0	210,710	210,710	0	210,710	65,445	0
DEPARTMENT OF EMPLOYMENT SERVICES	88,345	93,048	(2,534)	90,514	93,048	(2,534)	90,514	4,702	0
BOARD OF APPEALS AND REVIEW	0	0	0	0	0	0	0	0	0
BOARD OF REAL PROPERTY ASSES. & APPEALS	342	431	0	431	431	0	431	89	0
DEPT CONSUMER & REGULATORY AFFAIRS	37,247	40,251	(106)	40,145	40,251	(106)	40,145	3,003	0
COMMISSION ON ARTS & HUMANITIES		9,918	(20)	9,898	9,918	(20)	9,898	9,918	0
ALCOHOL BEVERAGE REGULATION ADMINISTRATION	4,877	4,702	0	4,702	4,702	0	4,702	(175)	0
DEPT. OF BANKING AND FINANCIAL INSTITUTIONS	0	0	0	0	0	0	0	0	0
PUBLIC SERVICE COMMISSION	7,656	7,976	0	7,976	7,976	0	7,976	320	0
OFFICE OF THE PEOPLE'S COUNSEL	3,885	4,306	0	4,306	4,306	0	4,306	421	0
DEPT. OF INSURANCE, SECURITIES AND BANKING	13,675	14,158	0	14,158	14,158	0	14,158	483	0
OFFICE OF CABLE TELEVISION AND TELECOMMUNICATIONS	4,000	5,054	0	5,054	5,054	0	5,054	1,054	0
HOUSING AUTHORITY SUBSIDY	0	4,003	0	4,003	4,003	0	4,003	4,003	0
TOTAL, ECONOMIC DEVELOPMENT AND REGULATION	338,298	449,128	(2,660)	446,468	449,128	(2,660)	446,468	110,830	0

PUBLIC SAFETY AND JUSTICE
[Amount in Thousands]

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
METROPOLITAN POLICE DEPARTMENT	372,561	377,488	(5,398)	372,089	377,489	(5,398)	372,089	4,926	0
FIRE AND EMERGENCY SERVICES DEPARTMENT	145,364	156,268	(368)	155,900	156,268	(368)	155,900	10,904	0
POLICE OFFICERS' & FIRE FIGHTERS' RETIREMENT SYSTEM	112,100	117,500	0	117,500	117,500	0	117,500	5,400	0
DEPARTMENT OF CORRECTIONS	121,447	132,686	(1,934)	130,751	132,686	(1,934)	130,751	11,239	0
NATIONAL GUARD	3,253	3,428	0	3,428	3,428	0	3,428	175	0
D.C. EMERGENCY MANAGEMENT AGENCY	5,030	5,495	0	5,495	5,495	0	5,495	465	0
COMMISSION ON JUDICIAL DISABILITIES & TENURE	213	218	0	218	218	0	218	5	0
JUDICIAL NOMINATION COMMISSION	118	126	0	126	126	0	126	8	0
OFFICE OF POLICE COMPLAINTS	1,756	2,095	0	2,095	2,095	0	2,095	339	0
D.C. SENTENCING COMMISSION	581	662	0	662	662	0	662	81	0
OFFICE OF THE CHIEF MEDICAL EXAMINER	6,762	9,265	0	9,265	9,265	0	9,265	2,503	0
OFFICE OF ADMINISTRATIVE HEARINGS	6,647	7,057	(1,164)	5,893	7,057	(1,164)	5,893	410	0
CORRECTIONS INFORMATION COUNCIL	155	155	0	155	155	0	155	(0)	0
CRIMINAL JUSTICE COORDINATING COUNCIL	1,550	1,576	0	1,576	1,576	0	1,576	26	0
FORENSICS LABORATORY TECHNICIAN TRAINING PROGRAM	800	800	0	800	800	0	800	0	0
OFFICE OF UNIFIED COMMUNICATIONS	30,217	31,662	0	31,662	31,662	0	31,662	1,444	0
EMERGENCY AND DISASTER RESPONSE	0	0	0	0	0	0	0	0	0
TOTAL, PUBLIC SAFETY AND JUSTICE	808,553	846,479	(8,864)	837,615	846,479	(8,864)	837,615	37,926	0

PUBLIC EDUCATION SYSTEM
[Amount in Thousands]

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
D.C. PUBLIC SCHOOLS	962,496	1,033,194	(54,157)	979,037	1,033,194	(54,157)	979,037	70,699	0
TEACHERS' RETIREMENT FUND	9,200	15,500	0	15,500	15,500	0	15,500	6,300	0
STATE EDUCATION OFFICE	82,388	78,449	0	78,449	78,449	0	78,449	(3,939)	0
D.C. PUBLIC CHARTER SCHOOLS	196,802	239,284	0	239,284	239,284	0	239,284	42,483	0
UNIVERSITY OF THE DISTRICT OF COLUMBIA	0	0	0	0	0	0	0	0	0
UNIVERSITY OF THE DISTRICT OF COLUMBIA SUBSIDY	49,602	57,873	0	57,873	57,873	0	57,873	8,270	0
D.C. PUBLIC LIBRARY	32,402	34,473	(320)	34,153	34,473	(320)	34,153	2,071	0
COMMISSION ON ARTS & HUMANITIES	5,357	0	0	0	0	0	0	(5,357)	0
DISTRICT OF COLUMBIA EDUCATIONAL INVESTMENT FUND	0	21,000	0	21,000	21,000	0	21,000	21,000	0
DISTRICT OF COLUMBIA CHARTER SCHOOLS INVESTMENT FUND	0	4,200	0	4,200	4,200	0	4,200	4,200	0
TOTAL, PUBLIC EDUCATION SYSTEM	1,338,246	1,483,973	(54,477)	1,429,496	1,483,973	(54,477)	1,429,496	145,727	0

HUMAN SUPPORT SERVICES
[Amount in Thousands]

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
DEPARTMENT OF HUMAN SERVICES	442,380	414,015	(198)	413,817	414,015	(198)	413,817	(28,365)	0
CHILD AND FAMILY SERVICES AGENCY	220,802	236,762	(44,284)	192,478	236,762	(44,284)	192,478	15,960	0
DEPARTMENT OF MENTAL HEALTH	208,506	229,545	(42,917)	186,628	229,545	(42,917)	186,628	21,038	0
DEPARTMENT OF HEALTH	1,637,183	1,729,326	(8,842)	1,720,484	1,729,326	(8,842)	1,720,484	92,143	0
DEPT OF PARKS AND RECREATION	43,971	51,340	(7,450)	43,890	51,340	(7,450)	43,890	7,369	0
OFFICE ON AGING	21,133	21,415	(225)	21,190	21,415	(225)	21,190	282	0
PBC TRANSITION	0	0	0	0	0	0	0	0	0
UNEMPLOYMENT COMPENSATION FUND	8,124	7,124	0	7,124	7,124	0	7,124	(1,000)	0
DISABILITY COMPENSATION FUND	29,600	30,281	0	30,281	30,281	0	30,281	681	0
OFFICE OF HUMAN RIGHTS	2,514	5,032	0	5,032	5,032	0	5,032	2,518	0
OFFICE ON LATINO AFFAIRS	4,462	4,485	(830)	3,655	4,485	(830)	3,655	22	0
D.C. ENERGY OFFICE	17,839	21,147	(326)	20,820	21,147	(326)	20,820	3,308	0
CHILDREN AND YOUTH INVESTMENT FUND	5,068	8,068	0	8,068	8,068	0	8,068	3,000	0
BROWNFIELD REMEDIATION	0	0	0	0	0	0	0	0	0
ASIAN AND PACIFIC ISLANDER AFFAIRS	353	540	0	540	540	0	540	186	0
OFFICE OF VETERANS AFFAIRS	239	251	0	251	251	0	251	12	0
MEDICAID RESERVE	0	0	0	0	0	0	0	0	0
INCENTIVES FOR ADOPTION OF CHILDREN	0	0	0	0	0	0	0	0	0
DEPARTMENT OF YOUTH REHABILITATION SERVICES	0	61,327	(2,237)	59,090	61,327	(2,237)	59,090	61,327	0
TOTAL HUMAN SUPPORT SERVICES	2,642,174	2,820,657	(107,308)	2,713,349	2,820,657	(107,308)	2,713,349	178,482	0

PUBLIC WORKS
[Amount in Thousands]

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
DEPARTMENT OF PUBLIC WORKS	105,220	115,530	(20,488)	95,043	115,530	(20,488)	95,043	10,310	0
DEPARTMENT OF TRANSPORTATION	31,579	39,005	(214)	38,791	39,005	(214)	38,791	7,426	0
DEPARTMENT OF MOTOR VEHICLES	40,790	46,530	(162)	46,369	46,530	(162)	46,369	5,740	0
D.C. TAXI CAB COMMISSION	1,258	1,362	0	1,362	1,362	0	1,362	104	0
WASHINGTON METRO AREA TRANSIT COMMISSION	95	110	0	110	110	0	110	15	0
WASHINGTON METRO AREA TRANSIT AUTHORITY	166,633	187,632	0	187,632	187,632	0	187,632	20,999	0
SCHOOL TRANSIT SUBSIDY	4,670	5,169	0	5,169	5,169	0	5,169	499	0
TOTAL, PUBLIC WORKS	350,245	395,339	(20,863)	374,476	395,339	(20,863)	374,476	45,094	0

ENTERPRISE FUNDS
(Amount in Thousands)

Agency/Activity	Approved FY 2005	FY 2006 Request	Intra-District	FY 2006 request Less Intra-District	Committee Recommendation	Intra-District	Committee Recommendation	Bill Compared With - FY 2003 Approved	Bill Compared With - FY 2004 Request
WATER AND SEWER AUTHORITY	287,206	295,710	0	295,710	295,710	0	295,710	8,504	0
WASHINGTON AQUEDUCT	47,972	50,512	0	50,512	50,512	0	50,512	2,540	0
STORM WATER	3,792	6,673	0	6,673	6,673	0	6,673	2,881	0
D.C. LOTTERY & CHARITABLE GAMES CONTROL BOARD	247,000	251,000	0	251,000	251,000	0	251,000	4,000	0
SPORTS AND ENTERTAINMENT COMMISSION	7,322	339,630	0	339,630	339,630	0	339,630	332,308	0
D.C. RETIREMENT BOARD	15,277	30,078	0	30,078	30,078	0	30,078	14,801	0
CORRECTIONAL INDUSTRIES	0	0	0	0	0	0	0	0	0
WASHINGTON CONVENTION CENTER AUTHORITY	77,176	78,900	0	78,900	78,900	0	78,900	1,724	0
NATIONAL CAPITAL REVITALIZATION CORPORATION	7,849	52,731	0	52,731	52,731	0	52,731	44,882	0
UNIVERSITY OF THE DISTRICT OF COLUMBIA	90,576	102,200	(5,730)	96,470	102,200	(5,730)	96,470	11,625	0
D.C OFFICE OF PERSONAL AGENCY TRUST FUND	953	1,100	0	1,100	1,100	0	1,100	147	0
D.C. PUBLIC LIBRARY TRUST FUNDS	17	17	0	17	17	0	17	0	0
UNEMPLOYMENT COMPENSATION FUND	180,000	180,000	0	180,000	180,000	0	180,000	0	0
TOTAL, ENTERPRISE FUNDS	965,140	1,388,551	(5,730)	1,382,821	1,388,551	(5,730)	1,382,821	423,411	0

The Committee is concerned about the number of erroneous parking violation citations from the District of Columbia. In many of these instances the vehicles owned by non-District residents do not match the vehicles described in the citations. Many times, when non-District residents have attempted to resolve the issue, often by providing a notarized affidavit that their vehicle does not match the description on the Notice of Unsatisfied Parking Ticket, they have serious difficulty navigating the District's appeal process and are eventually still found responsible for the erroneous charge. Within 120 days of enactment of this Act, the District of Columbia is instructed to file a written report with the Committee detailing a plan to improve the process through which these appeals are resolved and a plan to improve the ticket issuing process so that the frequency of these errors is decreased.

ADMINISTRATIVE PROVISIONS

Section 501. The Committee continues the provision that specifies that an appropriation for a particular purpose or object shall be considered as the maximum amount that may be expended for said purpose or object.

Section 502. The Committee continues the provision that permits funds for travel and payment of dues.

Section 503. The Committee continues the provision that appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

Section 504. The Committee continues the provision that prohibits the use of appropriation for publicity or propaganda purposes.

Section 505. The Committee continues the provision that establishes reprogramming and transfer requirements.

Section 506. The Committee continues the provision that prohibits use of funds only to the objects for which the appropriations were made.

Section 507. The Committee continues the provision that clarifies the pay setting authority for District employees as the District's Merit Personnel Act rather than title 5 of the United States Code.

Section 508. The Committee continues the provision that directs the Mayor of the District of Columbia to submit new fiscal year 2006 revenue estimates as of the end of such quarter.

Section 509. The Committee continues the provision that prohibits the District government from renewing or extending sole source contracts without opening them to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985.

Section 510. The Committee continues the provision that prohibits the use of Federal funds for salaries, expenses, or other costs associated with the offices of U.S. Senator or Representative under section 4(d) of the D.C. Statehood Constitutional Convention Initiatives of 1979.

Section 511. The Committee continues the provision that prohibits Federal funds made available in this Act from being used to implement or enforce any system of registration for unmarried cohabitating couples.

Section 512. The Committee continues the provision that allows the mayor to accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

Section 513. The Committee continues the provision that restricts the use of official vehicles to official duties and not between a residence and workplace, except in the case of a police officer who resides in the District of Columbia at the discretion of the Chief, an officer or employee of the D.C. Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day, the Mayor of the District of Columbia, and the Chairman of the Council of the District of Columbia.

Section 514. The Committee continues the provision that prohibits the use of funds for the audit of the District government's annual financial statements unless the DC Inspector General either conducts, or contracts for, the audit.

Section 515. The Committee continues the provision that prohibits the use of appropriated funds by the Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Section 516. The Committee continues the provision that prohibits the use of any funds in this Act to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

Section 517. The Committee continues the provision that requires the Chief Financial Officers of the District of Columbia to certify that they understand the duties and restrictions applicable to their agency as a result of this Act.

Section 518. The Committee continues the provision that includes a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 519. The Committee continues the provision that requires the Mayor of the District of Columbia to submit quarterly reports on various issues pertaining to the District of Columbia.

Section 520. The Committee continues the provision that requires the CFO to submit a revised appropriated funds operating budget in the format of the budget that the District government submitted pursuant to section 442 of the DC Home Rule Act for all agencies no later than 30 calendar days after the date of enactment of this Act.

Section 521. The Committee continues the provision that prohibits the transfer of Federal funds to any department, agency, or instrumentality of the U.S. government, except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriation Act.

Section 522. The Committee continues the provision that requires the District of Columbia Courts to transfer all fines levied and collected by the Courts in cases charging Driving Under the Influence and Driving While Impaired to the general treasury of the District of Columbia to remain available until expended and used by the Office of the Corporation Counsel for enforcement and prosecution of District traffic alcohol laws.

Section 523. The Committee continues the provision that prohibits the use of any funds in the Act to: (1) pay the fees of an attorney who represents a party in an action or any attorney who defends any action, including an administrative proceeding, brought against D.C. Public Schools under the Individuals With Disabilities Act (IDEA) in excess of $4,000 for that action; (2) pay the fees of an attorney or firm whom the CFO determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers; and (3) require all savings to be used to expand special education services within the District.

Section 524. The Committee continues the provision that requires attorneys in special education cases brought under IDEA to comply with several reporting requirements and allow the Inspector General to conduct investigations to determine the accuracy of the certifications.

Section 525. The Committee continues the provision that allows for appropriations in this Act to be increased by no more than $42,000,000 from unexpended general funds, and may be used only for one-time expenditures, to avoid deficit spending, for debt reduction, for program needs, or to avoid revenue shortfalls.

Section 526. The Committee recommends a new provision that makes a technical correction under the heading of "Federal Payment for School Improvement" in Public Law 108–355 (118 Stat. 1327).

Section 527. The Committee recommends a new provision that allows for the obligation of additional "Other Funds" and "Local Funds" under certain circumstances.

Section 528. The Committee recommends a new provision that allows for short-term borrowing from the emergency and contingency reserve funds established under section 450A of the District of Columbia Home Rule Act (Public Law 98–198; D.C. Official Code, sec. 1–204.50a) under certain circumstances.

Section 529. The Committee continues the provision that maintains funding for the District of Columbia Inspector General.

Section 530. The Committee continues the provision prohibiting funds to change the legality of marijuana use.

Section 531. The Committee continues the provision relating to abortion.

The Committee has not included a proposed provision allowing the District to implement activities to improve tax collections. While the Committee supports strongly any efforts by the District to collect properly and account for taxes owed, there was not adequate time to evaluate such a proposal prior to consideration of this bill. The Committee directs the mayor to submit a report by October 1, 2005 providing the details of such an initiative, the amount of additional revenue collected, and the costs associated with any initiative. The Committee encourages the District to consider activities that would yield a greater return on the investment than as proposed in the provision.

TITLE VI—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

These funds provide for the compensation of the President as well as official expenses of the Executive Office of the President, as authorized by title 3, United States Code.

COMPENSATION OF THE PRESIDENT

Appropriation, fiscal year 2005	$450,000
Budget request, fiscal year 2006 [1]	450,000
Recommended in the bill	450,000
Bill compared with:	
Appropriation, fiscal year 2005	0
Budget request, fiscal year 2006	0

[1] Proposed in a consolidated appropriation titled "The White House".

These funds provide for the compensation of the President, including an expense allowance as authorized by 3 U.S.C. 102.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $450,000 for Compensation of the President, including an expense allowance of $50,000. These are the same as amounts as appropriated in fiscal year 2005 and the same as requested by the President. The bill specifies that none of the funds for official expenses shall be considered as taxable to the President, and any unused amount shall revert to the Treasury consistent with 31 U.S.C. 1552.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

Appropriation, fiscal year 2006	$61,504,000
Budget request, fiscal year 2006 [1]	53,830,000
Recommended in the bill	53,830,000
Bill compared with:	
Appropriation, fiscal year 2005	−8,424,000
Budget request, fiscal year 2006	0

[1] Proposed in a consolidated appropriation titled "The White House".

The Salaries and Expenses account of the White House Office supports staff and administrative services necessary for the direct support of the President, including costs for the Homeland Security Council.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $53,830,000 for the White House Office, the same as in the Administration's request. This account also includes $750,000 for the Privacy and Civil Liberties Oversight Board, newly established within the White House Office. The Committee's recommendation transfers funding for the White House Communications Agency to the Department of Defense's Defense Information Agency.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

Appropriation, fiscal year 2005	$12,658,000
Budget request, fiscal year 2006 [1]	12,436,000
Recommended in the bill;	12,436,000
Bill compared with:	
Appropriation, fiscal year 2005	−222,000
Budget request, fiscal year 2006	0

[1] Proposed in a consolidated appropriation titled "The White House".

These funds provide for the care, maintenance, and operation of the Executive Residence, including official and ceremonial functions of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $12,436,000 for the operating expenses of the Executive Residence, a decrease of $222,000 from the amounts appropriated in fiscal year 2005 and the same as the amounts requested by the President. The bill includes the same restrictions on reimbursable expenses for use of the Executive Residence as were enacted in fiscal year 2005.

WHITE HOUSE REPAIR AND RESTORATION

Appropriation, fiscal year 2005	$1,885,000
Budget request, fiscal year 2006 [1]	1,700,000
Recommended in the bill;	1,700,000
Bill compared with:	
Appropriation, fiscal year 2005	−185,000
Budget request, fiscal year 2006	0

[1] Proposed in a consolidated appropriation titled "The White House".

To provide for the repair, alteration, and improvement of the Executive Residence at the White House, a separate account was established in fiscal year 1996 to program and track expenditures for capital improvement projects at the Executive Residence at the White House.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,700,000 for White House Repair and Restoration, a decrease of $185,000 below the amount enacted in fiscal year 2005 and the same as the amount requested by the President.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$4,008,000
Budget request, fiscal year 2006 [1]	4,040,000
Recommended in the bill	4,040,000
Bill compared with:	
Appropriation, fiscal year 2005	+32,000
Budget request, fiscal year 2006	0

[1] Proposed in a consolidated appropriation titled "The White House".

The Council of Economic Advisers analyzes the national economy and its various segments, advises the President on economic developments, recommends policies for economic growth and stability, appraises economic programs and policies of the Federal Govern-

ment, and assists in preparation of the annual Economic Report of the President to Congress.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,040,000 for the Council of Economic Advisers, an increase of $32,000 from the amount enacted in fiscal year 2005 and the same as requested by the President. The Committee continues the CEA rental costs as part of the Enterprise Services activity in the Office of Administration.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$2,282,000
Budget request, fiscal year 2006 [1]	3,501,000
Recommended in the bill	3,500,000
Bill compared with:	
Appropriation, fiscal year 2005	1,218,000
Budget request, fiscal year 2006	1,000

[1] Proposed in a consolidated appropriation titled "The White House".

The office of policy development supports the National Economic Council and the Domestic Policy Council in carrying out their responsibilities to advise and assist the President in the formulation, coordination, and implementation of economic and domestic policy. The office of policy development also provides support for other domestic policy development and implementation activities, as directed by the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,500,000 for the office of policy development, an increase of $1,218,000 above amount enacted in fiscal year 2005and $1,000 below the request.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$8,860,000
Budget request, fiscal year 2006 [1]	8,705,000
Recommended in the bill	8,705,000
Bill compared with:	
Appropriation, fiscal year 2005	−155,000
Budget request, fiscal year 2006	0

[1] Proposed in a consolidated appropriation titled "The White House".

The National Security Council advises the President on the integration of domestic, foreign, and military policies relating to national security.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $8,705,000 for the National Security Council, a decrease of $155,000 below the amount appropriated in fiscal year 2005 and the same as requested by the President. The committee continues the realignment of GSA rental payments and other costs to the Office of Administration as part of the enterprise services program. The number of full-time

equivalent staff years remains at the fiscal year 2005 enacted level of 71.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$91,530,000
Budget request, fiscal year 2006 [1]	98,609,000
Recommended in the bill	89,322,000
Bill compared with:	
Appropriation, fiscal year 2005	−2,208,000
Budget request, fiscal year 2006	−9,287,000

[1] Proposed in a consolidated appropriation titled "The White House".

The Office of Administration is responsible for providing cost-effective, administrative services to the Executive Office of the President. These services, defined by Executive Order 12028 of 1977, include financial, personnel, library and records services, information management systems support, and general office services.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $89,322,000 for the Office of Administration, a decrease of $2,208,000 below the amount appropriated in fiscal year 2004 and a decrease of $9,287,000 below the amount requested by the President.

Enterprise services program.—The Committee continues the Enterprise Services Program for most White House Offices. Funds for GSA rental payments for the Office of Management and Budget ($6,646,000) and for the Office of National Drug Control Policy ($2,641,000) proposed for funding through the Enterprise Services activities for fiscal year 2006 have not been included. These funds have been placed back in their respective organizations and have been placed in those offices in the amounts that the Administration would have requested for each. The Committee is taking this action to avoid the possibility that Report and bill language affecting those Offices would inappropriately apply to other White House offices if left in the centralized Enterprise Services Program. All other Offices have their GSA costs in the Enterprise Services Program, as requested.

The Committee recommends funding for all other Office of Administration activities at the requested level for each activity in fiscal year 2006.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$67,864,000
Budget request, fiscal year 2006	68,411,000
Recommended in the bill	76,930,000
Bill compared with:	
Appropriation, fiscal year 2005	+9,066,000
Budget request, fiscal year 2006	+8,519,000

The Office of Management and Budget assists the President in the discharge of budgetary, economic, management, and other executive responsibilities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $76,930,000 for the Office of Management and Budget (OMB), an increase of $9,066,000 above the amount appropriated in fiscal year 2005 and $8,519,000 above the amount requested by the President. Recommended adjustments to the budget estimate are:

Staffing adjustment.—The fiscal year 2006 budget estimate provides sufficient funding for 500 FTEs, a net increase of 10 FTEs over the fiscal year 2005 estimated FTE utilization. The Committee's review of the historic OMB staffing data indicates that FTEs (work years) dedicated to the development and preparation of the President's budget have declined over the past several years. The Committee believes that instead, resources have been diverted to other activities and initiatives that have not been approved by or specifically funded by the Congress. Therefore, the Committee directs increased FTEs and funding to the four major program areas listed below to emphasize that the principal responsibility for which funds are being provided, is the development and the execution of the Federal budget. But the net increase in FTEs is intended to recognize that there has also been a major growth in program content and the number of individual programs funded in the areas of Defense, Homeland Security, and Natural Resources and Human Resources.

Total funding for Object classes 12.1, 21, 22, 23.3, 24, 25, 26, and 31 is $27,321,000. Of this amount, not to exceed $3,000 shall be for Official Entertainment in object class 26. The Committee provides funding at or above the levels requested for all other object classes to reflect the higher FTE allocation and restores $7,000,000 in proposed GSA rental payments rather than in the Office of Administration as proposed. The Director of OMB may reallocate operating funds among these object classes, except where funding is expressly prohibited. The reprogramming of funds among these object classes should be based on the new allocation of staffing resources. OMB must include the revised allocation in its Operating Plan. Furthermore, any subsequent transfer of funds between or among object classes in excess of $250,000 should be submitted to the Committee in a revised Operating Plan.

Reception and representation expenses.—The bill limits reception and representation (R&R) expenses to $3,000 as requested by the Administration.

Operating Plan and PART Analysis.—Besides the requirements noted above, OMB is also required to include a detailed description of each program or activity or project that OMB intends to subject to its Performance Assessment Rating Tool (PART) study process for the 2007 and 2008 budgets. Included in the description shall be the specific methodology that will be used to conduct each study, the data that will be used in the analysis for each program studied, and office responsible for providing OMB with information and analysis. The Operating Plan relevant to the PART studies shall be provided to, and be considered approved only after the relevant subcommittee has agreed to the study criteria and methodology. OMB is encouraged to work with the subcommittees in advance of the Operating Plan to ensure that the process can continue without disruption.

For studies agreed to by the Committee all scores, results and recommendations may be included in departmental budget submissions in addition to the materials submitted as part of a traditional budget. With respect to those not agreed to in OMB's Operating Plan no information relating to the study may be included in Department or Agency Budget Requests.

Operating Plan and "E-Gov" initiative.—The Committee has expressed serious concerns about the continued forced implementation of this initiative on Departments and Agencies. Many aspects of this initiative are fundamentally flawed, contradict underlying program statutory requirements and have stifled innovation by forcing conformity to an arbitrary government standard. Most importantly, the implementation of this initiative has forced departments and agencies and offices and bureaus within each to transfer funds without the consent of the Committee and has used funds for activities for which funding was not specifically appropriated.

Therefore, language is included as a government-wide provision in this Act which states that no funds are to be allocated to the "e-Gov" initiatives in OMB or any other department or agency and no funds are to be transferred from any department or agency for these initiatives, unless and to the extent approved in the OMB Operating Plan. The Operating Plan shall detail the amount proposed for transfer from each department and agency, (by program, office, bureau or activity, as appropriate) the specific use of funds, the relevance of that use to that department of agency and each bureau or office within, which is contributing funds, and a description of those activities for which funds were appropriated that will not be implemented or only partially implemented by the department or agency as a result of the proposed transfer. The Committee urges the OMB to work directly with the individual subcommittees in advance of the Operating Plan so that approved initiatives can move forward without disruption.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$26,784,000
Budget request, fiscal year 2006	24,224,000
Recommended in the bill	26,908,000
Bill compared with:	
Appropriation, fiscal year 2005	+124,000
Budget request, fiscal year 2006	+2,684,000

The Office of National Drug Control Policy Reauthorization Act of 1998 charges the Office of National Drug Control Policy, established by the Anti-Drug Abuse Act of 1988, with developing policies, objectives and priorities for the National Drug Control Program as defined by the Act and Executive Order 12880.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $26,908,000 for the Office of National Drug Control Policy (ONDCP), a $2,684,000 increase over the President's request.

Funding is directed as follows: Operations—$25,592,000; Policy Research—$1,316,000.

Staffing.—The Committee provided the requested level of 123 FTEs.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

Appropriation, fiscal year 2005	$41,664,000
Budget request, fiscal year 2006	30,000,000
Recommended in the bill	30,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−11,664,000
Budget request, fiscal year 2006	0

Pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105–277), the Counter drug Technology Assessment Center serves as the central counter drug research and development organization for the United States Government.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $30,000,000 for the Counterdrug Technology Assessment Center, a decrease of $11,664,000 from the fiscal year 2005 enacted levels and the same as the President's request. Included in the appropriation is $18,000,000 for supply and demand reduction research to be allocated at the discretion of the ONDCP and $12,000,000 for the Technology Transfer Program.

The Committee agrees that it is time to review and assess the future of this program and determine which reforms are needed and where to emphasize future funding, ONDCP is instructed to prepare an analysis of options and recommendations for the future course of counter drug technology research and submit the report with the fiscal year 2007 budget submission to the Committee.

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

Appropriation, fiscal year 2005	$226,523,000
Budget request, fiscal year 2006	0
Recommended in the bill	227,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+477
Budget request, fiscal year 2006	+227,000,000

The High Intensity Drug Trafficking Areas (HIDTA) Program was established by the Director of ONDCP pursuant to section 1005 of the Anti-Drug Abuse Act of 1988, and now as reauthorized by section 707 of the Office of National Drug Control Policy Act of 1998 to provide assistance to Federal and State and local law enforcement entities operating in those areas most adversely affected by drug trafficking.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $227,000,000 for the HIDTA Program, an increase of $227,000,000 above the President's request. The Committee rejects the Administration's proposal to shift HIDTA funding to the Department of Justice and to reduce funding by more than 50 percent. The increase above the fiscal year 2005 enacted amounts is to ensure full funding for all existing HIDTA program activity, to expand existing HIDTAs

where such expansion is justified, and to fund new HIDTAs as appropriate. The Committee directs that no less than $208,000,000 is for base funding for the HIDTA program. Recommended funding levels are as follows:

HIDTA base allocation $219,650,000
Discretionary funds for new counties $2,000,000
Discretionary funds for CPOT $2,000,000
Audit $2,000,000

The HIDTA program serves to enhance and coordinate drug control effects among local, State, and Federal law enforcement agencies in order to eliminate or reduce drug trafficking, and the Committee supports a vigorous HIDTA program. To achieve its mission, the HIDTA program must continue to enhance individual and national performance and work to develop a system that enhances the synchronization of drug control efforts. The Committee continues to direct that HIDTAs existing in fiscal year 2006 shall receive funding at least equal to the fiscal year 2005 initial allocation level, which does not include funding provided through the CPOT initiative.

The Committee is aware of areas facing increased drug trafficking that may be appropriate candidates for designation as a HIDTA, inclusion in an existing HIDTA, or increased funding. The Committee recognizes the strong pressure to add new HIDTAs and expand those currently existing, and underscores the need for performance-based management to ensure that HIDTAs demonstrate both effectiveness and need and are provided adequate resources.

Prior to submitting any future budget requests, the Committee encourages the Director of ONDCP to review the outcome-oriented performance measures developed in 2004 by the HIDTA Directors Committee. This performance data will assist during future PART ratings and clearly should be used to inform budget decisions.

OTHER FEDERAL DRUG CONTROL PROGRAMS

Appropriation, fiscal year 2005	$211,990,000
Budget request, fiscal year 2006	$213,300,000
Recommended in the bill	$213,292,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,302,000
Budget request, fiscal year 2006	−8,000

COMMITTEE RECOMMENDATION

The Committee has provided the funds as requested for each of the programs funded in this Account and directs that funding be allocated as proposed on Page 63 of the ONDCP fiscal year 2006 Congressional submission with the exception that $992,000 shall be allocated to the National Alliance for Model State Drug Laws instead of no funds requested and that $1,000,000 shall be allocated to establishing improved performance measure for each program instead of the $2,000,000 requested.

The Committee directs ONDCP to maintain funding for non-advertising services for the Media Campaign at no less than the Fiscal year 2003 ratio of service funding to total funds and to continue the corporate outreach program as it operated prior to its cancellation.

The Committee has supported past education efforts to demonstrate the consequences of using performance-enhancing drugs. Although this program was successful, all professional sports, including Major League Baseball, must undertake a comprehensive campaign to educate youth on the dangers of steroid use. Professional sports must work closely with U.S. Anti-doping Administration (USADA) to educate high school, middle school and grade school children on the dangers of performance enhancing drugs.

UNANTICIPATED NEEDS

Appropriation, fiscal year 2005	$993,000
Budget request, fiscal year 2006	1,000,000
Recommended in the bill	1,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+7,000
Budget request, fiscal year 2006	0

These funds enable the President to meet unanticipated exigencies in support of the national interest, security, or defense.

COMMITTEE RECOMMENDATION

The Committee recommends $1,000,000 for unanticipated needs, as requested. Expenditures from this account may be authorized by the President.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$4,534,000
Budget request, fiscal year 2006	4,455,000
Recommended in the bill	4,455,000
Bill compared with:	
Appropriation, fiscal year 2005	−79,000
Budget request, fiscal year 2006	0

These funds support the official duties and functions of the Office of the Vice President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,455,000 for the Office of the Vice President, a decrease of $79,000 below the amount enacted for fiscal year 2005 and the same as requested by the President.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$330,000
Budget request, fiscal year 2006	325,000
Recommended in the bill	325,000
Bill compared with:	
Appropriation, fiscal year 2005	−5,000
Budget request, fiscal year 2006	0

These funds support the care and operation of the Vice President's residence and specifically support equipment, furnishings,

dining facilities, and services required to perform and discharge the Vice President's official duties, functions and obligations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $325,000 for the Operating Expenses of the Vice President's residence, a decrease of $5,000 below the amount enacted in fiscal year 2005 and the same as requested by the President.

TITLE VII—INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$5,641,000
Budget request, fiscal year 2006	5,941,000
Recommended in the bill	5,941,000
Bill compared with:	
Appropriation, fiscal year 2005	+300,000
Budget request, fiscal year 2006	

The Architectural and Transportation Barriers Compliance Board (the Access Board) is the lead Federal Agency promoting accessibility for all handicapped persons. The Access Board was reauthorized in the Rehabilitation Act Amendments of 1992, Public Law 102–569. Under this authorization, the Access Board's functions are to ensure compliance with the Architectural Barriers Act of 1968, and to develop guidelines for and technical assistance to individuals and entities with rights or duties under titles II and III of the Americans with Disabilities Act. The Access Board establishes minimum accessibility guidelines and requirements for public accommodations and commercial facilities, transit facilities and vehicles, state and local government facilities, and recreational facilities. The Access Board also provides technical assistance to Government agencies, public and private organizations, individuals, and businesses on the removal of accessibility barriers.

COMMITTEE RECOMMENDATION

The Committee recommends $5,941,000 for the operations of the Architectural and Transportation Barriers Compliance Board, an increase of $300,000 over fiscal year 2005 and the same as the budget request.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$62,149,000
Budget request, fiscal year 2006	62,449,000
Recommended in the bill	62,449,000
Bill compared with:	
Appropriation, fiscal year 2005	+300,000
Budget request, fiscal year 2006	

The Consumer Product Safety Act established the Consumer Product Safety Commission (CPSC), an independent Federal regulatory agency, to reduce unreasonable risk of injury associated with

consumer products. Its primary responsibilities and overall goals are: to protect the public against unreasonable risk of injury associated with consumer products; to develop uniform safety standards for consumer products, minimizing conflicting State and local regulations; and to promote research into prevention of product-related deaths, illnesses, and injuries.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $62,449,000 for fiscal year 2006, the same level as requested and a decrease of $201,000 below fiscal year 2005.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$13,888,000
Budget request, fiscal year 2006	17,612,000
Recommended in the bill	15,877,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,989,000
Budget request, fiscal year 2006	−1,735,000

The Election Assistance Commission was established by the Help America Vote Act of 2002 (HAVA) and is charged with implementing provisions of that Act relating to the reform of Federal election administration throughout the United States, including the development of voluntary voting systems guidelines, the certification and testing of voting systems, studies of election administration issues, and the implementation of election reform payments to states as well as grant programs related to election reform.

The Committee urges the EAC to provide $250,000 for the HAVA college program during the 2006 elections. This program, first implemented during the 2004 election, recruits and trains young people in colleges, universities, and community colleges to serve as nonpartisan poll workers, helping to address a nationwide pollworker shortage.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $15,877,000 for the Election Assistance Commission, an increase of $1,989,000 above the fiscal year 2005 enacted level and $1,735,000 below the budget request. The Committee provides the budget request for research and development activities, including the transfer of $2,800,000 to the National Institute of Standards and Technology.

The Committee recommends the following major changes to the budget request:

Reduce information technology/equipment purchases	−350,000
Deny funding for four additional FTE	−622,000
Reduce funding for printing and reproduction	−501,000
Reduce funding for travel	−400,000
Increase funding for external auditing services	+200,000

Inspector General services.—The Committee recommendation provides an additional $200,000 above the budget request for contract auditing services for a total auditing program level of $2,105,000,

an increase of more than $2,009,000 above the fiscal year 2005 enacted level. The Committee has been concerned about the lack of Inspector General services at EAC, particularly given the vast sums of money that have been distributed to date. The Committee is aware that EAC has been seeking contract IG services, and expects that such services will be in place by January 1, 2006.

Staffing increases.—The Committee is concerned that EAC has requested an additional four FTE, particularly given the short-term nature of EAC's activities with respect to reviewing state spending plans for HAVA funds. Increased funding has been provided for contract services, which the Committee believes is sufficient to manage audit functions. Accordingly, the Committee does not approve the hire of four additional FTE.

Military voting.—The Committee is aware that technologies now exist to allow overseas military personnel to vote via a secure e-mail system. The Committee encourages EAC to examine this technology and, if warranted, develop appropriate guidelines in time for the 2006 election.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$29,884,000
Budget request, fiscal year 2006	29,965,000
Recommended in the bill	29,965,000
Bill compared with:	
Appropriation, fiscal year 2005	+81,000
Budget request, fiscal year 2006	0

Funding for the Office of the Inspector General at the Federal Deposit Insurance Corporation is provided pursuant to 31 U.S.C. 1105(a)(25), which requires a separate appropriation account for appropriations for each Office of Inspector General of an establishment defined under section 11(2) of the Inspector General Act of 1978.

The Committee recommendation, the same as the budget request, provides for the transfer of $29,965,000 from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund to finance the Office of Inspector General for fiscal year 2004.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$51,742,000
Budget request, fiscal year 2006	54,600,000
Recommended in the bill	54,700,000
Bill compared with:	
Appropriation, fiscal year 2005	+2,958,000
Budget request, fiscal year 2006	+100,000

The Commission administers the disclosure of campaign finance information, enforces limitations on contributions and expenditures, supervises the public funding of Presidential elections, and performs other tasks related to Federal elections.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $54,700,000 for the Federal Election Commission (FEC), an increase of $2,958,000 over amounts appropriated in fiscal year 2005 and an increase of $100,000 over the request.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$25,468,000
Budget request, fiscal year 2006	25,468,000
Recommended in the bill	25,468,000
Bill compared with:	
Appropriation, fiscal year 2005	.....
Budget request, fiscal year 2006	.....

The Federal Labor Relations Authority (FLRA), established by the Civil Service Reform Act of 1978, serves as a neutral party in the settlement of disputes that arise between unions, employees, and agencies on matters outlined in the Federal Service Labor Management Relations statute, decides major policy issues, prescribes regulations, and disseminates information appropriate to the needs of agencies, labor organizations, and the public. Establishment of the FLRA gives full recognition to the role of the Federal Government as an employer. Pursuant to the Foreign Service Act of 1980, FLRA also supports the Foreign Service Impasse Disputes Panel and the Foreign Service Labor Relations Board.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $25,468,000 for the Federal Labor Relations Authority, the same funding level as the fiscal year 2005 enacted level and the same as the budget request.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$19,340,032
Budget request, fiscal year 2006	20,499,000
Recommended in the bill	20,499,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,158,968
Budget request, fiscal year 2006	.....

The Federal Maritime Commission (FMC) was established in 1961 as an independent government agency, responsible for the regulation of international waterborne commerce of the United States. In addition, FMC has responsibility for licensing and bonding ocean transportation intermediaries and assuring that vessel owners or operators establish financial responsibility to pay judgment for death or injury to passengers, or nonperformance of a cruise, on voyages from U.S. ports. It monitors the activities of ocean common carriers, who operate in the U.S./foreign commerce to ensure just and reasonable practices, maintains a trade monitoring and enforcement program, monitors the laws and practices of foreign governments which could have a discriminatory or other impacts on shipping conditions in the U.S., among other activities.

The principal shipping statutes administered by the FMC are the Shipping Act of 1984 (46 USC app. 1710 et seq.), the Foreign Shipping Practices Act of 1988 (46 USC app. 1701 et seq.), and section 19 of the Merchant Marine Act, 1920 (46 USC app. 876).

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $20,499,000 for the Federal Maritime Commission, a total of $1,158,968 (6 percent) above the fiscal year 2005 level and equal to the budget request for fiscal year 2006.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2005	($7,217,043,000)
Limitation on availability, budget estimate, fiscal year 2006	(7,768,795,000)
Recommended in the bill	(7,768,795,000)
Bill compared with:	
Availability limitation, fiscal year 2005	(+551,752,000)
Availability limitation, fiscal year 2006 estimate	.....

The Federal Buildings Fund (FBF) finances the activities of the Public Buildings Service, which provides space and services for Federal agencies in a relationship similar to that of landlord and tenant. The FBF, established in 1975, replaces direct appropriations by using income derived from rent assessments, which approximate commercial rates for comparable space and services. The Committee makes funds available through a process of placing limitations on obligations from the FBF as a way of allocating funds for various FBF activities. The Committee may also appropriate funds into the FBF as a way of covering the difference between the total revenues coming into the FBF and the total limitation on the expenditure from the FBF.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $7,768,795,000 for the fund, an increase of $551,752,000 above the fiscal year 2005 enacted levels.

The Committee notes that a total of $34,857,000 has been provided within the federal buildings fund in past years for construction, including funds for sites and expenses and associated design and construction services, for the Detroit, Michigan Ambassador Bridge Border Station. Further, the Committee notes that the General Services Administration (GSA) and the private sector companies who own and operate the Ambassador Bridge have reached agreement on innovative private financing/lease back arrangements to accerlerate the establishment of critically important new border inspection facilities on the Ambassador Bridge site.

The Committee instructs the GSA to continue to make the full $34,857,000 available only for border station improvement initiatives at the Ambassador Bridge in Detroit, Michigan until the GSA receives an accurate cost estimate for making the improvements under the lease back arrangement.

CONSTRUCTION AND ACQUISITION

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2005	($708,542,000)
Limitation on availability, budget estimate, fiscal year 2006	(708,106,000)
Recommended in the bill	(708,106,000)
Bill compared with:	
Availability limitation, fiscal year 2005	(−436,000)
Availability limitation, fiscal year 2006 estimate	(---)

The construction and acquisition activity funds site, design, construction, and management and inspection costs for construction of new Federal facilities.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $708,106,000 for construction and acquisition, a decrease of $436,000 below the fiscal year 2005 enacted level. Fiscal year 2006 is the first year of a two-year moratorium imposed by the Judiciary for new major courthouse construction projects. The Committee provides funding for two courthouse projects on the Judiciary's priority list which can be awarded in fiscal year 2006, consistent with the Judiciary's policy.

REPAIRS AND ALTERATIONS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2005	($980,222,000)
Limitation on availability, budget estimate, fiscal year 2006	(961,376,000)
Recommended in the bill	(961,376,000)
Bill compared with:	
Availability limitation, fiscal year 2005	(−18,846,000)
Availability limitation, fiscal year 2006 estimate	(---)

The repairs and alterations activity funds design, construction and management and inspection for the repair, alteration, and modernization of existing real estate assets. It funds projects to improve health and safety, recapture vacant non-revenue producing Government-owned and leased space, and various special programs.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $961,376,000 for repairs and alterations, a decrease of $18,846,000 from the fiscal year 2005 enacted level. The Committee directs GSA to embark on the projects included in the budget request in priority order, starting with those projects that address safety and health needs and moving next to the projects with completed designs.

INSTALLMENT ACQUISITION PAYMENTS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2005	($161,442,000)
Limitation on availability, budget estimate, fiscal year 2006	(168,180,000)
Recommended in the bill	(168,180,000)
Bill compared with:	
Availability limitation, fiscal year 2005	(+6,738,000)
Availability limitation, fiscal year 2006 estimate	(---)

The installment acquisition payments activity funds interest payment for facilities constructed under the Public Building Amend-

ment of 1972 and lease-purchase agreements since 1987, a total of 80 projects.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $168,180,000 for installation acquisition payments, an increase of $6,738,000 above the fiscal year 2005 enacted level and the same as the budget request. Based on this funding level, 68 of the original 80 projects will be paid off, leaving 12 projects remaining.

RENTAL OF SPACE

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2005	($3,657,315,000)
Limitation on availability, budget estimate, fiscal year 2006	(4,046,031,000)
Recommended in the bill	(4,046,031,000)
Bill compared with:	
Availability limitation, fiscal year 2005	(+388,716,000)
Availability limitation, fiscal year 2006 estimate	(---)

The rental of space program funds lease payments, temporary space for Federal employees during major repair and alteration projects, and relocations from Federal buildings due to forced moves and relocations as a result of health and safety conditions.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $4,046,031,000 for rental of space, an increase of $388,716,000 above the fiscal year 2005 enacted level and the same as the budget request.

BUILDING OPERATIONS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2005	($1,709,522,000)
Limitation on availability, budget estimate, fiscal year 2006	(1,885,102,000)
Recommended in the bill	(1,885,102,000)
Bill compared with:	
Availability limitation, fiscal year 2005	(+175,580,000)
Availability limitation, fiscal year 2006 estimate	(---)

The building operations activity funds cleaning, maintenance, utilities, fuel, grounds, maintenance, space acquisitions and assignment services in government-owned facilities and in leased space when not provided by the lessor.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $1,885,102,000 for building operations, an increase of $175,580,000 above the fiscal year 2005 enacted level and the same as the budget request.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

Appropriation, fiscal year 2005	$61,603,000
Budget request, fiscal year 2006	52,796,000
Recommended in the bill	52,796,000
Bill compared with:	
Appropriation, fiscal year 2005	−8,807,000
Budget request, fiscal year 2006	---

This appropriations account provides for government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109.

COMMITTEE RECOMMENDATION

The Committee recommendation provides $52,796,000, a reduction of $8,807,000 from fiscal year 2005 levels, for these purposes. This funding level assumes that the office of government-wide policy will refocus its activities on core policy and regulatory activities that support statutory mission requirements, and eliminate activities that are not clearly policy-related. This funding level and realignment assumes a reduction of 92 full time equivalents, 45 of which will be transferred. GSA states that this funding level will not trigger a reduction-in-force.

OPERATING EXPENSES

Appropriation, fiscal year 2005	$91,438,000
Budget request, fiscal year 2006	99,890,000
Recommended in the bill	99,890,000
Bill compared with:	
Appropriation, fiscal year 2005	+8,452,000
Budget request, fiscal year 2006	---

This appropriations account provides for government-wide activities associated with the utilization and donation of surplus personal property; disposal of real property; telecommunications, information technology management, and related technology activities; agency-wide policy direction and management; ancillary accounting, records management, and other support services; services as authorized by 5 U.S.C. 3109; and other related operational expenses.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $99,890,000 for operating expenses, an increase of $8,452,000 above the fiscal year 2005 enacted level and the same as the budget request.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2005	$42,012,000
Budget request, fiscal year 2006	43,410,000
Recommended in the bill	43,410,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,398,000
Budget request, fiscal year 2006	---

This appropriation provides agency-wide audit and investigative functions to identify and correct GSA management and administrative deficiencies that create conditions for existing or potential instances of fraud, waste, and mismanagement. The audit function provides internal audit and contract audit services. Contract audits provide professional advice to GSA contracting officials on accounting and financial matters relative to the negotiation, award, administration, repricing, and settlement of contracts. Internal audits re-

view and evaluate all facets of GSA operations and programs, test internal control systems, and develop information to improve operating efficiencies and enhance customer services. The investigative function provides for the detection and investigation of improper and illegal activities involving GSA programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $43,410,000 for the office of inspector general, an increase of $1,398,000 above the fiscal year 2005 enacted level and the same as the budget request.

ELECTRONIC GOVERNMENT (E-GOV) FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$2,976,000
Budget request, fiscal year 2006	5,000,000
Recommended in the bill	3,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+24,000
Budget request, fiscal year 2006	−2,000,000

The appropriation provides support for interagency electronic government initiatives that utilize the Internet or other electronic methods as a means to increase Federal government accessibility, efficiency, and productivity.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,000,000 for the electronic government fund, an increase of $24,000 above the fiscal year 2005 enacted level and $2,000,000 below the budget request.

The Committee's recommendation does not include a general provision proposed in the fiscal year 2005 budget request allowing the Office of Management and Budget (OMB) to use $40,000,000 of surplus funds in the general supply fund to finance OMB's list of e-gov initiatives across government. The Committee refuses to relinquish oversight of the development and procurement of information technology projects of the various agencies under its jurisdiction. If the general supply fund is running a $40,000,000 or greater surplus, the Committee directs GSA to evaluate the pricing structure of its services to Federal agencies to determine if GSA is overcharging its Federal clients. Further, if OMB seeks funding for an initiative under its direction, OMB should request those funds under its own appropriation complete with a comprehensive budget justification.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

Appropriation, fiscal year 2005	$3,081,000
Budget request, fiscal year 2006	2,952,000
Recommended in the bill	2,952,000
Bill compared with:	
Appropriation, fiscal year 2005	−129,000
Budget request, fiscal year 2006	.....

This appropriation provides support consisting of pensions, office staffs, and related expenses for former Presidents Gerald R. Ford,

Jimmy Carter, George Bush and Bill Clinton and for pension and postal franking privileges for the widow of former President Lyndon B. Johnson. Also, this appropriation is authorized to provide funding for security and travel related expenses for each former President and the spouse of a former President pursuant to section 531 of Public Law 103–329.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,952,000 for allowances and office staff of former Presidents, a decrease of $129,000 below the fiscal year 2005 enacted level and the same as the budget request. The following table describes the distribution of the funds:

FISCAL YEAR 2006 BUDGET ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

[In thousands of dollars]

	Ford	Carter	Bush	Clinton	Widows	Total
Personal Compensation	96	96	96	96	0	384
Personnel Benefits	22	2	51	64	0	139
Benefits for Former Presidents	184	184	184	192	20	764
Travel	45	2	54	63	0	164
Rental Payments to GSA	105	102	175	473	0	855
Communications, Utilities and Miscellaneous Charges:						
Telephone	15	10	15	75	0	115
Postage	9	15	13	15	8	60
Printing	5	5	14	9	0	33
Other Services	38	76	65	111	0	290
Supplies and Materials	17	5	14	16	0	52
Equipment	6	7	47	11	0	71
Total Obligations	542	504	728	1,125	28	2,927

FEDERAL CITIZEN INFORMATION CENTER FUND

Appropriations, fiscal year 2005	$14,787,744
Budget request, fiscal year 2006	15,030,000
Recommended in the bill	15,030,000
Bill compared with:	
Appropriation, fiscal year 2005	+242,256
Budget request, fiscal year 2006	---

The Consumer Information Center (CIC) was established within the General Services Administration (GSA) by Executive Order on October 26, 1970, to help Federal departments and agencies promote and distribute consumer information collected as a byproduct of the Government's program activities.

The Federal Information Center (FIC) program was established within the General Services Administration in 1966, and was formalized by Public Law 95–491 in 1980. The program's purpose is to provide the public with direct information about all aspects of Federal programs, regulations, and services. To accomplish this mission, contractual services are used to respond to public inquiries via a nationwide toll-free telephone call center.

In 2000, the Consumer Information Center assumed responsibility for the operations of the FIC program with the resulting organization being officially named the Federal Consumer Information Center. The Federal Consumer Information Center combines the nationwide toll-free telephone assistance program and the data-

base of the FIC with the CIC website and publications distribution programs.

During fiscal year 2002, the Federal Consumer Information Center became part of GSA's newly established Office of Citizen Services and Communications and was renamed the Federal Citizen Information Center (FCIC). The new Office serves as a central federal gateway for citizens, businesses, other governments, and the media to obtain information and services from the government. FCIC assumed operational control of the FirstGov.gov website in fiscal year 2002.

Public Law 98–63, enacted July 30, 1983, established a revolving fund for the CIC. Under this fund, FCIC activities are financed from the following: annual appropriations from the general funds of the Treasury, reimbursements from agencies for distribution of publications, user fees collected from the public, and any other income incident to FCIC activities. All are available as authorized in appropriation acts without regard to fiscal year limitations. The bill includes a limitation of $18,000,000 on the availability of the revolving fund. Any revenues accruing to this fund in excess of this amount shall remain in the fund and are not available for expenditure except as authorized in appropriation Acts.

COMMITTEE RECOMMENDATION

For fiscal year 2006, the Committee recommends $15,030,000, an increase of $242,256 over the level for fiscal year 2005 and the same as the budget request.

The appropriation will be augmented by reimbursements from Federal agencies for distribution of consumer publications, user fees from the public, and other income.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

Section 701. The Committee continues the provision that provides that costs included in rent received from government corporations for operation, protection, maintenance, upkeep, repair and improvement shall be credited to the Federal Buildings Fund.

Section 702. The Committee continues the provision providing authority for the use of funds for the hire of motor vehicles.

Section 703. The Committee continues the provision providing that funds made available for activities of the Federal Buildings Fund may be transferred between appropriations with advance approval of the Congress.

Section 704. The Committee continues the provision prohibiting the use of funds for developing courthouse construction requests that do not meet GSA standards and the priorities of the Judicial Conference.

Section 705. The Committee continues the provision providing that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided, to any agency which does not pay the requested rent.

Section 706. The Committee continues the provision that permits GSA to pay small claims (up to $250,000) made against the government.

Section 707. The Committee prohibits funding in the Act for activities related to conveyance of a property in Phoenix, Arizona in order to ensure that current postal activities are continued at the property.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$37,005,000
Budget request, fiscal year 2006	37,005,000
Recommended in the bill	38,205,000
Bill compared with:	
Appropriation, fiscal year 2005	+1,200,000
Budget request, fiscal year 2006	+1,200,000

The Merit Systems Protection Board performs the adjudicatory functions necessary to maintain the civil service merit system. These include hearing appeals on adverse actions, reduction-in-force actions, and retirement. The Board reports to the President on whether merit systems are sufficiently free from prohibited personnel practices to protect the public interest.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $38,205,000 for the Merit Systems Protection Board (MSPB), an increase of $1,200,000 above the amount appropriated in fiscal year 2005 and an increase of $1,200,000 above the budget request, in order to accommodate additional appeals cases resulting from the DoD and DHS decision to maintain MSPB as arbitrator and to accommodate relocation expenses. The Committee has instead made available the amount of no more than $2,605,000 for adjudicated appeals through an appropriation from the trust fund consistent with past practice.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$1,980,000
Budget request, fiscal year 2006	0
Recommended in the bill	2,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+20,000
Budget request, fiscal year 2006	+2,000,000

COMMITTEE RECOMMENDATION

The Committee recommends $2,000,000 for the activities of the Morris K. Udall Foundation, $20,000 above the fiscal year 2005 enacted level. The Committee also continues bill language to allow a percentage of the appropriation to be used for the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

Appropriation, fiscal year 2005	$1,299,000
Budget request, fiscal year 2006	(700,000)
Recommended in the bill	1,900,000
Bill compared with:	
Appropriation, fiscal year 2005	+601,000
Budget request, fiscal year 2006	+1,200,000

Public Law 105–156 established the United States Institute for Environmental Conflict Resolution as part of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation. It also established in the Treasury an Environmental Dispute Resolution Fund to be available to establish and operate the Institute. The purpose of the Institute is to conduct environmental conflict resolution and training.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,900,000 for the Environmental Dispute Resolution Fund, an increase of $601,000 above the fiscal year 2005 enacted level.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

Appropriation, fiscal year 2005	$264,809,000
Budget request, fiscal year 2006	280,975,000
Recommended in the bill	283,975,000
Bill compared with:	
Appropriation, fiscal year 2005	+19,166,000
Budget request, fiscal year 2006	+3,000,000

This appropriation provides the National Archives and Records Administration (NARA) with funds for its basic operations dealing with management of the Government's archives and records, operation of Presidential libraries, and for the review for declassification of classified security information.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $283,975,000 for the operating expenses of NARA, an increase of $19,166,000,000 above the fiscal year 2005 enacted level and $3,000,000 above the budget request. The Committee provides $2,930,000 to make the initial move of Nixon Presidential materials from College Park, MD to Yorba Linda, CA and to provide for initial staffing and operations of the library.

ELECTRONIC RECORDS ARCHIVE

Appropriation, fiscal year 2005	$35,627,000
Budget request, fiscal year 2006	35,914,000
Recommended in the bill	35,914,000
Bill compared with:	
Appropriation, fiscal year 2005	+287,000
Budget request, fiscal year 2006	.....

The electronic records archive appropriations supports all direct NARA actions and activities associated with this major project for preserving digitally created records for archival purposes, storing

and managing them electronically, and ensuring appropriate long-term access. The appropriation supports a program office, research partnerships, and information technology analysis and design.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $35,914,000 for the electronic records archive of the National Archives and Records Administration (NARA), an increase of $287,000 above the fiscal year 2005 enacted level and the same as the budget request.

As stated in the Committee's report for fiscal year 2005, NARA is directed to submit to the House and Senate Committees on Appropriations quarterly reports on the cost, schedule, and performance of the Electronic Records Administration (ERA) project. These quarterly reports should provide information on the status of the project's schedule, budget, and expenditures as measured against a reported baseline; a prioritization of project risks and their mitigation efforts; and corrective actions taken to manage identified schedule slippages, cost overruns, or quality problems should they occur.

REPAIRS AND RESTORATION

Appropriation, fiscal year 2005	$13,325,000
Budget request, fiscal year 2006	6,182,000
Recommended in the bill	6,182,000
Bill compared with:	
Appropriation, fiscal year 2005	−7,143,000
Budget request, fiscal year 2006	.....

This appropriation provides for the repair, alteration, and improvement of Archives facilities and Presidential libraries nationwide. It enables the National Archives to maintain its facilities in proper condition for visitors, researchers, and employees, and also maintain the structural integrity of the buildings.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $6,182,000 for repairs and restoration, a decrease of $7,143,000 below the fiscal year 2005 enacted level and the same as the budget request.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2005	$4,960,000
Budget request, fiscal year 2006	.....
Recommended in the bill	7,500,000
Bill compared with:	
Appropriation, fiscal year 2005	2,540,000
Budget request, fiscal year 2006	+7,500,000

This program provides for grants funding that the Commission makes, nationwide, to preserve and publish records that document American history. Administered within the National Archives and Records Administration, which preserves federal records, the NHPRC helps state, local, and private institutions preserve non-federal records, helps publish the papers of major figures in American history, and helps archivists and records managers improve

their techniques, training, and ability to serve a range of information users.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $7,500,000 for the National Historical Publications and Research Commission grants program, an increase of $2,540,000 above the fiscal year 2005 enacted level and $7,500,000 above the budget request of which, $2,000,000 shall be transferred to the operating expenses account for the staffing and operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

	Limitation on direct loans	Limitation on administrative expenses
Fiscal year 2006 recommendation	(1,500,000,000)	$323,000)
Fiscal year 2005 appropriation	(1,500,000,000)	(310,000)
Fiscal year 2006 budget request	(1,500,000,000)	$323,000)
Comparison with fiscal year 2005 appropriation	(0)	(+13,000)
Comparison with fiscal year 2006 request	(0)	(0)

The Committee recommends a limitation of $1,500,000,000 on CLF lending activity to member credit unions from borrowed funds. This limitation represents the same level as fiscal year 2005 and the same as the budget request. The Committee expects to be kept apprised of CLF lending activity.

The Committee recommends the budget request of not more than $323,000 for administrative expenses, an increase of $13,000 above the fiscal year 2005 enacted level and the same as the budget request.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

Fiscal year 2006 recommendation	$950,000
Fiscal year 2005 appropriation	992,000
Fiscal year 2006 budget request	950,000
Comparison with fiscal year 2005 appropriation	−42,000
Comparison with fiscal year 2006 request	0

The Community Development Revolving Loan Fund Program (CDRLF) was established in 1979 to assist officially designated "low-income" credit unions in providing basic financial services to low-income communities. Low-interest loans and deposits are made available to assist these credit unions. Loans or deposits are normally repaid in five years, although shorter repayment periods may be considered. Technical assistance grants are also available to low-income credit unions. Earnings generated from the CDRLF are available to fund technical assistance grants in addition to funds provided for specifically in appropriations acts. Grants are available for improving operations as well as addressing safety and soundness issues.

For fiscal year 2006 the Committee recommends $950,000 for the National Credit Union Administration's Community Development Revolving Loan Fund for technical assistance grants. While the Administration and NCUA have not requested additional funds for

loans in fiscal year 2006, the Committee expects the CDRLF to continue making loans from their available funds derived from repaid loans and interest earned on previous loans to designated credit unions. The Committee encourages NCUA to support small low-income credit unions that seek professional development through programs such as those offered by the CDCU Institute.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$76,086,000
Budget request, fiscal year 2006	76,700,000
Recommended in the bill	76,700,000
Bill compared with:	
Appropriation, fiscal year 2005	+614,000
Budget request, fiscal year 2006	.....

Under the Independent Safety Board Act, the National Transportation Safety Board (NTSB) is responsible for improving transportation safety by investigating accidents, conducting special studies, developing recommendations to prevent accidents, evaluating the effectiveness of the transportation safety programs of other agencies, and reviewing appeals of adverse actions involving airman and seaman certificates and licenses, and civil penalties issued by the Department of Transportation. In addition, the NTSB operates the NTSB Academy in Ashburn, Virginia.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $76,700,000 for salaries and expenses of the National Transportation Safety Board, an increase of $614,000 above the fiscal year 2005 enacted level and the same as the fiscal year 2006 budget request. Further, the Committee is aware of NTSB's shortage of accident investigators and will maintain the requested level in order to allow NTSB to sustain its safety mission.

SALARIES AND EXPENSES

(RESCISSION)

Rescission, fiscal year 2005	−$8,000,000
Budget request, fiscal year 2006	−1,000,000
Recommended in the bill	−1,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+7,000,000
Budget request, fiscal year 2006	.....

COMMITTEE RECOMMENDATION

The Committee recommends a rescission of $1,000,000 from funds provided in P.L. 106–246 for the investigation of Egypt Air 990 and Alaska Air 261 accidents. The Board has determined the causes of these accidents and the funding is no longer required.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriation, fiscal year 2005	$114,080,000
Budget request, fiscal year 2006	118,000,000
Recommended in the bill	118,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+3,920,000
Budget request, fiscal year 2006	0

The Neighborhood Reinvestment Corporation, established by title VI of Public Law 95–557 in October 1978, is committed to promoting reinvestment in older neighborhoods by local financial institutions working cooperatively with the community and local government. This is primarily accomplished by assisting community-based partnerships (NeighborWorks organizations) in a range of local revitalization efforts. Increase in homeownership among lower-income families is a key revitalization tool. Neighborhood Housing Services of America (NHSA) supports lending activities of the NeighborWorks organizations through a national secondary market that leverages its capital with private sector investment.

The Committee recommends a funding level of $118,000,000 for fiscal year 2005, the same amount as the budget request and an increase of $3,920,000 when compared to the fiscal year 2005 appropriation.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$11,148,000
Budget request, fiscal year 2006	11,148,000
Recommended in the bill	11,148,000
Bill compared with:	
Appropriation, fiscal year 2005	0
Budget request, fiscal year 2006	0

The Office of Government Ethics (OGE), established by the Ethics in Government Act of 1978, provides overall direction of executive branch policies designed to prevent conflicts of interest and insure high ethical standards. The OGE discharges its responsibilities to preserve and promote public confidence in the integrity of executive branch officials by developing rules and regulations pertaining to conflicts of interest, post employment restrictions, standards of conduct, and public and confidential financial disclosure in the executive branch. It monitors compliance with public and confidential financial disclosure requirements of the Ethics in Government Act of 1978 and the Ethics Reform Act of 1989, to determine possible violations of applicable laws or regulations and recommending appropriate corrective action. OGE also consults with and assists various officials in evaluating the effectiveness of applicable laws and the resolution of individual problems, and prepares formal advisory opinions, informal letter opinions, policy memoranda, and Federal Register entries on how to interpret and comply with the requirements on conflicts of interest, post employment, standards of conduct, and financial disclosure. Finally, OGE issues and amends regulations implementing the procurement integrity provisions relating to negotiating for employment, post employment, and

gratuities in the Office of Federal Procurement Policy Act Amendments of 1988, P.L. 100–679.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $11,148,000 for the Office of Government Ethics, the same amount as enacted in fiscal year 2005 and as the budget request.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$124,496,000
Budget request, fiscal year 2006	124,521,000
Recommended in the bill	119,952,000
Bill compared with:	
Appropriation, fiscal year 2005	−4,544,000
Budget request, fiscal year 2006	−4,569,000

The Office of Personnel Management (OPM) is the Federal Government agency responsible for management of Federal human resources policy and oversight of the merit civil service system. Although individual agencies are increasingly responsible for personnel operations, OPM provides a Government-wide policy framework for personnel matters, advises and assists agencies (often on a reimbursable basis), and ensures that agency operations are consistent with requirements of law, with emphasis on such issues as veterans preference. OPM oversees examining of applicants for employment, issues regulations and policies on hiring, classification and pay, training, investigations, and many other aspects of personnel management, and operates a reimbursable training program for the Federal Government's managers and executives. OPM is also responsible for administering the retirement, health benefits and life insurance programs affecting most federal employees, retired federal employees, and their survivors.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $119,952,000 for the Office of Personnel Management (OPM), a decrease of $4,544,000 below the enacted fiscal year 2005 level and $4,569,000 below the budget request.

The Committee's recommendation includes $6,983,000 for the enterprise human resources integration project; $1,450,000 for the e-human resources line of business project; $500,000 for the e-training project; and $1,412,000 for the e-payroll project as proposed in the budget request. The recommendation also provides $102,679,000 from appropriate trust funds to OPM.

The Committee's recommendation makes the following changes to the budget request:

−$2,649,000 from the Strategic Human Resources Policy Annual Performance Goal 7. The Committee directs OPM to continue the implementation and refining of the new human resources management systems at the Department of Defense and the Department of Homeland Security before bringing the system to other agencies and departments.

−$3,000,000 from the Center for Financial Services for the costs of performance measurement, program evaluation and re-

search projects. The budget materials do not support such a request.

+$680,000 for the Call to Service Recruitment Initiative with the Partnership for Public Service to identify successful recruitment models across different college campuses that can be replicated across the Federal Government.

+$400,000 for activities as required by the Voting Rights Act of 1965

Operating Plans.—The Committee directs the office to submit an operating plan for fiscal year 2006, signed by the director for review by the Committees on Appropriations of both the House and Senate within 60 days of the bill's enactment. The operating plan must include funding levels for the various offices, centers, programs, and initiatives covered in the budget justification and supporting documents referenced in the House and Senate appropriations reports, and the statement of the managers.

Budget Justifications.—While the budget justification materials are much improved over the fiscal year 2005 submission, there is still a good deal of improvement to be done. For example, OPM is requesting to use fiscal year 2004 carry-over funds to assist the duties and requirements of the Voting Rights Act of 1965 in fiscal year 2005. While the Committee is supportive of activities to uphold the Voting Rights Act of 1965, there is no mention of these activities in the fiscal year 2005 or fiscal year 2006 budget justifications. The Committee directs OPM to include these activities in future budget justifications.

In addition, the Committee notes that the budget references a large number of initiatives, offices, centers, and councils, but the budget fails to include specific funding and resource information for the references items. Further, the budget describes the "success" or indicators of the programs only as "deadlines met," "milestones met," "positive evaluation," or "green." While the Committee recognizes the prerogative of the administration to internally establish outcomes and measures, those measures are not translated adequately in the budget justification to meet the needs of the Committee in its role of overseeing spending. The Committee directs OPM to include in the budget justification for the Committees on Appropriations clear, detailed, and concise information on how the programs will be funded and how they will be measured.

The Committee is concerned that the participation rate of veterans and disabled veterans in the Federal workforce is lower than estimated and job availability has shrunk in recent years. The Committee directs the Office of Management and Budget and the Office of Personnel Management to submit a report to Congress within 90 days after enactment on how many veterans and disabled veterans are employed in the Federal government by department and agency, including in the Executive Office of the President, the barriers that exist to hiring veterans and disabled veterans, and ways to increase the number of veterans and disabled veterans employed in the Federal Government to the level employed at the time of the Civil Service Reform Act of 1978.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2005	$1,614,000
Budget request, fiscal year 2006	1,614,000
Recommended in the bill	1,614,000
Bill compared with:	
Appropriation, fiscal year 2005	.....
Budget request, fiscal year 2006	.....

This appropriation provides agency-wide audit, investigative, evaluation, and inspection functions to identify management and administrative deficiencies, which may create conditions for fraud, waste and mismanagement. The audits function provides internal agency audit, insurance audit, and contract audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters regarding the negotiation, award, administration, repricing, and settlement of contracts. Internal audits review and evaluate all facets of agency operations, including financial statements. Evaluation and inspection services provide detailed technical evaluations of agency operations. Insurance audits review the operations of health and life insurance carriers, health care providers, and insurance subscribers. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,614,000 for the Office of Inspector General of the Office of Personnel Management, the same as the fiscal year 2005 enacted level and the budget request. In addition, the recommendation also provides $16,786,000 from appropriate trust funds to the Office of Inspector General.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

Appropriation, fiscal year 2005	$7,219,000,000
Budget request, fiscal year 2006	8,135,000,000
Recommended in the bill	8,135,000,000
Bill compared with:	
Appropriation, fiscal year 2005	+916,000,000
Budget request, fiscal year 2006	.....

This appropriation covers: (1) the Government's share of the cost of health insurance for 1,851,000 annuitants as defined in sections 8901 and 8906 of title 5, United States Code; (2) the Government's share of the cost of health insurance for about 12,000 annuitants (who were retired when the federal employees health benefits law became effective), as defined in the Retired Federal Employees Health Benefits Act of 1960; and (3) the Government's contribution for payment of administrative expenses incurred by the Office of Personnel Management in administration of the Act.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES LIFE INSURANCE

Appropriation, fiscal year 2005	$35,000,000
Budget request, fiscal year 2006	35,000,000
Recommended in the bill	35,000,000
Bill compared with:	
Appropriation, fiscal year 2005	.....
Budget request, fiscal year 2006	.....

This appropriation finances the Government's share of premiums, which is one-third the cost, for basic life insurance for annuitants retiring after December 31, 1989, and who are less than 65 years old.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Appropriation, fiscal year 2005	$9,987,000,000
Budget request, fiscal year 2006	9,772,000,000
Recommended in the bill	9,772,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−215,000,000
Budget request, fiscal year 2006	.....

This appropriation provides for payment of annuities, including the payment of annuities under special acts for persons employed on the construction of the Panama Canal or their widows and widows of employees of the Lighthouse Service; payment of the Federal government share of retirement costs of the unfunded liability resulting from any statute authorizing new or liberalized benefits, extension of retirement coverage, or pay increases; transfers for interest on unfunded liability and payment of military service annuities covering interest on the unfunded liability and annuity disbursements for military service; payments for spouse equity providing survivor annuities to eligible former spouses of annuitants who died between September 1978 and May 1986 and did not elect survivor coverage; and transfers for payment of FERS supplemental liability covering annual amortization payments financing supplemental liabilities for FERS.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$15,325,000
Budget request, fiscal year 2006	15,325,000
Recommended in the bill	15,325,000
Bill compared with:	
Appropriation, fiscal year 2005	.....
Budget request, fiscal year 2006	.....

The Office of Special Counsel: (1) investigates federal employee allegations of prohibited personnel practices (including reprisal for whistleblowing) and, when appropriate, prosecutes before the Merit Systems Protection Board; (2) provides a channel for whistleblowing by federal employees; and (3) enforces the Hatch Act. The Office may transmit whistleblower allegations to the agency head concerned and require an agency investigation and a report to the Congress and the President when appropriate.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of $15,325,000 for the Office of Special Counsel, the same as the fiscal year 2005 enacted level and the fiscal year 2006 budget request.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$26,090,000
Budget Request, fiscal year 2006	25,650,000
Recommended in the bill	24,000,000
Bill compared with:	
Appropriation, fiscal year 2005	−2,090,000
Budget request, fiscal year 2006	−1,650,000

The Selective Service System was established by the Selective Service Act of 1948. The basic mission of the System is to be prepared to supply manpower to the Armed Forces adequate to ensure the security of the United States during a time of national emergency. Since 1973, the Armed Forces have relied on volunteers to fill military manpower requirements, but selective service registration was reinstituted in July, 1980.

For fiscal year 2006, the Committee recommends $24,000,000 for the Selective Service System, $2,090,000 below the fiscal year 2005 funding level and $1,650,000 below the budget request. The Committee directs the Selective Service System to simply maintain the databases required for a draft as described in the Selective Service Act of 1948 plus any medical databases, train draft boards, and respond to inquiries regarding registration. No funds are provided to the Selective Service System to expand or augment its services or capabilities.

U.S. INTERAGENCY COUNCIL ON THE HOMELESSNESS

OPERATING EXPENSES

Appropriation, fiscal year 2005	$1,499,000
Budget request, fiscal year 2006	1,800,000
Recommended in the bill	1,499,000
Bill compared with:	
Appropriation, fiscal year 2005	0
Budget request, fiscal year 2006	−301,000

The Committee recommends $1,499,000 for operating expenses of the Interagency Council on Homelessness, the same as the enacted level for 2005 and $301,000 below the requested amount. Staff turnover and the continued lack of cooperation between the Council and the Department of Housing and Urban Development remains a concern for the Committee. In addition the failure of the Administration to put forth a comprehensive funding plan for the elimination of chronic homelessness which includes other mainstream programs in other Departments indicates that the Council is not being successful in developing a government-wide response to this national problem. Therefore, the Council is instructed to work closely with HUD's Homeless program and present to the House and Senate Appropriations Committees no later than July 1, 2006 a comprehensive funding strategy that demonstrates that the President's initiative to end chronic homelessness will achieve its

result within the 10 year timeframe originally stated and include the roles that HUD will have in that effort and the role of the ICH to support the activities of HUD's homeless programs and to obtain financial and programmatic input from related departments and agencies.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The Postal Service is funded almost entirely by Postal rate payers rather than tax payers. Funds provided to the Postal Service in the Payment to the Postal Service Fund include the costs of revenue forgone on free and reduced-rate mail for the blind and overseas voters; reconciliation adjustments for amounts appropriated for free and reduced rate mail and the actual amounts required; and partial reimbursement for losses which the Postal Service incurred as a result of insufficient appropriations in fiscal years 1991 through 1993 and the additional revenues it would have received between 1993 and 1998 in the absence of certain rate phasing provisions of the Revenue Forgone Act of 1993. Congress does not provide funds for either general operations or capital investments.

Appropriation, fiscal year 2005	$629,650,000
Budget request, fiscal year 2006	149,059,000
Recommended in the bill	116,350,000
Bill compared with:	
Appropriation, fiscal year 2005	−451,591,000
Budget request, fiscal year 2006	+29,000,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $116,350,000 in fiscal year 2006 for Payment to the Postal Service Fund, an increase of $29,000,000 to the President's request. This amount includes $58,767,000 for revenue forgone on free and reduced-rate mail, $28,583,000 for reconciliation amounts for past years pursuant to subsection 39 U.S.C. § 2401 (c), and $29,000,000 for revenue forgone on free and reduced-rate mail pursuant to 39 U.S.C. §2401(d) and $73,000,000 is provided as an advance appropriation for fiscal year 2007.

The Committee has concerns with the new process implemented this year by the Office of Management and Budget (OMB). In past years, the OMB would use the Postal Service's audit figures to base the advance appropriation request for free mailings for the blind and overseas voters. However, this year it appears that OMB simply took the average appropriation over a series of years to derive the President's request, apparently for the sole reason that the Postal Service's audit figures were higher than in previous years. This new system could produce funding amounts that may be either significantly lower or higher than actual sums that the Postal Service needs. Providing less than the Postal Service needs will only compound their financial burdens, something that the Committee has strongly urged the Postal Service to try and repair. In addition, the Committee would certainly not want to provide more funding than the Postal Service actually needs for these activities. The Committee is concerned that OMB's new use of averages in determining the amount for free mail is inaccurate and the Com-

mittee urges OMB to continue to use Postal Service audit figures in the future.

Emergency preparedness.—The Committee is concerned that OMB, in the fiscal year 2006 budget request, has not given attention to the safety and security of our nation's mail system and protections for postal employees against terrorist threats. The Committee therefore directs OMB to report to the House and Senate Committees on Appropriations within 90 days of enactment of this Act the revised estimated amount of Federal funding that may be necessary to complete the Postal Service's work to secure the nation's mail system. The Committee further directs the USPS to provide a report within 90 days of enactment of this Act on the progress of the mail irradiation facility being built in the Washington, DC area.

Sauk Village, Illinois.—The Committee recommends that the United States Postal Service evaluate the need for the communities of Lynwood, Illinois and Sauk Village, Illinois to establish a new 604 ZIP Code for these two communities to share. It is the Committee's understanding that no new resources or facilities would be needed to approve this change. The Committee directs the Postal Service to report its findings to the House and Senate Committees on Appropriations upon completion of the evaluation.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

Appropriation, fiscal year 2005	$40,851,000
Budget request, fiscal year 2006	48,998,000
Recommended in the bill	48,998,000
Bill compared with:	
Appropriation, fiscal year 2005	+8,147,000
Budget request, fiscal year 2006	.....

The U.S. Tax Court adjudicates controversies involving deficiencies in income, estate, and gift taxes. The Court also has jurisdiction to determine deficiencies in certain excise taxes to issue declaratory judgments in the areas of qualifications of retirement plans, exemption of charitable organizations, and to decide certain cases involving disclosure of tax information by the Commissioner of the Internal Revenue Service.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of $48,998,000 for the U.S. Tax Court, an increase of $8,147,000 above the fiscal year 2005 enacted level and the same as the budget request. Increased funds are provided for critical technology upgrades.

TITLE VIII—GENERAL PROVISIONS, THIS ACT

Section 801. The Committee continues the provision requiring pay raises to be funded within appropriated levels in this Act or previous appropriations Acts.

Section 802. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 803. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 804. The Committee continues the provision limiting consulting service expenditures of public record in procurement contracts.

Section 805. The Committee continues the provision prohibiting funds in this Act to be transferred without express authority.

Section 806. The Committee continues the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 807. The Committee continues the provision concerning employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 808. The Committee continues the provision concerning compliance with the Buy American Act.

Section 809. The Committee continues a provision prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 810. The Committee modifies a provision specifying reprogramming procedures by subjecting the establishment of new offices and reorganizations to the reprogramming process.

Section 811. The Committee continues the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 812. The Committee includes a provision providing that funds used by the Executive Office of the President not be used to request any official background investigation from the Federal Bureau of Investigation.

Section 813. The Committee includes a provision requiring that cost accounting standards not apply to a contract under the Federal Health Benefits Program.

Section 814. The Committee continues a provision regarding nonforeign area cost of living allowances.

Section 815. The Committee continues the provision prohibiting the expenditure of funds for abortions under the FEHBP.

Section 816. The Committee continues the provision prohibiting the expenditure of funds for abortions under the FEHBP unless the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 817. The Committee continues a new provision waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition by the Federal Government of information technology.

Section 818. The Committee continues the provision prohibiting the use of funds for a proposed rule relating to the determination that real estate brokerage is a financial activity.

Section 819. The Committee includes a provision that designates that some of the funds made available in Title I of this Act under the heading, "Office of the Secretary, Transportation Planning, Research, and Development," shall be used to reimburse fixed-based general aviation operators and the providers of general aviation ground support services at Ronald Reagan Washington National Airport, and at airports within fifteen miles of that airport, for their financial losses incurred while the airports were closed as a

result of the actions of the federal government following the terrorist attacks on the United States that occurred on September 11, 2001. The funds designated for this purpose are available until expended and may be used only if the recipients of such funding release the U.S. Government from all claims arising from the closing of these aviation facilities.

Section 820. The Committee includes a provision that extends the Federal Election Commission's administrative fine program through December 31, 2008.

TITLE IX—GENERAL PROVISIONS

Departments, Agencies, and Corporations

Section 901. The Committee continues the provision authorizing agencies to pay costs of travel to the United States for the immediate families of federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 902. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 903. The Committee continues the provision regarding price limitations on vehicles to be purchased by the Federal Government.

Section 904. The Committee continues the provision allowing funds made available to agencies for travel, to also be used for quarter allowances and cost-of-living allowances.

Section 905. The Committee continues the provision prohibiting the government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 906. The Committee continues the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 907. The Committee continues the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 908. The Committee continues the provision providing that funds may be used to pay rent and other service costs in the District of Columbia.

Section 909. The Committee continues the provision prohibiting payments to persons filling positions for which they have been nominated after the Senate has voted not to approve the nomination.

Section 910. The Committee continues the provision prohibiting interagency financing of groups absent prior statutory approval.

Section 911. The Committee continues the provision authorizing the Postal Service to employ guards and give them the same special police powers as certain other federal guards.

Section 912. The Committee continues the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 913. The Committee continues the provision limiting the pay increases of certain prevailing rate employees.

Section 914. The Committee continues the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 915. The Committee continues the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 916. The Committee continues the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 917. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all workplaces are free from discrimination and sexual harassment.

Section 918. The Committee continues the provision prohibiting the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 919. The Committee continues the provision prohibiting Federal training not directly related to the performance of official duties.

Section 920. The Committee continues the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 921. The Committee continues the provision prohibiting propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 922. The Committee continues the provision prohibiting any federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 923. The Committee continues the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 924. The Committee continues the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 925. The Committee continues the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 926. The Committee continues the provision, with technical modifications, authorizing the use of funds to finance an appropriate share of the Joint Financial Management Improvement Program.

Section 927. The Committee continues the provision, with technical modifications, authorizing agencies to transfer funds to the Governmentwide Policy account of GSA to finance an appropriate share of the Joint Financial Management Improvement Program and other purposes.

Section 928. The Committee continues the provision, to prohibit any department or agency from using appropriated funds to independently contract with private companies to provide online employment applications and processing services.

Section 929. The Committee continues the provision that permits breast feeding in a federal building or on federal property if the woman and child are authorized to be there.

Section 930. The Committee continues the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council. The report should include the entire budget of the National Science and Technology Council.

Section 931. The Committee continues the provision requiring documents involving the distribution of federal funds to indicate the agency providing the funds and the amount provided.

Section 932. The Committee extends the authorization period for agency franchise funds by striking "October 1, 2005" and inserting "October 1, 2006", as requested.

Section 933. The Committee continues the provision prohibiting the use of funds to monitor personal information relating to the use of federal internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any federal internet site of such agency.

Section 934. The Committee continues the provision requiring health plans participating in the FEHBP to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 935. The Committee continues the provision providing recognition of the U.S. Anti-Doping Agency as the official anti-doping agency.

Section 936. The Committee continues a provision allowing funds for official travel to be used by departments and agencies, if consistent with OMB and Budget Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 937. The Committee continues the provision prohibiting funds from being expended for the purchase of a product or service offered by Federal Prison Industries, Inc. unless the agency determines the products to constitute the best value to the buying agency.

Section 938. The Committee continues a provision prohibiting funds for implementation of OPM regulations limiting detailees to the Legislative Branch, and implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 939. The Committee continues a provision requiring agencies to evaluate the creditworthiness of an individual before issuing the individual a government travel charge card and limits agency actions accordingly.

Section 940. The Committee continues a provision providing that restricts the use of funds for federal law enforcement training facilities.

Section 941. The Committee continues a provision that allows for transfer authority among certain offices of the Executive Office of the President.

Section 942. The Committee includes a provision amending P.L. 105–270.

Section 943. The Committee includes a provision concerning the use of funds for the "e-gov" initiative that were not appropriated specifically for that purpose.

Section 944. The Committee continues a provision, with modifications, providing that the adjustment in rates of basic pay for employees under statutory pay systems taking effect in fiscal year 2006 shall be an increase of 3.1 percent.

Section 945. The Committee includes a new provision prohibiting a credit card issuer from adjusting a card holder's annual percentage rate based on information unrelated to the account.

Section 946. The Committee continues the provision that prohibits executive branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency. This provision confirms the opinion of the Government Accountability Office dated February 17, 2005 (B–304272)

Section 947. The Committee includes a new provision regarding the Trade Sanctions Reform and Export Enhancement Act of 2000 authorizing the export of U.S. agricultural commodities to Cuba. Agriculture exports financed by the payment of cash in advance under the Act totaled more than $1 billion during the past 4 years. Section 903 of the Act prohibits the imposition of new restrictions or conditions on this trade absent prior notice to and approval by Congress. Despite this prohibition, the Department of Treasury unilaterally imposed a new restriction on this trade by a "clarification" published in a final rule on February 25, 2005—without notice to or the approval of Congress. The amendment prevents the use of funds to administer, implement, or enforce the final rule so that cash in advance transactions may continue in the manner in which they had been transacted prior to the administration of this restrictive new "clarification".

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives:

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of the rule XXIII of the Rules of the House of Representatives states:

> Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from clause 7 of section 9 of Article I of the Constitution of the United States of America which states:

> No money shall be drawn from the Treasury but in consequence of Appropriations made by law . . .

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill that are not authorized by law:

APPROPRIATIONS NOT AUTHORIZED BY LAW
(Dollars in thousands)

	Last Year of Authorization	Authorization Level	Appropriations in Last Year of Authorization	Amount of Program or New Fees
Title I - Department of Transportation				
Federal Highway Administration				
Federal-aid Highway Program	2005	27,344,213	35,061,400	36,926,100
Federal Motor Carrier Safety Administration				
Motor Carrier Safety Operations and Programs	N/A	N/A	N/A	215,000
Motor Carrier Safety Grants	N/A	N/A	N/A	--
Motor Carrier Safety	2005	191,090	255,487	N/A
National Motor Carrier Safety Program	2005	140,973	188,480	N/A
National Highway Traffic Safety Administration				
Operations & Research	2003	--	--	152,367
Operations & Research (Trust Fund)	2005	53,568	227,551	75,000
National Driver Register	2003	2,678	--	4,000
Highway Traffic Safety Grants	2005	167,400	223,200	551,000
Federal Railroad Administration				
Safety and Operations	1998	--	--	145,949
Railroad Safety	1998	90,739	57,050	--
Grants to the National Passenger Railroad Corp.	2002	955,000	826,476	550,000
Federal Transit Administration				
Administrative Expenses	2005	58,032	77,376	80,000
Formula Grants	2005	3,071,455	3,999,918	4,417,000
University Transportation Research	2005	4,464	5,952	8,000
Transit Planning and Research	2005	97,762	126,976	160,325
Job Access and Reverse Commute	2005	111,600	124,000	175,000
Capital Investment Grants	2005	2,428,639	3,312,114	3,641,675
Research and Innovative Technology Administration				
Research and Development	--	--	--	4,326
Pipeline and Hazardous Materials Safety Administration				
Hazardous Materials Safety	1997	19,670	15,268	26,183
Administrative Expenses	--	--	--	17,027
Emergency Preparedness Grants	1998	21,250	7,970	14,300
Surface Transportation Board	1998	12,000	13,850	20,621
Title II - Department of the Treasury				
Department-Wide Systems and Capital Investments	N/A	N/A	N/A	21,412
Air Transportation Stabilization Program	N/A	N/A	N/A	2,500
Treasury Building and Annex Repair and Restoration	N/A	N/A	N/A	10,000
Title III - Department of Housing and Urban Development				
Rental Assistance:				
Section 8 contract renewals and administrative expenses	1994	$8,446,173	$5,458,106	$20,254,855
Section 441 contracts	1994	109,410	150,000	57,000
Section 8 preservation, protection, and family unification	1994	759,259	541,000	165,700
Contract Administrators	--	--	--	147,200
Public Housing Capital Fund	2003	3,000,000	2,712,255	2,600,000
Public Housing Operating Fund	2003	2,900,000	3,576,600	3,600,000
Native Hawaiian Housing Block Grant	2005	.....	8,928,000	8,815
Native Hawaiian Loan Guarantees	2005	.....	992,000	882
Housing Opportunities for Persons with AIDS	1994	156,300	156,000	285,000
Rural Housing and Economics Development	N/A	--	--	10,000
Community Development Fund:				
Community Development Block Grants	1994	4,168,000	4,380,000	4,151,500
Self help and Assisted Homeownership				60,800
Housing Assistance Council	N/A	--	--	3,000
Native American Indian Housing Council	N/A	--	--	1,000
Self-Help Housing Opportunity Program	2000	--	20,000	23,800
Capacity Building	1994	25,000	20,000	28,000
Housing Parnership Networks	N/A	N/A	N/A	4,000
2006 Special Olympics	N/A	--	--	1,000
Economic Development Initiatives	N/A	--	--	290,000

	Last Year of Authorization	Authorization Level	Appropriations in Last Year of Authorization	Amount of Program or New Fees
HOME Investment Partnerships	1994	2,173,612	1,275,000	1,850,000
Homeless Assistance Grants	1994	465,774	599,000	1,340,000
Housing for the Elderly	2003	--	783,286	741,000
Housing for Persons with Disabilities	2003	--	250,515	238,100
FHA General and Special Risk Program Account:				
Limitation on guaranteed loans	1995	--	-20,885,072	-35,000,000
Limitation on direct loans	1995	--	-220,000	-50,000
Credit Subsidy	1995	--	188,395	8,800
Administrative Expenses	1995	--	197,470	71,900
Title V - District of Columbia				
Emergency Planning and Security Costs	N/A	N/A	N/A	15,000
District of Columbia Water and Sewer Authority	N/A	N/A	N/A	10,000
Anacostia Waterfront Initiative	N/A	N/A	N/A	5,000
Office of the Chief Financial Officer	N/A	N/A	N/A	20,000
School Improvement	N/A	N/A	N/A	41,616
Bioterrorism and Forensics Laboratory	N/A	N/A	N/A	7,200
Title VI - Executive Office of the President				
Compensation of the President	1999	--	N/A	450
White House Office, Salaries and Expenses	1978	--	N/A	53,080
Executive Residence, Operating Expenses	1978	--	N/A	12,436
Executive Residence, White House Repair and Restoration	1978	--	N/A	1,700
Council of Economic Advisors	1978	--	N/A	4,040
Office of Policy Development	1978	--	N/A	3,500
National Security Council	1978	--	N/A	8,705
Office of Administration	1978	--	N/A	89,322
Office of Management and Budget	2003	--	N/A	76,930
Unanticipated Needs	1978	--	N/A	1,000
Special Assistance to the President, Salaries and Expenses	1978	--	N/A	4,455
Office of National Drug Control Policy (ONDCP):		--	N/A	--
ONDCP, Salaries and Expenses	2004	N/A	N/A	26,908
ONDCP, Salaries and Expenses, Model State Drug Laws	N/A	N/A	N/A	N/A
ONDCP, Counterdrug Technology Assessment Center, Counterdrug Research and Development	2004	N/A	N/A	30,000
ONDCP, Counterdrug Technology Assessment Center, Technology Transfer	2004	N/A	N/A	N/A
ONDCP, High Intensity Drug Trafficking Areas Program	2004	--	N/A	227,000
ONDCP, Other Federal Drug Control (except Drug-Free Communities)	2004	12,800	13,917	5,000
ONDCP, Other Federal Drug Control, Media Campaign	2004	145,000	144,145	120,000
Title VII - Independent Agencies				
Election Assistance Commission	2005	10,000	13,888	15,877
Federal Election Commission	1981	9,400	51,742	54,700
General Services Administration:				
Federal Building Fund	N/A	N/A	N/A	N/A
Construction and Acquisition	N/A	N/A	N/A	N/A
Repairs and Alterations	N/A	N/A	N/A	N/A
OPM, Human Capital Performance Fund	N/A	N/A	N/A	N/A

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following statement is submitted describing the transfers of funds provided in the accompanying bill.

The Committee recommends the following transfers:

UNDER TITLE I—DEPARTMENT OF TRANSPORTATION

Under the Office of the Secretary, "Salaries and expenses", the Secretary of Transportation is allowed to transfer amounts among the individual offices of the Office of the Secretary, subject to certain conditions.

Under the Office of the Secretary, "Payments to air carriers," the Secretary of Transportation is allowed to transfer overflight fees collected to the Federal Aviation Administration to repay funds borrowed during the fiscal year to fund the essential air service program.

Under Federal Transit Administration, "Administrative expenses", the Administrator is authorized to transfer funds between offices.

Title I, Sec. 162. The Committee continues the provision that allows transit funds appropriated before October 1, 2003, that remain available for expenditure to be transferred.

Under Title I, Administrative Provisions—Department of Transportation, Sec. 180, the Committee continues a provision allowing the Secretary of Transportation to transfer unexpended sums from "Office of the secretary, salaries and expenses" to "Minority business outreach".

UNDER TITLE II—DEPARTMENT OF TREASURY

Under the Department of the Treasury, Internal Revenue Service, up to $10,000,000 may be transferred to the Processing, Assistance and Management or Information Systems account for management of the Interagency Crime and Drug Enforcement program.

Under the Department of the Treasury, Internal Revenue Service, up to $10,000,000 may be transferred to the Processing, Assistance and Management or Information Systems account for management of the Earned Income Tax Credit.

Section 201 allows the transfer of 5 percent of any appropriation (or 3 percent of the Tax Law Enforcement appropriation) made available to the IRS to any other IRS appropriation, subject to prior Congressional approval.

Section 211 authorizes transfers, up to 2 percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 211 authorizes transfers, up to 2 percent, between Departmental Offices, Office of the Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and the Bureau of the Public Debt appropriations under certain circumstances.

UNDER TITLE III—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Committee has included language under the Department of Housing and Urban Development transferring all uncommitted

prior balances of excess rental charges as of fiscal year 2005 and all collections made during fiscal year 2006 to the flexible subsidy fund.

The Committee has included language under the Department of Housing and Urban Development transferring the following amounts to the salaries and expenses account for administrative expenses: FHA mutual mortgage insurance and general and special risk insurance program accounts ($558,767,000); GNMA guarantees of mortgage-backed securities loan guarantee program account ($10,700,000); community development loan guarantees program account ($0); Indian housing loan guarantee fund program account ($250,000); native Hawaiian housing loan guarantee fund ($35,000); and Native American housing block grants account ($150,000).

The Committee has included language under the Department of Housing and Urban Development transferring up to $12,896,000 from the manufactured housing fees trust fund to the manufactured housing standards program.

The Committee has included language under the Department of Housing and Urban Development transferring no less than the following amounts to the working capital fund under the salaries and expenses account for development and management of information technology systems: tenant-based rental assistance ($5,900,000); project-based rental assistance ($1,000,000); public housing capital fund ($13,230,000); community development fund ($3,400,000); home investment partnership program account ($1,000,000); homeless assistance grants account ($1,000,000); housing for the elderly account ($400,000); housing for persons with disabilities account ($400,000); FHA mutual mortgage insurance program account ($18,281,000); FHA general and special risk insurance program account ($10,800,000).

The Committee has included language under the Department of Housing and Urban Development transferring up to $200,000,000 from the Tenant-Based Assistance Account to the Project-Based Assistance Account

The Committee has included language under the Department of Housing and Urban Development transferring $24,00,000 from the various funds of the Federal Housing Administration to the Office of Inspector General.

The Committee has included language under the Department of Housing and Urban Development transferring $60,000,000 from the federal housing enterprise oversight fund to the office of federal housing enterprise oversight account.

UNDER TITLE IV—THE JUDICIARY

Under the Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, funds may be transferred to the United States Marshals Service for courthouse security.

Sec. 402. The Committee continues a provision permitting the Judiciary to transfer up to 5 percent of any appropriation with certain limitations

UNDER TITLE V—DISTRICT OF COLUMBIA

The Committee has included language transferring $29,833,000 from the Court Services and Offender Supervision Agency to the Public Defender Service.

The Committee has included language transferring fines collected under DC Official Code section 50–2201.05(b)(1) and (2) in the general funds to the Office of the Attorney General of the District of Columbia.

The Committee has included language to allow for a transfer from the funds identified in the fiscal year 2005 comprehensive annual financial report as the District's Grant Disallowance balance.

UNDER TITLE VI—EXECUTIVE OFFICES OF THE PRESIDENT

Language is included under Office of National Drug Control Policy, "Counterdrug Technology Assessment Center" allowing for the transfer of funds to other Federal departments or agencies.

Language is included under Federal Drug Control Programs, "High Intensity Drug Trafficking Areas Programs" which allows for the transfer of funds to other Federal departments or agencies.

Language is included under Federal Drug Control Programs, "Other Federal Drug Control Program" allowing the transfer of funds to other Federal departments or agencies.

Language is included under Official Residence of the Vice President, "Operating Expenses" allowing the transfer of funds to other Federal departments or agencies.

UNDER TITLE VII—INDEPENDENT AGENCIES

Under Title VII Independent Agencies, a number of transfers are allowed: 1) the GSA allowances and Office Staff for Former Presidents account may transfer such sums as necessary to the Department of the Treasury for certain pension benefits, 2) the GSA Electronic Government Fund may transfer $3,000,000 to federal departments in pursuit of programs goals, 3) under the Election Assistance Commission, $2,800,000 to the National Institute of Standards and Technology, 4) under the National Archives and Records Administration, $2,000,000 is transferred from the National Historical Publications and Records Commission to the operating expenses account, and 5) under Office of Personnel Management, amounts from certain trust funds are transferred to salary and expenses accounts for oversight and administration of the funds.

Title VII, Sec. 703. The Committee continues the provision providing that funds made available for activities of the Federal Building Fund may be transferred between appropriations with advance approval of the Congress.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The committee on Appropriations strongly considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations. This includes a review of agency and depart-

mental performance plans, audits, and investigations of the U.S. General Accounting Offices of Inspector General, and other performance-related information. The Committee's goal is to provide adequate, but not excessive, resources for the programs covered by this Act, consistent with funding allocations provided by the Congressional budget process.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

CHAPTER 443 OF TITLE 49, UNITED STATES CODE

CHAPTER 443—INSURANCE

* * * * * * *

§ 44302. General authority

(a) * * *

* * * * * * *

(f) EXTENSION OF POLICIES.—

(1) IN GENERAL.—The Secretary shall extend through August 31, [2005,] *2006,* and may extend through December 31, [2005,] *2006,* the termination date of any insurance policy that the Department of Transportation issued to an air carrier under subsection (a) and that is in effect on the date of enactment of this subsection on no less favorable terms to the air carrier than existed on June 19, 2002; except that the Secretary shall amend the insurance policy, subject to such terms and conditions as the Secretary may prescribe, to add coverage for losses or injuries to aircraft hulls, passengers, and crew at the limits carried by air carriers for such losses and injuries as of such date of enactment and at an additional premium comparable to the premium charged for third-party casualty coverage under such policy.

* * * * * * *

§ 44303. Coverage

(a) * * *

(b) AIR CARRIER LIABILITY FOR THIRD PARTY CLAIMS ARISING OUT OF ACTS OF TERRORISM.—For acts of terrorism committed on or to an air carrier during the period beginning on September 22, 2001, and ending on December 31, [2005,] *2006,* the Secretary may certify that the air carrier was a victim of an act of terrorism and in the Secretary's judgment, based on the Secretary's analysis and conclusions regarding the facts and circumstances of each case, shall not be responsible for losses suffered by third parties (as referred to in section 205.5(b)(1) of title 14, Code of Federal Regulations) that exceed $100,000,000, in the aggregate, for all claims by such parties arising out of such act. If the Secretary so certifies, the air carrier shall not be liable for an amount that exceeds

$100,000,000, in the aggregate, for all claims by such parties arising out of such act, and the Government shall be responsible for any liability above such amount. No punitive damages may be awarded against an air carrier (or the Government taking responsibility for an air carrier under this subsection) under a cause of action arising out of such act. The Secretary may extend the provisions of this subsection to an aircraft manufacturer (as defined in section 44301) of the aircraft of the air carrier involved.

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SECTION 122 OF THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

(Public law 105–119)

SEC. 122. (a) * * *

* * * * * * *

(g)(1) Notwithstanding any other provision of law and subject to paragraph (2), the Secretary of the Treasury is authorized to establish, for a period of [7 years] *8 years* from date of enactment of this provision, a personnel management demonstration project providing for the compensation and performance management of not more than a combined total of 950 employees who fill critical scientific, technical, engineering, intelligence analyst, language translator, and medical positions in the Bureau of Alcohol, Tobacco and Firearms.

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SECTION 223 OF THE NATIONAL HOUSING ACT

MISCELLANEOUS HOUSING INSURANCE

SEC. 223. (a) * * *

* * * * * * *

(f)(1) Notwithstanding any of the provisions of this Act, the Secretary is authorized, in his discretion, to insure under any section of this title a mortgage executed in connection with the purchase or refinancing of an existing multifamily housing project or the *purchase or* refinancing of existing debt of an existing hospital (or existing nursing home, existing assisted living facility, existing intermediate care facility, existing board and care home, or any combination thereof).

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DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005

* * * * * * *

TITLE I—FEDERAL FUNDS

* * * * * * *

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $40,000,000, to be allocated as follows: for the District of Columbia Public Schools, $13,000,000 to improve public school education in the District of Columbia; for the State Education Office, $13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2006; for the Secretary of the Department of Education, $14,000,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126), of which up to $1,000,000 may be used to administer and fund assessments: *Provided,* That of the $13,000,000 for the District of Columbia Public Schools, not less than $2,000,000 shall be for a new incentive fund to reward high performing or significantly improved public schools; not less than $2,000,000 shall be to support the Transformation School Initiative directed to schools in need of improvement: *Provided further,* That of the remaining amounts, the Superintendent of the District of Columbia Public Schools shall use such sums as necessary to provide grants to schools which are not eligible for other programs referenced under this heading, and to contract for management consulting services and implement recommended reforms: *Provided further,* That the Comptroller General shall conduct a financial audit of the District of Columbia Public Schools: *Provided further,* That of the $13,000,000 provided for public charter schools in the District of Columbia, $2,000,000 shall be for the City Build Initiative to create neighborhood-based charter schools; $2,750,000 shall be for the Direct Loan Fund for Charter Schools; $150,000 shall be for administrative expenses of the Office of Charter School Financing and Support to expand outreach and support of charter schools; $100,000 shall be for the D.C. Public Charter School Association to enhance the quality of charter schools; **[**$4,000,000**]** *$4,000,000, to remain available until expended,* shall be for the development of an incubator facility for public charter schools; $2,000,000 shall be for a charter school college preparatory program; and **[**$2,000,000 shall be for a new incentive fund**]** *$2,000,000, to remain available until expended, shall be for a new incentive fund* to reward high performing or significantly improved public charter schools: *Provided further,* That the District of Columbia government shall establish a dedicated account for the Office of Charter School Financing and Support (the Office) that shall consist of the Federal funds appropriated in this Act, any subsequent appropriations, any unobligated balances from prior fiscal years, any additional grants, and any interest and principal derived from loans made to Charter Schools, and repayment of dollars utilized to support credit enhancement earned in this or any fiscal year: *Provided further,* That the account shall be under the control of the District of Columbia Chief Financial Officer who shall use those funds solely for the purposes of carrying out the Credit Enhancement Program, Direct Loan Fund Grant Program, and any other charter school financing under the management of the Office: *Provided further,* That in this and subsequent fiscal years the Office of the Chief Financial Officer shall conduct an annual audit of the funds expended by the Office

and provide an annual financial report to the Mayor, the Council of the District of Columbia, the Office of the District of Columbia Treasurer and the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further,* That not more than $250,000 of the total amount appropriated for this program may be used for administrative expenses and training expenses related to the cost of the National Charter School Conference(s) to be hosted by December 2006; and no more than 5 percent of the funds appropriated for the direct loan fund may be used for administrative expenses related to the administration and annual audit of the direct loan, grant, and credit enhancement programs.

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SECTION 640 OF THE TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

SEC. 640. (a) * * *

* * * * * * *

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations that relate to reporting periods that begin on or after January 1, 2000, and that end on or before December 31, [2005] *2008*.

SECTION 403 OF THE GOVERNMENT MANAGEMENT REFORM ACT OF 1994

(Public Law 103–356)

SEC. 403. FRANCHISE FUND PILOT PROGRAMS.

(a) * * *

* * * * * * *

(f) TERMINATION.—The provisions of this section shall expire on October 1, [2005] *2006*.

SECTION 4 OF THE FEDERAL ACTIVITIES INVENTORY REFORM ACT OF 1998

SEC. 4. APPLICABILITY.

(a) * * *

(b) EXCEPTIONS.—This Act does not apply to or with respect to the following:

(1) * * *

* * * * * * *

(5) Executive agencies with fewer than 100 full-time employees as of the first day of the fiscal year. However, such an agency shall be subject to section 2 to the extent it plans to conduct a public-private competition for the performance of an activity that is not inherently governmental.

SECTION 604 OF THE FAIR CREDIT REPORTING ACT

§ 604. Permissible purposes of reports

(a) IN GENERAL.—Subject to subsection (c), any consumer reporting agency may furnish a consumer report under the following circumstances and no other:

(1) * * *

* * * * * * *

(3) To a person which it has reason to believe—

(A) * * *

* * * * * * *

(F) otherwise has a legitimate business need for the information—

(i) * * *

(ii) *subject to subsection (d),* to review an account to determine whether the consumer continues to meet the terms of the account.

* * * * * * *

[(d) RESERVED.]

(d) LIMITATION ON USE OF CONSUMER REPORT.—

(1) IN GENERAL.—A credit card issuer may not use any negative information contained in a consumer report to increase any annual percentage rate applicable to a credit card account, or to remove or increase any introductory annual percentage rate of interest applicable to such account, for any reason other than an action or omission of the card holder that is directly related to such account.

(2) NOTICE TO CONSUMER.—The limitation under paragraph (1) on the use by a credit card issuer of information in a consumer report shall be clearly and conspicuously described to the consumer by the credit card issuer in any disclosure or statement required to be made to the consumer under this title.

* * * * * * *

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions proposed in the accompanying bill which may be considered, under certain circumstances, to change the application of existing law, either directly or indirectly. The bill provides that appropriations shall remain available for more than one year for a number of programs for which the basic authorizing legislation does not explicitly authorize such extended availability. The bill provides, in some instances, for funding of agencies and activities where legislation has not yet been finalized. In addition, the bill carries language, in some instances, permitting activities not authorized by law, or exempting agencies from certain provisions of law, but which has been carried in appropriations acts for many years.

The bill includes limitations on official entertainment, reception and representation expenses for the Secretary of Transportation, the Secretary of the Treasury and the National Transportation

Safety Board. Similar provisions have appeared in many previous appropriations Acts. The bill includes a number of limitations on the purchase of automobiles, motorcycles, or office furnishings. Similar limitations have appeared in many previous appropriations Acts. Language is included in several instances permitting certain funds to be credited to the appropriations recommended.

In Title VII of the bill, in connection with the General Services Administration, certain limitations on availability of revenue in the federal buildings fund and certain legislative provisions have been carried forward from last year.

The bill continues a number of general provisions applying to agencies covered by the bill as well as certain provisions applying government-wide. These provisions have been carried in the prior year appropriations bill, and some have been carried for many years. Additionally, the Committee includes a number of new general provisions.

TITLE I—DEPARTMENT OF TRANSPORTATION

Language is included under Office of the Secretary, "Salaries and expenses" specifying certain amounts for individual offices of the Office of the Secretary and specifying transfer authority among offices.

Language is included under Office of the Secretary, "Salaries and expenses" which would allow crediting the account with up to $2,500,000 in user fees.

Language is included under the Office of the Secretary, "Salaries and expenses" limiting the use of funds available for the position of Assistant Secretary for Public Affairs.

Language is included that limits operating costs and capital outlays of the Working Capital Fund for the Department of Transportation and limits special assessments or reimbursable agreements levied against any program, project or activity funded in this Act to only those assessments or reimbursable agreements that are presented to and approved by the House and Senate Committees on Appropriations.

Language is included under the Office of the Secretary, "Minority business resource center" limiting the amount of loans that can be subsidized.

Language is included under Office of the Secretary, "Minority business outreach" specifying that funds may be used for business opportunities related to any mode of transportation.

Language is included under the Office of the Secretary, "Payments to air carriers" that allows the Secretary of Transportation to repay any funds borrowed from to the Federal Aviation Administration to fund the essential air service program.

Language is included under the Office of the Secretary, "Payments to air carriers" that allows the Secretary of Transportation to consider the relative subsidy requirements of carriers when determining between or among carriers competing to provide service.

Language is included under the Federal Aviation Administration, "Operations" limiting funds for certain aviation program activities.

Language is included under the Federal Aviation Administration, "Operations" that prohibits funds 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.

Language is included under the Federal Aviation Administration, "Operations" that credits funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services.

Language is included under the Federal Aviation Administration, "Operations" that provides $7,500,000 for the contract tower cost sharing program.

Language is included under the Federal Aviation Administration, "Operations" permitting the use of funds to enter into a grant agreement with a nonprofit standard setting organization to develop aviation safety standards.

Language is included under the Federal Aviation Administration, "Operations" that prohibits the use of funds for new applicants of the second career training program.

Language is included under the Federal Aviation Administration, "Operations" that prohibits the use of funds for Sunday premium pay unless an employee actually performed work during the time corresponding to the premium pay.

Language is included under the Federal Aviation Administration, "Operations" that prohibits funds from being used to operate a manned auxiliary flight service station in the contiguous United States.

Language is included under the Federal Aviation Administration, "Operations" that prohibits funds for conducting and coordinating activities on aeronautical charting and cartography through the Transportation Administrative Service Center.

Language is included under the Federal Aviation Administration, "Operations" that prohibits the use of funds to purchase store gift cards or gift certificates through a government-issued credit card.

Language is included under Federal Aviation Administration, "Facilities and equipment" that allows certain funds received for expenses incurred in the establishment and modernization of air navigation facilities to be credited to the account.

Language is included under Federal Aviation Administration, "Facilities and equipment" that requires the Secretary of Transportation to transmit a comprehensive capital investment plan for the Federal Aviation Administration.

Language is included under Federal Aviation Administration, "Research, engineering, and development" that allows certain funds received for expenses incurred in research, engineering and development to be credited to the account.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that limits funds available for the planning or execution of programs with obligations in excess of $3,600,000,000.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" "Liquidation of Contract Authorization" that provides liquidating cash.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that provides not more than $81,346,000 for administration.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that allows funds to be used for airports to procure and install runway incursion prevention systems and devices.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that specifies $20,000,000 for the small community air service pilot program.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that rescinds fiscal year 2005 contract authority above the obligation limitation.

Section 101 requires FAA to accept airport equipment, subject to certain criteria.

Section 102 limits the number of workyears on a particular contract.

Section 103 prohibits FAA from requiring airport to provide specified items without cost, with some exceptions.

Section 104 prohibits the use of funds for changing weight restrictions or prior permission rules at Teterboro Airport in New Jersey.

Section 105 extends the terms and conditions of FAAs aviation insurance program for one additional year.

Language is included under the Federal Highway Administration, "Limitation on administrative expenses" that provides a limitation on administrative expenses of the agency.

Language is included under the Federal Highway Administration, "Federal-aid highways" that provides a limitation on obligations for the Federal-aid highways program and a limitation on research programs.

Language is included under the Federal Highway Administration, "Federal-aid highways" that allows the Secretary of Transportation to use fees charged and collected on applicants for a direct loan, guaranteed loan, or line of credit as authorized under 23 U.S.C. 183 and 184 and makes the fees used not subject to any limitation on obligations.

Language is included under the Federal Highway Administration, "Federal-aid highways, (Liquidation of Contract Authorization)" that provides liquidating cash.

Section 110 distributes obligation authority among the Federal-aid highway programs.

Section 111 provides that funds received by the Bureau of Transportation Statistics may be credited to the Federal aid highways account.

Section 112 allows Nevada and Arizona to reimburse debt service payment on the Bypass Bridge at Hoover Dam project with future apportionments, in accordance with title 23, United States Code.

Language is included under the Federal Motor Carrier Safety Administration, "Motor Carrier Safety Operations and Programs" that provides a limitation on obligations and liquidation of contract authorization for the operating expenses of the agency and for motor carrier safety research programs.

Language is included under the Federal Motor Carrier Safety Administration, "National Motor Carrier Safety Program" that provides a limitation on obligations and liquidation of contract authorization for motor carrier safety grant programs.

Section 120 subjects funds appropriated in this Act to the terms and conditions of section 350 of Public Law 107–87, including that the Secretary of Transportation submit a report on Mexico-domiciled motor carriers.

Language is included under National Highway Traffic Safety Administration, "Operations and research" prohibiting the planning or implementation of any rulemaking on labeling passenger car tires for low rolling resistance.

Language is included under National Highway Traffic Safety Administration, "Highway traffic safety grants" prohibiting the use of funds for construction, rehabilitation or remodeling costs or for office furniture for state, local, or private buildings.

Language is included under National Highway Traffic Safety Administration, "Highway traffic safety grants" limiting funding available for grants administration.

Language is included under National Highway Traffic Safety Administration, "Highway traffic safety grants" limiting funding available for grants administration.

Language is included under National Highway Traffic Safety Administration, "Highway traffic safety grants" limiting the amount of funds available for technical assistance to states under section 410.

Section 130 allows states to use funds provided under section 402 of title 23, U.S.C., to produce and place highway safety public service messages.

Language is included under Federal Railroad Administration, "Railroad rehabilitation and improvement program" authorizing the Secretary to issue fund anticipation notes necessary to pay obligations under sections 511 and 513 of the Railroad Revitalization and Regulatory Reform Act.

Language is included under Federal Railroad Administration, "Railroad rehabilitation and improvement program" that prohibits new direct loans or loan guarantee commitments using federal funds for credit risk premium under section 502 of the Railroad Revitalization and Regulatory Reform Act.

Language is included under Federal Railroad Administration, "Grants to the National Railroad Passenger Corporation" limiting passenger rail routes that may receive federal subsidies.

Language is included under Federal Transit Administration, "Administrative Expenses" prohibiting funds for a permanent office of transit security.

Language is included under Federal Transit Administration, "Formula Grants" making $2,500,000 available for the National Transit database.

Language is included under Federal Transit Administration, "Job Access and Reverse Commute Grants" making up to $3,000,000 available for technical assistance.

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows unobligated funds for projects under "Capital Investment Grants" in prior year appropriations Acts to be used this fiscal year.

Section 162 allows the transfer of prior year appropriations from older accounts to be merged in to new accounts with similar, current activities.

Section 191 prohibits obligations incurred during the current year from construction funds in excess of the appropriations and limitation contained in this Act or in any prior appropriation Act.

Section 192 allows the Maritime Administration to furnish utilities and services and make repairs to any lease, contract, or occupancy involving government property under the control of MARAD and rental payments shall be covered into the Treasury as miscellaneous receipts.

Language is included under Pipeline and Hazardous Materials Safety Administration, "Hazardous materials safety" which allows up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) to be deposited in the general fund of the Treasury as offsetting receipts.

Language is included under Pipeline and Hazardous Materials Safety Administration, "Hazardous materials safety" that credits certain funds received for expenses incurred for training and other activities incurred in performed of hazardous materials exemptions and approval functions.

Language is included under Pipeline and Hazardous Materials Safety Administration, "Pipeline safety" that requires the agency to fund the one-call state grant program.

Language is included under Research and Special Programs Administration, "Emergency preparedness grants" specifying the Secretary of Transportation or his designee may obligate funds provided under this head.

Language is included under Research and Innovative Technology Administration, "Research and development" that credits to the appropriation funds received from States and other sources for expenses incurred for training.

Language is included under Office of Inspector General, "Salaries and expenses" that provides the Inspector General with all necessary authority to investigate allegations of fraud by any person or entity that is subject to regulation by the Department of Transportation. Language is also included under Office of Inspector General, "Salaries and expenses" that authorizes the Office of Inspector General to investigate unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents.

Language is included under Surface Transportation Board, "Salaries and expenses" allowing the collection of $1,250,000 in fees established by the Chairman of the Surface Transportation Board; and providing that the sum appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such fees are received.

Section 170. The Committee continues the provision allowing the Department of Transportation to use funds for aircraft; motor vehicles; liability insurance; uniforms; or allowances, as authorized by law.

Section 171. The Committee continues the provision limiting appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV.

Section 172. The Committee continues the provision prohibiting funds in this Act for salaries and expenses of more than 100 political and Presidential appointees in the Department of Transportation, and prohibits political and Presidential personnel assigned on temporary detail outside the Department of Transportation.

Section 173. The Committee continues the provision prohibiting funds for the implementation of section 404 of title 23, United States Code.

Section 174. The Committee continues the provision prohibiting recipients of funds made available in this Act from releasing personal information, including social security number, medical or disability information, and photographs from a driver's license or motor vehicle record, without express consent of the person to whom such information pertains; and prohibits the withholding of funds provided in this Act for any grantee if a state is in noncompliance with this provision.

Section 175. The Committee continues the provision allowing funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from states, counties, municipalities, other public authorities, and private sources to be used for expenses incurred for training may be credited to each agency's respective accounts.

Section 176. The Committee continues the provision authorizing the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation.

Section 177. The Committee continues the provision prohibiting funds in Title I of this Act from being issued for any grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations.

Section 178. The Committee continues a provision for the Department of Transportation allowing funds received from rebates, refunds, and similar sources to be credited to appropriations.

Section 179. The Committee continues a provision allowing amounts from improper payments to a third party contractor that are lawfully recovered by the Department of Transportation to be available to cover expenses incurred in recovery of such payments.

Section 180. The Committee continues a provision allowing the Secretary of Transportation to transfer unexpended sums from "Office of the secretary, salaries and expenses" to "Minority business outreach".

Section 181. The Committee continues the provision prohibiting the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 182. The Committee continues the provision prohibiting the use of funds to implement an essential air service local cost share participation pilot program.

TITLE II—DEPARTMENT OF THE TREASURY

Language has been included for Departmental Offices, Salaries and Expenses, that provides funds for operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for real properties leased or owned

overseas; official reception and representation expenses; unforeseen emergencies of a confidential nature; grants to state and local law enforcement groups to help fight money laundering; and Treasury-wide financial audits and the transfer of these funds.

Language has been included for the Departmentwide Systems and Capital Investments Program that provides funds for the development and acquisition of automated data processing equipment, software, and services; and providing transfer authority.

Language has been included for the Office of Inspector General that provides funds to carry out the provisions of the Inspector General Act of 1978, the hire of vehicles, official travel expenses, and unforeseen emergencies.

Language has been included for the Treasury Inspector General for Tax Administration that provides for the purchase and hire of motor vehicles, services by 5 U.S.C. 3109, travel expenses, and unforeseen emergencies.

Language has been included for the Financial Crime Enforcement Network that provides funds for hire of vehicles; the travel of non-federal personnel attending conferences or meetings involving financial law enforcement, intelligence, and regulation; the purchase of personal services contracts; and assistance to Federal law enforcement agencies with or without reimbursement.

Language has been included for the Financial Management Service that provides multiple year availability for systems modernization funds.

Language has been included for the Alcohol and Tobacco Tax and Trade Bureau that provides funds for the hire of passenger motor vehicles, cooperative research and development; and laboratory assistance to state and local agencies with or without reimbursement.

Language has been included for the U.S. Mint that identifies the source of funding for the operations and activities of the U.S. Mint; specifies the level of funding for circulating coinage and protective service capital investments; and provides reimbursement to the General Accounting Office for a contract study.

Language has been included for the Bureau of the Public Debt that provides appropriations from the General Fund will be reduced as fees are collected, and that a portion of the funds are to be derived from the Oil Spill Liability Trust Fund for administration of the Fund.

Language is included for the Treasury Inspector General for Tax Administration that provides for the purchase and hire of motor vehicles, services authorized by 5 U.S.C. 3109, travel and representation expenses, and unforeseen emergencies.

Section 210 allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitation, and enter into contracts with the State Department for health and medical services for Treasury employees in overseas locations.

Section 211 authorizes transfers, up to 2 percent, between Departmental Offices, Office of the Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and the Bureau of the Public Debt appropriations under certain circumstances.

Section 212 limits funds for purchase of law enforcement vehicles only if the purchase is consistent with vehicle management principles.

Section 213 prohibits the Department of the Treasury from undertaking a redesign of the $1 Federal Reserve note.

Section 214 provides for transfers from and reimbursements to the Salaries and Expenses appropriation of the Financial Management Service for the purposes of debt collection.

Section 215 continues the Treasury's franchise fund.

Section 216 requires authorization for the construction and operation of a museum by the United States Mint.

Section 217 prohibits merging of the Mint and the Bureau of Engraving and Printing.

Section 218 directs the Secretary to report on Chinese currency.

Language is included under Internal Revenue Service, "Processing, Assistance and Management" dedicating funding for the Internal Revenue Service Oversight Board.

Language is included for the Internal Revenue Service, "Processing, assistance, and management" that provides funds for management services, rent and utilities, services authorized by 5 U.S.C. 3109, and official reception and representation expenses. Language also has been included that provides funds for the Tax Counseling for the Elderly program, low-income taxpayer clinic grants, the IRS Oversight Board and official representation and reception expenses.

Language is included for Internal Revenue Service, "Tax law enforcement" that provides funds for the purchase and hire of vehicles; services authorized by 5 U.S.C. 3109; and reimbursement of the Social Security Administration.

Language is included for Internal Revenue Service, "Information systems" that provides funds for the hire of motor vehicles and services authorized by 5 U.S.C. 3109.

Language has been included for Internal Revenue Service, "Business systems modernization" that provides for the capital asset acquisition of information technology, including management and related contractual costs of said acquisitions, including contractual costs associated with operation authorized by 5 U.S.C. 3109 and that restricts the use of the funds.

Language is included for the Internal Revenue Service, "Health insurance tax credit administration" to implement the health insurance tax credit included in the Trade Act of 2003 (Public Law 107–210).

Section 202 requires the IRS to maintain a training program in taxpayer's rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 203 requires the IRS to institute policies and procedures, which will safeguard the confidentiality of taxpayer information.

Section 204 requires the IRS to maintain and improve a 1–800 help line service for taxpayers.

Section 205 prohibits the use of funds to modify the number or location of taxpayer assistance centers until certain criteria are met.

TITLE III—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Language is included under Department of Housing and Urban Development, which designates funds for various programs, activities, and purposes, and specifies the uses of such funds.

Language is included under Department of Housing and Urban Development, tenant-based rental assistance, which specifies the allocation of funds and limits the use of certain funds.

Language is included under Department of Housing and Urban Development, project-based rental assistance, which specifies the allocation of funds.

Language is included under Department of Housing and Urban Development, public housing capital fund, which limits the delegation of certain waiver authorities and prohibits funds from being used for certain activities.

Language is included under Department of Housing and Urban Development, public housing operating fund, which sets the basis for the allocation of funds.

Language is included under Department of Housing and Urban Development, housing opportunities for persons with AIDS which sets forth certain requirements for the allocation of funds.

Language is included under Department of Housing and Urban Development, community development fund, which specifies the allocation of certain funds; limits the use of certain funds; and makes technical changes to the uses of certain funds.

Language is included under Department of Housing and Urban Development, home investment partnerships program, which specifies the allocation of certain funds.

Language is included under Department of Housing and Urban Development, homeless assistance grants, which establishes certain minimum funding and matching requirements; and requires grantees to integrate homeless programs with other social service providers.

Language is included under Department of Housing and Urban Development, housing for the elderly, which specifies the allocation of certain funds; designates certain funds to be used only for certain grants; and allows the Secretary to waive certain provisions governing contract terms.

Language is included under Department of Housing and Urban Development, housing for persons with disabilities, which specifies the allocation of certain funds; allows funds to be used to renew certain contracts; and allows the Secretary to waive certain provisions governing contract terms.

Language is included under Department of Housing and Urban Development, flexible subsidy fund, which permits the use of excess rental charges.

Language is included under Department of Housing and Urban Development, manufactured housing fees trust fund, which permits fees to be modified and permits temporary borrowing authority from the General Fund of the Treasury.

Language is included under the Department of Housing and Urban Development, policy development and research, which specify the use of certain funds.

Language is included under Department of Housing and Urban Development, fair housing and equal opportunity, which place restrictions on the use of funds for lobbying activities.

Language is included under Department of Housing and Urban Development, management and administration, which specifies the allocation of funds; sets forth certain authorities of, and requirements on, the office of the Chief Financial Officer.

Language is included under Department of Housing and Urban Development, Office of Federal Housing Enterprise Oversight, which permits temporary borrowing authority from the General Fund of the Treasury.

Language is included under Department of Housing and Urban Development, administrative provisions; prohibits funds to investigate or prosecute certain lawful activities; prohibits funds to be used to change the terms and condition on which the audit of GNMA is conducted; revises allocations for housing opportunities for persons with AIDS grant recipients; waives certain section 8 rental payment limits for a demonstration program; relates to the expenditures for certain corporations and agencies; relates to allocations of funds in excess of budget estimates; requires submission of a spending plan for certain activities; requires certain reporting requirements regarding departmental funds; requires maintenance of certain rental assistance contract; allowing the use of certain funds for maintenance and disposition of certain properties; sets forth requirements for submission of budget justifications; and for allocation of certain assistance.

TITLE IV—THE JUDICIARY

Under Supreme Court, "Salaries and expenses" language is included permitting certain funds to remain available until expended.

Under Courts of Appeals, District Courts, and other Judicial Services, Court Security, language is included regarding additional uses of funds.

Section 401 permits use of funds for activities authorized by 5 U.S.C. 3109.

TITLE V—DISTRICT OF COLUMBIA

Language under "Federal Payment for Resident Tuition Support" provides that the amount appropriated shall remain available until expended.

Language under "Federal Payment for Emergency Planning and Security Costs" provides that the amount appropriated shall remain available until expended.

Language under "Federal Payment to the District of Columbia Courts": (1) provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration; (2) allows funds made available for capital improvements to remain available until September 30, 2007; and (3) provides for the reallocation of funds.

Language under "Defender Services in the District of Columbia Courts": (1) provides that the amount appropriated shall remain

available until expended, (2) provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration.

Language under "Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia": (1) provides that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration; (2) authorizes the Director to accept and use gifts to support offender and defendant programs and equipment and vocational training services to educate and train offenders and defendants, (3) authorizes the Director to charge fees to cover the costs of training and materials distributed at conferences.

Language under "Federal Payment to the District of Columbia Water and Sewer Authority" provides that the amount appropriated shall remain available until expended.

Language under "Federal Payment for the Anacostia Waterfront Initiative" provides that the amount appropriated shall remain available until September 30, 2007.

Language under "Federal Payment to the District of Columbia for Capital Development" provides that the amount appropriated shall remain available until expended.

Section 501 specifies that an appropriation for a particular purpose or object shall be considered as the maximum amount that may be expended for said purpose or object.

Section 502 permits funds for travel and payment of dues.

Section 503 appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

Section 504 prohibits the use of appropriation for publicity or propaganda purposes.

Section 505 establishes reprogramming and transfer requirements.

Section 506 prohibits use of funds only to the objects for which the appropriations were made.

Section 507 clarifies the pay setting authority for District employees as the District's Merit Personnel Act rather than title 5 of the United States Code.

Section 508 directs the Mayor of the District of Columbia to submit new fiscal year 2006 revenue estimates as of the end of such quarter.

Section 509 prohibits the District government from renewing or extending sole source contracts without opening them to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985.

Section 510 prohibits the use of Federal funds for salaries, expenses, or other costs associated with the offices of U.S. Senator or Representative under section 4(d) of the D.C. Statehood Constitutional Convention Initiatives of 1979.

Section 511 prohibits Federal funds made available in this Act from being used to implement or enforce any system of registration for unmarried cohabitating couples.

Section 512 allows the mayor to accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

Section 513 restricts the use of official vehicles to official duties and not between a residence and workplace, except in the case of a police officer who resides in the District of Columbia at the discretion of the Chief, an officer or employee of the D.C. Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day, the Mayor of the District of Columbia, and the Chairman of the Council of the District of Columbia.

Section 514 prohibits the use of funds for the audit of the District government's annual financial statements unless the DC Inspector General either conducts, or contracts for, the audit.

Section 515 prohibits the use of appropriated funds by the Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Section 516 prohibits the use of any funds in this Act to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

Section 517 requires the Chief Financial Officers of the District of Columbia to certify that they understand the duties and restrictions applicable to their agency as a result of this Act.

Section 518 includes a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 519 requires the Mayor of the District of Columbia to submit quarterly reports on various issues pertaining to the District of Columbia.

Section 520 requires the CFO to submit a revised appropriated funds operating budget in the format of the budget that the District government submitted pursuant to section 442 of the DC Home Rule Act for all agencies no later than 30 calendar days after the date of enactment of this Act.

Section 521 prohibits the transfer of Federal funds to any department, agency, or instrumentality of the U.S. government, except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriation Act.

Section 522 requires the District of Columbia Courts to transfer all fines levied and collected by the Courts in cases charging Driving Under the Influence and Driving While Impaired to the general treasury of the District of Columbia to remain available until expended and used by the Office of the Corporation Counsel for enforcement and prosecution of District traffic alcohol laws.

Section 523 prohibits the use of any funds in the Act to: (1) pay the fees of an attorney who represents a party in an action or any attorney who defends any action, including an administrative proceeding, brought against D.C. Public Schools under the Individuals With Disabilities Act (IDEA) in excess of $4,000 for that action; (2) pay the fees of an attorney or firm whom the CFO determines to

have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers; and (3) require all savings to be used to expand special education services within the District.

Section 524 requires attorneys in special education cases brought under IDEA to comply with several reporting requirements and allow the Inspector General to conduct investigations to determine the accuracy of the certifications.

Section 525 allows for appropriations in this Act to be increased by no more than $42,000,000 from unexpended general funds, and may be used only for unanticipated one-time expenditures, to avoid deficit spending, for debt reduction, for unanticipated program needs, or to avoid revenue shortfalls.

Section 526 makes a technical correction under the heading of "Federal Payment for School Improvement" in Public Law 108–355 (118 Stat. 1327).

Section 527 allows for the obligation of additional "Other Type Funds" under certain circumstances.

Section 528 allows for the obligation of additional "Local Funds" under certain circumstances.

Section 529 allows for short-term borrowing from the emergency and contingency reserve funds established under section 450A of the District of Columbia Home Rule Act (Public Law 98–198; D.C. Official Code, sec. 1–204.50a) under certain circumstances.

Section 530 maintains funding for the District of Columbia Inspector General.

TITLE VI—EXECUTIVE OFFICE OF THE PRESIDENT

The Committee has continued language that mandates that unused amounts of the President's expense allowance will revert to the Treasury and which provides funds for service authorized by 5 U.S.C. 3109, subsistence expenses, hire of vehicles, newspapers, periodicals, teletype news service, travel, and official entertainment expenses. The Committee has continued language making funds available for reimbursement to the White House Communications Agency.

The Committee has continued language that provides funds for operation and maintenance of the White House for official entertainment expenses; language specifying the authorized use of funds; language specifying that reimbursable expenses are the exclusive authority of the Executive Residence to incur obligations and receive offsetting collections; language requiring the sponsors of political events to make advance payments; language requiring the national committee of the political party of the President to maintain $25,000 on deposit; language requiring the Executive Residence to ensure that amounts owed are billed within 60 days of a reimbursable event and collected within 30 days of the bill notice; language authorizing the Executive Residence to charge and assess interest and penalties on late payments; language authorizing all reimbursements to be deposited into the Treasury as a miscellaneous receipt; language requiring a report to the Committee on the reimbursable expenses within 90 days of the end of the fiscal year; language requiring the Executive Residence to maintain a system for tracking and classifying reimbursable

events; and language specifying that the Executive Residence is not exempt from the requirements of subchapter I or II of chapter 37 of title 31, United States Code.

The Committee has continued language that provides funds for the hire of vehicles and funds for a capital investment plan that provides for the continued modernization of the information technology infrastructure.

The Committee has continued language that provides funds for expenses, the hire of vehicles, carrying out provisions of chapter 35 of 44 U.S.C., directs that funds shall be applied only to items for which appropriations were made, prohibits the review of agricultural marketing orders and the alteration of certain testimony. The Committee has continued language prohibiting the use of funds for the purpose of OMB calculating, preparing, or approving any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations.

The Committee has continued language that provides funds for expenses, research, official reception and representation expenses, participation in joint projects, and allows for the acceptance of gifts. The Committee has continued language providing funds for model state drug law conferences and policy research and evaluation and making these funds available until expended.

The Committee has continued language that provides funds for counternarcotics research and development and the technology transfer program.

The Committee has continued language that provides a certain level of funding for State, local and Federal drug control efforts, and requires obligation of funds within a specified period of time. The Committee continues language regarding the availability of funds.

The Committee has continued language that provides funds for operation and maintenance of the official residence of the Vice President, the hire of vehicles, official entertainment expenses and provides for the transfer of funds as necessary. The Committee has continued language that enables the Vice President to provide assistance to the President, services authorized by 5 U.S.C. 3109, subsistence, and the hire for vehicles.

Under the Office of Management and Budget, prohibits the use for funds to restrict the implementation of marketing orders issued pursuant to the Agriculture Marketing Agreement Act.

Under the Office of National Drug Control Policy, prevents a change from the current allocation of funds for the media campaign.

TITLE VII—INDEPENDENT AGENCIES

Language has been included for the General Services Administration Federal Buildings Fund that specifies the conditions under which funds made available can be used and designates certain projects that can be undertaken. Many technical provisions have been included regarding use of funds in the Federal Buildings Fund that are not specifically authorized by law. Language has been included that limits project funds available for construction and repair and alteration of buildings not authorized by law. A more detailed analysis of the Federal Buildings Funds can be found in the General Services Administration chapter of this report.

Language has been included for General Services Administration government-wide policy that provides funds for policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services authorized by 5 U.S.C. 3109.

Language has been included for General Services Administration operating expenses that provides funds for expenses for activities associated with personal and real property; technology management and activities; information access activities; agency-wide policy direction and management; other support services; and official reception and representation expenses.

Language has been included for the GSA Office of Inspector General that provides funds for information and detection of fraud; and for awards in recognition of efforts that enhance the office.

Language has been included for the GSA electronic government fund that allows these funds to be transferred.

Language has been included for allowances and office staff for former Presidents that allow a portion of these funds to be transferred.

Section 701 provides that costs included in rent received from government corporations for operation, protection, maintenance, upkeep, repair and improvement shall be credited to the Federal Buildings Fund.

Section 702 authorizes the use of funds for the hire of motor vehicles.

Section 703 provides that funds made available for activities of the Federal Buildings Fund may be transferred between appropriations with advance approval of the Congress.

Section 704 prohibits the use of funds for developing courthouse construction requests that do not meet GSA standards and the priorities of the Judicial Conference.

Section 705 provides that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided, to any agency which does not pay the requested rent.

Section 706 permits GSA to pay small claims (up to $250,000) made against the government.

Section 707 prohibits GSA from conveying a property in Phoenix, Arizona.

Language has been included which stipulates that mail for oversees voting and mail for the blind is free.

Language has been included which stipulates that 6–day delivery and rural mail delivery shall continue at not less than the 1983 level

Language has been included which prohibits funds from being used to charge a fee to a child support enforcement agency seeking the address of a postal customer.

Under the National Credit Union Administration, language has been included which limits funds for administrative expenses at $323,000.

Under the Selective Service System, language has been included which prohibits funds for being used to induct any person into the US Armed Forces.

TITLE VIII—GENERAL PROVISIONS, THIS ACT

Section 801. The Committee continues the provision requiring pay raises to be funded within appropriated levels in this Act or previous appropriations Acts.

Section 802. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 803. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 804. The Committee continues the provision limiting consulting service expenditures of public record in procurement contracts.

Section 805. The Committee continues the provision prohibiting funds in this Act to be transferred without express authority.

Section 806. The Committee continues the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 807. The Committee continues the provision concerning employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 808. The Committee continues the provision concerning compliance with the Buy American Act.

Section 809. The Committee continues a provision prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 810. The Committee modifies a provision specifying reprogramming procedures by subjecting the establishment of new offices and reorganizations to the reprogramming process.

Section 811. The Committee continues the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 812. The Committee includes a provision providing that funds used by the Executive Office of the President not be used to request any official background investigation from the Federal Bureau of Investigation.

Section 813. The Committee includes a provision requiring that cost accounting standards not apply to a contract under the Federal Health Benefits Program.

Section 814. The Committee continues a provision regarding nonforeign area cost of living allowances.

Section 815. The Committee continues the provision prohibiting the expenditure of funds for abortions under the FEHBP.

Section 816. The Committee continues the provision prohibiting the expenditure of funds for abortions under the FEHBP unless the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 817. The Committee continues a new provision waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition by the Federal Government of information technology.

Section 818. The Committee continues the provision prohibiting the use of funds for a proposed rule relating to the determination that real estate brokerage is a financial activity.

Section 819. The Committee continues the provision prohibiting the use of funds to implement an Essential Air Service (EAS) local Cost Share Participation pilot program.

Section 820. The Committee includes a provision that extends the Federal Election Commission's administrative fine program through December 31, 2008.

TITLE IX—GOVERNMENT-WIDE PROVISIONS

Departments, Agencies, and Corporations

Section 901. The Committee continues the provision authorizing agencies to pay costs of travel to the United States for the immediate families of federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 902. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 903. The Committee continues the provision regarding price limitations on vehicles to be purchased by the Federal Government.

Section 904. The Committee continues the provision allowing funds made available to agencies for travel, to also be used for quarter allowances and cost-of-living allowances.

Section 905. The Committee continues the provision prohibiting the government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 906. The Committee continues the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 907. The Committee continues the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 908. The Committee continues the provision providing that funds may be used to pay rent and other service costs in the District of Columbia.

Section 909. The Committee continues the provision prohibiting payments to persons filling positions for which they have been nominated after the Senate has voted not to approve the nomination.

Section 910. The Committee continues the provision prohibiting interagency financing of groups absent prior statutory approval.

Section 911. The Committee continues the provision authorizing the Postal Service to employ guards and give them the same special police powers as certain other federal guards.

Section 912. The Committee continues the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 913. The Committee continues the provision limiting the pay increases of certain prevailing rate employees.

Section 914. The Committee continues the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 915. The Committee continues the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 916. The Committee continues the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 917. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all workplaces are free from discrimination and sexual harassment.

Section 918. The Committee continues the provision prohibiting the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 919. The Committee continues the provision prohibiting Federal training not directly related to the performance of official duties.

Section 920. The Committee continues the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 921. The Committee continues the provision prohibiting propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 922. The Committee continues the provision prohibiting any federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 923. The Committee continues the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 924. The Committee continues the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 925. The Committee continues the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 926. The Committee continues the provision, with technical modifications, authorizing the use of funds to finance an appropriate share of the Joint Financial Management Improvement Program.

Section 927. The Committee continues the provision, with technical modifications, authorizing agencies to transfer funds to the Governmentwide Policy account of GSA to finance an appropriate share of the Joint Financial Management Improvement Program and other purposes.

Section 928. The Committee continues the provision, to prohibit any department or agency from using appropriated funds to independently contract with private companies to provide online employment applications and processing services.

Section 929. The Committee continues the provision that permits breast feeding in a federal building or on federal property if the woman and child are authorized to be there.

Section 930. The Committee continues the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the Na-

tional Science and Technology Council. The report should include the entire budget of the National Science and Technology Council.

Section 931. The Committee continues the provision requiring documents involving the distribution of federal funds to indicate the agency providing the funds and the amount provided.

Section 932. The Committee extends the authorization period for agency franchise funds by striking "October 1, 2005" and inserting "October 1, 2006", as requested.

Section 933. The Committee continues the provision prohibiting the use of funds to monitor personal information relating to the use of federal internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any federal internet site of such agency.

Section 934. The Committee continues the provision requiring health plans participating in the FEHBP to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 935. The Committee continues the provision providing recognition of the U.S. Anti-Doping Agency as the official anti-doping agency.

Section 936. The Committee continues a provision allowing funds for official travel to be used by departments and agencies, if consistent with OMB and Budget Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 937. The Committee continues the provision prohibiting funds from being expended for the purchase of a product or service offered by Federal Prison Industries, Inc. unless the agency determines the products to constitute the best value to the buying agency.

Section 938. The Committee continues a provision prohibiting funds for implementation of OPM regulations limiting detailees to the Legislative Branch, and implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 939. The Committee continues a provision requiring agencies to evaluate the creditworthiness of an individual before issuing the individual a government travel charge card and limits agency actions accordingly.

Section 940. The Committee continues a provision providing that restricts the use of funds for federal law enforcement training facilities.

Section 941. The Committee continues a provision that allows for transfer authority among certain offices of the Executive Office of the President.

Section 942. The Committee includes a provision amending P.L. 105–270.

Section 943. The Committee includes a provision concerning the use of funds for the "e-gov" initiative that were not appropriated specifically for that purpose.

Section 944. The Committee continues a provision, with modification, providing that the adjustment in rates of basic pay for employees under statutory pay systems taking effect in fiscal year 2006 shall be an increase of 3.1 percent.

Section 945. The Committee includes a new provision prohibiting a credit card issuer from adjusting a card holder's annual percentage rate based on information unrelated to the account.

Section 946. The Committee includes a provision that prohibits executive branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by the executive branch agency.

Section 947. The Committee includes a new provision prohibiting funds from implementing a final rule published February 25, 2005 regarding Cuba exports.

COMPARISON WITH THE BUDGET RESOLUTION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives requires an explanation of compliance with section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, which requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year from the Committee's section 302(a) allocation.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill as provided to the Committee by the Congressional Budget Office.

FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to state and local governments.

BUDGETARY IMPACT OF
FY 2006 TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL
PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	302 (b) Allocation		This Bill		
	Budget Authority	Outlays	Budget Authority		Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 2006: Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, and DC					
General purpose discretionary	66,935	120,837	66,935	1/	120,837
Mandatory	18,987	18,973	18,987		18,973
Projection of outlays associated with the recommendation:					
2006	n.a.	n.a.	n.a.	2/	71,536
2007	n.a.	n.a.	n.a.		39,031
2008	n.a.	n.a.	n.a.		11,905
2009	n.a.	n.a.	n.a.		5,535
2010 and future years	n.a.	n.a.	n.a.		5,596
Financial assistance to State and local governments for 2006	n.a.	n.a.	30,390		24,549

1/ Includes outlays from prior-year budget authority.
2/ Excludes outlays from prior-year budget authority.

NA: Not applicable.

RESCISSIONS

Pursuant to the provisions of clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Federal Aviation Administration, Airport Improvement Program	-$469,000,000
Maritime Administration, Ship Construction	-2,071,280
Department of Housing and Urban Development, Housing Certificate Fund	-$2,493,600,000
National Transportation Safety Board	-$1,000,000

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: June 21, 2005
Measure: Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Bill, FY 2006
Motion by: Mr. Olver
Description of Motion: To increase funding for the National Railroad Passenger Corporation, IRS Tax Law Enforcement, the Community Development Fund, the Election Assistance Commission, and Youthbuild offset by changes to the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003.
Results: Rejected 27 yeas to 34 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Berry	Mr. Aderholt
Mr. Bishop	Mr. Alexander
Mr. Boyd	Mr. Bonilla
Mr. Clyburn	Mr. Crenshaw
Mr. Cramer	Mr. Culberson
Ms. DeLauro	Mr. Cunningham
Mr. Dicks	Mr. Doolittle
Mr. Edwards	Mrs. Emerson
Mr. Farr	Mr. Frelinghuysen
Mr. Fattah	Mr. Goode
Mr. Hinchey	Ms. Granger
Mr. Hoyer	Mr. Hobson
Mr. Jackson	Mr. Istook
Ms. Kaptur	Mr. Kingston
Mr. Kennedy	Mr. Kirk
Ms. Kilpatrick	Mr. Knollenberg
Mrs. Lowey	Mr. Kolbe
Mr. Moran	Mr. LaHood
Mr. Obey	Mr. Latham
Mr. Olver	Mr. Lewis
Mr. Pastor	Mrs. Northup
Mr. Price	Mr. Peterson
Mr. Rothman	Mr. Regula
Ms. Roybal-Allard	Mr. Rehberg
Mr. Sabo	Mr. Rogers
Mr. Serrano	Mr. Sherwood
Mr. Visclosky	Mr. Simpson
	Mr. Sweeney
	Mr. Taylor
	Mr. Tiahrt
	Mr. Wamp
	Dr. Weldon
	Mr. Wicker
	Mr. Wolf

ROLL CALL NO. 2

Date: June 21, 2005
Measure: Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Bill, FY 2006
Motion by: Mr. Obey
Description of Motion: To require the Government Accountability Office to report on the possible impact of airline industry re-regulation on airline pension plans.
Results: Adopted 30 yeas to 28 nays.

Members Voting Yea

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Clyburn
Mr. Cramer
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mrs. Emerson
Mr. Farr
Mr. Fattah
Mr. Hoyer
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Mr. LaHood
Mrs. Lowey
Mr. Moran
Mrs. Northup
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Sabo
Mr. Serrano
Mr. Visclosky
Mr. Wamp
Mr. Wolf

Members Voting Nay

Mr. Aderholt
Mr. Alexander
Mr. Bonilla
Mr. Crenshaw
Mr. Culberson
Mr. Cunningham
Mr. Doolittle
Mr. Frelinghuysen
Ms. Granger
Mr. Hobson
Mr. Istook
Mr. Kingston
Mr. Kirk
Mr. Knollenberg
Mr. Kolbe
Mr. Latham
Mr. Lewis
Mr. Peterson
Mr. Regula
Mr. Rehberg
Mr. Rogers
Mr. Sherwood
Mr. Simpson
Mr. Taylor
Mr. Tiahrt
Mr. Walsh
Dr. Weldon
Mr. Wicker

ROLL CALL NO. 3

Date: June 21, 2005
Measure: Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Bill, FY 2006
Motion by: Mr. Obey
Description of Motion: To amend the Fair Credit Reporting Act by prohibiting credit card issuers from increasing annual percentage rates or introductory annual percentage rates based on negative information in a consumer report unrelated to the account.
Results: Adopted 33 yeas to 25 nays.

Members Voting Yea

Mr. Berry
Mr. Bishop
Mr. Cunningham
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mrs. Emerson
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Hoyer
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Mr. LaHood
Mrs. Lowey
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Peterson
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Sabo
Mr. Serrano
Mr. Sweeney
Mr. Tiahrt
Mr. Visclosky
Mr. Wamp
Mr. Wicker

Members Voting Nay

Mr. Aderholt
Mr. Alexander
Mr. Bonilla
Mr. Crenshaw
Mr. Doolittle
Mr. Frelinghuysen
Mr. Goode
Ms. Granger
Mr. Hobson
Mr. Istook
Mr. Kingston
Mr. Knollenberg
Mr. Kolbe
Mr. Latham
Mr. Lewis
Mrs. Northup
Mr. Regula
Mr. Rehberg
Mr. Rogers
Mr. Sherwood
Mr. Simpson
Mr. Taylor
Mr. Walsh
Dr. Weldon
Mr. Wolf

ROLL CALL NO. 4

Date: June 21, 2005
Measure: Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Bill, FY 2006
Motion by: Olver
Description of Motion: To increase funding for Youthbuild by $50,000,000 offset from the General Services Administration, Federal Buildings Fund.
Results: Rejected 28 yeas to 30 nays.

Members Voting Yea

Mr. Berry
Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Hoyer
Mr. Jackson
Mr. Kennedy
Ms. Kilpatrick
Mr. Kirk
Mrs. Lowey
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mrs. Northup
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Sabo
Mr. Serrano
Mr. Visclosky
Mr. Walsh

Members Voting Nay

Mr. Aderholt
Mr. Alexander
Mr. Bonilla
Mr. Crenshaw
Mr. Culberson
Mr. Cunningham
Mrs. Emerson
Mr. Frelinghuysen
Mr. Goode
Ms. Granger
Mr. Hobson
Mr. Istook
Mr. Knollenberg
Mr. Kolbe
Mr. LaHood
Mr. Latham
Mr. Lewis
Mr. Peterson
Mr. Regula
Mr. Rehberg
Mr. Rogers
Mr. Sherwood
Mr. Simpson
Mr. Sweeney
Mr. Taylor
Mr. Tiahrt
Mr. Wamp
Dr. Weldon
Mr. Wicker
Mr. Wolf

ROLL CALL NO. 5

Date: June 21, 2005
Measure: Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Bill, FY 2006
Motion by: Ms. DeLauro
Description of Motion: To prohibit contracts with an expatriated entity or surrogate foreign corporation if subparagraph (B)(i) of 7874(a)(2) of the Internal Revenue Code read "completes" instead of "completes after March 4, 2003", unless the President certifies to the Congress that a waiver is needed in the interest of national security.
Results: Rejected 22 yeas to 36 nays.

Members Voting Yea

Mr. Berry
Mr. Bishop
Ms. DeLauro
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Jackson
Mr. Kennedy
Ms. Kilpatrick
Mr. Mollohan
Mrs. Northup
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Rothman
Ms. Roybal-Allard
Mr. Sabo
Mr. Serrano
Mr. Sherwood
Mr. Visclosky
Mr. Wamp

Members Voting Nay

Mr. Aderholt
Mr. Alexander
Mr. Bonilla
Mr. Crenshaw
Mr. Culberson
Mr. Cunningham
Mr. Dicks
Mr. Doolittle
Mrs. Emerson
Mr. Frelinghuysen
Mr. Goode
Ms. Granger
Mr. Hobson
Mr. Hoyer
Mr. Istook
Mr. Kingston
Mr. Kirk
Mr. Knollenberg
Mr. Kolbe
Mr. LaHood
Mr. Latham
Mr. Lewis
Mr. Moran
Mr. Murtha
Mr. Peterson
Mr. Price
Mr. Regula
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Sweeney
Mr. Taylor
Mr. Tiahrt
Mr. Walsh
Dr. Weldon
Mr. Wolf

ROLL CALL NO. 6

Date: June 21, 2005
Measure: Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Bill, FY 2006
Motion by: Mr. Hinchey
Description of Motion: To prohibit funds in this or any other Act to be used by an executive branch agency or its contractor to create advertisements or other communications for dissemination in the United States unless the text of the communication specifies that the material was prepared or funded by that executive branch agency.
Results: Rejected 25 yeas to 34 nays.

Members Voting Yea

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Clyburn
Mr. Cramer
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Hoyer
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Mrs. Lowey
Mr. Moran
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Sabo
Mr. Visclosky

Members Voting Nay

Mr. Aderholt
Mr. Alexander
Mr. Bonilla
Mr. Culberson
Mr. Cunningham
Mr. Doolittle
Mrs. Emerson
Mr. Frelinghuysen
Mr. Goode
Ms. Granger
Mr. Hobson
Mr. Istook
Mr. Kingston
Mr. Kirk
Mr. Knollenberg
Mr. Kolbe
Mr. LaHood
Mr. Latham
Mr. Lewis
Mrs. Northup
Mr. Peterson
Mr. Regula
Mr. Rehberg
Mr. Rogers
Mr. Sherwood
Mr. Simpson
Mr. Sweeney
Mr. Taylor
Mr. Tiahrt
Mr. Walsh
Mr. Wamp
Dr. Weldon
Mr. Wicker
Mr. Wolf

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
600	TITLE I - DEPARTMENT OF TRANSPORTATION					
700	Office of the Secretary					
800	Salaries and expenses	86,536	87,046	84,913	-1,623	-2,133
900	Immediate Office of the Secretary	(2,202)	---	(2,198)	(-4)	(+2,198)
1000	Immediate Office of the Deputy Secretary	(699)	---	(698)	(-1)	(+698)
1100	Immediate office of the Secretary and Deputy					
1300	Office of the General Counsel	(15,272)	---	(15,183)	(-89)	(+15,183)
1500	Office of the Assistant Secretary for Aviation					
1700	Office of the Under Secretary for Transportation					
1800	Policy	(12,526)	---	(11,680)	(-846)	(+11,680)
1900	Office of the Assistant Secretary for Budget					
2000	and Programs	(8,504)	---	(7,593)	(-911)	(+7,593)
2100	Office of the Assistant Secretary for Governmental					
2200	Affairs	(2,297)	---	(2,052)	(-245)	(+2,052)
2300	Office of the Assistant Secretary for					
2400	Administration	(23,249)	---	(23,139)	(-110)	(+23,139)
2500	Office of Public Affairs	(1,914)	---	(1,910)	(-4)	(+1,910)
2600	Executive Secretariat	(1,444)	---	(1,442)	(-2)	(+1,442)
2700	Board of Contract Appeals	(698)	---	(697)	(-1)	(+697)
2800	Office of Small and Disadvantaged Business					
2900	Utilization	(1,268)	---	(1,265)	(-3)	(+1,265)
3000	Office of Intelligence and Security	(2,037)	---	(2,033)	(-4)	(+2,033)
3100	Office of the Chief Information Officer	(11,301)	---	(11,895)	(+594)	(+11,895)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
3200 Office of emergency transportation	(3,125)	---	(3,128)	(+3)	(+3,128)
3250 User fees	(-2,500)	(-2,500)	(-2,500)	---	---
3300 Spending of user fees	(2,500)	(2,500)	(2,500)	---	---
3400 Subtotal	(86,536)	(87,046)	(84,913)	(-1,623)	(-2,133)
3500 Office of Civil Rights	8,630	8,550	8,550	-80	---
3600 Rescission of excess compensation for air carriers	-235,000	---	---	+235,000	---
3700 Transportation planning, research, and development	19,840	9,030	40,613	+20,773	+31,583
3800 Working capital fund	(149,846)	---	(120,014)	(-29,832)	(+120,014)
3900 Minority business resource center program	893	900	900	+7	---
4000 (Limitation on guaranteed loans)	(18,367)	(18,367)	(18,367)	---	---
4100 Minority business outreach	2,976	3,000	3,000	+24	---
4200 New headquarters building	67,456	100,000	100,000	+32,544	---
4300 Payments to air carriers (Airport & Airway Trust Fund)	51,584	---	54,000	+2,416	+54,000
4400 Total, Office of the Secretary	237,915	208,526	291,976	+54,061	+83,450
4700 Federal Aviation Administration					
4800 Operations	7,712,800	8,051,000	8,042,920	+330,120	-8,080
4900 Flight Service Stations A-76 transition	---	150,000	150,000	+150,000	---
5000 Subtotal	7,712,800	8,201,000	8,192,920	+480,120	-8,080
5100 Facilities & equipment (Airport & Airway Trust Fund)	2,519,680	2,448,000	3,053,000	+533,320	+605,000
5200 Emergency appropriations (P.L. 108-324)	5,100	---	---	-5,100	---
5400 Research, engineering, and development (Airport and 5500 Airway Trust Fund)	129,880	130,000	130,000	+120	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
5600 Grants-in-aid for airports (Airport and Airway Trust					
5800 Fund)(Liquidation of contract authorization).....	(2,800,000)	(3,300,000)	(3,600,000)	(+800,000)	(+300,000)
5900 (Limitation on obligations).....	(3,472,000)	(3,000,000)	(3,600,000)	(+128,000)	(+600,000)
6000 Small community air service pilot program.....	(19,840)	---	(20,000)	(+160)	(+20,000)
6100 2006 F&E Pop-up contract authority.....	---	605,000	---	---	-605,000
6200 Rescission of contract authority (2006 F&E Pop-up)	---	-605,000	---	---	+605,000
6240 Rescission of contract authority (2006 AIP).....	---	-600,000	---	---	+600,000
6260 Rescission of contract authority (prior yr Pop-up)	-265,000	-469,000	-469,000	-204,000	---
6300 Emergency assistance to airports (Airport and					
6400 Airway Trust Fund) (P.L. 108-324).....	25,000	---	---	-25,000	---
6500 Subtotal.....	(3,232,000)	(1,931,000)	(3,131,000)	(-101,000)	(+1,200,000)
6700 War risk insurance (extension).....	-50,000	---	-80,000	-30,000	-80,000
6800 Total, Federal Aviation Administration.....	10,342,460	11,384,000	11,295,920	+953,460	-88,080
6900 (Limitations on obligations).....	(3,472,000)	(3,000,000)	(3,600,000)	(+128,000)	(+600,000)
7000 Rescissions of contract authority.....	-265,000	-1,674,000	-469,000	-204,000	+1,205,000
7100 Total budgetary resources.....	(13,549,460)	(12,710,000)	(14,426,920)	(+877,460)	(+1,716,920)
7200 Federal Highway Administration					
7300 Limitation on administrative expenses.....	(343,728)	(367,638)	(359,529)	(+15,801)	(-8,109)
7400 Federal-aid highways (Highway Trust Fund):					
7500 (Liquidation of contract authorization).....	(35,000,000)	(35,000,000)	(36,000,000)	(+1,000,000)	(+1,000,000)
7600 (Limitation on obligations).....	(34,422,400)	(34,700,000)	(36,287,100)	(+1,864,700)	(+1,587,100)
7700 (Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---	---
7800 (Transfer to NHTSA).....	(-156,127)	---	---	(+156,127)	---
7900 Rescission of contract authority (Highway Trust Fund).	-520,277	---	---	+520,277	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
8000	Appalachian development highway system	79,360	---	---	-79,360	---
8100	Emergency relief programs (Highway Trust Fund)	735,072	---	---	-735,072	---
8200	Emergency appropriations (P.L. 108-324)	1,202,000	---	---	-1,202,000	---
8300	Rescission of contract authority (Hwy Trust Fund)	-741,000	---	---	+741,000	---
8400	TIFIA (rescission of contract authority)	-100,000	---	---	+100,000	---
8500	Belleair causeway bridge	33,728	---	---	-33,728	---
8600	Unobligated balances(rescission of contract authority)	-14,408	---	---	+14,408	---
8605	Unobligated balances (rescission)	-2,000	---	---	+2,000	---
8700	Total, Federal Highway Administration	2,050,160	---	---	-2,050,160	---
8800	(Limitations on obligations)	(34,422,400)	(34,700,000)	(36,287,100)	(+1,864,700)	(+1,587,100)
8900	(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
9000	Rescissions	-2,000	---	---	+2,000	---
9100	Rescissions of contract authority	-1,375,685	---	---	+1,375,685	---
9200	Total budgetary resources	(35,833,875)	(35,439,000)	(37,026,100)	(+1,192,225)	(+1,587,100)
9300	Federal Motor Carrier Safety Administration					
9400	Motor carrier safety (limitation on administrative					
9500	expenses)(liquidation of contract authorization)	(257,547)	---	---	(-257,547)	---
9550	(Limitation on obligations)	(255,487)	---	---	(-255,487)	---
9600	National motor carrier safety program (Highway Trust					
9800	Fund)(Liquidation of contract authorization)	(190,000)	---	(286,000)	(+96,000)	(+286,000)
9900	(Limitation on obligations)	(188,480)	---	(286,000)	(+97,520)	(+286,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
10000 Motor carrier safety grants (Highway Trust Fund)					
10100 (Liquidation of contract authorization).....	---	(232,000)	---	---	(-232,000)
10200 (Limitation on obligations).....	---	(232,000)	---	---	(-232,000)
10300 Motor carrier safety operations and programs (Highway					
10500 Trust Fund)(Liquidation of contract authorization)..	---	(233,000)	(215,000)	(+215,000)	(-18,000)
10600 (Limitation on obligations).....	---	(233,000)	(215,000)	(+215,000)	(-18,000)
10700 Total, Federal Motor Carrier Safety Admin.....	---	---	---	---	---
10800 (Limitations on obligations).....	(446,027)	(465,000)	(501,000)	(+54,973)	(+36,000)
10900 Total budgetary resources.....	(446,027)	(465,000)	(501,000)	(+54,973)	(+36,000)
11000 National Highway Traffic Safety Administration					
11050 Operations and research.....	---	---	152,367	+152,367	+152,367
11100 Operations and research (Highway trust fund)					
11200 (Liquidation of contract authorization).....	(72,000)	(227,367)	(75,000)	(+3,000)	(-152,367)
11300 (Limitation on obligations).....	(71,424)	(227,367)	(75,000)	(+3,576)	(-152,367)
11400 (Transfer from FHA).....	(156,127)	---	---	(-156,127)	---
11600 National Driver Register (Highway trust fund)					
11700 (Liquidation of contract authorization).....	(3,600)	(4,000)	(4,000)	(+400)	---
11800 (Limitation on obligations).....	(3,571)	(4,000)	(4,000)	(+429)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
11900	Highway traffic safety grants (Highway Trust Fund)					
12000	(Liquidation of contract authorization).....	(225,000)	(465,000)	(551,000)	(+326,000)	(+86,000)
12100	(Limitation on obligations):					
12200	Highway safety programs (Sec. 402).....	(163,680)	(172,000)	(229,000)	(+65,320)	(+57,000)
12300	Formula grants (Sec. 402(k)).....	---	(183,000)	---	---	(-183,000)
12400	Formula grants (Sec. 402(l)).....	---	(50,000)	---	---	(-50,000)
12600	Occupant protection incentive grants (Sec. 405).	(19,840)	---	(136,000)	(+116,160)	(+136,000)
12700	Alcohol-impaired driving countermeasures					
12800	grants (Sec. 410).....	(39,680)	---	(129,000)	(+89,320)	(+129,000)
12900	Emergency medical services grants (Sec. 407)....	---	(10,000)	---	---	(-10,000)
13000	State traffic safety information system					
13100	improvement grants (Sec. 412).....	---	(50,000)	(30,000)	(+30,000)	(-20,000)
13125	High visibility enforcement.....	---	---	(15,000)	(+15,000)	(+15,000)
13150	Child safety and booster seat grants.....	---	---	(6,000)	(+6,000)	(+6,000)
13175	Motorcyclist safety.....	---	---	(6,000)	(+6,000)	(+6,000)
13200	Subtotal.....	(223,200)	(465,000)	(551,000)	(+327,800)	(+86,000)
13300	Total, National Highway Traffic Safety Admin..	---	---	152,367	+152,367	+152,367
13400	(Limitations on obligations).....	(298,195)	(696,367)	(630,000)	(+331,805)	(-66,367)
13500	Total budgetary resources.....	(298,195)	(696,367)	(782,367)	(+484,172)	(+86,000)
13600	Federal Railroad Administration					
13700	Safety and operations.....	138,651	145,949	145,949	+7,298	---
13800	Railroad research and development.....	35,737	46,325	26,325	-9,412	-20,000
13900	Railroad rehabilitation and improvement program.....	6,000	---	---	-6,000	---
14000	Next generation high-speed rail.....	19,493	---	10,165	-9,328	+10,165

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
14100	Alaska Railroad rehabilitation	24,800	---	---	-24,800	---
14200	Grants to the National Railroad Passenger					
14300	Corporation	1,207,264	360,000	550,000	-657,264	+190,000
14500	Total, Federal Railroad Administration	1,431,945	552,274	732,439	-699,506	+180,165
14600	Federal Transit Administration					
14700	Administrative expenses, general fund	---	83,500	---	---	-83,500
14800	Administrative expenses	9,672	---	12,000	+2,328	+12,000
14900	Administrative expenses (Highway Trust Fund, Mass					
15000	Transit Account)(limitation on obligations)	(67,704)	---	(68,000)	(+296)	(+68,000)
15100	Office of the Administrator	(892)	---	(989)	(+97)	(+989)
15200	Office of Chief Counsel	(4,067)	---	(4,140)	(+73)	(+4,140)
15300	Office of Civil Rights	(2,989)	---	(3,113)	(+124)	(+3,113)
15400	Office of Communications and Congressional					
15500	Affairs	(1,233)	---	(1,276)	(+43)	(+1,276)
15600	Office of Budget and Policy	(6,874)	---	(7,123)	(+249)	(+7,123)
15700	Office of Planning	(4,138)	---	(4,155)	(+17)	(+4,155)
15800	Office of Program Management	(7,337)	---	(7,916)	(+579)	(+7,916)
15900	Office of Demonstration and Innovation	(4,608)	---	(4,712)	(+104)	(+4,712)
16000	Office of Administration	(6,468)	---	(7,284)	(+816)	(+7,284)
16100	Central Account	(16,302)	---	(17,884)	(+1,582)	(+17,884)
16200	Regional offices	(19,988)	---	(21,408)	(+1,420)	(+21,408)
16300	National Transit database	(2,480)	---	---	(-2,480)	---
16400	Subtotal	(77,376)	---	(80,000)	(+2,624)	(+80,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
16500 Formula grants	499,990	---	662,550	+162,560	+662,550
16600 Formula grants (Highway Trust Fund, Mass Transit 16700 Account)(limitation on obligations)	(3,499,928)	---	(3,754,450)	(+254,522)	(+3,754,450)
16800 Formula grants and research (Highway Trust Fund, Mass 17100 Transit Account)(limitation on obligations)	---	(6,135,000)	---	---	(-6,135,000)
17200 Subtotal	(3,999,918)	(6,135,000)	(4,417,000)	(+417,082)	(-1,718,000)
17300 University transportation research	744	---	1,200	+456	+1,200
17400 University transportation research (Highway Trust Fund 17500 Mass Transit Account)(limitation on obligations)	(5,208)	---	(6,800)	(+1,592)	(+6,800)
17600 Subtotal	(5,952)	---	(8,000)	(+2,048)	(+8,000)
17700 Transit planning and research	15,872	---	24,049	+8,177	+24,049
17800 Transit planning and research (Highway Trust Fund, 17900 Mass Transit Account)(limitation on obligations)	(111,104)	---	(136,276)	(+25,172)	(+136,276)
18100 Rural transportation assistance	(5,208)	---	---	(-5,208)	---
18200 National transit institute	(3,968)	---	---	(-3,968)	---
18300 Transit cooperative research	(8,184)	---	---	(-8,184)	---
18350 Planning (TEA-LU)	---	---	(103,325)	(+103,325)	(+103,325)
18375 Research (TEA-LU)	---	---	(57,000)	(+57,000)	(+57,000)
18400 Metropolitan planning	(59,903)	---	---	(-59,903)	---
18500 State planning	(12,513)	---	---	(-12,513)	---
18600 National planning and research	(37,200)	---	---	(-37,200)	---
18800 Subtotal	(126,976)	---	(160,325)	(+33,349)	(+160,325)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
18900 Trust fund share of expenses (Highway Trust Fund)					
19000 (liquidation of contract authorization).....	(6,744,500)	(689,700)	(7,209,700)	(+465,200)	(+6,520,000)
19100 Capital investment grants.....	414,014	---	546,251	+132,237	+546,251
19200 Capital investment grants (Highway Trust Fund, Mass					
19300 Transit Account)(limitation on obligations).....	(2,898,100)	---	(3,095,424)	(+197,324)	(+3,095,424)
19500 Major capital investment grants.....	---	872,800	---	---	-872,800
19600 Major capital investment grants (Highway Trust Fund,					
19700 Mass Transit Account)(limitation on obligations)....	---	(689,700)	---	---	(-689,700)
19800 Subtotal.....	(3,312,114)	(1,562,500)	(3,641,675)	(+329,561)	(+2,079,175)
19900 Fixed guideway modernization.....	(1,204,684)	(1,531,250)	(1,386,670)	(+181,986)	(-144,580)
20000 Buses and bus-related facilities.....	(669,600)	---	(693,335)	(+23,735)	(+693,335)
20100 New starts.....	(1,437,830)	---	(1,561,670)	(+123,840)	(+1,561,670)
20200 Metropolitan and statewide planning activities..	---	(31,250)	---	---	(-31,250)
20300 Subtotal.....	(3,312,114)	(1,562,500)	(3,641,675)	(+329,561)	(+2,079,175)
20400 Job access and reverse commute grants.....	15,500	---	26,250	+10,750	+26,250
20500 Job access and reverse commute grants (Hwy Trust Fund,					
20600 Mass Transit Account)(limitation on obligations)....	(108,500)	---	(148,750)	(+40,250)	(+148,750)
20700 Subtotal.....	(124,000)	---	(175,000)	(+51,000)	(+175,000)
20800 Total, Federal Transit Administration.....	955,792	956,300	1,272,300	+316,508	+316,000
20900 (Limitations on obligations).....	(6,690,544)	(6,824,700)	(7,209,700)	(+519,156)	(+385,000)
21000 Total budgetary resources.....	(7,646,336)	(7,781,000)	(8,482,000)	(+835,664)	(+701,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
21100 Saint Lawrence Seaway Development Corporation					
21200 Operations and maintenance (Harbor Maintenance Trust					
21300 Fund)	15,773	8,000	16,284	+511	+8,284
21400 Spending from proposed mandatory user fee	---	8,284	---	---	-8,284
21500 Total, Saint Lawrence Seaway Development Corp.	15,773	16,284	16,284	+511	---
21600 Maritime Administration					
21700 Maritime security program	97,910	156,000	156,000	+58,090	---
21800 Operations and training	108,602	113,650	112,336	+3,734	-1,314
21900 Ship disposal	21,443	21,000	21,000	-443	---
22100 Maritime Guaranteed Loan (Title XI) Program Account:					
22200 Administrative expenses	4,726	3,526	3,526	-1,200	---
22300 National defense tank vessel construction program	74,400	---	---	-74,400	---
22400 Rescission	---	-74,400	---	---	+74,400
22500 Ship construction (rescission)	-1,979	---	-2,071	-92	-2,071
22600 Total, Maritime Administration	305,102	219,776	290,791	-14,311	+71,015
22900 Pipeline and Hazardous Materials					
23000 Safety Administration					
23100 Hazardous materials safety	---	26,324	26,183	+26,183	-141

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
23400 Administrative expenses	---	16,382	16,382	+16,382	---
23500 Pipeline Safety Fund	---	645	645	+645	---
23550 Subtotal	---	17,027	17,027	+17,027	---
23700 Pipeline safety:					
23800 Pipeline Safety Fund	54,331	54,165	57,860	+3,529	+3,695
23900 Oil Spill Liability Trust Fund	14,880	19,000	15,000	+120	-4,000
24000 Subtotal	69,211	73,165	72,860	+3,649	-305
24100 Emergency preparedness grants:					
24200 Emergency preparedness fund	198	200	200	+2	---
24300 Limitation on emergency preparedness fund	(14,300)	---	(14,300)	---	(+14,300)
24400 Total, Pipeline and Hazardous Materials Safety 24500 Administration	69,409	116,716	116,270	+46,861	-446
24600 Research and Innovative Technology Administration					
24700 Research and development	---	6,274	4,326	+4,326	-1,948
24800 Research and special programs	46,738	---	---	-46,738	---
24850 (By transfer)	(645)	---	---	(-645)	---
24900 Total, Research and Innovative Technology Admin.	46,738	6,274	4,326	-42,412	-1,948

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
25000	Office of Inspector General					
25100	Salaries and expenses	58,528	62,499	62,499	+3,971	---
25200	Surface Transportation Board					
25300	Salaries and expenses	21,080	24,388	26,622	+5,542	+2,234
25400	Offsetting collections	-1,050	-1,250	-1,250	-200	---
25500	Total, Surface Transportation Board	20,030	23,138	25,372	+5,342	+2,234
25600	Total, title I, Department of Transportation	13,656,167	11,871,787	13,791,544	+135,377	+1,919,757
25700	Appropriations	(14,303,731)	(13,620,187)	(14,262,615)	(-41,116)	(+642,428)
25750	Rescissions	(-238,979)	(-74,400)	(-2,071)	(+236,908)	(+72,329)
25775	Rescission of contract authority	(-1,640,685)	(-1,674,000)	(-469,000)	(+1,171,685)	(+1,205,000)
25800	Emergency appropriations	(1,232,100)	---	---	(-1,232,100)	---
26100	Offsetting collections	---	---	---	---	---
26200	(Limitations on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
26300	(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
26400	(By transfer)	(156,772)	---	---	(-156,772)	---
26500	(Transfer out)	(-156,127)	---	---	(+156,127)	---
26600	Net total budgetary resources	(59,724,333)	(58,296,854)	(62,758,344)	(+3,034,011)	(+4,461,490)
26700	Transportation discretionary total	13,656,167	11,871,787	13,791,544	+135,377	+1,919,757

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
26800	TITLE II - DEPARTMENT OF THE TREASURY					
26900	Departmental Offices					
26950	Salaries and expenses	156,299	195,253	187,452	+31,153	-7,801
27000	Executive direction	(7,216)	(16,656)	(7,216)	---	(-9,440)
27100	General Counsel	(7,142)	---	(7,521)	(+379)	(+7,521)
27200	Economic policies and and programs	(31,405)	(32,011)	(32,011)	(+606)	---
27300	Financial policies and programs	(25,863)	(24,721)	(24,721)	(-1,142)	---
27400	Financial crimes	(10,548)	(39,938)	(35,409)	(+24,861)	(-4,529)
27500	Treasury wide management	(16,626)	(16,843)	(16,843)	(+217)	---
27600	Administration	(57,499)	(65,084)	(63,731)	(+6,232)	(-1,353)
27700	Subtotal	(156,299)	(195,253)	(187,452)	(+31,153)	(-7,801)
27800	Office of Foreign Assets Control	22,113	---	---	-22,113	---
27900	Department-wide systems and capital investments					
28000	programs	32,002	24,412	21,412	-10,590	-3,000
28100	Office of Inspector General	16,368	16,722	17,000	+632	+278
28200	Treasury Inspector General for Tax Administration	128,093	133,286	133,286	+5,193	---
28300	Air transportation stabilization program account	1,984	2,942	2,500	+516	-442
28400	Community development financial institutions fund					
28500	program account	55,078	7,900	55,000	-78	+47,100
28600	Treasury building and annex repair and restoration	12,217	10,000	10,000	-2,217	---
28700	Expanded access to financial services (rescission)	-4,000	---	---	+4,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
28800 Violent crime reduction program (rescission).....	-1,200	---	---	+1,200	---
28900 Financial Crimes Enforcement Network.....	71,922	73,630	73,630	+1,708	---
28950 Total, Departmental Offices.....	490,876	464,145	500,280	+9,404	+36,135
29000 Financial Management Service.....	229,083	236,243	236,243	+7,160	---
29050 Alcohol and Tobacco Tax and Trade Bureau:					
29100 Salaries and expenses.....	82,336	62,486	91,126	+8,790	+28,640
29200 Spending from proposed mandatory user fees.....	---	28,640	---	---	-28,640
29350 Subtotal.....	82,336	91,126	91,126	+8,790	---
29400 Bureau of the Public Debt.....	173,765	176,923	176,923	+3,158	---
29500 Payment of government losses in shipment.....	1,000	1,000	1,000	---	---
29550 Total, Dept. of Treasury, non-IRS.....	977,060	969,437	1,005,572	+28,512	+36,135

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
29600	Internal Revenue Service					
29700	Tax administration and operations	---	10,013,555	---	---	-10,013,555
29750	Contingent appropriation	---	446,496	---	---	-446,496
29800	Processing, assistance, and management	4,056,857	---	4,181,520	+124,663	+4,181,520
29900	Tax law enforcement	4,363,539	---	4,541,466	+177,927	+4,541,466
30000	Information systems	1,577,768	---	1,606,846	+29,078	+1,606,846
30100	Subtotal	9,998,164	10,460,051	10,329,832	+331,668	-130,219
30200	Business systems modernization	203,360	199,000	199,000	-4,360	---
30300	Health Insurance Tax Credit Administration	34,562	20,210	20,210	-14,352	---
30400	Total, Internal Revenue Service	10,236,086	10,679,261	10,549,042	+312,956	-130,219
30500	Total, title II, Department of the Treasury	11,213,146	11,648,698	11,554,614	+341,468	-94,084
30600	Appropriations	11,218,346	11,648,698	11,554,614	+336,268	-94,084
30700	Rescissions	-5,200	---	---	+5,200	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
30800	TITLE III - DEPARTMENT OF HOUSING AND					
30900	URBAN DEVELOPMENT					
31000	Public and Indian Housing					
31050	Tenant-based Rental Assistance:					
31100	Direct appropriation	10,599,520	11,645,194	11,331,400	+731,880	-313,794
31150	Renewals	(13,355,285)	(14,089,756)	(14,089,756)	(+734,471)	---
31200	Tenant protection vouchers	(161,696)	(354,081)	(165,700)	(+4,004)	(-188,381)
31250	Family self-sufficiency coordinators	(45,632)	(55,000)	(45,000)	(-632)	(-10,000)
31300	Administrative fees	(1,200,426)	(1,295,408)	(1,225,000)	(+24,574)	(-70,408)
31350	Working capital fund	(2,881)	(5,949)	(5,900)	(+3,019)	(-49)
31400	Additional rental subsidy	---	(45,000)	---	---	(-45,000)
31450	Advance appropriations provided in previous acts	4,166,400	4,200,000	4,200,000	+33,600	---
31500	Subtotal	14,765,920	15,845,194	15,531,400	+765,480	-313,794
31550	Advance appropriations provided in current year	4,200,000	4,200,000	4,200,000	---	---
31600	Total, Tenant-based rental assistance	18,965,920	20,045,194	19,731,400	+765,480	-313,794
31650	Project-based rental assistance	5,298,272	5,072,100	5,088,300	-209,972	+16,200
31700	Renewals	(5,195,203)	(4,923,100)	(4,940,100)	(-255,103)	(+17,000)
31750	Contract administrators	(101,085)	(147,200)	(147,200)	(+46,115)	---
31800	Working capital fund	(1,984)	(1,800)	(1,000)	(-984)	(-800)
31850	Public housing:					
31900	Capital fund	2,579,200	2,327,200	2,600,000	+20,800	+272,800
32000	Operating fund	2,438,336	3,407,300	3,600,000	+1,161,664	+192,700

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
32100	Revitalization of severely distressed public housing..	142,848	---	---	-142,848	---
32200	Native American housing block grants.....	621,984	582,600	600,000	-21,984	+17,400
32300	Indian housing loan guarantee fund program account....	4,960	2,645	2,645	-2,315	---
32400	(Limitation on guaranteed loans).....	(145,345)	(98,967)	(98,967)	(-46,378)	---
32500	Native Hawaiian housing:					
32600	Block grant.....	---	8,815	8,815	+8,815	---
32700	Loan guarantee fund.....	992	882	882	-110	---
32800	(Limitation on guaranteed loans).....	(37,403)	(35,000)	(35,000)	(-2,403)	---
32900	Total, Public and Indian Housing.....	30,052,512	31,446,736	31,632,042	+1,579,530	+185,306
33000	Current year advance appropriations.....	4,200,000	4,200,000	4,200,000	---	---
33100	Net Total (excluding current year advances).....	25,852,512	27,246,736	27,432,042	+1,579,530	+185,306
33200	Community Planning and Development					
33300	Housing opportunities for persons with AIDS.....	281,728	268,000	285,000	+3,272	+17,000
33400	Rural housing and economic development.....	23,808	---	10,000	-13,808	+10,000
33500	Empowerment zones / enterprise communities.....	9,920	---	---	-9,920	---
33600	Community development fund.....	4,671,328	---	4,151,500	-519,828	+4,151,500
33650	Community development fund (sec. 424).....	30,752	---	---	-30,752	---
33700	Emergency appropriations (P.L.108-324).....	150,000	---	---	-150,000	---
33800	Section 108 loan guarantees:					
33900	(Limitation on guaranteed loans).....	(275,000)	---	---	(-275,000)	---
34000	Credit subsidy.....	5,952	---	---	-5,952	---
34100	Administrative expenses.....	992	---	---	-992	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
34200	Brownfields redevelopment	23,808	---	---	-23,808	---
34300	HOME investment partnerships program	1,899,680	1,941,000	1,900,000	+320	-41,000
34400	Homeless assistance grants	1,240,511	1,440,000	1,340,000	+99,489	-100,000
34500	Self-help homeownership opportunity program	---	30,000	60,800	+60,800	+30,800
34600	Total, Community Planning and Development	8,338,479	3,679,000	7,747,300	-591,179	+4,068,300
34700	Housing Programs					
34800	Housing for the elderly	741,024	741,000	741,000	-24	---
34900	Housing for persons with disabilities	238,080	119,900	238,100	+20	+118,200
35000	Housing counseling assistance	---	39,700	---	---	-39,700
35100	Manufactured housing fees trust fund	12,896	13,000	12,896	---	-104
35200	Offsetting collections	-12,896	-13,000	-12,896	---	+104
35300	Rental housing assistance	---	26,400	26,400	+26,400	---
35400	Total, Housing Programs	979,104	927,000	1,005,500	+26,396	+78,500
35500	Federal Housing Administration					
35600	FHA - Mutual mortgage insurance program account:					
35700	(Limitation on guaranteed loans)	(185,000,000)	(185,000,000)	(185,000,000)	---	---
35800	(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
35900	Administrative expenses	354,051	355,000	355,000	+949	---
36000	Offsetting receipts	-2,234,000	-1,309,000	-1,309,000	+925,000	---
36100	Offsetting receipts (legislative proposal)	---	18,000	---	---	-18,000
36200	Administrative contract expenses	77,376	62,600	62,600	-14,776	---
36300	Additional contract expenses	992	1,000	1,000	+8	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
36400	FHA - General and special risk program account:					
36500	(Limitation on guaranteed loans).....	(35,000,000)	(35,000,000)	(35,000,000)	---	---
36600	(Limitation on direct loans).....	(50,000)	(50,000)	(50,000)	---	---
36700	Administrative expenses.....	225,945	231,400	231,400	+5,455	---
36800	Offsetting receipts.....	-248,000	-300,000	-339,000	-91,000	-39,000
36900	Credit subsidy.....	9,920	8,800	8,800	-1,120	---
37000	Non-overhead administrative expenses.....	85,312	71,900	71,900	-13,412	---
37100	Additional contract expenses.....	3,968	4,000	4,000	+32	---
37200	Total, Federal Housing Administration.....	-1,724,436	-856,300	-913,300	+811,136	-57,000
37300	Government National Mortgage Association (GNMA)					
37400	Guarantees of mortgage-backed securities loan					
37500	guarantee program account:					
37600	(Limitation on guaranteed loans).....	(200,000,000)	(200,000,000)	(200,000,000)	---	---
37700	Administrative expenses.....	10,609	11,360	10,700	+91	-660
37800	Offsetting receipts.....	-368,000	-368,000	-368,000	---	---
37850	Total, Gov't National Mortgage Association.....	-357,391	-356,640	-357,300	+91	-660
37900	Policy Development and Research					
38000	Research and technology.....	45,136	69,738	60,600	+15,464	-9,138
38100	Fair Housing and Equal Opportunity					
38200	Fair housing activities.....	46,128	38,800	38,800	-7,328	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
38300	Office of Lead Hazard Control					
38400	Lead hazard reduction	166,656	119,000	119,000	-47,656	---
38500	Management and Administration					
38600	Salaries and expenses	542,819	579,000	579,000	+36,181	---
38700	Transfer from:					
38800	Limitation on FHA corporate funds	(560,673)	(562,400)	(562,400)	(+1,727)	---
38900	GNMA	(10,695)	(10,695)	(10,700)	(+5)	(+5)
39000	Community Development Loan Guarantees Program	(1,000)	---	---	(-1,000)	---
39100	Native American Housing Block Grants	(150)	(146)	(150)	---	(+4)
39200	Indian Housing Loan Guarantee Fund Program	(250)	(244)	(250)	---	(+6)
39300	Native Hawaiian Housing Loan Guarantees	(35)	(34)	(35)	---	(+1)
39400	Subtotal	(1,115,622)	(1,152,519)	(1,152,535)	(+36,913)	(+16)
39500	Working capital fund	267,840	265,000	165,000	-102,840	-100,000
39600	Office of Inspector General	79,360	79,000	79,000	-360	---
39700	(By transfer, limitation on FHA corporate funds)	(24,000)	(24,000)	(24,000)	---	---
39800	Subtotal	(103,360)	(103,000)	(103,000)	(-360)	---
39900	Office of Federal Housing Enterprise Oversight	58,735	60,000	60,000	+1,265	---
40000	Offsetting receipts	-58,735	-60,000	-60,000	-1,265	---
40050	Total, Management and Administration	890,019	923,000	823,000	-67,019	-100,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
40100	Rescissions:					
40200	Housing certificate fund	-1,557,000	-2,500,000	-2,493,600	-936,600	+6,400
40300	Public housing elimination grants	-5,000	---	---	+5,000	---
40400	Revitalization of severely distressed public					
40500	housing	---	-142,848	---	---	+142,848
40600	Title VI credit subsidy	-21,000	---	---	+21,000	---
40700	Indian housing credit subsidy	-33,000	---	---	+33,000	---
40900	Rental housing assistance	-675,000	---	---	+675,000	---
41000	GI/SRI credit subsidy	-30,000	---	---	+30,000	---
41100	Subtotal	-2,321,000	-2,642,848	-2,493,600	-172,600	+149,248
41200	Total, title III, Department of Housing and					
41300	Urban Development	36,115,207	33,347,486	37,662,042	+1,546,835	+4,314,556
41400	Current year advance appropriations	4,200,000	4,200,000	4,200,000	---	---
41500	Net total, excluding current year advance	31,915,207	29,147,486	33,462,042	+1,546,835	+4,314,556
41600	Appropriations	(32,841,438)	(29,622,334)	(33,844,538)	(+1,003,100)	(+4,222,204)
41700	Rescissions	(-2,321,000)	(-2,642,848)	(-2,493,600)	(-172,600)	(+149,248)
41800	Emergency appropriations	(150,000)	---	---	(-150,000)	---
41900	Offsetting receipts	---	---	---	---	---
42000	Offsetting collections	(-2,850,000)	(-1,959,000)	(-2,016,000)	(+834,000)	(-57,000)
42050	Previously enacted advances	(4,166,400)	(4,200,000)	(4,200,000)	(+33,600)	---
42100	(Limitation on direct loans)	(100,000)	(100,000)	(100,000)	---	---
42200	(Limitation on guaranteed loans)	(420,457,748)	(420,133,967)	(420,133,967)	(-323,781)	---
42300	(Limitation on corporate funds)	(596,803)	(597,519)	(597,535)	(+732)	(+16)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
42400	TITLE IV - THE JUDICIARY					
42500	Supreme Court of the United States					
42600	Salaries and expenses:					
42700	Salaries of justices	1,985	2,000	2,000	+15	---
42800	Other salaries and expenses	55,387	58,730	58,730	+3,343	---
42900	Subtotal	57,372	60,730	60,730	+3,358	---
43000	Care of the building and grounds	9,846	5,624	5,624	-4,222	---
43100	Total, Supreme Court of the United States	67,218	66,354	66,354	-864	---
43200	United States Court of Appeals					
43300	for the Federal Circuit					
43400	Salaries and expenses:					
43500	Salaries of judges	2,257	2,000	2,000	-257	---
43600	Other salaries and expenses	19,263	24,462	22,613	+3,350	-1,849
43700	Total, US Court of Appeals for the Fed Circuit	21,520	26,462	24,613	+3,093	-1,849

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
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	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
43800 United States Court of International Trade					
43900 Salaries and expenses:					
44000 Salaries of judges	1,757	2,000	2,000	+243	---
44100 Other salaries and expenses	12,956	13,480	13,480	+524	---
44200 Total, US Court of International Trade	14,713	15,480	15,480	+767	---
44300 Courts of Appeals, District Courts, 44400 and Other Judicial Services					
44500 Salaries and expenses:					
44600 Salaries of judges and bankruptcy judges	289,877	305,145	301,000	+11,123	-4,145
44700 Judges COLA	---	5,000	---	---	-5,000
44800 Other salaries and expenses	3,835,444	4,172,744	4,047,780	+212,336	-124,964
44900 Subtotal, Salaries and expenses	4,125,321	4,482,889	4,348,780	+223,459	-134,109
45000 Vaccine Injury Compensation Trust Fund	3,254	3,833	3,833	+579	---
45100 Defender services	667,351	768,064	721,919	+54,568	-46,145
45200 Fees of jurors and commissioners	60,713	71,318	60,053	-660	-11,265
45300 Court security	327,565	390,316	379,461	+51,896	-10,855
45400 Total, Courts of Appeals, District Courts, and 45500 Other Judicial Services	5,184,204	5,716,420	5,514,046	+329,842	-202,374
45600 Administrative Office of the United States Courts					
45700 Salaries and expenses	67,289	72,198	70,262	+2,973	-1,936

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
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	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
45800 Federal Judicial Center					
45900 Salaries and expenses	21,447	22,876	22,249	+802	-627
46000 Judicial Retirement Funds					
46100 Payment to judiciary trust funds	36,700	40,600	40,600	+3,900	---
46200 United States Sentencing Commission					
46300 Salaries and expenses	13,126	14,700	14,046	+920	-654
46400 Total, title IV, the Judiciary	5,426,217	5,975,090	5,767,650	+341,433	-207,440
46450 Mandatory appropriations	332,576	351,745	347,600	+15,024	-4,145
46500 Discretionary appropriations	5,093,641	5,623,345	5,420,050	+326,409	-203,295
46550 TITLE V - DISTRICT OF COLUMBIA					
46600 FEDERAL FUNDS					
46700 Federal payment for Resident Tuition Support	25,395	33,200	33,200	+7,805	---
46800 Federal payment for Emergency Planning and Security 46900 Costs in the District of Columbia	14,880	15,000	15,000	+120	---
47000 Federal payment to the District of Columbia Courts	189,274	221,693	221,693	+32,419	---
47100 Defender Services in District of Columbia Courts	38,192	45,000	45,000	+6,808	---
47200 Federal payment to the Court Services and Offender 47300 Supervision Agency for the District of Columbia	178,560	203,388	203,388	+24,828	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
47400 Federal payment to the District of Columbia Water					
47500 and Sewer Authority	4,762	---	10,000	+5,238	+10,000
47600 Federal payment for the Anacostia Waterfront					
47700 Initiative	2,976	5,000	5,000	+2,024	---
47800 Federal payment to the Criminal Justice					
47900 Coordinating Council	1,290	1,300	1,300	+10	---
48000 Federal payment for the Unified Communications Center	5,952	---	---	-5,952	---
48100 Federal payment for Public School Libraries	5,952	---	---	-5,952	---
48200 Federal payment for the Family Literacy Program	992	---	---	-992	---
48300 Federal payment for Transportation Assistance	2,480	---	---	-2,480	---
48400 Federal payment for Foster Care Improvements in the					
48500 District of Columbia	4,960	---	---	-4,960	---
48600 Federal payment to the Office of the Chief Financial					
48700 Officer of the District of Columbia	32,240	---	20,000	-12,240	+20,000
48800 Federal payment for School Improvement	39,680	41,616	41,616	+1,936	---
48900 Federal payment for Bioterrorism and Forensics Labs	7,936	7,200	7,200	-736	---
53400 Total, Title V, District of Columbia	555,521	573,397	603,397	+47,876	+30,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
53700	TITLE VI - EXECUTIVE OFFICE OF THE PRESIDENT					
53800	AND FUNDS APPROPRIATED TO THE PRESIDENT					
53850	The White House					
53900	Salaries and expenses	---	183,271	---	---	-183,271
54000	Compensation of the President and the White House					
54100	Office:					
54200	Compensation of the President	450	---	450	---	+450
54300	Salaries and expenses	61,504	---	53,080	-8,424	+53,080
54400	Executive Residence at the White House:					
54500	Operating expenses	12,658	---	12,436	-222	+12,436
54600	White House repair and restoration	1,885	---	1,700	-185	+1,700
54700	Council of Economic Advisers	4,008	---	4,040	+32	+4,040
54800	Office of Policy Development	2,282	---	3,500	+1,218	+3,500
54900	National Security Council	8,861	---	8,705	-156	+8,705
55000	Privacy and Civil Liberties Board	---	---	750	+750	+750
55100	Office of Administration	91,531	---	89,322	-2,209	+89,322
55200	Total, The White House	183,179	183,271	173,983	-9,196	-9,288

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
55300 Office of Management and Budget	67,864	68,411	76,930	+9,066	+8,519
55400 Office of National Drug Control Policy:					
55500 Salaries and expenses	26,784	24,224	26,908	+124	+2,684
55600 Counterdrug Technology Assessment Center	41,664	30,000	30,000	-11,664	---
55700 Total, Office of National Drug Control Policy	68,448	54,224	56,908	-11,540	+2,684
55800 High intensity drug trafficking areas program	226,523	---	227,000	+477	+227,000
55900 Other Federal drug control programs	211,990	213,300	213,292	+1,302	-8
56000 Unanticipated needs	992	1,000	1,000	+8	---
56100 Emergency appropriations (P.L. 108-324)	70,000	---	---	-70,000	---
56200 Special Assistance to the President	4,534	4,455	4,455	-79	---
56300 Official Residence of the Vice President: Operating					
56400 expenses	330	325	325	-5	---
56500 Total, title VI, Executive Office of the Presi-					
56550 dent and Funds Appropriated to the President	833,860	524,986	753,893	-79,967	+228,907
56600 Appropriations	(763,860)	(524,986)	(753,893)	(-9,967)	(+228,907)
56700 Emergency appropriations	(70,000)	---	---	(-70,000)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
56750 TITLE VII - INDEPENDENT AGENCIES					
56800 Architectural and Transportation Barriers					
56900 Compliance Board	5,641	5,941	5,941	+300	---
57000 Consumer Product Safety Commission	62,149	62,499	62,449	+300	-50
57100 Election Assistance Commission	13,888	17,612	15,877	+1,989	-1,735
57200 Federal Deposit Insurance Corporation: Office of					
57300 Inspector General (transfer)	(29,884)	(29,965)	(29,965)	(+81)	---
57400 Federal Election Commission	51,742	54,600	54,700	+2,958	+100
57500 Federal Labor Relations Authority	25,468	25,468	25,468	---	---
57600 Rescission	-3,000	---	---	+3,000	---
57700 Federal Maritime Commission	19,340	20,499	20,499	+1,159	---
57800 General Services Administration					
57900 Federal Buildings Fund:					
58100 Limitations on availability of revenue:					
58200 Construction and acquisition of facilities	(708,542)	(708,106)	(708,106)	(-436)	---
58300 Repairs and alterations	(980,222)	(961,376)	(961,376)	(-18,846)	---
58400 Installment acquisition payments	(161,442)	(168,180)	(168,180)	(+6,738)	---
58500 Rental of space	(3,657,315)	(4,046,031)	(4,046,031)	(+388,716)	---
58600 Building operations	(1,709,522)	(1,885,102)	(1,885,102)	(+175,580)	---
58700 Subtotal	7,217,043	7,768,795	7,768,795	+551,752	---
58800 Repayment of debt	(41,000)	(40,000)	(40,000)	(-1,000)	---
59200 Government-wide policy	61,603	52,796	52,796	-8,807	---
59300 Operating expenses	91,438	99,890	99,890	+8,452	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
59400 Office of Inspector General	42,012	43,410	43,410	+1,398	---
59500 Electronic Government Fund	2,976	5,000	3,000	+24	-2,000
59600 Allowances and Office Staff for Former Presidents	3,081	2,952	2,952	-129	---
59900 Federal Buildings Fund (rescission)	-106,000	---	---	+106,000	---
60000 Federal Citizen Information Center Fund	14,788	15,030	15,030	+242	---
60100 Total, General Services Administration	109,898	219,078	217,078	+107,180	-2,000
60200 Merit Systems Protection Board					
60300 Salaries and expenses	34,400	34,400	35,600	+1,200	+1,200
60400 Limitation on administrative expenses	2,605	2,605	2,605	---	---
60450 Total, Merit Systems Protection Board	37,005	37,005	38,205	+1,200	+1,200
60500 Morris K. Udall Foundation					
60600 Morris K. Udall Trust Fund	1,980	---	2,000	+20	+2,000
60700 Environmental Dispute Resolution Fund	1,299	700	1,900	+601	+1,200
60750 Total, Morris K. Udall Foundation	3,279	700	3,900	+621	+3,200
60800 National Archives and Records Administration					
60900 Operating expenses	264,809	280,975	283,975	+19,166	+3,000
61000 Electronic records archive	35,627	35,914	35,914	+287	---
61100 Reduction of debt	-7,810	-8,488	-8,488	-678	---
61200 Repairs and restoration	13,325	6,182	6,182	-7,143	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
61300 National Historical Publications and Records					
61400 Commission: Grants program	4,960	---	7,500	+2,540	+7,500
61500 Total, National Archives and Records Admin	310,911	314,583	325,083	+14,172	+10,500
61600 National Credit Union Administration:					
61700 Central liquidity facility:					
61800 (Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
62000 (Limitation on admin expenses, corporate funds)	(310)	(323)	(323)	(+13)	---
62100 Community development revolving loan fund	992	950	950	-42	---
62200 National Transportation Safety Board:					
62300 Salaries and expenses	76,086	76,700	76,700	+614	---
62400 Rescission of unobligated balances	-8,000	-1,000	-1,000	+7,000	---
62500 Neighborhood Reinvestment Corporation	114,080	118,000	118,000	+3,920	---
62600 Office of Government Ethics	11,148	11,148	11,148	---	---
62700 Office of Personnel Management					
62800 Salaries and expenses	124,496	124,521	119,952	-4,544	-4,569
62900 Limitation on administrative expenses	127,434	100,017	102,679	-24,755	+2,662
63000 Office of Inspector General	1,614	1,614	1,614	---	---
63100 Limitation on administrative expenses	16,329	16,329	16,786	+457	+457

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
63300 Govt Payment for Annuitants, Employees Health Benefits	8,135,000	8,393,000	8,393,000	+258,000	---
63500 Govt Payment for Annuitants, Employee Life Insurance..	35,000	36,000	36,000	+1,000	---
63700 Payment to Civil Svc Retirement and Disability Fund...	9,772,000	10,072,000	10,072,000	+300,000	---
63800 Total, Office of Personnel Management.....	18,211,873	18,743,481	18,742,031	+530,158	-1,450
63900 Office of Special Counsel.....	15,325	15,325	15,325	---	---
64000 Selective Service System.....	26,090	25,650	24,000	-2,090	-1,650
64100 United States Interagency Council on Homelessness.....	1,499	1,800	1,499	---	-301
64200 United States Postal Service					
64300 Payment to the Postal Service Fund.....	28,768	---	43,350	+14,582	+43,350
64500 Advance appropriation provided in previous acts.....	36,229	61,709	61,709	+25,480	---
64600 Subtotal, FY2006 funding.....	64,997	61,709	105,059	+40,062	+43,350
64700 Advance appropriation provided in current year.....	61,709	87,350	73,000	+11,291	-14,350
64800 Emergency preparedness.....	496,000	---	---	-496,000	---
64900 Mail irradiation facility (emergency).....	6,944	---	---	-6,944	---
64950 Total, United States Postal Service.....	629,650	149,059	178,059	-451,591	+29,000
65000 United States Tax Court.....	40,851	48,998	48,998	+8,147	---
65100 Total, title VII, Independent Agencies.....	19,755,915	19,948,096	19,984,910	+228,995	+36,814
65200 Appropriations.....	(19,768,033)	(19,800,037)	(19,851,201)	(+83,168)	(+51,164)
65250 Emergency appropriations.....	(6,944)	---	---	(-6,944)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
65300	Rescissions	(-117,000)	(-1,000)	(-1,000)	(+116,000)	---
65400	Advance appropriation provided in previous act	(36,229)	(61,709)	(61,709)	(+25,480)	---
65500	Advance appropriation provided in current year	(61,709)	(87,350)	(73,000)	(+11,291)	(-14,350)
65600	(By transfer)	(29,884)	(29,965)	(29,965)	(+81)	---
65700	(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
65800	(Limitation on corporate funds)	(310)	(323)	(323)	(+13)	---
66000	Title VIII - General Provisions, This Bill					
66100	HHS info match- new hires	-125,000	---	---	+125,000	---
66200	Total, General provisions, This Bill	-125,000	---	---	+125,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
66450	Grand total (net)	87,431,033	83,889,540	90,118,050	+2,687,017	+6,228,510
66500	Appropriations	(84,752,146)	(81,764,729)	(86,637,908)	(+1,885,762)	(+4,873,179)
66550	Emergency appropriations	(1,459,044)	---	---	(-1,459,044)	---
66600	Offsetting collections	(-71,631)	(-73,000)	(-72,896)	(-1,265)	(+104)
66650	Rescissions	(-2,682,179)	(-2,718,248)	(-2,496,671)	(+185,508)	(+221,577)
66700	Rescission of contract authority	(-1,640,685)	(-1,674,000)	(-469,000)	(+1,171,685)	(+1,205,000)
66750	Negative subsidy receipts	-2,850,000	-1,959,000	-2,016,000	+834,000	-57,000
66800	Advance appropriation provided in previous act	(4,202,629)	(4,261,709)	(4,261,709)	(+59,080)	---
66900	Advance appropriation provided in current year	(4,261,709)	(4,287,350)	(4,273,000)	(+11,291)	(-14,350)
67000	(Limitation on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
67100	(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
67400	(By transfer)	(186,656)	(29,965)	(29,965)	(-156,691)	---
67500	(Transfer out)	(-156,127)	---	---	(+156,127)	---
67600	Net total budgetary resources	(133,499,199)	(130,314,607)	(139,084,850)	(+5,585,651)	(+8,770,243)
67700	Discretionary total	68,199,215	65,035,795	69,995,700	+1,796,485	+4,959,905

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
67800	Scorekeeping adjustments:					
67900	Pipeline safety (OSLTF)	-54,560	-55,000	-59,000	-4,440	-4,000
68200	TASC adjustments	-20,844	---	---	+20,844	---
68400	Bureau of The Public Debt (Permanent)	143,000	138,000	138,000	-5,000	---
68500	US Mint revolving fund	-15,000	-1,000	-1,000	+14,000	---
68600	Sallie Mae	992	---	---	-992	---
68700	Federal buildings fund	58,571	---	---	-58,571	---
68900	GSA sale/lease of property (Sec. 407)	---	18,000	---	---	-18,000
69000	Transfer of balances to E-Gov (Sec. 410)	---	40,000	---	---	-40,000
69100	Cancellation of balances (Sec. 411)	---	-26,000	---	---	+26,000
69400	Advance appropriations:					
69500	Postal service	-61,709	-87,350	-73,000	-11,291	+14,350
69600	Tenant-based rental assistance	-4,200,000	-4,200,000	-4,200,000	---	---
69900	ATB cut to contract authority	-231,000	---	---	+231,000	---
70000	FSLIC resolution fund (mandatory)	-1,000	---	---	+1,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
70020	Less emergency appropriations in this bill:					
70032	Highway category	-1,202,000	---	---	+1,202,000	---
70062	Nondefense discretionary	-257,044	---	---	+257,044	---
70070	Subtotal, emergency appropriations	-1,459,044	---	---	+1,459,044	---
70100	Total, scorekeeping adjustments	-5,840,594	-4,173,350	-4,195,000	+1,645,594	-21,650
70200	Grand total (including scorekeeping)	81,590,439	79,716,190	85,923,050	+4,332,611	+6,206,860
70300	Appropriations	(83,404,261)	(81,878,729)	(86,715,908)	(+3,311,647)	(+4,837,179)
70400	Emergency	(1,459,044)	---	---	(-1,459,044)	---
70500	Offsetting collections	(-71,631)	(-73,000)	(-72,896)	(-1,265)	(+104)
70600	Rescissions	(-2,682,179)	(-2,718,248)	(-2,496,671)	(+185,508)	(+221,577)
70700	Rescission of contract authority	(-1,871,685)	(-1,674,000)	(-469,000)	(+1,402,685)	(+1,205,000)
70750	Negative subsidy receipts	(-2,850,000)	(-1,959,000)	(-2,016,000)	(+834,000)	(-57,000)
70800	Advance appropriation provided in previous act	(4,202,629)	(4,261,709)	(4,261,709)	(+59,080)	---
70950	(Limitations on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
71000	(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
71200	(By transfer)	(186,656)	(29,965)	(29,965)	(-156,691)	---
71300	(Transfer out)	(-156,127)	---	---	(+156,127)	---
71400	Net grand total budgetary resources	(127,658,605)	(126,141,257)	(134,889,850)	(+7,231,245)	(+8,748,593)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
71500 Total, (including adjustments)	81,590,439	79,716,190	85,923,050	+4,332,611	+6,206,860
71600 Amounts in this bill	(87,431,033)	(83,889,540)	(90,118,050)	(+2,687,017)	(+6,228,510)
71700 Scorekeeping adjustments	(-5,840,594)	(-4,173,350)	(-4,195,000)	(+1,645,594)	(-21,650)
71900 Total mandatory and discretionary	81,590,439	79,716,190	85,923,050	+4,332,611	+6,206,860
72000 Mandatory	18,418,026	18,991,745	18,988,050	+570,024	-3,695
72200 Total mandatory	18,418,026	18,991,745	18,988,050	+570,024	-3,695
72300 Discretionary	63,172,413	60,724,445	66,935,000	+3,762,587	+6,210,555
72500 Total discretionary	63,172,413	60,724,445	66,935,000	+3,762,587	+6,210,555

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
72600	RECAP BY FUNCTION					
72700	Mandatory	18,418,026	18,991,745	18,988,050	+570,024	-3,695
72800	Prior year (outlays only)	---	---	---	---	---
72900	Total, Mandatory	18,418,026	18,991,745	18,988,050	+570,024	-3,695
73000	Discretionary:					
73100	Highway category	---	---	---	---	---
73200	(Limitation on obligations)	(35,166,622)	(35,861,367)	(37,418,100)	(+2,251,478)	(+1,556,733)
73300	Prior year (outlays only)	---	---	---	---	---
73400	Total, Highway category	(35,166,622)	(35,861,367)	(37,418,100)	(+2,251,478)	(+1,556,733)
73500	Highway category budget scoring	---	---	---	---	---
73600	Mass Transit category	955,792	---	1,272,300	+316,508	+1,272,300
73700	(Limitation on obligations)	(6,690,544)	(6,824,700)	(7,209,700)	(+519,156)	(+385,000)
73800	Prior year (outlays only)	---	---	---	---	---
73900	Total, Mass Transit category	(7,646,336)	(6,824,700)	(8,482,000)	(+835,664)	(+1,657,300)
74000	Mass Transit category budget scoring	955,792	---	1,272,300	+316,508	+1,272,300
74100	General purpose discretionary:					
74200	Defense discretionary	124,000	181,650	180,000	+56,000	-1,650
74300	Prior year (outlays only)	---	---	---	---	---
74400	Total, Defense (050)	124,000	181,650	180,000	+56,000	-1,650

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

		FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
74500	Nondefense discretionary.....	62,092,621	60,542,795	65,482,700	+3,390,079	+4,939,905
74600	Prior year (outlays only).....	---	---	---	---	---
74700	Total, Nondefense.....	62,092,621	60,542,795	65,482,700	+3,390,079	+4,939,905
74800	Total, General purpose discretionary..	62,216,621	60,724,445	65,662,700	+3,446,079	+4,938,255
74900	Total, Discretionary.....	63,172,413	60,724,445	66,935,000	+3,762,587	+6,210,555
75000	Total, Mandatory and discretionary....	81,590,439	79,716,190	85,923,050	+4,332,611	+6,206,860

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2005
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2006
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
75100 DISCRETIONARY 302(b) ALLOCATION					
77100 TOTAL discretionary (including mass transit and 77200 highway BA)	63,172,413	60,724,445	66,935,000	+3,762,587	+6,210,555
77300 TOTAL 302(b) discretionary allocation	25,939,825	---	66,935,000	+40,995,175	+66,935,000
77400 TOTAL Over/under discretionary allocation	37,232,588	60,724,445	---	-37,232,588	-60,724,445

ADDITIONAL VIEWS OF HON. DAVID R. OBEY AND HON. JOHN W. OLVER

Several factors contributed to a number of serious problems in the fiscal year 2006 Transportation, Treasury, HUD, Judiciary, District of Columbia, and Independent Agencies Committee reported bill.

PRESIDENT'S BUDGET WAS INADEQUATE

The President's budget request inadequately funded numerous agencies. The Community Development Block Grant (CDBG) program, the Community Development Financial Institutions (CDFI) fund, and the High Intensity Drug Trafficking Agencies (HIDTA) program were all significantly under funded and proposed for transfer to other Departments. Amtrak was zeroed out creating a nearly $900 million reduction from the FY05 enacted level. His budget also featured hundreds of millions of dollars of fee increases and rescissions for which the Subcommittee also had to find funding.

SUBCOMMITTEE ALLOCATION WAS ALSO INADEQUATE

Although the Subcommittee's 302(b) allocation addressed some of the shortfalls and gimmicks, overall budget constraints kept the Appropriations Committee from fully making the Subcommittee whole. The overall lack of funds to address national needs such as Amtrak and community development is the direct result of the Majority's 2006 Budget Resolution. As the Majority Leader pointed out:

"This is the budget that the American people voted for when they returned a Republican House, a Republican Senate and a Republican White House last November."

Based on the Majority Leader's logic, the American people voted to kill Amtrak, to cut CDBG and to terminate the HOPE VI, Youthbuild and Brownfields initiatives at the Department of Housing and Urban Development.

COMMITTEE REORGANIZATION LED TO DIFFICULT TRADEOFFS

Under the reorganization proposal mandated by the Republican Leadership, a number of unrelated priorities are now grouped together in this bill. Instead of simplifying the process, as the Republican Leadership claimed it would, this reorganization created a bill that is made up of several disparate parts without any common theme among them. Departments and agencies that were key components of five separate Subcommittees as recently as three years ago have now been lumped together into a single bill. This structure inevitably leads to trade-offs among programs that will harm some agencies at the benefit of others. The Transportation, Treas-

ury, HUD, the Judiciary, District of Columbia and Independent Agencies reported bill has essentially become an Omnibus bill.

The Committee's reorganization placed this Subcommittee in the unenviable position of having to decide between funding transportation or housing programs, between funding for the judicial branch or funding for the White House, between funding for tax law compliance or election assistance. All are serious national responsibilities that we are obligated to meet. They will not all be met by this bill.

Unfortunately, in their vote on the budget resolution earlier this year, the Majority decided that super-sized tax cuts for millionaires are more important than properly funding these priorities. As a result, Amtrak as well as several HUD programs are zeroed out or significantly under funded.

THE COMMITTEE BILL WILL SHUT DOWN AMTRAK

National passenger rail as we know it will cease to exist if this bill becomes law.

Taken at face value, the Majority's proposal will shut down nearly half of the routes that Amtrak operates and deny more than 20 states of Amtrak service. We believe, however, that it will be impossible for Amtrak to continue to operate even a limited number of routes under the funding levels and terms of this bill.

If one were to play out what will happen if this Amtrak proposal is enacted, Amtrak will be placed in such a financial bind that it will terminate all intercity passenger rail service, including the Northeast Corridor. It will even have a ripple effect of disrupting commuter and freight rail services throughout the country.

The Majority's calculations with respect to the eighteen routes that would remain are overly optimistic. The $550 million provided is insufficient to maintain even a limited level of service. Of this amount, the bill sets forth $500 million for operating costs and $50 million for capital.

Fiscal year 2006 operating expenses cannot be covered for $500 million—even if Amtrak only operates a reduced number of routes. The closure of some routes would result in the layoff of thousands of Amtrak workers. First year severance obligations to these employees would total as much as $300 million or more and severance costs would continue for several years. After mandatory debt service payments of $275 million to $287 million and mandatory labor payments of $300 million or more are made, no funds would be available to operate even a few routes and no funds would be available to invest in sorely needed capital upgrades.

The $50 million set aside for Northeast Corridor capital projects is also wholly inadequate. The amount provided in the bill is less than ten percent of Amtrak's fiscal year 2006 capital grant request of $787 million. It is also insufficient for covering mandatory life safety expenditures including work on the Penn Station tunnels and repairs on high-speed tracks required by Federal Railroad Administration track safety regulations. Under this bill, the Northeast Corridor would remain in a state of disrepair and Amtrak would continue to be vulnerable to a bridge or tunnel failure that could have catastrophic effects for Amtrak, commuter rail and freight rail operations throughout the Northeast.

The Committee reported bill also fails to provide any funding for other capital needs outside the Northeast Corridor, including legally required inspections and maintenance on equipment and tracks, infrastructure outside the Northeast and necessary Americans with Disabilities Act accessibility projects.

If national passenger rail ceases to operate, it will be a tragedy caused by this Administration. The Amtrak board consists solely of Bush appointees. The so-called reform proposals that would obliterate the current system are all being pushed by President Bush's Department of Transportation. The inadequate funding provided by this bill will be the final nail in Amtrak's coffin.

HOUSING PROGRAMS WILL BE SEVERELY IMPACTED

The Committee bill shortchanges many important housing and community development activities. To say that the Committee has placed a high priority on funding for our communities and for housing low-and moderate-income persons would be highly misleading.

In what amounts to house cleaning, the Chairman chose to "clear out the underbrush" at HUD by eliminating or transferring several smaller programs. The Section 107 programs were transferred and merged with the activities under Policy Development and Research. Many other programs are zeroed out by the subcommittee including: Brownfields, Empowerment Zones, section 108 loan guarantees, and La Raza activities. All of these programs have contributed to the improvement of our communities.

Another program zeroed out in the Chairman's mark deserves special mention: Youthbuild. Youthbuild provides a valuable service by building or rehabilitating housing for homeless or low-income people in their own communities while helping young people complete their education.

The President proposed that Youthbuild be transferred to the Department of Labor, but he has not presented to Congress legislation to carry this out. In the meantime, neither this Subcommittee, nor the Labor-HHS Subcommittee chose to fund the program. This very effective and worthwhile program was not funded simply because two subcommittee chairmen could not agree on jurisdiction and refused to take responsibility and pay for it.

While the Committee provided an increase above the President's request for public housing capital and operating funds, the amount for the public housing capital fund has decreased by more than 20 percent since fiscal year 2000 and the public housing operating fund has increased a mere four percent in that same time period. The demand remains high and the need is great. Currently there is a backlog of around $20 billion in public housing capital funding needs and the operating fund needs continue to grow because of factors like the high costs of energy.

Additionally, funding for the Revitalization of Severely Distressed Public Housing—HOPE VI—has been eliminated by the Committee. HOPE VI transforms the nation's worst public housing into mixed-income urban communities. These grants serve as the critical seed capital to leverage additional public and private sector investment in distressed neighborhoods.

Finally, the two fair housing programs at the Department were cut in the President's request and agreed to by the subcommittee—

Despite the fact that more than 3.7 million fair housing violations still occur annually. Incredibly, despite HUD's advocacy and the fact that homeownership rates are at all-time high, the homeownership gap between white and blacks is worse now than in 1940.

OTHER ASPECTS OF THE BILL

Despite the Amtrak and housing problems identified above, the bill contains a number of items with which we strongly agree. The Subcommittee provided significant increases for surface transportation funding (excluding Amtrak) and aviation programs. Further investment in the transportation infrastructure is vital for the safety and well-being of all of our constituents.

The Federal Courts received a significant increase over the FY05 enacted levels. It is our hope that these funding levels can be sustained so that court personnel can remain at the current levels during fiscal year 2006.

The Chairman included language precluding the IRS from closing Taxpayer Assistance Centers until all the Committee's serious concerns about the proposal's impact on customer service are addressed. The Administration's plan to close 68 Taxpayer Assistance Centers seems to be an ill-conceived initiative driven by budget decisions rather than an exercise in good management and sound customer service.

The provisions that allow the District of Columbia to administer locally generated funds are an important step and we applaud the Chairman for this effort.

Within housing, the Chairman wisely rejected the President's proposal to transfer the Community Development Block Grant program to the Department of Commerce and instead kept the program at the Department of Housing and Urban Development. Unfortunately, the funding level for the CDBG formula grants is down by $250 million or six percent from last year's level.

We are also pleased that the Subcommittee chose to include direction to the Department regarding the public housing negotiated rule on operating subsidies. HUD proceeded in publishing a rule that blatantly disregarded the negotiations that occurred between stakeholders and HUD. The subcommittee instructed the Department to use this original negotiated rule.

The Subcommittee also recognized that the "snapshot" funding formula used in fiscal year 2005 may have had an adverse impact on some agencies in the section 8 voucher program. The subcommittee is to be commended for their initial effort to correct some of those problems created in 2005 with a set-aside of $45 million. We look forward to working with the majority as guidelines for distributing fiscal year 2006 section 8 funds are drafted during conference.

Among independent agencies, the National Historic Records and Preservation Commission grants program that is administered by the National Archives and Records Administration is funded at $7.5 million. This program that is important to historians and researchers had been zeroed out in the Bush budget. The Chairman also recognized the importance of the Udall Foundation by properly funding the environmental mediation and trust fund accounts.

CONCLUSION

It is difficult to imagine this is the budget for which the American people voted. On the whole, the Chairman did the best he could given the circumstances. But the circumstances were wholly avoidable.

The President could have presented to the Congress a budget that was not riddled with gimmicks and new fees designed to hide the fact that his own fiscal policies are failing the nation. The Congress could have passed a sensible budget resolution that asked people making more than $1 million this year to do with a slightly smaller tax cut so we could fund important national priorities. That did not happen. So we are left with a bill that will shut down Amtrak, cut Community Development Block Grants, and terminate several effective housing programs, including HOPE VI, Youthbuild and Brownfields.

We do not believe this is the budget for which the American people voted. Under the current leadership in the White House and the Congress, however, this is the budget the American people are going to get.

DAVE OBEY.
JOHN W. OLVER.

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