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DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2011

JULY 26, 2010.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 5850]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011.

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MAJOR THEMES AND INITIATIVES

AMERICAN RECOVERY AND REINVESTMENT ACT

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (Recovery Act) to create and save 3.5 million jobs, re-energize the economy, and transform it for long-term growth and stability. Within the Recovery Act, Congress provided $61.7 billion to stimulate job creation through investments in the nation's transportation and housing infrastructure.

To date, the Department of Transportation (DOT) has committed a total of $37.8 billion or 80 percent of the Recovery Act funds that were provided for highway, transit, airport and rail projects. DOT estimates that there are over 12,771 transportation projects currently underway which have created, on average, more than 41,000 direct jobs each quarter, with many more created indirectly.

Specifically, the Federal Highway Administration (FHWA) Division Offices have authorized 12,323 projects in all states and territories for a total of $26 billion, 10,782 of these projects are currently underway. There are 488 projects under way on federal lands for a total of $466 million. The Federal Aviation Administration (FAA) has issued grants for 362 airport rehabilitation and replacement projects totaling $1.093 billion and has 345 projects currently underway to make improvements to FAA air traffic control facilities and equipment. The Federal Transit Administration (FTA) has awarded 1,024 grants totaling more than $8.7 billion which includes $423.2 million in "flex-fund" transfers from FHWA for transit projects. To date, 188 Amtrak projects with a value of $1.252 billion are underway and have been granted a notice to proceed. The Federal Railroad Administration (FRA) has announced high speed rail awards for 82 projects in 32 states. In addition, DOT has announced 51 infrastructure investment (TIGER) grants across the country.

HUD has allocated approximately $13.38 billion, or over 98.2 percent, of its Recovery Act funds, directly to state and local recipients and is reviewing competitive proposals for the remaining funds. HUD estimates that these funds created or retained 20,660 jobs in the first quarter of 2010, and have served 357,808 low-income persons, primarily through the provision of housing for homeless families and individuals. In addition, 188,184 units of low-income housing have been rehabilitated or developed with Recovery Act funds, thus spurring the hard-hit construction industry by providing skilled jobs in all areas of the country. These investments have already helped communities and families that have experienced the brunt of the economic downturn. This includes $2 billion for the Neighborhood Stabilization Fund to purchase and rehabilitate vacant, foreclosed properties and return them to productive use as affordable rental housing. Another $1.5 billion has been invested in providing emergency shelter and rapid re-housing assistance for homeless families. To stimulate employment in the construction industry, as well as jump start affordable housing programs, $2.25 billion has been provided to state housing finance agencies to fund projects stalled by the current economic recession. Thousands of previously vacant, uninhabitable public housing units have been renovated and leased to low-income families through a

$4 billion investment in the Public Housing Capital Fund, and many of these improvements have been completed in a sustainable fashion.

The Recovery Act has helped create thousands of jobs by improving and repairing transportation and housing infrastructure across the nation. However, the infrastructure needs of our country remain great as evidenced through the tremendous state of good repair backlog that exists in our transportation and housing stock. Additionally, as communities grow and change, there is a continuing need to provide more capacity and transportation alternatives to help eliminate congestion on our nation's roads, highways and transit systems. To that end, the Committee recommendation reflects the ongoing necessity to provide robust investment in our infrastructure in order to create jobs; improve the safety and efficiency of our transportation and housing networks; and to contribute to local economies.

BUILDING LIVABLE AND SUSTAINABLE COMMUNITIES

The Committee is dedicated to exploring opportunities to strengthen the connection between transportation and housing. The Committee's jurisdiction allows for the consideration of federal housing and transportation policy and funding decisions to be made in the context of larger concerns for affordability, energy efficiency, and economic vitality. This legislation touches the lives of families and individuals all across the nation, and communities are best served when federal policies and funding decisions are being made in a coordinated, cooperative fashion.

Since 2007, the Committee has held a series of hearings on the topic of livability and sustainability, and has insisted on greater federal collaboration around these issues. The Committee has received testimony from the Secretaries of the Department of Transportation (DOT) and the Department of Housing and Urban Development (HUD); government leaders and transportation officials from the local level; urban planning experts from policy think tanks and non-profit organizations; and private sector designers and developers experienced in green building concepts. The testimony from these leaders and experts underscored that, when put to practice, sustainability initiatives improve the lives of working Americans and families, especially the economically disadvantaged, and the communities where the investments are made.

For many Americans, transportation and housing costs make up the largest portion of family budgets. In fact, the average American household now spends 34 percent of its annual budget on housing and 18 percent on transportation. Therefore, a combined total of 52 percent of household budgets are wrapped up in these two largest expenses. For low-income working families, the impact is more serious, with transportation representing almost a third of their costs. All too often, the economically disadvantaged must live great distances from their place of work in order to find a home that is affordable. In those instances, transportation costs rise dramatically when reasonably priced public transportation alternatives are not readily accessible. The Committee strongly believes that it is a worthy goal to encourage better coordination of transportation and housing investments, which will help reduce financial burdens on families.

There is also a related environmental benefit realized through the creation of more livable and sustainable communities. According to the Department of Transportation's April 2010 report to Congress, "Transportation's Role in Reducing U.S. Greenhouse Gas Emissions", the transportation sector currently accounts for 29 percent of greenhouse gas emissions. Housing contributes to almost 21 percent of total greenhouse gas emissions in the United States, according to the most recent statistical summary from the Environmental Protection Agency. Combined, these two sectors create approximately 50 percent of all greenhouse gas emissions. Investments that advance a more seamless connection between transportation and housing will help reduce impacts on the environment.

Further, in this time of economic recovery, states, cities and localities are searching for ways to enhance the vitality of their regions. Recognizing the unique characteristics of individual communities and the importance of local decision-making and planning, the Committee does not advocate a "one size fits all" approach to the concept of sustainability. The Committee believes that better collaboration between federal agencies can serve to eliminate bureaucratic red tape which will, in turn, allow communities to stretch their federal dollars further and help expedite project development and completion. When communities integrate their transportation, housing and energy plans, local resources and family budgets are best utilized. Through transit-oriented and mixed-use development, local resources are coordinated and complementary, not disjointed, which enhances the livability of any locality, whether a large urban center or a rural downtown.

In order to achieve the goals of sustainability outlined above, inter-agency collaboration is the key to breaking down traditional silos and the formulation of good policy decisions. The Committee is pleased that based on past recommendations of this Subcommittee, the Department of Transportation and the Department of Housing and Urban Development have formed the Interagency Partnership for Sustainable Communities, along with the Environmental Protection Agency. This alliance aims to integrate green practices and sustainability into baseline standards for development. The Sustainable Community Initiative, funded in HUD by the Committee last year, provided $150,000,000 to promote this type of teamwork. Thus far, the Partnership has resulted in an unprecedented amount of cooperation among Federal partners, including inter-agency review teams for Notices of Funding Availability. The Committee is pleased that the fiscal year 2011 budget includes funding for livability proposals from the Department of Transportation and looks forward to continued cooperation amongst these agencies, and others, as appropriate. Therefore, the Committee includes $527,000,000 for livability initiatives within DOT and $150,000,000 for sustainability programs within HUD.

GOVERNMENT ACCOUNTABILITY TO ELIMINATE WASTE, FRAUD AND ABUSE

The federal government must maximize taxpayer dollars by investing in programs that improve lives and promote economic growth. Misuse of these funds is unacceptable and a disservice to the American people. The Committee has taken steps to ensure that any waste, fraud, or abuse of taxpayer dollars is dealt with

and related policies are examined to better utilize these resources. The Committee has performed this important oversight role through the use of hearings, reviews by the Government Accountability Office (GAO), the Committee on Appropriations' Surveys and Investigations staff, and directives in its annual appropriation Act, including the accompanying report, to promote strong project management and leadership at the agencies under its jurisdiction, with an emphasis on the Department of Transportation (DOT) and the Department of Housing and Urban Development (HUD).

This year, the Committee has focused on a number of programs that may be susceptible to waste, fraud, and abuse, as well as significant management issues for which the agencies must remain accountable. For example, oversight of the Federal Aviation Administration includes ensuring that critical safety equipment is deployed within a reasonable time frame; that air traffic controller training initiatives are managed properly; that actual safety technician staffing levels remain at the mutually agreed upon minimums throughout the entirety of the year. The importance of timely and reliable financial data cannot be understated, especially in a program as large and as complicated as the Federal-aid highway program. The Committee believes that accurate financial information is a critical aspect of the FHWA's oversight role and has directed the agency to embark on a review of its financial management system in order to ensure that it has the information necessary to encourage efficient and cost-effective decision making from state and local governments. At the Maritime Administration (MARAD), conscientious management of the U.S. Merchant Marine Academy (the Academy) is necessary to ensure a high quality education for the next generation of merchant mariners. Therefore the Committee requires MARAD to submit a comprehensive spend plan before all funds will be released to the Academy. Additionally, in light of the serious concerns over the last several months surrounding unintended acceleration in vehicles, the Committee has highlighted oversight of electronic vehicle controls as a key management issue for the National Highway Traffic Safety Administration.

In other operating divisions of DOT, the Committee requests targeted inquiries from GAO and the DOT Inspector General, as well as regular reporting requirements to the Committee. For instance, the Committee has directed GAO to conduct a follow-up to its 2007 audit of the FHWA's emergency relief program to determine if the agency is doing everything within its authority to recapture unused program funds and tighten eligibility standards to guarantee that limited program resources are used effectively. Additionally, the Committee focuses on eliminating mismanagement of funds provided for information technology (IT) investments by requiring the Inspector General to monitor the progress of the DOT's IT improvement initiatives; and directing GAO to review the expenditures of the Financial Management Capital account.

The Committee believes critical areas of management focus at DOT must be the high speed rail and infrastructure investment programs first funded in the American Recovery and Reinvestment Act. The Committee considers the investments made by these programs to be critical to the nation's infrastructure and economic recovery. However, the Committee is adamant about the immense

need for comprehensive oversight of these programs. The Committee expects the Department to have thorough grant management processes in place for these programs including key implementation milestones and related cost estimates. In addition, the Committee has directed DOT to provide regular updates to the Committee on the progress of these grants.

Within HUD, the Committee has focused this year's bill and report on strengthening the core programs of the Department and eliminating large carryover balances by requiring the issuance of Notices of Funding Availability (NOFAs) within strict timeframes. Further, the Committee is mandating administrative reforms in the Housing for the Elderly program and in the Housing for Persons with Disabilities program through the accompanying report. HUD's programs are too vital to low-income populations to have funding that does not get obligated or expended in a timely fashion. Further, the Committee requires a GAO-approved spend plan for any information technology development at HUD before any major investments may be made. Due to funding lapses in the salaries and expenses accounts, the Committee is conducting additional oversight in this account and is now requiring quarterly staffing reports from the Department.

EXPIRING AUTHORIZATIONS FOR TRANSPORTATION PROGRAMS

At the time the Committee began consideration of this bill to fund programs for fiscal year 2011, many of the transportation agencies under its jurisdiction were without long-term authorizations—the most recent surface transportation authorization Act, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), expired on September 30, 2009; the authorization for the National Transportation Safety Board expired on September 30, 2008; the most recent aviation authorization Act, Vision 100—Century of Aviation Reauthorization Act, expired on September 30, 2007; and even the most recent pipeline safety Act, the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006, is set to expire on September 30, 2010, unless action is taken before then. These bills provide budget authority and contract authority authorizations for most Federal aviation, highway, highway safety, transit, motor carrier safety, and pipeline safety programs and are critical to providing Federal investment in our transportation infrastructure and maintaining the safety of these systems. The role of the appropriations process with respect to these programs is to appropriate budget authority or to set obligation limitations on contract authority so that overall Federal spending stays within legislated targets. Lack of long-term authorizations creates uncertainty, erodes stability, and makes it difficult for states and transportation agencies to plan for current as well as future investments. Many of these programs are currently operating based on short-term extensions, but even those are set to expire soon. The current surface transportation extension will expire on December 31, 2010, and the current aviation extension expires on July 3, 2010, which will mark the fourteenth time the program will need to be extended since Vision 100 expired. Progress on a long-term surface transportation authorization bill has been hindered by the insolvency of the highway trust fund and the lack of

a viable funding source to sustain our transportation investment needs into the future.

Further complicating matters is the fact that the President's budget that was submitted to the Committee contained no significant policy recommendations for most of the programs subject to reauthorization. The President's budget instead provides only baseline funding levels for most of these programs. The Committee understands that the Department of Transportation has embarked on a "Surface Transportation Reauthorization Outreach Tour" as the first step in developing the Administration's reauthorization proposal. Given the national and long-term impacts that changes to the authorization and financing structure of these programs will have, the Committee believes the Administration must exert greater leadership in this area and looks forward to seeing the product of this tour. The Committee strongly believes that now is the time to transform and modernize our transportation systems and time is of the essence.

However, because reauthorization actions have not yet been completed, the Committee has continued the fiscal year 2010 program structure for all of the transportation programs subject to reauthorization and has, for the most part, generally assumed that the partial year funding levels provided by the current extension Acts will be extended and annualized for fiscal year 2011.

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.

The Committee directs the departments, agencies, corporations and offices funded within this bill, to notify the Committee prior to increasing any program, activity, object classification or element in excess of $5,000,000 or 10 percent, whichever is less. Likewise, the Committee directs the same entities noted above to not decrease any program, activity, object classification or element by $5,000,000 or 10 percent, whichever is less. 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, it must be approved by the Committee regardless of the amount proposed to be moved. Furthermore, the Committee must be consulted regarding reorganizations of offices, programs, and activities prior to the planned implementation of such reorganizations.

The Committee also directs that the Department of Transportation and the Department of Housing and Urban Development shall submit operating plans, signed by the respective secretary 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 partnership 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.

TABULAR SUMMARY

A table summarizing the amounts provided for fiscal year 2010 and the amounts recommended in the bill for fiscal year 2011 compared with the budget estimates is included at the end of this report.

COMMITTEE HEARINGS

In addition to the hearings noted above, the Committee also 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 2011 have been developed after careful consideration of all the information available to the Committee.

PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2011, 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 within the Federal Transit Administration. In addition, the percentage reductions made pursuant to a sequestration order to funds appropriated for facilities and equipment within the 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 2010	$102,686,000
Budget request, fiscal year 2011	117,000,000
Recommended in the bill	111,615,000
Bill compared with:	
Appropriation, fiscal year 2010	+8,929,000
Budget request, fiscal year 2011	−5,385,000

COMMITTEE RECOMMENDATION

The bill provides $111,615,000 for the salaries and expenses of the offices comprising the Office of the Secretary of Transportation (OST). The Committee's recommendation includes individual funding for each of these offices as has been done in prior years. The following table compares the fiscal year 2010 enacted level to the fiscal year 2011 budget request and the Committee's recommendation by office:

	Fiscal year 2010 enacted	Fiscal year 2011 request	House recommended
Immediate office of the secretary	$2,631,000	$2,667,000	$2,667,000
Office of the deputy secretary	986,000	1,000,000	1,000,000
Office of the executive secretariat	1,658,000	1,683,000	1,683,000
Office of the under secretary of transportation for policy	11,100,000	13,568,000	12,015,000
Official of small and disadvantaged business utilization	1,499,000	1,513,000	1,513,000
Office of the chief information officer	13,215,000	22,995,000	19,663,000
Office of the assistant secretary for governmental affairs	2,504,000	2,530,000	2,530,000
Office of the general counsel	20,359,000	19,711,000	19,711,000
Office of the assistant secretary for budget and programs	10,559,000	12,399,000	11,899,000
Office of the assistant secretary for administration	25,520,000	25,695,000	25,695,000
Office of public affairs	2,055,000	2,240,000	2,240,000
Office of intelligence and security and emergency response	10,600,000	10,999,000	10,999,000
Total	102,686,000	117,000,000	111,615,000

Immediate office of the secretary.—The immediate Office of the Secretary has primary responsibility to provide overall planning, direction, and control of departmental affairs. The Committee recommends an appropriation of $2,667,000 for the expenses of the immediate Office of the Secretary, which is $36,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget request.

Immediate office of the deputy secretary.—The Office of the Deputy Secretary has primary responsibility to assist the Secretary in the overall planning, direction, and control of departmental affairs. The Deputy Secretary serves as the chief operating officer of the Department of Transportation. The Committee recommends $1,000,000 for expenses of the Office of the Deputy Secretary, which is $14,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

Executive secretariat.—The Executive Secretariat assists the Secretary and Deputy Secretary in carrying out their responsibilities by controlling and coordinating internal and external documents. The Committee recommends an appropriation of $1,683,000 for the expenses of the Executive Secretariat, which is $25,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

Office of the under secretary of transportation for policy.—The Office of the Under Secretary of Transportation for Policy serves as the Department's chief policy officer, and is responsible for the coordination and development of departmental policy and legislative initiatives; international standards development and harmonization; aviation and other transportation-related trade negotiations; the performance of policy and economic analysis; and the execution of the Essential Air Service program. The Committee recommends $12,015,000 for the Office of the Under Secretary of Transportation for Policy, which is $915,000 above the fiscal year 2010 enacted level and $1,553,000 below the level proposed in the fiscal year 2011 budget.

The Committee denies the request for additional full time equivalent (FTE). The Committee believes the policy office has a sufficient number of staff to support the Department's policy needs. The Committee provides half of the funding requested for staffing the Transportation Counsel at the U.S. Embassy in Kabul and the Transportation Attache for the U.S. Embassy in Baghdad and believes the remainder should be provided by the Department of State.

Office of small and disadvantaged business utilization.—The Office of Small and Disadvantaged Business Utilization is responsible for promoting small and disadvantaged business participation in the Department's procurement and grants programs. The Committee recommends an appropriation of $1,513,000 for this office, which is $14,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

Office of the chief information officer.—The Office of the Chief Information Officer serves as the principal advisor to the Secretary on information resources and information systems management. The Committee recommends an appropriation of $19,663,000 for the Office of the Chief Information Officer, which is $6,448,000 above the fiscal year 2010 enacted level and $3,332,000 below the fiscal year 2011 budget request.

The Committee fully supports the OCIO's efforts to improve the Department's information technology systems. However, the Committee does not provide the entire request of 50 new positions for the Next Generation IT Environment initiative and Cyber Security initiative in fiscal year 2011. The Committee fears doubling the staff of the OCIO would create unintended consequences that would hinder, rather than improve, the Department's information management. Therefore, the Committee has provided funding for 13 positions and 6 FTE in this account and no funding for personnel in the Cyber Security Initiatives. The Committee directs the Department to allocate these positions between the two initiatives as appropriate to meet the stated goals. The Committee will entertain reprogramming requests if there is a dire need for additional FTE. In addition, the Committee provides $5,000,000 for the Next

Generation IT Infrastructure initiative. The Committee directs the Department's Inspector General to assess DOT's progress in meeting cyber security vulnerabilities and upgrading the overall IT environment.

Office of the assistant secretary for governmental affairs.—The Office of the Assistant Secretary for Governmental Affairs is responsible for coordinating all Congressional, intergovernmental, and consumer activities of the Department. The Committee recommends $2,530,000 for the Office of the Assistant Secretary for Governmental Affairs, which is $26,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

In addition, the bill continues a provision (Sec. 188) that requires the Department to notify the Committees on Appropriations no fewer than three business days before any discretionary grant award, letter of intent, or full funding grant agreement in excess of $1,000,000 is announced by the Department or its modal administrations from: (1) any discretionary program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; (3) any grant from the Federal Railroad Administration; and (4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs. Such notification shall include the date on which the official announcement of the grant is to be made and no such announcement shall involve funds that are not available for obligation.

Office of the general counsel.—The Office of the General Counsel provides legal services to the Office of the Secretary and coordinates and reviews the legal work of the chief counsels' offices of the operating administrations. The Committee recommends $19,711,000 for the Office of General Counsel, which is $648,000 below the fiscal year 2010 enacted level, and the same as the fiscal year 2011 budget.

Office of the assistant secretary for budget and programs.—The Assistant Secretary for Budget and Programs is responsible for developing, reviewing, and presenting budget resource requirements for the Department to the Secretary, Congress, and the Office of Management and Budget. The Committee recommends an appropriation of $11,899,000 for the Office of the Assistant Secretary for Budget and Programs, which is $1,340,000 above the fiscal year 2010 enacted level and $500,000 below the level proposed in the fiscal year 2011 budget.

The Committee approves the request for 11 positions and 6 FTE and provides half the funding requested for program evaluation.

The bill contains a general provision (Sec. 194), as requested in the budget, which includes an additional $7,622,655 to increase the Department's acquisition workforce capacity and capabilities.

Office of the assistant secretary for administration.—The Office of the Assistant Secretary for Administration serves as the principal advisor to the Secretary on department-wide administrative matters and her responsibilities include leadership in acquisition reform and human capital. The Committee recommends an appropriation of $25,695,000 for the expenses of this office, which is $175,000 above the fiscal year 2010 enacted level and the same as the level proposed in the 2011 fiscal year budget.

Office of public affairs.—The Office of Public Affairs is responsible for the Department's press releases, articles, briefing materials, publications, and audio-visual materials. The Committee recommends an appropriation of $2,240,000 for the expenses of the Office of Public Affairs, which is $185,000 above the fiscal year 2010 enacted level and the same as the level proposed in the 2011 fiscal year budget.

Office of intelligence, security, and emergency response.—The Office of Intelligence, Security, and Emergency Response was established in fiscal year 2005 by merging the Secretary's Office of Intelligence and Security with the Research and Special Program Administration's Office of Emergency Transportation. This office is responsible for intelligence, security policy, preparedness, training and exercises, national security, and operations. The Committee recommendation includes $10,999,000 for the Office of Intelligence, Security, and Emergency Response, which is $399,000 above the fiscal year 2010 enacted level and the same as the level proposed in the 2011 fiscal year budget.

Congressional budget justifications.—The Committee directs the Department to include the same level of detail that was provided in the congressional budget justifications submitted in fiscal year 2011. 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 a detailed justification for the incremental funding increases and additional FTEs being requested above the enacted level, by program, activity, or program element.

OST currently includes a helpful discussion in its justification of changes from the current year to the request. To ensure that each adjustment is identified, the Committee directs OST in future congressional justifications to include detailed information in tabular format, which identifies specific changes in funding from the current year to the budget year for each office, including each office within OST.

Operating plan.—The Committee directs the Department to submit an operating plan for fiscal year 2011 signed by the Secretary for review by the Committees on Appropriations 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, documents referenced in the House and Senate appropriations reports, and the statement of the managers.

General provisions.—The Committee notes that in the past many general provisions included in the President's budget request were not justified, addressed, nor presented in any DOT justification. Therefore, the Committee continues to direct DOT to justify each general provision proposed either in its relevant modal congressional justification or in the OST congressional justification.

Bill language.—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.

LIVABLE COMMUNITIES

Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	$20,000,000
Recommended in the bill	20,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+20,000,000
Budget request, fiscal year 2011	– – –

The goal of the livable communities program is to promote livable communities through investment in transportation infrastructure to decrease transportation costs; improve access to jobs and services; promote healthy communities; improve air quality; protect the natural environment; and enhance the unique characteristics of communities.

COMMITTEE RECOMMENDATION

The Committee recommends $20,000,000 for the livable communities program, which is $20,000,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

Grant to states and localities.—The Committee includes $12,000,00 for grants and technical assistance targeted at improving states, regions, and localities' ability to plan and execute transportation investments in support of livability and sustainability goals.

Uniform benchmarks.—The Committee includes $4,000,000 to develop uniform benchmarks for assessing the effectiveness of livability-oriented interventions, including performance measures of livability outcomes to determine how various federal infrastructure investments impact livability.

Establishing the office of livable communities.—The Committee includes $4,000,000 to establish the Office of Livable Communities and to support administrative and technical oversight activities for the livable communities program. The Committee expects the Office of Livable Communities to coordinate livability efforts among all of the modes and with external partners. Ultimately, the Committee will hold the Office of Livable Communities accountable for all of the Department's livable community initiatives.

Partnership for sustainable communities.—The Committee is pleased by the collaboration between the Department of Transportation, the Department of Housing and Urban Development and the Environmental Protection Agency in the Partnership for Sustainable Communities. The Committee urges this partnership to bring in other Departments and Agencies as appropriate. The Committee recognizes the difficulties of making large bureaucracies work together and commends this partnership on its ability to affect change in the short time since its inception.

NATIONAL INFRASTRUCTURE INVESTMENT

Appropriation, fiscal year 2010	$600,000,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	400,000,000
Bill compared with:	
Appropriation, fiscal year 2010	–200,000,000
Budget request, fiscal year 2011	+400,000,000

The national infrastructure investment program was created in the American Recovery and Reinvestment Act (ARRA) to provide grants to state and local governments to improve the Nation's transportation infrastructure. The infrastructure investment program awards funds on a competitive basis to grantees selected because of the significant impact they will have on the Nation, a metropolitan area, or region.

COMMITTEE RECOMMENDATION

The Committee recommends $400,000,000 for the national infrastructure investment program, which is $200,000,000 below the fiscal year 2010 enacted level and $400,000,000 above the level proposed in the fiscal year 2011 budget. The Committee, recognizing that the applications for the $2.5 billion provided in ARRA totaled $56.9 billion, continues this program for fiscal year 2011. The Committee is pleased by the innovation and enthusiasm this program has created and believes the national infrastructure investment program incentivizes thinking in terms of intermodalism.

The Committee urges the Secretary to give consideration to innovative projects that support investment in freight rail and inland ports. In addition, as no funding is provided for the rail line relocation and improvement program in fiscal year 2011, the Committee urges traditional rail line relocation applicants to apply, if their projects correlate to the national infrastructure investment program.

The primary purpose of the national infrastructure investment program is to advance projects that will improve the efficiency and safety of the nation's transportation network. To date, the program has focused exclusively on surface transportation projects. The Committee believes that the program should not ignore potential infrastructure investments that might serve to benefit and transform the nation's air transportation system as well. The Committee recommendation allows the Secretary to use up to 10 percent of the funds provided for this program to conduct a demonstration of NextGen air traffic control capabilities.

The Committee continues to require the Secretary to provide funding in an equitable appropriately balanced geographic distribution in order to address the needs of urban and rural communities. Additionally, the Committee continues to require the Secretary to give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

Grant award size.—The Committee continues to set minimum and maximum grant size, and to set a limitation on the amount of funding that may be awarded to any individual State.

Rural areas.—The Committee requires the Secretary to provide no less than $100,000,000 for projects located in rural areas. Since a smaller investment may constitute a significant improvement for rural communities, the bill lowers the minimum rural grant size to $1,000,000. In addition, the Committee allows the Secretary to provide a waiver for the local match requirement for such projects.

Credit assistance.—The Committee allows up to $60,000,000 of the funding provided for surface transportation infrastructure to be used to pay for the subsidy and administrative costs of projects eligible for credit assistance under the Transportation Infrastructure Finance and Innovation Act (TIFIA).

Planning activities.—The Committee allows up to $20,000,000 of the funding provided for surface transportation infrastructure to be used for the planning, preparation or design of eligible projects. This funding will improve the capacity of state, local, and regional governments to develop significant transportation solutions, including innovative and multijurisdictional projects that do not fit easily into existing federal programs.

Administration of the program.—The bill allows the Secretary to use $16,000,000 of the funding for administrative and oversight activities, and to transfer portions of this funding to the appropriate modal administrations as needed. The Committee believes that the modal administrations offer valuable expertise that has been acquired through years of experience, and the Committee encourages the Secretary to take advantage of this resource within the Department. The Committee believes this program must be a critical area of management focus at DOT. The Committee considers the investments made by this program to be critical to the nation's infrastructure and economic recovery. Therefore, the Committee is adamant about the immense need for comprehensive oversight of this program. The Committee expects the Department to have thorough grant management processes in place for this program including key implementation milestones and related oversight cost estimates. Therefore, the Committee directs OST to submit a report on the oversight and grants management process of the infrastructure investment program to the House and Senate Committees on Appropriations by March 27, 2011.

Application process.—As with all funds awarded as grants at the Secretary's discretion, the Committee expects the Secretary to maintain an application process that is transparent, fair, and accessible to all interested parties. The Secretary must publish a set of project selection criteria no sooner than 60 days after enactment of the bill. The Committee expects the Secretary to publicize the criteria to all possible grant applicants, and to adhere rigorously and consistently to the published criteria in measuring all applications.

FINANCIAL MANAGEMENT CAPITAL

Appropriation, fiscal year 2010	$5,000,000
Budget request, fiscal year 2011	21,000,000
Recommended in the bill	18,500,000
Bill compared with:	
Appropriation, fiscal year 2010	+13,500,000
Budget request, fiscal year 2011	−2,500,000

The Financial Management Capital program continues funding for a multi-year project to upgrade DOT's financial systems and processes. The project will implement Treasury Department and Office of Management and Budget requirements.

COMMITTEE RECOMMENDATION

This Committee recommends $18,500,000 for financial management capital program, which is $13,500,000 above the fiscal year 2010 enacted level and $2,500,000 below the fiscal year 2011 budget request.

The Committee denies the request for FTE in this account. The Committee believes the Department has a sufficient number of

staff in the office of budget to fulfill the needs of this initiative. The Committee reduces overall funding in this account without prejudice due to budget constraints. Over the last two years, the Committee has demonstrated its support for this initiative by providing $10 million.

The Committee directs the Government Accountability Office (GAO) to review the cost, schedule and performance of this project. The assessment should include information on the status of the project's schedule, budget, and expenditures as well as a prioritization of project risks and their mitigation efforts.

CYBER SECURITY INITIATIVES

Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	$30,000,000
Recommended in the bill	28,188,000
Bill compared with:	
Appropriation, fiscal year 2010	+28,188,000
Budget request, fiscal year 2011	– 1,812,000

The Department's OCIO is requesting a one-time appropriation to close the Department's most serious cyber security gaps. These funds will be used to close DOT's existing cyber security and privacy performance gaps; adapt DOT's security posture to a Web 2.0 environment; transition from a reactive to a proactive security posture; and achieve the goals of Federal cyber security strategic plans and initiatives.

COMMITTEE RECOMMENDATION

The Committee recommends $28,188,000 for the cyber security initiatives, which is $28,188,000 above the fiscal year 2010 enacted level and $1,812,000 below the level proposed in the fiscal year 2011 budget. The Committee provides these funds for a one-time investment in the cyber security of the Department. The Committee directs the Department to submit quarterly reports on the progress made with these funds and expects that all resources will be part of the OCIO or working capital fund by the end of fiscal year 2013.

The Committee fully supports the OCIO's efforts to improve the Department's information technology systems. However, the Committee denies the Department's request for 25 positions and 13 FTE. The Committee fears doubling the staff of the OCIO would create unintended consequences that would hinder rather than improve the Department's information management. Therefore, the Committee has provided funding for 12 positions in the OCIO and no funding for personnel in this account. The Committee directs the Department to allocate these positions between the two initiatives as appropriate to achieve the stated goals. The Committee will entertain reprogramming requests if there is a dire need for additional FTE. The Committee directs the Department's Inspector General to assess DOT's progress in meeting cyber security vulnerabilities and upgrading the overall IT environment.

OFFICE OF CIVIL RIGHTS

Appropriation, fiscal year 2010	$9,667,000
Budget request, fiscal year 2011	9,767,000
Recommended in the bill	9,767,000
Bill compared with:	
Appropriation, fiscal year 2010	+100,000
Budget request, fiscal year 2011	– – –

The Office of Civil Rights is responsible for advising the Secretary on civil rights and equal opportunity issues, and ensuring the full implementation of the civil rights laws and departmental civil rights policies in all official actions and programs. This office is responsible for enforcing laws and regulations that prohibit discrimination in federally operated and federally assisted transportation programs and enabling access to transportation providers. The Office of Civil Rights also handles all civil rights cases affecting Department of Transportation employees.

COMMITTEE RECOMMENDATION

The Committee recommends $9,767,000 for the office of civil rights, which is $100,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Appropriation, fiscal year 2010	$16,168,000
Budget request, fiscal year 2011	9,819,000
Recommended in the bill	9,819,000
Bill compared with:	
Appropriation, fiscal year 2010	–8,349,000
Budget request, fiscal year 2011	– – –

This appropriation finances research activities and studies related to the planning, analysis, and information development used in the formulation of national transportation policies and plans. 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.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $9,918,000 for transportation planning, research and development, which is $8,349,000 below the fiscal year 2010 enacted level and equal to the level proposed in the fiscal year 2011 budget.

The Committee directs funding to be allocated to the following projects:

Great Lakes Maritime Research Institute, MN/WI	$1,000,000
New England Freight Rail Infrastructure Study, MA	300,000
Chicago Aviation Education Initiative, IL	250,000

WORKING CAPITAL FUND

Limitation, fiscal year 2010	($147,596,000)
Budget request, fiscal year 2011	– – –
Recommended in the bill	(148,096,000)
Bill compared with:	
Limitation, fiscal year 2010	(+500,000)
Budget request, fiscal year 2011	(+148,096,000)

The working capital fund was created to provide common administrative services to the operating administrations and outside entities that contract for the fund's services. The working capital fund operates on a fee-for-service basis and receives no direct appropriations; it is fully self-sustaining and must achieve full cost recovery.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $148,096,000 on the working capital fund. The Committee recommends raising the limitation $500,000 over the fiscal year 2010 enacted level.

Operating administrations' usage of working capital fund.—The Committee directs the Department in its fiscal year 2011 congressional justifications to account for increases or decreases in individual modes working capital fund billings to be requested or anticipated by the mode, rather than the working capital fund managers. In addition, the Committee directs the Department to include a master table of all estimated transfers from each mode for the previous, current and next budget year in its fiscal year budget justification for the working capital fund.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

	Appropriation	Limitation on guaranteed loans
Appropriation, fiscal year 2010	$923,000	($18,367,000)
Budget request, fiscal year 2011	913,000	(18,367,000)
Recommended in the bill	913,000	(18,367,000)
Bill compared to:		
Appropriation, fiscal year 2010	−10,000	(– – –)
Budget request, fiscal year 2011	(– – –)	(– – –)

Through the Short Term Lending Program, the minority business resource center assists disadvantaged, minority, and women-owned businesses with obtaining short-term working capital for DOT and DOT-funded transportation-related contracts. The program enables qualified businesses to obtain loans at two percentage points above the prime interest rate with DOT guaranteeing up to 75 percent of the loan.

COMMITTEE RECOMMENDATION

The Committee recommends $913,000 for the minority business resource center, which is $10,000 below the fiscal year 2010 enacted level and equal to the fiscal year 2011 budget request. The Committee recommends a limitation on guaranteed loans of $18,367,000, the same as the budget request and the fiscal year 2010 enacted level.

MINORITY BUSINESS OUTREACH

Appropriation, fiscal year 2010	$3,074,000
Budget request, fiscal year 2011	3,395,000
Recommended in the bill	3,395,000
Bill compared with:	
Appropriation, fiscal year 2010	+321,000
Budget request, fiscal year 2011	– – –

The Minority Business outreach program provides contractual support to small and disadvantaged businesses by providing information dissemination and technical and financial assistance to em-

power these businesses to compete for contracting opportunities with DOT and DOT-funded contracts or grants for transportation related projects.

COMMITTEE RECOMMENDATION

The Committee recommends $3,395,000 for minority business outreach, which is $321,000 above the fiscal year 2010 enacted level and the same as the level proposed in the fiscal year 2011 budget.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2010	$150,000,000
Budget request, fiscal year 2011	132,000,000
Recommended in the bill	146,000,000
Bill compared with:	
Appropriation, fiscal year 2010	−4,000,000
Budget request, fiscal year 2011	+14,000,000

The Essential Air Service program (EAS) was created by the Airline Deregulation Act of 1978 as a ten-year measure to continue air service to communities that had received 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 authorized the collection of "overflight fees." Overflight fees are a type of user fee collected by the Federal Aviation Administration (FAA) from aircraft that neither take off from, nor land in, the United States. 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. If there is a shortfall in fees, the law requires the FAA to make up the difference from other available funds.

COMMITTEE RECOMMENDATION

For fiscal year 2011, the Committee recommends a total EAS program funding level of $196,000,000. This consists of a general fund appropriation of $146,000,000, and $50,000,000 to be derived from overflight fee collections. The Committee's recommendation is $4,000,000 below the fiscal year 2010 enacted level and $14,000,000 above the fiscal year 2011 request.

The Committee rejects the Department's proposal to limit the EAS program to only those communities being served as of October 1, 2010 and therefore provides additional funding to the budget request. The Committee recognizes the EAS program needs reform and recommends the issue of capping participants be examined through the authorization process.

Based on current DOT estimates, the Committee believes the funding level is sufficient to maintain air service to all communities currently being served by the EAS program. However, in the event of a shortfall, the bill continues language allowing the Secretary to transfer such sums as necessary from any available amounts appropriated to or directly administered by the Office of the Secretary.

The Committee continues language to ensure the prompt availability of funds for obligation to air carriers providing service under the EAS program. The Committee has also continued 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. 102) prohibiting the use of funds to implement an essential air service program that requires local participation.

NATIONAL INFRASTRUCTURE INNOVATION AND FINANCE FUND

Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	$4,000,000,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–4,000,000,000

For the second year, the President's budget includes a legislative proposal to create a national infrastructure fund to invest in large capital infrastructure projects that promise significant national or regional economic benefits. Through the National Infrastructure Innovation and Finance Fund (I Fund), Federal funds would be delivered through a variety of credit and grant mechanisms designed to not only provide Federal resources but also attract and coordinate state, local, and private co-investment.

COMMITTEE RECOMMENDATION

The Committee provides no funding for this fund as it is not authorized. The Committee is intrigued with the idea of a mechanism to prioritize and finance national investments in infrastructure. The Committee urges the Administration to rethink this proposal to include a broader scope beyond transportation infrastructure. The Committee believes in taking a new direction in Federal infrastructure investment, specifically one that supports regionally and nationally significant, high-value projects that cross programmatic silos and are funded through a merit-based selection process.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

Section 101. 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 operating administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102. The Committee continues the provision prohibiting the use of funds to implement an essential air service local cost share participation program.

Section 103. The Committee continues the provision allowing the Secretary or his designee to work with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

Section 104. The Committee includes a provision that increases transparency in the National Infrastructure Investments program by requiring DOT to post on the Department's web site, prior to an-

nouncing of grant awards, any requests or applications for program funding and, within five days of announcing awards, the criteria used in the selection process. Additionally, the DOT OIG is required to review ten percent of grant recipients under this 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. Similar to the surface transportation programs, the FAA's programs have gone through a series of short-term extensions. The aviation programs are currently authorized through July 3, 2010. In order to provide greater stability and predictability to the agency's programs and operations, the Committee is hopeful that a multi-year authorization will be enacted in the near future.

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2010	$9,350,028,000
Budget request, fiscal year 2011	9,793,000,000
Recommended in the bill	9,793,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+442,972,000
Budget request, fiscal year 2011	– – –

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 $9,793,000,000 for FAA operations which is the same level requested in the budget and $442,972,000 above the fiscal year 2010 enacted level.

A comparison of the fiscal year 2011 budget request to the Committee recommendation by budget activity is as follows:

Budget activity	Fiscal year 2010 enacted	Fiscal year 2011 request	Committee recommendation
Air traffic organization	$7,299,299,000	$7,630,628,000	$7,630,628,000
Aviation safety	1,234,065,000	1,293,986,000	1,304,486,000
Commercial space transportation	15,237,000	15,747,000	16,747,000
Financial services	113,681,000	114,784,000	114,784,000
Human resources	100,428,000	103,297,000	103,297,000
Region and center operations	341,977,000	366,354,000	361,354,000
Staff offices	196,063,000	212,255,000	208,994,000
Information services	49,278,000	55,949,000	53,360,000
Adjustments			−650,000
Total	9,350,028,000	9,793,000,000	9,793,000,000

Justification of general provisions.—The Committee continues its direction to provide a justification for each general provision proposed in the FAA budget and therefore expects the fiscal year 2012 budget to include adequate information on each proposed general provision.

Organizational structure.—The Committee commends the Administrator's efforts to break down organizational silos that exist between the FAA's various lines of business. In an era when budgetary resources are only going to become more constrained and competitive, it will be necessary for the FAA to increase its overall efficiency and to reduce or eliminate duplicative functions. In that regard, the Committee directs the Administrator to conduct a review of the FAA's organizational structure to identify staff functions that are duplicative and could be handled more centrally. The Committee supports the core mission functions of the agency, and is by no means suggesting any sort of wholesale reorganization. The Committee reminds the FAA that any reorganization must follow the reprogramming requirements specified in section 405 of this Act.

Use of FAA aircraft.—The FAA possesses and operates a number of aircraft which are used by a variety of federal agencies to carry out executive branch functions. The Committee understands that the rates FAA charges for the use of the agency's aircraft are out of date and may not adequately cover the operating costs associ-

ated with the use of these aircraft. The Committee directs FAA to update its rates consistent with the OMB Circular No. A–126, Attachment A. The Committee directs FAA to report to the House and Senate Committees on Appropriations within 60 days of enactment as to the status of the agency's compliance with the OMB Circular.

TRUST FUND SHARE OF FAA BUDGET

The bill derives $3,900,000,000 of the total operations appropriation from the airport and airway trust fund. The balance of the appropriation ($5,893,000,000) will be drawn from the general fund of the Treasury. Under these provisions, roughly 65 percent of FAA's entire budget will be borne by air travelers and industries using those services. The remaining 35 percent will be borne by the general taxpayer, regardless of whether they directly utilize FAA services. The Committee remains concerned about the increasing share of the FAA's budget that must be covered by the general fund.

STATE OF THE AIRPORT AND AIRWAY TRUST FUND

The following table depicts the Administration's revenue and outlay estimates for the airport and airway trust fund as calculated by the Department of Treasury's Office of Tax Analysis. Further, the Administration estimates that, at the end of fiscal year 2011, the uncommitted cash balance in the trust fund will be approximately $1,431,000,000. The Committee believes these estimates are overly optimistic since the Congressional Budget Office estimates that the end of year uncommitted cash balance will be −$483,000,000.

	Fiscal year 2009	Fiscal year 2010	Fiscal year 2011
Trust fund revenue [1]	$10,877,000,000	$12,014,000,000	$12,739,000,000
Trust fund outlays	11,803,000,000	10,436,000,000	12,730,000,000
Difference	−926,000,000	1,578,000,000	9,000,000

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

AIR TRAFFIC ORGANIZATION

The bill provides $7,630,628,000 for air traffic services which is equal to the budget request and $331,329,000 above the fiscal year 2010 enacted level.

Controller workforce, training and staffing.—As a result of the new contract agreement with the FAA's air traffic controller workforce, the Committee is pleased with the increased level of collaboration between the FAA's management and controller workforce. The agency's success in the area of safety and in its implementation of NextGen technologies rests upon strong oversight, careful training, and a productive and cooperative environment between FAA's management and the agency's air traffic controllers.

According to the FAA Administrator's testimony before the Committee on March 18, 2010, the FAA has hired over 7,300 new air traffic controllers over the last five years. This dramatic increase in hiring was in response to the fact that thousands of controllers hired in the 1980's will be eligible to retire by 2017. While the number of controller retirements appears to have peaked in fiscal year 2007, it is critical that the agency continue to hire new controllers at a fiscally responsible and steady pace in order to avoid

another surge in retirements in the years ahead and to ensure adequate staffing levels as air traffic activity increases. The Committee notes that FAA's most recent controller workforce plan indicates that the agency expects to reduce its controller workforce between 2010 and 2019 by 527, or 3.4 percent. The Committee intends to closely monitor the agency's controller requirements and therefore has continued bill language requiring FAA to continue to submit an air traffic controller workforce plan no later than March 31, 2011.

The Committee recommendation includes funding to hire 915 new controllers in fiscal year 2011. As FAA hires new controllers, it must also improve its overall training regimen. The Committee was greatly concerned by the DOT Office of Inspector General's (OIG) April 2010 review of FAA's screening, placement and training of newly hired air traffic controllers. In summary, the OIG's key findings included:

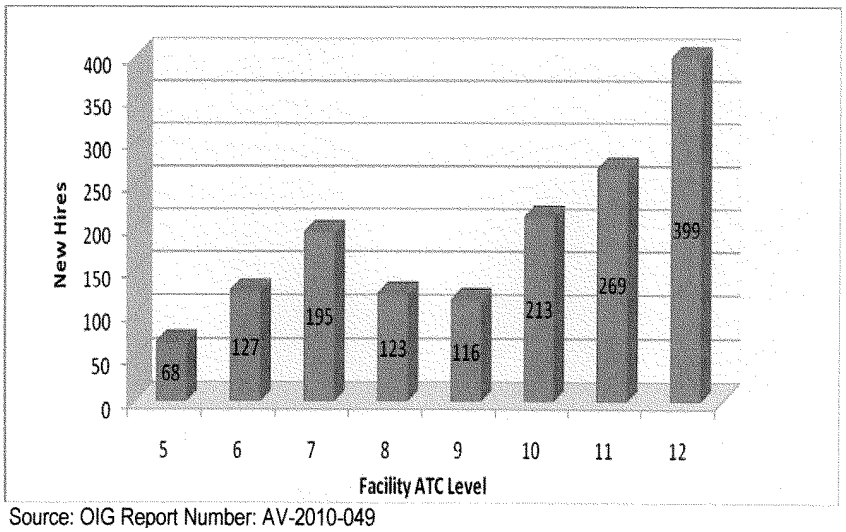
—the FAA is not effectively using its air traffic selection and training test (AT–SAT) to determine the appropriate level of facility in which new controllers are placed;

—the FAA does not use academy training performance as a criteria in its placement process;

—the agency's final performance verification tests do not adequately assess whether candidates have the core skills to succeed; and,

—the 2007 Controller Training and Development Group's recommendations have not been fully implemented.

The Committee strongly believes that new controllers should be placed in facilities that are appropriate for their skill level. As the following table from the OIG's review demonstrates, the majority of new controllers in fiscal year 2008 were placed in level 10 through 12 facilities, which are the agency's busiest and most complicated facilities.



Source: OIG Report Number: AV-2010-049

The Committee found FAA's response to the OIG's recommendations to be not responsive. The Committee does not dispute that the FAA's air traffic controllers are among the best in the world

and that new controllers receive important on-the-job training in the field. The Committee, however, does believe that FAA should better match controller capabilities with facility level and that the agency should make every effort to address the OIG's recommendations sooner than December 31, 2012. The Committee directs FAA to provide a progress report to the House and Senate Committees on Appropriations by March 1, 2011 on the status of additional evaluation and testing necessary to implement the OIG's recommendations. The Committee also believes that FAA's training protocol warrants further analysis and therefore directs the OIG to conduct a review of the training and staffing levels at FAA's most critical facilities. The Committee directs the OIG to provide a report to the House and Senate Committees on Appropriations by May 15, 2011.

One of the key training tools utilized by the FAA is the relatively new controller training contract known as the air traffic control optimal training solution (ATCOTS). The ATCOTS contract was awarded in September 2008 and is a multi-year performance-based contract totaling nearly $900 million. The program is intended to manage controller training at the FAA's training academy and at air traffic facilities. The first year of the contract exceeded cost estimates by over 30 percent or $32 million and the revised estimates for the second year have grown nearly 22 percent or $20 million. The root of these higher costs appears to be that the FAA underestimated the number and types of controllers that needed to be trained and FAA did not adequately define requirements for performance. The OIG is in the midst of a review of the ATCOTS program to determine whether effective controls were in place to ensure that the training and financial goals will be met. Based on the cost growth the program has experienced so far, the Committee believes that the FAA's early management and administration of the contract was lacking. The Committee expects FAA to provide biannual updates to the House and Senate Committees on Appropriations on the performance and cost of this program.

There is no question that the FAA's air traffic controller workforce is facing a time of great transition with thousands of new controllers on the job; with thousands more eligible to retire over the next seven years; and with the implementation of new technologies and tools to modernize the equipment and systems of the air traffic control system. Controller staffing and training will continue to be a high priority for committee oversight in the years to come.

Workforce diversity.—Over the last few years, the Committee has expressed repeated concern about the lack of ethnic diversity within the ranks of the FAA's controller workforce. The Committee has required the FAA to provide reports on the agency's outreach and hiring efforts in minority communities, and has encouraged the FAA to consider the diversity of student populations in its selection of eligible college and university participants in the collegiate training initiative. The Committee directs FAA to continue both of these efforts and to pursue other avenues to increase the diversity of the controller workforce. To that end, the Committee has provided additional resources within the FAA's Office of Civil Rights to conduct an analysis on the barriers to increasing diversity within the FAA's workforce.

RNAV/RNP procedure development.—The Committee recommendation includes $47,300,000 for the area navigation (RNAV) and required navigation performance (RNP) program which is the same level requested in the budget and $15,000,000 above the fiscal year 2010 enacted level. The Committee is pleased that FAA intends to focus its fiscal year 2011 resources on developing RNAV and RNP routes and procedures that address the recommendations included in RTCA Task Force Five report. RNAV and RNP procedures, if properly developed and implemented, can result in significant benefits to the FAA and its users, including increased capacity, reductions in delay, and lower carbon emissions. The Committee notes that many of these new procedures require environmental analysis which can add significant time to their approval and implementation. The Committee encourages FAA to explore avenues to expedite the development of RNAV and RNP procedures that will provide user benefits without sacrificing appropriate environmental reviews.

Technical workforce staffing.—The Committee is frustrated that the FAA's air traffic control technician workforce continues to fall below the mutually agreed upon minimum level of 6,100. This is the level which was determined to be necessary to safely maintain the air traffic control system. The Committee understands that the FAA is not currently expected to meet the minimum staffing level until the end of the fiscal year. This is unacceptable. The FAA must demonstrate better workforce planning to ensure that there are an adequate number of trained technicians available to perform preventative maintenance and to repair systems that fail. In addition, the Committee believes that the agency must also maintain an ample technician workforce to sustain NextGen equipment as it is deployed. The Committee directs FAA to maintain a technical workforce of no less than 6,100 individuals from the beginning of the fiscal year consistently through the end of the fiscal year. If FAA cannot sustain this level, the Committee will seek reductions in other areas of the agency's operating budget. The Committee will continue to insist that FAA meet these minimum levels, until such a time that changes to staffing levels are mutually agreed upon.

Contract tower program.—The Committee recommendation includes $117,200,000 to continue the contract tower base program, which is the same level requested in the budget. This will fund three non-towered airports that are expected to enter the program during fiscal year 2011. In addition, the bill provides $9,500,000 to continue the contract tower cost-sharing program. It has been nearly three decades since the FAA began contracting out air traffic services at lower level tower facilities; there are currently 245 airports in 46 states that participate in the program. The Committee believes that the contract tower program is a cost-effective program that performs an important safety function. However, it has been nearly a decade since the program has been reviewed by the DOT OIG. Therefore, the Committee directs the OIG to conduct a review of the contract tower program's cost-effectiveness, safety benefits, and the overall value to the users of these airports. The Committee directs the OIG to provide a report to the House and Senate Committees on Appropriations by June 1, 2011.

The Committee notes that the number of airports participating in the cost-sharing program fluctuates regularly because of changes in air traffic activity. In order to prevent program disruptions and provide more certainty, the Committee continues to permit the FAA to use unsubscribed funds from the contract tower base-line program to avoid elimination of communities from the cost-share towers program. However, FAA should only employ this flexibility with surplus funds in the base-line contract tower program, after all base-line contract tower obligations have been fulfilled.

Office of airline transportation statistics.—The Committee recommendation includes $4,000,000, as requested in the budget, for the activities of the office of airline transportation statistics (ATS). The ATS collects data on a wide range of aviation activities with the intent of providing accurate, timely, and useful information in making and administering aviation policy. The program is managed by the Bureau of Transportation Statistics (BTS). BTS collects and disseminates information from 150 U.S. airlines and 135 foreign carriers. This information includes financial, traffic, performance, and operational airline data such as on-time statistics, airline employment figures, and fuel costs. The Committee expects FAA to provide these resources to the DOT Bureau of Transportation Statistics promptly.

AVIATION SAFETY

The bill provides $1,304,486,000 for aviation safety which represents an increase of $70,421,000 above the fiscal year 2010 enacted level and $10,500,000 above the budget request. The Committee approves the FAA's request for $14,000,000 to hire 82 additional flight standards, aircraft certification, and operational safety personnel to assist with critical safety oversight and regulatory activities; aircraft and avionics certification requirements; environmental compliance efforts; oceanic and domestic navigation; area navigation and required navigation performance to advance NextGen; unmanned aircraft systems operations and approvals; emergency medical helicopter oversight; and additional product certification efforts.

Oversight of foreign repair stations.—In an effort to provide additional safety oversight, the Committee recommendation includes an increase of $10,500,000 for increased inspections of foreign repair stations. Within the amounts provided, the Committee includes funding for 40 additional inspector positions as well as additional resources to cover travel costs associated with the inspection of foreign repair stations. The Committee directs FAA to provide a progress report to the House and Senate Committees on Appropriations six months after enactment on FAA's hiring and foreign repair inspection plans.

The additional funds provided for the aviation safety offices are designated as congressional items of interest. Therefore, the Committee prohibits the reprogramming of funds between the offices, or for any other purpose within or outside of the aviation safety office, including the hiring of other types of personnel within aviation safety without the approval of the House and Senate Committees on Appropriations.

The Committee continues its direction requiring the Secretary to provide annual reports regarding the use of the funds provided, in-

cluding, but not limited to, the total full-time equivalent staff years in the offices of aircraft certification and flight standards, total employees, vacancies, and positions under active recruitment. The Committee directs the Secretary to provide this report to the House and Senate Committees on Appropriations by March 31, 2011.

Pilot flight/duty time and crew training requirements.—In the aftermath of the tragic crash of Colgan Air Flight 3407 in February 2009, the FAA Administrator issued a call to action on airline safety and pilot training. Two of the key components of that action plan have been pilot flight and duty time as well as crew training. The FAA has been heavily engaged in the process of updating the regulations governing pilot flight and duty time. The Committee recognizes the complexity of these rules given that they have not been substantially updated in decades. However, the Committee expects the proposed rule to be published before the end of fiscal year 2010. With regard to crew training, the FAA issued an advance notice of proposed rulemaking in early February and comments to the proposal were due April 9, 2010. Proper training of aviation crew is critical to ensure the safety of the flying public. The Committee is pleased that the FAA is undertaking both of these important safety efforts and urges the agency to move expeditiously to complete these rules.

COMMERCIAL SPACE TRANSPORTATION

The Committee recommends $16,747,000 for the office of commercial space transportation which is $1,000,000 above the budget request and $1,510,000 above the fiscal year 2010 enacted level. With the expected retirement of the space shuttle next year, commercial space vehicles may be utilized to launch cargo and materials to the international space station. In addition, there is increasing interest in suborbital space tourism which will increase the licensing and regulatory workload of the office of commercial space. As the commercial space industry grows and evolves, the GAO has indicated that the FAA may not have sufficient staff with the necessary expertise to oversee the safety of launches and spaceport operations. The increase provided above the budget request is for seven additional positions including safety inspectors, aerospace engineers and transportation analysts. In addition, the FAA may utilize up to $500,000 of the funds provided under this heading to continue the space transportation infrastructure matching grant program as authorized under title 49, chapter 70305.

FINANCIAL SERVICES

The Committee recommends $114,784,000 for the office of financial services which is the same as the budget request and $1,103,000 above the fiscal year 2010 enacted level.

HUMAN RESOURCES

The Committee recommends $103,297,000 which represents an increase of $2,869,000 above the fiscal year 2010 enacted level and the same level requested in the budget.

Workforce diversity report.—The Committee reiterates its direction that the FAA report data and information on the agency's recruitment outreach and hiring efforts in minority communities. The

Committee expects the report to include a year-to-year comparison of hiring statistics for underrepresented populations. The FAA is directed to provide its letter report to the House and Senate Committees on Appropriations by January 15, 2011.

REGION AND CENTER OPERATIONS

The Committee recommends $361,354,000 for the region and center operations, which is $5,000,000 below the budget request and $19,377,000 above the fiscal year 2010 enacted level. The Committee recommendation includes $15,000,000 for the agency's central service center project. The budget request seeks funding for FAA-specific security, facility, telecommunications, equipment and furnishing requirements for three new service center facilities. The Committee notes that the current leases for two of the facilities will not expire until the end of fiscal year 2013. The Committee has reduced the service center request by $5,000,000 and expects the amount provided in the recommendation will be sufficient to begin planning for the new facilities. The Committee will revisit remaining facility resource needs during the fiscal year 2012 budget process.

STAFF OFFICES

The Committee recommendation includes $261,943,000 for staff offices, including information services, which is $5,850,000 below the budget request and $17,013,000 above the fiscal year 2010 enacted level. Within the total amount, the Committee recommendation provides $3,000,000 for additional information security infrastructure and $4,011,000 in half-year funding for 110 additional hazardous materials safety inspectors and emergency operations positions. The Committee notes that the bill includes $28,188,000 within the Office of the Secretary for department-wide cyber security initiatives and last September, the Committee approved reprogramming requests totaling $6,400,000 for additional facility and information security improvements. The Committee also includes $750,000 for the FAA's Office of Civil Rights to conduct an analysis to identify barriers to improving ethnic diversity within FAA's workforce, with a focus on air traffic controllers and inspectors.

ACCOUNT-WIDE ADJUSTMENTS

Inspector general audits.—The recommendation includes a reduction of $650,000 in the operations account for the costs associated with the DOT OIG's audit of the FAA's portion of the DOT financial statement and for the Enterprise Services Center SAS–70 audit. In an effort to provide greater transparency, the Committee has provided these resources directly to the Office of Inspector General.

BILL LANGUAGE

Second career training program.—The bill retains language prohibiting 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.

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.

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).

Credits.—Funds received from specified public, private, and foreign sources for expenses incurred may be credited to the appropriation.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2010	$2,936,203,000
Budget request, fiscal year 2011	2,970,000,000
Recommended in the bill	3,000,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+63,797,000
Budget request, fiscal year 2011	+30,000,000

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 $3,000,000,000 for the FAA's facilities and equipment program, an increase of $63,797,000 above the level provided in fiscal year 2010 and $30,000,000 above the budget request. The bill provides that of the total amount recommended, $2,508,000,000 is available for obligation until September 30, 2012, and $492,000,000 (the amount for personnel and related expenses) is available until September 30, 2011. These obligation availabilities are consistent with past appropriations Acts.

FACILITIES AND EQUIPMENT

	FY 2010 enacted	FY 2011 estimate	Committee recommendation
Activity 1, Engineering, Development, Test and Evaluation:			
Advanced Technology Development and Prototyping	42,800,000	25,500,000	25,500,000
NAS Improvement of System Support Laboratory	1,000,000	1,000,000	1,000,000
William J. Hughes Technical Center Facilities	12,000,000	13,000,000	13,000,000
William J. Hughes Technical Center Infrastructure Sustainment	5,500,000	7,500,000	7,500,000
Next Generation Network Enabled Weather (NNEW)	20,000,000	28,250,000	28,250,000
Data Communications in support of Next Generation Air Transportation System	46,700,000	153,300,000	153,300,000
Next Generation Transportation System Demonstration and Infrastructure Development	33,773,730	27,000,000	27,000,000
Next Generation Transportation System—System Development	66,100,000	95,000,000	93,800,000
Next Generation Transportation System—Trajectory Based Operations	63,500,000	58,600,000	58,600,000
Next Generation Transportation System—Weather Reduction Impact	35,600,000	43,202,000	43,202,000

	FY 2010 enacted	FY 2011 estimate	Committee recommendation
Next Generation Transportation System—High Density Arrivals/Departures	51,800,000	57,000,000	57,000,000
Next Generation Transportation System—Collaborative ATM	44,640,770	75,500,000	75,500,000
Next Generation Transportation System—Flexible Terminals and Airports	64,300,000	80,700,000	80,700,000
Next Generation Transportation System—Safety Security and Environment	8,200,000	8,000,000	8,000,000
Next Generation Transportation System—Networked Facilities	24,000,000	35,000,000	29,000,000
NextGen Integrated Airport	827,900		
Total, Activity 1	520,742,400	708,552,000	701,352,000
Activity 2, Air Traffic Control Facilities and Equipment:			
En Route Programs			
En Route Automation Modernization (ERAM)	171,750,000	132,300,000	132,300,000
En Route Communications Gateway (ECG)	3,600,000	6,000,000	6,000,000
Next Generation Weather Radar (NEXRAD)—Provide	6,900,000	6,700,000	6,700,000
Air Traffic Control System Command Center (ATCSCC)—Relocation	10,300,000	2,100,000	2,100,000
ARTCC Building Improvements/Plant Improvements	50,000,000	36,892,000	36,892,000
Air Traffic Management (ATM)	31,400,000	16,500,000	16,500,000
Air/Ground Communications Infrastructure	8,600,000	7,600,000	7,600,000
ATC Beacon Interrogator (ATCBI)—Replacement	4,700,000		
Air Traffic Control En Route Radar Facilities Improvements	5,300,000	5,300,000	5,300,000
Voice Switching and Control System (VSCS)	16,700,000	15,600,000	15,600,000
Oceanic Automation System	7,700,000	4,000,000	4,000,000
Corrider Weather Integrated System (CWIS)	2,300,000		
Next Generation Very High Frequency Air/Ground Communications System (NFXCOM)	64,200,000	49,850,000	49,850,000
System-Wide Information Management	56,548,000	92,000,000	92,000,000
ADS–B NAS Wide Implementation	201,350,000	176,100,000	176,100,000
ADS–B Additional Coverage—General Aviation			21,300,000
Windshear Detection Services	1,000,000	1,000,000	1,000,000
Weather and Radar Processor (WARP)	17,600,000	2,100,000	2,100,000
Collaborative Air Traffic Management Technologies	18,100,000	35,900,000	35,900,000
En Route Automation Modernization (ERAM)—Post Release 3		5,000,000	5,000,000
Subtotal En Route Programs	678,048,000	594,942,000	616,242,000
Terminal Programs			
Airport Surface Detection Equipment—Model X (ASDE-X)	25,302,000	4,200,000	4,200,000
Terminal Doppler Weather Radar (TDWR)	9,900,000	8,600,000	8,600,000
Standard Terminal Automation Replacement System (STARS) (TAMR Phase 1)	28,000,000	22,000,000	22,000,000
Terminal Automation Modernization/Replacement Program (TAMR Phase 3)	18,000,000	20,000,000	20,000,000
Terminal Automation Program	9,600,000	3,900,000	3,900,000
Terminal Air Traffic Control Facilities—Replace	179,000,000	114,600,000	124,600,000
ATCT/Terminal Radar Approach Control (TRACON) Facilities—Improve	38,900,000	45,600,000	45,600,000
Terminal Voice Switch Replacement (TVSR)	10,500,000	11,500,000	11,500,000
NAS Facilities OSHA and Environmental Standards Compliance	26,000,000	26,000,000	26,000,000
Airport Surveillance Radar (ASR–9)	3,500,000	3,000,000	3,000,000
Terminal Digital Radar (ASR–11)	12,863,000	4,100,000	4,100,000
Precision Runway Monitor (PRM)		950,000	950,000
Runway Status Lights	117,300,000	55,000,000	55,000,000
National Airspace System Voice Switch (NVS)	26,600,000	30,200,000	30,200,000
Next Generation Voice Recorder Replacement Program	11,900,000	9,400,000	9,400,000
Integrated Display System (IDS)	7,000,000	8,700,000	8,700,000
ASR–8 Service Life Extension Program (SLEP)		2,600,000	2,600,000
Integrated Terminal Weather System (ITWS)	1,900,000	5,500,000	5,500,000

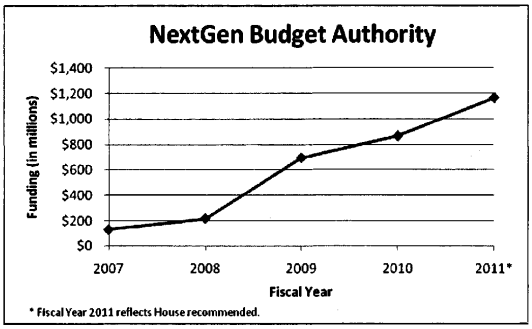
	FY 2010 enacted	FY 2011 estimate	Committee recommendation
Terminal Automation Modernization/Replacement Program (TAMR Phase 2)	.....	3,100,000	3,100,000
Remote Maintenance and Logging System (RMLS)	1,000,000	6,500,000	6,500,000
Mode S Service Life Extension Program (SLEP)	.....	1,500,000	1,500,000
Subtotal Terminal Programs	527,265,000	386,950,000	396,950,000
Flight Service Programs			
Automated Surface Observing System (ASOS)	5,500,000	6,700,000	6,700,000
Flight Service Station (FSS) Modernization	20,100,000	21,400,000	20,100,000
Weather Camera Program	3,800,000	3,200,000	3,200,000
Subtotal Flight Service Programs	29,400,000	31,300,000	30,000,000
Landing and Navigational Aids Program			
VHF Omnidirectional Radio Range (VOR) with Distance Measuring Equipment (DMF)	5,000,000	5,000,000	5,000,000
Instrument Landing System (ILS)—Establish	12,575,000	7,800,000	7,800,000
Wide Area Augmentation System (WAAS) for GPS	91,000,000	95,000,000	92,000,000
Ground-Based Augmentation System (GBAS)	.....	.....	10,100,000
Runway Visual Range (RVR)	5,000,000	5,000,000	5,000,000
Approach Lighting System Improvement Program (ALSIP)	10,337,000	5,000,000	5,000,000
Distance Measuring Equipment (DME)	6,000,000	4,100,000	4,100,000
Visual NAVAIDS—Establish/Expand	3,700,000	3,800,000	4,500,000
Instrument Flight Procedures Automation (IFPA)	7,900,000	600,000	600,000
Navigation and Landing Aids—Service Life Extension Program (SLEP)	9,000,000	6,000,000	6,000,000
VASI Replacement—Replace with Precision Approach Path Indicator	4,500,000	4,000,000	4,500,000
GPS Civil Requirements	43,400,000	58,500,000	58,500,000
Runway Safety Areas—Navigational Mitigation	.....	20,000,000	20,000,000
Subtotal Landing and Navigational Aids Programs	198,412,000	214,800,000	223,100,000
Other ATC Facilities Programs			
Fuel Storage Tank Replacement and Monitoring	6,200,000	6,300,000	6,300,000
Unstaffed Infrastructure Sustainment	18,200,000	14,100,000	14,100,000
Aircraft Related Equipment Program	9,000,000	9,000,000	9,000,000
Aircraft Related Equipment Simulator Replacement	1,000,000	.....	.....
Airport Cable Loop Systems—Sustained Support	6,000,000	7,000,000	6,000,000
Alaskan NAS Interfacility Communications System (ANICS)	9,000,000	12,100,000	12,100,000
Facilities Decommissioning	5,000,000	6,400,000	6,400,000
Electrical Power Systems—Sustain/Support	87,750,100	95,000,000	92,500,000
Aircraft Fleet Modernization	5,969,000	.....	.....
Subtotal Other ATC Facilities Programs	148,119,100	149,900,000	146,400,000
Total, Activity 2	1,581,244,100	1,377,892,000	1,412,692,000
Activity 3, Non-Air Traffic Control Facilities and Equipment:			
Support Equipment			
Hazardous Materials Management	20,000,000	20,000,000	20,000,000
Aviation Safety Analysis System (ASAS)	10,500,000	14,600,000	14,600,000
Logistics Support System and Facilities (LSSF)	9,300,000	11,500,000	11,500,000
National Airspace System Recovery Communications (RCOM)	10,230,000	15,000,000	15,000,000
Facility Security Risk Management	18,000,000	17,000,000	17,000,000
Information Security	12,276,000	15,200,000	15,200,000
System Approach for Safety Oversight	20,000,000	23,400,000	23,400,000
Aviation Safety Knowledge Management Environment (ASKME)	8,100,000	14,800,000	13,500,000
Data Center Operations	.....	1,956,000	1,956,000
Subtotal Support Equipment	108,406,000	133,456,000	132,156,000
Training, Equipment and Facilities			
Aeronautical Center Infrastructure Modernization	13,810,500	15,000,000	15,000,000
Distance Learning	1,500,000	2,000,000	2,000,000

	FY 2010 enacted	FY 2011 estimate	Committee recommendation
National Airspace System (NAS) Training—Simulator	8,200,000		
Subtotal Training, Equipment and Facilities	23,510,500	17,000,000	17,000,000
Total, Activity 3	131,916,500	150,456,000	149,156,000
Activity 4, Facilities and Equipment Mission Support:			
System Support and Services			
System Engineering and Development Support	31,700,000	32,300,000	31,700,000
Program Support Leases	37,500,000	38,600,000	38,600,000
Logistics Support Services (LSS)	11,000,000	11,000,000	11,000,000
Mike Monroney Aeronautical Center Leases	16,200,000	16,600,000	16,600,000
Transition Engineering Support	14,300,000	15,000,000	14,300,000
Frequency and Spectrum Engineering	3,600,000	2,600,000	2,600,000
Technical Support Services Contract (TSSC)	22,000,000	22,000,000	22,000,000
Resource Tracking Program (RTP)	4,000,000	4,000,000	4,000,000
Center for Advanced Aviation System Development (CAASD)	82,000,000	80,700,000	86,000,000
Aeronautical Information Management Program	10,000,000	18,300,000	18,000,000
Total, Activity 4	232,300,000	241,100,000	244,800,000
Activity 5, Personnel and Related Expenses:			
Personnel and Related Expenses—ATO	470,000,000	492,000,000	492,000,000
Total, All Activities	2,936,203,000	2,970,000,000	3,000,000,000

ENGINEERING, DEVELOPMENT, TEST AND EVALUATION

Next generation air transportation system.—The Committee provides significant increases above the fiscal year 2010 enacted level for the continued development of the FAA's next generation air transportation system (NextGen). This multi-year, multi-billion dollar effort to modernize the FAA's aging air traffic control system is a complex undertaking and requires careful oversight and implementation. FAA must carefully develop and transition to the new system while maintaining its existing system.

As noted in the table below, the federal resources committed to FAA's NextGen program has grown dramatically on a year-by-year basis since fiscal year 2007.



Despite this growth, there continues to be some dissatisfaction about the pace of FAA's progress. As a result, in early 2009, the FAA requested that the Radio Technical Commission for Aeronautics (RTCA) establish a government-industry task force to identify NextGen operational improvements that could be implemented by 2018. In September 2009, the task force issued its recommenda-

tions in a report, known as the "Task Force 5 Report," which focused on seven areas: (1) Improving airport surface situational awareness and data sharing; (2) Increasing throughput at airports with closely-spaced, converging and intersecting runways; (3) Deconflicting traffic to increase metroplex capacity and efficiency; (4) Increasing cruise efficiency through enhanced procedures and automation; (5) Improving access to low-altitude, non-radar airspace for general aviation traffic and increasing availability of GPS approaches to general aviation airports; (6) Deploying air-ground digital data communication applications to decrease delays and enhance safety and efficiency especially in severe weather; and (7) Improving overall operational efficiency through collaborative decision making.

The Committee acknowledges that the FAA's budget request for NextGen program investments seeks to respond to the Task Force 5 Report recommendations. However, much work remains to move NextGen into implementation. The DOT Inspector General (OIG) continues to raise concerns about FAA's workforce readiness to oversee and integrate the many complex technologies and procedures required to fully transition to a satellite-based air traffic control system. Specifically, the OIG review, issued on June 16, 2010, identified key areas of risk that FAA must continue to address. These include FAA's need to: (1) Establish requirements, costs and schedules for existing projects or new NextGen acquisitions; (2) Update the agency's acquisition management system to better manage investments and systems; (3) Address key safety concerns as throughput increases at congested airports; and (4) Assess the agency's ability to implement multiple capabilities at the same time and secure sufficient expertise to manage a NextGen focused workforce.

The Committee is pleased that FAA agreed with the OIG's recommendations and findings and expects FAA to work expeditiously to mitigate risk areas; establish realistic benchmarks; and develop a more robust plan for research and options for technology transfer. Given the size, scope and importance of NextGen to FAA's core mission of safety and to the efficiency provided to the users of the NAS, the Committee will continue rigorous oversight of the agency's progress on the implementation of the RTCA Task Force 5 Report and the OIG recommendations.

NextGen data communications.—The Committee recommendation includes $153,300,000 for data communications in support of NextGen, equal to the budget request and $106,600,000 above the fiscal year 2010 enacted level. The continued development of a reliable and efficient communication system between air traffic controllers and pilots was one of the key recommendations included in the RTCA Task Force 5 report. The FAA expects to make its final investment decision for air-ground network and tower automation requirements in fiscal year 2011. Once implemented, these improvements will provide significant operational benefits for both the FAA and its users by decreasing gate departure delays and increasing the safety and efficiency of airborne traffic. The Committee directs FAA to provide an update to the House and Senate Committees on Appropriations by March 30, 2011 on FAA's progress in meeting program implementation milestones for the

initial segment of the agency's NextGen data communications system.

NextGen—system development.—The Committee recommendation includes $93,800,000 for NextGen system development which is $1,200,000 below the budget request and $27,700,000 above the fiscal year 2010 enacted level. The Committee reduces funding for the staffed NextGen towers portion of the system development program.

NextGen—networked facilities.—The Committee provides $29,000,000 for NextGen networked facilities, which is $6,000,000 below the budget request and $5,000,000 above the fiscal year 2010 enacted level. The Committee provides $18,000,000 for future facilities investment planning. Since the FAA is in the midst of revising its facility investment analysis process for replacing the existing tower and terminal radar control facilities (TRACON), the Committee withholds full funding for future facilities until that process has been completed and the Committee gains a better understanding of how tower and TRACON replacement investment decisions fit into the future facilities program.

AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT

The bulk of the FAA's facilities and equipment funding is directed toward specific facility and technology improvements to en route programs; terminal programs; flight service programs; landing and navigational aids; and, other air traffic control facilities. The Committee recommendation includes $1,412,692,000 for these activities which is $34,800,000 above the budget request and $168,552,100 below the fiscal year 2010 enacted level.

EN ROUTE PROGRAMS

En route automation modernization (ERAM).—The Committee provides $132,300,000 for the en route modernization program which is equal to the budget request and $39,450,000 below the fiscal year 2010 enacted level. ERAM is the FAA's modernization program to replace the FAA's en route host computer system, its backup system and other related display system and radar position processor infrastructure. The program includes 1.4 million source lines of code and represents one of the most complex transitions that the FAA has undertaken in decades. The program has experienced its share of technical problems as the agency has sought to bring the program on-line at initial key sites. The Committee well understands that many new systems introduced into the NAS often need to be adjusted to address the unique characteristics of a particular facility or area's airspace. In April 2010, the Committee requested that the DOT OIG examine the impact of the delay in ERAM's in-service decision on the overall cost and deployment schedule at all 20 en route centers. The Committee will carefully review the OIG's findings once the audit is completed and determine whether funding adjustments are warranted as the appropriations process moves forward. The Committee is pleased that FAA has recently begun to seek input from and to leverage the expertise of the existing controller workforce. The controllers have provided an additional layer of testing at key facilities and the FAA technical center. In addition, the controllers have provided helpful

suggestions on training to help smooth the transition to ERAM for both experienced and new controllers.

Automatic Dependent Surveillance-Broadcast (ADS–B).—One of the key backbone technologies of NextGen is the automatic dependent surveillance-broadcast (ADS–B) system. Once fully operational, ADS–B will provide an advanced surveillance technology which will result in greater positional accuracy and better utilization of airspace. In addition, it will reduce congestion; increase safety and capacity; and, provide greater predictability in departure and arrival times. To date, the program has met important milestones, including deployment and testing at four key sites and the on-going installation of ground station infrastructure across the nation. The Committee will continue to monitor the performance of the system at the key initial sites as well as other sites as they become operational. On May 27, 2010, the FAA issued its final rule regarding the broadcast performance requirements necessary for ADS–B for all aircraft flying in Class A, B and C airspace and above 10,000 feet. The FAA rule requires compliance by 2020. The Committee acknowledges that key challenges remain in gaining broad user acceptance and aircraft equipage since many of the older commercial aircraft and general aviation aircraft are not currently equipped to broadcast the ADS–B signal. In that regard, the Committee continues to believe the FAA should explore options to lower the investment risk for NAS users which could serve to incentivize an earlier adoption of ADS–B avionics. The Committee recommendation fully funds the budget request of $176,100,000 which is $25,250,000 below the fiscal year 2010 enacted level.

ADS–B additional coverage-general aviation.—The Committee recommendation includes $21,300,000 to provide additional ADS–B surveillance coverage for airports that are not currently covered by radar. This investment will provide a further safety benefit to commercial and general aviation users as it will allow aircraft equipped with "ADS–B Out" technology to be monitored by air traffic controllers and will help mitigate risks like in-flight collisions and controlled flight into terrain.

TERMINAL PROGRAMS

Terminal automation modernization/replacement program (TAMR Phase 3).—The Committee recommendation includes $20,000,000 for the terminal automation modernization and replacement program which is equal to the budget request and $2,000,000 above the fiscal year 2010 enacted level. Phase 3 of the TAMR program is intended to mordernize or replace terminal automation systems at TRACON facilities around the country. Over the last several years, FAA has invested significant resources in upgrading the automation systems at our nation's busiest air traffic control facilities. Automation upgrades are necessary at lower level facilities in order to realize the true benefits of NextGen. The Committee recommendation provides funding to replace, upgrade, and sustain terminal automation hardware and software to accept future NextGen technologies, tools and procedures. The Committee is aware that FAA issued two requests for information last year seeking input from industry stakeholders on potential modernization solutions for terminal air traffic control systems. The Committee understands that the existing standard terminal automation re-

placement systems (STARS) and the common automated radar terminal systems (CARTS) at key test sites have demonstrated that STARS and CARTS can meet the near term requirements for NextGen. The Committee does not believe FAA should abandon the use of automation systems that have proven their utility in a NextGen environment and have not yet met the end of their useful operating life. The Committee urges FAA to focus replacement and modernization efforts on the most critical facilities in the NAS in order to help expedite the benefits offered by ADS–B and other NextGen technologies. The Committee directs FAA to brief the House and Senate Committees on Appropriations on the agency's terminal automation plans within 60 days of enactment of this Act.

Terminal air traffic control facilities replacement.—The Committee provides a total of $124,600,000 for the FAA's tower/TRACON rehabilitation and replacement program which is $10,000,000 above the budget request and $54,400,000 below the fiscal year 2010 enacted level. The budget request includes specific funding levels for Presidentially-designated tower and TRACON facilities. The Committee does not include project-by-project funding recommendations for two primary reasons. First, the Committee understands that FAA is currently revising its facility investment analysis process. Second, the Committee understands that the FAA has established a joint working group with its employees to review pending relocation plans for eight facilities. The Committee supports both of these efforts. However, the Committee urges FAA to be prudent and not unnecessarily delay projects that are adequately justified and well into design and construction.

The Committee expects FAA to utilize a merit-based approach for tower and TRACON rehabilitation and replacement projects. The FAA should consider the safety and condition of the facility; the service the facility provides to the users of the NAS; and the long-term facility needs as NextGen is implemented. The facility needs of the FAA will certainly change as the agency transitions to NextGen. The FAA must be pragmatic in identifying where consolidations and realignments make sense and the Committee hopes that the investment analysis under development and the joint working group will help inform that process. The FAA's long term future facilities program, however, should not interfere or delay the replacement of key facilities, critical to the NAS, that are deteriorating and in a state of serious disrepair. As facilities are updated, the Committee encourages FAA to take measures to increase their energy efficiency and incorporate green building practices where feasible.

In an era where the competition for federal resources will be increasingly tighter, the FAA must also be mindful of long term impacts that facility costs place on the agency's operating and capital budgets. However, the safety of the overall air traffic control system must be a primary concern. The Committee instructs FAA to utilize these funds for urgent facility needs and prohibits the use of these funds for the future facilities program unless prior approval is granted by the House and Senate Committees on Appropriations through the reprogramming process stipulated in Section 405 of this Act.

Runway status lights (RWSL).—The Committee recommendation includes $55,000,000 for the runway status lights program which

is the same as the budget request and $62,300,000 below the fiscal year 2010 enacted level. Runway status lights perform an important safety function by signaling to aircraft and vehicle operators when it is safe to proceed onto active runways and airport surfaces. The funds provided for RWSL in the recommendation will continue construction at twelve sites; begin construction at two new sites; and finish installation at eleven airports. The Committee strongly supports efforts to reduce the incidents of runway incursions and the risks associated with them, and will continue to monitor the deployment and performance of these important safety systems.

FLIGHT SERVICE PROGRAMS

Flight service station (FSS) modernization.—The Committee recommendation holds funding for the flight service station modernization to the fiscal year 2010 enacted level of $20,100,000, which is $1,300,000 below the budget request.

LANDING AND NAVIGATIONAL AIDS

Instrument landing system establishment.—The Committee recommendation includes $7,800,000 for instrument landing systems which is equal to the budget request and $4,775,000 below the fiscal year 2010 enacted level. Within the funds provided, the Committee includes $500,000 to upgrade the instrument landing system to a Category II level on Runway 5 at the Kinston Regional Jetport, NC.

Wide area augmentation system (WAAS).—The Committee recommendation includes $92,000,000 for the wide area augmentation system program which is $3,000,000 below the level requested in the budget and $1,000,000 above the fiscal year 2010 enacted level. Through fiscal year 2010, the total federal investment in the WAAS program has been $1,530,824,800.

Ground-based augmentation systems.—The Committee recommends $10,100,000 for the procurement of three ground-based augmentation systems (GBAS). As a potential key component of the Next Generation Air Transportation System, the Committee is highly interested in the ability of GBAS to perform precision Category I and eventually Category II and III approaches and other precision terminal area operations. Three additional systems will allow for additional data collection and testing by the FAA while unlocking safety and efficiency benefits for the airports the sites selected by the FAA to receive these systems. No later than 90 days after the enactment of this Act, the Administrator shall report to the House and Senate Committees on Appropriations to detail where these systems will be installed, what process determined their site selection, and a plan for how each individual site's operational demonstration will be conducted.

Runway visual range (RVR).—The Committee recommendation includes $5,000,000 for the runway visual range program which is the same level requested in the budget and the same level provided in the fiscal year 2010 enacted bill. RVR systems provide air traffic controllers and pilots with important visibility information that is used to allow take offs and landings during limited visibility due to weather conditions. Roughly 20 percent of the RVR systems in the NAS exceed their 20 year life-cycle use. The recommendation includes funding to procure and install 10 new RVR systems. The

Committee understands that there are as many as 30 RVR systems that have been procured and are sitting in a warehouses waiting to be installed and there are 38 systems that have been procured but not yet delivered. The Committee believes the FAA must be more vigilant in getting these important safety systems deployed once they have been delivered. The Committee directs FAA to put together an installation plan that will ensure that all procured systems are deployed within a reasonable timeframe. The Committee directs FAA to brief the House and Senate Committees on Appropriations on the agency's plans within 60 days of enactment of this Act.

Visual Navaids-Establish/Expand.—The Committee recommendation includes $4,500,000 for precision approach path indicator systems and new-generation runway end identifier light systems. The recommendation is $700,000 more than the budget request and $800,000 more than the fiscal year 2010 enacted level. The Committee notes that the Commercial Aviation Safety Team, including FAA and industry representatives, identified 781 runway ends that require implementation of visual-like precision approach capability. The increase above the budget is to provide necessary logistics and engineering support and for the procurement and installation of additional systems.

VASI Replacement—Precision approach path indicator (PAPI).—The Committee recommendation includes $4,500,000 for additional PAPI systems and requirements which is $500,000 more than the budget request and equal to the fiscal year 2010 enacted level. The increase above the budget request is to help expedite FAA's ongoing effort to comply with the International Civil Aviation Organization's standard for visual approach slope indicators.

Runway safety areas—navigational mitigation.—Last year, the Committee provided additional resources for the FAA's navigation and landing aids program in order to address OIG's recommendation that the agency must take additional action to mitigate the hazards that navigational aids present in runway safety areas. The Committee notes that the airport program office has made significant progress improving the runway safety areas in order to meet the statutory deadline of 2015. Similar progress must be made with regard to the navigational aids that are not in compliance with runway safety requirements. The Committee recommendation believes that this is an important safety initiative and has provided $20,000,000 as requested in the budget. The Committee directs the FAA to provide status reports to the House and Senate Committees on Appropriations with the agency's plan to address the 2,500 identified navigational objects at various airports. The FAA is directed to provide its first status report on March 15, 2011, the plan should outline the FAA's timeline, cost estimates and year-by-year objectives to meet the 2015 deadline.

OTHER AIR TRAFFIC CONTROL FACILITIES PROGRAMS

Airport cable loop systems—sustained support.—The Committee recommendation reduces funding for the FAA's airport cable loop system program by $1,000,000 and freezes the program at the fiscal year 2010 enacted level of $6,000,000.

Electrical power systems.—The Committee recommendation includes $92,500,000 for electrical power systems, an increase of

$4,749,900 above the fiscal year 2010 enacted level and $2,500,000 below the budget request. The Committee reduces funding below the budget request in order to fund other programmatic priorities.

SUPPORT EQUIPMENT

Aviation safety knowledge management environment (ASKME).—The Committee recommendation includes $13,500,000 for the aviation safety knowledge management environment program which is $1,300,000 below the budget request and $5,400,000 above the fiscal year 2010 enacted level. The Committee supports the goals of the ASKME program which is to develop a comprehensive automated safety management system capable of electronically storing FAA technical documentation and other important safety data. However, the justification included in the fiscal year 2011 budget request was virtually identical to the justification that was provided in fiscal year 2010. The Committee withholds full funding for the program until the FAA provides greater specificity for the use of funds requested in fiscal year 2011.

MISSION SUPPORT

Engineering support programs.—The recommendation freezes funding for engineering support programs at the fiscal year 2010 enacted level due to overall budget constraints. Transition engineering support is funded at $14,300,000, which is $700,000 below the budget request, and system engineering and development support is funded at $31,700,000, which is $600,000 below the budget request.

Center for advanced aviation systems development (CAASD).—The Committee provides $86,000,000 for CAASD which is $5,300,000 above the budget request and $4,000,000 above the fiscal year 2010 enacted level. The FAA's fiscal year 2011 request for activities related to engineering, development, test and evaluation (EDT&E) has increased by 36 percent over fiscal year 2010. These EDT&E activities are in their earliest stage of development and require significant engineering and technical support. The Committee notes that FAA recently announced three major new systems engineering contracts to assist with the development of NextGen procedures and technologies. While these contracts will provide systems engineering support for EDT&E activities, the Committee believes that FAA could benefit from additional core mission support especially for programs that are security sensitive. In addition to the critical research and systems engineering that CAASD performs in assisting FAA in its development of NextGen systems and procedures, CAASD also provides important technical guidance on how to engineer security capabilities into the NAS.

Aeronautical information management program.—The Committee recommendation includes $18,000,000 for the aeronautical information management program which is $300,000 below the budget request and $8,000,000 above the fiscal year 2010 enacted level. The minor reduction below the budget request was done without prejudice in order to fund other programmatic priorities.

PERSONNEL AND RELATED EXPENSES

The Committee recommends $492,000,000 for personnel and related expenses which is an increase of $22,000,000 above the fiscal year 2010 enacted level and the same level as the budget request. This appropriation finances the personnel, travel and related expenses of the FAA's facilities and equipment workforce.

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 2010	$190,500,000
Budget request, fiscal year 2011	190,000,000
Recommended in the bill	198,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+7,500,000
Budget request, fiscal year 2011	+8,000,000

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 $198,000,000, an increase of $7,500,000 above the fiscal year 2010 enacted level and $8,000,000 above the President's budget estimate.

A table showing the fiscal year 2010 enacted level, the fiscal year 2011 budget estimate, and the Committee recommendation follows:

RESEARCH, ENGINEERING AND DEVELOPMENT

Program	Fiscal year 2010 enacted	Fiscal year 2011 estimate	Committee recommendation
Improve Aviation Safety	93,572,000	93,702,000	93,702,000
Fire research and safety	7,799,000	7,231,000	7,231,000
Propulsion and fuel systems	3,105,000	2,332,000	2,332,000
Advanced materials/structural safety	4,935,000	2,566,000	2,566,000
Atmospheric hazards/digital system safety	4,482,000	6,635,000	6,635,000
Aging aircraft	10,944,000	10,801,000	10,801,000
Aircraft catastrophic failure prevention	1,545,000	1,165,000	1,165,000
Flightdeck safety/systems integration	7,128,000	7,174,000	7,174,000
Aviation safety risk analysis	12,698,000	11,907,000	11,907,000
ATC/AF human factors	10,302,000	10,475,000	10,475,000
Aeromedical research	10,378,000	11,217,000	11,217,000
Weather research	16,789,000	16,505,000	16,505,000
Unmanned aircraft system	3,467,000	3,694,000	3,694,000
NextGen Alternative Fuels for General Aviation	– – –	2,000,000	2,000,000
Improve Efficiency of the ATC System	48,543,000	54,874,000	54,874,000
Joint program and development office	14,407,000	14,292,000	14,292,000
Wake turbulence	10,631,000	10,685,000	10,685,000
NextGen—Air Ground Integration	5,688,000	10,614,000	10,614,000
NextGen—Self Separation	8,247,000	9,971,000	9,971,000
NextGen—Weather Technology in the Cockpit	9,570,000	9,312,000	9,312,000
Reduce Environmental Impacts	42,031,000	35,974,000	43,974,000

Program	Fiscal year 2010 enacted	Fiscal year 2011 estimate	Committee recommendation
Environment and energy	15,522,000	15,374,000	15,374,000
NextGen Environmental Research—Aircraft Technologies, Fuels and Metrics	26,509,000	20,600,000	28,600,000
Mission Support	6,354,000	5,450,000	5,450,000
System planning and resource management	1,766,000	1,733,000	1,733,000
Technical laboratory facilities	4,588,000	3,717,000	3,717,000
Total	190,500,000	190,000,000	198,000,000

NextGen alternative fuels for general aviation.—The Committee recommendation fully funds the FAA's new initiative to research and test new unleaded fuels and piston engine modifications to seek a safe alternative to the currently utilized leaded aviation gasoline (avgas). The Committee recognizes the importance of moving forward with this initiative and includes $2,000,000 as requested in the budget.

The Committee recognizes the need for FAA to implement a program to develop aircraft engine emissions and airworthiness regulatory standards and policies to remove lead from the fuel used in piston engine aircraft. This program should be coordinated with current industry initiatives established to transition the piston engine aircraft fleet to reduced lead or unleaded fuel. The FAA should collaborate in this effort with industry groups representing aviation consumers, manufacturers, fuel producers and distributors, EPA and other relevant agencies as appropriate. FAA should also take proper account of aviation safety, environmental improvements, technical feasibility and economic impact on the current and future general aviation fleet. The Committee recognizes that this program will have a resource impact on the FAA and expects FAA to detail in future budgets the resources necessary to implement this program including certification.

NextGen environmental research—aircraft technologies, fuels and metrics.—The Committee provides $28,600,000 for the FAA's NextGen environmental research aircraft technologies, fuels and metrics program, which represents an $8,000,000 increase above the budget request and $2,091,000 above the fiscal year 2010 enacted level. These additional funds will assist the continuous, lower energy, emissions, and noise program (CLEEN) move forward with the research and development of alternative jet fuels as well as establish important environmental metrics. Within the amounts provided, $6,500,000 is included to advance the development of open rotor technologies which have the potential of increasing fuel efficiency in aircraft by 30 percent and $1,500,000 is included to conduct community surveys to measure the impacts of aircraft noise on communities surrounding airports across the nation.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$3,000,000,000	($3,515,000,000)

	Liquidation of contract authorization	Limitation on obligations
Budget request, fiscal year 2011	3,550,000,000	(3,515,000,000)
Recommended in the bill	3,550,000,000	(3,515,000,000)
Bill compared to:		
Appropriation, fiscal year 2010	550,000,000	(– – –)
Budget request, fiscal year 2011	(– – –)	(– – –)

The bill includes a liquidating cash appropriation of $3,550,000,000 for grants-in-aid for airports, authorized by the Airport and Airway Improvement Act of 1982, as amended. This funding provides for liquidation of obligations 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.

LIMITATION ON OBLIGATIONS

The bill includes a limitation on obligations of $3,515,000,000 for fiscal year 2011 which is the same level as both the budget request and the fiscal year 2010 enacted level.

ADMINISTRATION AND RESEARCH PROGRAMS

Airport administrative expenses.—Within the overall obligation limitation, the bill includes $99,622,000 for the administration of the airports program by the FAA. This funding level is $586,000 below the budget request and $6,200,000 above the fiscal year 2010 enacted level. The recommendation includes $172,000 for two additional safety management systems positions to enhance regional participation in safety risk management document teams; $1,360,000 for ten positions to increase the oversight of airport improvement program funds and to address internal control issues raised by the DOT Office of Inspector General; $172,000 for two additional engineering support staff to assist with airport design issues and runway safety data collection and analysis. The Committee recommendation also includes $400,000, as requested in the budget, to increase the frequency of data collected on private airports. The Committee recognizes the importance of maintaining current data at private airports since these airports can be used in the event of an emergency aircraft landing. The Committee denies the request for $586,000 for contract support to produce a video demonstrating the benefits of NextGen on airport chokepoints. The Committee believes this activity should be requested and funded within the Joint Program and Development Office.

Airport cooperative research program (ACRP).—The recommendation includes $15,000,000 which is the same level as the budget request and the fiscal year 2010 enacted level. The ACRP was established through Section 712 of the "Vision 100—Century of Aviation Reauthorization Act" (P.L. 108–176) to identify shared problem areas facing airports that can be solved through applied research but are not adequately addressed by existing Federal research programs. To date, the ACRP has completed 15 research projects resulting in 64 publications on a variety of airport-related topics and there are nearly 100 additional research projects either in progress or about to commence.

Airport technology research.—The recommendation includes a minimum of $27,217,000 for the FAA's airport technology research program which is equal to the budget request and $4,745,000 above the fiscal year 2010 enacted level. The funds provided for this program are utilized to conduct research in the areas of airport pavement; airport marking and lighting; airport rescue and firefighting; airport planning and design; wildlife hazard mitigation; and, visual guidance.

Runway safety areas (RSAs).—While there has been some progress in reducing the number of runway safety incidents over the last decade, runway safety must continue to be an area of high priority for the FAA. The Committee notes that FAA has initiated a number of strategies to improve runway safety including the installation of engineered materials arresting systems (EMAS) on 44 runway ends at 30 airports across the nation. In addition, the agency has undertaken a comprehensive effort to improve, where practicable, the runway safety areas at 558 certificated airports in order to meet the legislative mandate at the end of 2015. The Committee understands that the FAA expects to have over 81 percent of runway safety area improvements completed by the end of 2010 and nearly 91 percent completed by 2012. The FAA also has started a separate program within the facilities and equipment account to relocate or modify the navigational aids that present hazards at the end of runways.

Foreign object debris.—The Committee is acutely aware of the severe safety hazard that the presence of foreign object debris (FOD) can cause to aircraft when left undetected on airport runways, taxiways and ramps. These FOD have the potential of causing catastrophic damage to aircraft during critical phases of flight. Airports utilize a variety of methods to identify FOD including human visual means; radar detection; and video technology and image processing data. The Committee notes that the FAA issued an advisory circular (150/5220–24) in September 2009 which provides important information to airports about the requirements necessary for purchasing FOD detection equipment with airport improvement program funds. The Committee supports the use of AIP funds for this purpose in order to help mitigate a serious safety threat that FOD can pose to the traveling public.

HIGH PRIORITY PROJECTS

Of the funds covered by the obligation limitation in this bill, the Committee directs FAA to provide not less than the following funding levels, out of available resources, for the following projects in the corresponding amounts. The Committee agrees that state apportionment funds may be construed as discretionary funds for the purposes of implementing this provision. To the maximum extent possible, the administrator should work to ensure that airport sponsors for these projects first use available entitlement funds to finance the projects. However, the FAA should not require sponsors to apply carryover entitlement to discretionary projects funded in the coming year, but only those entitlements applicable to the fiscal year 2010 obligation limitation. The Committee further directs that the specific funding allocated above shall not diminish or prejudice the application of a specific airport or geographic region to receive other AIP discretionary grants or multiyear letters of intent.

Project	Amount
Auburn-Lewiston Municipal Airport Phase 1 Runway 4/22 Safety Area Improvements/Extension, ME	$750,000
Augusta Airport Runway Reconstruction and Safety Area Improvements, ME	500,000
Charlotte Monroe Executive Airport Ramp, Taxiway and Related Improvements, NC	1,000,000
Charlottesville-Albemarle Airport (CHO) Extension of Runway 21, VA	500,000
Denver International Airport F7 Taxiway Construction, CO	700,000
Grand Forks Regional Airport (GFK) Passenger Terminal—Phase III, ND	750,000
Montrose Regional Airport Taxiway Bravo Extension, CO	500,000
Outagamie County Regional Airport Taxiway, Apron, and Signage Improvements, WI	750,000
Phoenix Sky Harbor International Airport Taxiway Alpha, AZ	1,000,000
Phoenix-Mesa Gateway Airport Papa (P) and Related Improvements, AZ	1,000,000
Sawyer County Airport Land Acquisition and Landing System Improvements, WI	1,750,000
Southwest Georgia Regional Airport Apron and Various Improvements, GA	1,000,000
Stinson Municipal Airport Taxilane Extension, TX	1,000,000
Virginia Highlands Airport Design and Land Acquisition, VA	750,000

BILL LANGUAGE

Runway incursion prevention systems and devices.—Consistent with the provisions of Public Law 106–181 and fiscal years 2004 through 2010 Appropriations Acts, the bill allows funds under this limitation to be used for airports to procure and install runway incursion prevention systems and devices.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110. The Committee retains a provision limiting the number of technical workyears at the Center for Advanced Aviation Systems Development to 600 in fiscal year 2011.

Section 111. 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 112. The Committee continues a provision allowing reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113. The Committee retains a provision allowing reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114. The Committee retains a provision prohibiting funds to change weight restrictions or prior permission rules at Teterboro Airport, Teterboro, New Jersey. The Committee understands that the authorizing committees of jurisdiction are exploring a longer term extension of this provision. The Committee will reevaluate the need for this provision as the legislative process moves forward.

Section 115. The Committee retains a provision prohibiting funds limited in this Act for the Airport Improvement Program to be provided to an airport that refuses a request from the Secretary of Transportation to use public space at the airport for the purpose of conducting outreach on air passenger rights.

Section 116. The Committee retains a provision prohibiting the FAA from paying Sunday premium pay except in those cases where the individual actually worked on a Sunday.

Section 117. The Committee retains a provision prohibiting FAA from using funds to purchase store gift cards or gift certificates through a government-issued credit card.

FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration (FHWA) provides both financial assistance to the states to construct and improve roads and highways, and 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.

SUMMARY OF FISCAL YEAR 2011 PROGRAM

The most recent long-term surface transportation authorization act, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), expired on September 30, 2009. Since that time, Congress has passed several short-term extension bills that have continued to provide contract authority for the FHWA and the other surface transportation agencies. However, the current extension will expire on December 31, 2010. Because reauthorization actions have not yet been completed, the Committee has continued the fiscal year 2010 program structure for the highway program and has assumed that the funding levels provided for the first quarter of fiscal year 2011 will be extended and annualized for the remainder of the year.

At the time the Committee began consideration of this bill to fund transportation programs for fiscal year 2011, the Administration was still developing its reauthorization proposal for surface transportation programs. Consequently, the President's budget that was submitted to the Committee contained no policy recommendations for programs subject to reauthorization. The President's budget instead provides only baseline funding levels for all highway, transit, motor carrier safety, and highway safety programs, including increases mostly for only pay raises and other non-pay inflation adjustments.

For highways, the budget proposes a total program level of $41,838,644,337. Included within this level is an obligation limitation of $41,362,775,000, which is $255,775,000, or less than one percent, above the fiscal year 2010 level of $41,107,000,000. The budget also assumes $739,000,000 in contract authority exempt from the obligation limitation and proposes to cancel $263,130,663 from old projects funded in prior surface transportation authorization acts.

COMMITTEE RECOMMENDATION

The Committee recommends a total program level of $45,920,927,576 for the activities of the FHWA in fiscal year 2011. The recommendation is $4,082,283,239 above the budget request and $3,132,098,576 above the fiscal year 2010 enacted level. The following table summarizes the program levels within the FHWA for fiscal year 2010 enacted, the fiscal year 2011 budget request, and the Committee's recommendation:

[In thousands of dollars]

Program	Fiscal year 2010 enacted	Fiscal year 2011 request	Recommended in the bill
Federal-aid highways (limitation)	41,107,000	41,362,775	45,217,700
Exempt contract authority	739,000	739,000	739,000
Subtotal	41,846,000	42,101,775	45,956,700
Rescission of contract authority	– – –	– 263,131	– 1,863
Rescission of budget authority	– – –	– – –	– 33,909
Additional highways investment (GF)	650,000	– – –	– – –
Surface transportation priorities	292,829	– – –	– – –
Total	42,788,829	41,838,644	45,920,928

LIMITATION ON ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2010	(*$413,533,000)
Budget request, fiscal year 2011	(420,843,000)
Recommended in the bill	(428,843,000)
Bill compared with:	
Appropriation, fiscal year 2010	(+15,310,000)
Budget request, fiscal year 2011	(+8,000,000)

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $428,843,000 for fiscal year 2011, which is $8,000,000 above the budget request and $15,310,000 above the fiscal year 2010 level. The bill also includes language to make $3,300,000 in contract authority above this limitation available for the administrative expenses of the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code, as requested.

Office of Inspector General (OIG) audits and investigations.—The recommendation does not include bill language, as has previously been provided, to direct contract authority to the OIG to conduct audits and investigations related to the FHWA. In an effort to provide greater transparency, the Committee has provided these resources directly to the OIG.

Fiscal management information system.—In House Report 110–238, which accompanied the Consolidated Appropriations Act, 2008 (Public Law 110–161), the Committee directed the FHWA to submit a report detailing how the agency reviews unobligated and/or unexpended project funds to determine whether or not those remaining funds are still needed to complete the project. The FHWA noted in its response to the Committee, which was dated May 26, 2009, that, due to limitations of the agency's fiscal management information system (FMIS), spreadsheets must be developed manually in a lengthy process. The compilation is complicated by the fact that most reports generated in FMIS are in a format (i.e., pdf) that does not allow data inputting and manipulation. More recently, during debate on the Federal Aviation Administration's reauthorization bill in March 2010, an amendment was offered that required the FHWA to produce tables listing the highway projects that would be affected by the amendment. The FHWA was slow to

produce these tables and the accuracy of the data was sometimes questioned, which was extremely frustrating for Congressional staff on multiple committees. The Committee is deeply concerned about the limited functionality of FMIS and its ability to communicate effectively and accurately with the Department's accounting system. In response to inquiries made by the Committee, the FHWA has indicated that it could cost approximately $15,000,000 and take three years to renovate and upgrade FMIS to improve the system's capabilities. The Committee believes that these improvements are critical to the FHWA's daily operations and must be executed with all due haste. To that end, the Committee provides $8,000,000 within the limitation on administrative expenses for the FHWA to begin the process of upgrading the capabilities of FMIS and expanding its limiting functions, including the ability to generate reports in spreadsheet format. However, the Committee has included bill language which prohibits the FHWA from obligating these funds until the agency has submitted a plan to the House and Senate Committees on Appropriations which identifies the full cost of the upgrades and a timeline for completion. Furthermore, in developing this plan, the Committee directs the FHWA to launch an internal strategic review of FMIS and associated FHWA systems to define known and future grant management system requirements, including Federal Funding Accountability and Transparency Act and Recovery Act information needs; stakeholder data analysis objectives; and expanded query, reporting, and interface requirements. In addition, the Committee directs the FHWA, in consultation with the Department's chief information officer, to consult with other DOT grant-making operating administrations to determine the feasibility of developing a multi-modal grant management system.

LIMITATION ON TRANSPORTATION RESEARCH

Appropriation, fiscal year 2010	($429,800,000)
Budget request, fiscal year 2011	(429,800,000)
Recommended in the bill	(429,800,000)
Bill compared with:	
Appropriation, fiscal year 2010	(– – –)
Budget request, fiscal year 2011	(– – –)

This limitation controls spending for the transportation research and technology contract programs of the FHWA. It includes a number of contract programs including surface transportation research, training and education, university transportation research, and intelligent transportation systems research. Funding for the Bureau of Transportation Statistics (BTS) is also included within this limitation even though BTS is organizationally placed within the Research and Innovative Technology Administration (RITA). Additional information regarding BTS is included in the RITA section of this report.

COMMITTEE RECOMMENDATION

The recommendation includes an obligation limitation for transportation research of $429,800,000 in fiscal year 2011, equal to the budget request and the fiscal year 2010 level. However, because reauthorization actions have not yet been completed, the Committee has not provided a break out of the transportation research pro-

gram 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.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2010	($41,107,000,000)
Budget request, fiscal year 2011	(41,362,775,000)
Recommended in the bill	(45,217,700,000)
Bill compared with:	
Appropriation, fiscal year 2010	(+4,110,700,000)
Budget request, fiscal year 2011	(+3,854,925,000)

The federal-aid highways program is designed to aid in the development, operations and management of an intermodal transportation system that is economically efficient, environmentally sound, provides the foundation for the nation to compete in the global economy, and moves people and goods safely.

All programs included within the federal-aid highways program are financed from the highway trust fund and most are distributed via apportionments and allocations to states. The federal-aid highways program is funded by contract authority and liquidating cash appropriations are subsequently provided to fund outlays resulting from obligations incurred under contract authority.

The Committee sets, through the annual appropriations process, an overall limitation on the total contract authority that can be obligated under the federal-aid highways program in a given year. The Committee also provides direction and other guidance regarding some of the programs that operate under this overall limitation.

COMMITTEE RECOMMENDATION

As stated previously, the Committee finds itself in a position where the most recent long-term surface transportation authorization act, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), expired on September 30, 2009, and there is no clear indication as to what the future holds for these programs. Congress has passed several short-term extension bills in order to continue to provide contract authority for the FHWA and the other surface transportation agencies; however, the current extension will expire on December 31, 2010. Because the House and Senate authorizing committees have yet to complete their work on legislation to extend these programs beyond the end of the calendar year, the Committee has continued the fiscal year 2010 program structure for the highway program found in SAFETEA–LU and has assumed that the funding levels provided for the first quarter of fiscal year 2011 will be extended and annualized for the remainder of the year.

The bill includes language limiting fiscal year 2011 federal-aid highways obligations to $45,217,700,000, an increase of $4,110,700,000 from the fiscal year 2010 enacted level and an increase of $3,854,925,000 above the budget request. The Committee's recommendation represents a 10 percent increase as compared

to last year's funding level and supports infrastructure investment which is critical to the economy. This crucial investment not only creates and saves jobs of hard-working Americans, it lays a foundation for future economic growth by improving and fortifying our nation's infrastructure. The increase in highway spending will build on the success realized in the American Recovery and Reinvestment Act (ARRA) by investing in our nation's highways while helping to build and repair the roads and bridges that serve as a vital component to America's industry. The increased authority will spur hiring, strengthen the nation's transportation system, and lead to economic benefits throughout communities across the country.

The Committee has continued bill language 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. These fees are not subject to any obligation limitation or the limitation on administrative expenses set for the transportation infrastructure finance and innovation program under section 608 of title 23, United States Code.

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 approximately four million miles of public roads in the United States and about 600,000 bridges. The federal government provides grants to states to assist in financing the construction and preservation of about 994,500 miles (24 percent) of these roads, which represents the National Highway System plus key feeder and collector routes. Highways eligible for federal aid carry about 85 percent of total U.S. highway traffic.

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 2011 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:

Surface transportation program (STP).—STP is a flexible program that may be used by states and localities for projects on any federal-aid highway, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities. A portion of STP funds are set aside for transportation enhancements and state sub-allocations are provided. The federal share for STP is generally 80 percent, subject to the sliding scale adjustment, with a four-year availability period.

National highway system (NHS).—The NHS program provides funding for a designated National Highway System consisting of

roads that are of primary federal interest. The NHS consists of the current Interstate, other rural principal arterials, urban freeways and connecting urban principal arterials, and facilities on the Defense Department's designated Strategic Highway Network, and roads connecting the NHS to intermodal facilities. Legislation designating the 161,000 mile system was enacted in 1995 and the Transportation Equity Act for the 21st Century (TEA–21) added to the system the highways and connections to transportation facilities identified in the May 24, 1996, report to Congress. The federal share for the NHS program is generally 80 percent, subject to the sliding scale adjustment, with an availability period of four years.

Interstate maintenance (IM) program.—The IM program finances projects to rehabilitate, restore, resurface and reconstruct the Interstate system. Reconstruction that increases capacity, other than HOV lanes, is not eligible for IM funds. The federal share for the IM program is 90 percent, subject to the sliding scale adjustment, and funds are available for four years.

Funds provided for the IM discretionary program in fiscal year 2011 shall be available for the following activities in the corresponding amounts:

Project	Amount
Augusta North Connections—Exit 113, ME	$1,000,000
Avalon Boulevard Interchange Modification at the I–405, Carson, CA	1,000,000
City of Moline I–74 Bridge Preconstruction and Construction, IL	1,000,000
Harrison County I–64 Interchange, IN	1,000,000
I–294 at I–57 Interchange, IL	1,000,000
I–390 Interchange, NY	1,250,000
I–5 North Stockton Lane Widening and Improvements Project, CA	1,250,000
I–5 Widening from I–605 North to I–710 Environmental Phase, CA	1,000,000
I–5/Kuebler Boulevard Interchange Improvements, OR	1,000,000
I–64/22nd Street Interchange Reconfiguration, MO	1,000,000
I–71 Corridor Access, Cincinnati, OH	1,000,000
I–80/Gilman Street Interchange Improvement Project, Berkeley, CA	1,000,000
I–805/La Jolla Village Drive Interchange Project, San Diego, CA	1,000,000
I–85 in Davidson and Rowan Counties, NC	1,000,000
I–94 from East Dickinson Interchange, East-Westbound Lanes Reconstruction, Dickinson, ND	1,000,000
I–95 Interchange at Yamato Road and Spanish River Boulevard Project, City of Boca Raton, FL	500,000
I–95 Upgrades in Robeson County, NC	1,000,000
I–95/301 Interchange, SC	2,000,000
Interstate 225 and Colfax Avenue Reconfiguration, Aurora, CO	1,250,000
Interstate 79/Mt. Morris Interchange Improvements, Greene County, PA	1,000,000
North Stockton I–5 Interchanges and French Camp Interchange/Arch Sperry Road Extension, Stockton, CA	1,000,000
Raton South I–25 Interchange Reconstruction, Raton, Colfax County, NM	750,000
Rehabilitate I–84 Bridges over Delaware and Neversink Rivers, NY	1,000,000
Widening of I–35, Waco, TX	2,000,000

Bridge replacement and rehabilitation program.—The bridge program enables states to improve the condition of their bridges through replacement, rehabilitation, and systematic preventive maintenance. The funds are available for use on all bridges, including those on roads functionally classified as rural minor collectors and as local. Bridge program funds have a four-year period of availability with a federal share for all projects, except those on the Interstate System, of 80 percent, subject to the sliding scale adjustment. For those bridges on the Interstate System, the federal share is 90 percent, subject to the sliding scale adjustment.

Congestion mitigation and air quality improvement program (CMAQ).—The CMAQ program directs funds toward transportation projects and programs to help meet and maintain national ambient

air quality standards for ozone, carbon monoxide, and particulate matter. A minimum ½ percent of the apportionment is guaranteed to each state.

Highway safety improvement program (HSIP).—The new HSIP (previously funded by a set-aside from STP) was established as a core program beginning in 2006. The program, which features strategic safety planning and performance, devotes additional resources and supports innovative approaches to reducing highway fatalities and injuries on all public roads.

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 current law, funding is available until expended and is distributed among the 13 eligible states based on the latest available cost-to-complete estimate prepared by the Appalachian Regional Commission.

Equity bonus program.—The equity bonus (replaces TEA–21's minimum guarantee) provides additional funds to states to ensure that each state's total funding from apportioned programs and for high priority projects meets certain equity considerations. Each state is guaranteed a minimum rate of return on its share of contributions to the highway account of the highway trust fund, and a minimum increase relative to the average dollar amount of apportionments under TEA–21. Certain states maintain the share of total apportionments they each received during TEA–21. An open-ended authorization is provided, ensuring that there will be sufficient funds to meet the objectives of the equity bonus.

Emergency relief (ER).—The ER program provides funds for the repair or reconstruction of federal-aid highways and bridges and federally-owned roads and bridges that have suffered serious damage as the result of natural disasters or catastrophic failures. The ER program supplements the commitment of resources by states, their political subdivisions, or federal agencies to help pay for unusually heavy expenses resulting from extraordinary conditions.

In February 2007, GAO published a report (GAO–07–245) on the FHWA's ER program that was prompted by the long-term fiscal imbalance between the funding provided for the program and the actual program needs. For the report, GAO evaluated the ER program to determine: (1) the total funding, distribution of funds among the states, and disaster events funded; (2) the sources of funding provided and the financial challenges facing the program; and (3) the scope of activities eligible for funding and how the scope of eligible activities had changed over time. As a result of the review, GAO recommended that the FHWA should, within its authority, tighten eligibility standards, recapture unused funds, and seek rescission of unneeded funds. The report also noted that ER program funds are not intended to replace other federal-aid, state, or local funds to increase capacity, correct non-disaster-related deficiencies, or make other improvements. Yet, despite this fact, GAO discovered that the scope of eligible activities funded by the ER program had expanded over the years with FHWA waivers of eligibility criteria or changes in definitions. As a result, some projects were funded that went beyond repairing or restoring highways to pre-disaster conditions, which contributed to concerns about the future financial sustainability of the program. The Committee still

has some significant concerns about the FHWA's management and oversight of the ER program and has specifically been troubled by recent requests for new ER funding that have been submitted by states 5, 10, or even 20 years after the disaster occurred. Therefore, the Committee directs GAO to conduct a follow-up review of the ER program to determine what progress the FHWA has made in addressing the recommendations made in the 2007 report. In addition, the Committee directs GAO to look at claims for ER funds made by states five or more years after a disaster occurred to determine if such claims are being administered and awarded in accordance with FHWA's ER processes and published criteria and are, in fact, valid, as well as whether FHWA's processes and criteria should be modified to prevent waste or abuse of ER funding. GAO is also directed to collect information it deems necessary from DOT or states in order to provide any needed context for ER claims. This review should cover fiscal years 2005 to 2010 and the report should be submitted to the House and Senate Committees on Appropriations not later than September 1, 2011.

Federal lands.—This category funds improvement for forest highways; park roads and parkways; Indian reservation roads; and refuge roads. The federal lands highways program provides for transportation planning, research, engineering, and construction of highways, roads, parkways, and transit facilities that provide access to or within public lands, national parks, and Indian reservations.

Funds provided for the federal lands program in fiscal year 2011 shall be available for the following activities in the corresponding amounts:

Project	Amount
Blackstone River Bikeway, RI	$1,000,000
BRAC-Related Improvements for Harford County, MD	1,500,000
BRAC-Related Improvements, Anne Arundel County, MD	1,500,000
BRAC-Related Improvements, Montgomery County, MD	500,000
Diaz Ordaz International Border Crossing, TX	500,000
Frederick Douglass Bridge Engineering, DC	500,000
Gila County Control Road Improvements, AZ	1,000,000
Golden Gate National Parks-Park Access, Transit and Trails, CA	1,000,000
Great Highway Long-Term Solution Planning, CA	500,000
Hoover Dam Bypass Bridge-Repayment of Debt Service Owed to Arizona, AZ	1,000,000
Low Divide and Rowdy Creek Road Improvement Project, County of Del Norte, CA	750,000
Miccosukee Road Resurfacing Project, FL	1,100,000
New Frederick Douglass Memorial Bridge Design and Construction Project, DC	2,000,000
Pedestrian Access Bridge over Dulles Airport Access and Toll Road, VA	1,000,000
Road Improvements, Wrangell Borough, AK	250,000
Saddle Road Improvements, Island of Hawaii, HI	750,000
SH 125: Michigan River Bridge, Jackson, CO	750,000
Southern Nevada Beltway Interchanges, NV	1,000,000
State Route 347 Grade Separation, Maricopa, AZ	1,000,000
Stones River National Battlefield Auto Tour Road Expansion and Rehabilitation, Murfreesboro, TN	500,000
Swan Mountain Shared Use Pathway, Breckenridge, CO	750,000
Travis Air Force Base North Gate Access Improvements, CA	750,000
U.S. 199 Safety Improvements, Cave Junction, OR	300,000

The Committee directs that the funds allocated above are to be derived from the FHWA's public lands highways discretionary program and not from funds allocated to the National Park Service's or the Fish and Wildlife Service's regions.

Ferry boats and ferry terminal facilities.—This program provides funding for the construction of ferry boats and ferry terminal facilities and requires that $20,000,000 from each fiscal year be set

aside for marine highway systems that are part of the National Highway System for use by the states of Alaska, New Jersey and Washington.

Funds provided for the ferry boats and ferry terminal facilities program in fiscal year 2011 shall be available for the following activities in the corresponding amounts:

Project	Amount
Berkeley Ferry Service, CA	$500,000
Commuter Ferry, MA	1,000,000
Ferry Landing in Pt. Mackenzie, AK	1,000,000
Ferry Terminal Dock for Statue of Liberty/Ellis Island, NY	600,000
Friday Harbor Ferry Terminal Pedestrian Access and Safety Improvements, WA	230,000
Golden Gate Ferry-Sausalito Ferry Facility Ramps and Gangways, CA	500,000
Long Branch Pier and Ferry Terminal Design, Engineering, and Project Management, NJ	1,000,000
Port of Port Angeles Ferry Terminal Repairs, WA	1,000,000
Refurbishing, Enhancing, and Improving the Safety of the North and South Lynchburg Ferry Landings, TX	700,000
Salem Wharf Pier Project, MA	1,000,000
Vallejo Ferry Maintenance Facility, Vallejo, CA	750,000
Vessel and Terminal Sewage Pump-out Systems Installation, Cape Cod, MA	1,000,000

National scenic byways program.—This program provides funding for roads that are designated by the Secretary of Transportation as All American Roads or National Scenic Byways. These roads have outstanding scenic, historic, cultural, natural, recreational, or archaeological qualities.

Transportation, community, and system preservation (TCSP) program.—This program provides grants to states and local governments for planning, developing, and implementing strategies to integrate transportation, community and system preservation plans and practices. These grants may be used to improve the efficiency of the transportation system; reduce the impacts of transportation on the environment; reduce the need for costly future investments in public infrastructure; and provide efficient access to jobs, services, and centers of trade.

Funds provided for the TCSP program in fiscal year 2011 shall be available for the following activities in the corresponding amounts:

Project	Amount
2nd Avenue Bridge Reconstruction, City of Cambridge, MN	$750,000
705 Connector, Morgantown, WV	450,000
7th (a) Road Project, IN	650,000
Alabama 210/Ross Clark Circle Safety Lighting Project, AL	450,000
Ansonia Riverwalk, CT	400,000
Barre Commons Road Reconstruction and Drainage Improvements, MA	1,050,000
Bayamon Circulation Arteries, PR	450,000
Berry Hill Road Connector Road Engineering and Right of Way Acquisitions, Pittsylvania County, VA	400,000
Bethany Road Reconstruction and Improvements, Sycamore, IL	650,000
Boulder Bikes to Business Project, Boulder, CO	250,000
Branford Street and Laurel Canyon Boulevard Flood Improvements, CA	250,000
Broad/Main/Front/Hellertown Transportation Enhancements, Phase II, Quakertown, PA	450,000
Brooklyn Waterfront Transportation Study, Brooklyn, NY	450,000
Byberry Road and Bustleton Avenue Intersection Improvements, Philadelphia, PA	700,000
Capitol Expressway Pedestrian Improvements, CA	240,000
Carbon County Covered Bridge Repair Project, PA	250,000
Carlton Avenue Bridge, Brooklyn, NY	900,000
Chippewa Falls Downtown Reconstruction, WI	730,000
Columbus Bicentennial Bikeways-West Side Improvement, Columbus, OH	450,000
Construct Roadway and Bridges at the Intersection of Coalfields Expressway and King Coal Highway and from Dock Creek to Cedar Run, WV	900,000
Conway Village Main Street Streetscape and Pedestrian Improvements, NH	450,000

Project	Amount
Cooley Landing/San Francisco Bay Trail Construction, CA	600,000
Coolidge Highway Resurfacing Project, MI	750,000
CSAH 12 Extension/TH 14 Interchange, MN	650,000
Design and Implementation of Transit Improvements at 83rd Street and Roosevelt Avenue, Jackson Heights, Queens, NY	700,000
Downtown Tacoma Streetscapes Improvement Project, WA	1,000,000
E. Stadium Bridges Replacement Project, City of Ann Arbor, MI	450,000
Eastern Gateway, MA	900,000
Edison Road Extension, CT	1,000,000
Emergency Road Access and Improvement Project, PA	650,000
Empire Corridor West High Speed Rail Improvements, Town of Tonawanda, Erie County, NY	270,000
First Avenue Bridge Replacement, NJ	360,000
Glenwood Road Pedestrian Safety Improvements, GA	450,000
Harbor Brook Flood Control, CT	650,000
Hays-Travis Trail System, TX	650,000
Holbrook—Traffic Safety Signalization—Kings Road and S. Franklin, MA	300,000
I–75 Walking Bridge, St. Ignace, MI	450,000
Improvements to U.S. Route 15, State Route 45, and St. Mary's Street in E. Buffalo Township, PA	450,000
Intersection Improvements around State Center, Baltimore, MD	650,000
Jefferson Avenue Improvements, City of Detroit, MI	650,000
Lake Champlain Bridge, NY	400,000
Leesburg North Bypass, GA	450,000
Legacy Farm Roadway and Main Street Improvements, Hopkinton, MA	1,000,000
Locust Avenue Bridge Replacement, City of Rye, NY	600,000
Los Banos Bypass Segment One, Los Banos, Merced County, CA	400,000
Lowry Avenue Bridge Replacement Phase II, Minneapolis, MN	900,000
Lyons Road Improvements Section IV, Coconut Creek, FL	650,000
Marin-Sonoma Narrows, CA	450,000
MD5/MD373/Brandywine Interchange Project, Prince George, MD	1,400,000
Metro Gold Line Foothill Extension Phase 2B, CA	650,000
Monterey Bay Sanctuary Scenic Trail Project, CA	450,000
Nassau County Street and Sidewalk Improvements, NY	450,000
Nelson Hill Bridge Replacement, NY	100,000
New York Avenue Improvement Project–32nd Street to 48th Street, Union City, NJ	450,000
Nogales Highway Railroad Bridge Overpass, AZ	900,000
North Main Street Reconstruction, Columbia, SC	900,000
North Rhett Extension Project, SC	500,000
Norwood Drive Reconstruction, PA	700,000
NW 66th Avenue Reconstruction and Kempton Bridge Replacement, Polk County, IA	450,000
Ogdensburg-Prescott International Bridge Rehabilitation Project, Ogdensburg, NY	700,000
Pratt Trail in Salt Lake City, UT	650,000
Raleigh Outer Loop, Wake County, NC	1,500,000
Rand Avenue Reconstruction, IL	600,000
Reconstruction of Congress Street Bridge, Bridgeport, CT	450,000
Rehabilitation of Beacham Street, MA	550,000
Repair and Resurfacing of Critical Streets, Belle Glade, Palm Beach County, FL	900,000
Roadway Improvements-Route 70, Medford, NJ	450,000
Roadway Restoration, Village of Ardsley, NY	500,000
Rosemead Boulevard Underpass Repair Project, Pico Rivera, CA	450,000
Route 1 Corridor Improvements Capital Project, MD	650,000
Route 1/Route 123 Interchange (Phase I), VA	500,000
Route 29/250 Bypass Interchange Improvements, Engineering, Design, and Construction, Albemarle County, VA	500,000
Route 35/202 at Pine Grove Court and Stony Street, NY	250,000
Route 6 and Silver Cross Boulevard Intersection Widening and Roadway Improvement, New Lenox, IL	450,000
Route 82 Reconstruction and Widening, North Royalton, OH	650,000
Rutland Creek Path, VT	650,000
Sacramento Intermodal Transportation Facility, CA	500,000
Safety Improvements on South Meadow Road, Clinton, MA	250,000
Scott Ranch Road Extension, AZ	250,000
SE Main Avenue, 20th, 21st Street Underpass and Ancillary Improvements, City of Moorhead, MN	450,000
Seiberling Way Bridge Replacement, OH	450,000
Sellwood Bridge Replacement Project, Multnomah County, OR	650,000
Sharpes Ferry Bridge, FL	900,000
Shot Pouch Creek Trail, SC	650,000
Sidewalk Construction in Ashland, Cherryland and Castro Valley Communities, Alameda County, CA	200,000
Southeast Connector Final Design, Des Moines, IA	650,000

Project	Amount
SR 510 Yelm Loop Project, WA	250,000
SR 54, McDonough Road to U.S. 19/41 in Clayton County, GA	650,000
Stansbury Transportation Improvements, KY	650,000
Structural Bridge Repairs, Fort Lauderdale, FL	250,000
Telegraph Road Realignment, CA	450,000
Transportation Corridor Study, Greencastle/Putnam County, IN	450,000
U.S. 34 Akron East Chip Seal, CO	1,000,000
U.S. 50/Watt Avenue Interchange Modification, CA	400,000
U.S. Highway 101 High Occupancy Vehicle Widening Project, Carpinteria Creek Bridge, Carpinteria, Santa Barbara County, CA	650,000
Unser Boulevard Extension, NM	1,000,000
U.S. 401 in Cumberland, Harnett and Wake Counties, NC	650,000
U.S. 281/FM493 Overpass, Hidalgo County, TX	450,000
Vesta Street Overpass, San Diego, CA	450,000
Veterans Medical City Connector, FL	650,000
Village of Barrington Route 14 Underpass, IL	550,000
Walk Winthrop and the HarborWalk, MA	750,000
Warrensville/Van Aken Transit Oriented, OH	450,000
Washington Boulevard Traffic Signal Modernization, Commerce, CA	650,000
Westchase District Intermodal Transit and Pedestrian Access Improvements, TX	450,000
Widening of Route 50 in Chillicothe, Ross County, OH	450,000

Delta region transportation development program.—This program encourages multistate transportation planning and supports the development of transportation infrastructure in the eight states that comprise the region of the Mississippi Delta: Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.

Funds provided for the delta region transportation development program in fiscal year 2011 shall be available for the following activities in the corresponding amounts:

Project	Amount
Arkansas River Trail, AR	$500,000
Blytheville Overpass, AR	1,000,000
Higdon Ferry Road Widening, Hot Springs, AR	1,000,000
Holly Springs Road Project, DeSoto County, MS	1,250,000
I–555 Floodway Access Road, Poinsett County, AR	1,500,000
Northwest Tennessee Regional Port Authority, TN	500,000
Old Taylor Road Roundabouts, MS	500,000
Reconstruction and Widening of U.S. 627 Bridge over Interstate 75, Madison County, KY	750,000
Ridge Road Extension, Pearl River County, MS	750,000
South Three Notch Street Improvement Project, AL	750,000
Washington Street Bridge Replacement, Vicksburg, MS	1,500,000

Transportation infrastructure finance and innovation (TIFIA) program.—The TIFIA credit program provides funds to assist in the development of surface transportation projects of regional and national significance. The goal is to develop major infrastructure facilities through greater non-federal and private sector participation, building on public willingness to dedicate future revenues or user fees in order to receive transportation benefits earlier than would be possible under traditional funding techniques. The TIFIA program provides secured loans, loan guarantees, and standby lines of credit that may be drawn upon to supplement project revenues, if needed, during the first 10 years of project operations. As required by the Federal Credit Reform Act of 1990, this account records, for this program, the subsidy costs associated with the direct loans, loan guarantees, and lines of credit obligated in 1992 and beyond (including modifications of direct loans or loan guaran-

tees that resulted from obligations or commitments in any year), as well as administrative expenses of this program. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

Federal highway research, technology and education.—Research, technology, and education programs develop new transportation technology that can be applied nationwide. Activities include surface transportation research, including intelligent transportation systems; development and deployment, training and education; university transportation research.

Congestion pricing.—Roadway tolls that vary with the level of congestion and time of day have the potential to reduce traffic congestion and the demand for roads. The Government Accountability Office (GAO) has reported that such tolls create incentives for drivers to avoid driving alone in congested conditions and can encourage drivers to share rides, use public transportation, or travel at less congested times. There are also potential challenges as higher tolls can divert traffic on to local and other roadways less able to handle traffic and adversely impact low-income drivers and working people with few if any travel alternatives. Numerous studies have explored the potential benefits and challenges of congestion pricing, but actual results from pricing projects in the U.S. is more limited. This may be changing. When GAO last reported on this issue in 2003, there were nine congestion pricing projects operating in the U.S. Yet, by early 2009 there were, according to CBO, seventeen projects operating in ten states, and four additional projects under construction. Many of these projects have a substantial federal financial investment. The Committee directs GAO to review congestion pricing road projects in the U.S. and to report on: (1) what research has been conducted on the benefits and results of congestion pricing road projects in the U.S.; (2) what conclusions this research has reached; and (3) how these congestion pricing projects have dealt with and overcome challenges, including traffic diversion and equity issues.

I–80 Exit at Stoney Hollow Road, PA.—The statement of managers accompanying the fiscal year 2002 appropriations Act includes $3,000,000 in Interstate maintenance discretionary funding for "I–80 Exit at Stoney Hollow Road, Pennsylvania." It is the intent of the Committee that these funds be made available for "I–80 Exits 298/299 Improvements, Monroe County, Pennsylvania."

Highway 53 Chetek, WI.—The statement of managers accompanying the fiscal year 2004 appropriations Act includes $2,000,000 in section 115 funding for "WI Highway 53 Chetek, Wisconsin." It is the intent of the Committee that these funds be made available for "Chetek-area Transportation System Improvements, Chetek, Wisconsin."

Marin Parklands/Muir Woods Visitor Access, CA.—The statement of managers accompanying the fiscal year 2004 appropriations Act includes $1,100,000 in federal lands funding for "Marin Parklands/Muir Woods Visitor Access, California." It is the intent of the Committee that $220,000 of these funds be made available for "Pacific Way Bridge, County of Marin, CA" and $180,000 of these funds be made available for "Signal at Flamingo/Highway 1, County of Marin, CA."

Feasibility Study for Routes 495/195 Interchange, Wareham, MA.—The statement of managers accompanying the fiscal year 2004 appropriations Act includes $500,000 in section 115 funding for "Feasibility study for Routes 495/195 Interchange, Wareham, Massachusetts." It is the intent of the Committee that these funds be made available for "Design and construction of improvements to Route 28 corridor adjacent to the I–495/Route 28 interchange in Wareham, MA."

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2010	$41,846,000,000
Budget request, fiscal year 2011	42,102,000,000
Recommended in the bill	45,956,700,000
Bill compared with:	
Appropriation, fiscal year 2010	+4,110,700,000
Budget request, fiscal year 2011	+3,854,700,000

The Committee recommends a liquidating cash appropriation of $45,956,700,000. This is the amount required to pay the outstanding obligations of the highway program at levels provided in this Act and prior appropriations Acts.

(CANCELLATION OF UNOBLIGATED BALANCES)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2010	$ – – –
Budget request, fiscal year 2011	– 263,130,663
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+263,130,663

The FHWA's budget for fiscal year 2011 proposes to cancel, or rescind, a total of $263,130,663 in unobligated balances from Congressionally designated highway projects funded in prior surface transportation authorization Acts.

COMMITTEE RECOMMENDATION

The Committee recommends not including the proposed rescission. Although the Committee believes that efforts to reduce federal spending are a worthwhile objective, the Committee cannot support this rescission as proposed by the Administration. First, the Administration did not conduct any analysis to determine whether the funding was still needed by these projects to complete their intended purpose. In addition, all of the projects affected by the proposed rescission were originally funded in surface transportation authorization legislation and are, therefore, under the jurisdiction of those House and Senate committees. The Committee fully expects the House Transportation and Infrastructure Committee to address the balances that remain with these projects in the context of a long-term surface transportation reauthorization bill.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

(INCLUDING RESCISSIONS)

Section 120. The Committee includes a provision that distributes obligation authority among federal-aid highways programs.

Section 121. The Committee continues a provision that credits funds received by the Bureau of Transportation Statistics to the federal-aid highways account.

Section 122. The Committee continues a provision that provides requirements for any waiver of Buy American requirements.

Section 123. The Committee continues a provision prohibiting tolling in Texas, with exceptions.

Section 124. The Committee includes a provision, as requested, which reallocates $200,000,000 from other programs to support the FHWA's livable communities program. Under the Administration's proposal, this funding will be used for a competitive livability grant program to assist states, local governments, and tribal government partners in integrating project and development planning processes within transportation, land use, and natural resource conservation. The Committee has for years advocated for promoting multi-modal choices in urban and rural communities in order to create safer, healthier communities to support American families. The FHWA will, within its current statutory authority, work with transportation agencies to plan, assess and implement transportation projects that are consistent with livability principles and investment performance objectives, which include promoting more sustainable and more integrated land use patterns, coordinating transportation and housing investments, reducing public infrastructure costs per capita and conserving natural resources. The Committee strongly supports this initiative. Bill language is included that specifies that the federal share payable on account of any livable communities program project or activity shall be determined in accordance with section 120 of title 23, United States Code, and that the funds set aside for the program shall remain available until expended. In addition, a provision is included that allows the FHWA to retain up to one percent of the funds provided for administration expenses associated with the operation of the program.

Section 125. The Committee includes a provision that clarifies funding for various projects which were included in previous appropriations Acts.

Section 126. The Committee includes a provision that clarifies funding for various projects which were included in section 1702 of Public Law 109–59.

Section 127. The Committee includes a provision that clarifies funding for various projects which were included in section 1602 of Public Law 105–178.

Section 128. The Committee includes a provision that rescinds unobligated balances associated with demonstration or high priority projects which were funded in previous appropriations Acts. In administering the rescission, the Secretary of Transportation is directed to look at projects that have been completed and where the remaining funding is no longer needed to accomplish the original purpose designated by Congress. The Committee also directs the Secretary to look at those projects that are 10 years old or older with more than 90 percent of the appropriated amount remaining available for obligation. In addition, the Secretary should also consider closing out projects with small balances, such as less than $2,000, in order to achieve the amount rescinded in the bill.

Section 129. The Committee includes a provision that rescinds unobligated balances made available for highway related safety grants in prior appropriations Acts.

Section 130. The Committee includes a provision that permanently rescinds unobligated contract authority authorized for administrative expenses of the FHWA that will not be available for obligation because of the limitation on administrative expenses imposed in this Act and prior Acts.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

In 1999, Congress passed the Motor Carrier Safety Improvement Act establishing the Federal Motor Carrier Safety Administration (FMCSA) within the Department of Transportation (DOT). FMCSA focuses on reducing the number and severity of large truck and commercial bus accidents. Agency resources and activities prevent and mitigate commercial vehicle accidents through regulation, law enforcement, stakeholder training, technological innovation, and improved information systems. FMCSA works with Federal, state, and local entities, the motor carrier industry, highway safety organizations, and the public. Additionally, FMCSA has the responsibility to ensure that commercial vehicles entering the U.S. meet all U.S. hazardous material and safety regulations.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), reauthorized the motor carrier safety activities of FMCSA through fiscal year 2009. As the current authorization extension expires at the end of December 2010, the Committee recommendation is contingent on a full year authorization.

Motor coaches carry the highest volume of passengers of all commercial modes of transportation and have the lowest fatality and injury rates. However, they have a disproportionate effect on occupants of other vehicles. In 2007 of the 41,059 people killed in motor vehicle crashes, 4,808 or 12 percent died in crashes that involved a large truck, another 101,000 people were injured. Only 17 percent of people killed and 22 percent of those injured were occupants of large trucks.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$239,828,000	($239,828,000)
Budget request, fiscal year 2011	259,878,000	(259,878,000)
Recommended in the bill	259,878,000	(259,878,000)
Bill compared to:		
Appropriation, fiscal year 2010	+20,050,000	(+20,050,000)
Budget request, fiscal year 2011	– – –	– – –

This limitation controls FMCSA spending for salaries, operating expenses, and research. It is intended to provide the necessary resources to support motor carrier safety program activities and maintain the agency's administrative infrastructure. The funding supports nationwide motor carrier safety and consumer enforce-

ment efforts, including federal safety enforcement activities at the U.S. borders. Resources are also provided to fund motor carrier regulatory development and implementation, information management, research and technology, safety education and outreach, and the safety and consumer telephone hotline.

COMMITTEE RECOMMENDATION

The Committee recommends $259,878,000 for motor carrier safety operations and programs, which is $20,050,000 above the fiscal year 2010 enacted level and equal to the fiscal year 2011 budget request. As the current authorization extension expires at the end of December 2010, the Committee recommendation is contingent on a full year authorization.

LIMITATION ON OBLIGATIONS

The Committee recommends a limitation on obligations of $259,878,000 for the implementation, execution, and administration of the motor carrier safety operations and programs, which is $20,050,000 above the fiscal year 2010 enacted level and equal to the fiscal year 2011 budget request. The Committee provides these funds contingent on a full year authorization that supports this level of funding. The Committee directs FMCSA to work with the Committees of jurisdiction to justify the appropriate level of contract authority for this account.

Operating expenses.—The Committee recommends $195,669,000 for FMCSA's general operating expenses, which is $12,619,000 above the fiscal year 2010 enacted level and the same as the level in the 2011 fiscal year budget request. These funds are used to support FMCSA's core mission requirements of commercial motor vehicle safety enforcement and compliance; hazardous material enforcement and compliance; emergency preparedness; and, household goods enforcement and compliance. The Committee recognizes that as traffic dropped in the economic downturn, safety statistics have improved significantly. As the economy rebounds, the Committee expects FMCSA to remain vigilant in keeping our roads safe.

Staffing justification.—The Committee directs FMCSA to provide in its fiscal year 2012 budget request, and all future budget requests, additional detailed staffing justifications for each office within the Agency. The budget submitted by the Department must include a detailed justification for the incremental funding increases, decreases and additional FTEs being requested above the enacted level, by program, activity, or program element. The Committee encourages the Department to format the discussion of these changes in a similar format to the Department of Transportation Office of the Secretary Salaries and Expenses justification for each of its offices. Further, the Department is directed to include in the budget justification funding levels for the prior year, current year, and budget year for all offices.

Research and technology.—The Committee recommendation includes $8,586,000 for FMCSA's research and technology programs, which is $43,000 above the fiscal year 2010 enacted level and equal to the fiscal year 2011 budget request. The Committee continues to include bill language making the funds for the research and technology programs available until September 30, 2013. The Com-

mittee directs FMCSA to include in all future budget justifications a list of each research initiative being proposed for funding and its cost.

Information management.—The Committee recommendation includes $41,943,000 for FMCSA's information management program, which is $7,325,000 above the fiscal year 2010 enacted level and the same as the fiscal year 2011 budget request. This increase is provided for upgrades to FMCSA's IT systems associated with the implementation of Comprehensive Safety Analysis 2010 (CSA 2010).

Regulatory development.—The Committee includes $9,777,000 for FMCSA's regulatory development program, which is $49,000 above the fiscal year 2010 enacted level and the same as the level assumed in the fiscal year 2011 budget request. The Committee is concerned that FMCSA is the only mode at the Department of Transportation that is still working on rulemakings required in SAFETEA–LU. The Committee directs FMCSA to submit a list of all outstanding rulemakings and a plan including a timeline for the Agency to complete the rulemaking process.

Outreach and education.—The Committee recommends $2,903,000 for FMCSA's outreach and education programs, which is $14,000 above the fiscal year 2010 enacted level and equal to the level in the fiscal year 2011 budget request. The Committee notes that the Motor Carrier Safety Assistance Grants and the High Priority Grants can supplement the agency's public awareness and outreach efforts. The Committee continues bill language that prohibits any funds relating to outreach and education from being transferred to another agency.

Commercial motor vehicles (CMV) operating grants.—The Committee recommends $1,000,000 for commercial motor vehicle operator's grants, which is the same as the fiscal year 2010 enacted level and the same as the level assumed for fiscal year 2011. The grants are designed to provide operators with training on the safe use of commercial motor vehicles.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$310,070,000	($310,070,000)
Budget request, fiscal year 2011	310,070,000	(310,070,000)
Recommended in the bill	310,070,000	(310,070,000)
Bill compared to:		
Appropriation, fiscal year 2010	– – –	(– – –)
Budget request, fiscal year 2011	– – –	(– – –)

FMCSA's motor carrier safety grants program was authorized by the Transportation Equity Act for the 21st Century and continued through fiscal year 2009 by SAFETEA–LU. As the current authorization extension expires at the end of December 2010, the Committee recommendation is contingent on a full year authorization.

Grants are used to support compliance reviews in the states; identify and apprehend traffic violators; conduct roadside inspections; and, support new entrant carriers' safety audits. Additionally, grants are provided to states for safety enforcement at both the northern and southern borders; for improvement of state commercial driver's license oversight activities; and for improving the linkage between state motor vehicle registration systems and carrier safety data.

COMMITTEE RECOMMENDATION

The Committee recommends $310,070,000 in liquidating cash for this program. This is equal to both the fiscal year 2010 enacted level and the level in the fiscal year 2011 budget request.

LIMITATION ON OBLIGATIONS

The Committee recommends a limitation on obligations of $310,070,000 for the FMCSA grant programs, which is equal to both the fiscal year 2010 enacted level and the fiscal year 2011 budget request. As the current authorization extension expires at the end of December 2010, the Committee recommendation is contingent on a full year authorization.

The Committee recommends separate obligation limitations for the following funding allocations:

Motor carrier safety assistance program	($215,070,000)
Commercial driver's license improvements program	(30,000,000)
Border enforcement grants	(32,000,000)
Performance and registration information system management program	(5,000,000)
Commercial vehicle information systems and networks deployment	(25,000,000)
Safety data improvement grants	(3,000,000)

New entrant audits.—The Committee directs that of the funds made available for the Motor Carrier Safety Assistance Grants the Secretary shall deduct $35,000,000 for audits of new entrant motor carriers. The FMCSA requires all new entrants to pass a safety audit within the first 18 months of operations in order to receive permanent DOT registration.

Chameleon carriers.—The Committee is acutely aware of the need to provide strong oversight of the Department's safety responsibilities. A recent National Transportation Surface Board (NTSB) investigation of the fatal 2007 bus accident in Texas and the ongoing investigation into a fatal accident in Arizona this past March have raised significant concerns regarding FMCSA's implementation and enforcement of bus safety regulations. In both cases, the vehicles in question did not meet federal safety requirements but were able to operate under another company's charter or simply undetected with only a state vehicle registration. The Committee is concerned that these operators are not exceptions, but are indicative of a pervasive pattern of unsafe or previously de-certified operators exploiting FMCSA's new entrant safety assurance process to reincarnate themselves under new names. Accordingly, the Committee directs the General Accountability Office (GAO) to perform a study to quantify the prevalence of motor coach operators that are reincarnations of operators with poor safety records. In addition, the Committee instructs the Inspector General to audit

FMCSA's implementation of the new entrant safety assurance process and its response to the NTSB's recommendations H–09–33 through H–09–41. The Committee directs the Inspector General to report to the House and Senate Committees on Appropriations by July 1, 2011, with the results of that review.

Irregularities in the grant programs.—The Committee appreciates the Administrator's immediate notification of the House and Senate Committees on Appropriations about irregularities discovered in the commercial vehicle information systems and networks (CVISN) grant program. The Committee believes FMCSA is taking prudent steps to address this issue. Upon notification of these irregularities, the Committee sent a letter instructing GAO to assist with addressing these issues. The Committee directs GAO to examine the management of each of the FMCSA grant programs.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

The bill rescinds $7,330,000 in unobligated balances from amounts made available under this heading in prior appropriations acts.

MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

The bill rescinds $15,076,000 in unobligated balances from amounts made available under this heading in prior appropriations acts.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Section 135. The Committee continues a provision subjecting the funds appropriated in this Act to the terms and conditions of section 350 of The Department of Transportation and Related Agencies Appropriations Act of 2002, including a requirement that the Secretary annually submit a report to the Commitee on Appropriations on the safety and security of transportation into the United States of 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 of 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.

NHTSA's current programs are authorized in five major laws: (1) the National Traffic and Motor Vehicle Safety Act (chapter 301 of title 49, United States Code (U.S.C.); (2) the Highway Safety Act (chapter 4 of title 23, U.S.C.); (3) the Motor Vehicle Information and Cost Savings Act (MVICSA) (Part C of subtitle VI of title 49, U.S.C.); (4) the Transportation Recall Enhancement, Account-

ability, and Documentation (TREAD) Act; and (5) the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU).

The National Traffic and Motor Vehicle Safety Act provides for the establishment and enforcement of safety standards for vehicles and associated equipment and the conduct of supporting research, including the acquisition of required testing facilities and the operation of the national driver register, which was reauthorized by the National Driver Register Act of 1982.

The Highway Safety Act provides for coordinated national highway safety programs (section 402 of title 23, U.S.C.) to be carried out by the states and for highway safety research, development, and demonstration programs (section 403 of title 23, U.S.C.). The Anti-Drug Abuse Act of 1988 (Public Law 100–690) authorized a new drunk driving prevention program (section 410 of title 23, U.S.C.) to make grants to states to implement and enforce drunk driving prevention programs.

MVICSA provides for the establishment of low-speed collision bumper standards, consumer information activities and odometer regulations. Amendments to this law established the responsibility for the administration of mandatory automotive fuel economy standards, theft prevention standards for high theft lines of passenger motor vehicles, and automobile content labeling requirements. In 2000, the TREAD Act amended the National Traffic and Motor Vehicle Safety Act. Changes included numerous new motor vehicle safety and information provisions, including a requirement that manufacturers give NHTSA notice of safety recalls or safety campaigns in foreign countries involving motor vehicles or items of motor vehicle equipment that are identical or substantially similar to vehicles or equipment in the United States; higher civil penalties for violations of the law; a criminal penalty for violations of reporting requirements; and a number of rulemaking directions that include developing a dynamic rollover test for light duty vehicles, updating the tire safety and labeling standards, improving the safety of child restraints, and establishing a child restraint safety rating consumer information program.

SAFETEA–LU, which was enacted on August 10, 2005, either reauthorized or added new authorizations for the full range of NHTSA programs for fiscal years 2005 through 2009. These include highway safety programs (section 402 of title 23, U.S.C.), highway safety research and development (section 403 of title 23, U.S.C.), occupant protection incentive grants (section 405 of title 23, U.S.C.), alcohol-impaired driving countermeasures incentive grants (section 410 of title 23, U.S.C.), and the national driver register (chapter 303 of title 49, U.S.C.). SAFETEA–LU also enacted new initiatives, such as the high visibility enforcement program (section 2009 of SAFETEA–LU), motorcyclist safety grants (section 2010 of SAFETEA–LU), and child safety and child booster seat safety incentive grants (section 2011 of SAFETEA–LU). Finally, SAFETEA–LU adopted a number of new motor vehicle safety and information provisions, including rulemaking directions to reduce vehicle rollover crashes, reduce complete and partial ejections of vehicle occupants, and enhance passenger motor vehicle occupant protection in side impact crashes.

SAFETEA–LU expired on September 30, 2009, and Congress has not yet completed work on long-term reauthorization legislation for the Nation's surface transportation programs. In the meantime, Congress has passed several short-term extension bills that continue the highway safety programs of NHTSA and provide contract authority for these programs until December 31, 2010. In the absence of a long-term surface transportation reauthorization, the Committee has generally assumed the continuation of the program structure in current law and that the funding levels provided for the first quarter of fiscal year 2011 will be extended and annualized for the remainder of the year.

COMMITTEE RECOMMENDATION

The Committee provides $891,228,000 for NHTSA to maintain current programs and continue its mission to save lives, prevent injuries, and reduce vehicle-related crashes.

The following table summarizes the Committee's recommendations:

	2010 enacted	2011 request	Committee recommendation
Operations and research	$245,927,000	$250,213,000	$258,200,000
National driver register	7,350,000	6,700,000	6,700,000
Highway traffic safety grants	619,500,000	620,697,000	626,328,000
Total	872,777,000	877,610,000	891,228,000

The Committee's recommendation of $891,228,000 is $13,618,000 above the budget request and $18,451,000 above the fiscal year 2010 enacted level.

At the time the Committee began consideration of this bill to fund transportation programs for fiscal year 2011, the Administration was still developing its reauthorization proposal for all of the various surface transportation programs and, consequently, the President's budget submission to the Committee contained no policy recommendations for any of the programs subject to reauthorization. Given the absence of specific recommendations from the Administration and the lack of an authorization beyond December 31, 2010, the Committee has little choice but to assume the continuation of the program structure under current law and annualized funding levels consistent with what has been provided by extension Acts for the first quarter of fiscal year 2011.

At its core, NHTSA is tasked with improving the safety of passenger travel on the nation's highway system and the agency has played a role in the steady reduction in fatalities per vehicle mile traveled that the nation has seen over the past few years. In fact, NHTSA's estimates show that highway fatalities in 2009 dropped to under 34,000, the lowest on record since 1954. Although the Committee commends NHTSA for this achievement, it must also caution the agency, as well as the rest of the Department of Transportation, to remain vigilant in order to sustain these safety gains. The last time highway fatalities dropped below 40,000 was in 1992, which coincides with the last time the country faced a significant economic crisis. However, as the country's economy started to recover in the mid- to late 1990s, Americans returned to their vehicles and there was significant growth in vehicle miles traveled and,

unfortunately, a steady, year-by-year increase in the number of highway fatalities. Although fatalities have reached a record low level, the bad news is that a significant portion of this improvement may be because Americans were driving less during the current economic downturn. As the economy recovers and people begin to travel again, the Department will need to remain focused on continuing safety improvements across our entire transportation network. The Committee believes that the funding recommendations provided in this bill for NHTSA are a step in that direction.

In addition, over the past several months, increasing public attention has been paid to NHTSA's enforcement role following several vehicle recalls due to concerns about unintended acceleration. Similar technology-related problems in vehicles by other manufacturers have raised concerns about electronic vehicle controls across the entire industry and have led to numerous Congressional hearings, including one by this Committee. During these hearings, members have raised concerns about whether NHTSA has the resources and the capability to conduct in-depth investigations into new and complex systems in vehicles and to evaluate manufacturers' claims about the operations of their vehicles. NHTSA has addressed some of these concerns by enlisting the aid of engineers at the National Academy of Sciences and the National Aeronautics and Space Administration with expertise in areas such as computer controlled electronic systems, electromagnetic interference and software integrity. The Committee has made a number of recommendations in this bill, including increased funding above the President's request, to address these and other concerns about NHTSA's ability to ensure the safety of vehicles on the road. The Committee believes that NHTSA's oversight of the safety, reliability and effectiveness of electronic vehicle controls is a critical management issue for the agency. The Committee directs NHTSA to provide quarterly briefings to the House and Senate Committees on Appropriations on the agency's oversight and enforcement activities.

OPERATIONS AND RESEARCH

	(General fund)	(Highway trust fund)	Total
Appropriation, fiscal year 2010	$140,427,000	$105,500,000	$245,927,000
Budget request, fiscal year 2011	132,837,000	117,376,000	250,213,000
Recommended in the bill	148,127,000	110,073,000	258,200,000
Bill compared to:			
Appropriation, fiscal year 2010	+7,700,000	+4,573,000	+12,273,000
Budget request, fiscal year 2011	+15,290,000	−7,303,000	+7,987,000

The operations and research appropriations support research, demonstrations, technical assistance, and national leadership for highway safety programs conducted by state and local government, the private sector, universities, research units, and various safety associations and organizations. These programs emphasize alcohol and drug countermeasures, vehicle occupant protection, traffic law enforcement, emergency medical and trauma care systems, traffic records and licensing, state and community traffic safety evaluations, motorcycle riders, pedestrian and bicycle safety, pupil transportation, distracted and drowsy driving, young and older driver safety programs, and development of improved accident investigation procedures.

COMMITTEE RECOMMENDATION

The Committee recommends new budget authority and obligation limitations for a total program level of $258,200,000, which is $7,987,000 above the request and $12,273,000 above the fiscal year 2010 enacted level. Of this total, $148,127,000 is for vehicle safety programs from the general fund and $110,073,000 is for section 403 of title 23, U.S.C., activities from the highway trust fund. These amounts do not include any resources provided for the national driver register or for grants administration as those items are detailed later in this report. The funding shall be distributed as follows:

Salaries and benefits	$78,125,000
Travel	1,028,000
Operating expenses	25,567,000
Contract programs:	
Safety performance (rulemaking)	26,738,000
Safety assurance (enforcement)	19,125,000
Highway traffic safety programs	45,935,000
Research and analysis	61,682,000
Total	$258,200,000

Highlights of, and adjustments to, the budget request by the Committee's recommendation are described in the following paragraphs.

ADMINISTRATIVE EXPENSES

The Committee recommends $104,720,000 for salaries and benefits, travel, rent, and other operating expenses of NHTSA.

Full-time equivalent staff years (FTE).—NHTSA's administrative budget has historically not kept pace with inflation, causing the authorized level of 635 FTE to erode to 617 FTE that could actually be funded in fiscal year 2010. NHTSA's budget requests funding to restore the agency to the authorized FTE level, plus an additional 15 FTE for high priority program areas for a total requested increase of 33 FTE above the fiscal year 2010 level. The Committee's recommended funding level, when combined with the additional resources, and the associated FTE, provided directly to the national driver register and for the administration of the safety grant programs, provides NHTSA with the resources sufficient to fund 650 FTE, as requested. The Committee directs NHTSA to give priority consideration to the needs of the Office of Defects Investigations and other safety focused activities when allocating these additional resources.

SAFETY PERFORMANCE (RULEMAKING)

NHTSA's safety performance standards (rulemaking) programs support the promulgation of federal motor vehicle safety standards for motor vehicles and safety-related equipment; automotive fuel economy standards required by the Energy Policy and Conservation Act; international harmonization of vehicle standards; and consumer information on motor vehicle safety, including the new car assessment program. The Committee provides $26,738,000 for these activities.

New car assessment program (NCAP).—Within the funds provided, the Committee recommends $16,443,000 for NCAP,

$4,400,000 above the request and $6,050,000 above the fiscal year 2010 enacted level. In fiscal year 2011, NHTSA will complete the transitioning of the new government 5-star safety ratings program from the current longstanding crash testing and safety rating criteria to a program that incorporates new tests, new rating criteria, new test dummies, advanced crash avoidance technologies, and a new overall vehicle safety rating. The NCAP historically relies heavily on carryover scores—ratings that remain unchanged from year to year—to provide consumers with safety ratings information on a substantial portion of the vehicle fleet. Due to the program enhancements being implemented in fiscal year 2010 on model year 2011 vehicles, frontal and side crash ratings from the current NCAP crash programs will not carry over from model year 2010 vehicles to model year 2011 vehicles. Consequently, the percentage of the vehicle fleet rated will be reduced from the anticipated model year 2010 level of approximately 86 percent to zero at the beginning of the model year 2011 program. NHTSA's budget request of $12,043,000 would allow the agency to conduct more tests on model year 2012 vehicles and achieve approximately 72 percent of vehicle fleet coverage. The Committee instead recommends increasing the funding for NCAP by $4,400,000 above the request, to a total funding level of $16,443,000, to ensure that NHTSA will be able to test 80 percent of the model year 2012 vehicle fleet.

Corporate average fuel economy (CAFE) standards.—The overall purpose of CAFE standards is to reduce energy consumption by increasing the fuel economy of cars and light trucks. The responsibility for regulating these standards rests with NHTSA and the Environmental Protection Agency (EPA), as NHTSA sets fuel economy standards for cars and light trucks sold in the U.S. and EPA calculates the average fuel economy for each manufacturer. In order to ensure that NHTSA has sufficient funding to continue implementing the requirements of the Energy Independence and Security Act of 2007, the Committee recommends $7,900,000 in fiscal year 2011, as requested. This funding is to be used to: provide support for the required rulemakings establishing fuel economy standards for passenger cars and light trucks for model years 2017 and beyond; allow the agency to propose fuel economy standards for commercial medium- and heavy-duty truck fuel economy standards for the first time; help the agency implement a rule requiring manufacturers to label additional fuel economy information on new vehicles; and implement a new tire efficiency rating system, including information dissemination and a consumer education program.

SAFETY ASSURANCE (ENFORCEMENT)

The Committee recommends $19,125,000 for safety assurance (enforcement) programs to provide support to ensure compliance with motor vehicle safety and automotive fuel economy standards, investigate safety-related motor vehicle defects, enforce federal odometer law, encourage enforcement of state odometer law, and conduct safety recalls when warranted.

Safety defects investigation.—Within the funds provided, the Committee recommends $10,829,000 for safety defects investigation activities, $1,000,000 above the budget request and the fiscal year 2010 enacted level. NHTSA's safety defects investigation program investigates possible defect trends, and where appropriate, seeks

recalls of vehicles and vehicle equipment that pose an unreasonable safety risk. NHTSA maintains a data system, called ARTEMIS, to access a voluminous amount of early warning reporting data submitted by manufacturers pursuant to the requirements of the TREAD Act, as well as complaints from vehicle owners, recalls and investigations. The agency analyzes the early warning reporting data to determine whether anomalies or trends exist that potentially indicate the presence of a safety-related problem. NHTSA uses this information to supplement its complaint database and assist the agency in deciding whether to open a defect investigation. Since 2000, NHTSA has influenced, on average, the recall of nearly 10 million vehicles annually as well as the recall of millions of equipment items for safety-related defects. With the funds provided, NHTSA will be able to: improve the quality of the screening and investigation process; enhance recall completion rates; take steps to ensure that manufacturers conduct recalls of defective products; and continue to monitor recalls for adequacy of scope and remedy. In addition, NHTSA will be able to upgrade ARTEMIS to enhance the usability of the system by agency investigators and by the public and expand outreach to foreign governments and manufacturers to ensure that foreign entities are aware of the U.S. requirements related to identifying and recalling products with safety-related defects, including increased enforcement actions related to defective goods to serve as a deterrent.

The Committee is concerned about the effectiveness of NHTSA's office of defects investigations (ODI). In 2002, the Department's Inspector General (IG) conducted a comprehensive review of ODI's work, focusing specifically on the progress made under the TREAD Act that required NHTSA to establish early warning requirements for manufacturers in order to be aware of potential defects as soon as possible, thus avoiding the tragedies surrounding the Firestone tire recall which prompted the passage of the TREAD Act. The IG offered recommendations at the time of this comprehensive review regarding implementation of the TREAD Act.

In 2004, the IG issued a follow-up report addressing the status of the recommendations from 2002. Specifically, the IG examined the status of ODI's effort to: (1) implement the TREAD Act rulemakings; (2) ensure ODI had the appropriate information system infrastructure and processes in place to promptly identify potential defects as intended by the TREAD Act; and (3) establish processes to ensure consistency in recommending and opening defect investigations in order to ensure the highest priority cases are investigated. The audit found that most of the TREAD Act rulemakings were completed. However, the IG report showed that the new information system—the Advanced Retrieval (Tire, Equipment, Motor Vehicle) Information System, or ARTEMIS—had significant cost increases and delays; did capture manufacturer information, but only provided limited analytical capability for early warning analysis; and noted that while safety defect screening and investigation processes had improved, more needed to be done. Ultimately, the report concluded with three additional recommendations that ODI: (1) ensure cost estimates are adequately supported; (2) move forward in creating the advanced analytical information system originally envisioned; and (3) establish milestones for improving the defects screening process and training defect analysts.

The Committee understands that the IG has initiated another audit of ODI to follow up on the issues represented in the 2004 report. In light of the recent tragedies surrounding sudden acceleration in Toyota vehicles, the Committee believes it is imperative that NHTSA address any deficiencies and create an effective system which will prevent such tragedies in the future. Accordingly, the Committee directs the IG, as a part of this follow-up audit, to thoroughly examine any and all policies and processes involved in the detection of safety defects and the actions in place to address these defects. Specifically, the Committee agrees with the audit objectives laid out which are to: (1) ensure ODI has the appropriate information system to promptly identify and address potential safety defects as intended by the TREAD Act; (2) assess NHTSA's procedures and processes for ensuring that companies provide timely notification of potential defects; and (3) examine the lessons learned from the Toyota recalls to identify potential improvements. Additionally, the Committee directs the IG, as a part of this review, to evaluate ODI's staffing needs given the level of defects being reported to the agency. The Committee also expects NHTSA to establish a schedule for completing any identified corrective actions and for the IG to monitor the agency's progress in meeting this schedule in order to ensure that any and all deficiencies that are discovered through the course of this audit are addressed with all due haste.

HIGHWAY SAFETY PROGRAMS

NHTSA provides research, demonstrations, technical assistance, and national leadership for highway safety programs conducted by state and local governments, the private sector, universities, research units, and various safety associations and organizations. These programs emphasize alcohol and drug countermeasures, vehicle occupant protection, traffic law enforcement, emergency medical and trauma care systems, traffic records and licensing, state and community evaluation, motorcycle riders, pedestrian and bicycle safety, pupil transportation, young and older driver safety programs, and development of improved accident investigation procedures.

The Committee recommends $45,935,000 for these highway safety programs in the following amounts:

Impaired driving	$11,456,000
Drug impaired driving	1,488,000
Safety countermeasures	4,345,000
National occupant protection	10,358,000
Enforcement and justice services	3,501,000
Emergency medical services	2,174,000
Enhance 9–1–1 Act implementation	1,250,000
NEMSIS implementation	2,500,000
Driver licensing	1,016,000
Highway safety research	7,747,000
International activities in behavioral traffic safety	100,000
Total	$45,935,000

National emergency medical services information system.—The Committee recommends $2,500,000 for the continued implementation of the national emergency medical services information system (NEMSIS), which is $687,000 above the request and $1,000,000

above the fiscal year 2010 enacted level. Currently, 23 states are submitting information to the national emergency medical services (EMS) database and the remaining states are in various stages of development toward participating. The Committee believes that there is a pressing need to collect more standardized data elements from every state in the nation that can be submitted to and collected in the database. Such information can be used to improve prehospital injury information, promote better crash records linkage at the state and local level, improve national EMS education standards, and enhance EMS research. The Committee strongly supports this initiative as it believes that one of the ultimate goals of the NEMSIS is to reduce post-crash death and disability by developing a better understanding of current EMS response and performance so that scarce resources can be best directed towards critical training, equipment, planning and other needs that can improve patient outcomes. The increased funds are provided to support further expansion of the program, in particular, for improvements in the NEMSIS technical assistance center, which provides support to state and local EMS organizations, for enhancement of the national EMS database, and to facilitate utilization of EMS data for national EMS planning and priority setting purposes.

Bicycle safety.—Annually, over 500,000 Americans are treated in emergency rooms for bicycle-related accidents, and more than 700 people die each year as a result of bicycle-related injuries. While much focus has been put on encouraging bike riders to wear helmets, accidents involving bikes can still be fatal, even if the rider was wearing a helmet. As road congestion, environmental concerns and bike-to-work programs encourage more bike ridership, efforts are needed to ensure bicyclists and motorists are aware of their legal responsibilities and safe practices for sharing roadways. The Committee directs the Government Accountability Office (GAO) to examine: (1) efforts that exist at the federal, state and local levels to develop infrastructure that provides effective mobility for both cars and bicycles, (2) the extent to which efforts exist at the federal, state and local levels to educate bicyclists and drivers about bicycle safety, (3) leading practices for developing infrastructure or awareness that promote safe bicycling.

International traffic safety practices.—Each year approximately one million people are killed and another 50 million are injured on roads around the world. Many countries have achieved significant improvements in road safety over the years, but many—including the U.S.—are finding further improvements progressively more difficult to achieve. Some traditional safety measures such as enforcing speed limits, reducing drunk driving, and encouraging safety-belt use are likely to show a diminishing rate of return in countries that have pursued them most effectively. Other countries may have implemented traffic safety practices that could help the U.S. further reduce traffic fatalities and injuries. The Committee directs GAO to examine: (1) how traffic fatality rates in the U.S. over the last 5 years differ from rates in comparable countries, (2) traffic safety practices that are used more extensively in selected countries with a better traffic safety record than the U.S., (3) limitations, if any, that exist in implementing some of these practices in the U.S., and (4) successful practices implemented in other coun-

tries that the U.S. Department of Transportation plans to adopt or encourage, if any.

Ignition interlock program.—The Committee directs NHTSA to use $400,000 of the amount provided to fund the development of a model ignition interlock program to examine best practices and draft guidelines to assist the states in implementing such programs to combat impaired driving. The Committee further directs NHTSA to work collaboratively with state motor vehicle administrators and the transportation safety community to develop this model program. The Committee believes that impaired driving continues to be a grave safety concern on our roadways and ignition interlock programs have great potential to reduce impaired driving and save lives. A model program to guide states on minimum standards will help establish consistent and effective state programs across the nation.

RESEARCH AND ANALYSIS

The Committee recommends $61,682,000 for research and analysis activities to provide motor vehicle safety research and development in support of all NHTSA programs, including the collection and analysis of crash data to identify safety problems, develop alternative solutions, and assess costs, benefits, and effectiveness. Research will continue to concentrate on improving vehicle crashworthiness and crash avoidance, with emphasis on increasing safety belt use, decreasing alcohol involvement in crashes, decreasing the number of rollover crashes, improving vehicle-to-vehicle crash compatibility, and improved data systems.

The Committee provides the following amounts for research and analysis:

Safety systems	$8,226,000
Biomechanics	11,000,000
Heavy vehicles	2,115,000
Crash avoidance and pneumatic tire research	8,104,000
Hydrogen fuel cell and alternative fuel vehicle system	1,000,000
National Center for Statistics and Analysis:	
Traffic records	1,650,000
Fatality analysis reporting system	8,725,000
National automotive sampling system	14,406,000
Data analysis program	2,166,000
State data systems	2,490,000
Special crash investigations	1,800,000
Total	$61,682,000

Fatality analysis reporting system.—The fatality analysis reporting system (FARS) is the sole source for standardized, state-documented, information on police-reported traffic crashes in which at least one fatality occurred. The FARS system relies on individual cooperative agreements between NHTSA and state offices to utilize their staff, police accident reports, and data infrastructure (e.g. driver records, death certificates, etc.) efforts to collect fatal highway crash data in all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands. The Committee continues to believe that good crash data about the human victim, the environment in which events occur, and the vehicle are necessary to identifying possible interventions that might be effective for improving motor vehicle safety. Therefore, the Committee recommends $8,725,000, as requested, to support NHTSA's policy development, priority set-

ting, and evaluation of the agency's traffic and highway safety countermeasures that are implemented to reduce the number of fatalities and injuries on U.S. highways.

National automotive sampling system.—The Committee notes that NHTSA's vehicle collision database has notably contracted over time. The national automotive sampling system (NASS) was established in 1979 to further NHTSA's mission of reducing motor vehicle crashes, injuries, and deaths on U.S. highways by collecting motor vehicle crash and injury causation data. NASS consists of the crashworthiness data system (CDS) and the general estimates system (GES). When implemented, the CDS was designed to collect detailed data on 15,000 to 20,000 collisions annually in the United States.

The Committee is concerned that, at present, NASS/CDS collects collision data for approximately 5,000 collisions annually and garners a limited set of data from each crash. The Committee believes that NASS/CDS is a fundamental underpinning of the agency's activities relative to the identification of emerging safety risks, the setting of priorities for rulemaking, the evaluation of ways to improve vehicle crashworthiness, and the assessment of the success and potential benefit of advanced safety technologies. The Committee supports the restoration and enhancement of NASS/CDS in order to ensure that the agency has a robust database upon which to base its efforts.

The Committee, therefore, recommends $14,406,000 for NASS/CDS in fiscal year 2011, $1,500,000 above the request and $1,876,000 above the fiscal year 2010 enacted level, to allow the agency to investigate additional motor vehicle crashes and to expand the scope of data collection so that additional crash causation data elements can be captured.

In addition, the Committee directs NHTSA to submit a report to the House and Senate Committees on Appropriations, by not later than August 1, 2011, that evaluates the deficiencies of the NASS/CDS data collection program based on current levels of case investigations and analyzes the improvements in the program that could be achieved through increased levels of case investigation and data collection. The report should make recommendations regarding the types of data collection that are needed to improve NHTSA's ability to develop safety countermeasures, the level of NASS/CDS case investigations that are needed to obtain a sufficiently robust database to identify emerging crash and occupant injury trends, as well as the types of crashes that should be analyzed and methods that can be used to enhance NASS/CDS data collection.

OPERATIONS AND RESEARCH

Appropriation, fiscal year 2010	$140,427,000
Budget request, fiscal year 2011	132,837,000
Recommended in the bill	148,127,000
Bill compared with:	
Appropriation, fiscal year 2010	+7,700,000
Budget request, fiscal year 2011	+15,290,000

COMMITTEE RECOMMENDATION

The Committee recommends a total of $148,127,000 for operations and research funding as an appropriation from the general fund. Of this amount, $10,000,000 is available until September 30,

2012, to be used by the Administrator for programs under this account.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$105,500,000	($105,500,000)
Budget request, fiscal year 2011	117,376,000	(117,376,000)
Recommended in the bill	110,073,000	(110,073,000)
Bill compared to:		
Appropriation, fiscal year 2010	+4,573,000	(+4,573,000)
Budget request, fiscal year 2011	−7,303,000	(−7,303,000)

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation for liquidation of contract authorization of $110,073,000 for payment on obligations incurred in carrying out the provisions of the operations and research program.

The Committee recommends limiting obligations from the highway trust fund to $110,073,000 for authorized activities associated with operations and research. Of this limitation, $10,000,000 is available until September 30, 2012, to be used by the Administrator for programs under this account.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$4,000,000	($4,000,000)
Budget request, fiscal year 2011	4,170,000	(4,170,000)
Recommended in the bill	4,170,000	(4,170,000)
Bill compared to:		
Appropriation, fiscal year 2010	+170,000	(+170,000)
Budget request, fiscal year 2011	–––	–––

This account provides funding to implement and operate the national driver register's problem driver pointer system and improve traffic safety by assisting state motor vehicle administrators in communicating effectively and efficiently with other states to identify drivers whose licenses have been suspended or revoked for serious traffic offenses such as driving under the influence of alcohol or other drugs.

COMMITTEE RECOMMENDATION

The Committee recommends a liquidation cash appropriation of $4,170,000 from the highway trust fund to pay obligations incurred in carrying out the national driver register program.

The Committee also recommends limiting obligations from the highway trust fund to $4,170,000 for operations and research activities associated with the national driver register, of which $2,531,000 is for program activities and $1,639,000 is for salaries and benefits, as requested in the budget.

NATIONAL DRIVER REGISTER MODERNIZATION

Appropriation, fiscal year 2010	$3,350,000
Budget request, fiscal year 2011	2,530,000
Recommended in the bill	2,530,000
Bill compared with:	
Appropriation, fiscal year 2010	−820,000
Budget request, fiscal year 2011	− − −

The President's budget requests funding to continue the modernization of national driver register. The national driver register provides a critical service to states in the process of determining whether to issue a driver license to applicants, as there is no other national database that provides this information as the result of a single inquiry. The modernization of the national driver register was necessary since the national driver register has been functioning on a legacy mainframe computer since 1990 using an outdated computer language while use of the national driver register has been increasing significantly. In calendar year 2009, the national driver register processed 95 million inquiries compared to about 48 million in 2003. Consequently, the national driver register has experienced several disruptions in service as state usage exceeded the system's processing capacity. NHTSA expects use by states to continue increasing, exceeding 110 million inquiries in 2011, as states complete implementing the requirements of the Motor Carrier Safety Improvement Act and implement the requirements of the Real ID Act. To address the increased system use, in 2008 NHTSA initiated a project to modernize the NDR to utilize up-to-date hardware, database structures and programming languages. The funding requested for fiscal year 2011 will allow NHTSA to: complete development and testing of the modernized national driver register software and hardware; bring the modernized national driver register into full production operation; and operate the national driver register's legacy mainframe system parallel with the new system for a minimum of six months to ensure the modernized national driver register system exceeds the performance levels of the legacy system.

COMMITTEE RECOMMENDATION

The Committee recommends $2,530,000 to continue the modernization of the national driver register, which is equal to the budget request and $820,000 below the fiscal year 2010 enacted level.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$619,500,000	($619,500,000)
Budget request, fiscal year 2011	620,697,000	(620,697,000)
Recommended in the bill	626,328,000	(626,328,000)
Bill compared to:		
Appropriation, fiscal year 2010	+6,828,000	(+6,828,000)
Budget request, fiscal year 2011	+5,631,000	(+5,631,000)

Funds are provided for currently authorized state grant programs: highway safety programs, occupant protection incentive grants, alcohol impaired driving countermeasures incentive grants, safety belt performance grants, state traffic safety information systems improvement grants, high visibility enforcement program, child safety and child booster seat safety incentive grants, and motorcyclist safety grants. These highway safety grant programs provide resources to support data-driven, state highway safety programs focusing on the states' most pressing highway safety problems and are a critical asset in meeting the goal of reducing fatalities and injuries.

COMMITTEE RECOMMENDATION

The Committee recommends $626,328,000 in liquidating cash from the highway trust fund to pay the outstanding obligations of the various highway safety grant programs at the levels provided in this Act and prior appropriations Acts.

The Committee also recommends limiting obligations from the highway trust fund to be incurred in fiscal year 2011 under the various highway traffic safety grants programs to $626,328,000, which is $5,631,000 above the budget request and $6,828,000 above the fiscal year 2010 enacted level.

Because reauthorization actions have not yet been completed, the Committee has assumed that the funding levels provided for the first quarter of fiscal year 2011 will be extended and annualized for the remainder of the year and, therefore, recommends the following funding allocations:

Highway safety programs	($235,000,000)
Occupant protection incentive grants	(25,000,000)
Safety belt performance grants	(124,500,000)
State traffic safety information systems improvements	(34,500,000)
Alcohol-impaired driving countermeasures incentive grants	(139,000,000)
High visibility enforcement program	(29,000,000)
Motorcyclist safety	(7,000,000)
Child safety and child booster seat safety incentive grants	(7,000,000)
Grant administration	(25,328,000)
Total	($626,328,000)

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 of title 23, U.S.C. The Committee continues bill language limiting the amount that can be used to conduct the evaluation of the high visibility enforcement program to $750,000 in fiscal year 2011.

As stated previously, the current structure of the highway safety grant programs has been extended until the end of the first quarter of fiscal year 2011 and, therefore, the descriptions of the major grant programs that follow are based on current law:

Highway safety grants.—The state and community highway safety formula grant program under section 402 of title 23, U.S.C., supports state highway safety programs designed to reduce traffic crashes and resulting deaths, injuries, and property damage. A state may use these grants only for highway safety purposes and at least 40 percent of these funds are to be expended by political subdivisions of the state.

Occupant protection incentive grants.—Section 405(a) of chapter 4 of title 23, U.S.C., encourages states to adopt and implement effective programs to reduce deaths and injuries from riding unrestrained or improperly restrained in motor vehicles. A state may use these grant funds only to implement and enforce occupant protection programs.

Safety belt performance grants.—Section 406 of title 23, U.S.C., provides incentive grants to encourage the enactment and enforcement of laws requiring the use of safety belts in passenger motor vehicles. To date, a total of fourteen states have passed primary seat belt laws in response to this incentive program. A state may use these grant funds for any safety purpose under title 23, U.S.C., or for any project that corrects or improves a hazardous roadway location or feature or proactively addresses highway safety problems. However, at least $1,000,000 of amounts received by states must be obligated for behavioral highway safety activities.

State traffic safety information systems improvements.—Section 408 of title 23, U.S.C., provides incentive grants to encourage states to adopt and implement effective programs to improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of state data that is needed to identify priorities for national, state, and local highway and traffic safety programs; to evaluate the effectiveness of efforts to make such improvements; to link these state data systems, including traffic records, with other data systems within the state; and to improve the compatibility of the state data system with national data systems and data systems of other states to enhance the ability to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances. A state may use these grant funds only to implement such data improvement programs.

Alcohol-impaired driving countermeasures incentive grants.—The alcohol-impaired driving countermeasures incentive grant program authorized by section 410 of title 23, U.S.C., encourages states to adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving while under the influence of alcohol. A state may use these grant funds to implement the impaired driving activities described in the programmatic criteria, as well as costs for high visibility enforcement; the costs of training and equipment for law enforcement; the costs of advertising and educational campaigns that publicize checkpoints, in-

crease law enforcement efforts and target impaired drivers under 34 years of age; the costs of a state impaired operator information system; and the costs of vehicle or license plate impoundment.

High visibility enforcement program.—Section 2009 of SAFETEA–LU directs NHTSA to administer at least two high-visibility traffic safety law enforcement campaigns each year to achieve one or both of the following objectives: (1) reduce alcohol-impaired or drug-impaired operation of motor vehicles and/or (2) increase the use of safety belts by occupants of motor vehicles. These funds may be used to pay for the development, production, and use of broadcast and print media in carrying out traffic safety law enforcement campaigns. The Committee continues to believe that the high visibility enforcement program has been effective in encouraging seat belt use and in discouraging impaired driving. The Committee directs NHTSA to continue to provide updates to the House and Senate Committees on Appropriations on the agency's paid media strategy and its implementation.

Motorcyclist safety.—Section 2010 of SAFETEA–LU authorizes a program of incentive grants to encourage states to adopt and implement effective programs to reduce the number of single and multi-vehicle crashes involving motorcyclists. A state may use these grants funds only for motorcyclist safety training and motorcyclist awareness programs, including improvement of training curricula, delivery of training, recruitment or retention of motorcyclist safety instructors, and public awareness and outreach programs.

Although motor vehicle traffic fatalities for all other motor vehicles have decreased in recent years, motorcyclist fatalities have steadily increased. From 1997 to 2006, motorcyclist fatalities more than doubled, from 2,116 in 1997 to 4,810 in 2006. This translates into an increase in the rate of fatalities from 55.3 fatalities per 100,000 motorcycle registrations in 1997 to 71.94 fatalities per 100,000 registrations in 2006. Since 2006, motorcycle fatalities have continued to increase, with 5,174 fatalities in 2007 and 5,290 fatalities in 2008. The Committee directs GAO to evaluate: (1) factors that have led to the increase in motorcyclist fatalities; (2) actions NHTSA and states have taken to address the increase in motorcyclist fatalities; (3) the extent to which states' use of SAFETEA–LU's motorcyclist safety grants affected motorcyclist safety; and (4) challenges faced by NHTSA and states in attempting to improve motorcyclist safety.

Child safety and child booster seat safety incentive grants.—Section 2011 of SAFETEA–LU authorizes an incentive grant program to make grants available to states that are enforcing a law requiring any child riding in a passenger vehicle who is too large to be secured in a child safety seat to be secured in a child restraint that meets the requirements prescribed under section 3 of Anton's Law (49 U.S.C. § 30127 note; 116 Stat. 2772). These grants may be used only for child safety seat and child restraint programs.

NHTSA issued a report in 2006 regarding the misuse of the Lower Anchors and Tethers for Children, or LATCH system, which documented that only 35 percent of parents or other caregivers install LATCH-equipped child restraints properly. The LATCH system was developed because installation of child restraints using vehicle seat belt was confusing and posed numerous practical difficulties leading to high rates of child restraint misinstallation. LATCH

was intended to increase the rate of proper installation by providing a uniform, dedicated and simple means of restraint installation that is clearly marked, easy to use and employs the same method of attachment for nearly all child restraints. The fact that the LATCH system is not more effective is cause for great concern.

The Committee directs NHTSA to report to the House and Senate Committees on Appropriations, not later than June 1, 2011, on the progress that has been made, since the Child Restraint Use Survey—LATCH Use and Misuse report was issued, on improving LATCH systems and increasing the rate of proper LATCH system installation. The report should include information on the effectiveness of the agency educational message to improve child restraint systems, a discussion of technical improvements that can be made to make the LATCH system easier to recognize and use, and a follow-up survey to gauge current rates of LATCH system use and misuse.

Grant administrative expenses.—Section 2001(a)(11) of SAFETEA–LU provides funding for salaries and operating expenses related to the administration of the grants programs.

Distracted driving prevention.—Driver distraction is a significant safety problem and the Committee commends the Department on its efforts to address this growing epidemic. As reported by NHTSA, an estimated 6,000 deaths and half-a-million injuries were attributed to distracted driving in 2008 alone. With approximately 600 million passenger cars on the road today and 4.6 billion cell phone subscriptions worldwide, it is easy to see why the frequency of distracted driving is on the rise but the Committee is encouraged by the progress that has been made by the Department in this area. According to the Department, last year more than 200 distracted driving bills were under consideration by state legislatures, and the pace has increased this year. In early June, Georgia became the 28th state to pass a texting ban, meaning the country is past the halfway mark toward a nationwide prohibition of texting while driving. The Department has also launched pilot programs in New York and Connecticut as part of a Phone in One Hand, Ticket in the Other campaign to study whether increased enforcement and public awareness can reduce distracted driving behavior. In order to continue building upon these efforts, the Committee approves the Administration's request to reallocate $50,000,000 in fiscal year 2011 from the seat belt performance grants program to fund a new distracted driving grant program for states that enact and enforce laws to prevent distracted driving with a focus on texting bans. Although fourteen states have yet to qualify for funding under the seat belt incentive grants program, it is unlikely that many will do so in fiscal year 2011. Therefore, the Committee supports re-designating these funds for a purpose that will encourage states to change driver behavior with the goal of reducing highway injuries and fatalities. The Committee has also included bill language to set aside $5,000,000 of the $50,000,000 for the development, production, and use of broadcast and print media advertising to support enforcement of state laws to prevent distracted driving which is focused on reaching those segments of the population most likely to engage in distracted driving behavior.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

(INCLUDING RESCISSION)

Section 140. The Committee continues a provision that provides funding for travel and related expenses for state management reviews and highway safety core competency development training.

Section 141. The Committee continues a provision that exempts obligation authority that was made available in previous public laws for multiple years from limitations on obligations for the current year.

Section 142. The Committee includes a provision that rescinds unobligated contract authority authorized from the highway trust fund for NHTSA's highway safety grant programs that will not be available for obligation because of limitations on obligations imposed on those funds in this Act or previous appropriations Acts.

FEDERAL RAILROAD ADMINISTRATION

The Federal Railroad Administration (FRA) was established by the Department of Transportation Act, on October 15, 1966. The FRA plans, develops, and administers programs and regulations to promote the safe operation of freight and passenger rail transportation in the United States. The U.S. railroad system consists of over 550 railroads with over 187,000 freight employees, 171,000 miles of track, and 1.35 million freight cars. With the passage of the Passenger Rail Investment and Improvement Act of 2008 and the American Reinvestment and Recovery Act of 2009, the FRA became responsible for developing, administering, and overseeing a multi-year, multi-billion dollar discretionary passenger rail grant program. In addition, the FRA continues to oversee grants to the National Railroad Passenger Corporation (Amtrak) with the goal of assisting Amtrak with improvements to its passenger service and physical plant.

SAFETY AND OPERATIONS

Appropriation, fiscal year 2010	$172,270,000
Budget request, fiscal year 2011	153,348,000
Recommended in the bill	203,348,000
Bill compared with:	
Appropriation, fiscal year 2010	+31,078,000
Budget request, fiscal year 2011	+50,000,000

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

COMMITTEE RECOMMENDATION

The Committee recommends $203,348,000 for safety and operations, which is $31,078,000 above the fiscal year 2010 enacted level and $50,000,000 above the fiscal year 2011 budget request. The Committee denies the Administration's proposal to separate the operations and safety accounts and uses the existing funding structure. In addition, the Committee rejects the proposal to establish a rail safety user fee collected from railroads to offset salary

costs associated with rail safety inspectors. Of the amount provided under this heading, $5,492,000 is available until expended.

New FRA staff.—The Committee recognizes that the responsibilities of the FRA have grown exponentially in recent years with the enactment of the Rail Safety and Improvement Act (RSIA), the Passenger Rail Investment and Improvement Act (PRIIA) and the American Recovery and Reinvestment Act (ARRA). Therefore, the Committee approves FRA's request for 62 additional positions and 31 full time equivalents in fiscal year 2011. The Committee advises FRA that the Committee views this increase as an investment in FRA and consequently will expect FRA to perform at an even higher level of proficiency.

Safety monitoring and oversight.—The Committee considers safety oversight and monitoring to be a critical component of FRA's responsibilities. As freight traffic dropped during the economic downturn, safety and on time performance has increased. As the economy rebounds, the Committee expects FRA to remain vigilant in keeping the railway safe. In addition, the Committee reminds FRA that its core safety mission will be critical to the development of a national high speed rail network.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2010	$37,613,000
Budget request, fiscal year 2011	40,000,000
Recommended in the bill	40,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+2,387,000
Budget request, fiscal year 2011	– – –

The railroad research and development program provides science and technology support for FRA's policy and regulatory efforts. The program's objectives are to reduce the frequency and severity of railroad accidents through scientific advancement, and to support technological innovations in conventional and high speed railroads.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $40,000,000 for railroad research and development, which is $2,387,000 above the fiscal year 2010 enacted level and the same as the fiscal year 2011 budget request. Within the funds provided, the Committee includes $500,000 for the Northern Lights Express Intercity Passenger Rail Study, MN. The Committee's recommendation includes the following allocation for FRA's Railroad Research and Development account:

Railroad system issues	$3,835,000
Human factors	3,495,000
Rolling stock and components	3,000,000
Track and structures	5,450,000
Track and train interaction	3,800,000
Train control	8,270,000
Grade crossings	2,200,000
Hazmat transportation	1,550,000
Train occupant protection	4,700,000
R&D facilities and test equipment	2,700,000
Rail cooperative research program	500,000

Highway crossing hazard elimination on designated high speed rail corridors.—The Safe, Accountable, Flexible, Efficient Transpor-

tation Equity Act: A Legacy For Users (SAFETEA–LU) authorized the railway-highway crossing hazard elimination in high speed rail corridors program through 2009. Although the current authorization extension expires at the end of December 2010, the Committee recommendation assumes the annualized authorization level of the current extension. Within this account, the Committee directs funding to be allocated to the following projects:

Empire Corridor West High Speed Rail Improvements, Cayuga County, NY	$360,000
Improvement to Safety Devices at Highway/Railway Grade Crossings, WI	750,000
Traffic Separation Studies in Durham and Wake County, NC	500,000
Empire Corridor West High Speed Rail Improvements, Oneida County, NY	625,000

RAILROAD SAFETY TECHNOLOGY PROGRAM

Appropriation, fiscal year 2010	$50,000,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	75,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+25,000,000
Budget request, fiscal year 2011	+75,000,000

The railroad safety technology program is authorized under the Rail Safety Improvement Act to provide grants to passenger, commuter and freight rail carriers, railroad suppliers, and State and local governments for projects that have a public benefit of improved railroad safety and efficiency. Such projects may include the deployment of train control technologies, train control component technologies, processor-based technologies, electronically controlled pneumatic brakes, rail integrity inspection systems, rail integrity warning systems, switch position indicators and monitors, remote control power switch technologies, track integrity circuit technologies, and other new technologies to improve the safety of railroad systems. Priority must be given to projects that make technologies interoperable between railroad systems; accelerate the deployment of train control technology on high-risk corridors, such as those that have high volumes of hazardous materials shipments, or over which commuter or passenger trains operate; or benefit both passenger and freight safety and efficiency.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $75,000,000, for the railroad safety technology program, which is $25,000,000 above the fiscal year 2010 enacted level and $75,000,000 above the fiscal year 2011 budget request.

The Committee believes the rail safety technology program is critical to developing methods to minimize conflict and ensure the safety of all rail users. In addition, the Committee believes this program will assist with meeting the Rail Safety Improvement Act (RSIA) mandate, requiring installation of positive train control (PTC) on all lines that jointly operate passenger and freight traffic by December 15, 2015. The FRA published its final rule on PTC in January 2010 and estimated that it will cost at least $5.5 billion for initial system acquisition and approximately $820 million annually for maintenance. The Committee directs FRA to provide these funds to grantees struggling with these costs. In particular, the

Committee recognizes the cost and complexity that positive train control presents for commuter rail operations. Overall, however, the Committee believes that positive train control offers a significant safety benefit for passengers travelling on commuter rail operations.

The bill includes language that would allow applicants to be eligible for funding provided under the rail safety technology program even if they have not yet completed all of the planning documents required under RSIA. However, in order to qualify for a grant under this program, all applicants must demonstrate that they are currently developing the required plans and the Committee directs the FRA to provide priority consideration to those entities that have completed all of their reporting requirements.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Transportation Equity Act for the 21st Century of 1998 established the Railroad Rehabilitation and Improvement Financing (RRIF) loan and loan guarantee program. SAFETEA–LU amended the program to allow direct loan and loan guarantees up to $35,000,000,000 and required that not less than $7,000,000,000 shall be 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.

COMMITTEE RECOMMENDATION

As in prior years 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 2011.

CAPITAL ASSISTANCE FOR HIGH SPEED CORRIDORS AND INTERCITY PASSENGER RAIL SERVICE

Appropriation, fiscal year 2010	$2,500,000,000
Budget request, fiscal year 2011	1,000,000,000
Recommended in the bill	1,400,000,000
Bill compared to:	
Appropriation, fiscal year 2010	−1,100,000,000
Budget request, fiscal year 2011	+400,000,000

The Capital Assistance for High Speed Corridors and Intercity Passenger Rail Service program was first funded in ARRA. The program provides grants investing in passenger rail infrastructure grants for intercity passenger rail, grants for high-speed passenger rail and grants to reduce congestion or facilitate ridership growth along passenger rail corridors.

COMMITTEE RECOMMENDATION

The Committee recommends $1,400,000,000 for the passenger rail grant program. The Committee's recommendation is $1,100,000,000 below the fiscal year 2010 enacted level and $400,000,000 above the level proposed in the fiscal year 2011 budget. The Committee provides a 40 percent increase over the budget request, which demonstrates the Committee's continued commitment to the high speed rail program and creating a high speed rail network in the United States. The Committee is extremely interested in the investments made thus far in this program and directs FRA to continue to provide monthly updates to the House and Senate Committees on Appropriations on the progress of the selected grantees. These updates should include the status of each project, an update on the obligation and outlay of any high speed rail funds and an overview of any critical issues experienced in the program over the last month.

FRA administration set aside.—The Committee recommends $50,000,000 for the FRA Administrator to administer and provide any necessary oversight activities for the passenger rail grant program. The Committee appreciates FRA's efforts to build the high speed rail program over the last year and recognizes the difficult balance between obligating funds promptly and ensuring grants will be used effectively and efficiently. Consequently, the Committee believes this program must be a critical area of management focus at DOT. The Committee considers the investments made by this program to be critical to the nation's infrastructure and essential to providing a transportation alternative for the congested highways and air space between city pairs around the country. Therefore, the Committee is adamant about the immense need for comprehensive oversight of this program. The Committee expects the Department to have thorough grant management processes in place for this program including key implementation milestones and related oversight cost estimates. Therefore, the Committee directs FRA to submit a report on the oversight and grants management process of the high speed rail program to the House and Senate Committees on Appropriations by March 29, 2011.

Passenger rail grant program research.—The Committee recommends $30,000,000 of the funds under this heading for passenger rail research, including implementation of the Rail Cooperative Research Program authorized by 49 U.S.C. 24910. The Committee has included bill language directing FRA to conduct research that is anticipated to result in next-generation rolling stock fleet technology.

Regulations.—The Committee continues language allowing FRA to use interim guidance for the program. However, the Committee directs the Department to finalize pending passenger rail regulations by the end of fiscal year 2011.

Planning.—The Committee believes that sound planning is critical to the success of passenger rail in the U.S. The Committee recommends $50,000,000 for planning activities for the passenger rail grant program. The Committee continues language allowing a portion of the planning funds to be set aside for multi-state planning efforts, which are critical to creating interstate rail corridors.

Social justice.—The Committee is aware that in certain communities across the nation, highways were built along paths that divided poor or minority communities and that such routings required the relocation of families and resulted in significant impacts to neighborhoods and communities. The Committee is also aware that planners may seek to utilize existing transportation corridors in proposing new transportation projects, including high-speed rail. There is significant concern about the impact that any new project built in an existing transportation corridor will have on the surrounding communities. This is balanced by a concern in connection with creating entirely new transportation corridors impacting additional communities. The Committee therefore expects the environmental reviews conducted by the Department of Transportation in connection with implementing new transportation projects, including high-speed rail projects, to consider the effects of using existing or new transportation corridors, as appropriate, and to identify appropriate mitigation measures and comply with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(AMTRAK)

In the late 1960s private railroad companies, which provided both freight and passenger service were operating close to bankruptcy. By 1970, passenger service had eroded to the point that Congress passed the Rail Passenger Service Act (RPSA) creating the National Railroad Passenger Corporation (Amtrak), a for profit corporation, to take over and preserve passenger rail service in the United States. RPSA relieved private railroads of their common carrier obligation, a responsibility retained from English common law, in exchange for a payment in cash, equipment, or a promise of future service. On May 1, 1971, Amtrak began operations as a national passenger railroad.

Today, Amtrak operates trains over 20,000 miles of track owned by freight railroad carriers, and over about 654 miles of its own track, most of which is on the Northeast Corridor (NEC) from Washington, DC to Boston. Amtrak operates both electrified trains, where speeds of up to 150 mph on the Northeast Corridor are possible on the highest quality track, and diesel locomotives, which can currently achieve speeds between 74–110 miles per hour.

Congressional budget justification.—The Committee appreciates the level of detail in the fiscal year 2011 budget justifications and directs Amtrak to continue to submit justifications with a similar level of detail in all future budget years.

Five-year plan.—The Committee was pleased to receive Amtrak's five-year plan. The Committee strongly believes in the importance of long term planning and believes this plan is the first step in a larger process of improving Amtrak operations.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriation, fiscal year 2010	$563,000,000
Budget request, fiscal year 2011	563,000,000
Recommended in the bill	563,000,000
Bill compared to:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– – –

COMMITTEE RECOMMENDATION

The Committee recommends $563,000,000 for operating grants for Amtrak, which is the same as the fiscal year 2010 enacted level and the level assumed in the fiscal year 2011 budget request.

The Committee has included bill language allowing the Secretary to retain up to one-half of one percent for the use of the FRA for the implementation of the Amtrak Operating Grants as authorized by section 103 of PRIIA. The Federal Railroad Administration requires these funds to oversee the operating grants to Amtrak to ensure the prudent use of federal funds and foster transparency.

On time performance.—The Committee is pleased with the recent increase in on time performance of Amtrak trains and appreciates Amtrak's efforts. The Committee expects Amtrak to redouble these efforts as the economy rebounds and freight traffic increases.

Reduced price fares.—In past years, the Committee has prohibited Amtrak from offering discounts of more than fifty percent from normal, peak fare prices, except where the loss from the discount is covered by a state and the state participates in setting the Amtrak fares in said state as a part of the overall state transportation plan. While the Committee is proposing to eliminate the prohibition of offering reduced fares, the Committee is interested in how often, and on what lines or line segments Amtrak will offer deeply discounted fares in fiscal year 2011. The Committee directs Amtrak to report quarterly on the following as related to fares reduced by fifty percent or more from the normal, peak fare: the frequency of the discounted offering; the lines or line segments with discounted fares; the number of tickets sold; the actual cost of operating the line or line segment; the regular, peak fare offered for the line or line segment; the amount of the reduced fare; the availability of another rail transportation option (i.e. commuter rail line or transit line) serving the riding population; and the fares associated with the other rail transportation options.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriation, fiscal year 2010	$1,001,625,000
Budget request, fiscal year 2011	1,052,000,000
Recommended in the bill	1,203,500,000
Bill compared to:	
Appropriation, fiscal year 2010	+201,875,000
Budget request, fiscal year 2011	+151,500,000

COMMITTEE RECOMMENDATION

The Committee recommends $1,203,500,000 for capital grants, of which not to exceed $305,000,000 is provided for Amtrak's debt service. The Committee's recommendation is $201,875,000 above

the level enacted in fiscal year 2010 and $151,500,000 above the level assumed in the fiscal year 2011 budget request.

Americans with Disabilities Act.—The Committee recommends that Amtrak use no less than $165,000,000 of its capital funds to assist it in meeting its statutory obligations. The Americans with Disabilities Act (ADA) requires that Amtrak make all intercity passenger rail stations readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, as soon as practicable, but in no event later than July 26, 2010.

While the Committee understands that Amtrak does not own all of the stations it serves, the Committee believes Amtrak's performance in meeting the ADA legislative mandate has been abysmal, as only ten percent of the stations Amtrak serves are fully compliant. At a minimum, Amtrak must demonstrate better progress in bringing the Amtrak-owned stations into compliance. The Committee directs Amtrak to provide the House and Senate Committees on Appropriations quarterly updates on its progress in meeting the ADA requirement.

Early buyout option.—Within the funds provided for Amtrak's debt service, the Committee recommends up to $28,000,000 to be used for the payment of costs associated with early buyout options as authorized in section 102(b) of PRIIA. The Committee believes providing funding for this purpose will maximize Amtrak's debt service and drive down future debt.

Fleet plan.—The Committee recommends $127,500,000 for Amtrak's capital fleet plan, which equals the total amount requested for the first year of the plan. The Committee believes this new comprehensive plan is a bold initiative that adds long-term structure to Amtrak's fleet acquisition process. The Committee considers this type of planning, critical to the development and support of a domestic manufacturing base for rail.

The Committee encourages Amtrak and FRA to explore alternative financing options, such as the RRIF program, to meet the immense capital need for the fleet plan.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

Section 150. The Committee retains a provision that ceases the availability of Amtrak funds if the railroad contracts for services outside the United States for any service performed by a full-time or part-time Amtrak employee as of July 1, 2006.

Section 151. The Committee retains a provision, which allows FRA to receive and use cash or spare parts to repair and replace damaged automated track inspection cars and equipment in connection with the automated track inspection program.

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 assist-

ance programs for planning, developing, and improving comprehensive mass transportation systems in both urban and non-urban areas.

The most recent authorization for the programs under the Federal Transit Administration is contained in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) (P.L. 109–59). During the authorization period provided under SAFETEA–LU, the annual Appropriations Acts included annual limitations on obligations for the formula and bus grants programs, and direct appropriations of budget authority from the General Fund of the Treasury for the FTA's administrative expenses, research programs, and capital investment grants. The transit programs authorized under SAFETEA–LU are set to expire on December 31, 2010.

ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2010	$98,911,000
Budget request, fiscal year 2011	113,559,000
Recommended in the bill	130,698,000
Bill compared with:	
Appropriation, fiscal year 2010	+31,787,000
Budget request, fiscal year 2011	+17,139,000

COMMITTEE RECOMMENDATION

The Committee recommends a total of $130,698,000 for FTA's administrative expenses, an increase of $31,787,000 above the fiscal year 2010 funding level and $17,139,000 above the budget request. Of this amount, $106,559,000 is for the salaries and expenses of FTA. The bill includes an additional $24,139,000 to carry out public transportation fixed guideway safety oversight activities, if authorized.

Operating plans.—The Committee reiterates its direction from previous years which requires the FTA's operating plan to include a specific allocation of administrative expenses resources. The operating plan should include a delineation of full time equivalent employees, for the following offices: Office of the Administrator; Office of Administration; Office of Chief Counsel; Office of Communications and Congressional Affairs; Office of Program Management; Office of Budget and Policy; Office of Research, Demonstration and Innovation; Office of Civil Rights; Office of Planning and Environment; and Regional Offices. In addition, the Committee directs the FTA to notify the House and Senate Committees on Appropriations at least thirty days in advance of any change that results in an increase or decrease of more than five percent from the initial operating plan submitted to the Committees for fiscal year 2011. The accompanying bill specifies that no more than $2,200,000 shall be for the FTA's travel expenses.

Budget structure.—The Committee is not surprised by the creativity exhibited in the FTA budget justification and the strategic restructuring undertaken by the FTA Administrator. In many ways, the proposed restructuring reflects a careful analysis of existing resources and the best way to maximize funds and programs to ensure decisions that reflect the Administration's focus on livability. However, in the absence of a long-term surface reauthorization bill, it is premature to radically shift the existing accounts. The Committee hopes, however, that the proposed restructuring

will provide a roadmap for reauthorization and will guide decisions on FTA's future structure.

Budget justifications and annual new starts report.—The Committee also continues the direction to FTA to submit future budget justifications in a format consistent with the instruction provided in House Report 109–153. The Committee has again included bill language requiring FTA to submit the annual new starts report with the initial submission of the budget request due in February, 2011.

Transit security.—The Committee continues bill language prohibiting FTA from creating a permanent office of transit security. The Committee's position remains that the Department of Homeland Security is the lead agency on transportation security and has overall responsibility among all modes of transportation, including rail and transit lines.

Expiring projects.—The Committee is aware that there are a number of projects for which the funds will expire by the end of this fiscal year. The Committee reminds grantees that transit funds are available for three years and the Committee's expectation is that these funds will be obligated in a timely fashion. Two years ago, the Committee ended its practice of extending expiring projects. It is a disservice to other projects to hold funds back for projects that may not move to completion.

RAIL TRANSIT SAFETY OVERSIGHT

Appropriation, fiscal year 2010	$– – –
Budget request, fiscal year 2011	24,139,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–24,139,000

COMMITTEE RECOMMENDATION

The Committee firmly believes that issues of safety deserve careful consideration, adequate funding, and sufficient staffing, however, this office and the functions thereof are not yet authorized. The Committee recognizes that FTA has submitted a legislative proposal to establish this office and a set of responsibilities, thus it has elected to provide funding for additional safety inspectors within the administrative expenses account, should the legislative proposal be enacted.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2010	$9,400,000,000	($8,343,171,000)
Budget request, fiscal year 2011	9,200,000,000	(8,271,700,000)
Recommended in the bill	9,200,000,000	(8,961,348,000)
Bill compared to:		
Appropriation, fiscal year 2010	–200,000,000	+618,177,000
Budget request, fiscal year 2011	– – –	+689,648,000

Formula grants to states and local agencies funded under the Federal Transit Administration (FTA) fall into the following categories: Alaska Railroad, clean fuels grant program, over-the-road bus accessibility program, urbanized area formula grants, bus and bus facility grants, fixed guideway modernization, planning programs (both metropolitan and statewide), formula grants for special needs for elderly individuals and individuals with disabilities, formula grants for other than urbanized areas, job access and reverse commute formula program, new freedom program, growing states and high density states formula, National Transit Database, alternatives analysis, and alternative transportation in parks and public lands. SAFETEA–LU provided contract authority for the formula and bus program from the mass transit account of the highway trust fund. The Appropriations Act sets an annual obligation limitation for such authority. This account is the only FTA account funded from the highway trust fund.

COMMITTEE RECOMMENDATION

The Committee provides $8,961,348,000 in obligation limitations for these programs and activities which is $689,648,000 above the budget request and $618,177,000 over the fiscal year 2010 enacted level. The Committee recommendation follows the program structure as currently authorized in SAFETEA–LU, however, the Committee understands that the authorizing committee of jurisdiction has proposed significant modifications to the structure of the transit program. The Committee supports efforts to reform and realign programs to meet the unique transit needs of small and large communities across the nation; to better coordinate transit access and mobility; and, to improve the energy efficiency of vehicles and facilities.

The Committee recognizes that the recommended level represents a significant increase in the transit formula and bus grant program. The Committee strongly believes that this increase is necessary to meet critical transit infrastructure needs and the growing public transportation demands facing our nation. The DOT's 2008 Conditions and Performance Report indicates that an estimated $15.1 billion annual average investment is needed to maintain transit conditions and performance and $21.1 billion is needed to improve transit conditions and performance. The Committee's hearings underscored the substantial need and overall support for increased transit investment.

The Committee well understands that the contract authority levels for the formula and bus grant program will be set by the underlying surface transportation authorization legislation. The Committee urges the authorizing committees of jurisdiction to provide additional contract authority sufficient to meet the level of obligation limitations provided in the bill.

Given that the state of good repair needs for both fixed guideway systems and bus systems are estimated to be nearly $80 billion, the Committee believes that the authorizing committees of jurisdiction should consider providing increased resources to reduce this backlog.

Livable Communities.— The Committee is a strong supporter of the principle of livable communities and has advocated for coordinating transportation infrastructure investments with the avail-

ability of housing and community services in order to decrease transportation costs; improve access to jobs and services; promote healthy communities; improve air quality; protect the natural environment; and enhance community connectivity. As such, the Committee appreciates the commitment to livable communities that the Department has demonstrated throughout the budget request and by its active involvement in the interagency Partnership for Sustainable Communities.

The budget request proposes shifting the job access and reverse commute program, alternative analysis, and metropolitan and statewide planning activities into a new livable communities account. The Committee notes that the budget request does not change the existing eligibility criteria or distribution mechanism for these programs and agrees with FTA that these programs provide a helpful contribution toward building more sustainable and livable communities. As noted earlier the Committee denies the request to restructure the existing account structure while a comprehensive authorization bill is pending. The Committee notes that in addition to the programs highlighted in the budget request, the Committee believes that other FTA programs, including the bus and bus facility grants, urban and rural formula programs, and capital investment grants, also contribute to the development of livable communities. While the Committee supports the decision to utilize existing programs to advance this initiative, it will require strong leadership by FTA senior management to ensure that these programs do not simply continue to operate business as usual, but adapt and embrace a cultural change. The Committee is confident that the FTA Administrator will make progress in this regard.

Operating assistance.—The Committee recognizes the strain being placed on transit agencies by diminished state and local resources. Since January 2009, over 84 percent of transit agencies have implemented or plan to implement service reductions; increased fares; or laying off thousands of workers. The Committee recommendation makes available $250,000,000 for grants to States and designated recipients that receive funding under 49 U.S.C. 5307 and 5311 for operating costs associated with equipment and facilities, if authorized before September 30, 2011. This measure is intended to help alleviate reductions in eligible transportation service under sections 5307 and 5311 as well as ensure that skilled transit employees remain on the job.

Fixed guideway modernization.—The fixed guideway modernization program is distributed through a statutory formula for capital projects to modernize or improve existing fixed guideway systems that have been in operation for at least seven years. The Committee remains greatly concerned about the state of good repair needs for some of our nation's oldest and most heavily used rail and subway systems. The FTA found that more than one-third of agencies studied have assets that are either in marginal or poor condition and that the estimated state of good repair backlog is roughly $50 billion.

Bus and bus facilities.—The bus and bus facilities program is a discretionary program administered by the FTA for capital projects including the acquisition of buses for fleet and service expansion; bus maintenance and administrative facilities; transfer facilities, intermodal centers; park-and-ride stations; and, miscellaneous

equipment such as mobile radio units, supervisory vehicles, fare boxes, computers and shop and garage equipment.

The Committee encourages the FTA to utilize remaining discretionary funds for projects that meet the criteria established for the bus livability grants or for the transit investment in greenhouse gas and energy reduction (TIGGER) grants that were established under the American Recovery and Reinvestment Act. Therefore, the Committee has not established a separate account for greenhouse gas and energy reduction as requested in the budget. Within the funds provided, the Committee directs funding for the following projects:

Project	Amount
Chicago Union Station Improvements, IL	$500,000
PVTA Regional Transit Traveler Information Systems Project, MA	1,000,000
Aberdeen Intermodal Transit Center, MD	750,000
ACE Boulder Highway Rapid Transit Project, NV	2,000,000
Bay Town Trolley Multi-Modal Facility, FL	500,000
Bergen Intermodal Improvements, NJ	2,000,000
Berkshire Regional Transit Authority, MA	1,000,000
Bloomington Hybrid Buses, IN	250,000
Brownsville Multi-Modal Terminal Facility, TX	500,000
Bus and Bus Facilities, VI	1,000,000
Bus Replacement, Westchester County, NY	2,000,000
Capital Area Transit Bus and Bus Facilities, PA	700,000
Chatham Area Transit Bus Replacement, GA	1,000,000
Chicago Ridge Metra Station Improvements, IL	190,000
City of Rialto Metrolink Parking Lot Improvement, CA	700,000
City of San Bernardino Intermodal Transit Center, CA	500,000
City of Sante Fe Transit Department Bus Purchase, NM	250,000
Colorado Transit Coalition Statewide Bus and Bus Facilities, CO	5,000,000
Coralville Intermodal Center, IA	700,000
Corpus Christi Regional Transportation Authority, TX	500,000
COTA Electronic Fare Payment System, Columbus, OH	1,300,000
Cypress Park Transit Bus and Bus Facilities, Los Angeles, CA	400,000
Dallas Area Rapid Transit Bus CNG Procurement, TX	800,000
DAV Vehicles, Northport, NY	500,000
Dutchess County Mass Transit Facility Project, NY	500,000
El Paso New Operations/Maintenance Facility, TX	1,500,000
Fair Lawn Community Shuttle Bus Program, NJ	315,000
Falls Church Bus and Bus Facilities, VA	725,000
Flint MTA Conversion of Paratransit Facilities to CNG, MI	750,000
Goldsboro Union Station, NC	500,000
Greater Cleveland Regional Transit Authority Clifton Boulevard Transit Enhancements, OH	750,000
Greater Cleveland Warrensville/Van Aken Multi-Modal Facility, OH	550,000
Greater Southeast Transit Terminal, Houston, TX	500,000
GRTC Downtown Multimodal Center, Richmond, VA	500,000
IndyGo Transit Bus Replacement Project, IN	1,000,000
Joliet Multimodal Transportation Center, IL	550,000
JTA Regional Transit Authority Multi-Modal Facility, FL	500,000
LexTran Vehicle Maintenance Facility Improvements, KY	600,000
Littleton Intermodal Parking Facility, MA	1,200,000
Los Angeles Boyle Heights DASH Bus, CA	420,000
Los Angeles Florence-Firestone/Walnut Park Transit Vehicles, CA	300,000
Los Angeles Midtown DASH Community Circulator Bus Expansion Project, CA	1,000,000
Los Lunas Intermodal Transportation Center, NM	1,000,000
MARTA Bus, Bus Facilities and Security Improvements, GA	3,000,000
METRO Bus and Bus Facilities, Houston, TX	1,000,000
Milwaukee County Buses, WI	1,000,000
Montebello Bus Lines and Norwalk Transit Agency Bus Replacement Project, CA	500,000
Monterey-Salinas Transit Intelligent Transportation Systems (ITS) Security Systems Upgrade, CA	800,000
Municipal Transit Operators Coalition Clean Fuel Bus Purchase, CA	2,000,000
Mustang Park and Ride Structure, Scottsdale, AZ	500,000
New Center Intermodal Transportation Facility, Wayne, MI	1,350,000
Newburyport Intermodal Parking Facility, MA	500,000
Pace Paratransit Vehicles, IL	1,400,000

Project	Amount
Port Authority Allegheny County Hybrid Buses, PA	600,000
Port of Galveston Transit Terminal Parking, TX	1,250,000
Potomac Yard-Crystal City Transit Way, VA	1,250,000
Replacement Buses for Urban Transit Systems in the Triangle, NC	2,500,000
Riverview Corridor Bus Acquisition and Facilities, MN	750,000
Rochester Intermodal Transportation Center, NY	2,500,000
SEPTA 69th Street Terminal, PA	500,000
SEPTA Levittown Station Intermodal Improvements, PA	600,000
South Hampton Roads Satellite Transit Operating Facility, VA	1,500,000
Southern Maryland Commuter Bus Initiative, MD	1,500,000
Stark Area Buses Regional Transit Authority, OH	800,000
Suffolk County Bus and Bus Facilities, NY	750,000
Tennessee Statewide Bus and Bus Facilities, TN	1,000,000
Transit Center, California State University, Northridge, CA	500,000
Unified Government Transit Buses and Bus Facilities, KS	800,000
Union Passenger Terminal, LA	1,250,000
Union Station Intermodal Center, DC	500,000
Vacaville Intermodal Station-Phase 2, Vacaville, CA	750,000
VIA Bus Fleet Modernization, TX	2,400,000
VIA Fredericksburg Road Bus Rapid Transit Corridor, TX	1,000,000
Washington Avenue Port Plaza and Intermodal Center, WA	1,000,000
Watts DASH Community Circulator Bus Project, CA	200,000

Alternatives analysis.—The alternative analysis program provides grants to assist in financing the evaluation of all reasonable modal and multimodal alternatives and general alignment options for identified transportation needs in a particular, broadly defined travel corridor. The Committee recommendation directs funding for the following projects:

Project	Amount
Atlanta BeltLine, Inc. Tier 2 Environmental Impact Statement (EIS)/Preliminary Engineering, GA	$700,000
Glassboro Camden Line EIS Project, NJ	750,000
Interstate 94 Transit Corridor, Ramsey and Washington Counties, MN	750,000
LYNX Bus Rapid Transit Alternative Analysis, FL	500,000
Naval Station Norfolk Light Rail Study, VA	250,000
OCTA Santa Ana-Garden Grove Fixed Guideway Construction, Santa Ana, CA	250,000
Orange Line Extension Preliminary Engineering, IL	475,000
Phoenix West (Formerly I–10 West) Light Rail Extension, Phoenix, AZ	1,000,000
Red Line Extension, IL	1,500,000
South Central Avenue Light Rail Feasibility Study, Phoenix, AZ	750,000

LIVABLE COMMUNITIES

Appropriation, fiscal year 2010	$– – –
Budget request, fiscal year 2011	306,905,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–306,905,000

COMMITTEE RECOMMENDATION

As noted above, the Committee recommendation follows the currently authorized structure.

GREENHOUSE GAS AND ENERGY REDUCTION

Appropriation, fiscal year 2010	$– – –
Budget request, fiscal year 2011	52,743,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–52,743,000

COMMITTEE RECOMMENDATION

As noted above, the Committee recommendation follows the currently authorized structure.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

Appropriation, fiscal year 2010	$65,670,000
Budget request, fiscal year 2011	29,729,000
Recommended in the bill	65,376,000
Bill compared with:	
Appropriation, fiscal year 2010	−294,000
Budget request, fiscal year 2011	+35,647,000

Grants for transit research are authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59) (SAFETEA–LU). Starting in fiscal year 2006, activities formerly under the "Transit Planning and Research" account are now under the "Formula and Bus Grants" account. The National Research program, the Transit Cooperative Research Program, and the National Institute are funded under this new heading. Funding for the National Research programs will be used to cover costs for FTA's essential safety and security activities and transit safety data collection. Under the national component of the program, FTA is a catalyst in the research, development and deployment of transportation methods and technologies which address issues such as accessibility for the disabled, air quality, traffic congestion, and transit services and operational improvements. The University Research Centers program will provide continued support for research education and technology transfer activities aimed at addressing regional and national transportation problems.

COMMITTEE RECOMMENDATION

The Committee recommends $65,376,000 for FTA's research activities. The Committee's recommendation includes $44,076,000 for the national research program; $10,000,000 for transit cooperative research; $4,300,000 for the National Transit Institute; and $7,000,000 for the university centers program. The Committee, however, does support continued research into programs to advance the mobility of our nation's senior citizens and individuals with disabilities. In that regard, the Committee directs the FTA to provide continued, if not increased, support for the Project Action and National Center for Senior Transportation.

Consistent with the direction that was provided in previous years, the Committee requires FTA to report by May 15, 2010, on all FTA-sponsored research projects from fiscal year 2010 and 2011. For each project, the report should include information on the National relevance of the research, relevance to the transit industry and community, expected final product and delivery date, sources of non-FTA funding committed to the project or research institute, and FTA funding history.

Car sharing.—The Committee urges the FTA to also explore the use of non-traditional transportation methods, such as car sharing, to determine what benefit these methods provide in advancing the goals of livability. For example, the Transportation Research Board estimated in 2005 that every car available through a car sharing

program removes 15 privately owned vehicles from streets and increases the chance that an individual will utilize public transit.

Within the funds provided for FTA's national research program, the Committee directs funding to be allocated for the following projects:

City of College Station Public Transportation Initiative, TX	$150,000
Project Transit, Philadelphia, PA	1,000,000
CTAA Job links, Washington, DC	2,400,000
Queens College Barriers to Public Transportation Survey, NY	250,000

TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT

Appropriation, fiscal year 2010	$– – –
Budget request, fiscal year 2011	28,647,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–28,647,000

COMMITTEE RECOMMENDATION

The Committee does not provide funding for this newly proposed office, but supports the goal of providing additional technical assistance and workforce development, and believes that activities can be pursued within the National Research Program.

CAPITAL INVESTMENT GRANTS

Appropriation, fiscal year 2010	$2,000,000,000
Budget request, fiscal year 2011	1,822,112,000
Recommended in the bill	2,000,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+177,888,000

Grants for capital investment to rail or other fixed guideway transit systems are awarded to 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 under state law. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59) (SAFETEA–LU) made two significant changes to the major capital investment grant program. First, SAFETEA–LU funded the program entirely from the General Fund of the Treasury. Second, grants for bus and bus facilities and fixed guideway modernization projects, plus alternative analysis funds were made eligible under the "Formula and Bus Grants" account, which is funded by the mass transit account of the highway trust fund. Grants to the Denali Commission and the Hawaii and Alaska ferries were dictated by SAFETEA–LU. Other projects and investments were specifically authorized by SAFETEA–LU and are subject to regulation and oversight by FTA.

COMMITTEE RECOMMENDATION

The Committee recommends $2,000,000,000 for capital investment grants which is equal to the fiscal year 2010 enacted level and $177,888,000 above the budget request. Within the amount provided, the Committee includes a total of $20,000,000, or ap-

proximately one percent, for oversight activities of the investments in this account. The Committee recommendation includes funding for the following capital investment grants:

Project	Amount
Access to the Region's Core, NJ	$200,000,000
Baltimore Red Line, MD	1,500,000
BART Silicon Valley Project, CA	2,000,000
BRT Project, CO	24,163,000
Central Corridor LRT, MN	45,000,000
Central Florida Commuter Rail Transit—Initial Operating Segment, FL	40,000,000
Central Subway LRT, CA	20,000,000
Crenshaw/LAX Transit Project, CA	750,000
Downtown Transit Corridor Program, Downtown Circulator—The Wave, FL	1,750,000
Dulles Corridor Metrorail Project Ext. to Wiehle Ave., DC	96,000,000
E Street Corridor sbX BRT, CA	42,630,000
East Bay BRT, CA	15,000,000
East Corridor, CO	40,000,000
Gold Line, CO	40,000,000
Green Line Extension to Route 16 from Tufts, MA	500,000
Houston Commuter Rail Service in Harris and Fort Bend County (US 90A), TX	1,000,000
King County BRT, WA	21,274,000
Long Island Rail Road East Side Access, NY	215,000,000
Mason Corridor BRT, CO	5,450,573
MetroRapid BRT, TX	24,229,796
Mid Jordan LRT, UT	100,000,000
New Britain-Hartford Busway, CT	45,000,000
North Corridor LRT, TX	75,000,000
Northwest/Southeast LRT MOS, TX	86,249,717
Nostrand Ave BRT, NY	28,398,554
Perris Valley Line, CA	23,490,000
Purple Line, MD	1,500,000
Rail Transit Project—East Kapolei to Ala Moana Center, HI	55,000,000
Second Avenue Subway Phase I, NY	197,182,000
Sonoma-Marin Area Rail Transit (SMART), CA	1,000,000
South Shore Commuter Rail Capital Reinvestment Plan, NICTD, IN	1,000,000
Southeast Corridor LRT, TX	75,000,000
Stamford Urban Transitway, CT	1,000,000
University Link LRT Extension, WA	110,000,000
Van Ness Avenue BRT, CA	15,000,000
Weber County to Salt Lake City Commuter Rail, UT	80,000,000
West Corridor LRT, CO	40,179,000
West Eugene EmX, OR	1,000,000

Full funding grant agreements (FFGAs).—TEA–21 required 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 2011; (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 continues the direction to 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. In addition, the Committee directs FTA to continue reporting monthly to the House and Senate Committees on Appropriations on the status of each project with a full funding grant agreement or that is within two years of a full funding grant agreement. The Committee finds the monthly updates informative and a useful oversight tool.

Inspector general audits and investigations.—The Committee includes $2,075,000 directly to the Department of Transportation Office of Inspector General for contract execution for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Appropriation, fiscal year 2010	$150,000,000
Budget request, fiscal year 2011	150,000,000
Recommended in the bill	150,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– – –

Section 601 of Division B of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432) authorized $1.5 billion over a ten-year period for preventive maintenance and capital grants for the Washington Metropolitan Area Transportation Authority (WMATA). The law requires that the federal funds be matched dollar for dollar by Virginia, Maryland and the District of Columbia in equal proportions. The compact required under the law has been established and Virginia, Maryland and the District of Columbia have all committed to providing $50 million each in local matching funds.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $150,000,000 for preventive maintenance and capital grants for WMATA, which is equal to the budget request and the fiscal year 2010 enacted level. The Committee remains very concerned about the speed with which WMATA is making progress on safety issues within the agency. Specifically, nine issues identified by the National Transportation Safety Board (NTSB) in the wake of Metro's horrific crash on June 22, 2009, remain unanswered. The Committee urges WMATA to work expeditiously to address the critical safety concerns identified by the NTSB.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

Section 160. The Committee continues the provision that exempts previously made transit obligations from limitations on obligations.

Section 161. The Committee continues the provision that allows funds appropriated for capital investment grants and bus and bus facilities not obligated by September 30, 2013, plus other recoveries to be available for other projects under 49 U.S.C. 5309.

Section 162. 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.

Section 163. The Committee continues the provision that allows prior year funds available for capital investment grants to be used in this fiscal year for such projects.

Section 164. The Committee continues the provision that requires unobligated funds or recoveries under section 5309 of title 49 that are available for reallocation shall be directed to projects eligible to use the funds for the purposes for which they were originally intended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

Appropriation, fiscal year 2010	$32,324,000
Budget request, fiscal year 2011	32,150,000
Recommended in the bill	33,868,000
Bill compared with:	
Appropriation, fiscal year 2010	1,544,000
Budget request, fiscal year 2011	1,718,000

The Great Lakes Saint Lawrence Seaway System, located between Montreal and Lake Erie, is a binational, 15-lock system jointly operated by the U.S. Saint Lawrence Seaway Development Corporation (SLSDC) and its Canadian counterpart, the Canadian St. Lawrence Seaway Management Corporation. The SLSDC was established by the St. Lawrence Seaway Act of 1954 and is a wholly owned government corporation and an operating administration of the U.S. Department of Transportation (DOT). The SLSDC is charged with operating and maintaining the U.S. portion of the St. Lawrence Seaway. This responsibility includes the two U.S. locks in Massena, New York, vessel traffic control in portions of the St. Lawrence River and Lake Ontario, and trade development functions to enhance the utilization of the St. Lawrence Seaway.

The Water Resources Development Act of 1986 authorized the Harbor Maintenance Trust Fund as a source of appropriations for SLSDC operations and maintenance. Additionally, the SLSDC generates non-federal revenues which can then be used for operations and maintenance.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $33,868,000 to fund the operations, maintenance, and capital asset renewal needs of the SLSDC. This funding level is $1,544,000 above the fiscal year 2010 enacted level and $1,718,000 above the fiscal year

2011 request. The Committee remains committed to the SLSDC's ongoing infrastructure improvements and directs the additional funds be used for capital investments as planned for in the Asset Renewal Program.

Asset Renewal Program.—The Committee directs the SLSDC to provide semiannual reports consistent with the requirements stated in the Explanatory Statement of the Department of Transportation Appropriations Act of 2009.

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 of 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 assures 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 academies help create skilled U.S. merchant marine officers.

MARITIME SECURITY PROGRAM

Appropriation, fiscal year 2010	$174,000,000
Budget request, fiscal year 2011	174,000,000
Recommended in the bill	174,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– – –

The purpose of the Maritime Security Program (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. flagship 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.

COMMITTEE RECOMMENDATION

The Committee recommends $174,000,000 for this account, equal to both the budget request and the level enacted in fiscal year 2010. This recommendation provides funding directly to MARAD and assumes that MARAD will continue to administer the program with support and consultation of DoD. The Committee's recommendation provides funding for 60 ships, with a payment per ship of $2,900,000. The recommendation will provide the necessary

resources for the operation of the MSP through fiscal year 2011. Funds are available until expended.

OPERATIONS AND TRAINING

Appropriation, fiscal year 2010	$149,750,000
Budget request, fiscal year 2011	164,353,000
Recommended in the bill	169,353,000
Bill compared with:	
Appropriation, fiscal year 2010	+19,603,000
Budget request, fiscal year 2011	+5,000,000

The operations and training account provides funding for headquarters and field offices to administer and direct MARAD operations and programs. The account also provides funding for the operation of the U.S. Merchant Marine Academy and financial assistance to the six state maritime academies.

COMMITTEE RECOMMENDATION

The Committee recommends $169,353,000 for this account, $5,000,000 above the budget request and $19,603,000 above the amounts provided in fiscal year 2010. Funds provided for this account are to be distributed as follows:

[Dollars in Thousands]

Activity	Fiscal Year 2011 Request	Fiscal Year 2011 Recommendation
U.S. Merchant Marine Academy:		
Salary and benefits	$32,877	$32,877
Midshipmen program	8,402	8,402
Instructional program	4,184	4,184
Program direction and administration	8,545	8,545
Maintenance, repair and operating requirements	9,112	9,112
Capital improvements	30,900	30,900
Midshipman fee refunds	6,000	6,000
Subtotal, USMMA	$100,020	$100,020
State maritime academies:		
Student incentive payments	$2,000	$2,400
Direct payments	2,000	2,550
Schoolship maintenance and repair	11,007	11,240
Subtotal, State maritime academies	$15,007	$16,190
MARAD operations:		
Salaries and benefits	$29,047	$29,047
Non-discretionary operations	11,179	11,179
Information technology	6,314	6,314
Discretionary operations and travel	1,786	1,786
Maritime program expenses	1,000	4,817
Subtotal, MARAD operations	$49,326	$53,143
Subtotal, operations and training	$164,353	$169,353

United States Merchant Marine Academy.—The U.S. Merchant Marine Academy (the Academy or USMMA) provides educational programs for men and women to become shipboard officers and leaders in the maritime industry. The Committee strongly supports the Academy's goals and mission and believes each of the Academy's midshipmen should receive the highest quality education. The Committee recognizes MARAD's recent efforts to remedy the past mismanagement at the Academy and understands that comprehensive improvements will take time. Therefore, the Committee expects a multi-year commitment from MARAD and the Department to meeting the demands these improvements require and conducting the necessary oversight. In addition, the Committee

continues to include language requiring that all funding for the Academy be given directly to the Secretary, and that 50 percent of the funding will not be available until MARAD submits a plan detailing how the funding will be spent. The Committee believes this process provides increased accountability and improves internal controls.

USMMA Authorization.—In recent years, the Committee has included many incremental authorizing changes to the Academy in order to address specific issues. The Committee believes MARAD should produce a complete legislative proposal for the USMMA's reauthorization, which addresses recent issues and presents a path forward for the Academy.

Capital needs, USMMA.—The Committee agrees with the Blue Ribbon Panel's "USMMA: Red Sky in the Morning: A Report by the U.S. Merchant Marine Academy Capital Improvements Advisory Panel" assessment that the condition of the Academy's physical plant has reached a tipping point. The Committee, recognizing this immense capital need, provides the $30,900,000 requested in the budget for this purpose. The Committee encourages MARAD and the Academy to incorporate green and sustainable building practices in their rehabilitation of the USMMA campus.

The Committee directs MARAD to submit to the House and Senate Committees on Appropriations a strategic plan for USMMA within 120 days of enactment of this Act. Concurrent with the Blue Ribbon Panel, the Committee believes the Academy needs a comprehensive strategic plan for its capital investments, which takes into account the future demand for merchant mariners, a detailed facility needs assessment and a capitalization plan. In addition to these areas, the strategic plan should address the Academy's response to each of the recommendations of the Blue Ribbon Panel.

Staffing, USMMA.—The Committee was pleased to see funds allocated toward hiring two new professional staff with the requisite facilities management and engineering skills to manage the Academy's Capital Improvement Program in the USMMA's fiscal year 2010 financial plan. The Committee believes having the proper staff in place to manage the rehabilitation of the USMMA campus is critical to this endeavor's success. Therefore, the Committee directs MARAD to provide quarterly USMMA staffing updates to the House and Senate Committees on Appropriations. These reports should breakout the number of full time equivalent (FTE) by operating area on board at the beginning of the fiscal year, the number of FTE currently on board and the estimated number of FTE on board by the end of year. In addition, these reports should list all vacant positions at the Academy.

Midshipman fees.—The Committee includes $6,000,000 requested in the budget to compensate midshipman who in previous school years were charged more in fees than they owed.

Recruitment diversity initiative.—The Committee remains concerned about the lack of diversity in the student body at the Academy. Therefore, the Committee includes the requested increase of $145,000 to assist with the recruitment efforts of student groups underrepresented at the Academy. The Committee directs MARAD to submit a status report on this initiative to the House and Senate Committees on Appropriations within six months of enactment of this Act.

State maritime academies.—The Committee has included an increase of $250,000 above last year for the state maritime academies (SMA). This additional funding will support the six state maritime academies in providing educational programs for future merchant marine and commercial ship officers. The state academies produce the largest number of new licensed officers in the country. The Committee includes $2,400,000 for the student incentive payments in order to provide full assistance to 50 cadets at each of the six academies at $8,000 each; $2,550,000 for the SMA direct payments to provide each academy with the same level assistance as last year; and $11,240,000 for schoolship maintenance and repair. The Committee remains concerned about the deferred maintenance to the training ships at the state maritime academies and directs MARAD to include in next year's budget justifications a multi-year plan to invest in the capital needs of these ships.

Environment and compliance activities.—The Committee recommendation includes a total of $4,000,000 for MARAD's environment and compliance activities. This funding will be used to support MARAD's environmental efforts including: air emission reductions for ships and ports; the continued development of an agency-wide environmental management system to encourage energy efficiency and alternative energy strategies; and support of partnerships and cooperative efforts with academic, public, and non-governmental entities to advance the research and development of effective ballast water treatment systems and compliance monitoring methods.

Congressional budget justification.—The Committee continues to direct MARAD to justify each provision proposed in a section of its Congressional budget justification.

SHIP DISPOSAL

Appropriation, fiscal year 2010	$15,000,000
Budget request, fiscal year 2011	10,000,000
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2010	−5,000,000
Budget request, fiscal year 2011	−−−

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 was required by Public Law 106–398 to dispose of its obsolete inventory by the end of 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). MARAD has custody of approximately 78 obsolete vessels that are not yet under contract for disposal. The obsolete ships are located at the James River Reserve Fleet site in Virginia (16 ships), the Suisun Bay Reserve Fleet site in California (52 ships), and the Beaumont Reserve Fleet site in Texas (10 ships).

COMMITTEE RECOMMENDATION

The Committee recommends $10,000,000 for this account, equal to the budget request and $5,000,000 below the fiscal year 2010 funding level. Funds are available until expended.

Suisun Bay.—The Committee was pleased with the recent Suisun Bay Agreement, which resolved environmental concerns about the disposal process of 52 obsolete ships in California. The Committee hopes this and other recent agreements will revive the process and reduce the number of obsolete vessels in NDRF's fleet. Therefore, the Committee directs MARAD to submit a multi-year plan to dispose of the remaining obsolete vessels in its fleet to the House and Senate Committees on Appropriations within 60 days of enactment of this Act. This document should include cost estimates for each year of the plan.

Savannah.—Within the funds provided, the Committee recommends $3,000,000 for maintenance and safeguarding of the Nuclear Ship Savannah. The Savannah, the world's first nuclear powered merchant ship, is a legacy asset assigned to the NDRF in retention status.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2010	$9,000,000
Budget request, fiscal year 2011	3,688,000
Recommended in the bill	3,688,000
Bill compared with:	
Appropriation, fiscal year 2010	−5,312,000
Budget request, fiscal year 2011	−−−

The Maritime Guaranteed Loan Program, 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 paid to operations and training to be obligated and outlayed.

COMMITTEE RECOMMENDATION

The Committee recommends $3,688,000 for the Maritime Guaranteed Loan (Title XI) Program, equal to the budget request and $5,312,000 below the amounts provided in fiscal year 2010.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 170. 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 paid into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) was established as an administration within the Department of Transportation (DOT) on November 30, 2004, pursuant to the Norman Y. Mineta Research and Special Programs Improve-

ment Act (Public Law 108–246). The PHMSA is responsible for the safe transportation of hazardous materials by all modes of transportation including pipelines. The agency's highest priority is safety, and its work includes developing plans, programs and regulations, as well as overseeing financial assistance programs, which focus on preparedness and response. The PHMSA uses safety management principles and security assessments to mitigate vulnerabilities and disseminate information concerning hazardous materials transportation.

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2010	$21,132,000
Budget request, fiscal year 2011	22,383,000
Recommended in the bill	22,383,000
Bill compared with:	
Appropriation, fiscal year 2010	+1,251,000
Budget request, fiscal year 2011	– – –

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

COMMITTEE RECOMMENDATION

The Committee recommends $22,383,000 for PHMSA operational expenses, of which $639,000 shall be derived from the Pipeline Safety Fund. This is equal to the budget request and $1,251,000 above the fiscal year 2010 enacted level. The Committee has included bill language directing PHMSA to transfer $1,000,000 to pipeline safety to fund pipeline information grants to communities.

IT Modernization Plan.—PHMSA's budget requests an additional $650,000 in fiscal year 2011 for the continuation of its IT Modernization Plan, which also supports the agency's special permits and approvals action plan. The Committee approves this request so that PHMSA can continue the work it started in fiscal year 2010 related to data and business analysis for the hazardous materials information system, which is a database used for hazmat incident reporting. The Committee believes that this funding is vital in order for PHMSA to significantly improve data quality, transparency, and the ability to base safety decisions on facts rather than assumptions and fragmented data.

HAZARDOUS MATERIALS SAFETY

Appropriation, fiscal year 2010	$37,994,000
Budget request, fiscal year 2011	40,434,000
Recommended in the bill	40,434,000
Bill compared with:	
Appropriation, fiscal year 2010	+2,440,000
Budget request, fiscal year 2011	– – –

The hazardous materials safety program has responsibility for the safety and security of hazardous materials shipments by commercial air, truck, railroad and vessel. The agency is the primary resource and regulatory authority for hazardous materials safety and promulgates regulations which cover hazardous materials safe-

ty security, shipper and carrier operations, training, and packaging and container specifications.

COMMITTEE RECOMMENDATION

The Committee provides $40,434,000 to continue the agency's hazardous materials safety functions, which is $2,440,000 above the fiscal year 2010 enacted level and equal to the budget request.

Multimodal hazardous materials intelligence portal.—Included within the hazardous materials program appropriation is $2,107,000, as requested, to fund the multimodal hazardous materials intelligence portal. This funding level is $847,000 above the fiscal year 2010 enacted level. The portal integrates inspection, incident, regulation, penalty, and other data collected by multiple administrations. Integrated data allows PHMSA and other users to develop comprehensive, risk-based strategies to identify emerging safety issues. The Committee notes that this system is used by and benefits the Federal Aviation Administration, the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, as well as the United States Coast Guard, and this additional funding will eliminate the need for PHMSA to rely on funding from the other modal administrations within DOT.

Hazardous materials information system.—This web-based system is an integral tool used for daily hazardous materials operations, workflow, and document management. The Committee continues to encourage PHMSA to ensure that this important system is searchable and useful to other operating administrations and that the data is accurate and verified. The Committee provides $2,255,000 in fiscal year 2011, as requested, to continue with the modernization of this system.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

	(Pipeline safety fund)	(Oil spill liability trust fund)	Total
Appropriation, fiscal year 2010	$86,334,000	$18,905,000	$105,239,000
Budget request, fiscal year 2011	92,206,000	18,905,000	111,111,000
Recommended in the bill	92,206,000	18,905,000	111,111,000
Bill compared to:			
Appropriation, fiscal year 2010	+5,872,000	– – –	+5,872,000
Budget request, fiscal year 2011	– – –	– – –	– – –

PHMSA oversees the safety, security, and environmental protection of pipelines through analysis of data, damage prevention, education and training, development and enforcement of regulations and policies, 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 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 Committee recommends $111,111,000 to continue pipeline safety operations, research and development, and state grants-in-aid in fiscal year 2011, which is $5,872,000 above the fiscal year 2010 enacted level and the same as the budget request. The bill specifies that of the total appropriation, $18,905,000 shall be derived from the oil spill liability trust fund and the remaining $92,206,000 shall be derived from the pipeline safety fund.

State pipeline safety grants.—PHMSA's budget requests $41,945,000 for fiscal year 2011 for the state pipeline safety grants program, which is $3,986,000, or almost 11 percent, above the fiscal year 2010 enacted level. Section 2(c) of the PIPES Act (49 U.S.C. 60107(a)), raised the Secretary of Transportation's grant matching authority from 50 percent to 80 percent. The Committee supports PHMSA's goal to increase the federal funding annually until the 80 percent cap is reached.

Pipeline integrity management.—The Committee recommends $9,658,000 for PHMSA's pipeline integrity management program in fiscal year 2011, as requested. This $1,000,000 increase over the fiscal year 2010 enacted level will allow the agency to conduct timely and technically sufficient analyses of the nontraditional design and operating parameters of proposed natural and hazardous liquid pipelines in Alaska, as well as other major interstate pipeline projects already proposed or underway in the lower 48 states, in order to meet the construction schedule of these projects.

State one-call grants.—The Committee directs that no less than $1,053,000 of the funds provided shall be for state one-call grants, as requested.

Pipeline safety improvements.—While the Committee recognizes that pipeline safety improvements have been made, exemplified by the declining average fatality rate associated with pipeline incidents over the last 20 years, the recent explosion at a natural gas facility in Texas and the underground oil pipeline leak in Utah have reinforced the need to remain vigilant in seeking continued incremental improvements. Furthermore, the BP oil disaster in the Gulf of Mexico has demonstrated the catastrophic human and environmental impacts that can occur when lapses in oversight of oil and gas systems occurs.

The National Transportation Safety Board (NTSB) has investigated numerous incidents and provided PHMSA with recommendations for improving the agency's safety oversight. Specifically, in response to a fatal 2007 accident in Mississippi, the NTSB investigated and concluded that current inspection and testing programs are not sufficiently reliable to identify features associated with longitudinal seam failures of electric resistance welded (ERW) pipe prior to catastrophic failure in operating pipelines. The Committee directs PHMSA to conduct a comprehensive study to identify actions that can be implemented by pipeline operators to eliminate catastrophic longitudinal seam failures in ERW pipes. At a minimum, the study should include assessments of the effectiveness and effects of in-line inspection tools, hydrostatic pressure tests, and spike pressure tests; pipe material strength characteristics and failure mechanisms; the effects of aging on ERW pipelines; operational factors; and data collection and predictive analysis. The

Committee directs PHMSA to submit a report to the House and Senate Committees on Appropriations and to the NTSB by June 1, 2011, with the results of this study.

In addition, the Committee is acutely aware of the findings in the report *Human Factors Analysis of Pipeline Monitoring and Control Operations* that analyzed the role of human factors in ten severe accidents. Accordingly, the Committee directs the Department of Transportation Inspector General to review PHMSA's implementation of Federal pipeline safety regulations, 49 CFR Parts 192 and 195, to address human factors and other aspects of control room management for pipelines where controllers use supervisory control and data acquisition systems. The review should cover, but is not limited to, the processes in place to validate operators' individual management procedure plans in the absence of standardized requirements and PHMSA's process for verifying implementation of the required management plans after their August 1, 2011 submission deadline. The Committee directs the Inspector General to report to the House and Senate Committees on Appropriations by September 1, 2011, with the results of that review.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

	(Emergency preparedness fund)	(Emergency preparedness grant program)
Appropriation, fiscal year 2010	$188,000	($28,318,000)
Budget request, fiscal year 2011	188,000	(28,318,000)
Recommended in the bill	188,000	(28,318,000)
Bill compared to:		
Appropriation, fiscal year 2010	– – –	(– – –)
Budget request, fiscal year 2011	– – –	(– – –)

The Hazardous Materials Transportation Uniform Safety Act of 1990 (Public Law 101–615) requires 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 $28,318,000 for the emergency preparedness grants program, which is the same as the fiscal year 2010 enacted level and the budget request.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

The Research and Innovative Technology Administration (RITA) was established as an administration within the Department of Transportation (DOT) effective November 30, 2004, pursuant to the Norman Y. Mineta Research and Special Programs Improvement Act, Public Law 108–426. As DOT's lead organization for research and innovation, RITA's mission is to provide strategic clarity to DOT's multi-modal and intermodal research efforts, while coordinating the multifaceted research agenda of the department.

RITA coordinates, facilitates, and reviews the Department's research and development programs and activities; advances innova-

tive technologies, including intelligent transportation systems; performs comprehensive transportation system research, analysis, and reporting; and provides education and training in transportation and transportation-related fields through the John A. Volpe National Transportation Systems Center, the Transportation Safety Institute, and the University Transportation Centers (UTC) Program.

Also included within RITA is the Bureau of Transportation Statistics (BTS), funded from the Federal Highway Administration's federal-aid highway account. BTS is responsible for developing and disseminating timely, relevant, and high quality transportation data and information for all modes to public and private transportation decision makers.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2010	$13,007,000
Budget request, fiscal year 2011	17,200,000
Recommended in the bill	18,900,000
Bill compared with:	
Appropriation, fiscal year 2010	5,893,000
Budget request, fiscal year 2011	1,700,000

COMMITTEE RECOMMENDATION

The bill includes $18,900,000 to continue research and development activities in fiscal year 2011, which is $5,893,000 greater than fiscal year 2010 enacted and $1,700,000 greater than the budget request.

Administrative Expenses.—The Committee provides $7,135,000 for administrative expenses, an increase of $164,000 over fiscal year 2010 enacted and a decrease of $65,000 from the fiscal year 2011 request. This funding level is sufficient for 26.5 full-time equivalents (FTEs), an increase of .5 FTE from fiscal year 2010 enacted. The Committee does not provide additional funds outside of salaries and benefits for the additional .5 FTE and anticipates RITA absorbing this FTE into other current service cost levels.

Research Programs.—Within the fiscal year 2010 recommended funding level, the Committee provides $11,765,000 for RITA's research, development, and technology (RD&T) programs as follows:

Alternative Fuels Research and Development (R&D)	$500,000
Research, Development, and Technology (RD&T) Coordination	900,000
Nationwide Differential Global Positioning System (NDGPS)	9,400,000
Positioning, Navigation and Timing (PN&T)	965,000

The Committee's recommendation for research programs represents an increase of $5,729,000 over fiscal year 2010 and an increase of $1,765,000 over the budget request. The Committee funds the Alternative Fuels R&D and the RD&T Coordination at the budget request.

The Committee funds PN&T at $965,000, largely funding the request of $1,000,000. This is an increase of $565,000 from the fiscal year 2010 enacted level.

The Committee funds NDGPS at $9,400,000, which is $4,800,000 above the fiscal year 2010 enacted level and $1,800,000 above the fiscal year 2011 request. The reasons for this increase are twofold. First, the Committee funds a $1,000,000 increase to Operations and Maintenance (O&M), equal to the requested increase for O&M.

This increase will allow for proper servicing and tower inspections to prevent service loss and/or system failures. In some instances, towers have not been inspected in more than four years. Second, the Committee funds the equipment recapitalization at $3,800,000, an increase of $1,800,000 over the budget request. At present, NDGPS equipment is operating beyond its service life, which not only increases the risk of system failures, but manifests as higher costs in the O&M account, now and into the future. While the request estimates the total cost of recapitalization at $4,000,000 over two years, the Committee funds NDGPS at $3,800,000 in fiscal year 2011, allowing for upfront savings in purchase of the new equipment.

The bill also includes language that allows funds received from states, counties, municipalities, other public authorities, and private sources for expenses incurred for training to be credited to this appropriation.

BUREAU OF TRANSPORTATION STATISTICS

(LIMITATION ON OBLIGATIONS)

Appropriation, fiscal year 2010	($28,000,000)
Budget request, fiscal year 2011	(30,000,000)
Recommended in the bill	(27,000,000)
Bill compared with:	
Appropriation, fiscal year 2010	(−1,000,000)
Budget request, fiscal year 2011	(−3,000,000)

COMMITTEE RECOMMENDATION

The most recent long-term surface transportation authorization act, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), expired on September 30, 2009. Since that time, Congress has passed several short-term extension bills that have continued to provide contract authority for the Bureau of Transportation Statistics. However, the current extension will expire on December 31, 2010. Because reauthorization actions have not yet been completed, the Committee has continued the fiscal year 2010 program structure for the account and has assumed that the funding levels provided for the first quarter of fiscal year 2011 will be extended and annualized for the remainder of the year.

The Committee notes that the Federal Aviation Administration's Air Traffic Organization budget request includes $4,000,000 for the Office of Airline Statistics within BTS.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2010	$75,114,000
Budget request, fiscal year 2011	79,772,000
Recommended in the bill	86,406,000
Bill compared with:	
Appropriation, fiscal year 2010	+11,292,000
Budget request, fiscal year 2011	+6,634,000

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 is to report dually to the Secretary of Transportation and to the Congress.

COMMITTEE RECOMMENDATION

The Committee recommendation provides $86,406,000 for activities of the Office of Inspector General (OIG), an increase of $11,292,000 above fiscal year 2010 and $6,634,000 above the budget request.

Full-time equivalent staff years (FTE).—Funding is sufficient to finance 426 FTE in fiscal year 2011, an increase of 8 FTE above the fiscal year 2010 level as requested in the budget.

Mandatory cost increases.—Consistent with the budget request, the Committee provides the OIG with the funds necessary to meet mandatory increases above the fiscal year 2010 enacted level, in the following amounts:

	Amount
Salaries and benefits	+$1,960,000
Working capital fund	+212,000
Rental payments to GSA/rental security payments to DHS	+190,000
Inflation	+94,000
Total	+$2,456,000

New or expanded programs.—In addition to the mandatory cost increases identified above, the Committee recommendation includes $2,202,000, as requested, for the OIG to expand existing programs or embark on new initiatives. Included within this amount is $1,525,000 to fund the salaries, benefits, and operating costs associated with 8 additional FTE. The Committee continues to value the work of the OIG in its oversight of departmental programs and activities and is committed to providing the Inspector General with the resources necessary to ensure that the office continues to complete its mission at the highest level.

Funding from other agencies.—Consistent with prior years, the OIG's budget for fiscal year 2011 requests $6,634,000 from other agencies within the Department, as noted below, to fund audit and investigative efforts associated with those agencies:

Federal Highway Administration	$3,809,000
Federal Transit Administration	2,075,000
Federal Aviation Administration	650,000
National Transportation Safety Board	100,000

The Committee recommends fully funding the OIG through a direct appropriation, rather than relying on transfers and offsetting collections. The Committee believes that this provides greater transparency with regard to the actual funding level of the office and eliminates the need for the OIG to rely on receiving funding from the agencies it is auditing. This increase in the appropriation to the OIG is offset by corresponding reductions to the budgets of the operating administrations.

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 that the OIG 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 (STB) was created by the Interstate Commerce Commission Termination Act of 1995 and is the successor agency to the Interstate Commerce Commission. The STB is an economic regulatory and adjudicatory body charged by Congress with resolving railroad rate and service disputes and reviewing proposed railroad mergers. The STB is independent, although it is affiliated administratively with the Department of Transportation. The Passenger Rail Investment and Improvement Act of 2008 (PRIIA) further expanded the responsibilities of the STB.

SALARIES AND EXPENSES

Appropriation, fiscal year 2010	$29,066,000
Budget request, fiscal year 2011	25,988,000
Recommended in the bill	31,249,000
Bill compared with:	
Appropriation, fiscal year 2010	+2,183,000
Budget request, fiscal year 2011	+5,261,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $31,249,000 for fiscal year 2011, which is $2,183,000 above the fiscal year 2010 enacted level and $5,261,000 above the fiscal year 2011 budget request. Included in the recommendation is an offsetting collection of $1,250,000 from user fees established by the STB Chairman. The Committee recommendation is consistent with the budget request submitted independently by the Surface Transportation Board.

Uniform railroad costing system.—The Committee recommends $1,000,000 for the STB to continue its work on updating the Uniform Railroad Costing System. This system is used to set the Board's rate jurisdiction, is the basis for Board decisions, and estimates the variable cost of transporting a given commodity for each Class I railroad. The system was originally adopted in 1989. The Committee was pleased with the level of detail provided in the STB's "Report to Congress Regarding the Uniform Rail Costing System" and looks forward to periodic updates on the STB's progress on this initiative.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180. The Committee continues the provision allowing the Department of Transportation (DOT) to use funds for aircraft;

motor vehicles; liability insurance; uniforms; or allowances, as authorized by law.

Section 181. 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 182. The Committee continues the provision prohibiting funds in this act for salaries and expenses of more than 110 political and Presidential appointees in the DOT and prohibits political and Presidential personnel from being assigned on temporary detail outside the DOT.

Section 183. The Committee continues the provision prohibiting funds for the implementation of section 404 of title 23, United States Code.

Section 184. 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 is a state is in noncompliance with this provision.

Section 185. 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 186. The Committee continues the provision requiring funding of certain programs, projects and activities identified in the accompanying report within the accounts of the Federal Highway Administration, Federal Railroad Administration, and the Federal Transit Administration.

Section 187. 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 DOT.

Section 188. The Committee continues the provision prohibiting funds from being used to make a 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, and directs the Secretary to give concurrent notification for any "quick release" of funds from the Federal Highway Administration's emergency relief program.

Section 189. The Committee continues a provision allowing funds received from rebates, refunds, and similar sources to be credited to appropriations of the DOT.

Section 190. The Committee continues a provision allowing amounts from improper payments to a third party contractor that are lawfully recovered by the DOT to be available to cover expenses incurred in the recovery of such payments.

Section 191. The Committee continues a provision mandating that reprogramming actions are to be approved or denied solely by the House and Senate Committees on Appropriations.

Section 192. The Committee continues a provision capping the amount of fees the Surface Transportation Board can charge and collect for rate complaints filed at the amount authorized for court civil suit filing fees.

Section 193. The Committee continues a provision allowing the Department to provide payments in advance to carry out its contract for the implementation of a debit card program for distribution of transit benefits.

Section 194. The Committee includes a provision providing $7,622,655 in increase the Department's acquisition workforce capacity and capabilities.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

Management and Administration provides operating support to the Department of Housing and Urban Development (HUD), including salaries and expenses (S&E) for all HUD employees. The Committee supports the Department's efforts to transform the way HUD does business and recommends the Department first and foremost focus its efforts on its human capital needs. Therefore, the Committee directs HUD to provide quarterly updates on its efforts to improve the Department's hiring process, the performance appraisal process, the succession planning process and the budgeting of S&E resources. In addition, these reports should include updates on the number of FTE projected for each office in the Department compared to last year's actual level and the authorized level for the current fiscal year.

Congressional budget justification.—The Committee directs HUD to provide in its fiscal year 2012 budget request, and all future budget requests, detailed staffing justifications for each office within the Department, including an organizational chart for each operating area within the Department. Further, the Department is directed to include in the budget justification funding levels for the past five fiscal years for all offices.

The budget submitted by the Department must also include a detailed justification for the incremental funding increases, decreases and FTE fluctuations being requested program, activity, or program element. The Committee encourages the Department to format the discussion of these changes in a similar format to the Department of Transportation Office of the Secretary Salaries and Expenses justification for each of its offices. In addition, the Committee directs the Government Accountability Office (GAO) to examine the Department's method for estimating and allocating S&E resources.

Reprogramming.—As in previous years, the Committee reiterates that the Department must limit the reprogramming of funds between the program, projects, and activities within each account to not more than $500,000 without prior written approval of the Committees on Appropriations. Unless otherwise identified in the bill or report, the most detailed allocation of funds presented in the budget justifications is approved, with any deviation from such approved allocation subject to the normal reprogramming requirements. Further, it is the intent of the Committee that all carryover

funds in the various accounts, including recaptures and de-obligations, are subject to the normal reprogramming requirements outlined above.

Reorganizations.—The Committee expects one month prior notice of office, program or activity reorganizations. Additionally, the Committee requires notice on a monthly basis, of all ongoing litigation, including any negotiations or discussions, planned or ongoing, regarding a consent decree between the Department and any other entity, including the estimated costs of such decrees.

New initiatives.—The Committee reiterates that no changes may be made to any program, project, or activity if it is construed to have policy implications, without prior approval of the Committees on Appropriations. The Committee is dismayed that on many occasions the Department has taken action on new initiatives without seeking, or before receiving, formal approval, as required in Section 405 of the appropriations act. For example, the Committee was displeased to learn of the establishment of the Disaster Relief Enhancement Fund (DREF), a diversion of funds to a new initiative without an approved reprogramming request. Examples such as this diminish the Department's credibility, especially in light of the Department's recent requests for increased flexibility.

Relationship between HUD and the Committee on Appropriations.—The primary relationship between the Committee and the Department of Housing and Urban Development (HUD) exists via the Office of the Chief Financial Officer, or the budget office. This relationship, an absolute necessity in structuring the annual appropriations Act, is based on the sharing of a wide range of budgetary and cost information. The Committee retains the right to call upon all offices and agencies within the Department, but the primary connection between the two entities exists through the budget office. To that end, the Committee expects that all offices within HUD will work with the budget office to provide timely and accurate information for submission to the Committee. In particular, the Committee is dismayed that HUD has not provided all of the reports or followed all of the directives that were required in the fiscal year 2010 Appropriations Act. Therefore, the Committee has addressed many of these concerns in bill language. The Department is reminded that directives and reports mandated in the House or Senate Appropriations reports are not optional, unless revised or eliminated by the Statement of Managers accompanying the Act. Finally, the Committee cautions HUD that Section 405 of the Appropriations Act governs the creation of new offices and policies.

EXECUTIVE DIRECTION

Appropriation, fiscal year 2010	$26,855,000
Budget request, fiscal year 2011	30,265,000
Recommended in the bill	30,265,000
Bill compared with:	
Appropriation, fiscal year 2010	+3,410,000
Budget request, fiscal year 2011	– – –

The Executive Direction account encompasses the offices of the major policymakers at the Department, including all of the Senate-confirmed political appointees. The responsibilities of the Department are administered under the supervision and direction of the

Secretary, who is responsible for the administration of all programs, functions and authorities of the Department. The Deputy Secretary assists the Secretary in the execution of these duties and responsibilities, and serves as Acting Secretary in the absence of the Secretary.

In fiscal year 2010 the Department created the Office of the Chief Operating Officer to manage and provide comprehensive strategy for HUD's support operations, with a particular focus on the transformation of HUD's human capital, procurement, and information technology functions. In addition to the Office of the Secretary, Deputy Secretary and the Chief Operating Officer, the offices of seven Assistant Secretaries are included, as well as the immediate offices of the Chief Financial Officer and the General Counsel. This account also includes the activities of two offices of highly specialized staff with Department-wide responsibility, the Office of Hearings and Appeals and the Office of Small and Disadvantaged Business Utilization.

The Office of Hearings and Appeals is an independent adjudicatory office within the Office of the Secretary whose administrative judges conduct hearings and make determinations for the Department in accordance with existing statutes and departmental policies, regulations, and procedures. The Office of Hearings and Appeals is headed by a Director appointed by the Secretary who supervises the administrative judges, administrative law judges of the Office of Administrative Law Judges, and support staff.

The Office of Small and Disadvantaged Business Utilization is responsible for the implementation and execution of the Department's activities on behalf of small businesses, minority businesses, businesses owned and controlled by disadvantaged persons, and firms, in accordance with Sections 8 and 15 of the Small Business Act, as amended. For the functions and responsibilities required by this law, the Director shall be responsible and report directly to the Secretary or Deputy Secretary.

COMMITTEE RECOMMENDATION

The Committee recommends $30,265,000 for this account, which is $3,410,000 above the level enacted in the fiscal year 2010 bill and equal to the budget request. The funds are to be distributed as follows:

Immediate Office of the Secretary and Deputy Secretary	$7,674,000
Office of the Chief Operating Officer	549,000
Office of Hearings and Appeals	1,706,000
Office of Small and Disadvantaged Business Utilization	719,000
Immediate Office of the Chief Financial Officer	999,000
Immediate Office of the General Counsel	1,503,000
Office of the Assistant Secretary for Congressional and Intergovernmental Relations	2,709,000
Office of the Assistant Secretary for Public Affairs	4,861,000
Office of the Assistant Secretary for Public and Indian Housing	2,163,000
Office of the Assistant Secretary for Community and Planning Development	1,755,000
Office of the Assistant Secretary for Housing, Federal Housing Commissioner	3,565,000
Office of the Assistant Secretary for Policy Development and Research	1,117,000
Office of the Assistant Secretary for Fair Housing and Equal Opportunity	945,000

In fiscal year 2008, the structure of the Management and Administration account was altered to separate the salaries and expenses of the Department from one account into nine accounts. This change was made to improve transparency and to give the Committee greater oversight of this large account. By splitting the Senate-confirmed Secretary, Deputy Secretary and Assistant Secretaries into the "Executive Direction" account, the Committee aimed to increase accountability over the lead policymakers of the Department. The Committee instructs the Department to use this structure in submitting all future budgets.

As this structure was created to increase oversight, the Committee directs HUD to only fund senior policymakers out of the Executive Direction account. In addition, all senior advisors to the Secretary should be funded directly through the Office of the Secretary. The Committee directs the Department to specify the number of senior advisors in the Office of the Secretary salaries and expenses budget justification.

The Secretary is authorized to transfer funds within offices under Executive Direction following written notification to the House and Senate Committees on Appropriations, provided that no amount for any office may be increased or decreased by more than 5 percent by all transfers. Notice of any change in funding greater than 5 percent must be submitted to and receive prior written approval from the Committees on Appropriations.

Further, the Secretary must provide quarterly status updates to the Committees regarding on pending congressional reports. The bill also provides that no more than $25,000 provided under the immediate Office of the Secretary shall be available for the official reception and representation expenses as the Secretary may determine. In addition, the bill includes a provision requiring the Department to notify the Committees on Appropriations one month in advance of any international travel.

ADMINISTRATION, OPERATIONS AND MANAGEMENT

Appropriation, fiscal year 2010	$537,011,000
Budget request, fiscal year 2011	538,552,000
Recommended in the bill	538,552,000
Bill compared with:	
Appropriation, fiscal year 2010	+1,541,000
Budget request, fiscal year 2011	– – –

This account funds the personnel compensation and benefits of ten program offices, as well as non-personnel expenses for the entire Department, such as travel and training. Included in the account are salaries and expenses of the programs listed in the following paragraphs.

The Office of the Chief Human Capital Officer provides general support services to all offices and divisions throughout HUD. These services include: management analysis, human resource management, employee training, performance analysis; providing general building and office services; as well as carrying out special activities directly assigned by the Secretary of HUD.

The Office of Departmental Operations and Coordination (ODOC) performs a broad range of cross-program functions that assist the Secretary and the Deputy Secretary with HUD's continuing management improvement initiatives. Key responsibilities include:

managing the Department's Compliance and Monitoring Program; managing HUD's oversight and monitoring of labor standards for HUD-funded construction projects; managing HUD's Quality Management Review process; oversight of OIG and GAO reviews and audits; and coordinating Executive Management and Field Office Management Meetings for the Deputy Secretary.

The Office of Field Policy and Management (FPM) serves as the principal advisor providing oversight and communicating Secretarial priorities and policies to field office staff and HUD clients. The Regional and Field Office Directors act as the operational managers in each of the field offices. The Regional and Field Office Directors manage and coordinate cross program delivery of the Department's programs in the field.

The Office of the Chief Procurement Officer's (OCPO) mission is to provide high-quality acquisition support services to all HUD program offices by purchasing necessary operational and mission-related goods and services; provide advice, guidance and technical assistance to all departmental offices on matters concerning procurement; assist program offices in defining and specifying their procurement needs; develop and maintain all procurement guidance including regulations, policies, and procedures; and assist in the development of sound acquisition strategies.

The Office of the Chief Financial Officer (OCFO) provides leadership in instituting financial integrity, fiscal responsibility and accountability. The CFO is responsible for all aspects of financial management, accounting and budgetary matters; ensures the Department establishes and meets financial management goals and objectives; ensures the Department is in compliance with financial management legislation and directives; analyzes budgetary implications of policy and legislative proposals; and provides technical oversight with respect to all budget activities throughout the Department.

Appropriations Attorneys.—During consideration of the fiscal year 2003 appropriations legislation, it became apparent to the Committee that both the Committee and the Department would be better served if the attorneys responsible for appropriations matters were housed in the Office of the Chief Financial Officer (OCFO), and the fiscal year 2003 Act provided funds and FTE to the OCFO to accommodate four attorneys transferred from the Office of General Counsel (OGC). Since that time, the Committee has routinely received prompt, accurate, and reliable information from the OCFO on various appropriations law matters. For fiscal year 2011, the Committee continues to fund appropriations attorneys in the OCFO and directs HUD to maintain this responsibility within the OCFO.

The General Counsel, as the chief legal officer and legal voice of the Department, is the legal adviser to the Secretary and other principal staff of the Department. It is the responsibility of the Office of the General Counsel (OGC) to provide legal opinions, advice and services with respect to all programs and activities, and to provide counsel and assistance in the development of the Department's programs and policies.

The mission of the Office of Departmental Equal Employment Opportunity (ODEEO) is to ensure the enforcement of Federal laws relating to the elimination of all forms of discrimination in the De-

partment's employment practices. The mission is carried out through the functions of three divisions: the Affirmative Employment division, the Alternative Dispute Resolution division, and the Equal Employment Opportunity division.

The Office of Faith-based and Community Initiatives conducts outreach, recommends changes to HUD policies and programs that present barriers to grassroots organizations, and initiates special projects, such as grant writing training.

The Office of Sustainability provides technical and policy support for energy, green building, and transportation programs at HUD and other relevant departments. The office will manage new grant programs to catalyze the home retrofit market and promote sustainable community planning and development. This office will also coordinate inter- and intra-agency efforts to ensure that housing programs targeting the built environment are well coordinated with the programs of the Department of Transportation, the Department of Energy, the Environmental Protection Agency, and other relevant Federal agencies. The office will also coordinate with the Office of Policy Development and Research to develop and undertake integrated research to support efforts leading to sustainable housing and regional planning.

The Office of Strategic Planning and Management drives organizational, programmatic, and operational change across the Department to maximize efficiency and performance. The office will facilitate HUD's strategic planning process by identifying the Department's strategic priorities and transformational change initiatives, create and manage work plans for targeted transformation projects, and develop key program performance measures and targets for monitoring.

The Office of Disaster and Emergency Management will advise the Secretary, Deputy Secretary, and Departmental leadership on all aspects of disaster preparedness, response, recovery, and emergency management, and will implement programs to mitigate threats to employees, public resources, and critical infrastructure. The Office will work with key stakeholders, including the Department of Homeland Security and White House National Security Staff, to establish policy and ensure compliance with directives for safety and welfare of HUD equities and partners. Through Regional Disaster Coordinators, the Office will ensure preparedness and response across the nation.

COMMITTEE RECOMMENDATION

Office of the Chief Human Capital Officer Personnel Compensation and Benefits	$65,049,000
Office of Departmental Operations and Coordination Personnel Compensation and Benefits	9,122,000
Office of Field Policy and Management Personnel Compensation and Benefits	49,090,000
Office of the Chief Procurement Officer Personnel Compensation and Benefits	13,861,000
Office of the Chief Financial Officer Personnel Compensation and Benefits	33,831,000
Office of the General Counsel Personnel Compensation and Benefits	86,482,000
Office of the Departmental Equal Employment Opportunity Personnel Compensation and Benefits	3,115,000
Office of Faith-Based and Community Initiatives Personnel Compensation and Benefits	1,316,000
Office of Sustainability Personnel Compensation and Benefits	2,887,000
Office of Strategic Planning and Management Personnel Compensation and Benefits	4,445,000
Office of Disaster and Emergency Management	4,875,000
Non-personnel expenses	264,479,000

The Committee recommends $538,552,000 for this account, which is $1,541,000 above the level enacted in the fiscal year 2010 bill, and equal to the budget request. The Committee will continue to monitor hiring and personnel needs as the appropriation process moves forward.

The bill provides funding in this account for necessary administrative and non-administrative expenses of the Department. Funds may be used for advertising and promotional activities that support the housing mission area. Further, the Secretary is authorized to transfer funds between offices under this account, after such transfer has been submitted to, and received written approval by, the Committees on Appropriations. No appropriation for any office may be increased or decreased by more than 10 percent. In addition, the bill includes a provision requiring the Department to notify the Committees on Appropriations one month in advance of any international travel. Finally, the bill contains a general provision (Sec. 234), as requested in the budget, which includes an additional $2,070,635 to increase the Department's acquisition workforce capacity and capabilities. Finally, the Committee includes $11,000,000, as requested in the budget, for modernization of the Robert C. Weaver, HUD Headquarters building.

PERSONNEL COMPENSATION AND BENEFITS

PUBLIC AND INDIAN HOUSING

Appropriation, fiscal year 2010	$197,074,000
Budget request, fiscal year 2011	197,282,000
Recommended in the bill	197,282,000
Bill compared with:	
Appropriation, fiscal year 2010	+208,000
Budget request, fiscal year 2011	– – –

The Office of Public and Indian Housing (PIH) oversees the administration of HUD's Public Housing, Housing Choice Voucher, and Native American Programs. PIH is responsible for administering and managing programs authorized and funded by Congress under the basic provisions of the U.S. Housing Act of 1937.

COMMITTEE RECOMMENDATION

The Committee recommends $197,282,000 for this account, which is $208,000 above the level enacted for fiscal year 2010 and is equal to the budget request.

COMMUNITY PLANNING AND DEVELOPMENT

Appropriation, fiscal year 2010	$98,989,000
Budget request, fiscal year 2011	105,768,000
Recommended in the bill	105,768,000
Bill compared with:	
Appropriation, fiscal year 2010	6,779,000
Budget request, fiscal year 2011	– – –

The Office of Community Planning and Development (CPD) assists in developing viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expand economic opportunities for low and moderate-income persons. The primary means toward this end is the development of partnerships among all levels of government and the private sector, including for-profit and nonprofit organizations. This Office is responsible for the effective administration of Community Development Block Grant programs (CDBG), Home Investment Partnership (HOME), Brownfields Economic Development Initiative (BEDI), Self-Help Homeownership Opportunity Program (SHOP), Housing Opportunities for Persons with AIDS (HOPWA) and other HUD community development programs.

COMMITTEE RECOMMENDATION

The Committee recommends $105,768,000 for this account, which is $6,779,000 above the level enacted in the fiscal year 2010 bill and equal to the budget request.

HOUSING

Appropriation, fiscal year 2010	$374,887,000
Budget request, fiscal year 2011	395,917,000
Recommended in the bill	395,917,000
Bill compared with:	
Appropriation, fiscal year 2010	+21,030,000
Budget request, fiscal year 2011	– – –

The Office of Housing implements programmatic, regulatory, financial, and operational responsibilities under the leadership of six deputy assistant secretaries and the field staff for activities related to Federal Housing Administration (FHA) multifamily and single family homeownership programs, the housing counseling grant program, and assisted rental housing programs.

COMMITTEE RECOMMENDATION

The Committee recommends $395,917,000 for this account, which is $21,030,000 above the level enacted in the fiscal year 2010 bill and is equal to the budget request.

OFFICE OF THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

Appropriation, fiscal year 2010	$11,095,000
Budget request, fiscal year 2011	10,902,000
Recommended in the bill	10,902,000
Bill compared with:	
Appropriation, fiscal year 2010	−193,000
Budget request, fiscal year 2011	−−−

The Office of the Government National Mortgage Association (GNMA) supports the Mortgage Backed Securities (MBS) program, which is the guarantee of timely payment of principal and interest to investors on the mortgage-backed securities pools of FHA, Veterans Affairs, Rural Development, and Public and Indian Housing guaranteed loans. The mission of GNMA is to expand affordable housing in America by linking domestic and global capital markets to the Nation's housing markets.

COMMITTEE RECOMMENDATION

The Committee recommends $10,902,000, which is $193,000 below the level enacted in fiscal year 2010 and equal to the budget request. The Committee recommends that the salaries and expenses of GNMA be paid from revenue earned. As GNMA plays a significant role in helping the housing sector respond to and recover from the subprime crisis, the Committee recommends this additional flexibility to ensure that GNMA will be staffed adequately to respond to the increase in FHA guarantees.

POLICY DEVELOPMENT AND RESEARCH

Appropriation, fiscal year 2010	$21,138,000
Budget request, fiscal year 2011	23,588,000
Recommended in the bill	23,588,000
Bill compared with:	
Appropriation, fiscal year 2010	+2,450,000
Budget request, fiscal year 2011	−−−

The Office of Policy Development and Research (PD&R) directs the Department's annual research agenda to support the research and evaluation of housing and other departmental initiatives to improve HUD's effectiveness and operational efficiencies. Research proposals are determined through consultation with senior staff from each HUD program office, the Office of Management and Budget, and Congress as well as discussion with key HUD stakeholders. The office addresses all inquiries regarding key housing economic information such as the American Housing Survey, Fair Market Rents, Median Family Income Limits, annual housing goals and oversight of the Government Sponsored Enterprises (GSEs), Fannie Mae and Freddie Mac and Real Estate Settlement Procedures Act and mortgage market analyses.

COMMITTEE RECOMMENDATION

The Committee recommends $23,588,000 for this account, which is $2,450,000 above the level enacted in fiscal year 2010 and is equal to the budget request.

FAIR HOUSING AND EQUAL OPPORTUNITY

Appropriation, fiscal year 2010	$71,800,000
Budget request, fiscal year 2011	67,964,000
Recommended in the bill	67,964,000
Bill compared with:	
Appropriation, fiscal year 2010	−3,836,000
Budget request, fiscal year 2011	−−−

The Office of Fair Housing and Equal Opportunity (FHEO) is responsible for developing policies and guidance, and for providing technical support for enforcement of the Fair Housing Act and the civil rights statues. FHEO serves as the central point for the formulation, clearance and dissemination of policies, intra-departmental clearances, and public information related to fair housing issues. FHEO receives, investigates, conciliates and recommends the issuance of charges of discrimination and determinations of non-compliance for complaints filed under Title VIII and other civil rights authorities. Additionally, FHEO conducts civil rights compliance reviews and compliance reviews under Section 3.

COMMITTEE RECOMMENDATION

The Committee recommends $67,964,000 for this account, which is $3,836,000 below the level enacted in the fiscal year 2010 bill and equal to the budget request.

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

Appropriation, fiscal year 2010	$7,151,000
Budget request, fiscal year 2011	6,762,000
Recommended in the bill	6,762,000
Bill compared with:	
Appropriation, fiscal year 2010	−389,000
Budget request, fiscal year 2011	−−−

The Office of Healthy Homes and Lead Hazard Control (OHHLHC) is directly responsible for the administration of the Lead-Based Paint Hazard Reduction program authorized by Title X of the Housing and Community Development Act of 1992. The office also addresses multiple housing-related hazards affecting the health of residents, particularly children. The office develops lead-based paint regulations, guidelines, and policies applicable to HUD programs, and enforces the Lead Disclosure Rule issued under Title X. For both lead-based paint and healthy homes issues, the office designs and administers programs for grants, training, research, education and information dissemination, and serves as the Department's central information source for the Secretary, the Congress, HUD staff, HUD grantees, state and local governments and the public.

COMMITTEE RECOMMENDATION

The Committee recommends $6,762,000 for this account, which is $389,000 below the level enacted in the fiscal year 2010 bill and equal to the budget request.

PUBLIC AND INDIAN HOUSING

TRANSFORMING RENTAL ASSISTANCE

Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	$350,000,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–350,000,000

The fiscal year 2011 budget request proposed the first phase of a new multi-year initiative to transform up to 13 different rental assistance programs into one program that converts these units to long-term property-based rental assistance contracts.

COMMITTEE RECOMMENDATION

The Committee recommends no funding for the Transforming Rental Assistance (TRA) program. While the Administration submitted a legislative proposal to Congress in mid-May, it has not yet seen legislative action and remains unauthorized.

TRA represents a significant shift in policy for HUD and its inventory of nearly 1.2 million public housing units, as well as a myriad of other HUD-assisted housing units. TRA's stated purpose is to preserve these units as affordable options for low income families and individuals. Indeed, the Committee agrees that preservation is a vital concern and that public housing is an invaluable asset, evidenced by the Committee investing $4,000,000,000 in the Public Housing Capital Fund through the American Recovery and Reinvestment Act. To date, 181,809 units of public housing have been rehabilitated with this funding, preservation of an historic level.

In addition, TRA strives to streamline HUD's rental assistance rules and regulations, therefore reducing the regulatory burden on public housing authorities (PHAs) and allowing them greater access to private financing for the further rehabilitation of units. Again, the Committee sees the value in streamlining federal regulations and in thinking broadly about recapitalization methods for the affordable housing stock. However, the system that developed over 75 years will take more than one year to reform. The TRA proposal is still very much evolving, as evidenced in numerous briefings with the Department, and the Committee has concerns about funding a proposal when so much remains unknown. Particularly, the Committee is concerned that future costs are potentially large and cannot commit to an approach until long-term budgetary exposure is better defined. Further, the Committee is concerned that the proposals for resident mobility and PHA regionalization, as examples, are not yet well formed.

The Committee understands that the Department has invested a great deal of time and effort into the TRA proposal. However, the attention granted to this proposal seems to have come at the cost of other HUD programs, also in need of reform. The Committee is disappointed the Department chose to spend such a large amount of time and resources on this new proposal instead of making the regulatory changes badly needed in existing programs, such as Section 202 and 811, as HUD itself states in the budget.

TENANT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2010	$18,184,200,000
Budget request, fiscal year 2011	19,550,663,183
Recommended in the bill	19,395,663,000
Bill compared with:	
Appropriation, fiscal year 2010	+1,211,463,000
Budget request, fiscal year 2011	−155,000,183

In fiscal year 2005, the Housing Certificate Fund was separated into two new accounts: Tenant-Based Rental Assistance and Project-Based Rental Assistance. This account administers the tenant-based Section 8 rental assistance program otherwise known as the Housing Choice Voucher program.

COMMITTEE RECOMMENDATION

The Committee recommends $19,395,663,000 for tenant-based rental assistance, an increase of $1,211,463,000 above the fiscal year 2010 enacted level and $155,000,183 below the budget request for Section 8 vouchers. Consistent with the budget request, the Committee continues the advance of $4,000,000,000 of the funds appropriated under this heading for Section 8 programs to October 1, 2010.

Voucher Renewals.—The Committee provides $17,080,000,000, which is an increase of $740,800,000 above the fiscal year 2010 enacted level for the renewal of tenant-based vouchers. The Department is instructed to monitor and report to the House and Senate Committees on Appropriations each quarter on the trends in Section 8 subsidies and to report on the required program alterations due to changes in rent or changes in tenant income.

The Committee takes very seriously the renewal needs of this account and is dedicated to funding existing vouchers so that no family or individual loses their assistance. In order to make an accurate appropriation to this account, the Committee monitors leasing and cost data throughout the year to determine the true needs of the program. As such, the numbers fluctuate from the President's budget. Over the course of the past several months, the inflation factor used to calculate needs in this program has decreased, resulting in a reduced renewal number for this program. The Committee will continue to monitor leasing and inflation data as the appropriations process moves forward, and will make adjustments, as necessary.

Further, the Committee has adjusted the funding formula used to calculate each PHA's allocation in this account, shifting from a formula based on data from the previous federal fiscal year to a formula based on data from calendar year 2010. The Committee is hopeful that this change will result in a more streamlined process for renewal funding and will reduce the need for setasides and contingency funding in this account.

The Committee reminds the Department that this program is a budget-based account and must be implemented as such. The renewal demand for this program is considerable and growing each year. In order to responsibly fund PHAs for providing rental assistance to the 2 million families and individuals that rely on this resource, HUD must adhere to the strict principles of budgeting based on rents and inflation, not on the number of units or other expenses. Any efforts to deviate from a budget-based approach in

this account will not be looked upon favorably by the Committee. Further, the Committee expects HUD to follow Treasury's rules on cash management in this account.

Tenant protection.—The Committee provides $125,000,000 for tenant protection vouchers, $5,000,000 above the level enacted in fiscal year 2010 and equal to the budget request. As a result of the variable nature of this activity from year to year, language is included allowing the Department to use carryover and recaptures of unexpended Section 8 balances to fund additional rental assistance costs in addition to funds appropriated for fiscal year 2011. These additional rental assistance costs are limited to housing assistance payments and administrative fees not to exceed the rate of administrative fees provided for contract renewals.

Administrative Fees.—The Committee recommends $1,851,000,000 for allocations to the PHAs to conduct activities associated with placing and maintaining individuals under Section 8 assistance. This amount is $216,000,000 above the level enacted in fiscal year 2010 and is equal to the budget request for administrative fees and family self-sufficiency (FSS) coordinators. This increase in administrative fees reflects the increased number of vouchers in use at PHAs, including special purpose vouchers such as VASH vouchers. PHAs must have adequate resources to ensure that the resources provided for new and renewal vouchers will be used effectively and efficiently. The Committee instructs the Administration to fund administrative fees based on the number of units leased, in accordance with section 8(q) of the Quality Housing and Work Responsibility Act (QHWRA). As part of the administrative fees, the Committee includes $60,000,000 for FSS coordinators, equal to the budget request and to the level enacted for 2010. FSS Coordinators are a critical component in the success of families in the voucher program, and they served 55,231 families in fiscal year 2009. The Committee cannot comprehend the delay in issuing these funds to PHAs in the past, and has included bill language to mandate that these funds be obligated to the recipients within 60 days of enactment of this Act. Further, the Committee reminds HUD that training is an allowable expense in the FSS program.

Mainstream Voucher Renewals.—The Committee recommends $113,663,183 in this account for renewal of expiring Section 811 tenant-based subsidies. In doing so, the Committee directs HUD to issue guidance to the housing agencies administering these vouchers to continue to serve people with disabilities upon turnover.

Veterans Affairs Supportive Housing.—The Committee recommends $75,000,000 for incremental voucher assistance through the Veterans Affairs Supportive Housing (VASH) program, the same as the enacted level for 2010 and $75,000,000 above the budget request. This program will be administered in conjunction with the Department of Veterans Affairs and these vouchers shall remain available for homeless veterans upon turnover. The Committee is disappointed that the Department did not request funding for this vital program, especially since HUD has improved the efficiency with which previously appropriated vouchers have been allocated. The Committee revived this program in fiscal year 2008 after more than a decade of neglect, and has thus far provided 30,450 vouchers for homeless veterans. This year's allocation will add 10,000 new vouchers to that total, and will support the Depart-

ment of Veterans Affairs' (VA) goal of ending homelessness amongst veterans within five years. The Committee instructs HUD to rely on the Continuum of Care system to assist the VA in identifying eligible veterans, and directs the Department to focus on chronically homeless veterans in allocating these resources. This program is intended to serve the most vulnerable, long-term homeless veterans, not those currently being served in VA programs. In order to have an effect on the chronically homeless population, which is the goal of both HUD and the VA, the focus needs to be on the hardest to serve population. The Committee expects to see progress on this front and will continue to work with HUD and the VA to accelerate leasing in this program. In addition, the Committee directs HUD to report on VASH utilization rates, challenges encountered in the program, and increases in veteran self-sufficiency by January 15, 2011.

Housing and Services for Homeless Persons Demonstration.—The Committee includes $85,000,000 for the Housing and Services for Homeless Persons Demonstration, as proposed in the fiscal year 2011 budget request. The Committee is very pleased that HUD and the Department of Health and Human Services (HHS) are working together to establish a demonstration that coordinates HUD housing funding with HHS services resources for homeless persons. It is imperative that these agencies break down the traditional federal silos that hinder assistance for vulnerable populations, and this demonstration is a positive step in the direction of leveraging the expertise and resources of each agency. By facilitating access to mainstream health programs combined with stable, affordable housing, HUD and HHS are leading the way toward solving homelessness in this nation. The Committee is very hopeful that HUD and HHS will work diligently to streamline various program and application requirements for these funds, and encourages HUD to utilize the Office of Special Needs Assistance Programs and its extensive Continuum of Care (CoC) network to identify best practices, as well as assist PHAs in identifying clients. The CoCs should, to the maximum extent possible, be the coordinating entities for these resources, as these organizations have tremendous experience and expertise in housing this population, as well as connecting individuals with mainstream services resources. The Committee further urges HUD and HHS to grant flexibility, as appropriate, in overcoming traditional barriers between these programs, starting with the application process. This demonstration should heed the lessons of other demonstrations and programs within HUD, such as the VASH program and the Homelessness Prevention and Rapid Re-Housing Program, and the Committee expects the funding to be allocated expeditiously. To that end, the Committee urges the Secretary to use the waiver authority granted to ensure that the targeted population is served. The Committee looks forward to receiving data on this demonstration and requires that HUD and HHS present a joint briefing to the relevant Appropriations Subcommittees on progress with this demonstration within 180 days of enactment of this Act.

The Committee includes a provision allowing the Secretary of HUD to transfer up to $100,000,000 of the allocation in this account to the Transformation Initiative. This program is an absolute necessity for the nearly two million extremely low- and low-income

families that rely on it for safe and affordable housing. The Committee knows, however, that budgetary projections will continue to be updated as the appropriations process moves forward. If the Secretary determines that factors such as lower inflation rates have decreased the renewal needs of this account, he may choose to transfer funding.

The Committee does not include any of the authorizing changes that the Department's budget requested, including the authority to offset renewal allocations for PHAs and reminds the Department once again that these changes must be contemplated in a full reauthorization bill, not in an Appropriations bill. The changes proposed are significant shifts in policy, such as lifting the cap on the number of authorized units each PHA may lease, and are best addressed in the context of a larger reform effort. Further, recent issues at some PHAs point to the fact that the era of incremental improvements in this program is over, and that only a comprehensive reform effort will address these issues. The Department is advised that there is a role for both the authorizing and appropriations functions and that the two should complement, not overstep or contradict, each other.

The Committee continues in bill language the direction to the Department to communicate to each PHA, within 60 days of enactment, the fixed amount that will be made available to each PHA for fiscal year 2011. 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.

HOUSING CERTIFICATE FUND

The Housing Certificate Fund, until fiscal year 2005, provided funding for both the project-based and tenant-based components of the Section 8 program. Project-Based Rental Assistance and Tenant-Based Rental Assistance are now separately funded accounts. The Housing Certificate Fund retains balances from previous years' appropriations.

COMMITTEE RECOMMENDATION

The President did not request, and the Committee does not include, a rescission from the Housing Certificate Fund for fiscal year 2011. Language is included to allow unobligated balances from specific accounts may be used to renew or amend Project-Based Rental Assistance contracts.

PUBLIC HOUSING CAPITAL FUND

Appropriation, fiscal year 2010	$2,500,000,000
Budget request, fiscal year 2011	2,044,200,000
Recommended in the bill	2,500,000,000
Bill compared with:.	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+455,800,000

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, up-

grading electrical and plumbing systems, and renovating the interior of an apartment.

COMMITTEE RECOMMENDATION

The Committee recommends a total funding level of $2,500,000,000, which is equal to the level provided in fiscal year 2010 and $455,800,000 above the budget request. The Committee signaled its commitment to the Capital Fund through the inclusion of $4,000,000,000 in the American Recovery and Reinvestment Act (ARRA) in February, 2009, and believed that HUD would be partner in this effort. In fact, the Committee commends HUD and in particular, the Assistant Secretary for Public and Indian Housing, for obligating these resources extremely efficiently. However, in the fiscal year 2011 budget, the Department used this unprecedented investment in public housing as a reason to reduce funding for the account, which is counterproductive to the goal of working through the capital needs backlog that PHAs are facing. While the Department performed admirably in allocating the funding provided in ARRA to PHAs, it is disappointing that HUD's only strategy now for reducing the capital backlog is its Transforming Rental Assistance program, an unauthorized initiative.

Within the amounts provided the Committee directs that:

—$20,000,000 is made available for Emergency Capital needs, excluding Presidentially declared disasters. 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 that occurs during fiscal year 2011;

—$50,000,000 is directed to the Resident Opportunity and Supportive Services program. This is equal to the amount provided in the fiscal year 2010 enacted bill. The Committee was disappointed to see that the Department's budget request did not include funding for this important program, especially in light of the fact that 617 applications totaling $124,000,000 were received in fiscal year 2009 for $40,000,000 in available resources. For the second consecutive year, the Committee is concerned about the large unexpended balance in this account and directs, in bill language, the Department to issue a Notice of Funding Availability (NOFA) for these funds within 60 days of enactment of this Act. The Committee notes that the Department did not follow this directive in fiscal year 2010, so the directive has been included in bill language to eliminate any potential confusion about compliance;

—No more than $15,345,000 is directed to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center; and

—$8,820,000 is directed to the support of administrative and judicial receiverships. The Committee directs that the Department continue to report to the House and Senate Committees on Appropriations quarterly on the progress made at each agency under receivership.

The Department is directed to continue to provide quarterly detailed reports on those Public Housing Authorities with obligation rates of less than 90 percent. In addition, the fiscal year 2010 report included an instruction to HUD to evaluate the effectiveness

of the myriad of reporting and planning mechanisms now being required of PHAs. The Committee did not receive any such analysis, thus the Department is now directed to provide a list to the Committee within 30 days of enactment of this Act that details every reporting requirement and data system that PHAs must adhere to, as well as the explanation of how HUD uses this information.

PUBLIC HOUSING OPERATING FUND

Appropriation, fiscal year 2010	$4,775,000,000
Budget request, fiscal year 2011	4,829,000,000
Recommended in the bill	4,829,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+54,000,000
Budget request, fiscal year 2011	– – –

The Public Housing Operating Fund 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 anti-drug activities, including the costs of providing adequate security; routine maintenance cost; administrative costs; and general operating expenses.

COMMITTEE RECOMMENDATION

The Committee recommends $4,829,000,000 for the federal share of PHA operating expenses. This amount is $54,000,000 above the enacted level for fiscal year 2010 and is equal to the budget request.

The Committee is pleased that the Administration has recommended full funding for this account, but is concerned about the $99,000,000 included in this account to support units recently added to the federal inventory of public housing.

The Department's commitment to sustainability and energy efficiency is admirable, and nowhere is this commitment needed more than in public housing units. The Committee expects that HUD and the Public Housing Authorities will work together to find ways to achieve greater energy efficiency in public housing, which will ease the pressure of rising utility costs on this account.

CHOICE NEIGHBORHOODS INITIATIVE

Appropriation, fiscal year 2010	$ – – –
Budget request, fiscal year 2011	250,000,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– 250,000,000

COMMITTEE RECOMMENDATION

The Committee recommends no funding for the Choice Neighborhoods Initiative, as this program is, yet again, unauthorized. The Committee has instead elected to fund the HOPE VI program to further complete the work of revitalizing severely distressed public housing units, as this proven program has been in existence since 1993. In the fiscal year 2010 bill, the Committee funded Choice

Neighborhoods as a demonstration, and no awards have been made. Therefore, it is premature to create an entirely new program without evidence of how the demonstration will work. Further, the Committee has concerns about the Department's proposal to use HUD funds to pay for items such as transportation improvements or educational facilities. The Committee has no intent to dilute the valuable and limited funding for the revitalization of public housing by funding enhancements that should be supported by other federal departments. Furthermore, it would be more efficient for HUD to leverage its federal partnerships with the Department of Education and the Department of Transportation to support the place-based enhancements that advance each agency's mission. There is no need for HUD to tackle all of the problems of a distressed neighborhood alone, and to do so would negate all of the work that has been done on building partnerships and interagency collaborations thus far.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

Appropriation, fiscal year 2010	$200,000,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	200,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+200,000,000

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.

COMMITTEE RECOMMENDATION

The Committee provides $200,000,000 for the Severely Distressed Public Housing program (HOPE VI) for fiscal year 2011, equal to the fiscal year 2010 enacted level and $200,000,000 above the budget request. The Committee commends HUD for its recent work with the earliest HOPE VI grantees and its success in getting some of the oldest projects moving forward again. HUD must continue to work with grantees that have been delayed for various reasons, and the Committee expects that the backlog of unexpended funds will continue to diminish. Particularly since the NOFA does not change significantly from year to year, the Committee directs HUD to issue its fiscal year 2011 NOFA within 90 days of enactment, as included in bill language.

NATIVE AMERICAN HOUSING BLOCK GRANTS

Appropriation, fiscal year 2010	$700,000,000
Budget request, fiscal year 2011	580,000,000
Recommended in the bill	700,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	120,000,000

The Native American Housing Block Grants program provides funds to Indian tribes and their Tribally Designated Housing Enti-

ties (TDHES) to address housing needs within their communities. The block grant is designed to fund TDHE operating requirements and capital needs.

COMMITTEE RECOMMENDATION

The Committee recommends $700,000,000 for the Native American Housing Block Grants. This is $120,000,000 above the budget request and the same as the level enacted in fiscal year 2010.

The Committee is disappointed that the Department continually cuts funding for this program in its annual budget request. As discussed during the Committee's hearing an "Housing and Transportation Issues in Native American Communities," the need for affordable housing units in Indian Country is undeniable. A 2003 United States Commission on Civil Rights study ("A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country") found that nearly 200,000 housing units are needed immediately to adequately house Native Americans on their native land. Further, high rates of unemployment on native lands and inadequate infrastructure need to be addressed. The Native American Housing Block Grant funds present an opportunity to better the lives of Native Americans through both housing and employment. In addition, construction of housing in Indian Country is a significant chance to advance sustainable building practices and lower the energy costs of housing in often remote and expensive areas of the country.

Of the amounts made available under this heading:

—$2,000,000 is included for Title VI loan guarantees. 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;

—$4,250,000 is for technical assistance training and associated travel. The Committee recognizes that the Department has proposed to consolidate technical assistance funding in the Transformation Initiative. However, the Committee remains committed to increasing the capacity of grantees on tribal lands and wants to ensure that funds will be dedicated to this activity; and

—$3,500,000 is included for contracted assistance regarding a national organization representing Native American housing interests for providing training and technical assistance to tribally designated housing entities as authorized under NAHASDA.

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 multi-race. The Committee continues language from last year instructing HUD to distribute funds based on single-race or multi-race data, whichever is the higher amount for each recipient.

The Committee includes language requiring the Department to notify grantees of their formula allocation within 60 days of enactment of this Act.

Technical assistance.—The Committee expects HUD will provide targeted and valuable technical assistance to Indian tribes to assure the best expenditure of Native American Housing Block Grant funds. Too often, technical assistance in this program has been slow or ineffective, and the Committee will not tolerate inefficiency

in this regard. The demand is too great, and the consequences too dire, for HUD to ignore the needs of this population.

American Recovery and Reinvestment Act (ARRA) funds.—The Committee commends HUD for its quick obligation of funds provided for this program in ARRA. The Committee expects HUD will continue to work diligently with tribes to ensure these funds are used effectively and efficiently.

Coordination of Indian programs.—The Committee is pleased the Department's budget discussed the need for improved coordination of Federal housing programs for Native Americans and Alaska Natives. The Committee directs HUD to work with the Department of the Interior to clarify the roles and responsibilities of each Department and coordinate the delivery of housing programs to ensure maximum benefit and avoid duplicative efforts. The Committee directs the Departments to submit a report to the Committees on Appropriations outlining the progress that has been made on this request by March 29, 2011.

Transformation initiative.—The Committee looks forward to the results of the Assessment of Housing Needs in Indian Country and the demonstration of sustainable building practices on Native American lands, both funded through the Department's Transformation Initiative in fiscal year 2010.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

Appropriation, fiscal year 2010	$13,000,000
Budget request, fiscal year 2011	10,000,000
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2010	−3,000,000
Budget request, fiscal year 2011	−−−

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 for housing and housing-related assistance to develop, maintain and operate affordable housing for eligible low-income Native Hawaiian families.

COMMITTEE RECOMMENDATION

The Committee recommends $10,000,000 for this program, $3,000,000 below the amount provided in fiscal year 2010 and equal to the budget request. Of the amounts provided, $300,000 is for technical assistance.

The Committee is concerned about the high carryover balance in this account and directs HUD to work with the Department of Hawaiian Home Lands to ensure that the funds provided in this account will be fully utilized in a timely and expeditious manner because the need remains great. Over 20,000 Native Hawaiians are on the waiting list for homestead properties. The Committee urges the Department to put these funds, and prior year's funds, to immediate use in addressing this backlog. The Committee directs the Department to report on the progress of obligating these funds within 90 days of enactment of this Act and quarterly thereafter.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

Program account:	
Appropriation, fiscal year 2010	$7,000,000
Budget request, fiscal year 2011	9,000,000
Recommended in the bill	9,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+2,000,000
Budget request, fiscal year 2011	– – –
Limitation on direct loans:	
Appropriation, fiscal year 2010	$919,000,000
Budget request, fiscal year 2011	994,000,000
Recommended in the bill	994,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+75,000,000
Budget request, fiscal year 2011	– – –

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.

COMMITTEE RECOMMENDATION

The Committee recommends $9,000,000 in new credit subsidy for the Section 184 loan guarantee program, $2,000,000 above the fiscal year 2010 enacted level and the same as the budget request to guarantee a total loan volume of $994,000,000.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

Program account:	
Appropriation, fiscal year 2010	$1,044,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	1,044,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+1,044,000
Limitation on direct loans:	
Appropriation, fiscal year 2010	$41,504,255
Budget request, fiscal year 2011	– – –
Recommended in the bill	41,504,000
Bill compared with:	
Appropriation, fiscal year 2010	– 255
Budget request, fiscal year 2011	+41,504,000

The Hawaiian Homelands Homeownership Act of 2000 created the Native Hawaiian Housing Loan Guarantee Fund 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 development of affordable housing for Native Hawaiians. The funds can be used 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.

COMMITTEE RECOMMENDATION

The Committee recommends $1,044,000 for this program, the same amount as provided in fiscal year 2010 and $1,044,000 above the President's request to guarantee a total loan volume of $41,504,000.

The Committee is concerned about the slow expenditure of credit subsidy in this account. The Department is instructed to take the necessary steps to ensure that the credit subsidy in this account will be fully utilized in a timely and expeditious manner because the need remains great. Over 20,000 Native Hawaiians are on the waiting list for homestead properties. The Committee urges the Department to put these funds, and prior year's funds, to immediate use in addressing this backlog. The Committee directs the Department to report on the progress of obligating these funds within 90 days of enactment of this Act and quarterly thereafter.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriation, fiscal year 2010	$335,000,000
Budget request, fiscal year 2011	340,000,000
Recommended in the bill	350,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+15,000,000
Budget request, fiscal year 2011	+10,000,000

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 based on 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 or Comprehensive Housing Affordability Strategy (CHAS).

COMMITTEE RECOMMENDATION

The Committee recommends $350,000,000, which is $15,000,000 above the enacted level for fiscal year 2010 and $10,000,000 above the budget request.

Within the funds provided, the Department should continue to give priority to creating new housing opportunities for persons with HIV or AIDS. The Committee believes affordable housing is a critical component of effective HIV/AIDS prevention, treatment and care. Up to 70 percent of all people living with HIV or AIDS report a lifetime experience of homelessness or housing instability and the HIV/AIDS death rate is seven to nine times higher for homeless adults than for the general population. The Committee provides additional funding for this program in order to provide a stable cost-effective option to more persons living with HIV or AIDS.

The Committee continues language requiring the Secretary to renew eligible, expiring permanent supportive housing contracts

previously funded under the national competition before awarding new competitive grants.

The Committee includes language requiring the Department to notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

Appropriation, fiscal year 2010	$4,450,000,000
Budget request, fiscal year 2011	4,380,100,000
Recommended in the bill	4,352,100,000
Bill compared with:	
Appropriation, fiscal year 2010	−97,900,000
Budget request, fiscal year 2011	−28,000,000

The Community Development Fund provides funding to state and local governments, as well as other eligible entities, to carry out community and economic development activities.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $4,352,100,000 for the Community Development Fund account, which is $97,900,000 below the fiscal year 2010 level and $28,000,000 below the fiscal year 2011 budget request.

Of the amounts made available:

—$3,990,755,000 is for the formula grants and state share;

—$65,000,000 for the Native American Housing and Economic Development Block Grant;

—$150,000,000 for the Sustainable Communities Initiative;

—$25,000,000 for the Rural Innovation Fund;

—$25,000,000 for the University Community Fund—Section 107 Grants;

—$77,145,000 for economic development initiative activities and $12,200,000 for neighborhood initiative activities; and

—$7,000,000 for insular areas.

The Committee includes language requiring the Department to notify grantees of their formula allocation within 60 days of enactment of this Act.

Sustainable Communities Initiative.—The Committee provides $150,000,000 for the Sustainable Communities Initiative, equal to the fiscal year 2010 enacted level and the budget request. The Committee is very pleased by HUD's collaboration with the Department of Transportation (DOT) and the Environmental Protection Agency (EPA) in the Partnership for Sustainable Communities. The strength of the partnership is admirable, and the accomplishments to date are impressive. Within six months of receiving the funding for the Sustainable Communities Initiative, HUD conducted a listening tour and solicited pre-NOFA comments from interested communities and stakeholders. The three agencies have collaborated on reviewing grant applications and formulating policies for the future. The level of attention to this effort is impressive and the Committee urges HUD to continue to work with DOT and EPA, as well as other agencies as appropriate, to advance the goals of sustainable communities. The Department must be cautious, however, that the roles and responsibilities of the three departments are separate and defined, but complementary. There can be no duplication of effort. Further, HUD is reminded that sustain-

ability is not a concept that exists only in urban areas, but that many rural communities are struggling with energy efficiency, regional planning and livability, as well. HUD is encouraged, along with its partners, to address the needs of rural communities, as well as urban centers, with these resources.

Rural Innovation Fund.—The Committee provides $25,000,000 for the Rural Innovation Fund, equal to the fiscal year 2010 budget and $25,000,000 above the level requested. The Committee is disappointed that the Department would abandon this program one year after bringing it into existence, and believes that the needs of small and rural communities are an important part of HUD's mission. The Committee directs HUD to brief the House and Senate Committees on Appropriations on the planned expenditure of these funds and the funds appropriated in fiscal year 2010 within 60 days of enactment of this Act.

University Community Fund.—The Committee denies the Department's request to consolidate the four separate university partnership programs into one unified $25,000,000 University Community Fund. As in prior years, funding will be awarded to historically black colleges and universities, tribal colleges and universities, Alaska Native and Native Hawaiian Institutions, and Hispanic-serving institutions. The Committee expects these resources will be used to revitalize neighborhoods surrounding these Colleges and Universities and to assist the residents of these neighborhoods.

Catalytic Competition Grants.—The Committee denies the Department's request to include $150,000,000 within this account to create the Catalytic Competition Grant program. The Committee recognizes the great need for capital assistance for stalled industrial and commercial development projects in distressed areas across the country. However, the Committee believes localities could undertake these efforts with their regular Community Development Block Grant funds. In addition, creation of a new program to target the complex needs of distressed areas should be developed through the regular authorization process.

The Committee directs HUD to implement the Economic Development Initiative program as follows:

Recipient	Project	Amount
American Legion Post 139, CA	Rehabilitation and Renovation of an American Legion Hall.	$95,000
American Red Cross, Cincinnati Area Chapter, OH	Construction and Build Out of a Regional Red Cross Hub.	750,000
Appalachia Service Project, TN	Home Repair Program for Low-Income Families	350,000
ARC Community Services, MA	Renovate a Building that Provides Services for Individuals with Developmental Disabilities.	300,000
Ashunti Residential Management Systems Inc., IL	Renovation of Existing Facility	600,000
Atlanta Center for Civil and Human Rights, GA	Construction of a Civil Rights Museum and Visitor Center in Downtown Atlanta.	500,000
Black Economic Union of Greater Kansas City, MO	Planning, Design, Renovation and Revitalization of a Historic Building.	1,000,000
Blue Springs Hoke County CDC (BSHC–CDC), NC	Acquisition of Land for an Affordable Housing Initiative.	500,000
Boys Town of Chicago, IL	Construction of Housing for Low-Income Youth	500,000
Bristol Boys and Girls Club Association, CT	Planning, Design and Construction of a Boys and Girls Club.	1,000,000
Brooke County Commission, WV	Development and Construction of a Park and Memorial.	400,000
Brooklyn Navy Yard Development Corporation, NY	Design and Construction of a Facility	500,000

Recipient	Project	Amount
Bucks County Housing Development Corporation, PA	Construction of Affordable Housing for Disabled Veterans.	500,000
CAMBA, Inc., NY	Construction of Supportive Housing	1,000,000
Chabad of the Valley, CA	Renovation of a Facility	250,000
Charles City County, VA	Construction of a Library Facility	500,000
Charles County, Department of Community Services, MD.	Renovation of Low-Income Housing	300,000
Chicanos Por La Causa, Inc., AZ	Building Rehabilitation for a Workforce Readiness Center.	400,000
Children's Museum of Tampa, FL	Construction of a Facility	750,000
City of Albany, NY	Construction and Renovation of a Facility	750,000
City of Astoria, OR	Construction of a Park	800,000
City of Burbank, CA	Planning, Design and Construction of a Library	100,000
City of Canton, OH	Infrastructure Improvement and Streetscaping for Mahoning Road Economic Development Project.	500,000
City of Chicago, IL	Construction of Veterans Housing	750,000
City of Cleburne, TX	Construction of the Lake Pat Cleburne Trail System	250,000
City of Cortland, NY	Engineering, Preparation and Construction of a Community Center.	400,000
City of Creedmoor, NC	Planning and Design for a Community Center	500,000
City of Dubuque, IA	Renovation of Buildings to Create Affordable Workforce Housing.	750,000
City of Durham, NC	Streetscaping of Fayetteville Street Corridor Project	500,000
City of Ecorse, MI	Demolition of Blighted Buildings	1,000,000
City of Enterprise, AL	Demolition, Planning, Construction, and Renovation of Downtown Business District.	500,000
City of Fort Lauderdale, FL	Streetscaping in Underserved Communities	500,000
City of Fullerton, CA	Demolition, Planning, Design and Construction of a Community Center.	500,000
City of Gary, IN	Demolition of Buildings and Neighborhood Redevelopment.	500,000
City of Glens Falls, NY	Land Acquisition and Rehabilitation of a Community Service Center.	500,000
City of Gonzales, LA	Park Improvements	250,000
City of Grants, NM	Planning, Design, Construction and Build Out of a Library.	750,000
City of Green Bay, WI	Demolition of a Blighted Building	1,000,000
City of Inkster, MI	Construction of a Senior Center	550,000
City of La Joya, TX	Construction of Youth Facilities	500,000
City of Lawndale, CA	Design and Construction of a Community Center	500,000
City of Mount Rainier, MD	Planning and Design of a Library	350,000
City of New Bedford, MA	Demolition and Construction of an ADA-Compliant Pedestrian Bridge.	750,000
City of Port Orchard, WA	Parcel Acquisition and Project Design	500,000
City of River Rouge, MI	Demolition of Blighted Buildings	500,000
City of Salem, OR	Construct Waterline Improvements	500,000
City of Stevens Point, WI	Environmental Remediation and Development within the City of Stevens Point.	750,000
City of Toledo, OH	Ohio Broadway Street Corridor Enhancement	1,000,000
City of Tucson, AZ	Stabilization and Renovation of the Historic Marist College Building.	500,000
City of Warren, MI	Facility and Security Improvements to Senior Apartments.	750,000
City of Winter Park, FL	Acquisition of Land for Expansion of a Park	250,000
City of Worcester, MA	Gardner-Kilby-Hammond Neighborhood Revitalization.	450,000
Community Advocates, Inc., WI	Acquisition and Remodeling of a Facility	250,000
Community Development Corporation of South Berkshire, MA.	Redevelopment of the former Searles Bryant School Complex in Great Barrington.	600,000
Community Food Bank, Inc., AZ	Installation of Solar Panels	200,000
Community Hospitals of Central California Foundation, dba Community Medical Foundation, CA.	Design, Construction, Engineering, Furnishings and Equipment.	750,000
Comprehensive Community Action, Inc., RI	Renovations including Energy Efficient Upgrades	250,000
Concourse House, HDFC, NY	Renovation of a Facility	150,000
Connecticut Food Bank, Inc., CT	Renovation of a Facility	1,000,000
Coos County Historical Society, OR	Planning, Development and Construction of a Facility.	500,000

Recipient	Project	Amount
Covenant House, LA	Acquisition of Land for a Low-Income Youth Initiative.	250,000
Davis Street Community Center, Inc., CA	Building Acquisition	500,000
Domestic Abuse Intervention Services, Inc., WI	Construction of a Domestic Violence Shelter	300,000
East Hartford Housing Authority, CT	ADA Upgrades to and Renovation of a Community Center.	500,000
Emlenton Borough, PA	Redevelopment of a Former Industrial Site	150,000
Essex County Family Justice Center, NJ	Renovations of Essex County Family Justice Center	700,000
Family Service Association of San Antonio, TX	Renovation of a Roof, HVAC and Other Facilities	500,000
Friends of the Waterboro Public Library, ME	Construction of a Community Center	500,000
Glenridge Senior Citizen Multi-Service & Advisory Center, Inc, NY.	Construction of a Community Center	230,000
Hilltown Community Development Corporation, MA	Development of Energy-Efficient Affordable Senior Housing.	300,000
Historic Seattle, WA	Restoration and Preservation of Washington Hall	475,000
Island Municipality of Rota, MP	Design and Renovation of a Facility	500,000
Isles, Inc., NJ	Construction of a Green Job Training Center	300,000
Josephine Solomon Ellis Foundation—CDC, PA	Construction of Low-Income Housing	500,000
Joseph's Home, Inc., NY	Rehabilitation of a Community Room for Veterans	350,000
Kips Bay Boys & Girls Club, NY	Construction, Renovations and Equipment	75,000
Kittay House, Jewish Home Lifecare, Inc, NY	Building Renovation and Repairs	200,000
Lake Eufaula Association, OK	Construction of a Facility	400,000
Lawrence Economic Development Corporation, OH	Redevelopment of a Park	700,000
Liberty House Shelter Inc, NH	Building Acquisition for Housing for Homeless Veterans.	250,000
Los Angeles County Department of Parks and Recreation, CA.	Construction of a Park	300,000
Lutheran Social Service of Minnesota, MN	Renovation of Homes for the Disabled	225,000
Luzerne County Commissioners, PA	Infrastructure Improvements at the Crestwood and Hanover Industrial Parks.	750,000
Martin House Restoration Corporation, NY	Restoration and Improvements to the Historic Darwin Martin House Home and Complex.	1,000,000
Middlesex Community College, MA	Planning, Design and Renovation of a Historic Building.	300,000
Morehouse College, GA	Construction of a Facility to Display the Papers of Martin Luther King, Jr.	500,000
Mount Washington Community Development Corporation, PA.	Planning and Construction of a Trail	100,000
Municipality of Yauco, PR	Construction of a Children's Playground	150,000
Museum for African Art, NY	Streetscaping	500,000
My Sister's House, CA	Renovation of Asian and Pacific Islander Domestic Violence Survivor Home.	250,000
National Civil Rights Museum, TN	Renovation of a Facility	750,000
Nepperhan Community Center, Inc., NY	Renovation of a Community Center	200,000
New River Community and Technical College, WV	Acquisition and Renovation of a Building to be Used as Technical Training Center.	600,000
Niles Township Government, IL	Renovation of a Facility for the Niles Township Food Pantry.	250,000
Northern Illinois Food Bank, IL	Construction of a Facility	300,000
Old Sturbridge Village, MA	Renovation of Historic Buildings	135,000
Paul J. Cooper Center for Human Services, Inc., NY	Building Acquisition, Renovation, Expansion and Build out of a Facility.	300,000
People in Progress, Inc., CA	Acquisition of a Building for Homeless Veterans	380,000
Porter County Government, IN	Streetscaping	500,000
Positive Workforce INC., NY	Completion of a Job Training Facility	250,000
Project Angel Food, CA	Installation of a Roof and Solar Energy Panels	150,000
ProLiteracy, NY	Planning, Design and Construction of a Building	1,000,000
Providence Community Action Program, RI	Renovation and Rehabilitation of a Community Center.	750,000
Rebuilding Together Broward County, Inc., FL	Renovations to Low-Income Housing	250,000
Red Lake Band of Chippewa Indians, MN	Planning, Design and Construction of a Multi-Purpose Facility.	1,000,000
Redevelopment Authority of the County of Westmoreland, PA.	Redevelopment of a Brownfield Site	250,000
Rum River Health Services, Inc., MN	Construction of Temporary and Permanent Supportive Housing Units.	500,000
Senior Services of Snohomish County, WA	Construction and Equipment for a Service Delivery Facility.	500,000

Recipient	Project	Amount
Southern Queens Park Association, Inc., NY	Modernization and Improvements to Roy Wilkins Complex.	800,000
St. Louis Development Corporation, MO	Development of Road and Stormwater Infrastructure for Carondelet Commons Business Park Development.	750,000
Suwannee County Board of County Commissioners, FL.	Engineering, Design and Construction of a Library	500,000
The Children's Aid Society's Goodhue Center, NY	Acquisition of Land for a Park	1,000,000
The Children's Campus of Kansas City, Inc., KS	Facility Upgrades	200,000
The Neighborhood House Charter School, MA	Planning and Construction of a Facility	300,000
The Resurrection Project, IL	Planning, Design, and Construction of a Residence Hall for Low-Income Youth.	500,000
Three Square Food Bank, NV	Construction of a Solar Power Array	750,000
Tibbits Opera House, MI	Renovation and Restoration of a Facility	150,000
Toledo Metropolitan Area Council of Governments, OH.	Construction of a Facility	2,500,000
Town of Braintree, MA	Restoration and Rehabilitation of the Original Thayer Library.	500,000
Town of Hempstead, Department of Planning & Economic Development, NY.	Streetscaping	750,000
Town of Islip, NY	Restoration and Renovation of Veteran Facilities	500,000
Town of Madison, WI	Construction of the Novation Technology Campus Redevelopment Project.	500,000
Town of North Castle, NY	Streetscaping	200,000
Town of Seymour, CT	Construction of a Community Center	100,000
Town of South Boston, VA	Renovations and Development of a Community Center.	750,000
Town of Sprague, CT	Renovation of a Senior Housing Complex	750,000
Town of Steilacoom, WA	Construction and Expansion of a Community Center	500,000
Township of Moorestown, NJ	Reconstruction of a Library	750,000
Tubman African American Museum, GA	Construction of a Facility	500,000
Ulster County, NY	Rehabilitation and Stabilization of a National Historic Landmark.	350,000
Union City Family Support Center, PA	Renovation of a Facility	200,000
Variety Boys and Girls Club, CA	Demolition and Reconstruction of a Facility	200,000
Veterans Green Jobs, CO	Planning, Design and Renovation of a Disabled Veterans Green Jobs Training Center.	500,000
Veterans Museum of Mid Ohio Valley, WV	Acquisition, Construction and Renovation of a Veterans Museum.	300,000
Veterans of Foreign Wars, William F Taylor Post 9486, NY.	Renovation of a Veterans Facility	70,000
Vienna Town Council, VA	Streetscaping	500,000
Village of North Riverside, IL	Construction and Build Out of a Park	135,000
Village of Port Washington, NY	Revitalization of Manhasset Bay Waterfront	750,000
Whitman Walker Clinic, Inc., DC	Planning, Design and Construction	400,000
Williamsburg County, SC	Construction of a Community Center	1,000,000
Woodward Development Corporation, OH	Renovation of a Building in Downtown Mount Vernon.	750,000
Wynnefield Overbrook Revitalization Corporation (WORC), PA.	Streetscaping and Infrastructure for WORC Commercial Center.	500,000
YMCA of San Diego County, CA	Planning, Design and Construction of a Housing and Community Center.	1,500,000
YMCA of San Francisco, Bayview Hunters Point branch, CA.	Renovation Costs Associated with Expansion of a Community Center.	600,000
YMCA of San Francisco, Chinatown YMCA branch, CA.	Construction of Transitional Housing Units for Domestic Violence Victims.	500,000
York County Community Development Corporation, SC.	Construction of a Neighborhood Community Center	700,000
Youngstown Edison Incubator Corporation dba Youngstown Business Incubator, OH.	Renovation of a Facility	700,000
YWCA of Northwest Georgia, GA	Construction and Renovation of a Domestic Violence Shelter and Outreach Facility.	250,000
YWCA of Silicon Valley, CA	Renovation of a Domestic Violence Shelter	350,000
YWCA Southeastern Massachusetts, MA	Building Expansion and Construction	475,000
Zavala County, TX	Construction and Renovation of Facilities for Senior Citizens.	300,000

The Committee directs HUD to implement the Neighborhood Initiatives program as follows:

Recipient	Project	Amount
City and County of San Francisco, Mayor's Office of Housing, CA.	For Critical Infrastructure and Housing Development Work.	$1,250,000
City of Jackson, MI	Demolition of Buildings and Neighborhood Redevelopment.	1,500,000
City of Wausau Community Development Area, WI	Acquisition and Remediation of Blighted Properties	2,000,000
Community Legal Services of Mid-Florida, FL	Housing Counseling and Foreclosure Modification	500,000
Greenfield Community College, MA	Renovation of Buildings	1,000,000
Los Angeles Neighborhood Housing Services, Inc., CA	Counsel and Assist Homeowners Facing Foreclosures.	500,000
National Council of La Raza, DC	Capitalization of a Revolving Loan Fund to be Used for Nationwide Community Development Activities.	1,000,000
New Hampshire Food Bank, NH	Expansion of Food Assistance Programs	1,000,000
Shelter Network of San Mateo County, CA	Shelter Network's Maple Street Project	200,000
United Way for Southeastern Michigan, MI	Foreclosure Prevention Program	1,500,000
Wisconsin Indianhead Technical College, WI	Construction of a Training Center	1,750,000

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Program cost:	
Appropriation, fiscal year 2010	$6,000,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+4,000,000
Budget request, fiscal year 2011	+10,000,000
Limitation on guaranteed loans:	
Appropriation, fiscal year 2010	275,000,000
Budget request, fiscal year 2011	500,000,000
Recommended in the bill	247,000,000
Bill compared with:	
Appropriation, fiscal year 2010	–28,000,000
Budget request, fiscal year 2011	–253,000,000

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.

COMMITTEE RECOMMENDATION

The Committee recommends $10,000,000 for the Section 108 loan guarantees program, $4,000,000 above the enacted level for fiscal year 2010 and $10,000,000 above the level in the budget request. The Committee does not agree that the activities of this account are best funded through the Community Development Block Grant (CDBG) program. Further, the Committee does not believe that the fee structure proposed by the Administration is the best way to resolve the need for appropriations in this account. In fact, the fee proposal will increase the cost of capital for these projects, which will negatively impact the ability of local governments to carry out revitalization efforts in areas of low capital investment. Further, the type of redevelopment projects funded through the Section 108 program are similar to the investments that the Department anticipates making in the Catalytic Competition Grants, an unauthorized program requested within the CDBG account. The Committee does not see the utility in diminishing the effectiveness of the Section 108 program, which many communities have used successfully, while proposing a new program with ambiguous goals. Section 108

is a valuable tool for local communities in revitalizing distressed areas, and the fee proposed will impede the effectiveness of this program. Since 1977, HUD has issued 1,781 commitments totaling more than $8.3 billion without a single default or delinquent payment.

BROWNFIELDS REDEVELOPMENT

Appropriation, fiscal year 2010	$17,500,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	17,500,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+17,500,000

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.

COMMITTEE RECOMMENDATION

The Committee recommends $17,500,000 for the Brownfields Redevelopment program, equal to the level enacted for fiscal year 2010 and $17,500,000 above the amount in the budget request. It is disappointing that the Department, which is actively pursuing sustainability and revitalization efforts elsewhere in the budget request, would ignore the success of the Brownfields program in transforming environmentally damaged and useless properties into economic development engines in communities. HUD asserts that the rationale for not funding this account lies within the slow expenditure of funds within the program, but the Committee notes that the Department has gotten into the habit of only issuing a NOFA for these funds once every two years. The Department is reminded that when the Committee appropriates funding for a particular fiscal year, it expects that HUD will expeditiously compete and award those funds in that fiscal year. As such, bill language is included that directs HUD to publish a NOFA for these funds within 90 days of enactment of this Act.

HOME INVESTMENT PARTNERSHIPS PROGRAM

Appropriation, fiscal year 2010	$1,825,000,000
Budget request, fiscal year 2011	1,650,000,000
Recommended in the bill	1,825,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+175,000,000

The HOME investment partnerships program uses formula allocations to provide grants to states, units of local government, Indian tribes, and insular areas for 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.

COMMITTEE RECOMMENDATION

The Committee recommends $1,825,000,000 for activities funded under this account, equal the level enacted in fiscal year 2010 and $175,000,000 above the budget request. Funds are provided for formula grants for participating jurisdictions (states, units of local government and consortia of units of local government) and insular areas. Of the amount provided, pursuant to the authorizing 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).

The Committee includes language requiring the Department to notify grantees of their formula allocation within 60 days of enactment of this Act.

CAPACITY BUILDING

Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	60,000,000
Recommended in the bill	– – –
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	–60,000,000

The fiscal year 2011 budget request proposed a new Capacity Building program to develop the capacity and ability of community development corporations, community housing development organizations, and local governments to undertake community development and affordable housing projects and programs for low-income families.

COMMITTEE RECOMMENDATION

The Committee does not recommend funding for this new, unauthorized program and does not agree with the Department's argument for replacing the successful Self-Help Homeownership Opportunity Program. While it is admirable that the Department wishes to build the expertise of local governments, it is not clear that HUD possesses the capacity to do so at this point. In this time of economic crisis for local communities, introducing a new program and a new competition without specific parameters is not helpful to those neighborhoods or local governments.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

Appropriation, fiscal year 2010	$82,000,000
Budget request, fiscal year 2011	– – –
Recommended in the bill	82,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+82,000,000

Self-Help Homeownership Opportunity Program (SHOP) funds make competitive grants to national and regional nonprofit organizations and consortia that have experience in providing or facilitating self-help housing opportunities. Grant funds are used to develop housing for low-income families and to develop the capacity of nonprofit organizations for such development. In 2006, SHOP became a separate account. SHOP was previously funded as a set-aside within the Community Development Fund.

COMMITTEE RECOMMENDATION

The Committee recommends $82,000,000 for the Self Help and Assisted Homeownership Program. This account funds programs that previously have been funded as set asides within the Community Development Fund. This is equal to the fiscal year 2010 enacted funding level and $82,000,000 above the budget request. The Committee is disappointed that HUD would recommend eliminating this program, as it is one of the most highly rated and successful programs within the Department. This program is one of the best returns on investment that the federal government makes, as the recipients of these funds go above and beyond the leveraging requirement of 3–to–1, often raising outside funds to the level of 10–to–1 leveraging. The organizations funded in this account have the expertise to effect real change in the communities that they touch, and have been leaders in addressing the foreclosure crisis, in particular. Therefore language is included that provides:

$5,000,000 for capacity building activities as authorized in Sections 6301 through 6305 of Public Law 110–234;

$27,000,000 for the Self Help Homeownership Program; and

$50,000,000 for the Section 4 program for the Local Initiatives Support Corporation, Enterprise Community Partners, Habitat for Humanity International, of which not less than $5,000,000 is designated for rural and tribal areas.

The Committee notes with extreme disappointment that HUD has not followed report language for the past several years to publish a NOFA for these funds within a specified time period. In order to ensure that the communities that need these funds will not be hindered by HUD's reluctance to compete the funds, bill language is included to mandate the publication of a NOFA within 60 days of enactment of the Act.

The Committee is concerned that the economic recession has left self-help housing organizations with real estate sites that have substantially declined in value, and urges the Department to work with the authorizing committees to expeditiously address this issue so that self-help organizations can participate in the SHOP program.

HOMELESS ASSISTANCE GRANTS

Appropriation, fiscal year 2010	$1,865,000,000
Budget request, fiscal year 2011	2,055,000,000
Recommended in the bill	2,200,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+335,000,000
Budget request, fiscal year 2011	+145,000,000

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.

COMMITTEE RECOMMENDATION

The Committee recommends funding homeless programs at $2,200,000,000, an increase of $335,000,000 above the enacted level for 2010 and $145,000,000 above the budget request.

The Committee recommends an increase in this account in recognition of the passage of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act. It is to the benefit of homeless services organizations across the country that this important legislation now governs the delivery of homeless services to the most vulnerable populations, and the Committee is very pleased to be a partner in this effort. The Committee commends the Office of Special Needs Assistance Programs for its implementation of the Homelessness Prevention and Rapid Re-Housing Program in the ARRA legislation and its leadership in the effort to reauthorize these programs. The Committee looks forward to the first year of implementation of the HEARTH Act and appreciates HUD's role in partnering with other federal agencies and with the Interagency Council on Homelessness to make significant progress in the prevention of, and rapid resolution of, homelessness in this country.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2010	$8,557,853,000
Budget request, fiscal year 2011	9,382,328,000
Recommended in the bill	9,382,328,000
Bill compared with:	
Appropriation, fiscal year 2010	+824,475,000
Budget request, fiscal year 2011	– – –

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.

COMMITTEE RECOMMENDATION

The Committee provides a total of $9,382,328,000 for the annual renewal of project-based contracts, of which not less than $315,000,000 is for the cost of contract administrators. This funding level is $824,475,000 above the enacted level for fiscal year 2010 and is equal to the budget request. The Committee's recommendation includes the use of project-based recaptures for the renewal of project-based contracts and amendments as well as for performance-based contract administrators in 2010. As the Department rebids the contracts for performance-based contract administrators, the Committee strongly believes that there should be a preference for public entities whose mission is oriented towards a public purpose. In an increasingly tight fiscal environment, it is dif-

ficult to fund increases in programs, so these important federal funds should be used to support the public mission of safe, affordable rental housing.

HOUSING FOR THE ELDERLY

Appropriation, fiscal year 2010	$825,000,000
Budget request, fiscal year 2011	273,700,000
Recommended in the bill	825,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+551,300,000

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.

COMMITTEE RECOMMENDATION

The Committee recommends $825,000,000 for the Section 202 program for fiscal year 2010, which is equal to the level enacted for fiscal year 2010 and $551,300,000 above the request for fiscal year 2011. The recommendation allocates funding as follows:

—$491,300,000 for new capital and project rental assistance contracts (PRAC);

—$183,700,000 for one-year renewals of expiring PRAC payments;

—$90,000,000 for service coordinators and the continuation of congregate services grants; and

—$40,000,000 for grants to convert Section 202 projects to assisted living facilities; the Committee intends that the Assisted Living Conversion Program funds be made available to cover the cost of the following three activities: (1) conversion of existing affordable housing sites to assisted living; (2) substantial capital repairs; and (3) emergency capital repair grants.

The Committee continues language 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 Real Estate Assessment Center (REAC).

The Committee rejects the Administration's proposal to eliminate funding for new capital grants in fiscal year 2011. According to the U.S. Census Bureau, the number of elderly is expected to rise to 72 million by 2030, which is more than double the number in 2000. The United States already has a shortage of housing for the elderly—the American Association of Retired Persons estimates that there are 10 seniors on a waiting list for every one unit of elderly housing that becomes available—and the rise in the number of elderly will continue to exacerbate this housing shortage. Further, in a report released in 2002, the bipartisan Commission on Affordable Housing and Health Facility Needs for seniors in the 21st Century estimated that an additional 730,000 units of affordable housing for the elderly will be needed by 2020. The Section 202 program is the largest housing program specifically dedicated to serving the elderly, with over 268,000 units for seniors. The Committee believes this

program is a wise investment in both the current and future needs of the nation's elderly population.

The Committee agrees with the Department that reforms to the Section 202 program are needed, especially those that will hasten the development process and increase program efficiency. In particular, the Committee is concerned about the continuing large carryover balances in this program, as well as delays in the distribution of project rental assistance (PRAC payments). However, the Committee believes the need for affordable senior housing is too high to put this program on hold. Therefore, the Committee directs HUD to submit to the Committees on Appropriations within 30 days of enactment of this Act a list of administrative reforms the Department can complete without legislative action to begin the reform process. The Committee looks forward to working with HUD's leadership on implementing these necessary reforms to ensure that the funds dedicated to this program are expended in an effective and expeditious manner.

The Committee supports increased collaboration between HUD and other agencies in order to meet the supportive services needs of Section 202 residents. However, in its partnership with the Department of Health and Human Services, the Committee directs HUD to incorporate support services beyond those targeting frail elders. The Committee believes an important component of the Section 202 program is serving seniors of all ages, not just the frail, and assisting them to age in place.

Like HUD, the Committee believes that the use of tax credits with the Section 202 program will result in a greater number of affordable senior housing units built, but that the complexity of mixed financing, and associated delays, have limited its use. The Committee recommends continued exploration of this area through the authorization process.

The Committee is concerned about the Department's proposals to both increase the minimum number of units allowed for development under the Section 202 program and to eliminate the targeted distribution of funds across the country. The Committee fears these changes would result in fewer units being developed in rural areas and leave some areas of the country without desperately needed housing resources.

HOUSING FOR PERSONS WITH DISABILITIES

Appropriation, fiscal year 2010	$300,000,000
Budget request, fiscal year 2011	90,036,817
Recommended in the bill	300,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+209,963,183

The Housing for 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.

COMMITTEE RECOMMENDATION

The Committee recommends $300,000,000 for Section 811 activities, which is equal to the fiscal year 2010 enacted level, and $209,963,183 above the budget request. The Committee finds that there is universal agreement at all levels of analysis that facility construction is needed for this program in fiscal year 2010. The recommendation allocates funding as follows:

—Up to $209,900,000 for capital grants and PRAC;

—$90,100,000 for PRAC renewals; and

—No funds are provided for additional "mainstream" vouchers in fiscal year 2011.

The Committee continues language allowing these funds to be used for inspections and analysis of data by HUD's Real Estate Assessment Center program office.

As requested in the budget, the Committee provides funding for the renewals or amendments of expiring "mainstream" tenant based rental assistance in the tenant based rental assistance account.

The Committee rejects the Administration's proposal to eliminate funding for new units. The Committee notes that funding for this program has been virtually flat for the past decade, despite the increase in the population eligible for and in need of this housing. Further, as the need to renew rental contracts in this account has grown over the years, fewer and fewer housing units have been produced. The Committee recommends an increase in the capital funding for this program, recognizing that Section 811 is a cost-effective supportive housing alternative to expensive institutional settings. A study by the Center for Outcome Analysis found that people entering Section 811 units required 61 percent less public financing—a savings of more than $40,000 per person.

Further, the 2007 HUD report, "Worst Case Housing Needs Report to Congress," uses 2005 data to show that 542,000 non-elderly disabled households without children have "worst case" housing needs, meaning that these households have income below half of their area's Area Median Income (AMI) and either pay more than half of their income for housing or live in severely substandard housing. It is estimated between 2.1 million and 2.3 million non-elderly disabled households have worst case housing needs. Further, the population in need of Section 811 housing is growing. Approximately 700,000 people with developmental disabilities live with one or more parents over the age of 65, further demonstrating the growing need for supportive housing units for persons with disabilities.

As with the Section 202 program, HUD has the opportunity to eliminate administrative hurdles that have prevented mixed-finance deals, including the use of tax credits, from successfully using Section 811 funding. The Committee fully expects HUD to do everything in its power to immediately eliminate any and all administrative barriers that have prevented the effective use of Section 811 funds, including in mixed finance deals. The Committee believes the Section 811 program is an excellent candidate for the Department to demonstrate its ability to streamline a program and make incremental, positive changes. Therefore, the Committee directs HUD to submit to the Committees on Appropriations within

30 days of enactment of this Act a list of administrative reforms the Department can complete without legislative action to begin the reform process.

HOUSING COUNSELING ASSISTANCE

Appropriation, fiscal year 2010	$87,500,000
Budget request, fiscal year 2011	88,000,000
Recommended in the bill	88,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+500,000
Budget request, fiscal year 2011	– – –

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.

COMMITTEE RECOMMENDATION

The Committee recommends $88,000,000 for housing counseling, equal to the budget request and $500,000 more than the level enacted in the fiscal year 2010 bill. Previously, this activity was funded as a set-aside within the HOME Investments Partnership Program account.

However, the Committee is concerned by the slow expenditure of funds in this account. Again, the Committee is puzzled by HUD's inability to publish a NOFA within a reasonable amount of time of enactment. In fact, the inability of HUD to compete and obligate funding within any acceptable timeframe is the reason that the Neighborhood Reinvestment Corporation was chosen to run the National Foreclosure Mitigation Counseling Program instead of HUD. HUD must improve its ability to obligate funds, especially in light of increasingly tight budgets. The stagnation of funding for a year or more makes it very difficult to defend as a necessary expenditure, despite the obvious demand for the program. With the dire need for these funds in light of the current housing crisis, bill language is included that mandates the publication of a NOFA within 60 days of enactment of this Act.

The Committee is concerned about reports of foreclosure 'rescue scams' and other predatory practices targeting vulnerable populations. Consistent with its mandate, the Committee believes HUD should assure that its housing counseling program reaches all communities, with attention to regional and locally specific needs and including those underserved population not literate or fluent in English. The Committee is encouraged by HUD's recent designation of the first Asian American and Pacific Islander (AAPI)-serving HUD Housing Counseling Intermediary. This Intermediary is a first step to supporting a network of housing counseling agencies that provide in-language housing and foreclosure counseling to all communites.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

Appropriation, fiscal year 2010	$40,000,000
Budget request, fiscal year 2011	40,600,000
Recommended in the bill	40,600,000
Bill compared with:	
Appropriation, fiscal year 2010	+600,000
Budget request, fiscal year 2011	– – –

The Rental Housing Assistance account provides amendment funding for housing assisted under a variety of HUD housing programs.

COMMITTEE RECOMMENDATION

The Committee recommends $40,600,000 for the Rental Housing Assistance Program, as proposed in the budget request.

RENT SUPPLEMENT

(RESCISSION)

Appropriation, fiscal year 2010	–$72,036,000
Budget request, fiscal year 2011	–40,600,000
Recommended in the bill	–40,600,000
Bill compared with:	
Appropriation, fiscal year 2010	+31,436,000
Budget request, fiscal year 2011	– – –

COMMITTEE RECOMMENDATION

The Committee recommends a rescission of $40,600,000, the same as the budget request and $31,436,000 above the level enacted in fiscal year 2010.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

Appropriation, fiscal year 2010	$9,000,000
Budget request, fiscal year 2011	7,000,000
Recommended in the bill	7,000,000
Bill compared with:	
Appropriation, fiscal year 2010	–2,000,000
Budget request, fiscal year 2011	– – –

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.

COMMITTEE RECOMMENDATION

The Committee recommends up to $21,000,000 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 budget request and the fiscal year 2010 enacted level.

In addition, the Committee includes language allowing the Department to collect fees from program participants for the dispute

resolution and installation programs. These fees are to be deposited into the trust fund and may be used by the Department subject to the overall cap placed on the account.

The Committee recognizes that the manufactured housing industry has been impacted greatly by the subprime and unemployment crises that plague the housing sector. However, this sector of the housing market has not gotten a great deal of attention from HUD, as evidenced by the lack of a proposed rule in this account, and several key vacancies in this office. The Committee urges HUD to focus on this portion of the housing market and to issue the final rule and mortgagee letter that will enable this sector of the housing market to begin recovery.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Limitation of direct loans	Limitations of guaranteed loans	Administrative contract expenses	Positive credit subsidy
Appropriation, fiscal year 2010	$50,000,000	$400,000,000,000	$188,900,000	$0
Budget request, fiscal year 2011	50,000,000	400,000,000,000	207,000,000	250,000,000
Recommended in the bill	50,000,000	400,000,000,000	207,000,000	250,000,000
Bill compared with:				
Appropriation, fiscal year 2010			+18,100,000	
Budget request, fiscal year 2011				

The Federal Housing Administration's (FHA) mutual mortgage insurance program account includes the mutual mortgage insurance (MMI) and cooperative management housing insurance 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.

COMMITTEE RECOMMENDATION

The Committee recommends the following limitations on loan commitments in the MMI program account: $400,000,000,000 for loan guarantees and $50,000,000 for direct loans. The recommendation also includes $207,000,000 for administrative contract expenses, of which $71,500,000 is transferred to the Working Capital Fund for development and modifications to information technology systems that serve programs or activities under the Federal Housing Administration. The Committee continues language, as requested, appropriating additional administrative expenses in certain circumstances.

The Committee includes $150,000,000 to allow the continuation of the Home Equity Conversion Mortgage (HECM) program, which is a reduction of $100,000,000 from the budget request. The Committee has been monitoring volume in this program, and the updated estimates indicate that the full request is not needed in this program for fiscal year 2011. The Committee will continue to monitor volume in this program as the Appropriations process moves forward, and will adjust as necessary to ensure that this program

will continue to provide a resource for seniors. HECM mortgages are an important tool for elderly homeowners, enabling them to stay in their homes and avoid more expensive assisted living facilities. The Committee is pleased that HUD is working on alternatives to the traditional HECM program that may mitigate the need for an appropriation in the future, and looks forward to future conversations about the best way to assist seniors without cost to the taxpayers.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

	Limitation of direct loans	Limitations of guaranteed loans	Administrative contract expenses	Credit subsidy
Appropriation, fiscal year 2010	$20,000,000	$15,000,000,000	$0	$8,600,000
Budget request, fiscal year 2011	20,000,000	20,000,000,000	0	0
Recommended in the bill	20,000,000	20,000,000,000	0	0
Bill compared with:				
Appropriation, fiscal year 2010	+5,000,000,000		−8,600,000	
Budget request, fiscal year 2011				

The Federal Housing Administration's (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 multifamily loans, including loans for property improvements, manufactured housing, multifamily 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.

COMMITTEE RECOMMENDATION

The Committee recommends the following limitations on loan commitments for the general and special risk insurance program account as requested: $20,000,000,000 for loan guarantees and $20,000,000 for direct loans.

The Committee is very concerned about the increasing length of time necessary to complete processing for Section 232 applications, which are applications to finance housing for the frail elderly, such as nursing homes and assisted living facilities. As private financing has become increasingly difficult to secure, FHA has been a resource for the construction and refinancing of units for elders, particularly those in need of supportive services. However, the timeline for getting an application through FHA's LEAN processing model has increased by months during fiscal year 2010. Since the Committee has been diligent about providing more staff for FHA in light of its increased workload, this is not due to lack of staff, but rather a misallocation of staff. Therefore, FHA is directed to transfer 25 qualified underwriters into the Office of Insured Healthcare Facilities to ease the workload experienced in that office within 30 days of enactment of this Act. These staff must be trained on the LEAN processing model and qualified to assist in reducing the backlog of applications in a timely manner.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

Limitation of guaranteed loans:	
Appropriation, fiscal year 2010	$500,000,000,000
Budget request, fiscal year 2011	500,000,000,000
Recommended in the bill	500,000,000,000
Bill compared with:	
Appropriation, fiscal year	– – –
Budget request, fiscal year 2011	– – –

The guarantee of mortgage-backed securities program facilitates the financing of residential mortgage loans insured or guaranteed by the Federal Housing Administration, the Department of Veterans Affairs, 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.

COMMITTEE RECOMMENDATION

The recommendation includes a $500,000,000,000 limitation on loan commitments for mortgage-backed securities as requested.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriation, fiscal year 2010	$48,000,000
Budget request, fiscal year 2011	87,000,000
Recommended in the bill	50,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+2,000,000
Budget request, fiscal year 2011	–37,000,000

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.

COMMITTEE RECOMMENDATION

The Committee recommends $50,000,000 for the Office of Policy Development and Research. This is $2,000,000 above the level of funding enacted for fiscal year 2010 and $37,000,000 below the budget request.

The role of research is an important one, and one that the Committee takes very seriously, as evidenced by the fiscal year 2010 appropriation for the Transformation Initiative. Through the Transformation Initiative, the Committee has approved 17 research projects and demonstrations that would not have been possible oth-

erwise. However, in this time of tight budget constraints, an 81 percent increase is unsustainable. Further, the request for $32,000,000 in government-wide research is poorly justified. There is no information regarding the participation of or funding by other agencies, and very little information about how the data gathered will be used in policymaking. In addition, of the three studies described in the "Evaluation Initiative," all three received funding in the fiscal year 2010 Transformation Initiative.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriation, fiscal year 2010	$72,000,000
Budget request, fiscal year 2011	61,100,000
Recommended in the bill	72,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	+10,900,000

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.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $72,000,000 for this account, equal to the fiscal year 2010 enacted level and $10,900,000 above the Administration's budget request. Of this amount, $29,500,000 is for FHAP and $42,500,000 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.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

Appropriation, fiscal year 2010	$140,000,000
Budget request, fiscal year 2011	140,000,000
Recommended in the bill	140,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– – –

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 ac-

tivities 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 the Environmental Protection Agency.

COMMITTEE RECOMMENDATION

The Committee recommends $140,000,000 for this account, equal to both the budget request and the level enacted in fiscal year 2010. Amounts provided are to be allocated as follows:

—$96,000,000 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;

—$4,000,000 for technical assistance and support to state and local agencies and private property owners; and

—$40,000,000 for the Healthy Homes Initiative for competitive grants for research, standards development, and education and outreach activities to housing-related diseases and hazards.

The Committee continues language 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.

Additionally, the Committee includes language pertaining to fund flexibility for available amounts from prior appropriations Acts. The Committee directs the Department to include in future congressional justifications the demand for each of its competitive programs in tabular format for the previous five years.

The Committee includes language requiring the Department to publish the Notice of Funding Availability for this program within 60 days of enactment of this Act.

MANAGEMENT AND ADMINISTRATION

WORKING CAPITAL FUND

Appropriation, fiscal year 2010	$200,000,000
Budget request, fiscal year 2011	243,500,000
Recommended in the bill	243,500,000
Bill compared with:	
Appropriation, fiscal year 2010	+43,500,000
Budget request, fiscal year 2011	– – –

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.

COMMITTEE RECOMMENDATION

The Committee recommends $243,500,000 in direct appropriations for the Working Capital Fund to support Department-wide information technology systm activities, which is 43,500,000 above the fiscal year 2010 level and equal to the budget request. In addi-

tion to the direct appropriation for Department-wide systems, funds are transferred from FHA.

The Committee directs 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 are specifically precluded in legislation, unless the Committee agrees to a change.

The Committee recognizes the Department's effort to improve the activities, oversight and management of the Working Capital Fund. However, the Committee remains distressed about these systems, many of which are outdated and insufficient to carry out the functions necessary to keep the Department's valuable programs running effectively. The Committee is pleased with the focus on new development to improve the Department's largest programs, such as the Tenant Based Rental Assistance program and the Federal Housing Administration. In addition, the Committee directs HUD to focus its attention on reducing the maintenance costs of existing legacy systems. An investigation by the Committee found that the estimation and accounting process for maintenance costs lacked transparency and provided no incentive for cutting costs. The Committee expects the Department to address these concerns. In addition, the Committee directs the Department to include in its budget justification in fiscal year 2012 and all future budgets, a list of each system being supported by this account, the program or office it serves and the annual maintenance costs for the last five fiscal years.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2010	$125,000,000
Budget request, fiscal year 2011	122,000,000
Recommended in the bill	122,000,000
Bill compared with:	
Appropriation, fiscal year 2010	−3,000,000
Budget request, fiscal year 2011	−−−

In 1978, Congress established the Office of Inspector General (IG) to conduct and supervise audits and investigations of agency operations and programs in order to: (1) promote administrative economy, efficiency, and effectiveness; and (2) prevent and detect programmatic and operational fraud, waste, and abuse. The IG is required to keep both Congress and the Secretary of HUD fully and currently informed about problems and deficiencies relating to the administration of programs and operations and the necessity for and progress of corrective action.

At HUD, the audit function provides internal audit, contract audit, and inspection services. Internal audits evaluate all aspects of agency operations. 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. 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.

COMMITTEE RECOMMENDATION

The Committee recommends $122,000,000 for the Office of Inspector General, equal to the budget request and $3,000,000 below the amount provided in fiscal year 2010.

The Committee directs the Office of Inspector General to submit the Top Management Challenges Report directly to the Appropriations Committee staff at the time of report transmittal to the HUD Secretary. Additionally, the Committee directs the Office of Inspector General to separately post this report on the IG web site.

Language is included in the bill which clarifies the authority of the Inspector General with respect to certain personnel issues.

TRANSFORMATION INITIATIVE

Appropriation, fiscal year 2010	$20,000,000
Budget request, fiscal year 2011	20,000,000
Recommended in the bill	20,000,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– – –

COMMITTEE RECOMMENDATION

The Committee provides $20,000,000 for the Transformation Initiative, which is equal to the budget request. This funding amount will support HUD's proposed Combating Mortgage Fraud initiative, which was initially funded in the fiscal year 2010 budget. The Committee will continue to monitor the use of these funds to ensure that HUD is not duplicating the efforts of any other agencies, such as the Department of Treasury or the Department of Justice.

As in fiscal year 2010, the Administration requests authority to transfer up to one percent of funding from most HUD program areas to the Transformation Initiative (TI). The Committee provided $258,787,060 for this initiative in fiscal year 2010 to specifically address four areas: (1) Research, Evaluation and Performance Metrics; (2) Program Demonstrations; (3) Technical Assistance and Capacity Building; and (4) Information Technology. For fiscal year 2011, the Department requests $475,616,500 for TI; the Committee recommends $220,740,500, a decrease of $254,876,000 from the request and $38,046,560 from the fiscal year 2010 enacted level.

The Committee recognizes and appreciates the steps HUD has taken in transforming the agency, including the adoption of a new strategic plan, the hiring of an outstanding Chief Operating Officer, and the collaboration with the National Association of Public Administration (NAPA) on a variety of HUD operating concerns. Additionally, the Committee is pleased that HUD has begun to increase utilization of field offices and associated staff by delegating greater decision-making authority to those with the "boots on the ground" expertise.

It is no secret that current leadership inherited a Department riddled with problems and suffering from a deficit in many foundational areas including information technology, human resources, and procurement. While the breadth of these areas is great, they do contain one unifying thread: internality. To transform HUD, as the Transformation Initiative proposes to do, requires not a series of new demonstrations, research projects, and

programs, but rather a dedication and focus on the internal issues facing the Department.

This is a critical point in the history of HUD. Instead of expending valuable resources on newly developed, theoretical programs, the Committee expects to see the Department turn its focus inward. Before assuming a slate of new responsibilities, HUD must prove that it can efficiently administer its existing responsibilities. The Committee's reluctance to fund many of HUD's new initiatives comes not from differing objectives, but a concern about HUD's lack of progress on reducing administrative inefficiencies in its existing programs. There is no questioning the need for innovation in helping solve the housing challenges facing this nation's citizens, but successful innovation requires successful implementation. And successful implementation requires HUD to have a strong internal foundation.

The Committee has high expectations for the Department and is pleased that the majority of the high level staff consists of experienced housing practitioners. However, it is critical that these practitioners not only bring their housing experience to HUD, but also their management experience. The Committee is confident that the team in place can successfully address many of these internal challenges.

To this end, the Committee is encouraged by the hiring of a Chief Operating Officer and believes this expertise is exactly what the Department requires for long-term transformation. With this in mind, the Committee expects that the Chief Operating Officer will play a critical role in the formation and implementation of the Transformation Initiative activities in fiscal year 2011.

Transforming HUD, and thus the Transformation Initiative, must be envisioned more broadly than budgetary flexibility. Flexibility, or lack thereof, is not the primary challenge facing HUD. Therefore, the Committee has limited the use of the Transformation Initiative funds to the core needs of the Department. The majority of the funds provided ($130,000,000) are directed toward upgrades to HUD's information technology so that HUD's programs and core administrative functions can continue to improve. In addition, the Committee includes funding for technical assistance and capacity building ($40,000,000), because it is critical for HUD to improve these functions while it improves its own capacity. Lastly, a portion of the funding for research and demonstrations (which totals $30,740,500) is dedicated to the completion of the Housing Discrimination Study which began in the fiscal year 2010 TI appropriation as well as conducting an assessment of the effectiveness of HUD funded service coordinators. Due to the fact that the Committee had numerous holes to fill in the President's budget, the Department is not allowed to transfer funding from accounts that were proposed for decreases or for elimination.

The Committee denies the Department's request for a central salaries and expenses fund in the Transformation Initiative. The Committee believes all of the objectives of this request can be addressed through the normal reprogramming process.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Section 201. The Committee continues the provision that relates to the division of financing adjustment factors.

Section 202. The Committee continues the provision that prohibits available funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203. The Committee continues language to correct an anomaly in the HOPWA formula that results in the loss of funds for certain states.

Section 204. The Committee 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 205. The Committee continues language regarding the availability of funds subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 206. The Committee continues language regarding allocation of funds in excess of the budget estimates.

Section 207. The Committee continues language regarding the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 208. The Committee continues language requiring the Secretary to provide quarterly reports on uncommitted, unobligated and excess funds in each departmental program and activity.

Section 209. The Committee continues the provision that 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 210. The Committee continues the provision that requires that the Administration's budget and the Department's budget justifications for fiscal year 2012 shall be submitted in the identical account and sub-account structure provided in this Act.

Section 211. The Committee continues the provision that exempts PHA Boards in Alaska, Iowa, and Mississippi and the County of Los Angeles from public housing resident representation requirement.

Section 212. The Committee continues the provision that authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred, and other conditions are met.

Section 213. The Committee continues the provision that distributes 2010 Native American housing block grant funds to the same Native Alaskan recipients as 2005.

Section 214. The Committee continues the provision that prohibits the IG from changing the basis on which the audit of GNMA is conducted.

Section 215. The Committee continues the provision that sets forth requirements for eligibility for Section 8 voucher assistance, and includes consideration for persons with disabilities.

Section 216. The Committee continues the provision that authorizes the Secretary to insure mortgages under Section 255 of the National Housing Act.

Section 217. The Committee continues the provision that instructs HUD on managing and disposing of any multifamily property that is owned by HUD.

Section 218. The Committee continues the provision that authorizes the Secretary to waive certain requirements on adjusted income for certain assisted living projects for counties in Michigan.

Section 219. The Committee continues the provision that provides that the Secretary shall report quarterly on HUD's use of all sole source contracts.

Section 220. The Committee continues the provision that allows the recipient of a section 202 grant to establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity.

Section 221. The Committee continues the provision that allows amounts provided under the Section 108 loan guarantee program may be used to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State, and that regulations shall be promulgated within 60 days of enactment.

Section 222. The Committee includes the provision that amends section 24 of the 1937 Housing Act by extending the HOPE VI program through September 30, 2011.

Section 223. The Committee continues the provision that instructs HUD that PHAs that own and operate 400 units or fewer of public housing are exempt from asset management requirements.

Section 224. The Committee continues the provision that restricts the Secretary from imposing any requirement or guideline relating to asset management that restricts or limits the use of capital funds for central office costs, up to the limit established in QHWRA.

Section 225. The Committee continues the provision that provides that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such allotment holder has received training.

Section 226. The Committee continues the provision that provides that funding for indemnities is limited to non-programmatic litigation and is restricted to the payment of attorney fees only.

Section 227. The Committee continues the provision that allows refinancing of certain section 202 loans.

Section 228. The Committee continues the provision that makes reforms to the Federal Surplus Property Program for the homeless.

Section 229. The Committee continues the provision that authorizes the Secretary to transfer up to 5 percent of funds appropriated under the title "Personnel Compensation and Benefits."

Section 230. The Committee continues the provision that allows HUD to consider industry standard appraisal practices, including the cost of repairs, when determining market value.

Section 231. The Committee continues the provision that allows the Disaster Housing Assistance Programs to be considered a program of the Department of Housing and Urban Development for the purpose of income verifications and matching.

Section 232. The Committee includes a provision that restructures FHA premiums.

Section 233. The Committee includes a provision providing $2,070,635 to increase the Department's acquisition workforce capacity and capabilities.

Section 234. The Committee includes a provision that repeals the paragraphs under the heading "Flexible Subsidy Fund."

Section 235. The Committee continues the provision that raises loan limits for FHA through the end of the fiscal year.

Section 236. The Committee continues the provision that raises the GSE conforming loan limit for fiscal year 2011.

Section 237. The Committee continues the provision that raises the Home Equity Conversion Mortgage loan limit for fiscal year 2011.

Section 238. The Committee includes a provision prohibiting funds from being used for salaries and expenses of more than 75 political and Presidential appointees in HUD. The provision also requires that none of the personnel covered by this provision may be assigned on temporary detail outside HUD.

TITLE III—RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2010	$7,300,000
Budget request, fiscal year 2011	7,300,000
Recommended in the bill	7,300,000
Bill compared with:	
Appropriation, fiscal year 2010	– – –
Budget request, fiscal year 2011	– – –

The United States Access Board was established by section 502 of the Rehabilitation Act of 1973 and is the only Federal Agency whose primary mission is accessibility for people with disabilities. The Access Board is responsible for developing guidelines under the Architectural Barriers Act, the Americans with Disabilities Act, the Telecommunications Act, the Rehabilitation Act, and the Patient Protection and Affordable Care Act. This responsibility ensures that buildings and facilities, transportation vehicles, telecommunications equipment, electronic and information technology used by federal agencies, and medical diagnostic equipment are readily accessible to and usable by people with disabilities. The Access Board also provides technical assistance and training on its guidelines and standards, as well as a variety of other accessibility issues.

Additionally, the Access Board has responsibilities under the Help America Vote Act to serve on the Election Assistance Commission's Board of Advisors and Technical Guidelines Development Committee. In this role, Access Board helps the Election Assistance Commission develop voluntary guidelines for voting systems, including guidance regarding accessibility for people with disabilities.

COMMITTEE RECOMMENDATION

The Committee recommends $7,300,000 for the operations of the Access Board, equal to the budget request and to the level enacted in fiscal year 2010.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2010	$24,135,000
Budget request, fiscal year 2011	25,498,000
Recommended in the bill	25,300,000
Bill compared with:	
Appropriation, fiscal year 2010	1,165,000
Budget request, fiscal year 2011	−198,000

Established in 1961, the Federal Maritime Commission (FMC) is an independent government agency, responsible for the regulation of oceanborne transportation in the foreign commerce of the United States. FMC policy focuses on 1) maintaining an efficient and competitive international ocean transportation system; and 2) protecting the public from unlawful, unfair, and deceptive ocean transportation practices. The Federal Maritime Commission monitors ocean common carriers, marine terminal operators, conferences, ports, and ocean transportation intermediaries to ensure they maintain just and reasonable practices. Among other activities, FMC also maintains a trade monitoring and enforcement program, monitors the laws and practices of foreign governments and their impacts on shipping conditions in the U.S., and enforces special regulatory requirements as they apply to controlled carriers.

The principal shipping statutes administered by the FMC are the Shipping Act of 1984 (46 U.S.C. 40101–41309), the Foreign Shipping Practices Act of 1988 (46 U.S.C. 42301–42307), Section 19 of the Merchant Marine Act, 1920 (46 U.S.C. 42101–42109), and Public Law 89–777 (46 U.S.C. 44101–44106).

COMMITTEE RECOMMENDATION

The Committee recommends $25,300,000 for the Federal Maritime Commission, which is $1,165,000 above the amount provided in fiscal year 2010 and $198,000 below the budget request.

The reduction from the budget request is due, in part, to not fully funding the furniture and equipment request, as this account has seen substantial investment in prior years from other program savings. The remaining reduction is due to overall budget constraints.

Of the funds provided, not more than $260,000 can be used for performance awards.

NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2010	$19,000,000
Budget request, fiscal year 2011	$22,000,000
Recommended in the bill	$22,000,000
Bill compared to:	
Appropriation, fiscal year 2010	+3,000,000
Budget request, fiscal year 2011	–––

The Amtrak Inspector General is expected to be an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law and promoting economy, efficiency and effectiveness at Amtrak.

COMMITTEE RECOMMENDATION

The Committee recommends $22,000,000 for Amtrak's Office of Inspector General (Amtrak OIG), which is $3,000,000 above the fiscal year 2010 enacted level and equal to the level proposed in the fiscal year 2011 budget.

As in fiscal year 2010, the Committee continues to fund the Amtrak OIG as a separate entity and denies the budget's request to fund the Amtrak OIG through a direct grant from the Federal Railroad Administration. The Committee created the separate appropriation last year in order to ensure the independence of the Inspector General. The Committee believes it is too early in the new process for the Department to eliminate this added autonomy.

Budget justification.—The Committee directs the Amtrak OIG to submit to the Committees on Appropriations a comprehensive budget justification for fiscal year 2012 in similar format and substance to those submitted by other agencies of the Federal government and similar to the Amtrak OIG submission last year.

OIG independence.—The Committee commends the Amtrak OIG for its efforts to improve its objectivity and independence and is pleased with the initial report from the Council of the Inspectors General on Integrity and Efficiency (CIGIE) on the steps that have been taken thus far. The Committee recognizes this endeavor will require a multi-year approach to change the culture and organization of the Amtrak OIG. The Committee looks forward to periodic updates from the Amtrak OIG and documented progress in the CIGIE's one-year review.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2010	$98,050,000
Budget request, fiscal year 2011	100,400,000
Recommended in the bill	104,232,000
Bill compared with:	
Appropriation, fiscal year 2010	+6,182,000
Budget request, fiscal year 2011	+3,832,000

Initially established along with the Department of Transportation (DOT), the National Transportation Safety Board (NTSB) commenced operations on April 1, 1967, as an independent federal agency charged by Congress with investigating every civil aviation accident in the United States, as well as significant accidents in other modes of transportation—railroad, highway, marine and pipeline—and issuing safety recommendations aimed at preventing future accidents. Although it has always operated independently, the NTSB relied on the DOT for funding and administrative support until the Independent Safety Board Act of 1974 (Public Law 93–633) severed all ties between the two organizations effective April of 1975.

In addition to its investigatory duties, the NTSB is responsible for maintaining the government's database of civil aviation accidents and conducting special studies of transportation safety issues of national significance. Furthermore, in accordance with the provisions of international treaties, the NTSB supplies investigators to serve as U.S. Accredited Representatives for aviation accidents overseas involving U.S.-registered aircraft, or involving aircraft or

major components of U.S. manufacture. The NTSB also serves as the "court of appeals" for any airman, mechanic or mariner whenever certificate action is taken by the Administrator of the Federal Aviation Administration (FAA) or the U.S. Coast Guard Commandant, or when civil penalties are assessed by the FAA. In addition, the NTSB operates the NTSB Academy in Ashburn, Virginia.

COMMITTEE RECOMMENDATION

The Committee recommends $104,232,000 for the salaries and expenses of the NTSB, an increase of $6,182,000 above fiscal year 2010 and $3,832,000 above the budget request. Of this amount, no more than $2,000 may be used for official reception and representation expenses.

Consistent with the budget request, the Committee provides the NTSB with the funds necessary to meet mandatory increases above the fiscal year 2010 enacted level, in the following amounts:

Salaries and benefits	+$1,206,000
Annualization of fiscal year 2010 positions	+867,000
Rent	+2,980,000
Inflation	+113,000

Inspector General audits.—The recommendation includes a reduction of $100,000 for the costs associated with the Department of Transportation's Inspector General to conduct the annual audit of the NTSB's financial statements. In an effort to provide greater transparency, the Committee has provided these resources directly to the Office of Inspector General.

Expiring leases.—The lease that the NTSB holds on its current headquarters office space is due to expire early in fiscal year 2011 and the agency has been working with the General Services Administration (GSA) on a competitive lease acquisition. In addition, the NTSB has leases which are also expiring in fiscal year 2011 for four of its regional offices. The Committee recommendation includes $2,416,000, as requested, to cover the moving and build out costs associated with these expiring leases. The NTSB is directed to keep the Committee informed about the progress made in negotiating the new leases for these offices and the potential cost increases or savings that may result.

Full-time equivalent staff years (FTE).—As noted in previous years, the Committee continues to be concerned about the NTSB's ability to examine wreckage, publish safety briefs, and issue safety recommendations in a timely manner from all of the aviation and surface transportation accidents that it must investigate. After achieving a staffing level of 427 FTE in fiscal year 2003, the agency was forced to absorb across-the-board cuts, unfunded pay raises, and mandatory increases to contracts and other non-salary related administrative expenses that reduced the number of positions that could actually be funded to a low of 377 FTE in fiscal year 2007. The Committee has worked over the past few years to provide the NTSB with additional resources in order to return the agency to its previous staffing level. Yet, despite these efforts, the President's request for fiscal year 2011 forces the agency to cut 13 FTE in order to stay within a constrained budget. The Committee rejects this proposal and provides the resources necessary to fully fund the NTSB's 415 FTE. In addition, the Committee provides $1,116,000

above the request for the half-year costs associated with 10 additional positions for the NTSB to fill its most critical safety and technical staffing needs. The resulting staffing level of 425 FTE will return the NTSB to the FTE level held during fiscal year 2002 and will give the agency the personnel needed to adequately investigate transportation-related accidents and meet the agency's mission requirements. Furthermore, the Committee directs that none of these additional funds shall be used for the Academy.

Modernization of NTSB labs.—In fiscal year 2010, the Committee appropriated $800,000 to the NTSB for equipment to modernize the NTSB's data recorder laboratory. This funding was intended to be a one-time increase to the agency's budget. However, the NTSB has since developed a five-year capital investment plan of $2,855,000 to maintain its laboratories in order to keep current capabilities from being lost as technology changes. Given the important role that these laboratories play in determining the probable causes of accidents, the Committee does not believe that the NTSB can afford to lose the capability of analyzing data and materials from transportation accidents. The Committee recommendation, therefore, retains the funding provided in fiscal year 2010 for the NTSB to modernize and maintain its laboratories in order to support the accident investigations conducted by headquarters and regional investigators.

Lease payments.—The Committee continues to note that the NTSB violated and continues to be in violation of the Anti-deficiency Act because it did not obtain or have budget authority to cover the net present value of the entire 20-year training center lease obligation at the time the capital lease agreement was signed in 2001. To ensure that the NTSB can satisfy its contractual obligations, the Committee has continued language that allows the NTSB to use its fiscal year 2011 appropriation to make the lease payments for the Academy.

NTSB Academy.—The agency is encouraged to continue to seek additional opportunities to lease out, or otherwise generate revenue from the NTSB Academy, so that the agency can appropriately focus its resources on the important investigative work that is central to the agency's mission. In addition, the agency is again directed to submit detailed information on the costs associated with the NTSB Academy, as well as the revenue the facility is expected to generate, as part of the fiscal year 2012 budget request.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriation, fiscal year 2010	$233,000,000
Budget request, fiscal year 2011	250,000,000
Recommended in the bill	285,000,000
Bill compared with:	
Appropriation, fiscal year 2010	+52,000,000
Budget request, fiscal year 2011	+35,000,000

The Neighborhood Reinvestment Corporation was created by the Neighborhood Reinvestment Corporation Act (title VI of the Housing and Community Development Amendments of 1978). Neighborhood Reinvestment Corporation now operates under the trade name "NeighborWorks America." NeighborWorks America helps local communities establish working partnerships between resi-

dents and representatives of the public and private sectors. These partnership-based organizations are independent, tax-exempt, community-based nonprofit entities, often referred to as NeighborWorks organizations.

COMMITTEE RECOMMENDATION

The Committee recommends a funding level of $285,000,000 for fiscal year 2011, which represents an increase of $52,000,000 above the level enacted in fiscal year 2010. Of this amount, $35,000,000 is appropriated for continuation of a program began in fiscal year 2010 for capital grants to rehabilitate or finance the rehabilitation of affordable housing units. In total, $113,000,000 is provided for the National Foreclosure Mitigation Counseling (NFMC) program, which has provided foreclosure counseling for nearly one million families to date. This program has also provided training for more than 4,000 foreclosure counselors. The data collected from this effort demonstrates that counseled homeowners were about 1.6 times as likely to avoid a foreclosure completion than they would have been had they not received NFMC program counseling. As the foreclosure crisis continues in this nation, the need for counseling only increases, and NeighborWorks has done an admirable job of responding to this need.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriation, fiscal year 2010	$2,450,000
Budget request, fiscal year 2011	2,680,000
Recommended in the bill	2,680,000
Bill compared with:	
Appropriation, fiscal year 2010	+230,000
Budget request, fiscal year 2011	– – –

The Committee recommends $2,680,000 for operating expenses of the Interagency Council on Homelessness, $230,000 above the enacted amount for fiscal year 2010 and equal to the requested amount.

The Committee commends the ICH on its publication of "Opening Doors: The Federal Strategic Plan to Prevent and End Homelessness" on June 22, 2010. Pulling together 19 Federal agencies and thousands of stakeholders across the nation is an admirable feat, and shows that the leadership of the ICH is moving the agency in the right direction. The plan's focus on measurable goals, definite timetables, and interagency cooperation is exactly what the nation needs in this time of challenge and opportunity. The Committee is pleased that the ICH is living up to its mission and will work alongside this important agency to achieve the goals set forth in the plan.

TITLE IV—GENERAL PROVISIONS, THIS ACT

Section 401. The Committee continues the provision requiring pay raises to be funded within appropriated levels in this Act or previous appropriations Acts.

Section 402. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 403. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibiting transfers of funds unless expressly provided in this Act.

Section 404. The Committee continues the provision limiting consulting service expenditures of public record in procurement contracts.

Section 405. The Committee continues the provision specifying reprogramming procedures by subjecting the establishment of new offices and reorganizations to the reprogramming process.

Section 406. The Committee continues the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 407. The Committee continues the provision requiring agencies and departments funded in this Act to report on all sole source contracts.

Section 408. The Committee continues the provision prohibiting employee training not directly related to the performance of official duties.

Section 409. The Committee continues the provision prohibiting funds from being used for any project that seeks to use the power of eminent domain unless eminent domain is employed only for a public use.

Section 410. The Committee continues the provision prohibiting the transfer of funds made available in this Act to any instrumentality of the United States Government except as authorized by this Act or any other appropriations Act.

Section 411. The Committee continues the provision prohibiting funds in this Act from being used to permanently replace an employee intent on returning to his past occupation after completion of military service.

Section 412. The Committee continues the provision prohibiting funds in this Act from being used unless the expenditure is in compliance with the Buy American Act.

Section 413. The Committee continues the provision prohibiting funds from being appropriated or made available to any person or entity that has been found to violate the Buy American Act.

Section 414. The Committee continues the provision that prohibits funds for first-class airline accommodations in contravention of section 301–10.122 and 301–10.123 of title 41 CFR .

Section 415. The Committee continues the provision that prohibits funds from being used to purchase light bulbs for an office building unless, to the extent practicable, the light bulb has an Energy Star or Federal Energy Management Program designation.

Section 416. The Committee continues the provision which prohibits funds in this Act or any prior Act from going to the group ACORN or any of its affiliates, subsidiaries, or allied organizations.

Section 417. The Committee continues the provision prohibiting for-profit earmarks.

Section 418. The Committee includes a provision prohibiting the use of funds to establish or maintain a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, except for law enforcement investigation, prosecution or adjudication activities.

Section 419. The bill prohibits the obligation of funds in this Act in contravention of the new certification requirement established

by section 6(b) of the Iran Sanctions Act of 1996, which is to be included in revisions to the Federal Acquisition Regulation pursuant to that section. The revised FAR will require a certification from each prospective contractor that it does not engage in any activity for which sanctions may be imposed under section 5 of the Iran Sanctions Act of 1996. Section 6(b) of the Iran Sanctions Act of 1996 was added by section 102(b) of the recent Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

The following items are submitted in accordance with various requirements of the Rules of the House of Representatives:

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

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 official reception and representation expenses, 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; prohibits establishment of Assistant Secretary of Public Affairs.

Language is included under the Office of the Secretary, "Livable Communities" to coordinate livability and sustainability initiatives; develop performance standards and metrics; and provide grants to State, local and non-profit organizations. Grants and technical assistance shall be for improved performance measurement capabilities, alternatives analysis, training and workshops.

Language is included under the Office of the Secretary, "National Infrastructure Investment" which provides funds for competitive grants to state and local governments to make investments in the Nation's transportation infrastructure.

Language is included under the Office of the Secretary, "Financial Management Capital" which provides funds to upgrade DOT's financial systems and processes.

Language is included under the Office of the Secretary, "Cyber Security Initiatives" which provides funds to close DOT's existing cyber security and privacy performance gaps; adapt DOT's security posture to a Web 2.0 environment; transition from a reactive to a proactive security posture; and achieve the goals of Federal cyber security strategic plans and initiatives.

Language is included for the Office of Civil Rights, which is responsible for advising the Secretary on civil rights and equal opportunity issues and ensuring the full implementation of the civil rights laws and departmental civil rights policies in all official actions and programs.

Language is included under the Office of the Secretary, "Transportation planning, research, and development" which provides

funds for conducting transportation planning, research, systems development, development activities and making grants, and makes funds available until expended.

Language is included that limits operating costs and capital outlays of the Working Capital Fund for the Department of Transportation; provides that services shall be provided on a competitive basis, except for non-DOT entities; restricts the transfer for any funds to the Working Capital Fund with approval; 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" which limits the amount of loans that can be subsidized, and provides funds for administrative expenses.

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, and limits the availability of funds.

Language is included under the Office of the Secretary, "Payments to air carriers" that provides funds from the Airport and Airway Trust Fund, allows the Secretary of Transportation to consider subsidy requirements when determining service to a community, and allows the Secretary to repay any funds borrowed from the Federal Aviation Administration to fund the essential air service program.

Section 101 prohibits 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 102 prohibits the use of funds to implement an essential air service local cost participation program.

Section 103 allows the Secretary of Transportation or his designee to engage with states to consider proposals related to the reduction of motorcycle fatalities.

Language is included under the Federal Aviation Administration, "Operations" that provides funds for operations, safety activities, staff offices and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement; funds for certain aviation program activities; and specifies transfer authority among offices.

Language is included under the Federal Aviation Administration, "Operations" permitting transfer of funds, as specified.

Language is included requiring a controller workforce plan by March 31 of each fiscal year required by section 221 of Public Law 108–176 and reduces the appropriation by $100,000 for each day the report is late.

Language is included requiring a similar March 31 report on flight standards and aircraft certification staff and reduces the appropriation by $100,000 for each day the report is late.

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 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 $9,500,000 for the contract tower cost sharing program.

Language is included under the Federal Aviation Administration, "Operations" that prohibits funds for conducting and coordinating activities on aeronautical charting and cartography through the Working Capital Fund.

Language is included under Federal Aviation Administration, "Facilities and equipment" that provides funds for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment; engineering and service testing, construction and furnishing of quarters and related accommodations at remote localities; and the purchase, lease, or transfer of aircraft.

Language is included under Federal Aviation Administration, "Facilities and equipment" that provides funds from the Airport and Airway Trust Fund and limits the availability of funds.

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 provides funds from the Airport and Airway Trust Fund for research, engineering, and development, including construction of experimental facilities and acquisition of necessary sites by lease or grant; and limits the availability of funds.

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 provides funds from the Airport and Airway Trust Fund for airport planning and development;

noise compatibility planning and programs; procurement, installation, and commissioning of runway incursion prevention devices and systems; grants authorized under section 41743 of title 49, U.S.C.; and inspection activities and administration of airport safety programs; and limits the availability of funds.

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 $3,515,000,000.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that prohibits funds for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that provides $99,622,000 for administration.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that specifies $15,000,000 for the airport cooperative research program, $27,217,000 for the airport technology research program.

Language is included under Federal Aviation Administration, "Grants-in-aid for airports" that rescinds contract authority above the obligation limitation.

Section 110 limits the number of technical workyears at the Center for Advanced Aviation Systems Development to 600 in fiscal year 2011.

Section 111 prohibits 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 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits funds in the Act from being used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

Section 115 prohibits funds limited in this Act for the Airport Improvement Program to be provided to an airport that refuses a request from the Secretary of Transportation to use public space at the airport for the purpose of conducting outreach on air passenger rights as proposed by the House and Senate.

Section 116 prohibits the use of funds for premium pay under subsection 5546(a) of title 5, U.S.C. to any FAA employee unless said employee worked during the corresponding timeframe.

Section 117 prohibits funds in the Act from being used to buy store gift cards with Government issued credit cards as proposed by the House and Senate.

Language is included under the Federal Highway Administration, "Limitation on administrative expenses" that limit the amount to be paid, together with advances and reimbursements received, for the administrative expenses of the agency, including an amount for financial system upgrades subject to conditions. In ad-

dition to this limitation, an amount is specified that is to be made available to the Appalachian Regional Commission for administrative expenses.

Language is included under the Federal Highway Administration, "Federal-aid highways" that limits the obligations for Federal-aid highways and highway safety construction programs; limits the amount available for the implementation or execution of programs for transportation research, which shall not apply to any authority previously made available for obligation; and allows the Secretary to charge, collect and spend fees for loan applications and that such amounts are in addition to administrative expenses and are not subject to any obligation limitation or limitation on administrative expenses under section 608 of title 23, U.S.C., and which are available until expended.

Language is included under the Federal Highway Administration, "Federal-aid highways" that liquidates contract authority.

Section 120 distributes obligation authority among federal-aid highway programs.

Section 121 credits funds received by the Bureau of Transportation Statistics to the federal-aid highways account.

Section 122 provides requirements for any waiver of Buy American requirements.

Section 123 prohibits tolling in Texas, with exceptions.

Section 124 reallocates $200,000,000 from other programs to support the FHWA's livable communities program, as requested.

Section 125 clarifies funding for various projects which were included in previous appropriations Acts.

Section 126 clarifies funding for various projects which were included in section 1702 of Public Law 109–59.

Section 127 clarifies funding for various projects which were included in section 1602 of Public Law 105–178.

Section 128 rescinds unobligated balances associated with demonstration or high priority projects which were funded in previous appropriations Acts.

Section 129 rescinds unobligated balances made available for highway related safety grants in prior appropriations Acts.

Section 130 permanently rescinds unobligated contract authority authorized for administrative expenses of the FHWA that will not be available for obligation because of the limitation on administrative expenses imposed in this Act and prior Acts.

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, including specifying amounts available for research and technology programs and commercial motor vehicle operator's grants; and prohibits funds for outreach and education from being transferred.

Language is included under the Federal Motor Carrier Safety Administration, "Motor carrier safety grants" that provides a limitation on obligations and liquidation of contract authorization, including specifying amounts available for the commercial driver's license improvements program, border enforcement grants program, the performance and registration information system management program, the commercial vehicle information systems and networks deployment program, the safety data improvement program, and

the commercial driver's license information system modernization program; and specifies amount for new entrant audits.

Language is included under the Federal Motor Carrier Safety Administration, "Motor Carrier Safety" that rescinds unobligated balances from prior appropriations Acts.

Language is included under the Federal Motor Carrier Safety Administration, "Motor Carrier Safety Program" that rescinds unobligated balances from prior appropriations Acts.

Section 135 continues a provision subjecting funds appropriated in this Act to the terms and conditions of section 350 of Public Law 107–87 and Section 6901 of Public Law 110–28, including a requirement that the secretary submit a report on Mexico-domiciled motor carriers.

Language is included under National Highway Traffic Safety Administration, "Operations and research" that limits the availability of funds and prohibits 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, "Operations and research" that provides a limitation on obligations, limits the availability of funds, and provides a liquidation of contract authorization from the highway trust fund.

Language is included under the National Highway Traffic Safety Administration "National driver register" that provides a limitation on obligations and a liquidation of contract authorization from the highway trust fund.

Language is included under the National Highway Traffic Safety Administration "National driver register modernization" that limits the availability of funds.

Language is included under the National Highway Traffic Safety Administration "Highway traffic safety grants" that provides a limitation on obligations, limits the availability of funds, specifies the amounts for certain safety grant programs and provides a liquidation of contract authorization from the highway trust fund.

Language is included under the National Highway Traffic Safety Administration that reallocates funds from the seat belt performance grants program to fund a new distracted driving grant program and allows a portion of the funding to be used for the development, production, and use of broadcast and print media in support of efforts to prevent distracted driving.

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" that limits funding for an evaluation for the high visibility enforcement program.

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 140 provides funding for travel and related expenses for state management reviews and highway safety core competency development training.

Section 141 exempts obligation authority that was made available in previous public laws for multiple years from limitations on obligations for the current year.

Section 142 rescinds unobligated contract authority authorized from the highway trust fund for NHTSA's highway safety grant programs that will not be available for obligation because of limitations on obligations imposed on those funds in this Act or previous appropriations Acts.

Language is included under Federal Railroad Administration, "Safety and operations" limiting the availability of funds.

Language is included under Federal Railroad Administration, "Railroad research and development" limiting the availability of funds.

Language is included under Federal Railroad Administration, "Railroad safety technology program" to provide funds for grants to passenger, commuter and freight rail carriers, railroad suppliers, and State and local governments for projects that have a public benefit of improved railroad safety and efficiency.

Language is included under Federal Railroad Administration, "Railroad rehabilitation and improvement financing 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, "Capital assistance for high speed rail corridors and intercity passenger rail service" to provide funds for passenger rail infrastructure grants for intercity passenger rail, high-speed passenger rail and reducing congestion or facilitating ridership growth along passenger rail corridors.

Language is included under the Federal Railroad Administration, "Operating subsidy grants to the National Railroad Passenger Corporation" that allows the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation; allows the Secretary to approve funding only after receiving and reviewing a grant request for each train route; ensures that each grant request is accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection; requires the Corporation to achieve savings through operational efficiencies; requires the Inspector General of the Department of Transportation to provide quarterly reports to the Congress on estimates of the savings due to operational reforms; requires the Corporation to submit to Congress the status of its plan to improve the financial performance of food and beverage service as well as first class service, including sleeper car service as well as a report on progress compared with its targets provided in its fiscal year 2007 plan; requires the Corporation to submit a detailed business plan that includes targets for ridership, revenues, and capital and operating expenses as well as monthly reports regarding the status of the business plan; requires that contracts entered into by the Corporation will be governed by the laws of the District of Columbia; re-

quires the Corporation to follow the provisions of the direct loan agreement; and prohibits funds to support any route with a discounted fare of more than 50 percent off the normal peak fare, unless the operating loss is the result of a discount covered by a State.

Language is included under the Federal Railroad Administration, "Capital and Debt Service Grants to the National Railroad Passenger Corporation" that allows the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure and debt service; allows the Secretary to retain some funds to be used for oversight; bars funds under this section to be used for operating losses; restricts the use of funds unless they have been approved by the Secretary or are contained in the Corporation's business plan; provides financial incentives that can be used for capital improvements if the Corporation demonstrates operational savings and meets ridership and revenue targets; provides funds for the development and implementation of a managerial cost accounting system; and requires the establishment of a common definition for "state of good repair" on the Northeast Corridor.

The Committee includes new language under Federal Railroad Administration, "Intercity Passenger Rail Program" as recommended in the President's budget that establishes and provides funding for an Intercity Passenger Rail Grant program.

Section 150 retains a provision that ceases the availability of Amtrak funds if the railroad contracts for services outside the United States for any service performed by a full-time or part-time Amtrak employee as of July 1, 2006.

Section 151 retains a provision, which allows FRA to receive and use cash or spare parts to repair and replace damaged automated track inspection cars and equipment in connection with the automated track inspection program.

Language is included under Federal Transit Administration, "Administrative Expenses" specifying an amount for administrative expenses and travel; prohibiting a permanent office of transit security; directing the submission of the annual report on new starts; provides funds for fixed guideway oversight activities if authorized; and provides funds for transit operating assistance, if authorized.

Language is included under Federal Transit Administration, "Formula and Bus Grants" that provides a limitation on obligations from the Highway Trust Fund, liquidation of contract authorization for the operating expenses of the agency, limits the availability of funds, and rescinds unobligated balances.

Language is included under Federal Transit Administration, "Research and University Centers" that limits the availability of funds and specifies the amounts for certain offices and programs.

Language is included under Federal Transit Administration, "Capital Investment Grants" that limits the availability of funds, specifies certain amounts for specific projects, and rescinds unobligated balances.

Language is included under Federal Transit Administration, "Washington Metropolitan Area Transit Authority" for capital and preventive maintenance expenditures and requires the Secretary to determine that WMATA has placed the highest priority on safety investments.

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows unobligated funds for projects under "Capital Investment Grants" and bus and bus facilities under "Formula and Bus Grants" in prior year appropriations Acts to be used in this fiscal year.

Section 162 allows for the transfer of prior year appropriations from older accounts to be merged into new accounts with similar, current activities.

Section 163 unobligated funds for projects under "Capital Investment Grants" to be used in this fiscal year for activities eligible in the year the funds were appropriated.

Section 164 requires that Section 5309 unobligated funds or recoveries available for reallocation shall be directed to projects eligible to use the funds for their originally intended purpose.

Language is included under the Saint Lawrence Seaway Development Corporation that authorizes expenditures, contracts, and commitments as may be necessary.

Language is included under the Saint Lawrence Seaway Development Corporation "Operations and Maintenance" that provides funds derived from the Harbor Maintenance Trust Fund.

Language is included under Maritime Administration, "Maritime Security Program" that limits the availability of funds.

Language is included under Maritime Administration, "Operations and Training" that provides dedicated funds for salaries and benefits of employees of the United States Merchant Marine Academy, capital improvements at the United States Merchant Marine Academy, and the State Maritime Schools Schoolship Maintenance and Repair; and limits the availability of some funds.

Language is included under Maritime Administration, "Ship Disposal" that limits the availability of funds.

Language is included under Maritime Administration, "Maritime Guaranteed Loan (Title XI) Program Account" that provides for the transfer to Operations and Training and rescinds unobligated balances.

Section 170 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, "Operational expenses" which specifies the amount derived from the pipeline safety fund and requires that $1,000,000 be transferred to the pipeline safety account to fund pipeline safety information grants to communities.

Language is included under Pipeline and Hazardous Materials Safety Administration, "Hazardous materials safety" which limits the availability of a certain amount and allows up to $800,000 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 performance of hazardous materials exemptions and approval functions.

Language is included under Pipeline and Hazardous Materials Safety Administration, "Pipeline safety" which specifies the amounts derived from the pipeline safety fund and the oil spill liability trust fund and limits their period of availability.

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 Pipeline and Hazardous Materials Safety Administration, "Emergency Preparedness Grants" which specifies the amount derived from the emergency preparedness fund, limits the availability of some funds, and prohibits funds from being obligated by anyone other than the Secretary or his designee.

Language is included under Research and Innovative Technology Administration, "Research and development" that limits the availability of funds and 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 and the authority to investigate unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents.

Language is included under Office of Inspector General, "Salaries and expenses" that specifies an amount from the highway trust fund to fund the annual audit of the highway trust fund financial statements.

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 180 allows the Department of Transportation to use funds for aircraft; motor vehicles; liability insurance; uniforms; or allowances, as authorized by law.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV.

Section 182 prohibits funds in this Act for salaries and expenses of more than 110 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 183 prohibits funds for the implementation of section 404 of title 23, United States Code.

Section 184 prohibits 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 185 allows funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Rail-

road 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 186 stipulates that funds provided or limited in this Act for the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration shall be for the eligible programs, projects and activities in the corresponding amounts identified in the committee report accompanying this Act.

Section 187 authorizes the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation.

Section 188 prohibits 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 189 allows funds received from rebates, refunds, and similar sources to be credited to Department of Transportation appropriations.

Section 190 allows 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 191 stipulates that the Committees on Appropriations solely approve or deny any funds provided or limited in this Act that are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations.

Section 192 prohibits the Surface Transportation Board from charging or collecting filing fees for rate complaints in an amount in excess of the authorized amount under section 1914 of title 28, United States Code.

Section 193 authorizes the Department's Working Capital Fund to provide payments in advance to vendors under provision included in Executive Order 13150 and section 3049 of Public Law 109–59.

Section 194 provides $7,622,655 for additional acquisition workforce capacity and capabilities.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Language is included under Department of Housing and Urban Development, "Management and Administration" which designates funds for "Executive Direction" and "Administration, Operations and Maintenance."

Language is included under Department of Housing and Urban Development, "Personnel Compensation and Benefits" which designates funds for "Public and Indian Housing," "Community Planning and Development," "Housing," "Office of the Government National Mortgage Association," "Policy Development and Research," "Fair Housing and Equal Opportunity" and "Office of Healthy Homes and Lead Hazard Control."

Language is included under Department of Housing and Urban Development, "Tenant-Based Rental Assistance" which specifies funds for certain programs, activities and purposes and limits the use and availability of certain funds; specifies the methodology for allocation of renewal funding; directs the Secretary to the extent possible to prorate each public housing agency's (PHA) allocation; directs the Secretary to notify PHAs of their annual budget not later than 60 days after enactment of the Act; directs that those PHAs participating in Moving to Work shall be funded according to that agreement; provides the criteria to allocate a portion of Administrative Fees; specifies the amounts available to the Secretary to allocate to PHAs that need additional funds and for fees; specifies the amount for additional rental subsidy due to unforeseen emergencies and portability; provides for the transfer of funds to the "Transformation Initiative;" provides that additional tenant protection rental assistance costs be funded by prior year unobligated balances; provides funding for incremental vouchers for homeless veterans; provides incremental funding for eligible Disaster Housing Assistance Program (DHAP) families; provides funding for two competitive demonstration programs addressing needs of those homeless and at risk of homelessness; and directs that all funds shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8.

Language is included under Department of Housing and Urban Development, "Housing Certificate Fund" which rescinds prior year funds; and allows the Secretary to use recaptures to fund project-based contracts and contract administrators.

Language is included under Department of Housing and Urban Development, "Public Housing Capital Fund" which limits the availability of funds; limits the delegation of certain waiver authorities and prohibits funds from being used for certain activities; specifies the total amount available for certain activities; directs HUD to issue a Notice of Funding Availability (NOFA) not later than 60 days after enactment of the Act; and specifies the amount for grants, support services, service coordinators and congregate services, to support the costs of administrative and judicial receiverships, and to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center.

Language is included under Department of Housing and Urban Development, "Public Housing Operating Fund" which sets the basis for the allocation of funds and prohibits the use of funds under certain conditions.

Language is included under Department of Housing and Urban Development, "Revitalization of Severely Distressed Public Housing (HOPE VI)" which limits the availability of funds; specifies the amount for technical assistance and contract expertise; and directs HUD to issue a NOFA not later than 60 days after enactment of the Act.

Language is included under Department of Housing and Urban Development, "Native American Housing Block Grants" which limits the availability of funds; specifies the formula for allocation; specifies the amounts for technical assistance and capacity building to support the inspection of Indian housing units, administrative expenses, to subsidize the total principal amount of any notes, and

the cost of guaranteed notes, which are defined in section 502 of the Congressional Budget Act of 1974.

Language is included under Department of Housing and Urban Development, "Native Hawaiian Housing Block Grant" which limits the availability of funds and specifies the amount for training and technical activities.

Language is included under Department of Housing and Urban Development, "Indian Housing Loan Guarantee Fund Program Account" which limits the availability of funds; specifies how to define the costs of modifying loans; specifies the amount and availability of funds to subsidize total loan principal; and provides a dedicated amount for administrative expenses.

Language is included under Department of Housing and Urban Development, "Native Hawaiian Loan Guarantee Fund Program Account" which limits the availability of funds; specifies how to define the costs of modifying loans; and specifies the amount and availability of funds to subsidize total loan principal.

Language is included under Department of Housing and Urban Development, "Housing Opportunities for Persons with AIDS" which limits availability of funds and sets forth certain requirements for the allocation and renewal of funds and contracts.

Language is included under Department of Housing and Urban Development, "Community Development Fund" which limits the use and availability of certain funds; specifies the allocation of certain funds; specifies the amount made available for grants to federally-recognized Indian tribes, emergencies, Economic Development Initiatives with certain restrictions, and Neighborhood Initiatives with certain restrictions and the Sustainable Communities Initiative.

Language is included under Department of Housing and Urban Development, "Community Development Loan Guarantees Program Account" which limits the availability of funds; specifies how to define the costs of modifying loans; and specifies the amount and availability of funds to subsidize total loan principal.

Language is included under Department of Housing and Urban Development, "Brownfields Redevelopment" which limits the availability of funds and directs HUD to issue a NOFA not later than 60 days after enactment of the Act.

Language is included under Department of Housing and Urban Development, "Home Investment Partnerships Program" which limits the availability of funds; specifies the allocation of certain funds for certain purposes; and directs HUD to notify formula grantees no later than 60 days after enactment of the Act.

Language is included under Department of Housing and Urban Development, "Self-Help and Assisted Homeownership Opportunity Program" which limits the availability of funds; specifies the allocation of certain funds for certain purposes; and directs HUD to issue a NOFA not later than 60 days after enactment of the Act.

Language is included under Department of Housing and Urban Development, "Homeless Assistance Grants" which limits the availability of funds; specifies the allocation of certain funds for certain purposes; specifies matching requirements; directs the Secretary to renew contracts under certain conditions; requires grantees to integrate homeless programs with other social service providers.

Language is included under Department of Housing and Urban Development, "Project-Based Rental Assistance" which limits the availability of funds and specifies the allocation of certain funds for certain purposes.

Language is included under Department of Housing and Urban Development, "Housing for the Elderly" which limits the availability of funds; specifies the allocation of certain funds; designates certain funds to be used only for certain grants; allows the Secretary to waive certain provisions governing contract terms; and provides for the transfer of funds to the Working Capital Fund.

Language is included under Department of Housing and Urban Development, "Housing for Persons with Disabilities" which limits the availability of funds; 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, "Housing Counseling Assistance" which limits the availability of funds and specifies amounts to be used for administrative contract services.

Language is included under Department of Housing and Urban Development, "Rental Housing Assistance" which limits the availability of funds and rescinds funds.

Language is included under Department of Housing and Urban Development, "Payment to Manufactured Housing Fees Trust Fund" which limits the availability of funds and permits fees to be assessed, modified, and collected, and permits temporary borrowing authority from the General Fund of the Treasury.

Language is included under the Department of Housing and Urban Development, "Mutual Mortgage Insurance Program Account" which sets a loan principal limitation; limits the obligations to make direct loans; specifies funds for specific purposes; allows for the transfer of certain funds; allows for additional contract expenses as guaranteed loan commitments exceed certain levels.

Language is included under Department of Housing and Urban Development, "General and Special Risk Program Account" which sets a loan principal limitation; limits the obligations to make direct loans; specifies funds for specific purposes; and allows for the transfer of funds.

Language is included under Department of Housing and Urban Development, "Government National Mortgage Association" which limits new commitments to issue guarantees.

Language is included under Department of Housing and Urban Development, "Policy Development and Research" which limits the availability of funds and specifies authorized uses.

Language is included under Department of Housing and Urban Development, "Fair Housing and Equal Opportunity" which limits the availability of funds; authorizes the Secretary to assess and collect fees; and places restrictions on the use of funds for lobbying activities.

Language is included under Department of Housing and Urban Development, "Office of Lead Hazard Control and Healthy Homes" which limits the availability of funds; specifies the amount of funds for specific purposes; specifies the treatment of certain grants; and directs HUD to issue a NOFA not later than 60 days after enactment of the Act.

Language is included under Department of Housing and Urban Development, "Management and Administration: Working Capital Fund" which limits the availability and purpose of funds, including funds transferred.

Language is included under Department of Housing and Urban Development, "Office of Inspector General" which specifies the use of funds and directs that the IG shall have independent authority over all personnel issues within the office.

Language is included under Department of Housing and Urban Development, "Transformation Initiative" (TI) which limits the availability of funds; specifies the purposes of funds; identifies the accounts and amounts from which TI can receive transfers; and directs HUD to submit a plan regarding the use of TI funds to the Committees on Appropriations.

Section 201 relates to the division of financing adjustment factors.

Section 202 prohibits available funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 corrects an anomaly in the HOPWA formula that results in the loss of funds for certain States.

Section 204 requires funds appropriated to be distributed on a competitive basis in accordance with the Department of Housing and Urban Development Reform Act of 1989.

Section 205 concerns the availability of funds subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 206 concerns the allocation of funds in excess of the budget estimates.

Section 207 concerns the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 208 requires the Secretary to provide quarterly reports on uncommitted, unobligated and excess funds in each departmental program and activity.

Section 209 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 210 requires that the Administration's budget and the Department's budget justifications for fiscal year 2012 shall be submitted in the identical account and sub-account structure provided in this Act.

Section 211 exempts PHA Boards in Alaska, Iowa, and Mississippi and the County of Los Angeles from public housing resident representation requirements.

Section 212 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred, and other conditions are met.

Section 213 distributes 2010 Native American housing block grant funds to the same Native Alaskan recipients as 2005.

Section 214 prohibits the IG from changing the basis on which the audit of GNMA is conducted.

Section 215 sets forth requirements for eligibility for Section 8 voucher assistance, and includes consideration for persons with disabilities.

Section 216 authorizes the Secretary to insure mortgages under Section 255 of the National Housing Act.

Section 217 instructs HUD on managing and disposing of any multifamily property that is owned by HUD.

Section 218 authorizes the Secretary to waive certain requirements on adjusted income for certain assisted living projects for counties in Michigan.

Section 219 provides that the Secretary shall report quarterly on HUD's use of all sole source contracts.

Section 220 allows the recipient of a section 202 grant to establish a single-asset non-profit entity to own the project and may lend the grant funds to such entity.

Section 221 allows that amounts provided under the Section 108 loan guarantee program may be used to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State, and that regulations shall be promulgated within 60 days of enactment.

Section 222 amends section 24 of the 1937 Housing Act by extending the HOPE VI program through September 30, 2011.

Section 223 instructs HUD that PHAs that own and operate 400 units or fewer of public housing are exempt from asset management requirements.

Section 224 restricts the Secretary from imposing any requirement or guideline relating to asset management that restricts or limits the use of capital funds for central office costs, up to the limit established in QHWRA.

Section 225 provides that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such allotment holder has received training.

Section 226 provides that funding for indemnities is limited to non-programmatic litigation and is restricted to the payment of attorney fees only.

Section 227 allows refinancing of certain section 202 loans.

Section 228 makes reforms to the Federal Surplus Property Program for the homeless.

Section 229 authorizes the Secretary to transfer up to 5 percent of funds appropriated under the title "Personnel Compensation and Benefits."

Section 230 allows HUD to consider industry standard appraisal practices, including the cost of repairs, when determining market value.

Section 231 allows the Disaster Housing Assistance Programs to be considered a program of the Department of Housing and Urban Development for the purpose of income verifications and matching.

Section 232 restructures FHA premiums.

Section 233 provides $2,070,635 to increase the Department's acquisition workforce capacity and capabilities.

Section 234 repeals the paragraphs under the heading "Flexible Subsidy Fund."

Section 235 raises loan limits for FHA through the end of the fiscal year.

Section 236 raises the GSE conforming loan limit for fiscal year 2011.

Section 237 raises the Home Equity Conversion Mortgage loan limit for fiscal year 2011.

Section 238 prohibits funds from being used for salaries and expenses of more than 75 political and Presidential appointees in HUD. The provision also requires that none of the personnel covered by this provision may be assigned on temporary detail outside HUD.

TITLE III—RELATED AGENCIES

Language is included for the Access Board, "Salaries and Expenses" that allows for the credit to the appropriation of funds received for publications and training expenses.

Language is included for the Federal Maritime Commission, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, uniforms and allowances, and official reception and representation expenses.

Language is included for the National Railroad Passenger Corporation, Office of Inspector General, "Salaries and Expenses" to provide funds for an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law and promoting economy, efficiency and effectiveness at Amtrak.

Language is included under National Transportation Safety Board, "Salaries and expenses" that provides funds for hire of passenger motor vehicles and aircraft, services authorized by 5 U.S.C. 3109, uniforms or allowances therefore, and for official reception and representation expenses.

Language is included under National Transportation Safety Board, "Salaries and expenses" that allows funds provided in this Act to be used to pay for costs associated with a 2001 capital lease.

Language is included in the Neighborhood Reinvestment Corporation (NRC), "Payment to the Neighborhood Reinvestment Corporation" which limits the availability of funds; specifies the allocation of funds to certain activities; and specifies the terms and conditions surrounding NRC activities.

Language is included for the United States Interagency Council on Homelessness, "Operating Expenses" that provides funds for salaries, travel, hire of passenger motor vehicles, rental of conference rooms, and the employment of experts and consultants.

TITLE IV—GENERAL PROVISIONS, THIS ACT

Section 401 requires pay raises to be funded within appropriated levels in this Act or previous appropriations Acts.

Section 402 prohibits pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 403 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 404 limits consulting service expenditures of public record in procurement contracts.

Section 405 specifies reprogramming procedures by subjecting the establishment of new offices and reorganizations to the reprogramming process.

Section 406 provides that fifty percent of unobligated balances may remain available for certain purposes.

Section 407 requires a report from all agencies and departments funded under this Act to the Committees on Appropriations on all sole source contracts by no later than July 30, 2010.

Section 408 prohibits federal training not directly related to the performance of official duties.

Section 409 prohibits funds from being used for any project that seeks to use the power of eminent domain unless eminent domain is employed only for a public use.

Section 410 prohibits the transfer of funds made available in this Act to any instrumentality of the United States Government except as authorized by this Act or any other appropriations Act.

Section 411 prohibits funds in this Act from being used to permanently replace an employee intent on returning to his past occupation after the completion of military service.

Section 412 prohibits funds in this Act from being used unless the expenditure is in compliance with the Buy American Act.

Section 413 prohibits funds from being appropriated or made available to any person or entity that has been found to violate the Buy American Act.

Section 414 prohibits funds for first-class airline accommodations in contravention of section 301–10.122 and 301–10.123 of title 41 CFR.

Section 415 prohibits funds from being used to purchase light bulbs for an office building unless, to the extent practicable, the light bulb has an Energy Star or Federal Energy Management Program designation.

Section 416 prohibits funds in this Act or any prior Act from going to the group ACORN or any of its affiliates, subsidiaries, or allied organizations.

Section 417 prohibits for-profit earmarks.

Section 418 prohibits the use of funds to establish or maintain a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, except for law enforcement investigation, prosecution or adjudication activities.

Section 419 prohibits the obligation of funds in this Act in contravention of the new certification requirement established by section 6(b) of the Iran Sanctions Act of 1996, which is to be included in revisions to the Federal Acquisition Regulation pursuant to that section. The revised FAR will require a certification from each contractor that it does not engage in any activity for which sanctions may be imposed under section 5 of the Iran Sanctions Act of 1996. Section 6(b) of the Iran Sanctions Act of 1996 was added by section 102(b) of the recent Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

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 which are not authorized by law:

APPROPRIATIONS NOT AUTHORIZED BY LAW

[Dollars in thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Amount of program or new fees
TITLE I—DEPARTMENT OF TRANSPORTATION				
Federal Aviation Administration:				
Operations	2009	$9,042,467	$9,042,067	$9,793,000
Facilities and Equipment	2009	2,742,095	2,742,095	3,000,000
Research, Engineering and Development	2009	171,000	171,000	198,000
Grants-in-Aid for Airports	2009	3,900,000	3,514,500	3,515,000
Federal Highway Administration:				
Federal-aid Highways	2010	42,942,152	41,107,000	45,217,700
Federal Motor Carrier Safety Administration:				
Motor Carrier Safety Operations and Programs	2010	239,828	239,828	259,878
Motor Carrier Safety Grants	2010	307,000	310,070	310,070
National Highway Traffic Safety Administration:				
Operations and Research—General Fund	2009	157,400	127,000	148,127
Operations and Research—Highway Trust Fund	2010	107,329	105,500	110,073
National Driver Register	2010	4,078	4,000	4,170
National Driver Register Modernization				2,530
Highway Traffic Safety Grants	2010	626,047	619,500	626,328
Federal Railroad Administration:				
Grade Crossings on Designated Corridors	2010	15,000	15,000	15,000
High Speed and Intercity Passenger Rail	2011	750,000		1,400,000
Federal Transit Administration:				
Administrative Expenses	2010	98,911	98,911	130,698
Formula & Bus Grants	2010	8,360,565	8,343,171	8,961,348
Research and University	2010	69,750	65,670	65,376
Capital Investment Grants	2010	2,000,000	2,000,000	2,000,000
Maritime Administration:				
Operations and Training	2010	152,900	149,750	169,353
Ship Disposal	2010	15,000	15,000	10,000
Maritime Security	2010	174,000	174,000	174,000
Title XI	2010	64,000	9,000	3,688
Pipeline and Hazardous Materials Safety Administration:				
Operational Expenses				22,383
Hazardous Materials Safety	2009	32,000	32,000	40,434
Research and Innovative Technology Administration:				
Research and Development				18,900
Surface Transportation Board:				
Surface Transportation Board	1998	12,000	25,597	29,999
TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
Rental Assistance:				
Section 8 Contract Renewals and Administrative Expenses	1994	8,446,173	4,558,106	9,376,000
Section 441 Contracts	1994	109,410	150,000	
Section 8 Preservation, Protection, and Family Unification	1994	759,259	541,000	
Contract Administrators				315,000
Public Housing Capital Fund	2003	3,000,000	2,712,255	2,500,000
Public Housing Operating Fund	2003	2,900,000	3,576,600	4,829,000
Indian Housing Loan Guarantee Fund	2007	[1] SSAN	6,000	9,000
Native Hawaiian Housing Block Grant	2005		8,928	10,000
Native Hawaiian Loan Guarantee Fund	2005		992	1,044

APPROPRIATIONS NOT AUTHORIZED BY LAW—Continued

[Dollars in thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Amount of program or new fees
Housing Opportunity for Persons with Aids	1994	156,300	156,000	350,000
Community Development Fund:				
Community Development Block Grant	1994	4,168,000	4,400,000	3,998,255
Economic Development Initiatives				76,645
Neighborhood Initiatives				12,200
Home Program:				
Home Investment Partnership	1994	2,173,612	1,275,000	1,825,00
Down Payment Assistance Initiative	2007	200,000	24,750	
HOPE VI	2010	[1] SSAN	198,000	200,000
Brownfields Redevelopment				17,500
Self-Help and Assisted Homeownership Opportunity:				
Capacity Building	1994	25,000	20,000	53,000
Self-Help Homeownership Opportunity Program	2000		20,000	82,000
National Housing Development Corporation				
Housing for the Elderly	2003		778,195	825,000
Housing for Persons with Disabilities	2003		248,886	300,000
FHA General and Special Risk Program Account:				
Limitation on Guaranteed Loans	1995		(20,885,072)	20,000,000
Limitation on Direct Loans	1995		(220,000)	20,000
Credit Subsidy	1995		188,395	
Administrative Expenses	1995		197,470	
GNMA Mortgage Backed Securities Loan Guarantee Program Account:				
Limitations on Guaranteed Loans	1996	(110,000,000)	(110,000,000)	500,000,000
Administrative Expenses	1996		9,101	10,902
Policy Development and Research	1994	36,470	35,000	50,000
Fair Housing Activities, Fair Housing Program	1994	26,000	25,000	72,000
Lead Hazard Reduction Program	1994	250,000	150,000	140,000
Salaries and Expenses	1994	1,029,496	916,963	1,379,070
Transformation Initiative				220,741
TITLE III—RELATED AGENCIES				
Access Board	2003		5,194	7,300
Federal Maritime Commission	2008	22,575	22,072	25,300
National Transportation Safety Board	2008	92,625	84,499	104,232

[1] SSAN: Such sums as necessary.

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.

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

UNDER TITLE I—DEPARTMENT OF TRANSPORTATION

Account from which the transfer is made	Account to which the transfer is made	Amount
Office of the Secretary	Office of the Secretary	≤2% of certain funds subject to conditions
Federal Aviation Administration	Federal Aviation Administration	≤2% of certain funds subject to conditions

Account from which the transfer is made	Account to which the transfer is made	Amount
FHWA: Limitation on administrative expenses.	Appalachian Regional Commission	$3,300,000
Pipeline & Hazardous Materials Safety Administration.	Pipeline Safety	$1,000,000
MARAD: Operations & Training	Maritime Guaranteed Loan (Title XI) Program Account.	$3,688,000

UNDER TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Account from which the transfer is made	Account to which the transfer is made	Amount
FHA MMI Program Account	Working Capital Fund	$71,500,000
Any HUD Account*	Transformation Initiative	≤1%

*Accounts from which funds may not be transferred: Project-Based Rental Assistance, Native Hawaiian Loan Guarantee Fund, Indian Housing Loan Guarantee Fund, Public Housing Capital Fund, Native American Housing Block Grants, Housing for the Elderly, Housing for Persons with Disabilities, G1/SR1 Fund, HOME, Homeless Assistance Grants, Brownfields, HOPE VI, Section 108 Loan Guarantees, Self-Help and Assisted Homeownership Opportunity Program, and Fair Housing Activities.

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:

TITLE I—DEPARTMENT OF TRANSPORTATION

Federal Highway Administration	−35,772,424
Federal Motor Carrier Safety Administration, Motor Carrier Safety	−7,330,000
Federal Motor Carrier Safety Administration, National Motor Carrier Safety Program	−15,076,000
National Highway Traffic Safety Administration, Highway Traffic Safety Grants	−7,907,000

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Rent Supplement	−$40,600,000

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.

[In millions of dollars]

	302b allocation		This bill	
	Budget authority	Outlays	Budget authority	Outlays
Discretionary	67,400	136,446	67,400	[1] 136,444
Mandatory	0	0	0	0

[1] Includes outlays from prior-year budget authority.

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.

[In millions of dollars]

2011	[1] 49,459
2012	37,335
2013	15,992
2014	7,200
2015 and future years	9,264

[1] Excludes outlays from prior-year budget authority.

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.

[In millions of dollars]

	Budget authority	Outlays
Financial assistance to State and local governments for 2011	36,144	[1] 32,065

[1] Excludes outlays from prior-year budget authority.

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII 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.

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 considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

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 italic, existing law in which no change is proposed is shown in roman):

* * * * * * *

SECTION 1702 OF THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

SEC. 1702. PROJECT AUTHORIZATIONS.

Subject to section 117 of title 23, United States Code, the amount listed for each high priority project in the following table shall be available (from amounts made available by section 1101(a)(16) of this Act) for fiscal years 2005 through 2009 to carry out each such project:

Highway Projects
High Priority Projects

No.	State	Project Description	Amount
1	CA	Construct safe access to streets for bicyclists and pedestrians including crosswalks, sidewalks and traffic calming measures, Covina	$400,000
		* * * * * * *	
1366	NY	[Improve Long and Short Beach Road, Southampton] *Road and bridge improvements and storm water mitigation in the Town of Southampton*	$2,100,000
		* * * * * * *	
2252	WI	[Realign U.S. 8 near Cameron, Barron County] *Operational safety studies, final design and/or construction of intersection operational and safety improvements for USH 53 between Rice Lake and Superior, Wisconsin*	$1,600,000
		* * * * * * *	

SECTION 1602 OF THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

SEC. 1602. PROJECT AUTHORIZATIONS.

Subject to section 117 of title 23, United States Code, the amount listed for each high priority project in the following table shall be available (from amounts made available by section 1101(a)(13) of the Transportation Equity Act for the 21st Century) for fiscal years 1998 through 2003 to carry out each such project:

No.	State	Project description	(Dollars in millions)
1.	Georgia	I–75 advanced transportation management system in Cobb County	1.7

No.	State	Project description	(Dollars in millions)
		* * * * * * *	
414.	Massachusetts	[Environmental studies, preliminary engineering and design of North-South Connector in Pittsfield to improve access to I–90] *Engineering, design and construction of the North Street, Pittsfield, streetscaping project*	1.5
		* * * * * * *	
815.	Minnesota	[Construct grade separated interchange at south junction of TH 371/Brainerd bypass] *Highway 10 relocation, City of Wadena*	0.75
		* * * * * * *	

NATIONAL HOUSING ACT

* * * * * * *

TITLE II—MORTGAGE INSURANCE

* * * * * * *

INSURANCE OF MORTGAGES

SEC. 203. (a) * * *

* * * * * * *

(c)(1) * * *

(2) Notwithstanding any other provision of this section, each mortgage secured by a 1- to 4-family dwelling that is an obligation of the Mutual Mortgage Insurance Fund shall be subject to the following requirements:

(A) * * *

[(B) In addition to the premium under subparagraph (A), the Secretary shall establish and collect annual premium payments in an amount not exceeding 0.50 percent of the remaining insured principal balance (excluding the portion of the remaining balance attributable to the premium collected under subparagraph (A) and without taking into account delinquent payments or prepayments) for the following periods:

[(i) For any mortgage involving an original principal obligation (excluding any premium collected under subparagraph (A)) that is less than 90 percent of the appraised value of the property (as of the date the mortgage is accepted for insurance), for the first 11 years of the mortgage term.

[(ii) For any mortage involving an original principal obligation (excluding any premium collected under subparagraph (A)) that is greater than or equal to 90 percent of such value, for the first 30 years of the mortgage term; except that notwithstanding the matter preceding clause (i), for any mortgage involving an original principal obligation (excluding any premium collected under subparagraph (A)) that is greater than 95 percent of such value, the annual premium collected during the 30-year period under this

clause shall be in an amount not exceeding 0.55 percent of the remaining insured principal balance (excluding the portion of the remaining balance attributable to the premium collected under subparagraph (A) and without taking into account delinquent payments or prepayments).]

(B) In addition to the premium under subparagraph (A), the Secretary may establish and collect annual premium payments in an amount not exceeding 1.50 percent of the remaining insured principal balance (excluding the portion of the remaining balance attributable to the premium collected under subparagraph (A) and without taking into account delinquent payments or prepayments). The Secretary, by publication of a notice in the Federal Register, may establish or change the amount of the premium under subparagraph (A) or the annual premium, and the period of the mortgage term for which an annual premium amount shall apply.

* * * * * * *

INSURANCE OF HOME EQUITY CONVERSION MORTGAGES FOR ELDERLY HOMEOWNERS

SEC. 255. (a) * * *

* * * * * * *

(g) LIMITATION ON INSURANCE AUTHORITY.—[The aggregate number of mortgages insured under this section may not exceed 275,000.] In no case may the benefits of insurance under this section exceed the maximum dollar amount limitation established under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a 1-family residence.

* * * * * * *

SECTION 24 OF THE UNITED STATES HOUSING ACT OF 1937

SEC. 24. DEMOLITION, SITE REVITALIZATION, REPLACEMENT HOUSING, AND TENANT-BASED ASSISTANCE GRANTS FOR PROJECTS.

(a) * * *

* * * * * * *

(m) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section $574,000,000 for [fiscal year 2010.] *fiscal year 2011.*

* * * * * * *

(o) SUNSET.—No assistance may be provided under this section after [September 30, 2010.] *September 30, 2011.*

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

(division I of Public Law 108–447)

DIVISION I—DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

* * * * * * *

HOUSING PROGRAMS

* * * * * * *

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

[From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2004, and any collections made during fiscal year 2005 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.]

* * * * * * *

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2006

(title III of division A of Public Law 109–115)

DIVISION A—TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, Treasury, Housing and Urban Development, the Judiciary, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

* * * * * * *

TITLE III

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

* * * * * * *

HOUSING PROGRAMS

* * * * * * *

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

[From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2005, and any collections made during fiscal year 2006 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.]

* * * * * * *

SECTION 209 OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

SEC. 209. TERMINATION.

The Council shall cease to exist, and the requirements of this title shall terminate, on [October 1, 2006] *October 1, 2012*.

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: July 20, 2010
Measure: Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2011
Motion by: Mr. Culberson
Description of Motion: To decrease the amount of discretionary appropriations in the bill by $12,400,000,000, and to direct the director of the Office of Management and Budget to determine how the reductions will be allocated among the agencies.
Results: Rejected 20 yeas to 36 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Berry
Mr. Alexander	Mr. Bishop
Mr. Bonner	Mr. Boyd
Mr. Calvert	Mr. Chandler
Mr. Carter	Mr. Davis
Mr. Cole	Ms. DeLauro
Mr. Crenshaw	Mr. Dicks
Mr. Culberson	Mr. Edwards
Mrs. Emerson	Mr. Farr
Mr. Frelinghuysen	Mr. Fattah
Ms. Granger	Mr. Hinchey
Mr. Kingston	Mr. Honda
Mr. Latham	Mr. Israel
Mr. LaTourette	Mr. Jackson
Mr. Lewis	Ms. Kaptur
Mr. Rehberg	Mr. Kennedy
Mr. Rogers	Ms. Kilpatrick
Mr. Simpson	Ms. Lee
Mr. Wolf	Mrs. Lowey
Mr. Young	Ms. McCollum
	Mr. Mollohan
	Mr. Moran
	Mr. Murphy
	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Ms. Wasserman Schultz

ROLL CALL NO. 2

Date: July 20, 2010
Measure: Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2011
Motion by: Mr. Latham
Description of Motion: To decrease the amount of discretionary appropriations in several accounts of the bill by a total of $1,805,327,000.
Results: Rejected 18 yeas to 36 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Berry
Mr. Alexander	Mr. Bishop
Mr. Bonner	Mr. Boyd
Mr. Calvert	Mr. Chandler
Mr. Carter	Mr. Davis
Mr. Cole	Ms. DeLauro
Mr. Crenshaw	Mr. Dicks
Mr. Culberson	Mr. Edwards
Mrs. Emerson	Mr. Farr
Mr. Frelinghuysen	Mr. Fattah
Ms. Granger	Mr. Hinchey
Mr. Kingston	Mr. Honda
Mr. Latham	Mr. Israel
Mr. LaTourette	Mr. Jackson
Mr. Lewis	Ms. Kaptur
Mr. Rehberg	Mr. Kennedy
Mr. Simpson	Ms. Kilpatrick
Mr. Wolf	Ms. Lee
	Mrs. Lowey
	Ms. McCollum
	Mr. Mollohan
	Mr. Moran
	Mr. Murphy
	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Ms. Wasserman Schultz

ROLL CALL NO. 3

Date: July 20, 2010
Measure: Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2011
Motion by: Mr. Lewis
Description of Motion: To reduce highway funding if the Highway Trust Fund balance falls below $4,000,000,000 by the end of fiscal year 2012, and to strike section 124 regarding highway funding for the livable communities program.
Results: Rejected 17 yeas to 35 nays.

Members Voting Yea

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Rehberg
Mr. Simpson
Mr. Wolf

Members Voting Nay

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Moran
Mr. Murphy
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Ms. Wasserman Schultz

ROLL CALL NO. 4

Date: July 20, 2010
Measure: Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2011
Motion by: Mr. Carter
Description of Motion: To distribute discretionary highway and transit program funds, not allocated by this bill or by Public Law 109-59 (SAFETEA-LU), by existing highway and transit formulas.

Results: Rejected 19 yeas to 36 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Berry
Mr. Alexander	Mr. Bishop
Mr. Bonner	Mr. Boyd
Mr. Calvert	Mr. Chandler
Mr. Carter	Mr. Davis
Mr. Cole	Ms. DeLauro
Mr. Crenshaw	Mr. Dicks
Mr. Culberson	Mr. Edwards
Mrs. Emerson	Mr. Farr
Mr. Frelinghuysen	Mr. Fattah
Ms. Granger	Mr. Hinchey
Mr. Kingston	Mr. Honda
Mr. Kirk	Mr. Israel
Mr. Latham	Mr. Jackson
Mr. LaTourette	Ms. Kaptur
Mr. Lewis	Mr. Kennedy
Mr. Rehberg	Ms. Kilpatrick
Mr. Simpson	Ms. Lee
Mr. Wolf	Mrs. Lowey
	Ms. McCollum
	Mr. Mollohan
	Mr. Moran
	Mr. Murphy
	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Ms. Wasserman Schultz

CONGRESSIONAL EARMARKS

The following table is submitted in compliance with clause 9 of rule XXI, and lists the congressional earmarks (as defined in paragraph (e) of clause 9) contained in the bill or in this report. Neither the bill nor the report contain any limited tax benefits or limited tariff benefits as defined in paragraphs (f) or (g) of clause 9 of rule XXI.

DEPARTMENT OF TRANSPORTATION
[Presidentially Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)	
				Administration	House
FTA	CIG	Access to the Region's Core, NJ	$200,000,000	The President	Holt; Pallone; Pascrell; Sires; Rothman
FTA	CIG	BRT Project, CO	$24,163,000	The President	Polis; Salazar
FTA	CIG	Central Corridor LRT, MN	$45,000,000	The President	Ellison; McCollum
FTA	CIG	Central Florida Commuter Rail Transit—Initial Operating Segment, FL	$40,000,000	The President	
FTA	CIG	Central Subway LRT, CA	$20,000,000	The President	
FTA	CIG	Dulles Corridor Metrorail Project Ext. to Wiehle Ave., DC	$96,000,000	The President	Connolly (VA); Moran (VA)
FTA	CIG	E Street Corridor sbX BRT, CA	$42,630,000	The President	Baca
FTA	CIG	East Bay BRT, CA	$15,000,000	The President	Lee (CA)
FTA	CIG	East Corridor, CO	$40,000,000	The President	DeGette; Perlmutter
FTA	CIG	Gold Line, CO	$40,000,000	The President	DeGette; Perlmutter
FTA	CIG	King County BRT, WA	$21,274,000	The President	
FTA	CIG	Long Island Rail Road East Side Access, NY	$215,000,000	The President	
FTA	CIG	Mason Corridor BRT, CO	$5,450,573	The President	
FTA	CIG	MetroRapid BRT, TX	$24,229,796	The President	
FTA	CIG	Mid Jordan LRT, UT	$100,000,000	The President	
FTA	CIG	New Britain-Hartford Busway, CT	$45,000,000	The President	Larson (CT)

FTA	CIG	North Corridor LRT, TX	$75,000,000	The President	Green, Al; Green, Gene; Jackson Lee (TX)
FTA	CIG	Northwest/Southeast LRT MOS, TX	$86,249,717	The President	Johnson, Eddie Bernice
FTA	CIG	Nostrand Ave BRT, NY	$28,398,554	The President	
FTA	CIG	Perris Valley Line, CA	$23,490,000	The President	
FTA	CIG	Rail Transit Project—East Kapolei to Ala Moana Center, HI	$55,000,000	The President	Hirono
FTA	CIG	Second Avenue Subway Phase I, NY	$197,182,000	The President	Maloney
FTA	CIG	Southeast Corridor LRT, TX	$75,000,000	The President	Green, Al; Green, Gene; Jackson Lee (TX)
FTA	CIG	University Link LRT Extension, WA	$110,000,000	The President	
FTA	CIG	Van Ness Avenue BRT, CA	$15,000,000	The President	
FTA	CIG	Weber County to Salt Lake City Commuter Rail, UT	$80,000,000	The President	
FTA	CIG	West Corridor LRT, CO	$40,179,000	The President	DeGette

DEPARTMENT OF TRANSPORTATION

[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
DoT, OST	TPR&D	Chicago Aviation Education Initiative, IL	$250,000	Rush
DoT, OST	TPR&D	Great Lakes Maritime Research Institute, MN/WI	$1,000,000	Obey
DoT, OST	TPR&D	New England Freight Rail Infrastructure Study, MA	$300,000	Olver
FAA	AIP	Auburn-Lewiston Municipal Airport Phase 1 Runway 4/22 Safety Area Improvements/Extension, ME	$750,000	Michaud
FAA	AIP	Augusta Airport Runway Reconstruction and Safety Area Improvements, ME	$500,000	Pingree (ME)
FAA	AIP	Charlotte Monroe Executive Airport Ramp, Taxiway and Related Improvements, NC	$1,000,000	Kissell

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FAA	AIP	Charlottesville-Albemarle Airport (CHO) Extension of Runway 21, VA	$500,000	Perriello
FAA	AIP	Denver International Airport F7 Taxiway Construction, CO	$700,000	DeGette
FAA	AIP	Grand Forks Regional Airport (GFK) Passenger Terminal—Phase III, ND	$750,000	Pomeroy
FAA	AIP	Montrose Regional Airport Taxiway Bravo Extension, CO	$500,000	Salazar
FAA	AIP	Outagamie County Regional Airport Taxiway, Apron, and Signage Improvements, WI	$750,000	Kagen
FAA	AIP	Phoenix Sky Harbor International Airport Taxiway Alpha, AZ	$1,000,000	Pastor (AZ); Mitchell
FAA	AIP	Phoenix-Mesa Gateway Airport Papa (P) and Related Improvements, AZ	$1,000,000	Mitchell
FAA	AIP	Sawyer County Airport Land Acquisition and Landing System Improvements, WI	$1,750,000	Obey
FAA	AIP	Southwest Georgia Regional Airport Apron and Various Improvements, GA	$500,000	Bishop (GA)
FAA	AIP	Stinson Municipal Airport Taxilane Extension, TX	$1,000,000	Rodriguez
FAA	AIP	Virginia Highlands Airport Design and Land Acquisition, VA	$750,000	Boucher
FAA	F&E	Kingston Regional Airport ILS Upgrades, NC	$500,000	Butterfield
FHWA	Delta	Arkansas River Trail, AR	$500,000	Snyder
FHWA	Delta	Blytheville Overpass, AR	$1,000,000	Berry
FHWA	Delta	Higdon Ferry Road Widening, Hot Springs, AR	$1,000,000	Ross
FHWA	Delta	Holly Springs Road Project, DeSoto County, MS	$1,250,000	Childers
FHWA	Delta	I-555 Floodway Access Road, Poinsett County, AR	$1,500,000	Berry

FHWA	Delta	Northwest Tennessee Regional Port Authority, TN	$500,000	Tanner
FHWA	Delta	Old Taylor Road Roundabouts, MS	$500,000	Childers
FHWA	Delta	Reconstruction and Widening of U.S. 627 Bridge over Interstate 75, Madison County, KY	$750,000	Chandler
FHWA	Delta	Ridge Road Extension, Pearl River County, MS	$750,000	Taylor
FHWA	Delta	South Three Notch Street Improvement Project, AL	$750,000	Bright
FHWA	Delta	Washington Street Bridge Replacement, Vicksburg, MS	$1,500,000	Thompson (MS)
FHWA	FB	Berkeley Ferry Service, CA	$500,000	Pelosi; Lee (CA)
FHWA	FB	Commuter Ferry, MA	$1,000,000	Capuano
FHWA	FB	Ferry Landing in Pt. Mackenzie, AK	$1,000,000	Young (AK)
FHWA	FB	Ferry Terminal Dock for Statue of Liberty/Ellis Island, NY	$600,000	Nadler (NY)
FHWA	FB	Friday Harbor Ferry Terminal Pedestrian Access and Safety Improvements, WA	$230,000	Larsen (WA)
FHWA	FB	Golden Gate Ferry-Sausalito Ferry Facility Ramps and Gangways, CA	$500,000	Woolsey
FHWA	FB	Long Branch Pier and Ferry Terminal Design, Engineering, and Project Management, NJ	$1,000,000	Pallone
FHWA	FB	Port of Port Angeles Ferry Terminal Repairs, WA	$1,000,000	Dicks
FHWA	FB	Refurbishing, Enhancing, and Improving the Safety of the North and South Lynchburg Ferry Landings, TX	$700,000	Green, Gene
FHWA	FB	Salem Wharf Pier Project, MA	$1,000,000	Tierney
FHWA	FB	Vallejo Ferry Maintenance Facility, Vallejo, CA	$750,000	Miller, George
FHWA	FB	Vessel and Terminal Sewage Pump-out Systems Installation, Cape Cod, MA	$1,000,000	Delahunt
FHWA	FL	Blackstone River Bikeway, RI	$1,000,000	Kennedy
FHWA	FL	BRAC-Related Improvements for Harford County, MD	$1,500,000	Ruppersberger; Kratovil

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FHWA	FL	BRAC-Related Improvements, Anne Arundel County, MD	$1,500,000	Kratovil; Ruppersberger; Sarbanes
FHWA	FL	BRAC-Related Improvements, Montgomery County, MD	$500,000	Van Hollen
FHWA	FL	Diaz Ordaz International Border Crossing, TX	$500,000	Cuellar
FHWA	FL	Frederick Douglass Bridge Engineering, DC	$500,000	Norton; Hoyer
FHWA	FL	Gila County Control Road Improvements, AZ	$1,000,000	Kirkpatrick (AZ)
FHWA	FL	Golden Gate National Parks-Park Access, Transit and Trails, CA	$1,000,000	Pelosi
FHWA	FL	Great Highway Long-Term Solution Planning, CA	$500,000	Speier
FHWA	FL	Hoover Dam Bypass Bridge-Repayment of Debt Service Owed to Arizona, AZ	$1,000,000	Pastor (AZ)
FHWA	FL	Low Divide and Rowdy Creek Road Improvement Project, County of Del Norte, CA	$750,000	Thompson (CA)
FHWA	FL	Miccosukee Road Resurfacing Project, FL	$1,100,000	Meek (FL); Hastings (FL); Wasserman Schultz
FHWA	FL	New Frederick Douglass Memorial Bridge Design and Construction Project, DC	$2,000,000	Hoyer; Norton
FHWA	FL	Pedestrian Access Bridge Over Dulles Airport Access and Toll Road, VA	$1,000,000	Moran (VA)
FHWA	FL	Road Improvements, Wrangell Borough, AK	$250,000	Young (AK)
FHWA	FL	Saddle Road Improvements, Island of Hawaii, HI	$750,000	Hirono
FHWA	FL	SH 125: Michigan River Bridge, Jackson, CO	$750,000	Salazar
FHWA	FL	Southern Nevada Beltway Interchanges, NV	$1,000,000	Titus; Berkley
FHWA	FL	State Route 347 Grade Separation, Maricopa, AZ	$1,000,000	Grijalva; Pastor (AZ)

FHWA	FL	Stones River National Battlefield Auto Tour Road Expansion and Rehabilitation, Murfreesboro, TN	$500,000	Gordon (TN)
FHWA	FL	Swan Mountain Shared Use Pathway, Breckenridge, CO	$750,000	Polis
FHWA	FL	Travis Air Force Base North Gate Access Improvements, CA	$750,000	Garamendi
FHWA	FL	U.S. 199 Safety Improvements, Cave Junction, OR	$300,000	DeFazio
FHWA	IMD	Augusta North Connections-Exit 113, ME	$1,000,000	Pingree (ME); Michaud
FHWA	IMD	Avalon Boulevard Interchange Modification at the I-405, Carson, CA	$1,000,000	Richardson
FHWA	IMD	City of Moline I-74 Bridge Preconstruction and Construction, IL	$1,000,000	Hare
FHWA	IMD	Harrison County I-64 Interchange, IN	$1,000,000	Hill
FHWA	IMD	I-294 at I-57 Interchange, IL	$1,000,000	Rush
FHWA	IMD	I-390 Interchange, NY	$1,250,000	Slaughter
FHWA	IMD	I-5 North Stockton Lane Widening and Improvements Project, CA	$1,250,000	McNerney; Cardoza
FHWA	IMD	I-5 Widening from I-605 North to I-710 Environmental Phase, CA	$1,000,000	Roybal-Allard; Napolitano
FHWA	IMD	I-5/Kuebler Boulevard Interchange Improvements, OR	$1,000,000	Schrader
FHWA	IMD	I-64/22nd Street Interchange Reconfiguration, MO	$1,000,000	Clay
FHWA	IMD	I-71 Corridor Access, Cincinnati, OH	$1,000,000	Driehaus
FHWA	IMD	I-80/Gilman Street Interchange Improvement Project, Berkeley, CA	$1,000,000	Lee (CA)
FHWA	IMD	I-805/La Jolla Village Drive Interchange Project, San Diego, CA	$1,000,000	Davis (CA)
FHWA	IMD	I-85 in Davidson and Rowan Counties, NC	$1,000,000	Watt
FHWA	IMD	I-94 from East Dickinson Interchange, East-Westbound Lanes Reconstruction, Dickinson, ND	$1,000,000	Pomeroy
FHWA	IMD	I-95 Interchange at Yamato Road and Spanish River Boulevard Project, City of Boca Raton, FL	$500,000	Klein (FL)

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FHWA	IMD	I-95 Upgrades in Robeson County, NC	$1,000,000	McIntyre
FHWA	IMD	I-95/301 Interchange, SC	$2,000,000	Clyburn
FHWA	IMD	Interstate 225 and Colfax Avenue Reconfiguration, Aurora, CO	$1,250,000	Perlmutter
FHWA	IMD	Interstate 79/Mt. Morris Interchange Improvements, Greene County, PA	$1,000,000	Critz
FHWA	IMD	North Stockton I-5 Interchanges and French Camp Interchange/Arch Sperry Road Extension, Stockton, CA	$1,000,000	Cardoza; McNerney
FHWA	IMD	Raton South I-25 Interchange Reconstruction, Raton, Colfax County, NM	$750,000	Lujan
FHWA	IMD	Rehabilitate I-84 Bridges over Delaware and Neversink Rivers, NY	$1,000,000	Hall (NY)
FHWA	IMD	Widening of I-35, Waco, TX	$2,000,000	Edwards (TX)
FHWA	TCSP	2nd Avenue Bridge Reconstruction, City of Cambridge, MN	$750,000	Oberstar
FHWA	TCSP	705 Connector, Morgantown, WV	$450,000	Mollohan
FHWA	TCSP	7th (a) Road Project, IN	$650,000	Donnelly (IN)
FHWA	TCSP	Alabama 210/Ross Clark Circle Safety Lighting Project, AL	$450,000	Bright
FHWA	TCSP	Ansonia Riverwalk, CT	$400,000	DeLauro
FHWA	TCSP	Barre Commons Road Reconstruction and Drainage Improvements, MA	$1,050,000	Olver
FHWA	TCSP	Bayamon Circulation Arteries, PR	$450,000	Pierluisi
FHWA	TCSP	Berry Hill Road Connector Road Engineering and Right of Way Acquisitions, Pittsylvania County, VA	$400,000	Perriello
FHWA	TCSP	Bethany Road Reconstruction and Improvements, Sycamore, IL	$650,000	Foster

FHWA	TCSP	Boulder Bikes to Business Project, Boulder, CO	$250,000	Polis
FHWA	TCSP	Branford Street and Laurel Canyon Boulevard Flood Improvements, CA	$250,000	Berman
FHWA	TCSP	Broad/Main/Front/Hellertown Transportation Enhancements, Phase II, Quakertown, PA	$450,000	Murphy, Patrick
FHWA	TCSP	Brooklyn Waterfront Transportation Study, Brooklyn, NY	$450,000	Nadler (NY)
FHWA	TCSP	Byberry Road and Bustleton Avenue Intersection Improvements, Philadelphia, PA	$700,000	Schwartz
FHWA	TCSP	Capitol Expressway Pedestrian Improvements, CA	$240,000	Lofgren, Zoe
FHWA	TCSP	Carbon County Covered Bridge Repair Project, PA	$250,000	Kanjorski
FHWA	TCSP	Carlton Avenue Bridge, Brooklyn, NY	$900,000	Towns; Clarke
FHWA	TCSP	Chippewa Falls Downtown Reconstruction, WI	$730,000	Obey
FHWA	TCSP	Columbus Bicentennial Bikeways-West Side Improvement, Columbus, OH	$450,000	Kilroy
FHWA	TCSP	Construct Roadway and Bridges at the Intersection of Coalfields Expressway and King Coal Highway and from Dock Creek to Cedar Run, WV	$900,000	Rahall
FHWA	TCSP	Conway Village Main Street Streetscape and Pedestrian Improvements, NH	$450,000	Shea-Porter
FHWA	TCSP	Cooley Landing/San Francisco Bay Trail Construction, CA	$600,000	Eshoo
FHWA	TCSP	Coolidge Highway Resurfacing Project, MI	$750,000	Levin
FHWA	TCSP	CSAH 12 Extension/TH 14 Interchange, MN	$650,000	Walz
FHWA	TCSP	Design and Implementation of Transit Improvements at 83rd Street and Roosevelt Avenue, Jackson Heights, Queens, NY	$700,000	Crowley
FHWA	TCSP	Downtown Tacoma Streetscapes Improvement Project, WA	$1,000,000	Dicks
FHWA	TCSP	E. Stadium Bridges Replacement Project, City of Ann Arbor, MI	$450,000	Dingell
FHWA	TCSP	Eastern Gateway, MA	$900,000	Neal

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FHWA	TCSP	Edison Road Extension, CT	$1,000,000	DeLauro
FHWA	TCSP	Emergency Road Access and Improvement Project, PA	$650,000	Carney
FHWA	TCSP	Empire Corridor West High Speed Rail Improvements, Town of Tonawanda, Erie County, NY	$270,000	Slaughter; Higgins; Owens
FHWA	TCSP	First Avenue Bridge Replacement, NJ	$360,000	Payne
FHWA	TCSP	Glenwood Road Pedestrian Safety Improvements, GA	$450,000	Johnson (GA)
FHWA	TCSP	Harbor Brook Flood Control, CT	$650,000	Murphy (CT)
FHWA	TCSP	Hays-Travis Trail System, TX	$650,000	Doggett
FHWA	TCSP	Holbrook—Traffic Safety Signalization—Kings Road and S. Franklin, MA	$300,000	Lynch
FHWA	TCSP	I-75 Walking Bridge, St. Ignace, MI	$450,000	Stupak
FHWA	TCSP	Improvements to U.S. Route 15, State Route 45, and St. Mary's Street in E. Buffalo Township, PA	$450,000	Carney
FHWA	TCSP	Intersection Improvements around State Center, Baltimore, MD	$650,000	Cummings
FHWA	TCSP	Jefferson Avenue Improvements, City of Detroit, MI	$650,000	Kilpatrick (MI)
FHWA	TCSP	Lake Champlain Bridge, NY	$400,000	Owens
FHWA	TCSP	Leesburg North Bypass, GA	$450,000	Bishop (GA)
FHWA	TCSP	Legacy Farm Roadway and Main Street Improvements, Hopkinton, MA	$1,000,000	McGovern
FHWA	TCSP	Locust Avenue Bridge Replacement, City of Rye, NY	$600,000	Lowey
FHWA	TCSP	Los Banos Bypass Segment One, Los Banos, Merced County, CA	$400,000	Cardoza

FHWA	TCSP	Lowry Avenue Bridge Replacement Phase II, Minneapolis, MN	$900,000	Ellison
FHWA	TCSP	Lyons Road Improvements Section IV, Coconut Creek, FL	$650,000	Deutch
FHWA	TCSP	Marin-Sonoma Narrows, CA	$450,000	Woolsey
FHWA	TCSP	MD5/MD373/Brandywine Interchange Project, Prince George, MD	$1,400,000	Hoyer
FHWA	TCSP	Metro Gold Line Foothill Extension Phase 2B, CA	$650,000	Chu; Schiff
FHWA	TCSP	Monterey Bay Sanctuary Scenic Trail Project, CA	$450,000	Farr
FHWA	TCSP	Nassau County Street and Sidewalk Improvements, NY	$450,000	Israel
FHWA	TCSP	Nelson Hill Bridge Replacement, NY	$100,000	Murphy (NY)
FHWA	TCSP	New York Avenue Improvement Project-32nd Street to 48th Street, Union City, NJ	$450,000	Sires
FHWA	TCSP	Nogales Highway Railroad Bridge Overpass, AZ	$900,000	Giffords
FHWA	TCSP	North Main Street Reconstruction, Columbia, SC	$900,000	Clyburn
FHWA	TCSP	North Rhett Extension Project, SC	$500,000	Brown (SC)
FHWA	TCSP	Norwood Drive Reconstruction, PA	$700,000	Altmire
FHWA	TCSP	NW 66th Avenue Reconstruction and Kempton Bridge Replacement, Polk County, IA	$450,000	Boswell
FHWA	TCSP	Ogdensburg-Prescott International Bridge Rehabilitation Project, Ogdensburg, NY	$700,000	Owens
FHWA	TCSP	Pratt Trail in Salt Lake City, UT	$650,000	Matheson
FHWA	TCSP	Raleigh Outer Loop, Wake County, NC	$1,500,000	Price (NC)
FHWA	TCSP	Rand Avenue Reconstruction, IL	$600,000	Costello
FHWA	TCSP	Reconstruction of Congress Street Bridge, Bridgeport, CT	$450,000	Himes
FHWA	TCSP	Rehabilitation of Beacham Street, MA	$550,000	Markey (MA)

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FHWA	TCSP	Repair and Resurfacing of Critical Streets, Belle Glade, Palm Beach County, FL	$900,000	Hastings (FL)
FHWA	TCSP	Roadway Improvements-Route 70, Medford, NJ	$450,000	Adler (NJ)
FHWA	TCSP	Roadway Restoration, Village of Ardsley, NY	$500,000	Lowey
FHWA	TCSP	Rosemead Boulevard Underpass Repair Project, Pico Rivera, CA	$450,000	Napolitano
FHWA	TCSP	Route 1 Corridor Improvements Capital Project, MD	$650,000	Sarbanes; Cummings
FHWA	TCSP	Route 1/Route 123 Interchange (Phase I), VA	$500,000	Connolly (VA)
FHWA	TCSP	Route 29/250 Bypass Interchange Improvements, Engineering, Design, and Construction, Albemarle County, VA	$500,000	Perriello
FHWA	TCSP	Route 35/202 at Pine Grove Court and Stony Street, NY	$250,000	Hall (NY)
FHWA	TCSP	Route 6 and Silver Cross Boulevard Intersection Widening and Roadway Improvement, New Lenox, IL	$450,000	Halvorson
FHWA	TCSP	Route 82 Reconstruction and Widening, North Royalton, OH	$650,000	Sutton
FHWA	TCSP	Rutland Creek Path, VT	$650,000	Welch
FHWA	TCSP	Sacramento Intermodal Transportation Facility, CA	$500,000	Matsui
FHWA	TCSP	Safety Improvements on South Meadow Road, Clinton, MA	$250,000	McGovern
FHWA	TCSP	Scott Ranch Road Extension, AZ	$250,000	Kirkpatrick (AZ)
FHWA	TCSP	SE Main Avenue, 20th, 21st Street Underpass and Ancillary Improvements, City of Moorhead, MN	$450,000	Peterson
FHWA	TCSP	Seiberling Way Bridge Replacement, OH	$450,000	Ryan (OH)
FHWA	TCSP	Sellwood Bridge Replacement Project, Multnomah County, OR	$650,000	Blumenauer; Schrader; Wu

FHWA	TCSP	Sharpes Ferry Bridge, FL	$900,000	Grayson
FHWA	TCSP	Shot Pouch Creek Trail, SC	$650,000	Spratt
FHWA	TCSP	Sidewalk Construction in Ashland, Cherryland and Castro Valley Communities, Alameda County, CA	$200,000	Lee (CA)
FHWA	TCSP	Southeast Connector Final Design, Des Moines, IA	$650,000	Boswell
FHWA	TCSP	SR 510 Yelm Loop Project, WA	$250,000	Smith (WA)
FHWA	TCSP	SR 54, McDonough Road to U.S. 19/41 in Clayton County, GA	$650,000	Scott (GA)
FHWA	TCSP	Stansbury Transportation Improvements, KY	$650,000	Yarmuth
FHWA	TCSP	Structural Bridge Repairs, Fort Lauderdale, FL	$250,000	Klein (FL)
FHWA	TCSP	Telegraph Road Realignment, CA	$450,000	Sanchez, Linda
FHWA	TCSP	Transportation Corridor Study, Greencastle/Putnam County, IN	$450,000	Ellsworth
FHWA	TCSP	U.S. 34 Akron East Chip Seal, CO	$1,000,000	Markey (CO)
FHWA	TCSP	U.S. 50/Watt Avenue Interchange Modification, CA	$400,000	Matsui
FHWA	TCSP	U.S. Highway 101 High Occupancy Vehicle Widening Project, Carpinteria Creek Bridge, Carpinteria, Santa Barbara County, CA	$650,000	Capps
FHWA	TCSP	Unser Boulevard Extension, NM	$1,000,000	Heinrich
FHWA	TCSP	U.S. 401 in Cumberland, Harnett and Wake Counties, NC	$650,000	Etheridge
FHWA	TCSP	U.S. 281/FM493 Overpass, Hidalgo County, TX	$450,000	Hinojosa
FHWA	TCSP	Vesta Street Overpass, San Diego, CA	$450,000	Davis (CA)
FHWA	TCSP	Veterans Medical City Connector, FL	$650,000	Kosmas
FHWA	TCSP	Village of Barrington Route 14 Underpass, IL	$550,000	Bean
FHWA	TCSP	Walk Winthrop and the HarborWalk, MA	$750,000	Markey (MA)

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FHWA	TCSP	Warrensville/Van Aken Transit Oriented, OH	$450,000	Fudge
FHWA	TCSP	Washington Boulevard Traffic Signal Modernization, Commerce, CA	$650,000	Roybal-Allard
FHWA	TCSP	Westchase District Intermodal Transit and Pedestrian Access Improvements, TX	$450,000	Green, Al
FHWA	TCSP	Widening of Route 50 in Chillicothe, Ross County, OH	$450,000	Space
FRA	Grade Crossings	Empire Corridor West High Speed Rail Improvements, Cayuga County, NY	$360,000	Arcuri; Murphy (NY); Owens; Tonko
FRA	Grade Crossings	Empire Corridor West High Speed Rail Improvements, Oneida County, NY	$625,000	Murphy (NY); Arcuri; Tonko
FRA	Grade Crossings	Improvement to Safety Devices at Highway/Railway Grade Crossings, WI	$750,000	Baldwin
FRA	Grade Crossings	Traffic Separation Studies in Durham and Wake County, NC	$500,000	Price (NC)
FRA	Research	Northern Lights Express Intercity Passenger Rail Study, MN	$500,000	Oberstar
FTA	AA	Atlanta BeltLine, Inc. Tier 2 Environmental Impact Statement (EIS)/Preliminary Engineering, GA	$700,000	Lewis (GA)
FTA	AA	Glassboro Camden Line EIS Project, NJ	$750,000	Andrews
FTA	AA	Interstate 94 Transit Corridor, Ramsey and Washington Counties, MN	$750,000	McCollum
FTA	AA	LYNX Bus Rapid Transit Alternative Analysis, FL	$500,000	Brown, Corrine
FTA	AA	Naval Station Norfolk Light Rail Study, VA	$250,000	Nye
FTA	AA	OCTA Santa Ana-Garden Grove Fixed Guideway Construction, Santa Ana, CA	$250,000	Sanchez, Loretta
FTA	AA	Orange Line Extension Preliminary Engineering, IL	$475,000	Lipinski
FTA	AA	Phoenix West (Formerly I-10 West) Light Rail Extension, Phoenix, AZ	$1,000,000	Pastor (AZ)

FTA	AA	Red Line Extension, IL	$1,500,000	Jackson (IL)
FTA	AA	South Central Avenue Light Rail Feasibility Study, Phoenix, AZ	$750,000	Pastor (AZ)
FTA	Bus	Chicago Union Station Improvements, IL	$500,000	Davis (IL); Gutierrez
FTA	Bus	PVTA Regional Transit Traveler Information Systems Project, MA	$1,000,000	Olver
FTA	Bus	Aberdeen Intermodal Transit Center, MD	$750,000	Ruppersberger
FTA	Bus	ACE Boulder Highway Rapid Transit Project, NV	$2,000,000	Titus; Berkley
FTA	Bus	Bay Town Trolley Multi-Modal Facility, FL	$500,000	Boyd
FTA	Bus	Bergen Intermodal Improvements, NJ	$2,000,000	Rothman (NJ); Pascrell
FTA	Bus	Berkshire Regional Transit Authority, MA	$1,000,000	Olver
FTA	Bus	Bloomington Hybrid Buses, IN	$250,000	Hill
FTA	Bus	Brownsville Multi-Modal Terminal Facility, TX	$500,000	Ortiz
FTA	Bus	Bus and Bus Facilities, VI	$1,000,000	Christensen
FTA	Bus	Bus Replacement, Westchester County, NY	$2,000,000	Lowey; Engel
FTA	Bus	Capital Area Transit Bus and Bus Facilities, PA	$700,000	Holden
FTA	Bus	Chatham Area Transit Bus Replacement, GA	$1,000,000	Barrow
FTA	Bus	Chicago Ridge Metra Station Improvements, IL	$190,000	Lipinski
FTA	Bus	City of Rialto Metrolink Parking Lot Improvement, CA	$700,000	Baca
FTA	Bus	City of San Bernardino Intermodal Transit Center, CA	$500,000	Baca
FTA	Bus	City of Sante Fe Transit Department Bus Purchase, NM	$250,000	Lujan
FTA	Bus	Colorado Transit Coalition Statewide Bus and Bus Facilities, CO	$5,000,000	Polis; DeGette; Markey (CO); Perlmutter; Salazar

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FTA	Bus	Coralville Intermodal Center, IA	$700,000	Loebsack
FTA	Bus	Corpus Christi Regional Transportation Authority, TX	$500,000	Ortiz
FTA	Bus	COTA Electronic Fare Payment System, Columbus, OH	$1,300,000	Kilroy
FTA	Bus	Cypress Park Transit Bus and Bus Facilities, Los Angeles, CA	$400,000	Becerra
FTA	Bus	Dallas Area Rapid Transit Bus CNG Procurement, TX	$800,000	Johnson, Eddie Bernice
FTA	Bus	DAV Vehicles, Northport, NY	$500,000	Bishop (NY)
FTA	Bus	Dutchess County Mass Transit Facility Project, NY	$500,000	Hinchey
FTA	Bus	El Paso New Operations/Maintenance Facility, TX	$1,500,000	Reyes
FTA	Bus	Fair Lawn Community Shuttle Bus Program, NJ	$315,000	Rothman (NJ)
FTA	Bus	Falls Church Bus and Bus Facilities, VA	$725,000	Moran (VA)
FTA	Bus	Flint MTA Conversion of Paratransit Facilities to CNG, MI	$750,000	Kildee
FTA	Bus	Goldsboro Union Station, NC	$500,000	Butterfield
FTA	Bus	Greater Cleveland Regional Transit Authority Clifton Boulevard Transit Enhancements, OH	$750,000	Kucinich
FTA	Bus	Greater Cleveland Warrensville/Van Aken Multi-Modal Facility, OH	$550,000	Fudge
FTA	Bus	Greater Southeast Transit Terminal, Houston, TX	$500,000	Jackson Lee (TX)
FTA	Bus	GRTC Downtown Multimodal Center, Richmond, VA	$500,000	Scott (VA)
FTA	Bus	IndyGo Transit Bus Replacement Project, IN	$1,000,000	Carson (IN)

FTA	Bus	Joliet Multimodal Transportation Center, IL	$550,000	Halvorson
FTA	Bus	JTA Regional Transit Authority Multi-Modal Facility, FL	$500,000	Brown, Corrine
FTA	Bus	LexTran Vehicle Maintenance Facility Improvements, KY	$600,000	Chandler
FTA	Bus	Littleton Intermodal Parking Facility, MA	$1,200,000	Tsongas
FTA	Bus	Los Angeles Boyle Heights DASH Bus, CA	$420,000	Roybal-Allard
FTA	Bus	Los Angeles Florence-Firestone/Walnut Park Transit Vehicles, CA	$300,000	Sanchez, Linda; Roybal-Allard
FTA	Bus	Los Angeles Midtown DASH Community Circulator Bus Expansion Project, CA	$1,000,000	Watson
FTA	Bus	Los Lunas Intermodal Transportation Center, NM	$1,000,000	Teague
FTA	Bus	MARTA Bus, Bus Facilities and Security Improvements, GA	$3,000,000	Johnson (GA); Lewis (GA); Scott (GA)
FTA	Bus	METRO Bus and Bus Facilities, Houston, TX	$1,000,000	Jackson Lee (TX); Green, Gene; Green, Al
FTA	Bus	Milwaukee County Buses, WI	$1,000,000	Moore (WI)
FTA	Bus	Montebello Bus Lines and Norwalk Transit Agency Bus Replacement Project, CA	$500,000	Napolitano
FTA	Bus	Monterey-Salinas Transit Intelligent Transportation Systems (ITS) Security Systems Upgrade, CA	$800,000	Farr
FTA	Bus	Municipal Transit Operators Coalition Clean Fuel Bus Purchase, CA	$2,000,000	Waters; Harman; Watson
FTA	Bus	Mustang Park and Ride Structure, Scottsdale, AZ	$500,000	Mitchell
FTA	Bus	New Center Intermodal Transportation Facility, Wayne, MI	$1,350,000	Kilpatrick (MI)
FTA	Bus	Newburyport Intermodal Parking Facility, MA	$500,000	Tierney
FTA	Bus	Pace Paratransit Vehicles, IL	$1,400,000	Foster; Bean; Davis (IL); Gutierrez; Jackson (IL); Quigley; Schakowsky
FTA	Bus	Port Authority Allegheny County Hybrid Buses, PA	$600,000	Doyle
FTA	Bus	Port of Galveston Transit Terminal Parking, TX	$1,250,000	Paul

DEPARTMENT OF TRANSPORTATION—Continued
[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)
FTA	Bus	Potomac Yard-Crystal City Transit Way, VA	$1,250,000	Moran (VA)
FTA	Bus	Replacement Buses for Urban Transit Systems in the Triangle, NC	$2,500,000	Price (NC); Etheridge; Miller (NC)
FTA	Bus	Riverview Corridor Bus Acquisition and Facilities, MN	$750,000	McCollum
FTA	Bus	Rochester Intermodal Transportation Center, NY	$2,500,000	Slaughter
FTA	Bus	SEPTA 69th Street Terminal, PA	$500,000	Sestak
FTA	Bus	SEPTA Levittown Station Intermodal Improvements, PA	$600,000	Murphy, Patrick
FTA	Bus	South Hampton Roads Satellite Transit Operating Facility, VA	$1,500,000	Nye
FTA	Bus	Southern Maryland Commuter Bus Initiative, MD	$1,500,000	Hoyer
FTA	Bus	Stark Area Buses Regional Transit Authority, OH	$800,000	Boccieri
FTA	Bus	Suffolk County Bus and Bus Facilities, NY	$750,000	Bishop (NY)
FTA	Bus	Tennessee Statewide Bus and Bus Facilities, TN	$1,000,000	Davis (TN)
FTA	Bus	Transit Center, California State University, Northridge, CA	$500,000	Sherman
FTA	Bus	Unified Government Transit Buses and Bus Facilities, KS	$800,000	Moore (KS)
FTA	Bus	Union Passenger Terminal, LA	$1,250,000	Cao
FTA	Bus	Union Station Intermodal Center, DC	$500,000	Norton
FTA	Bus	Vacaville Intermodal Station-Phase 2, Vacaville, CA	$750,000	Miller, George
FTA	Bus	VIA Bus Fleet Modernization, TX	$2,400,000	Rodriguez; Gonzalez

FTA	Bus	VIA Fredericksburg Road Bus Rapid Transit Corridor, TX	$1,000,000	Gonzalez
FTA	Bus	Washington Avenue Port Plaza and Intermodal Center, WA	$1,000,000	Dicks
FTA	Bus	Watts DASH Community Circulator Bus Project, CA	$200,000	Richardson
FTA	CIG	Baltimore Red Line, MD	$1,500,000	Cummings; Sarbanes
FTA	CIG	BART Silicon Valley Project, CA	$2,000,000	Honda; Lofgren, Zoe
FTA	CIG	Crenshaw/LAX Transit Project, CA	$750,000	Harman; Schiff; Waters; Watson
FTA	CIG	Downtown Transit Corridor Program, Downtown Circulator -- The Wave, FL	$1,750,000	Wasserman Schultz; Hastings (FL)
FTA	CIG	Green Line Extension to Route 16 from Tufts, MA	$500,000	Capuano
FTA	CIG	Houston Commuter Rail Service in Harris and Fort Bend County (US 90A), TX	$1,000,000	Green, Al; Green, Gene; Jackson Lee (TX)
FTA	CIG	Purple Line, MD	$1,500,000	Edwards (MD); Van Hollen
FTA	CIG	Sonoma-Marin Area Rail Transit (SMART), CA	$1,000,000	Woolsey
FTA	CIG	South Shore Commuter Rail Capital Reinvestment Plan, NICTD, IN	$1,000,000	Visclosky
FTA	CIG	Stamford Urban Transitway, CT	$1,000,000	Himes
FTA	CIG	West Eugene EmX, OR	$1,000,000	DeFazio
FTA	Research	City of College Station Public Transportation Initiative, TX	$150,000	Edwards (TX)
FTA	Research	CTAA Job links, DC	$2,400,000	Olver
FTA	Research	Project Transit, Philadelphia, PA	$1,000,000	Fattah
FTA	Research	Queens College Barriers to Public Transportation Survey, NY	$250,000	Weiner

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
[Congressionally Directed Spending Items]

Agency	Account	Recipient	Project	Amount	Requester(s)
HUD	EDI	American Legion Post 139, CA	Rehabilitation and Renovation of an American Legion Hall	$95,000	Schiff
HUD	EDI	American Red Cross, Cincinnati Area Chapter, OH	Construction and Build Out of a Regional Red Cross Hub	$750,000	Driehaus
HUD	EDI	Appalachia Service Project, TN	Home Repair Program for Low-Income Families	$350,000	Davis (TN)
HUD	EDI	ARC Community Services, MA	Renovate a Building that Provides Services for Individuals with Developmental Disabilities	$300,000	Olver
HUD	EDI	Ashunti Residential Management Systems Inc., IL	Renovation of Existing Facilities	$600,000	Davis (IL)
HUD	EDI	Atlanta Center for Civil and Human Rights, GA	Construction of a Civil Rights Museum and Visitor Center in Downtown Atlanta	$500,000	Lewis (GA)
HUD	EDI	Black Economic Union of Greater Kansas City, MO	Planning, Design, Renovation and Revitalization of a Historic Building	$1,000,000	Cleaver
HUD	EDI	Blue Springs Hoke County CDC, NC	Acquisition of Land for an Affordable Housing Initiative	$500,000	Kissell
HUD	EDI	Boys Town of Chicago, IL	Construction of Housing for Low-Income Youth	$500,000	Gutierrez
HUD	EDI	Bristol Boys and Girls Club Association, CT	Planning, Design and Construction of a Boys and Girls Club	$1,000,000	Larson (CT)
HUD	EDI	Brooke County Commission, WV	Development and Construction of a Park and Memorial	$400,000	Mollohan
HUD	EDI	Brooklyn Navy Yard Development Corporation, NY	Design and Construction of a Facility	$500,000	Velazquez; Towns
HUD	EDI	Bucks County Housing Development Corporation, PA	Construction of Affordable Housing for Disabled Veterans	$500,000	Murphy, Patrick
HUD	EDI	CAMBA, Inc., NY	Construction of Supportive Housing	$1,000,000	Clarke
HUD	EDI	Chabad of the Valley, CA	Renovation of a Facility	$250,000	Sherman
HUD	EDI	Charles City County, VA	Construction of a Library Facility	$500,000	Scott (VA)

HUD	EDI	Charles County, Department of Community Services, MD	Renovation of Low-Income Housing	$300,000	Hoyer
HUD	EDI	Chicanos Por La Causa, Inc., AZ	Building Rehabilitation for a Workforce Readiness Center	$400,000	Pastor (AZ)
HUD	EDI	Children's Museum of Tampa, FL	Construction of a Facility	$750,000	Castor (FL)
HUD	EDI	City of Albany, NY	Construction and Renovation of a Facility	$750,000	Tonko
HUD	EDI	City of Astoria, OR	Construction of a Park	$800,000	Wu
HUD	EDI	City of Burbank, CA	Planning, Design and Construction of a Library	$100,000	Schiff
HUD	EDI	City of Canton, OH	Infrastructure Improvement and Streetscaping for Mahoning Road Economic Development Project	$500,000	Boccieri
HUD	EDI	City of Chicago, IL	Construction of Veterans Housing	$750,000	Quigley
HUD	EDI	City of Cleburne, TX	Construction of the Lake Pat Cleburne Trail System	$250,000	Edwards (TX)
HUD	EDI	City of Cortland, NY	Engineering, Preparation and Construction of a Community Center	$400,000	Arcuri
HUD	EDI	City of Creedmoor, NC	Planning and Design for a Community Center	$500,000	Miller (NC)
HUD	EDI	City of Dubuque, IA	Renovation of Buildings to Create Affordable Workforce Housing	$750,000	Braley (IA)
HUD	EDI	City of Durham, NC	Streetscaping of Fayetteville Street Corridor Project	$500,000	Price (NC)
HUD	EDI	City of Ecorse, MI	Demolition of Blighted Buildings	$1,000,000	Kilpatrick (MI)
HUD	EDI	City of Enterprise, AL	Demolition, Planning, Construction, and Renovation of Downtown Business District	$500,000	Bright
HUD	EDI	City of Fort Lauderdale, FL	Streetscaping in Underserved Communities	$500,000	Hastings (FL)
HUD	EDI	City of Fullerton, CA	Demolition, Planning, Design and Construction of a Community Center	$500,000	Sanchez, Loretta
HUD	EDI	City of Gary, IN	Demolition of Buildings and Neighborhood Redevelopment	$500,000	Visclosky
HUD	EDI	City of Glens Falls, NY	Land Acquisition and Rehabilitation of a Community Service Center	$500,000	Murphy (NY)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	Recipient	Project	Amount	Requester(s)
HUD	EDI	City of Gonzales, LA	Park Improvements	$250,000	Melancon
HUD	EDI	City of Grants, NM	Planning, Design, Construction and Build Out of a Library	$750,000	Teague
HUD	EDI	City of Green Bay, WI	Demolition of a Blighted Building	$1,000,000	Kagen
HUD	EDI	City of Inkster, MI	Construction of a Senior Center	$550,000	Dingell
HUD	EDI	City of La Joya, TX	Construction of Youth Facilities	$500,000	Cuellar
HUD	EDI	City of Lawndale, CA	Design and Construction of a Community Center	$500,000	Waters
HUD	EDI	City of Mount Rainier, MD	Planning and Design of a Library	$350,000	Van Hollen
HUD	EDI	City of New Bedford, MA	Demolition and Construction of an ADA-Compliant Pedestrian Bridge	$750,000	Frank (MA)
HUD	EDI	City of Port Orchard, WA	Parcel Acquisition and Project Design	$500,000	Dicks
HUD	EDI	City of River Rouge, MI	Demolition of Blighted Buildings	$500,000	Kilpatrick (MI)
HUD	EDI	City of Salem, OR	Construct Waterline Improvements	$500,000	Schrader
HUD	EDI	City of Stevens Point, WI	Environmental Remediation and Development within the City of Stevens Point	$750,000	Obey
HUD	EDI	City of Toledo, OH	Ohio Broadway Street Corridor Enhancement	$1,000,000	Kaptur
HUD	EDI	City of Tucson, AZ	Stabilization and Renovation of the Historic Marist College Building	$500,000	Grijalva
HUD	EDI	City of Warren, MI	Facility and Security Improvements to Senior Apartments	$750,000	Levin
HUD	EDI	City of Winter Park, FL	Acquisition of Land for Expansion of a Park	$250,000	Kosmas
HUD	EDI	City of Worcester, MA	Gardner-Kilby-Hammond Neighborhood Revitalization	$450,000	McGovern

HUD	EDI	Community Advocates, Inc., WI	Acquisition and Remodeling of a Facility	$250,000	Moore (WI)
HUD	EDI	Community Development Corporation of South Berkshire, MA	Redevelopment of the Former Searles Bryant School Complex in Great Barrington	$600,000	Olver
HUD	EDI	Community Food Bank, Inc., AZ	Installation of Solar Panels	$200,000	Giffords
HUD	EDI	Community Hospitals of Central California Foundation, dba Community Medical Foundation, CA	Design, Construction, Engineering, Furnishings and Equipment	$750,000	Costa
HUD	EDI	Comprehensive Community Action, Inc., RI	Renovations including Energy Efficient Upgrades	$250,000	Langevin
HUD	EDI	Concourse House, HDFC, NY	Renovation of a Facility	$150,000	Serrano
HUD	EDI	Connecticut Food Bank, Inc., CT	Renovation of a Facility	$1,000,000	DeLauro
HUD	EDI	Coos County Historical Society, OR	Planning, Development and Construction of a Facility	$500,000	DeFazio
HUD	EDI	Covenant House, LA	Acquisition of Land for a Low-Income Youth Initiative	$250,000	Cao
HUD	EDI	Davis Street Community Center, Inc., CA	Building Acquisition	$500,000	Stark
HUD	EDI	Domestic Abuse Intervention Services, Inc., WI	Construction of a Domestic Violence Shelter	$300,000	Baldwin
HUD	EDI	East Hartford Housing Authority, CT	ADA Upgrades to and Renovation of a Community Center	$500,000	Larson (CT)
HUD	EDI	Emlenton Borough, PA	Redevelopment of a Former Industrial Site	$150,000	Dahlkemper
HUD	EDI	Essex County Family Justice Center, NJ	Renovations of Essex County Family Justice Center	$700,000	Payne; Pascrell; Sires
HUD	EDI	Family Service Association of San Antonio, TX	Renovation and Upgrades of a Roof, HVAC and Other Facilities	$500,000	Gonzalez
HUD	EDI	Friends of the Waterboro Public Library, ME	Construction of a Community Center	$500,000	Pingree (ME)
HUD	EDI	Glenridge Senior Citizen Multi-Service & Advisory Center, Inc, NY	Construction of a Community Center	$230,000	Velazquez
HUD	EDI	Hilltown Community Development Corporation, MA	Development of Energy-Efficient Affordable Senior Housing	$300,000	Olver

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	Recipient	Project	Amount	Requester(s)
HUD	EDI	Historic Seattle, WA	Restoration and Preservation of Washington Hall	$475,000	McDermott
HUD	EDI	Island Municipality of Rota, MP	Design and Renovation of a Facility	$500,000	Sablan
HUD	EDI	Isles, Inc., NJ	Construction of a Green Job Training Center	$300,000	Holt
HUD	EDI	Josephine Solomon Ellis Foundation—CDC, PA	Construction of Low-Income Housing	$500,000	Brady (PA)
HUD	EDI	Joseph's Home, Inc., NY	Rehabilitation of a Community Room for Veterans	$350,000	Engel
HUD	EDI	Kips Bay Boys & Girls Club, NY	Construction, Renovations and Equipment	$75,000	Crowley
HUD	EDI	Kittay House, Jewish Home Lifecare, Inc, NY	Building Renovation and Repairs	$200,000	Serrano
HUD	EDI	Lake Eufaula Association, OK	Construction of a Facility	$400,000	Boren
HUD	EDI	Lawrence Economic Development Corporation, OH	Redevelopment of a Park	$700,000	Wilson (OH)
HUD	EDI	Liberty House Shelter Inc, NH	Building Acquisition for Housing for Homeless Veterans	$250,000	Shea-Porter
HUD	EDI	Los Angeles County Department of Parks and Recreation, CA	Construction of a Park	$300,000	Schiff
HUD	EDI	Lutheran Social Service of Minnesota, MN	Renovation of Homes for the Disabled	$225,000	Oberstar; Ellison
HUD	EDI	Luzerne County Commissioners, PA	Infrastructure Improvements at the Crestwood and Hanover Industrial Parks	$750,000	Kanjorski
HUD	EDI	Martin House Restoration Corporation, NY	Restoration and Improvements to the Historic Darwin Martin House Home and Complex	$1,000,000	Higgins; Slaughter
HUD	EDI	Middlesex Community College, MA	Planning, Design and Renovation of a Historic Building	$300,000	Tsongas
HUD	EDI	Morehouse College, GA	Construction of a Facility to Display the Papers of Martin Luther King, Jr.	$500,000	Lewis (GA)

HUD	EDI	Mount Washington Community Development Corporation, PA	Planning and Construction of a Trail	$100,000	Doyle
HUD	EDI	Municipality of Yauco, PR	Construction of a Children's Playground	$150,000	Pierluisi
HUD	EDI	Museum for African Art, NY	Streetscaping	$500,000	Rangel
HUD	EDI	My Sister's House, CA	Renovation of Asian and Pacific Islander Domestic Violence Survivor Home	$250,000	Matsui
HUD	EDI	National Civil Rights Museum, TN	Renovation of a Facility	$750,000	Cohen
HUD	EDI	Nepperhan Community Center, Inc., NY	Renovation of a Community Center	$200,000	Engel
HUD	EDI	New River Community and Technical College, WV	Acquisition and Renovation of a Building to be Used as Technical Training Center	$600,000	Rahall
HUD	EDI	Niles Township Government, IL	Renovation of a Facility for the Niles Township Food Pantry	$250,000	Schakowsky
HUD	EDI	Northern Illinois Food Bank, IL	Construction of a Facility	$300,000	Foster
HUD	EDI	Old Sturbridge Village, MA	Renovation of Historic Buildings	$135,000	Neal
HUD	EDI	Paul J. Cooper Center for Human Services, Inc., NY	Building Acquisition, Renovation, Expansion and Build out of a Facility	$300,000	Towns
HUD	EDI	People in Progress, Inc., CA	Acquisition of a Building for Homeless Veterans	$380,000	Berman
HUD	EDI	Porter County Government, IN	Streetscaping	$500,000	Visclosky
HUD	EDI	Positive Workforce INC., NY	Completion of a Job Training Facility	$250,000	Rangel
HUD	EDI	Project Angel Food, CA	Installation of a Roof and Solar Energy Panels	$150,000	Becerra
HUD	EDI	ProLiteracy, NY	Planning, Design and Construction of a Building	$1,000,000	Maffei
HUD	EDI	Providence Community Action Program, RI	Renovation and Rehabilitation of a Community Center	$750,000	Langevin
HUD	EDI	Rebuilding Together Broward County, Inc., FL	Renovations to Low-Income Housing	$250,000	Wasserman Schultz
HUD	EDI	Red Lake Band of Chippewa Indians, MN	Planning, Design and Construction of a Multi-Purpose Facility	$1,000,000	Peterson

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	Recipient	Project	Amount	Requester(s)
HUD	EDI	Redevelopment Authority of the County of Westmoreland, PA	Redevelopment of a Brownfield Site	$250,000	Critz
HUD	EDI	Rum River Health Services, Inc., MN	Construction of Temporary and Permanent Supportive Housing Units	$500,000	Oberstar
HUD	EDI	Senior Services of Snohomish County, WA	Construction and Equipment for a Service Delivery Facility	$500,000	Larsen (WA)
HUD	EDI	Southern Queens Park Association, Inc., NY	Modernization and Improvements to Roy Wilkins Complex	$800,000	Meeks (NY)
HUD	EDI	St. Louis Development Corporation, MO	Development of Road and Stormwater Infrastructure for Carondelet Commons Business Park Development	$750,000	Carnahan
HUD	EDI	Suwannee County Board of County Commissioners, FL	Engineering, Design and Construction of a Library	$500,000	Boyd
HUD	EDI	The Children's Aid Society's Goodhue Center, NY	Acquisition of Land for a Park	$1,000,000	McMahon
HUD	EDI	The Children's Campus of Kansas City, Inc., KS	Facility Upgrades	$200,000	Moore (KS)
HUD	EDI	The Neighborhood House Charter School, MA	Planning and Construction of a Facility	$300,000	Lynch
HUD	EDI	The Resurrection Project, IL	Planning, Design, and Construction of a Residence Hall for Low-Income Youth	$500,000	Gutierrez
HUD	EDI	Three Square Food Bank, NV	Construction of a Solar Power Array	$750,000	Berkley; Titus
HUD	EDI	Tibbits Opera House, MI	Renovation and Restoration of a Facility	$150,000	Schauer
HUD	EDI	Toledo Metropolitan Area Council of Governments, OH	Construction of a Facility	$2,500,000	Kaptur
HUD	EDI	Town of Braintree, MA	Restoration and Rehabilitation of the Original Thayer Library	$500,000	Lynch
HUD	EDI	Town of Hempstead, Department of Planning & Economic Development, NY	Streetscaping	$750,000	McCarthy (NY)

HUD	EDI	Town of Islip, NY	Restoration and Renovation of Veteran Facilities	$500,000	Israel
HUD	EDI	Town of Madison, WI	Construction of the Novation Technology Campus Redevelopment Project	$500,000	Baldwin
HUD	EDI	Town of North Castle, NY	Streetscaping	$200,000	Lowey
HUD	EDI	Town of Seymour, CT	Construction of a Community Center	$100,000	DeLauro
HUD	EDI	Town of South Boston, VA	Renovations and Development of a Community Center	$750,000	Perriello
HUD	EDI	Town of Sprague, CT	Renovation of a Senior Housing Complex	$750,000	Courtney
HUD	EDI	Town of Steilacoom, WA	Construction and Expansion of a Community Center	$500,000	Smith (WA)
HUD	EDI	Township of Moorestown, NJ	Reconstruction of a Library	$750,000	Adler (NJ)
HUD	EDI	Tubman African American Museum, GA	Construction of a Facility	$500,000	Marshall
HUD	EDI	Ulster County, NY	Rehabilitation and Stabilization of a National Historic Landmark	$350,000	Hinchey
HUD	EDI	Union City Family Support Center, PA	Renovation of a Facility	$200,000	Dahlkemper
HUD	EDI	Variety Boys and Girls Club, CA	Demolition and Reconstruction of a Facility	$200,000	Roybal-Allard
HUD	EDI	Veterans Green Jobs, CO	Planning, Design and Renovation of a Disabled Veterans Green Jobs Training Center	$500,000	Salazar
HUD	EDI	Veterans Museum of Mid Ohio Valley, WV	Acquisition, Construction and Renovation of a Veterans Museum	$300,000	Mollohan
HUD	EDI	Veterans of Foreign Wars, William F. Taylor Post 9486, NY	Renovation of a Veterans Facility	$70,000	Bishop (NY)
HUD	EDI	Vienna Town Council, VA	Streetscaping	$500,000	Connolly (VA)
HUD	EDI	Village of North Riverside, IL	Construction and Build Out of a Park	$135,000	Lipinski
HUD	EDI	Village of Port Washington, NY	Revitalization of Manhasset Bay Waterfront	$750,000	Ackerman
HUD	EDI	Whitman Walker Clinic, Inc., DC	Planning, Design and Construction	$400,000	Norton
HUD	EDI	Williamsburg County, SC	Construction of a Community Center	$1,000,000	Clyburn

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	Recipient	Project	Amount	Requester(s)
HUD	EDI	Woodward Development Corporation, OH	Renovation of a Building in Downtown Mount Vernon	$750,000	Space
HUD	EDI	Wynnefield Overbrook Revitalization Corporation (WORC), PA	Streetscaping and Infrastructure for WORC Commercial Center	$500,000	Brady (PA); Fattah
HUD	EDI	YMCA of San Diego County, CA	Planning, Design and Construction of a Housing and Community Center	$1,500,000	Filner
HUD	EDI	YMCA of San Francisco, Bayview Hunters Point branch, CA	Renovation Costs Associated with Expansion of a Community Center	$600,000	Pelosi
HUD	EDI	YMCA of San Francisco, Chinatown YMCA branch, CA	Construction of Transitional Housing Units for Domestic Violence Victims	$500,000	Pelosi
HUD	EDI	York County Community Development Corporation, SC	Construction of a Neighborhood Community Center	$700,000	Spratt
HUD	EDI	Youngstown Edison Incubator Corporation dba Youngstown Business Incubator, OH	Renovation of a Facility	$700,000	Ryan (OH)
HUD	EDI	YWCA of Northwest Georgia, GA	Construction and Renovation of a Domestic Violence Shelter and Outreach Facility	$250,000	Scott (GA)
HUD	EDI	YWCA of Silicon Valley, CA	Renovation of a Domestic Violence Shelter	$350,000	Honda
HUD	EDI	YWCA Southeastern Massachusetts, MA	Building Expansion and Construction	$475,000	Frank (MA)
HUD	EDI	Zavala County, TX	Construction and Renovation of Facilities for Senior Citizens	$300,000	Rodriguez
HUD	NI	City and County of San Francisco, Mayor's Office of Housing, CA	For Critical Infrastructure and Housing Development Work	$1,250,000	Pelosi
HUD	NI	City of Jackson, MI	Demolition of Buildings and Neighborhood Redevelopment	$1,500,000	Schauer
HUD	NI	City of Wausau Community Development Area, WI	Acquisition and Remediation of Blighted Properties	$2,000,000	Obey

HUD	NI	Community Legal Services of Mid-Florida, FL	Housing Counseling and Foreclosure Modification	$500,000	Grayson
HUD	NI	Greenfield Community College, MA	Renovation of Buildings	$1,000,000	Olver
HUD	NI	Los Angeles Neighborhood Housing Services, Inc., CA	Counsel and Assist Homeowners Facing Foreclosures	$500,000	Becerra
HUD	NI	National Council of La Raza, DC	Capitalization of a Revolving Loan Fund to be Used for Nationwide Community Development Activities	$1,000,000	Gutierrez; Hinojosa
HUD	NI	New Hampshire Food Bank, NH	Expansion of Food Assistance Programs	$1,000,000	Shea-Porter
HUD	NI	Shelter Network of San Mateo County, CA	Shelter Network's Maple Street Project	$200,000	Speier
HUD	NI	United Way for Southeastern Michigan, MI	Foreclosure Prevention Program	$1,500,000	Conyers
HUD	NI	Wisconsin Indianhead Technical College, WI	Construction of a Training Center	$1,750,000	Obey

DEPARTMENT OF TRANSPORTATION AND HUD
[Technical Corrections]

Project	Project Requester(s)
I-80 Exits 298/299 Improvements, Monroe County, PA	Kanjorski
Chetek-area Transportation System Improvements, Chetek, WI	Obey
Pacific Way Bridge, County of Marin, CA	Woolsey
Signal at Flamingo/Highway 1, County of Marin, CA	Woolsey
Design and construction of improvements to Route 28 corridor adjacent to the I-495/Route 28 interchange in Wareham, MA	Frank
Cabot North Interchange, AR	Berry
Construction and upgrades at four grade crossings in Olmsted Falls, OH	Kucinich
Reconstruction and reconfiguration of the northbound off-ramp from Interstate 95 to Bartow/Baychester Avenue, Bronx, NY	Crowley
Newton County Eastside High School to County Library Trail, GA	Marshall

DEPARTMENT OF TRANSPORTATION AND HUD—Continued

[Technical Corrections]

Project	Project Requester(s)
Road and bridge improvements and storm water mitigation in the Town of Southampton, NY	Bishop, Timothy
Operational safety studies, final design and/or construction of intersection operational and safety improvements for USH 53 between Rice Lake and Superior, WI	Obey
Engineering, design and construction of the North Street, Pittsfield, streetscaping project, MA	Olver
Highway 10 relocation, City of Wadena, MN	Oberstar
Renovation of blighted structures to enhance downtown development in the City of Wilson, NC	Butterfield
New York State Department of Environmental Conservation for planning and design of the Catskill Visitor Interpretative Center, NY	Hinchey
Charles County Department of Human Services for acquisition and rehabilitation of a facility, Port Tobacco, MD	Hoyer

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 2010 enacted amounts and budget estimates presented for fiscal year 2010.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	102,686	117,000	111,615	+8,929	-5,385
Immediate Office of the Secretary	(2,631)	(2,667)	(2,667)	(+36)	---
Immediate Office of the Deputy Secretary	(986)	(1,000)	(1,000)	(+14)	---
Office of the General Counsel	(20,359)	(19,711)	(19,711)	(-648)	---
Office of the Under Secretary of Transportation for Policy	(11,100)	(13,568)	(12,015)	(+915)	(-1,553)
Office of the Assistant Secretary for Budget and Programs	(10,559)	(20,022)	(19,522)	(+8,963)	(-500)
Office of the Assistant Secretary for Governmental Affairs	(2,504)	(2,530)	(2,530)	(+26)	---
Office of the Assistant Secretary for Administration	(25,520)	(25,695)	(25,695)	(+175)	---
Office of Public Affairs	(2,055)	(2,240)	(2,240)	(+185)	---
Office of the Executive Secretariat	(1,658)	(1,683)	(1,683)	(+25)	---
Office of Small and Disadvantaged Business Utilization	(1,499)	(1,513)	(1,513)	(+14)	---
Office of Intelligence, Security, and Emergency Response	(10,600)	(10,999)	(10,999)	(+399)	---
Office of the Chief Information Officer	(13,215)	(22,995)	(19,663)	(+6,448)	(-3,332)
Acquisition workforce capacity and capabilities	---	7,623	7,623	+7,623	---
Subtotal	102,686	124,623	119,238	+16,552	-5,385
National infrastructure development	600,000	---	400,000	-200,000	+400,000
Livable communities initiative	---	20,000	20,000	+20,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Financial management capital	5,000	21,000	18,500	+13,500	-2,500
Office of Civil Rights	9,667	9,767	9,767	+100	---
Cyber security initiatives	---	30,000	28,188	+28,188	-1,812
Transportation planning, research, and development	16,168	9,819	9,819	-6,349	---
Maritime study	2,000	---	---	-2,000	---
Working capital fund	(147,596)	---	(148,096)	(+500)	(+148,096)
Minority business resource center program	923	913	913	-10	---
(Limitation on guaranteed loans)	(18,367)	---	(18,367)	---	(+18,367)
Minority business outreach	3,074	3,395	3,395	+321	---
Payments to air carriers (Airport & Airway Trust Fund)	150,000	132,000	146,000	-4,000	+14,000
Total, Office of the Secretary	889,518	351,517	755,820	-133,698	+404,303
National Infrastructure Innovation and Finance Fund					
National infrastructure innovation and finance fund program account	---	4,000,000	---	---	-4,000,000
Federal Aviation Administration					
Operations	9,350,028	9,793,000	9,793,000	+442,972	---
Air traffic organization	(7,299,299)	---	(7,630,628)	(+331,329)	(+7,630,628)
Aviation safety	(1,234,065)	---	(1,304,486)	(+70,421)	(+1,304,486)
Commercial space transportation	(15,237)	---	(16,747)	(+1,510)	(+16,747)
Financial services	(113,681)	---	(114,784)	(+1,103)	(+114,784)
Human resource management	(100,428)	---	(103,297)	(+2,869)	(+103,297)
Region and center operations	(341,977)	---	(361,354)	(+19,377)	(+361,354)
Staff offices	(196,063)	---	(208,994)	(+12,931)	(+208,994)
Information services	(49,278)	---	(53,360)	(+4,082)	(+53,360)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Facilities & equipment (Airport & Airway Trust Fund)..	2,936,203	2,970,000	3,000,000	+63,797	+30,000
Research, engineering, and development (Airport & Airway Trust Fund.....	190,500	190,000	198,000	+7,500	+8,000
Grants-in-aid for airports (Airport and Airway Trust Fund)(Liquidation of contract authorization).....	(3,000,000)	(3,550,000)	(3,550,000)	(+550,000)	---
(Limitation on obligations).....	(3,515,000)	(3,515,000)	(3,515,000)	---	---
Administration.....	(93,422)	(100,208)	(99,622)	(+6,200)	(-586)
Airport Cooperative Research Program.....	(15,000)	(15,000)	(15,000)	---	---
Airport technology research.....	(22,472)	(27,217)	(27,417)	(+4,945)	(+200)
Small community air service development program...	(6,000)	---	---	(-6,000)	---
Rescission of contract authority (BY AIP).....	-394,000	---	---	+394,000	---
Subtotal.....	(3,121,000)	(3,515,000)	(3,515,000)	(+394,000)	---
Total, Federal Aviation Administration.....	12,082,731	12,953,000	12,991,000	+908,269	+38,000
Appropriations.....	(12,476,731)	(12,953,000)	(12,991,000)	(+514,269)	(+38,000)
Rescissions of contract authority.....	(-394,000)	---	---	(+394,000)	---
(Limitations on obligations).....	(3,515,000)	(3,515,000)	(3,515,000)	---	---
Total budgetary resources.....	(15,597,731)	(16,468,000)	(16,506,000).	(+908,269)	(+38,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Highway Administration					
Limitation on administrative expenses	(413,533)	(420,843)	(428,843)	(+15,310)	(+8,000)
Federal-aid highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(41,846,000)	(42,102,000)	(45,956,700)	(+4,110,700)	(+3,854,700)
(Limitation on obligations)	(41,107,000)	(41,362,775)	(45,217,700)	(+4,110,700)	(+3,854,925)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Surface transportation projects	292,829	---	---	-292,829	---
Rescission of contract authority (Highway Trust Fund)	---	-263,131	---	---	+263,131
Administration (rescission of contract authority)	---	---	-1,863	-1,863	-1,863
Highway related safety grants (rescission)	---	---	-4	-4	-4
Miscellaneous appropriations and miscellaneous highway trust funds (rescission)	---	---	-33,906	-33,906	-33,906
Additional highway investment (Sec. 122)	650,000	---	---	-650,000	---
Total, Federal Highway Administration	942,829	-263,131	-35,773	-978,602	+227,358
Appropriations	(942,829)	---	---	(-942,829)	---
Rescissions of contract authority	---	(-263,131)	(-1,863)	(-1,863)	(+261,268)
Rescissions	---	---	(-33,910)	(-33,910)	(-33,910)
(Limitations on obligations)	(41,107,000)	(41,362,775)	(45,217,700)	(+4,110,700)	(+3,854,925)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources	(42,049,829)	(41,099,644)	(45,181,927)	(+3,132,098)	(+4,082,283)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Motor Carrier Safety Administration					
Motor carrier safety operations and programs (Highway Trust Fund)(Liquidation of contract authorization)..	(239,828)	(259,878)	(259,878)	(+20,050)	---
(Limitation on obligations).....	(239,828)	(259,878)	(259,878)	(+20,050)	---
Motor carrier safety grants (Highway Trust Fund) (Liquidation of contract authorization).....	(310,070)	(310,070)	(310,070)	---	---
(Limitation on obligations).....	(310,070)	(310,070)	(310,070)	---	---
Motor carrier safety grants (HTF) (rescission of contract authority).....	-1,611	---	---	+1,611	---
Motor carrier safety (HTF) (rescission of contract authority).....	-6,416	---	-7,330	-914	-7,330
National motor carrier safety program (HTF) (rescission of contract authority).....	-3,233	---	-15,076	-11,843	-15,076
Total, Federal Motor Carrier Safety Administration.....	-11,260	---	-22,406	-11,146	-22,406
(Limitations on obligations).....	(549,898)	(569,948)	(569,948)	(+20,050)	---
Total budgetary resources.....	(538,638)	(569,948)	(547,542)	(+8,904)	(-22,406)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Highway Traffic Safety Administration					
Operations and research (general fund)	140,427	132,837	148,127	+7,700	+15,290
Operations and research (Highway Trust Fund)					
(Liquidation of contract authorization)	(105,500)	(117,376)	(110,073)	(+4,573)	(-7,303)
(Limitation on obligations)	(105,500)	(117,376)	(110,073)	(+4,573)	(-7,303)
Subtotal	(245,927)	(250,213)	(258,200)	(+12,273)	(+7,987)
National driver register (Highway Trust Fund)					
(Liquidation of contract authorization)	(4,000)	(4,170)	(4,170)	(+170)	---
(Limitation on obligations)	(4,000)	(4,170)	(4,170)	(+170)	---
National driver register modernization	3,350	2,530	2,530	-820	---
Highway traffic safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(619,500)	(620,697)	(626,328)	(+6,828)	(+5,631)
(Limitation on obligations)	(619,500)	(620,697)	(626,328)	(+6,828)	(+5,631)
Highway safety programs (23 USC 402)	(235,000)	(235,000)	(235,000)	---	---
Occupant protection incentive grants(23 USC 405)	(25,000)	(25,000)	(25,000)	---	---
Safety belt performance grants (23 USC 406)	(124,500)	(124,500)	(124,500)	---	---
(Distracted driving prevention grants)	---	(50,000)	(50,000)	(+50,000)	---
State traffic safety information system improvement grants (23 USC 408)	(34,500)	(34,500)	(34,500)	---	---
Alcohol-impaired driving countermeasures grants (23 USC 410)	(139,000)	(139,000)	(139,000)	---	---
Grant administration	(18,500)	(19,697)	(25,328)	(+6,828)	(+5,631)
High visibility enforcement	(29,000)	(29,000)	(29,000)	---	---
Child safety and booster seat grants	(7,000)	(7,000)	(7,000)	---	---
Motorcyclist safety	(7,000)	(7,000)	(7,000)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operations and research (rescission of contract authority)(Sec. 142)	-2,299	---	---	+2,299	---
Highway traffic safety grants (rescission of contract authority)(Sec. 143)	-14,004	---	-7,907	+6,097	-7,907
Total, National Highway Traffic Safety Admin.	127,474	135,367	142,750	+15,276	+7,383
Appropriations	(143,777)	(135,367)	(150,657)	(+6,880)	(+15,290)
Rescissions of contract authority	(-16,303)	---	(-7,907)	(+8,396)	(-7,907)
(Limitations on obligations)	(729,000)	(742,243)	(740,571)	(+11,571)	(-1,672)
Total budgetary resources	(856,474)	(877,610)	(883,321)	(+26,847)	(+5,711)
Federal Railroad Administration					
Federal railroad operations	---	153,846	---	---	-153,846
Offsetting fee collections	---	-25,000	---	---	+25,000
Direct appropriation	---	128,846	---	---	-128,846
Safety and operations	172,270	---	203,348	+31,078	+203,348
Railroad research and development	37,613	40,000	40,000	+2,387	---
Rail line relocation and improvement program	34,532	---	---	-34,532	---
Railroad safety technology	50,000	---	75,000	+25,000	+75,000
Railroad safety	---	49,502	---	---	-49,502
Capital assistance for high speed rail corridors and intercity passenger rail service	2,500,000	1,000,000	1,400,000	-1,100,000	+400,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Railroad Passenger Corporation:					
Operating grants to the National Railroad Passenger Corporation	563,000	563,000	563,000	---	---
Office of Inspector General	---	22,000	---	---	-22,000
Capital and debt service grants to the National Railroad Passenger Corporation	1,001,625	1,052,000	1,203,500	+201,875	+151,500
Total, Federal Railroad Administration	4,359,040	2,855,348	3,484,848	-874,192	+629,500
Federal Transit Administration					
Administrative expenses	98,911	113,559	130,698	+31,787	+17,139
(Rail transit safety oversight program)	---	---	(24,139)	(+24,139)	(+24,139)
Technical assistance and workforce development	---	28,647	---	---	-28,647
Formula and Bus Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)	(9,400,000)	---	(9,200,000)	(-200,000)	(+9,200,000)
(Limitation on obligations)	(8,343,171)	---	(8,961,348)	(+618,177)	(+8,961,348)
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)	---	(9,200,000)	---	---	(-9,200,000)
(Limitation on obligations)	---	(8,271,700)	---	---	(-8,271,700)
Greenhouse gas and energy reduction (Limitation on obligations)	---	(52,743)	---	---	(-52,743)
Livable communities (Limitation on obligations)	---	(306,905)	---	---	(-306,905)
Rail transit safety oversight program	---	24,139	---	---	-24,139
Research and University Research Centers	65,670	29,729	65,376	-294	+35,647
Capital investment grants	2,000,000	1,822,112	2,000,000	---	+177,888
Energy efficiency and greenhouse gas reduction grants	75,000	---	---	-75,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Washington Metropolitan Area Transit Authority capital and preventive maintenance	150,000	150,000	150,000	---	---
Total, Federal Transit Administration	2,389,581	2,168,186	2,346,074	-43,507	+177,888
(Limitations on obligations)	(8,343,171)	(8,631,348)	(8,961,348)	(+618,177)	(+330,000)
Total budgetary resources	(10,732,752)	(10,799,534)	(11,307,422)	(+574,670)	(+507,888)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	32,324	32,150	33,868	+1,544	+1,718
Maritime Administration					
Maritime security program	174,000	174,000	174,000	---	---
Operations and training	149,750	164,353	169,353	+19,603	+5,000
Ship disposal	15,000	10,000	10,000	-5,000	---
Assistance to small shipyards	15,000	---	---	-15,000	---
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses	4,000	3,688	3,688	-312	---
Guaranteed loans subsidy	5,000	---	---	-5,000	---
Subtotal	9,000	3,688	3,688	-5,312	---
Total, Maritime Administration	362,750	352,041	357,041	-5,709	+5,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Pipeline and Hazardous Materials Safety Administration					
Administrative expenses:					
General Fund	20,493	21,744	21,744	+1,251	---
Pipeline Safety Fund	639	639	639	---	---
Pipeline Safety information grants to communities	(1,000)	(1,000)	(1,000)	---	---
Subtotal	21,132	22,383	22,383	+1,251	---
Hazardous materials safety	37,994	40,434	40,434	+2,440	---
Pipeline safety:					
Pipeline Safety Fund	86,334	92,206	92,206	+5,872	---
Oil Spill Liability Trust Fund	18,905	18,905	18,905	---	---
Subtotal	105,239	111,111	111,111	+5,872	---
Emergency preparedness grants:					
Limitation on emergency preparedness fund	(28,318)	(28,318)	(28,318)	---	---
(Emergency preparedness fund)	(188)	(188)	(188)	---	---
Total, Pipeline and Hazardous Materials Safety Administration	192,683	202,246	202,246	+9,563	---
Research and Innovative Technology Administration					
Research and development	13,007	17,200	18,900	+5,893	+1,700

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General					
Salaries and expenses	75,114	79,772	86,406	+11,292	+6,634
Surface Transportation Board					
Salaries and expenses	29,066	25,988	31,249	+2,183	+5,261
Offsetting collections	-1,250	-1,250	-1,250	---	---
Total, Surface Transportation Board	27,816	24,738	29,999	+2,183	+5,261
Total, title I, Department of Transportation	21,455,289	22,880,116	20,362,455	-1,092,834	-2,517,661
Appropriations	(21,876,852)	(23,143,247)	(20,428,541)	(-1,448,311)	(-2,714,706)
Rescissions	---	---	(-33,910)	(-33,910)	(-33,910)
Rescission of contract authority	(-421,563)	(-263,131)	(-32,176)	(+389,387)	(+230,955)
(Limitations on obligations)	(54,244,069)	(54,821,314)	(59,004,567)	(+4,760,498)	(+4,183,253)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(Limitations)	(28,318)	(28,318)	(28,318)	---	---
Total budgetary resources	(75,699,358)	(77,701,430)	(79,367,022)	(+3,667,664)	(+1,665,592)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive direction	26,855	30,265	30,265	+3,410	---
Administration, operations and management	537,011	538,552	538,552	+1,541	---
Acquisition workforce capacity and capabilities	---	2,071	2,071	+2,071	---
Subtotal	537,011	540,623	540,623	+3,612	---
Personnel compensation and benefits:					
Public and Indian Housing	197,074	197,282	197,282	+208	---
Community Planning and Development	98,989	105,768	105,768	+6,779	---
Housing	374,887	395,917	395,917	+21,030	---
Office of the Government National Mortgage Association	11,095	10,902	10,902	-193	---
Policy Development and Research	21,138	23,588	23,588	+2,450	---
Fair Housing and Equal Opportunity	71,800	67,964	67,964	-3,836	---
Office of Healthy Homes and Lead Hazard Control	7,151	6,762	6,762	-389	---
Subtotal	782,134	808,183	808,183	+26,049	---
Total, Management and Administration	1,346,000	1,379,071	1,379,071	+33,071	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Public and Indian Housing					
Tenant-based rental assistance:					
Renewals	16,339,200	17,310,000	17,080,000	+740,800	-230,000
Tenant protection vouchers	120,000	125,000	125,000	+5,000	---
Administrative fees	1,575,000	1,791,000	1,791,000	+216,000	---
Family self-sufficiency coordinators	60,000	60,000	60,000	---	---
Incremental family unification vouchers	15,000	---	---	-15,000	---
Veterans affairs supportive housing	75,000	---	75,000	---	+75,000
Sec. 811 Mainstream voucher renewals	---	113,663	113,663	+113,663	---
Disaster housing assistance program	---	66,000	66,000	+66,000	---
Homeless vouchers demonstration program	---	85,000	85,000	+85,000	---
Transformation initiative (transfer out)	---	(-195,507)	(-100,000)	(-100,000)	(+95,507)
Subtotal (available this fiscal year)	18,184,200	19,550,663	19,395,663	+1,211,463	-155,000
Advance appropriations	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances	-4,000,000	-4,000,000	-4,000,000	---	---
Total, Tenant-based rental assistance appropriated in this bill	18,184,200	19,550,663	19,395,663	+1,211,463	-155,000
Transforming rental assistance demonstration program	---	350,000	---	---	-350,000
Public Housing Capital Fund	2,500,000	2,044,200	2,500,000	---	+455,800
Transformation initiative (transfer out)	---	(-20,442)	---	---	(+20,442)
Public Housing Operating Fund	4,775,000	4,829,000	4,829,000	+54,000	---
Transformation initiative (transfer out)	---	(-48,290)	(-48,290)	(-48,290)	---
Revitalization of severely distressed public housing	200,000	---	200,000	---	+200,000
(Choice neighborhoods)	(65,000)	---	---	(-65,000)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Choice neighborhoods	---	250,000	---	---	-250,000
Transformation initiative (transfer out)	---	(-2,500)	---	---	(+2,500)
Native American housing block grants	700,000	580,000	700,000	---	+120,000
Transformation initiative (transfer out)	---	(-5,800)	---	---	(+5,800)
Native Hawaiian housing block grant	13,000	10,000	10,000	-3,000	---
Transformation initiative (transfer out)	---	(-100)	(-100)	(-100)	---
Indian housing loan guarantee fund program account	7,000	9,000	9,000	+2,000	---
(Limitation on guaranteed loans)	(919,000)	(994,000)	(994,000)	(+75,000)	---
Transformation initiative (transfer out)	---	(-8)	(-8)	(-8)	---
Native Hawaiian loan guarantee fund program account	1,044	---	1,044	---	+1,044
(Limitation on guaranteed loans)	(41,504)	---	(41,504)	---	(+41,504)
Total, Public and Indian Housing	26,380,244	27,622,863	27,644,707	+1,264,463	+21,844
Community Planning and Development					
Housing opportunities for persons with AIDS	335,000	340,000	350,000	+15,000	+10,000
Transformation initiative (transfer out)	---	(-3,400)	(-3,500)	(-3,500)	(-100)
Community development fund	4,450,000	4,380,100	4,352,100	-97,900	-28,000
Transformation initiative (transfer out)	---	(-43,801)	(-43,521)	(-43,521)	(+280)
Community development loan guarantees (Section 108):					
(Limitation on guaranteed loans)	(275,000)	(500,000)	(427,000)	(+152,000)	(-73,000)
Credit subsidy	6,000	---	10,000	+4,000	+10,000
Brownfields redevelopment	17,500	---	17,500	---	+17,500
HOME investment partnerships program	1,825,000	1,650,000	1,825,000	---	+175,000
Transformation initiative (transfer out)	---	(-16,500)	---	---	(+16,500)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Self-help and assisted homeownership opportunity program	82,000	---	82,000	---	+82,000
Capacity building	---	60,000	---	---	-60,000
Transformation initiative (transfer out)	---	(-600)	---	---	(+600)
Homeless assistance grants	1,865,000	2,055,000	2,200,000	+335,000	+145,000
Transformation initiative (transfer out)	---	(-20,550)	---	---	(+20,550)
Total, Community Planning and Development	8,580,500	8,485,100	8,836,600	+256,100	+351,500
Housing Programs					
Project-based rental assistance:					
Renewals	8,325,853	9,054,000	9,061,000	+735,147	+7,000
Contract administrators	232,000	322,000	315,000	+83,000	-7,000
Subtotal (available this fiscal year)	8,557,853	9,376,000	9,376,000	+818,147	---
Transformation initiative (transfer out)	---	(-89,760)	---	---	(+89,760)
Advance appropriations	393,672	400,000	400,000	+6,328	---
Less appropriations from prior year advances	-400,000	-393,672	-393,672	+6,328	---
Total, Project-based rental assistance appropriated in this bill	8,551,525	9,382,328	9,382,328	+830,803	---
Housing for the elderly	825,000	273,700	825,000	---	+551,300
Transformation initiative (transfer out)	---	(-2,737)	---	---	(+2,737)
Housing for persons with disabilities	300,000	90,037	300,000	---	+209,963
Transformation initiative (transfer out)	---	(-900)	---	---	(+900)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Housing counseling assistance	87,500	88,000	88,000	+500	---
Transformation initiative (transfer out)	---	(-880)	(-880)	(-880)	---
Energy Innovation Fund	50,000	---	---	-50,000	---
Rental housing assistance	40,000	40,600	40,600	+600	---
Transformation initiative (transfer out)	---	(-406)	(-406)	(-406)	---
Rent supplement (rescission)	-72,036	-40,600	-40,600	+31,436	---
Manufactured housing fees trust fund	16,000	14,000	14,000	-2,000	---
Offsetting collections	-7,000	-7,000	-7,000	---	---
Transformation initiative (transfer out)	---	(-70)	(-70)	(-70)	---
Subtotal	9,000	7,000	7,000	-2,000	---
Total, Housing Programs	9,790,989	9,841,065	10,602,328	+811,339	+761,263
Appropriations	(9,870,025)	(9,888,665)	(10,649,928)	(+779,903)	(+761,263)
Rescissions	(-72,036)	(-40,600)	(-40,600)	(+31,436)	---
Offsetting collections	(-7,000)	(-7,000)	(-7,000)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Offsetting receipts	---	-960,000	-960,000	-960,000	---
Proposed additional offsetting receipts (Sec. 211)	---	-902,000	-902,000	-902,000	---
Positive credit subsidy (HECM)	---	250,000	150,000	+150,000	-100,000
Administrative contract expenses	181,400	207,000	207,000	+25,600	---
Additional contract expenses	14,000	4,000	4,000	-10,000	---
Transformation initiative (transfer out)	---	(-1,355)	(-1,355)	(-1,355)	---
Working capital fund (transfer out)	(-70,794)	(-71,500)	(-71,500)	(-706)	---
Consumer education and outreach	7,500	---	---	-7,500	---
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(15,000,000)	(20,000,000)	(20,000,000)	(+5,000,000)	---
(Limitation on direct loans)	(20,000)	(20,000)	(20,000)	---	---
Offsetting receipts	-140,000	-315,000	-315,000	-175,000	---
Credit subsidy	8,600	---	---	-8,600	---
Right of first refusal	5,000	5,000	5,000	---	---
Total, Federal Housing Administration	76,500	-1,711,000	-1,811,000	-1,887,500	-100,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(500,000,000)	(500,000,000)	(500,000,000)	---	---
Offsetting receipts	-720,000	-720,000	-720,000	---	---
Total, Gov't National Mortgage Association	-720,000	-720,000	-720,000	---	---
Policy Development and Research					
Research and technology	48,000	87,000	50,000	+2,000	-37,000
Fair Housing and Equal Opportunity					
Fair housing activities	72,000	61,100	72,000	---	+10,900
Transformation initiative (transfer out)	---	(-611)	---	---	(+611)
Office of Lead Hazard Control and Healthy Homes					
Lead hazard reduction	140,000	140,000	140,000	---	---
Transformation initiative (transfer out)	---	(-1,400)	(-1,400)	(-1,400)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
Management and Administration					
Working capital fund	200,000	243,500	243,500	+43,500	---
(By transfer)	(70,794)	(71,500)	(71,500)	(+706)	---
Office of Inspector General	125,000	122,000	122,000	-3,000	---
Transformation initiative	20,000	20,000	20,000	---	---
(By transfer)	---	(455,617)	(199,530)	(+199,530)	(-256,087)
Total, Management and Administration	345,000	385,500	385,500	+40,500	---
(Grand total, Management and Administration)	(1,691,000)	(1,764,571)	(1,764,571)	(+73,571)	---
Total, title II, Department of Housing and Urban Development	46,059,233	45,570,699	46,579,206	+519,973	+1,008,507
Appropriations	(42,604,597)	(44,115,299)	(45,123,806)	(+2,519,209)	(+1,008,507)
Rescissions	(-72,036)	(-40,600)	(-40,600)	(+31,436)	---
Advance appropriations	(4,393,672)	(4,400,000)	(4,400,000)	(+6,328)	---
Offsetting receipts	(-860,000)	(-2,897,000)	(-2,897,000)	(-2,037,000)	---
Offsetting collections	(-7,000)	(-7,000)	(-7,000)	---	---
(By transfer)	(70,794)	(527,117)	(271,030)	(+200,236)	(-256,087)
(Transfer out)	(-70,794)	(-527,117)	(-271,030)	(-200,236)	(+256,087)
(Limitation on direct loans)	(70,000)	(70,000)	(70,000)	---	---
(Limitation on guaranteed loans)	(916,235,504)	(921,494,000)	(921,462,504)	(+5,227,000)	(-31,496)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

	FY 2010 Enacted	FY 2011 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - OTHER INDEPENDENT AGENCIES					
Access Board	7,300	7,300	7,300	---	---
Federal Maritime Commission	24,135	25,498	25,300	+1,165	-198
National Transportation Safety Board salaries and expenses	98,050	100,400	104,232	+6,182	+3,832
Amtrak Office of Inspector General	19,000	---	22,000	+3,000	+22,000
Neighborhood Reinvestment Corporation	233,000	250,000	285,000	+52,000	+35,000
United States Interagency Council on Homelessness	2,450	2,680	2,680	+230	---
Total, title III, Other Independent Agencies	383,935	385,878	446,512	+62,577	+60,634
Grand total (net)	67,898,457	68,836,693	67,388,173	-510,284	-1,448,520
Appropriations	(64,865,384)	(67,644,424)	(65,998,859)	(+1,133,475)	(-1,645,565)
Rescissions	(-72,036)	(-40,600)	(-74,510)	(-2,474)	(-33,910)
Rescissions of contract authority	(-421,563)	(-263,131)	(-32,176)	(+389,387)	(+230,955)
Advance appropriations	(4,393,672)	(4,400,000)	(4,400,000)	(+6,328)	---
Negative subsidy receipts	(-860,000)	(-2,897,000)	(-2,897,000)	(-2,037,000)	---
Offsetting collections	(-7,000)	(-7,000)	(-7,000)	---	---
(Limitation on obligations)	(54,244,069)	(54,821,314)	(59,004,567)	(+4,760,498)	(+4,183,253)
(By transfer)	(70,794)	(527,117)	(271,030)	(+200,236)	(-256,087)
(Transfer out)	(-70,794)	(-527,117)	(-271,030)	(-200,236)	(+256,087)
Total budgetary resources	(122,142,526)	(123,658,007)	(126,392,740)	(+4,250,214)	(+2,734,733)
Discretionary total	(67,900,000)	(68,737,520)	(67,400,000)	(-500,000)	(-1,337,520)

MINORITY VIEWS OF REPRESENTATIVES LEWIS, LATHAM, WOLF, CARTER AND LATOURETTE

This year for the first time since the enactment of the 1974 Congressional Budget Act, the Democrat controlled U.S. House of Representatives failed to consider and pass a budget. According to the nonpartisan Congressional Research Service, the House has passed a budget every year since the Congressional Budget Act first took effect for fiscal year 1976. This represents a historic and unprecedented failure by the Democrat controlled Congress to meet a basic responsibility on fiscal issues: to annually adopt a spending plan that sets priorities for spending, revenues, deficits and debt for at least the next five years.

Instead, the Democrat majority resorted to a tortuous procedural sleight-of-hand to evade a direct vote in order to "deem" the adoption of a one-year resolution that provided the Appropriations Committee a top line discretionary amount for FY 2011 while failing to provide a designation for overseas military contingencies despite promising for years that they would never fund the war in Iraq, Afghanistan and elsewhere as an emergency or outside the regular budget process. This unwillingness to pass a real budget was only necessary because of the explosion of debt and deficits unleashed by the reckless spending of Congressional Democrats and the President.

The Fiscal Year 2011 Transportation and Housing and Urban Development (THUD) bill is $500 million below the Fiscal Year 2010 spending level. However, before we all congratulate ourselves on being below last year, we need to remember that the increase from Fiscal Year 2009 to Fiscal Year 2010 represented a whopping 23% increase in real spending. The relative ease with which the Chairman was able to plus up many accounts over and above last year and even the President's request shows how much "extra" money is floating around these two agencies. This is no way to assure the American people that we are good stewards of their tax dollars and are committed to reducing the deficit. We need to take a good hard look at what programs are appropriately funded and operated by the Federal government and what activities should remain at a local or state level. After that, we need to ask ourselves how much can we afford to spend? In both subcommittee and full committee consideration of the THUD bill, Republicans offered up a modest cost reducing amendment which cut a mere 3 cents on the dollar. How can the Democrats be serious about protecting our economy and our nation's financial health if they can't even agree to cut 3 cents on the dollar? Our amendment was defeated on a party-line vote.

Republicans also supported an amendment to help ensure the solvency of the Highway Trust Fund. As the majority so eloquently and accurately noted on page 9 of the Committee's report to accom-

pany the Fiscal Year 2010 bill, the unsustainable highway spending levels set by the 2005 SAFETEA-LU law mandated new spending commitments from the Highway Account of the Highway Trust Fund at levels that averaged $6.9 billion per year in excess of the actual tax receipts that were expected to be deposited in the Account over fiscal years 2006–2009 (based on the forecasts at the time SAFETEA-LU was written). As the majority's report noted last year, "The resulting overspending has, not surprisingly, led the highway account that serves as the sole funding source for the highway program on a downward spiral to insolvency." These unsustainable spending levels had an entirely predictable result: Congress has voted to bail out the Highway Account three times in the last two years—$8.0 billion transferred from the General Fund in September 2008, $7.0 billion transferred from the General Fund in August 2009, and $14.7 billion transferred just four months ago in the March 2010 HIRE Act.

This year, new Highway Account obligations under the Fiscal Year 2010 Appropriations Act are expected to exceed forecasted Highway Account receipts by $11.5 billion. Under the Congressional Budget Office's March 2010 baseline, total new Fiscal Year 2011 spending commitments from the Highway Account are expected to exceed Highway Account revenues by $10.9 billion. Regrettably, the Committee's proposed bill makes this unsustainable trend even more unsustainable.

The Democrat Majority will increase this "sustainability gap" by $4.1 billion to $15.0 billion. Chairman Obey touts that this level of spending is warranted by the over $17 billion in contract authority that rests with the states. Unfortunately, for the states, the Highway Trust Fund cannot pay the bills and Chairman Obey has already tried to use that contract authority to pay for his other spending priorities. Instead of putting highway spending on a path that can come closer to being supported by the federal taxes paid by highway users, the majority's bill does exactly what the 2005 SAFETEA-LU law did—it provides unsustainable highway spending increases that are irresponsible in the absence of new revenues to pay for the extra spending. Again, the Republican attempt to keep the Highway Trust Fund solvent was defeated on a party-line vote.

Another area of concern is the excessive level of obligation limitation provided for the transit programs. Contract authority for the Federal Transit Administration's Formula and Bus Grants account has only been provided by the HIRE Act through the first three months of fiscal 2011. The Congressional Budget Office established the contract authority baseline for this account at $8,360,565,000, or four times the three-month spending level set in the HIRE Act. The proposed appropriations bill provides an obligation limitation on the account for Fiscal Year 2011 of $8,961,348,000, or $601,783,000 more than the contract authority authorized. The Committee's obligation limitation assumes that the Transportation and Infrastructure Committee will provide almost $601 million in contract authority above the baseline level in Fiscal Year 2011. However, the allocations made by the FY 2010 Congressional budget resolution (S. Con. Res. 13) are still binding on all House committees (except Appropriations), and the Transportation and Infra-

structure Committee has no room under its allocation to create $601 million per year in additional contract authority without repealing contract authority for additional programs. Not only can the Transit Account not afford this level of spending, but the legal authority to engage in this level of spending simply doesn't exist. It seems disingenuous for the majority to provide $601 million in "budgetary resources" that is completely dependent on other committees of Congress enacting a law that either violates their own budget allocation or else requires cuts in other spending programs that have not been identified by this Committee.

The Fiscal Year 2011 budget request was heavy with programs aimed at "livability" and "sustainability", almost all of which are funded in this proposed bill. We share a number of concerns with these new and untested programs. First, the initiatives funded by these programs as described by HUD and DOT involve activities that are rightly part of the jurisdiction of state and local governments and metropolitan planning organizations. Activities such as local and regional planning, zoning, data gathering, and public outreach have no business in the Federal budget. Furthermore, the Federal government should stand back and allow these locally-elected officials to make the decisions that reflect the best practices for their communities and the will of the residents. Second, we are dismayed at the lack of a plan or solid definition of what HUD and DOT are trying to achieve with these new programs. The fact that this bill provides one office in DOT alone with $12 million for grants to help localities "plan," $4 million to "develop uniform benchmarks for assessing the effectiveness of livable-oriented interventions, including performance measures of livability outcomes," and $4 million to establish an Office of Livable Communities in a cabinet-level department should raise a red flag on the necessity of this program and the benefits we as a nation will receive from this investment. The millions of dollars already spent and proposed for spending are too scarce and primarily borrowed from the taxpayers and foreign governments. We should not be funding local activities, or vague programs with borrowed money.

We remain concerned over the viability of the Home Equity Mortgage Conversion Program (HECM). This program began in 1987 under assumptions that house values would continually increase and offset risk to the program. As more and more borrowers use the program as a way to generate income or replace depleted savings and retirement accounts, coupled with falling home values, the program will continue to require increasingly large taxpayer subsidies going forward. In order to continue this program in a fiscally prudent manner that protects the taxpayer, serious reforms are needed. Further, more program participants are at risk for foreclosure as housing prices fall. We are hopeful that we can work with the Administration and the Majority to ensure that reforms can be made that will sustain the program without the need of additional taxpayer subsidy in the future.

There are a few areas where Chairman Olver should be commended. We agree with his decision to decline funding for the Choice Neighborhood proposals, the proposal to reform rental assistance, the catalytic investment competition grants, and the $4 billion proposal to create the National Infrastructure Innovation

and Finance Fund. Many of these ideas are still in the development stage and require authorization and in the case of the infrastructure fund, the Administration has not even put forth a legislative proposal.

In the end, based on the dire financial and deficit situation our nation is in, and our commitment to our constituents and taxpayers, we must oppose this THUD bill as written. We sincerely hope that Chairman Obey and the House Leadership will see fit to consider this bill under a traditional open rule so that all members, not just Republicans, will have a chance to improve upon the Committee's proposed bill.

JERRY LEWIS.
TOM LATHAM.
FRANK R. WOLF.
JOHN R. CARTER.
STEVEN C. LATOURETTE.

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