

**TRANSPORTATION AND HOUSING AND URBAN
DEVELOPMENT, AND RELATED AGENCIES
APPROPRIATIONS FOR FISCAL YEAR 2011**

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—At the direction of the subcommittee chairman, the following statements received by the subcommittee are made part of the hearing record on the Fiscal Year 2011 Transportation and Housing and Urban Development, and Related Agencies Appropriations Act.]

PREPARED STATEMENT OF THE COALITION OF NORTHEASTERN GOVERNORS

The Coalition of Northeastern Governors (CONEG) is pleased to share with the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies this testimony on fiscal year 2011 appropriations for transportation and community development programs. The CONEG Governors deeply appreciate the subcommittee's longstanding support of funding for the Nation's highway, transit, and rail systems and critical community development programs, including the incorporation of transportation and community development funding in last year's comprehensive American Recovery and Reinvestment Act (ARRA). The welcomed infusion of those flexible funds allowed States and local governments to advance many needed projects. The overwhelming response, particularly to the intercity passenger rail and multi-modal grant funds, also demonstrated the diverse and enormous needs for investment in an integrated national transportation system that supports a competitive economy, livable communities, and sound use of energy and environmental resources. Those needs continue to confront all of us—Federal, State and local governments and the private sector.

We recognize that the subcommittee continues to face a very difficult set of fiscal challenges and interlocking issues in crafting the fiscal year 2011 appropriations measure. The slowly recovering economy exacerbates the shortfall in the Highway Trust Fund even as it generates greater demand for public transportation and intercity passenger rail services. The ongoing national debate on the surface transportation authorization and funding framework to guide highway and transit programs remains unresolved. Interest is growing in new approaches to funding, restructuring and financing highway and transit programs, and creating livable communities, yet many of these approaches are not authorized. In spite of these challenges, we urge the subcommittee to continue the strong Federal partnership so vital for a national, integrated, multi-modal transportation system. This network underpins the competitiveness of the Nation's economy, broadens employment opportunities, and contributes to the efficient, safe, environmentally sound, and energy smart movement of people and goods.

TRANSPORTATION

Surface Transportation

The CONEG Governors urge the subcommittee to fund the combined highway, public transit, and safety programs at levels greater than the fiscal year 2010 appropriations. This higher level of Federal investment is necessary to sustain the progress made under the most recent authorization to improve the condition and

safety of the Nation's highways, bridges, and transit systems. Attention is also needed to address the recurring shortfall in the Highway Account of the Highway Trust Fund.

Continued and substantial Federal investment in these infrastructure improvements—in urban, suburban, exurban, and rural areas—is necessary to safely and efficiently move people and products and to support the substantial growth in freight movement projected in the coming decades. The Federal Government has invested significant resources in the Nation's transportation system, and has a continuing responsibility to maintain and expand its transportation infrastructure to keep America competitive in a global economy.

Specifically, the CONEG Governors urge the Subcommittee to:

- Increase the Federal aid highway obligation over the fiscal year 2010 appropriated level;
- Increase public transit funding over the fiscal year 2010 appropriated levels, including full funding for the current Formula and Bus Grants, the Capital Investment Grants, and the Small Starts programs; and
- Ensure that these funds are provided to the States in a timely manner.

Rail

The Governors deeply appreciate the subcommittee's strong support for intercity passenger rail, through the commitment of ARRA funds and the fiscal year 2010 appropriations levels. The overwhelming response to the initial AARA funds demonstrated the pent-up interest in investments to expand and improve intercity passenger rail service across the Nation. Now, new policy, program and funding frameworks for a vastly improved and expanded national intercity passenger rail system are taking shape under the guidance of the Passenger Rail Investment and Improvement Act (PRIIA), the High Speed Intercity Passenger Rail Vision and Strategic Guidance, the Preliminary National Rail Plan, and Amtrak's Comprehensive Business Plan.

The administration, States, Amtrak and freight railroads worked intensely over the past year to respond to the new intercity passenger rail program and funding requirements. Those efforts are now showing results as the Federal Railroad Administration (FRA) prepares to release the first awards under ARRA; the States begin submitting applications for the fiscal year 2010 corridor planning and capital funds; and the administration prepares the National Rail Plan.

The ability of States, FRA and Amtrak to realize opportunities for service expansion and ridership growth in corridors across the country will depend upon a substantial and on-going Federal capital investment in infrastructure, equipment, and safety. These investments in "state of good repair," capacity, and safety improvements are essential for the accessible, reliable, frequent and on-time service that attracts and retains ridership. In addition, the Federal Railroad Administration will need adequate funding and staffing resources to carry out its expanded responsibilities for intercity passenger rail grant programs and related studies in a timely manner.

Amtrak.—The CONEG Governors request that the subcommittee provide at least the authorized level of \$1.927 billion in fiscal year 2011 Federal funding for Amtrak, with specific funding levels provided for operations, capital, debt service, and the Amtrak Office of Inspector General. Additional capital resources are needed if Amtrak is to initiate its fleet program in a timely manner. A balanced program of adequate, sustained capital investment in infrastructure (including stations) and fleet modernization and expansion is vital for an efficient intercity passenger rail system that provides reliable, safe, quality services that attract and retain riders.

A funding level of \$1.025 billion in fiscal year 2011 for capital improvements is critically needed for the "state of good repair" improvements to aging infrastructure and safety improvements on Amtrak-owned infrastructure and equipment. Even at its requested level, Amtrak expects that the backlog of deferred investments (currently estimated at approximately \$5.5 billion) will continue to increase. For example, Amtrak estimates that \$700 million is needed annually just on the Northeast corridor (NEC) main line and branch lines for normalized replacement of assets and progress on reducing the backlog of deferred investment. This level of capital investment is vital to Amtrak's ability to deliver efficient, reliable, quality service nationwide. We particularly encourage the subcommittee to ensure that Amtrak can continue bridge repair projects underway on the Northeast corridor, as well as the system-wide security upgrades and the life-safety work in the New York, Baltimore, and Washington, DC tunnels.

Amtrak has also identified \$446 million as the level of investment needed in fiscal year 2011 to begin executing its multiyear fleet plan. Timely action on a systematic plan to replace aging equipment used throughout the intercity passenger rail system

can help modernize the current Amtrak fleet; offer the prospect of more efficient procurement by Amtrak and by States supporting corridor services; and help stimulate the growth of the domestic rail manufacturing sector.

Intercity Passenger Rail Corridors.—The CONEG Governors also thank the subcommittee for its support of the Intercity Passenger Rail Corridor Capital Assistance Program, particularly the provision of funds for the planning activities leading to the development of passenger rail corridors, including multistate corridors. We urge the subcommittee to continue funding this critical program at least at the \$2.5 billion level in fiscal year 2011. This program is an important foundation for a vibrant Federal-State partnership that will bring expanded, enhanced intercity passenger rail service to corridors across the Nation. Infrastructure and service plans for these intercity passenger rail corridors take many forms and are at different stages across the country, reflecting the diverse range of city pairs, market opportunities, and travel time needs. Therefore, we urge that these grant funds be available to States to advance plans for reliable, frequent and travel-time competitive service and corridors, regardless of maximum speed requirements. In light of the stringent FRA requirements regarding funding criteria for intercity passenger rail grants, we also request that the subcommittee waive the current statutory requirement that projects be part of an approved State rail plan, since this requirement might curtail thoughtful and well advanced efforts already underway by the States.

Northeast Corridor Infrastructure and Operations Advisory Commission.—The Governors thank the subcommittee for providing funding for the Northeast Corridor Infrastructure and Operations Advisory Commission (Commission) in fiscal year 2010. The NEC Governors have named their representatives to the Commission, and are eager to see it organized and begin its important work. The Commission is uniquely designed to encourage mutual cooperation and planning among all three parties for intercity, commuter and freight use of the Corridor—and to also maximize the economic growth and the energy and environmental benefits of the larger regional NEC Network.

The Commission has extensive responsibilities to set corridor-wide policy goals and recommendations that encompass passenger rail mobility, intermodal connections to highways and airports, energy consumption, air quality improvements, and local and regional economic development of the entire northeast region. The Commission is expected to play a central role in providing guidance to the Vision and service development plans that are a pre-requisite for the NEC to seek corridor-level funds under the newly emerging Federal framework for intercity passenger rail. To conduct the required assessments in a timely manner, the Commission will need resources, data and expert analysis that exceed that which is currently available through the staff of the States, Amtrak and FRA. Continued funding in fiscal year 2011 will ensure the Commission's ability to secure all essential resources for conducting these assessments.

Other Programs.—A number of other national rail programs are important components of the evolving Federal-State-private sector partnerships to enhance passenger and freight rail across the country. In this time of uncertainty in financial markets, the Railroad Rehabilitation and Improvement Financing Program (RRIF) can be an important tool for railroads (particularly regional and small railroads) and public agencies to access the financing needed for critical infrastructure and intermodal projects. We encourage the subcommittee to provide funding in fiscal year 2011 for the Rail Line Relocation and Improvement Program, the Next Generation Corridor Train Equipment Pool, and critical rail safety programs including deployment of positive train control and the related Nationwide Differential Global Positioning System which benefit both passenger rail and freight rail systems. In addition, funding for the Advanced Technology Locomotive Grant Pilot Program, created in section 1111 of the Energy Independence and Security Act of 2007, would be an important first step to assist the railroads and State and local governments in a transition to energy-efficient and environmentally friendly locomotives for freight and passenger railroad systems.

The CONEG Governors also request funding for the Surface Transportation Board (STB) at least at the fiscal year 2010 level of \$29 million, including specific funding for its responsibilities under PRIIA. Adequate funding is needed for the STB to carry out its expanded responsibilities for intercity passenger rail corridor service, and to provide critical oversight as the Nation's rail system assumes increasing importance for the timely, efficient, and environmentally sound movement of people and goods across the Nation.

COMMUNITY DEVELOPMENT

The CONEG Governors urge the subcommittee to provide funding for the Community Development Block Grant (CDBG) program at least at the fiscal year 2010 level of \$3.99 billion. The CDBG program enables States to provide funding for infrastructure improvement, housing programs, and projects that attract businesses to urban, suburban, exurban, and rural areas, creating new jobs and spurring economic development, growth and recovery in the Nation's low income and rural communities.

CONCLUSION

In conclusion, the CONEG Governors urge the subcommittee to:

- Increase the Federal aid highway obligation over the fiscal year 2010 appropriated level;
- Increase public transit funding over the fiscal year 2010 appropriated levels, including full funding for the current Formula and Bus Grants, the Capital Investment Grants, and the Small Starts programs;
- Fund Amtrak at least at the fiscal year 2011 authorized level of \$1.927 billion, including \$1.025 billion in capital for infrastructure and safety-related investments; \$592 million for operations; \$288 million for debt service, and \$22 million for the Amtrak Office of Inspector General; and also provide funding to initiate a sustained fleet modernization program;
- Provide additional funding specifically for the Northeast Corridor Infrastructure and Operations Advisory Commission;
- Fund the Intercity Passenger Rail Service Corridor Assistance Program for corridor planning and capital investment at least at the current level of \$2.5 billion;
- Provide funding for national rail programs that are important components of the evolving Federal-State-private sector partnerships to enhance passenger and freight rail across the country, such as the Rail Line Relocation and Improvement Program, the Next Generation Corridor Train Equipment Pool, and positive train control deployment and development of the related Nationwide Differential Global Positioning System;
- Provide funding for the Surface Transportation Board at least at the fiscal year 2010 appropriated level; and
- Provide at least \$3.99 billion for the Community Development Block Grant Program.

The CONEG Governors thank the entire subcommittee for the opportunity to share these priorities and appreciate your consideration of these requests.

PREPARED STATEMENT OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

The New York State Department of Transportation (NYSDOT) appreciates the opportunity to present testimony on the fiscal year 2011 transportation appropriations.

Most people don't realize how vast New York's transportation system really is. Indeed, our State and local highway system supports more than 130 billion vehicle miles of travel annually. The total system in New York encompasses more than 114,000 miles of highway and more than 17,400 bridges. New York also is home to a 3,565-mile intercity rail network over which more than 1.5 million passengers travel and more than 74 million tons of equipment, raw materials, manufactured goods and produce are shipped each year. New York also has 485 public and private aviation facilities through which more than 80 million people travel each year, and we have oversight of many of New York State's ports. Finally, we support more than 130 public transit operators, serving more than 8 million passengers each day.

We must recognize that New York State and 47 other States in the Nation continue to face significant economic challenges. New York is currently facing a deficit of more than \$9 billion in State fiscal year 2010–2011 and a long-term structural deficit of \$60.8 billion over the next 5 years.

Since taking office in 2008, Governor Paterson has continually warned that New York State is in the midst of an unprecedented economic crisis. The losses in the financial, insurance and real estate sectors, which have been hit the hardest, have had a devastating impact on our State revenues. Prior to the current recession, financial services alone provided more than 20 percent of our State revenues. The Governor's actions have helped New York make substantial progress toward putting the State's fiscal house in order. That does not change the fact that the process of

addressing a financial challenge of this magnitude has been, and remains, a long and difficult one.

Just 1 year ago, Congress passed the American Reinvestment and Recovery Act (ARRA). The Recovery Act provided a one-time boost in funding to allow New York to create jobs to spur the economy and make progress on addressing transportation deficiencies. Here are some early results:

- Eighty-two ARRA projects, valued at \$80 million have been completed.
- Another 328 ARRA projects, valued at almost \$803 million, are under construction by the private sector throughout New York State.
- Project selections were made collaboratively within the Metropolitan Planning Organizations (MPOs) for 80 percent of the projects.
- Fifty-seven percent of the highway and bridge funds have gone to locally sponsored projects. In fact, every county in New York State has received Economic Recovery funding for transportation projects.
- Fifty-five percent of the projects administered under the program are in economically distressed areas.
- As of March 15, 2010, \$146 million, or approximately 15 percent of New York's Highway Recovery Act funding has been made available to Disadvantaged and Minority- and Women-Owned Small Businesses.

The Federal Economic Recovery funding was certainly needed and we are very grateful to Congress for the opportunity it provided to invest in our transportation system. This infusion of Federal aid provided a one-time boost to our highway and transit funding.

But if we are to maintain the benefits from this one-shot of investment and job creation provided by the Recovery Act, we need continued and increasing Federal and State investment in our transportation infrastructure to meet our growing system, mobility, infrastructure, safety, congestion and service needs.

In developing the fiscal year 2011 transportation appropriations legislation, we ask that you consider and endorse the following:

PROVIDE MODEST INCREASES TO TRANSPORTATION PROGRAMS AWAITING REAUTHORIZATION

New York urges Congress to provide modest funding increases for those transportation programs that are awaiting reauthorization: highways, transit, highway safety and aviation.

At a minimum, Congress should provide the level of funding proposed in the President's budget:

- \$41.3 billion for highways, which would provide an increase over fiscal year 2010 levels (\$41.1 billion).
- \$10.8 billion for Transit, a slight increase over fiscal year 2010 levels.
- \$3.5 billion for the Airport Improvement Program, sustaining the level of funding the program has received since authorizing legislation expired.

New York is especially pleased that the President proposes a 32 percent increase in the Next Generation Air Traffic Control System, providing \$1.14 billion to upgrade the Nation's air traffic control system. Implementing state-of-the-art technology is crucial to the redesign of the severely congested New York City airspace.

FULLY FUND RAIL PROGRAMS

New York urges Congress to provide rail no less than the amount authorized in Passenger Rail Investment and Improvement Act of 2008 (PRIIA).

The President's budget proposal calls for a \$1 billion allocation for the High-Speed and Intercity Passenger Rail program. Although this amount is higher than the \$350 million authorized in PRIIA, it is a reduction from last year's \$2.5 billion. Amtrak funding would include \$1.052 billion for capital grants, up from \$1.002 this year, and \$563 million for operating grants, a continuation of the current level.

The passage of PRIIA and ARRA provided the first significant level of Federal support for intercity passenger rail investment in 100 years. The nationwide response has been overwhelming. Applications valued at \$57 billion were submitted for \$8 billion in ARRA funds last year. The \$2.5 billion provided in fiscal year 2010 will help States continue to improve intercity passenger rail service. New York urges Congress to support the President's budget request for rail in fiscal year 2011.

MAINTAIN EXISTING TRANSIT PROGRAM STRUCTURE

New York urges Congress to maintain the existing Fixed Guideway Modernization program and Bus and Bus Discretionary program as separate transit programs until a full and productive discussion of the state-of-good-repair of our transit system occurs in connection with surface transportation reauthorization.

New York supports the Federal Transit Administration's (FTA) reinvigorated emphasis on ensuring that the Nation's transportation infrastructure reaches a state-of-good-repair. However, to achieve this goal, the administration, in its fiscal year 2011 budget, proposes to merge the separate formula-based section 5309 Fixed Guideway Modernization Program and the section 5309 discretionary-based Bus and Bus Facilities into a single new "Bus and Rail State of Good Repair Program." While New York welcomes a full and productive conversation on a needs-based approach to addressing state-of-good-repair, the administration's proposal is too short on detail and FTA has not worked with transit stakeholders on a new process for apportioning program funds. As such, New York respectfully requests that Congress not address structural proposals through the appropriations process. We cannot afford any delay in our State's efforts to maintain and modernize our existing facilities while the details of such a new program are developed.

NYSDOT thanks you for this opportunity to present testimony. We appreciate your dedication to and support of the Nation's transportation systems.

PREPARED STATEMENT OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION

Madam Chairman and members of the subcommittee, we appreciate the opportunity to submit testimony concerning the Federal fiscal year 2011 U.S. Department of Transportation (U.S. DOT) appropriations on behalf of the Illinois Department of Transportation (IDOT) to the Senate Appropriations Subcommittee on Transportation and Housing and Urban Development, and Related Agencies. We thank Senator Murray and the members of the subcommittee for their past support of a strong Federal transportation program and for taking into consideration Illinois' unique needs.

IDOT is responsible for the planning, construction, maintenance and coordination of highways, public transit, aviation, intercity passenger rail and freight rail systems in the State of Illinois. IDOT also administers traffic safety programs. Our recommendations for overall funding priorities and our requests for transportation funding for projects of special interest to Illinois are discussed below.

SAFETEA-LU REAUTHORIZATION/EXTENSION

IDOT recognizes that Congress must vault over numerous hurdles before it can unite around a long-term surface transportation reauthorization bill that will enhance the quality of the Nation's infrastructure. While the HIRE Act provided an extension of the SAFETEA-LU programs through December 31, 2010, allowing Congress the time it needs to thoroughly craft a bill that will address the pressing issues of funding, capacity, mobility, safety, preservation, modernization, environment and other critical issues, we urge Congress to complete its work on a surface transportation reauthorization bill before the end of the HIRE Act extension. Much work has been accomplished by Congress but substantial work remains. We urge Congress to maintain the momentum it has achieved in developing a multiyear bill thus far and to continue with alacrity so that a bill can be enacted before another extension of SAFETEA-LU is required.

We recognize that the Congress has to view issues from many different angles, many of them competing, and that the end result may differ from a particular State's perspective from time to time. All that being said, provided any extension is needed for any duration of time, IDOT supports "clean" extensions of SAFETEA-LU, i.e. without any re-structuring or re-programmatic distribution of existing formula or allocated programs. Extensions that modify only selected categories of SAFETEA-LU, ex post facto, not only unnecessarily set the stage for a zero-sum game scenario wherein States are thrust into disagreement, but it also disturbs the finely tuned State equity equilibrium that was reached upon SAFETEA-LU enactment.

FULL RESTORATION OF END-OF-SAFETEA-LU RESCISSION

The recently enacted HIRE Act restored \$8.7 billion in contract authority to the States that was rescinded at the conclusion of Federal fiscal year 2009 due to a mandated provision in SAFETEA-LU. While IDOT commends Congress for this prudent legislative remedy we also urge the subcommittee to pursue additional suitable monetary off-sets that will make it possible to completely nullify the impact of the rescission by restoring, to the States, the \$334 million in useable ceiling that was lost to them in Equity Bonus (EB) funding. The special obligation limitation associated with the EB special contract authority was not rescinded but instead made unusable by the rescission of contract authority. Even after the restoration of the

rescinded contract authority, this special limitation will not become usable since current law requires that all contract authority made available as a result of the rescission restoration is subject to the overall obligation limitation provided by an appropriations act. Perhaps, additional obligation limitation could be made available, as it was in Federal fiscal year 2008, when \$1 billion in ceiling was provided (to be used with a State's existing apportionment) for projects under the Bridge Program.

As you are aware, within the rescission EB funding was withdrawn from 34 States (including Illinois). EB funds are more valuable to the States than contract authority (apportionments) because EB funds are either exempt from the obligation limitation or they come with attached obligation authority. Unfortunately, EB funds were rescinded at a time when the States were also being asked by Congress and the President to quickly spend funds provided to them from the American Recovery and Reinvestment Act of 2009 (ARRA) to invigorate the economy and preserve jobs. The need for transportation infrastructure projects to aid in the recovery of the national economy is no less critical now than it was February 17, 2009 when ARRA was enacted for that purpose. Full restoration of EB funds to the States will allow the States the opportunity to reinstate those funds with the programmed projects from which they were cut so that the economy can continue to rebound through transportation infrastructure improvements.

HIGHWAY

Highway Obligation Limitation

IDOT urges the subcommittee to set the obligation limitation for highway and highway safety programs at the highest level that can be sustained by the Highway Trust Fund/Highway Account (HTF/HA). If another SAFETEA-LU extension is needed for Federal fiscal year 2011, IDOT supports a reasonable, yet healthy, incremental increase above the obligation limitation level of \$41.8 billion enacted in Federal fiscal year 2010.

IDOT supports preserving the SAFETEA-LU budgetary firewalls and guaranteed funding provisions of SAFETEA-LU, as do other transportation advocates such as the American Association of State Highway and Transportation Officials (AASHTO) and the American Road and Transportation Builders Association (ARTBA).

IDOT is aware of the implications of supporting increased transportation funding when the long-term viability of the trust fund is in question. However, it is the responsibility of IDOT to secure the Federal funding that is needed to address the immediate highway and bridge project backlogs in Illinois and to preserve Illinois' transportation system for succeeding generations. Sufficient Federal dollars are needed to fund safer transportation systems, to address environmental concerns, to offset the erosion of the construction dollar, to address crippling levels of congestion/delay and to meet the transportation demands of the future. To quote the most recent findings of the 2008 Status of the Nation's Highways, Bridges, and Transit—Conditions and Performance Report to Congress, "Although investment in system rehabilitation has increased in constant dollar terms since 1997, despite recent sharp increases in construction costs, the analysis . . . suggest that current highway investment levels are not sufficient to sustain the physical conditions of all parts of the highway system."

Federal Fiscal Year 2011 Funding Requests for Meritorious Projects

If the subcommittee finds the flexibility to fund meritorious projects in existing discretionary SAFETEA-LU categories or outside authorized categories, (Surface Transportation Priorities) IDOT requests funding for the following projects (noted throughout the testimony) for highway, Intelligent Transportation Systems (ITS), transit and rail funding:

- Expansion of US 67.*—IDOT requests \$70 million for the pre-construction and construction activities for the expansion of US 67 to a 4-lane divided expressway between Macomb and Alton, Illinois.
 - Expansion of US 51.*—IDOT requests \$30 million for pre-construction and construction activities for the expansion of US 51 to a 4-lane divided expressway between Decatur and Centralia, Illinois.
 - Central to Central Avenue Connection.*—IDOT requests \$10 million for a Central Avenue Bypass connecting Central through Bedford Park in Southwest Chicago.
- Other IDOT highway priorities include:
- \$50.0 million for additional lanes on I-80 from US 30 to US 45 in Will County;
 - \$58.5 million for I-57 at IL 50 Interchange and ICG Railroad in Bradley;
 - \$46.8 million for additional lanes on US 30 (IL 31 to US 34) in Kane/Kendall County;

- \$33.0 million for highway/railroad grade separation at IL 38 & Kautz Road; and
- \$16.3 million for reconstruction of US 45 (LaGrange Rd) from 131st Street to 179th Street.

Other IDOT Intelligent Transportation System Priorities:

- \$1.5 million for a prototype Automated License Plate Reader for commercial vehicle enforcement; and
- \$9.0 million for IntelliDrive in Illinois (fiber and wireless technology)—Readying the Rt. 66 Corridor.

TRANSIT

Transit Authorization

IDOT urges the subcommittee to fund transit programs at the highest level that can be sustained by the Highway Trust Fund/Transit Account or, at a minimum, a reasonable, yet healthy, incremental increase above the \$10.7 billion obligation limitation level enacted in Federal fiscal year 2010.

—*Bus and Bus Facilities.*—IDOT and the Illinois Public Transportation Association jointly request a Federal earmark of \$48.9 million (\$8.7 million for downstate bus, \$25.1 million for downstate facilities and \$15 million for Chicago Transit Authority (CTA)/Suburban Bus Division of RTA (Pace) buses in northeastern Illinois) in Federal fiscal year 2011 section 5309 bus capital funds.

The request will provide \$8.7 million for downstate Illinois transit systems to purchase up to 46 buses and paratransit vehicles to replace over-age vehicles and to comply with Federal mandates under the Americans with Disabilities Act (ADA). All of the vehicles scheduled for replacement are at or well beyond their design life. The request will also provide \$25.1 million to undertake engineering, land acquisition or construction for three maintenance facilities and five transfer facilities that will enhance efficient operation of transit services.

Illinois transit systems need discretionary bus capital funds. The funding provided under SAFETEA-LU has been inadequate to meet Illinois' bus capital needs. IDOT believes that supplemental discretionary funding is needed, and justified, to support Illinois' extensive transit system. Under SAFETEA-LU, Illinois has received less than 2 percent of the combined High Priority Project (HPP) category and discretionary appropriations made available for bus and bus facilities.

Formula Grants

IDOT urges the subcommittee to set appropriations for transit formula grant programs at levels that will allow full use of the anticipated Mass Transit Account revenues. IDOT also supports the continued use of general funds to supplement transit needs. In Illinois, Northeastern Illinois Urbanized Area formula funds (section 5307) are distributed to the Regional Transportation Authority and its three service boards which provide approximately 600 million passenger trips per year. Downstate urbanized formula funds are distributed to 14 urbanized areas which provide nearly 33 million passenger trips per year.

The Rural and Small Urban formula funds (section 5311) play a vital role in meeting mobility needs in Illinois' small cities and rural areas. IDOT urges the subcommittee to continue to fund section 5311 at a healthy increment above the Federal fiscal year 2010 funding level. From the section 5311 funding increases already authorized in SAFETEA-LU, Illinois was able to expand public transportation service into counties not currently served. Due to the decrease in Federal and local funding resources for public transportation, existing statewide public transportation service levels could be jeopardized unless there is an overall increase in funding above that enacted in SAFETEA-LU.

State of Good Repair—CTA/Metra Commuter Rail (Metra)/Pace

IDOT supports the increased focus on the state of good repair needs of the Nation's transit systems. State of good repair is a high priority for all systems in the State of Illinois. In northeast Illinois there is a \$2 billion annual need to keep their assets in a state of good repair and there is a \$91 million annual need for downstate systems. A recent Federal Transit Administration study of the seven largest transit agencies in the country estimated that more than one-third of the study agency assets were in either marginal or poor condition. Additional resources should be directed toward preserving our existing assets. This will minimize future impacts on maintenance costs and improve safety and reliability to the entire system.

Operating Assistance

IDOT supports the continued flexible use of Federal transit capital funding for day-to-day operations. However, during these extraordinary economic times when local funding resources for public transportation have suffered, an increase or emer-

gency Federal funding for public transportation is needed to supplement existing Federal transit funding. These emergency funds should be separate and distinct from continuing needs. This funding would ensure that vital services are continued at current service levels.

New Systems and Extensions—CTA/Metra

IDOT supports continued planning and engineering funding for existing CTA/Metra projects. Public transportation in northeastern Illinois has benefited over the years from bipartisan, and regional consensus; and, therefore, there is no particular priority for the ongoing projects. However, since Metra's Union Pacific Northwest Line and its Union Pacific West Line have completed their alternatives analysis studies and are ready for preliminary engineering, IDOT is supportive of Metra's request of \$20 million for upgrades for each line.

RAIL

Amtrak Appropriation

IDOT supports Amtrak's request of \$2.196 billion in funding from general funds for Federal fiscal year 2011 to cover capital costs (\$1.018 billion), operating costs (\$592 million), debt service costs (\$305 million) and ADA costs (\$281 million). Amtrak needs the full amount of their request to maintain existing nationwide operations. In addition, IDOT supports Amtrak's Federal fiscal year 2011 capital funding request for fleet planning which will require an investment of about \$446 million. Amtrak needs to replace aging, obsolescent and increasingly costly rolling stock and has developed a procurement model to replace the whole of their existing fleet by 2040 at a cost of \$23 billion.

In Illinois, Amtrak operates 58 trains serving approximately 4.4 million passengers annually within the Nation's passenger rail system that served 27 million passengers in Federal fiscal year 2009. It is noteworthy that Chicago's Union Station, a primary hub for Amtrak intercity service and the fourth busiest station in the Amtrak system, had boardings/alightings totaling over 3 million persons. Illinois subsidizes 28 State-sponsored trains which provide service in four corridors: Chicago-Milwaukee; Chicago-Springfield-St. Louis; Chicago-Galesburg-Quincy; and, Chicago-Champaign-Carbondale. Amtrak service in key travel corridors is an important component of Illinois' multimodal transportation network and continued Federal capital and operating support is needed.

—*CREATE Railroad Grand Crossing Connection.*—IDOT requests \$25 million in Federal fiscal year 2011 for design and construction of a railroad connection between the Canadian National and Norfolk Southern Railroads at 75th Street in Chicago—also known as Grand Crossing.

High-Speed Rail

IDOT supports the administration's \$1 billion request for the High-Speed and Intercity Passenger Rail program for Federal fiscal year 2011. The \$8 billion in ARRA high-speed and intercity passenger grant awards provided a great first step in the building of a national system; however, a continued Federal commitment and supplemental funding is crucial to accelerate the development of a true national intercity passenger high-speed intercity rail system. IDOT also urges the subcommittee to devote special attention to the development of the next generation of intercity passenger rail equipment. Providing funding for next generation intercity rail equipment creates and preserves solid employment for skilled American workers—employment that can be truly seen as "green jobs." IDOT also urges the subcommittee to fully fund the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) at its authorized levels. Likewise, IDOT supports the President's Vision For High-Speed Rail in America strategic plan released last April which promises to build a world-class network of high-speed passenger rail corridors. We believe that the funding provided under ARRA, PRIIA and in conjunction with the President's strategic plan will serve the Nation in making reasonable investments in establishing a solid foundation for high-speed rail from which the system can thrive and expand.

AVIATION

Airport Improvement Program Obligation Limitation

IDOT supports a Federal fiscal year 2011 Airport Improvement Program (AIP) obligation limitation of \$4.1 billion, the same funding level in the House-passed and Senate-passed reauthorization bill. These amounts are supported by the American Association of Airport Executives and the National Association of State Aviation Officials.

IDOT continues to support a multiyear reauthorization bill with AIP funding levels that will allow full use of the anticipated Airport and Airway Trust Fund (AATF) revenues. In addition, IDOT supports the continuation of the budgetary guarantees of AIR-21 and VISION-100 protecting the use of the AATF revenues. Both the House and Senate have passed long-term authorization bills. However, it is essential that Congress enact legislation to reauthorize the AIP program. Reauthorizing the AIP program secures Federal funds for Federal fiscal year 2010 and beyond so that the States can support the future development of their State aviation infrastructure programs.

IDOT urges Congress to reauthorize the programs of the Federal Aviation Administration before, or soon thereafter the recent extension expires on April 30, 2010. Adequate AIP funding remains especially important for small, non-hub, non-primary, general aviation and reliever airports. While most large/medium hub airports have been able to raise substantial amounts of funding with Passenger Facility Charges, the smaller airports are very dependent on the Federal AIP. Airports must continue to make infrastructure improvements to safely and efficiently serve existing air traffic and the rapidly growing passenger demand. Lower AIP obligation levels translate into less Federal funds for airport projects, thereby exacerbating the existing capital project funding shortfall.

Essential Air Service Program (EAS).—IDOT supports an EAS program funded at a level that will enable the continuation of service at all current Illinois EAS points. Several Illinois airports, Decatur, Marion/Herrin and Quincy, currently receive annual EAS subsidies.

Small Community Air Service Program.—IDOT supports funding for the Small Community Air Service Development Program in Federal fiscal year 2011, at a level no less than \$35 million. Illinois airports have received funding from this program in the past.

Other Non-modal IDOT Priorities

—*Height Modernization.*—IDOT requests \$1.2 million to continue a newly established Height Modernization program in Illinois. This project solicitation will be requested through the Appropriations Subcommittee on Science, State, Justice, Commerce and Related Agencies.

This concludes my testimony. I understand the difficulty you face trying to provide needed increases in transportation funding. However, an adequate and well-maintained transportation system is critical to the Nation's economic prosperity and future growth. Your ongoing recognition of that fact and your support for the Nation's transportation needs are much appreciated. Again, thank you for the opportunity to discuss Illinois' Federal transportation funding concerns.

PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

This statement focuses on the Department of Housing and Urban Development (HUD) and the Department of Transportation, Federal Highway Administration—Office of Civil Rights (FHWA-OCR).

On behalf of this Nation's 36 Tribal Colleges and Universities (TCUs), which compose the American Indian Higher Education Consortium (AIHEC), thank you for the opportunity to express our views and recommendations regarding the Department of Housing and Urban Development's University Partnership Program for Tribal Colleges and Universities for fiscal year 2011.

SUMMARY OF REQUESTS

Department of Housing and Urban Development (HUD).—Since fiscal year 2001, a TCU initiative has been funded and administered under the HUD-University Partnership Program. This competitive grants program enables Tribal Colleges and Universities to build, expand, renovate, and equip their facilities that are available to, and used by, their respective reservation communities. We strongly urge the subcommittee to reject the recommendation included in the President's fiscal year 2011 budget request to eliminate four separate HUD university and community assistance programs, each addressing very different community needs, and establish a homogenized University Community Fund. If all funds are competed from a single source, there is no assurance that TCUs will be served equitably, and the likelihood is that they will not be. We further request that the subcommittee support funding for the TCU Program, at a minimum of \$5.435 million; the same level of funding appropriated for this separate program in fiscal year 2010. Additionally, we request that language be included to permit that a small portion of the funds appropriated

may be used to provide much needed technical assistance to institutions eligible to participate in this competitive grants program.

Department of Transportation, Federal Highway Administration—Office of Civil Rights (FHWA-OCR).—Fort Peck Community College and Salish Kootenai College, both located in Montana, and members of the American Indian Higher Education Consortium, conduct Highway Construction Training Programs funded by On the Job Training/Support Services provided by FHWA-OCR. We urge the subcommittee to direct the FHWA-OCR to continue its current rate of investment in the vital programs offered by these TCUs that is designed to increase the number of American Indians, including women, that are part of the highway construction workforce in Indian Country.

BACKGROUND

Tribal Colleges and Universities are accredited by independent, regional accreditation agencies and like all institutions of higher education, must undergo stringent performance reviews on a periodic basis to retain their accreditation status. In addition to college level programming, TCUs provide essential high school completion (GED), basic remediation, job training, college preparatory courses, and adult education programs. TCUs fulfill additional roles within their respective reservation communities functioning as community centers, libraries, tribal archives, career and business centers, economic development centers, public meeting places, and child and elder care centers. Each TCU is committed to improving the lives of its students through higher education and to moving American Indians toward self-sufficiency.

Tribal Colleges and Universities provide access to higher education for American Indians and others living in some of the Nation's most rural and economically depressed areas. According to 2000 decennial census data, the annual per capita income of the U.S. population was \$21,587. In contrast, the annual per capita income of Native Americans was \$12,893 or about 40 percent less. In addition to serving their student populations, TCUs offer a variety of much needed community outreach programs.

These institutions, chartered by their respective tribal governments, were established in response to the recognition by tribal leaders that local, culturally based institutions are best suited to help American Indians succeed in higher education. TCUs effectively blend traditional teachings with conventional postsecondary curricula. They have developed innovative ways to address the needs of tribal populations and are overcoming long-standing barriers to success in higher education for American Indians. Since the first TCU was established on the Navajo Nation in 1968, these vital institutions have come to represent the most significant development in the history of American Indian higher education, providing access to, and promoting achievement among, students who may otherwise never have known postsecondary education success.

Despite their remarkable accomplishments, TCUs remain the most poorly funded institutions of higher education in the country. Chronic lack of adequate funds remains the most significant barrier to their expanded success. Funding for the day-to-day operating budgets of 26 reservation-based TCUs is provided under title I of the Tribally Controlled College or University Assistance Act (Public Law 95-471). Currently, the institutional operating budgets of these colleges are funded at \$5,764 per Indian student—only enrolled members of a Federal recognized tribe or the biological child of a tribal member may be counted as Indian students for the purpose of determining an institution's operations funding level. Because TCUs are located on Federal trust land, States have no obligation to fund them—not even for the non-Indian State-resident students who account for approximately 20 percent of TCU enrollments. Yet, if these same students attended any other public institution in the State, the State would provide basic operating funds to the institution. While mainstream public institutions have had a foundation of stable State tax-based support, TCUs must rely on annual Federal appropriations for their day-to-day institutional operating budgets. In the almost 30 years since the Tribal College Act was initially funded, these reservation-based colleges have never received the authorized funding level for their institutional operations. In fact, they have lost ground. If you factor in inflation, the buying power of the current appropriation is \$965 less per Indian student than it was when it was initially funded almost 30 years ago, when the appropriation was \$2,831 per Indian student. This is not simply a matter of appropriations falling short of an authorization. It effectively impedes the TCUs from having the resources necessary to provide educational services afforded students at State-funded institutions of higher education.

Inadequate funding has left many TCUs with no choice but to continue to operate under severely distressed conditions. The need remains urgent for construction, ren-

ovation, improvement, and maintenance of key TCU facilities, such as basic and advanced science laboratories, computer labs, and increasingly important student housing, day care centers, and community service facilities. Although the situation has improved dramatically at many TCUs in the past several years, some TCUs still operate—at least partially—in donated and temporary buildings. Few have dormitories, even fewer have student health centers and only one TCU has a science research laboratory.

As a result of more than 200 years of Federal Indian policy—including policies of termination, assimilation and relocation—many reservation residents live in conditions of poverty comparable to that found in Third World nations. Through the efforts of TCUs, American Indian communities are availing themselves of resources needed to foster responsible, productive, and self-reliant citizens.

JUSTIFICATIONS

Department of Housing and Urban Development

The HUD–TCU program, funded and administered under the Department’s University Partnership Program, is a competitive grants program that enables TCUs to expand their roles and efficacy in addressing development and revitalization needs in their respective communities. No academic or student support projects are funded through this program; rather, funding is available only for community based outreach and service programs at TCUs. Through this program, some Tribal Colleges have been able to build or enhance child care centers and social service offices; help revitalize tribal housing; establish and expand small business development; and enhance vitally-needed library services. Unfortunately, not all of the TCUs have yet to benefit from this program. The program staff at the Department has no budget to provide technical assistance with regard to this program. If a small portion of the appropriated funds were to be available for program staff to conduct workshops and site visits, more of the TCUs and their respective communities could benefit from this vital opportunity. We strongly urge the subcommittee to support a TCU specific program funded at a minimum of \$5.435 million, and to include language that will allow a portion of these funds to be used to provide technical assistance to TCUs, to help ensure that much needed community services and programs are expanded and continued in the communities served by the Nation’s Tribal Colleges and Universities.

Department of Transportation, FHWA—Office of Civil Rights

Since 1999, two of the Montana-based tribal colleges: Fort Peck Community College and Salish Kootenai College have conducted highway construction training programs with funds from FHWA–OCR’s On the Job Training/Support Services. In 2006, FHWA–OCR recognized the strength of its investment and success of these programs by presenting Salish Kootenai College with the “Minority Institutions Higher Education Achievement Award”. We urge the subcommittee to include report language directing the FHWA–OCR to continue its current rate of investment in the vital programs offered by these TCUs designed to increase the number of American Indians, including women, that are part of the highway construction workforce in Indian Country.

PRESIDENT’S FISCAL YEAR 2011 BUDGET

The President’s fiscal year 2011 budget request proposes eliminating four existing separate university and community assistance programs that serve unique constituencies and melding the funds into a single \$25 million University Community Fund, as part of the larger Community Development Block Grant (CDBG). We request that the subcommittee continue to recognize and appropriate separate funding for the Tribal Colleges and Universities Program, and the other affected programs, namely: Historically Black Colleges and Universities; Hispanic Serving Institutions Assisting Communities; and Alaska Native and Native Hawaiian Serving Institutions Assisting Communities, to be allocated competitively within the separate programs.

CONCLUSION

We respectfully request that in fiscal year 2011, Congress maintain the current level of funding for a separate Tribal Colleges and Universities HUD program and provide for technical assistance, to help these vital institutions improve and expand their facilities to better serve their students and communities. Additionally, we ask Congress to direct the Department of Transportation to maintain the current level of funding for our two TCUs that conduct highway construction training programs to increase quality jobs for American Indians living in Indian Country. Thank you

for your continued support of Tribal Colleges and Universities and for your consideration of our fiscal year 2011 HUD appropriations requests.

PREPARED STATEMENT OF THE CITY OF MARICOPA, ARIZONA

Chairwoman Murray, Ranking Member Bond, and distinguished members of the subcommittee, thank you for allowing me to testify on behalf of the city of Maricopa in support of \$1.8 million for environmental studies through the Federal Highway Administration's (FHWA) Public Lands Highway—Discretionary (PLHD) program for a grade separation along State Route 347 in Maricopa, Arizona.

History.—Maricopa is a small but thriving community 35 miles south of Phoenix that is between the Gila River Indian Community and the Ak-Chin Indian Community. Incorporated in 2003 with a population of approximately 1,000 people, Maricopa is now a burgeoning community of more than 40,000 and growing at the rate of approximately 100 people per month. SR-347 is Maricopa's "Main Street" and is the area's primary north-south corridor and most direct route to the Phoenix area. Originally paved in the 1950's as a two-lane highway, the roadway was upgraded to a five-lane facility in the early 1990s, when the population of Maricopa and surrounding communities was less than 1,000 people. The Union Pacific Rail Road's (UPRR) Sunset Line crosses SR-347 in the center of the Maricopa community. The Sunset Line was a single track but has just recently been double tracked with plans for a third track. The Sunset Line is one of UPRR's key transcontinental freight corridors, and currently over 50 trains per day pass through the UPRR/SR-347 intersection at speeds in excess of 50 mph.

Traffic Levels.—Traffic counts taken in February 2009 show a daily traffic count of 33,547 vehicles, including 168 school buses carrying an estimated 2,856 children across this rail line during morning and afternoon peak hour periods. Also, on average 30 pedestrians cross the tracks at peak times, many of them students walking to and from Maricopa High School. Additionally, a majority of patrons of Harrah's Ak-Chin Casino, located just a few miles south of Maricopa, cross the UPRR line on SR-347 in both personal vehicles and on charter buses.

Accident History.—Crash statistics documented in our 2007 feasibility study show that SR-347 at the UPRR Line had 21 accidents including one fatality in the previous 3 years. Federal Railroad Administration's (FRA) most recent 10-year accident statistics for all of Pinal County show an average of 3 fatalities a year out of 30 incidents per year county-wide. In Maricopa, FRA statistics show five fatalities in the past 20 years at crossing 741343C (SR-347 and UPRR) including a toddler trapped in a truck stalled on the crossing in June 2000. Life long residents remember this tragedy and never want to see it repeated.

Congestion.—Each passing train stops traffic on SR-347 for several minutes resulting in delays and congestion. In addition, six Amtrak trains per week make scheduled stops at the Maricopa Station, typically taking 5 to 10 minutes to load and unload passengers and baggage. The Amtrak loading platform is located approximately 120 feet east of the SR-347 crossing; since the Amtrak trains normally extend through the intersection, these also cause long back-ups and congestion.

Emergency Access.—To many people in Maricopa, the SR-347 crossing at the UPRR is literally the only way across the railroad tracks. Due to the location of fire stations and the restriction of only having one police station in the city, this means emergency vehicles also commonly have to wait for the passing of a train before they are able to continue responding to a code response. Maricopa is concerned about the SR-347/UPRR crossing as a hindrance to providing proper public safety responses.

Hazardous Materials.—With the volume and type of freight carried along the UPRR Sunset Line through the middle of downtown Maricopa, there is an ever-present threat of a hazardous materials incident. Spills of this nature can take upwards of 12 to 24 hours to resolve. The shutdown of this vital crossing, leaving residents unsure of alternate routes and hindering emergency service response as well as citizens commuting to and from work, would cause serious repercussions for the community. Traffic congestion could also delay proper response of hazardous materials teams.

Current Status.—A grade separation Feasibility Report/Environmental Overview (FR/EO) was completed in March 2007. The purpose of the investigation was to develop and evaluate various alternatives for achieving the grade separation. The FR/EO presents five options for achieving the project goals, and evaluates each based on a range of criteria including cost, effectiveness, and community impacts.

Since March 2007, no progress has been made on this project. Steps left to be taken include the completion of a Design Concept Report and an Environmental Im-

fact Statement and engineering design. Once project development is completed, bidding and construction can proceed. The city of Maricopa strongly supports a congressional appropriation of \$1.8 million for environmental studies with regard to the SR-347 grade separation project in the fiscal year 2011 Transportation and Housing and Urban Development and Related Agencies Appropriations bill.

To date, the city of Maricopa has invested \$500,000 in the project and is expected to add more to this total. Additionally, the Arizona Department of Transportation has committed \$400,000 to this project thus far. To keep this project on schedule, Federal funding is necessary and we strongly support the subcommittee allocating \$1.8 million to complete the environmental studies for this project.

Justification for Dedication of Federal Funds.—SR-347 is the primary access to one of the fastest growing areas in the country, carries pass-through traffic to San Diego and Mexico and serves as a key economic corridor for the Arizona region. The UPRR Sunset Route is one of the busiest transcontinental rail lines in the United States, transferring freight between the Port of Los Angeles, California and El Paso, Texas. We have two significant interstate transportation routes intersecting within a local municipality, burdening the city and placing residents at a heightened risk. Federal action to remedy this is warranted given the gravity of the situation, the scale of the solution required and the scarcity of alternative options.

The speed of regional growth has outpaced the ability of local and State authorities to provide for the health, safety and welfare of travelers crossing the UPRR line on SR-347. Once safety concerns are identified, it is imperative to seek a solution to this problem at all levels. The transcontinental nature of the UPRR rail line is a national issue. The housing boom that created Maricopa and brought residents from all across the country is a national phenomenon. The reality that a significant and possibly fatal safety issue exists today should drive away any notion that this is anything less than a national issue. A safety issue as this, with emergency needs, should be addressed before conditions worsen and additional accidents or fatalities take place. We should solve this problem before another tragedy takes place and this is why we are urgently asking Congress to address this problem now before another fatal accident takes place.

Conclusion.—The UPRR crossing at SR-347 is one of the most dangerous rail crossings in Arizona. Because it bisects the fastest growing area of Arizona, traffic is congested, public safety is compromised, and children are at risk because of its proximity to a high school. The only way to resolve this dangerous situation is an over or under pass at the current grade crossing. Therefore, again, the city of Maricopa strongly supports \$1.8 million in funding through the PHLD program under the Federal Highway Administration in the fiscal year 2011 Transportation and Housing and Urban Development and Related Agencies Appropriations bill for the completion of the environmental studies for State Route 347 grade separation project thus keeping it on an optimal schedule for completion.

Finally, it is important to note that our Senators—Kyl and McCain—do NOT request earmarks and, therefore, we will not receive any funding in the Senate. However, we are confident that with our support in the House from Congressmen Grijalva and Pastor that this project will be a conferenceable line-item and we hope you will support this important request. Not one more life should be sacrificed at this dangerous crossing.

Thank you for your time and attention to this important matter.

PREPARED STATEMENT OF THE COOK INLET HOUSING AUTHORITY

My name is Carol Gore, and I currently serve as the president and CEO of Cook Inlet Housing Authority. On behalf of Cook Inlet Housing Authority, I appreciate this opportunity to submit testimony to the Senate Appropriations Subcommittee for Transportation, Housing and Urban Development regarding the Department of Housing and Urban Development's proposed fiscal year 2011 funding allocation for the Indian Housing Block Grant program.

Cook Inlet Housing Authority is headquartered in Anchorage, Alaska. It is the Tribally Designated Housing Entity for Cook Inlet Region, Inc. and has a service area of 38,000 square miles, covering much of south-central Alaska. According to Census 2000 figures, Cook Inlet Housing Authority's service area contains a Native American population of approximately 36,000 individuals, roughly 30 percent of Alaska's Native American population. We estimate that more than one-half of the Native American families living within Cook Inlet Housing Authority's service area are living at or below HUD-defined low-income levels.

The Indian Housing Block Grant program, created by the Native American Housing Assistance and Self-Determination Act, or "NAHASDA," is Cook Inlet Housing

Authority's primary source of funding for affordable housing and housing-related activities for low-income Native American families. The program enables Cook Inlet Housing Authority to develop and operate elder and family rental housing, provide affordable home loans and down payment assistance, deliver housing readiness case management, issue tenant-based and project-based rental assistance vouchers, and provide weatherization upgrades. Cook Inlet Housing Authority also works with a number of local providers to combat homelessness and provide supportive housing for individuals with special needs. This leveraging of local capacity provides a non-duplicative mechanism to use existing expertise and programs to enhance homelessness and supportive housing opportunities for low-income Native American families living within our region.

The Indian Housing Block Grant is critical for another, more technical and fundamental reason. Congress intended for NAHASDA recipients to use their Indian Housing Block Grants to leverage additional funding for affordable housing in Indian country. By using its Indian Housing Block Grant to secure investment from other sources, Cook Inlet Housing Authority has been able to bring significant additional resources to serve the affordable housing needs of all tribal members living within our region without segregation by income or location. We describe this leveraging model as providing our region with the benefits of living within a Village where all people and resources are valued. By leveraging our NAHASDA funds, we are benefiting our people and community in a way that celebrates and welcomes our Native American population providing them quality homes in a variety of neighborhoods. Simultaneously, our leveraging model has enabled us to serve more AIAN clients than we could otherwise serve if we developed housing strictly with NAHASDA funds on a house-by-house basis. NAHASDA encourages leveraging. We thank Congress for the wisdom and guidance to provide this opportunity to bring private capital and funding to our Indian housing. Leveraging is part of the reason why NAHASDA has been a resounding success throughout the United States.

However, despite the successes and innovations NAHASDA has spawned, housing conditions in Indian country are far inferior to those of the general U.S. population. According to the 2000 U.S. Census, nearly 12 percent of Native American households lack plumbing, compared to 1.2 percent of the general U.S. population. Indian households are nearly three times more likely to be severely overcrowded. We are making good progress, but our success has only just now begun to reach the private banking industry and other grant funding sources. Absent NAHASDA funds for leveraging, we have little chance of continuing our progress. With NAHASDA, we are perceived to have "skin in the game" by other funders. We are investing in our people and our communities—often bringing \$1 to \$9 from other sources for every NAHASDA dollar.

It is for precisely these reasons—the success of NAHASDA and the disparity in housing conditions between Native American communities and the general U.S. population—that Cook Inlet Housing Authority is so confused by the administration's 2011 budget request for the Indian Housing Block Grant. The President's 2011 budget seeks \$580 million for the Indian Housing Block Grant, an amount 17 percent less than the level enacted for 2010 and the lowest single-year funding amount for the IHBG since the Native American Housing Assistance and Self-Determination Act became law in 1996.

Why a successful program that effectively addresses the housing needs of an extremely underserved population should bear a disproportionate burden when it comes time to trim the Federal budget is simply baffling. Cook Inlet Housing Authority has heard unsubstantiated assertions that there is a lack of capacity in Indian country that prevents the timely expenditure of Indian Housing Block Grant funds. To the contrary, it is our understanding that NAHASDA recipients have clearly demonstrated their capacity to obligate and expend American Recovery and Reinvestment Act funding in accordance with Federal requirements.

It is true that some NAHASDA recipients may hold on to their annual Indian Housing Block Grant funding for limited periods, but they do so for legitimate reasons. Because of the nature of the housing industry in cold weather climates, construction seasons may be limited. In Alaska, we can miss an entire construction season because the water transportation system is either too low or doesn't thaw in time for delivery. Moreover, small tribes receiving minimum NAHASDA allocation sometimes preserve their Indian Housing Block Grant funding over multiple years until they have pooled enough resources to engage in meaningful and strategic housing activities. This practice is expressly permitted by NAHASDA.

It is also confusing that the administration's budget request proposes such a substantial cut to the Indian Housing Block Grant only months after Congress implicitly recognized the efficacy of NAHASDA by providing millions of dollars for the Indian Housing Block Grant through the American Recovery and Reinvestment Act.

Had the Recovery Act funding been described to tribes and tribally designated housing entities as an advance rather than a supplement intended to address critical housing shortages in Indian country while stimulating the American economy, Cook Inlet Housing Authority would have vigorously opposed Recovery Act NAHASDA funding. Such an “advance” followed by a funding cut would require tribes and housing organizations to hire a significant number of new employees in order to spend Recovery Act funding, only to lay off those very workers and additional staff once Recovery Act funding is spent. This was clearly not the intent of Congress.

Because NAHASDA is an effective program enabling tribes and their designated housing entities to address the severe shortage of safe, affordable housing in Indian country, Cook Inlet Housing Authority respectfully requests that Congress fund the Indian Housing Block Grant at \$875 million for 2011. This funding level will restore Indian Housing Block Grant funding to the fiscal year 2010 funding level and provide an additional \$175 million to address inflationary forces and cost increases that were not taken into consideration between 1996, when NAHASDA was passed, and 2010.

On behalf of Cook Inlet Housing Authority, thank you for the opportunity to provide testimony opposing the administration’s proposed cuts to the Indian Housing Block Grant and supporting an increase in the amount of \$175 million for that program.

PREPARED STATEMENT OF THE ELY SHOSHONE TRIBE HOUSING DEPARTMENT

It has been brought to my attention that the fiscal year 2011 budget proposed by President Obama includes unprecedented cuts to funding under the Native American Housing and Self-Determination Act (NAHASDA). As you may be aware, housing conditions and the availability of housing in Indian Country fall far below those of the general U.S. population. For example, according to the 2000 U.S. census, nearly 12 percent of Native American households lack plumbing compared to 1.2 percent of the general U.S. population. Further, Indian households are nearly three times more likely to be severely overcrowded.

Since the inception in 1996 and funding and implementation in 1998, NAHASDA has been the cornerstone of tribal housing programs. The President’s budget proposes cutting funding for the Indian Housing Block Grant (IHBG) to \$580 million, which is nearly 18 percent lower than the fiscal year 2010 funding level and would be the lowest single-year funding ever allocated to IHBG since NAHASDA was enacted. The proposed budget does not include sufficient resources for the Indian Community Development Block Grant (ICDBG) and completely eliminate the much-needed Training and Technical Assistance (T/TA) that tribes need to plan, implement and manage their housing programs. I urge you to support increased funding for the IHBG at \$875 million, the ICDBG at \$100 million, and to reinstate the allocation for T/TA at \$4.8 million.

Thank you in advance and consideration.

PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

Mr. Chairman, members of the subcommittee, I am Karen R. Diver, chairwoman of the Fond du Lac Band of Lake Superior Chippewa. On behalf of the band, I would like to thank you for this opportunity to submit testimony on fiscal year 2011 appropriations relating to the United States Department of Housing and Urban Development. We submit this testimony to urge Congress to increase the Federal funding levels for Indian housing programs that are provided through the Department of Housing and Urban Development.

Specifically, we ask that Congress appropriate \$875 million for the Native American Housing Block Grant Program (NAHASDA), and increase all other HUD programs serving Native Americans. Although the NAHASDA program is the principal source of Federal financial assistance for housing on Indian reservations, the President’s proposed fiscal year 2011 budget would reduce funding for this program to only \$580 million. This is substantially below the fiscal year 2010 enacted level of \$700 million, and, in fact, is well below funding that had been provided for this program in each of fiscal years 2005 through 2009—which had averaged \$630 million annually but which had not been adjusted to address increases in housing costs caused by inflation. While the band very much appreciates the additional funds provided for this program through the American Recovery and Reinvestment Act of 2009, the ARRA funds should supplement and not reduce program funding levels. Indeed, because of the severe and persistent deficiencies in housing in Indian Country, program funds should be increased above the fiscal year 2010 enacted level.

Native Americans suffer the most substandard housing—at a rate of six times that of the population at large. The Fond du Lac Band, like tribes nationwide, has longstanding and severe housing needs. Our reservation, located in northeastern Minnesota, is part of our aboriginal homeland. The reservation was established for us by treaty with the United States on September 30, 1854 as our permanent home. We have 3,900 enrolled tribal members, and provide a wide range of services not only to our members, but to approximately 6,500 Indian people who live and work on and near our reservation.

The Fond du Lac Reservation did not receive public housing until 1965, 30 years after public housing was established for all other Americans. The implementation of the housing program for Fond du Lac followed many years of failed Federal policy, which served to break up families by placing children in boarding schools and foster homes, and which relocated many of the residents of the Fond du Lac Reservation from the reservation to urban areas. In recent years, especially with the decline in the Nation's economy, many band members have come back to the reservation in the interest of obtaining jobs that the band has been able to provide as a result of the band's recent strides in economic development.

Although our reservation encompasses 100,000 acres of land, the Federal allotment policy, which was applied to the Fond du Lac Reservation in 1889, left us with the poorest lands; our most valuable lands went to timber companies and homesteaders. In addition, our reservation is located in a geographic area that contains mostly marginal lands that require costly drainage projects for the land to be useable. Our lands are considered a difficult environment for affordable housing because they require high development costs associated with substandard soils and expensive sewage systems and a lack of decent infrastructure. In an effort to meet our members' housing needs, the band has found it necessary to invest significant funds to remediate the band's current lands, purchase other lands, and construct the infrastructure (septic systems, water and sewer lines, roads, and utility services) that is essential to serve those lands.

The band cannot do this alone. The band has long depended on the funds made available to Indian tribes through HUD to assist us in meeting the housing needs of our members. But the deficits in housing for Indian people are so entrenched and so severe that they will not be remedied without continued Federal financial assistance.

We currently have 73 units of home ownership housing and 231 units of low rent housing. Many of our housing units are over 15 years old, with the oldest units built more than 30 years ago, in 1970. Because of the age of our housing stock, the units are constantly in need of maintenance and repairs. Approximately 30 percent of our housing units require major renovation, such as the replacement of roofs and siding, as well as upgrades in plumbing and other utility systems, and the replacement of windows and doors. Other units require routine repairs and maintenance, the average cost of which is \$5,000 per year.

The Fond du Lac Housing Division currently has a waiting list of approximately 300 applicants seeking low income and home ownership housing. We have many other tribal members who are also in need of housing, but who have moderate incomes and therefore are not even shown on our waiting list. To meet the needs of our members we need to build at least 300 new housing units. Our greatest need is for low income rental units and funds to cover the cost of repairs and maintenance. We also have ongoing needs to build new and upgrade existing septic systems to serve that housing, the cost of which is estimated to be approximately \$1–\$2 million.

The disparity between housing conditions among our members and that of the general population is shown by the 2000 Census. In Minnesota, 0.5 percent of the population lives in homes lacking complete plumbing. In contrast, among Fond du Lac members that figure is 10 times higher—5.1 percent. In Minnesota, 0.48 percent of the population lives in homes that lack complete kitchens. In contrast, among Fond du Lac members, 4.2 percent live in homes without complete kitchens. In addition the poverty rate in Minnesota is 7.9 percent, while the poverty rate among Fond du Lac members is 14 percent.

Because of the severity of our housing shortage, approximately 20 percent of our people currently live in overcrowded homes. It is not uncommon on our reservation and among our people to find 10 or more individuals living together in a 2-bedroom home. Overcrowding, in turn, taxes the house itself by accelerating the wear and tear on those homes.

Overcrowding and dilapidated housing creates other risks. As discussed by the U.S. Commission on Civil Rights, in its report, *A Quiet Crisis: Federal Funding and Unmet Needs In Indian Country*, at 62–63 (July 2003), the high rate of overcrowded housing among Native Americans increases the risk of fire and accidents, and cre-

ates unsanitary conditions, with increased spreading of communicable but normally preventable illnesses. Overcrowded housing is especially harmful to children, who, as the Commission found, are likely to “suffer sleep deprivation and inability to concentrate in school.” In addition, overcrowded housing “often results in stress, which can magnify family dysfunction and eventually lead to alcohol and child abuse.” A Quiet Crisis at 63. We see these problems at Fond du Lac.

Our members who are compelled to live in overcrowded homes are also often only a step away from being homeless. As set out in a recent study of homeless and near-homeless persons on northern Minnesota Indian Reservations, including the Fond du Lac Reservation, “[d]oubling up with family or friends is often the last housing arrangement a person has before becoming literally homeless, and it is common for people to go back and forth between doubling up and homelessness.” Wilder Research, Homeless and Near-Homeless People on Northern Minnesota Indian Reservations (Nov 2007), <http://www.wilder.org/download.0.html?report=2018>. The Report further found a substantial number of Indians on the six reservations studied to be in this near-homeless status.

Homelessness is an equally severe problem among Fond du Lac members. In 1994, the Minnesota Housing Finance Agency reported that while the homeless rate for all Minnesota residents was 0.92 percent, the homeless rate among Fond du Lac members was 6.54 percent. See Minnesota Housing Finance Agency, Comprehensive Housing Affordability Strategy 1996–2000 at 28, 43, 49 (December 29, 1995). The problem of homelessness continues to exist. A 2006 study shows that a disproportionately high number of Native Americans in Minnesota are homeless. See Wilder Research, Overview of Homelessness in Minnesota 2006: Key Facts from the State-wide Survey (April 2007), <http://www.mnhousing.gov/initiatives/housing-assistance/Resources/index.aspx>. The study reports that although Native American adults are only 1 percent of the population of the State, they are 11 percent of the adults identified as homeless. And while Native American youth (age 11 to 17) are only 2 percent of the youth population in the State, they are 22 percent of the homeless youth that are unaccompanied by an adult. *Id.* at p 9.

We see the problem of homelessness among our members every day. The band regularly receives requests from band members who are homeless and in need of housing. The band currently has no facilities to provide temporary shelters to house our members when emergencies arise and there are no homeless shelters in close proximity to the Fond du Lac Reservation. Instead, in an effort to combat this problem, the band has found it necessary provide temporary shelter to homeless band members in the band’s Black Bear Hotel and other local hotels and motels.

In addition, several years ago, the band established an emergency rental assistance program. Under this program, the band provides emergency shelter to band members in need of housing by paying the security deposit and first month’s rent on a rental unit anywhere within a 60 mile radius of our reservation. The band has provided rental assistance to many band members since the program was created. But although this program does address the immediate housing crisis faced by a family that becomes homeless, it is not a long term solution for many of our members who do not have sufficient financial resources to continue to pay the higher rents that are generally charged for housing outside the reservation. Those members risk becoming homeless again a few months after emergency rental assistance is provided. The band needs more units of affordable low-income rental housing to meet the needs of these individuals. However, because of budget limitations, we do not have enough funds to cover the cost of building and maintaining a sufficient number of low income rental housing units.

The Fond du Lac Band also needs to address the housing needs of our elderly population by providing assisted living accommodations for them if they so choose. Our elders are our teachers and mentors and we need to honor and respect them by giving them comfort and security, and allow them to live in a secure, healthy and worry-free environment. While the band has two housing complexes for our elders, there are not a sufficient number of units within those complexes to meet the need. Further, the units in those complexes do not have the medical and related facilities if the elders require greater assisted care. In such circumstances, our elders must find a nursing home outside the reservation.

The band relies on its annual grant from the Department under the NAHASDA program to meet some of these housing needs. The band has also relied on Indian Community Development Block Grants, which the band has been able to use for infrastructure. However, the funding for these programs has not materially increased over the years. At the same time, the costs of the supplies, materials and labor necessary to remodel and modernize our aging housing stock have increased every year with inflation. Each year we are forced to do more with less. Current funding levels simply do not meet the housing needs. The lack of any real increases in the

NAHASDA program before fiscal year 2010 and in the other HUD programs that are intended to serve Indians will only make this housing crisis worse. The Federal Government's trust responsibility demands that this Indian housing crisis be addressed.

Housing represents the single largest expenditure for most Indian families. The development of housing has a major impact on the national economy and the economic growth and health of regions and communities. Housing is inextricably linked to access to jobs and healthy communities and the social behavior of the families who occupy it. The failure to achieve adequate housing leads to significant societal costs.

Decent, affordable, and accessible housing fosters self-sufficiency, brings stability to families and new vitality to distressed communities, and supports overall economic growth. Very particularly, it improves life outcomes for children. In the process, it reduces a host of costly social and economic problems that place enormous strains on the education, public health, social service, law enforcement, criminal justice, and welfare systems. For these reasons the Fond du Lac Band strongly urges Congress to increase funding for our housing needs so we can meaningfully address the needs of the core of our communities.

Miigwech. Thank you.

PREPARED STATEMENT OF THE RAILWAY SUPPLY INSTITUTE, INC.

Thank you for the opportunity to submit this statement.

The Railway Supply Institute (RSI) appreciates the opportunity to provide this subcommittee with our views on important transportation funding policy.

Established in 1908, RSI is the international association of suppliers to the Nation's freight, passenger rail systems, and rail transit authorities. The domestic railway supply industry is a \$20 billion a year business with some 500 companies employing 150,000 people. Approximately 25 percent of sales involve Amtrak, commuter railroads and transit authorities. A strong national freight and passenger rail system will not only continue to sustain good paying domestic jobs but will lead to future job creation as well.

RSI supports both our Nation's freight and passenger rail operations. We need a strong, national railroad passenger system that contributes to reducing dependence on foreign oil; reducing carbon emissions into the atmosphere; reducing congestion on our highways; improving transportation safety; reducing airport congestion; and that will enhance our ability to move vast numbers of people in emergency evacuation situations (i.e. 9/11, Katrina, etc).

As representatives of those who supply our Nation's railroad industry, we submit that a more balanced national transportation policy that places more emphasis on rail will significantly contribute to meeting our Nation's stated policy objectives that are designed to make this Nation stronger.

Our key requests for intercity passenger trains for fiscal year 2011 are:

- Amtrak's budget request: \$592 million for operations; \$1,299 million for capital (including \$281 million for Americans with Disabilities Act compliance work); \$305 million for debt service; \$7 million for FRA oversight.
- Amtrak's fleet strategy requirement: \$446 million.
- Capital grants for States: \$4 billion, with an appropriate portion designated for rolling stock acquisition.

In addition, we urge the subcommittee to consider fully funding the FRA Railroad Safety Technology Grant Program in the amount of \$50 million. The grant program is intended to accelerate the installation of Positive Train Control (PTC) on key portions of the Nation's rail system. As you know, the Rail Safety Improvement Act of 2008 (RSIA) mandates the deployment of interoperable PTC systems by December 31, 2015 on mainline tracks that carry passenger trains or Poison Inhalation Hazard/Toxic Inhalation Hazard materials. The new grant program was authorized under RSIA and has an 80/20 cost-sharing requirement. Funding assistance would help the railroads continue to expand needed capacity to meet both freight and passenger demands while still complying with the PTC mandate.

Finally, RSI requests that the subcommittee provide full funding for the Federal Railroad Administration's rail research and development program, ideally to the administration's requested level of \$40 million. FRA's R&D program provides vital safety support including research on track issues, equipment crashworthiness, hazardous materials transport, human factor issues such as fatigue and many other areas supporting the Nation's rail safety program and saving lives.

Your continued support for a healthy and vital rail network is good public policy and good for the Nation.

Thank you for considering our views.

PREPARED STATEMENT OF THE HOOPA VALLEY TRIBE

This written testimony is submitted in support of appropriations for the Hoopa Valley Tribe's Senior Nutrition (Elder) Center in the amount of \$1,150,000. The agency involved is Housing and Urban Development and the programs involved include Economic Development Initiatives.

The Hoopa Valley Tribe is a federally recognized Indian tribe governed by a chairman and a seven member tribal council. Our responsibilities include governing our tribal members and land; administering, managing and protecting our tribal property; safeguarding and promoting the peace and general welfare of the Hoopa Valley Indians; and negotiating with Federal, State and local governments.

Located in the rural and remote areas of Northern California, the Hoopa Valley Indian Reservation is 55 miles from the larger populated areas of Eureka and Arcata. The Hoopa Valley Tribe is the largest land based tribe in California. Our reservation is referred to as the "12 mile square;" it encompasses approximately 144 square miles (98,355 acres) including the Valley floor.

According to the U.S. Census Bureau (Census 2000), there are approximately 2,633 people living on the Hoopa Valley Reservation. About 84.7 percent of the residents are American Indian. Poverty, inadequate education, high rates of unemployment and limited access to health services are creating significant and alarming health disparities among our people. Around 32 percent of Hoopa residents are currently living in poverty, which is 2.3 times the statewide figure of 14.2 percent and 2.6 times the nationwide figure of 12.4 percent. These statistics include our elders who are disproportionately affected by chronic conditions and are principally low income individuals living on fixed incomes.

The K'ima:w Medical Center is an entity of the Hoopa Valley Tribe. It is an ambulatory clinic which offers a comprehensive set of services that include medical, dental, community health, nutrition, social services, senior nutrition, full laboratory and radiology services as well as specialty clinics for vision, podiatry and telemedicine. The service area of K'ima:w Medical Center includes the reservation as well as the surrounding areas of Willow Creek, Salyer and Johnson.

The tribe and its K'ima:w Medical Center are seeking appropriations to construct a new Senior Nutrition (Elder) Center. Our current center is located in a very old building. We have safety concerns as well as simply not enough space for the services and activities we wish to offer our seniors, and which our seniors need. The Center we envision would become a focal point for the community and a place where seniors in the community could go for nutritious meals, community programs, medical screenings, physical therapy, and general health education. The Center would enable us to promote a more fit and healthy senior population through these screenings, exercise, activity and nutrition. Importantly, the Center would serve tribal members and non-tribal members in the community.

Caring for our elders is of utmost importance to the Hoopa Valley Tribe. The Senior Nutrition (Elder) Center would greatly aid in improving the lives of senior citizens on the reservation. Because of the vast area and remote nature of our reservation, seniors can easily experience isolation from time to time. This Center would help alleviate this problem. It would provide a gathering place for elders to create and maintain social relationships and preserve their connection to the community. It would also provide opportunities for tribal members to learn from the tribe's elders as they administer care or simply visit with them at the Center.

The Center's services would not only enhance the quality of life for our elders but would also help prevent and detect unnoticed healthcare problems. Poor nutrition and delayed detection of illnesses can lead to serious consequences. It is expected that the Center would help prevent healthcare problems and the substantial medical costs associated with same. Our elders face high rates of diabetes, dyslipidemia and high blood pressure. The Center would help seniors take control of their health before more serious problems arise.

The tribe's current senior nutrition program serves meals to tribal and non-tribal elders in the community. Last year, we served 6,582 meals on-site and 7,953 meals via home delivery. This was an increase of 332 meals over 2008. We expect these needs to continue to rise and an upgraded Center is vital to meeting expected increased demands. Our services in this regard are critical as the meal we serve is likely the only opportunity for a nutritious meal for a senior, and may very well be the only opportunity for a meal, period.

Finally, a new Senior Nutrition Center would provide jobs in our remote area which is in need of economic development. The project is expected to create at least

15 construction positions. Further, permanent staff would be hired once the new Senior Nutrition Center is operational. Having more people employed on the reservation will stimulate the local economy, something which is seriously needed given our poverty rate and remote area.

The Total Project Cost and Total Appropriations Request are:

- Senior Nutrition (Elder) Center—Total \$1,550,000
- Construction of the building: \$1,150,000
- Kitchen equipment, furniture, additional building expenses—\$400,000

Of the Senior Nutrition Center's total costs, \$1,550,000, the tribe plans to contribute \$400,000 (26 percent) through the use of tribal funds and more community fund raising.

Funding in the amount of \$1,150,000 is requested for the construction of a new Senior Nutrition Center on the Hoopa Valley Reservation.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF RAILROAD PASSENGERS

Thank you for the opportunity to submit this statement. Thank you also for the positive role that you and your subcommittee have played over the years in providing funding for intercity passenger trains.

Our key requests for intercity passenger trains for fiscal year 2011 are:

- Amtrak's budget request: \$592 million for operations; \$1,745 million for capital (including \$281 million for Americans with Disabilities Act and \$446 million for the fleet strategy); \$305 million for debt service; \$7 million for FRA oversight.
- Capital grants for States: \$4 billion, with an appropriate portion designated for rolling stock acquisition.
- Any funding needed to restore service to Las Vegas. Amtrak, as part of its statutorily mandated California Zephyr performance improvement plan is considering restoring Salt Lake City-Los Angeles service. This would put Las Vegas back on the Amtrak map and restore direct Denver-Los Angeles service. Around 1996, when Amtrak was considering route reductions, the head of what was then Amtrak's Chicago-based "strategic business unit" told our chairman, "If I had known Congress was going to put back routes, based on the economics, I would have recommended the Desert Wind (Salt Lake City-Los Angeles) first."
- Funding needed to restore service between New Orleans and Florida, consistent with the PRIIA requirement that Amtrak by July 16, 2009, submit a plan to restart service.
- Funding needed to restore service between Salt Lake City and the Pacific Northwest and between Chicago and the Pacific Northwest via southern North Dakota and southern Montana, as Amtrak studied in response to the mandates in PRIIA.

Equipping Trains for Growth.—A major factor hurting customer satisfaction and inflating operating costs is the 37-year average age of its locomotives and cars, including 92 long-distance "Heritage" cars that are between 53 and 61 years old.

Amtrak's fleet strategy assumes ridership growth of only 2 percent. That is too conservative, given the need to increase capacity on existing routes and to add routes. We appreciate Amtrak's emphasis on their plan's "scalability," that is, the fact that car acquisitions can be increased if the market calls for it and funding is provided. Indeed, some trains are already outpacing similarly conservative ridership projections.

Nonetheless, this illustrates the financial challenge: failure to meet the funding targets Amtrak identified puts us close to a no-growth scenario regarding both additional capacity on existing routes and expanding the network to parts of the country that are not adequately served, a category that includes some of the fastest-growing regions in the United States.

In addition to funding fleet needs directly, consideration should be given to the use of tax credits and/or asset depreciation benefits to encourage private leasing companies to buy equipment and lease it to States and perhaps Amtrak. Part of the goal is to reduce the high up-front costs that taxpayer-supported agencies face when procuring new equipment.

Also of critical importance is the \$281 million Amtrak request to fulfill its obligation to bring stations into compliance with the Americans with Disabilities Act—money that is left out of the administration's budget. The Association supports Amtrak's current ADA policy as set forth in "Amtrak Guidelines on Platform Design" (April 2008). Previously, we joined with Amtrak, the Class I railroads and commuter railroad agencies in strongly opposing a rule that had been under consideration by U.S. DOT that would have required full length platforms for level boarding. In fiscal

2010, Amtrak was instructed to spend the \$144 million for ADA which in effect reduced other vital capital expenditures.

The Importance of Trains.—More and better passenger trains and intermodal connections are crucial to maintaining mobility for our citizens, enhancing the quality of life in our communities, bolstering our Nation’s economic competitiveness and energy efficiency, providing good jobs for Americans and reducing our transportation system’s negative environmental impact.

Mobility and quality of life issues become more relevant as the proportion of older citizens dramatically increases, and as young people become more receptive to non-auto transport.

The national interest is well served by enabling as many people—especially older people—as possible to lead a satisfying life with little or no driving. This can improve both safety and mental health, as people in auto-dependent environments who cannot drive suffer from the resulting sense of isolation.

Fewer Teenaged Drivers.—At the same time, the Millennial Generation—people in their teens and twenties—is greatly attracted to a less car-dependent lifestyle. They increasingly do not view acquiring a driver’s license as a “rite of passage to maturity” for 16-year-olds. Indeed, my two sons of driving age, now 21 and 19, both got their drivers’ licenses a year or two after turning 16, becoming serious about getting their licenses only after realizing that mass transit served their transportation needs poorly. Media reports confirm that my sons are not unique, including WRAL.com in Raleigh (January 25), Tampa’s News Channel 8 (February 11), and New York Times (February 25, 2008).

Ridership and Polls.—Americans’ desire for improved train service is demonstrated through increasing ridership on Amtrak and rail transit systems nationwide. Amtrak gained riders for 6 straight years—from 2002 to 2008. The 2008 run-up in gasoline prices was a big factor in ridership growth of 11 percent from 2007 to 2008. While Amtrak and transit ridership fell in 2009, due in part to the recession and lower gasoline prices, Amtrak ridership still was 5 percent above the 2007 level. Amtrak ridership through the first half of fiscal year 2010 (October–March) was 4.3 percent above the year-earlier level (long-distance trains were up 5.2 percent).

For years, polls have consistently shown strong support for increased investment in passenger trains. A recent one, by Kelton Research—taken February 1–7, 2010 for HNTB Corporation—showed 88 percent “open to high-speed rail for long-distance travel within the U.S.,” according to a February 18 report in Metro Magazine, which also cited 83 percent support for increasing the share of Federal funding that goes to public transit and high-speed rail infrastructure. HNTB’s Peter Gertler said, “The pain we felt when gasoline was hovering near \$4 a gallon has receded, yet we can’t stand by for the next crisis to hit to address the underlying issues of congestion and our dependence on limited fossil fuels.”

Amtrak’s Funding Request.—We are concerned that reducing Amtrak’s other capital items to make way for the “full ADA funding,” which in effect happened this year, damages the overall system, with detrimental impact on all passengers including those with disabilities. Shorting the capital request creates a problem for the effort to let passenger trains assume their rightful place as a primary mode of transportation providing a desirable travel choice for all Americans—as envisioned by President Obama.

Grants to States.—We strongly support the general approach that U.S. DOT took in awarding the \$8 billion in capital grants announced January 28. I commented on NBC Nightly News on January 30 that I was impressed both with “the amount of funds involved and the intelligence with which it was distributed.”

Operating Grant.—This is critical, in part because the big increase in the capital budget (including Recovery Act funds) drives up operating costs, as not all personnel costs associated with capital projects can be capitalized. Moreover, the mandates of PRIIA also create upward pressure on operating costs. The organization is handling more than twice the amount of work of 5 years ago. This underscores the urgency of maintaining Amtrak’s operating grant at the full requested amount of \$592 million.

The Transportation for America Coalition’s “United States of Transit Cutbacks” map vividly portrays the irony of transit agencies from Philadelphia to Phoenix receiving new Federal capital funds while withering operating support is forcing consideration of unacceptable service cuts—including the elimination of all service on certain days of the week, bus route terminations, station closures, and dramatic frequency reductions. As Secretary LaHood put it, it doesn’t make sense to buy so many new trains and buses when we can’t afford to pay operators to run them. On the intercity side, consideration should be given, at least in emergency situations,

to allowing operation of State-supported intercity trains on a 50/50 matching basis, without making Amtrak swallow the difference.

Oak Ridge National Laboratory Statistics.—The following table, showing 2007 data, comes from the annual Transportation Energy Data Book (Edition 28, released in 2009), published by Oak Ridge National Laboratory under contract to the U.S. Department of Energy:

Mode	BTUs per passenger-mile ¹
Amtrak	2,516
Commuter trains	2,638
Certificated air carriers	3,103
Cars	3,514
Light trucks (2-axle, 4-tire)	3,946

¹ BTU = British Thermal Unit; passenger-mile = one passenger traveling one mile.

Overnight Trains.—We support Amtrak’s initiative, discussed in the release, to combine the Texas Eagle and Sunset Limited into a daily, full-service Chicago-Los Angeles train via St. Louis, Dallas/Fort Worth, San Antonio, El Paso and Tucson. A connecting daily train between San Antonio and New Orleans via Houston is also planned, and we understand that some through New Orleans-Los Angeles cars will be restored if demand is strong. Currently, New Orleans-San Antonio-Los Angeles service runs tri-weekly.

Hudson River Tunnels; North Station-South Station Rail Link.—We continue to be concerned about the construction of Hudson River rail tunnels that will not connect to Penn Station but only to a dead-end, deep cavern station under 34th Street. We continue to discuss this with New Jersey Transit. We support the \$6 million that Massachusetts requested to complete environmental work on a potential rail link that would unify Boston’s commuter rail networks and connect Amtrak’s Northeast corridor to northern New England.

Northeast Corridor Fares.—At an April 10 NARP membership meeting in Philadelphia, Dr. Vukan Vuchic of the University of Pennsylvania said trains “should play a maximum role in society, and not just serve businessmen. Students, tourists, young and old, should be able to ride.” Amtrak’s current fares don’t support that. This may be partly due to faulty judgments by Amtrak, but relentless pressure to reduce the operating grant is probably the bigger cause.

Thank you for considering our views.

PREPARED STATEMENT OF THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL

INTRODUCTION

Good afternoon Chairwoman Murray, Ranking Member Bond, and distinguished members of the Senate Subcommittee on Transportation and Housing and Urban Development, and Related Agencies. My name is Marty Shuravloff. I am the chairman of the National American Indian Housing Council (NAIHC), the only national tribal non-profit organization dedicated to advancing housing, physical infrastructure, and economic development in tribal communities in the United States. I am also an enrolled member of the Leisnoi Village, Kodiak Island, Alaska. I want to thank the subcommittee for the opportunity to submit testimony for its consideration as it prepares its fiscal year 2011 appropriations bill.

BACKGROUND ON THE NATIONAL AMERICAN INDIAN HOUSING COUNCIL (NAIHC)

The NAIHC was founded in 1974 and has, for 36 years, served its members by providing valuable training and technical assistance (T/TA) to all tribes and tribal housing entities; providing information to Congress regarding the issues and challenges that tribes face in terms of housing, infrastructure, and community and economic development; and working with key Federal agencies in an attempt to address such issues and meet such challenges. The membership of NAIHC is expansive, comprised of 271 members representing 463¹ tribes and tribal housing organi-

¹ There are approximately 562 federal-recognized Indian tribes and Alaska Native villages in the United States, all of whom are eligible for membership in NAIHC. Other NAIHC members include State-recognized tribes that were deemed eligible for housing assistance under the 1937 Act and grandfathered in to the Native American Housing Assistance and Self-Determination Act.

zations. The primary goal of NAIHC is to support Native housing entities in their efforts to provide safe, quality, affordable, culturally relevant housing to Native people.

BRIEF SUMMARY OF THE PROBLEMS REGARDING HOUSING IN INDIAN COUNTRY

While the country has been experiencing an economic downturn in general, this trend is greatly magnified in Indian communities. The national unemployment rate has risen and has hopefully passed its peak at an alarming rate of nearly 10 percent;² however, that rate does not compare to the unemployment rates in Indian Country, which average 49 percent.³ The highest unemployment rates are on the Plains reservations, where the average rate is 77 percent.⁴ Because of the remote locations of many reservations, there is a lack of basic infrastructure and economic development opportunities are difficult to identify and pursue. As a result, the poverty rate in Indian Country is exceedingly high at 25.3 percent, nearly three times the national average.⁵ These employment and economic development challenges exacerbate the housing situation in Indian country. Our first Americans face some of the worst housing and living conditions in the country and the availability of affordable, adequate, safe housing in Indian Country falls far below that of the general U.S. population.

—According to the 2000 U.S. Census, nearly 12 percent of Native American households lack plumbing compared to 1.2 percent of the general U.S. population.

—According to 2002 statistics, 90,000 Indian families were homeless or underhoused.

—On tribal lands, 28 percent of Indian households were found to be over-crowded or to lack adequate plumbing and kitchen facilities. The national average is 5.4 percent.

—When structures that lack heating and electrical equipment are included, roughly 40 percent of reservation housing is considered inadequate, compared to 5.9 percent of national households.

—Seventy percent of the existing housing stock in Indian Country is in need of upgrades and repairs, many of them extensive.

—Less than one-half of all reservation homes are connected to a sewer system.

There is already a consensus among many members of Congress, HUD, tribal leaders, and tribal organizations that there is a severe housing shortage in tribal communities; that many homes are, as a result, overcrowded; that many of the existing homes are in need of repairs, some of them substantial; that many homes lack basic amenities that many of us take for granted, such as full kitchens and plumbing; and that at least 200,000 new housing units are needed in Indian Country.

These issues are further complicated by Indian land title status. Most Indian lands are held in trust or restricted-fee status; therefore, private financial institutions will not recognize tribal homes as collateral to make improvements or for individuals to finance new homes. Private investment in the real estate market in Indian Country is virtually non-existent. Tribes are wholly dependent on the Federal Government for financial assistance to meet their growing housing needs, and the provision of such assistance is consistent with the Federal Government's centuries-old trust responsibility to American Indian tribes and Alaska Native villages.

THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT

In 1996, Congress passed the Native American Housing Assistance and Self-Determination Act ("NAHASDA") to provide Federal statutory authority to address the above-mentioned housing disparities in Indian Country. NAHASDA is the cornerstone for providing housing assistance to low-income Native American families on Indian reservations, in Alaska Native villages, and on Native Hawaiian Home Lands. The Indian Housing Block Grant ("IHBG") is the funding component of NAHASDA. Since the passage of NAHASDA in 1996 and its funding and implementation in 1998, NAHASDA has been the single largest source of funding for Native housing. Administered by the Department of Housing and Urban Development

² See <http://www.bls.gov/news.release/empsit.nr0.htm>.

³ Bureau of Indian Affairs Labor Force Report (2005).

⁴ Many of these reservations are in the State of South Dakota, which has one of the lowest unemployment rates in the Nation. However, on some South Dakota reservations, the unemployment rate exceeds 80 percent.

⁵ U.S. Census Bureau, American Indian and Alaska Native Heritage Month: November 2008. See <http://www.census.gov>.

(“HUD”), NAHASDA specifies which activities are eligible for funding.⁶ Not only do IHBG funds support new housing development, acquisition, rehabilitation, and other housing services that are critical for tribal communities; they cover essential planning and operating expenses for tribal housing programs. Between 2006 and 2009, a significant portion of IHBG funds, approximately 24 percent, were used for planning, administration, housing management, and services.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) AND FISCAL YEAR 2010 INDIAN HOUSING FUNDS

NAIHC would like to thank Congress, particularly this subcommittee, for its increased investment in Indian housing in fiscal year 2010. AARA provided over \$500 million for the IHBG program. This additional investment in Indian Country supports hundreds of jobs, has allowed some tribes to start on new construction projects, and has assisted other tribes in completing essential infrastructure for housing projects that they could not have otherwise afforded with their IHBG allocations. Tribes have complied with the mandate to obligate the funds in an expedient manner, thus helping stimulate tribal and the national economies. In addition to ARRA funding, Congress appropriated \$700 million for the IHBG in fiscal year 2010, the first significant increase for the program since its inception. This positive step reversed a decade of stagnate funding levels that neither kept pace with inflation nor addressed the acute housing needs in Native communities.

THE PRESIDENT’S FISCAL YEAR 2011 BUDGET REQUEST FOR THE INDIAN HOUSING BLOCK GRANT

On February 1, 2010, President Obama submitted to Congress a \$3.8 trillion budget request. It proposes \$580 million for the IHBG, which is a decrease of \$120 million (–17 percent) from the fiscal year 2010 funding level.⁷ At the same time, HUD’s overall budget was reduced by only 5 percent. Should Congress accept the President’s budget request, it would be the lowest, single-year funding level for the NAHASDA since it was enacted in 1996. To put this in proper perspective, funding appropriated by Congress in fiscal year 1998, 12 years ago, was \$20 million more than the President’s budget request for fiscal year 2011.

While the NAIHC and its members are aware of and appreciate the large investments made in Indian housing, we are disappointed that the current request fails to continue the positive budget trajectory of recent years. Therefore, the NAIHC strongly urges Congress to not only appropriate funds above the President’s budget request, but to fund the IHBG at \$875 million due to the increasing costs for housing development, energy efficiency initiatives, and other inflationary factors. Since the President’s budget request was released, many of our members have expressed their deep concerns. They believe, and we agree, that this budget impacts not only housing, but also the very hope for self-sustaining economies in Indian Country.

Reduced funding would result in the loss of jobs for our people, reversing the positive impact of ARRA; the deterioration of existing housing units; and the curtailment of many housing projects that are currently under development. Without sufficient funding and proper training and technical assistance, progress regarding tribal housing will not only cease; years of hard work will be reversed, as tribes will lack the funds to maintain and operate existing housing units, much less provide new ones. Many tribes are at risk of losing between a quarter and a third or more of their housing budgets if the President’s budget request were to take effect, the impact of which would be devastating.

OTHER INDIAN HOUSING AND RELATED PROGRAMS

The Title VI and Section 184 Indian Housing Loan Guarantee Programs

The President’s budget request includes \$2 million for the title VI Loan Guarantee program and \$8.25 million for the section 184 program. The title VI program

⁶ Eligible activities include but are not limited to downpayment assistance, property acquisition, new construction, safety programs, planning and administration, and housing rehabilitation. As HUD’s funding justification acknowledges (see <http://hud.gov/offices/cfo/reports/2011/cjs/nahb-grants2011.pdf>, Page N–8), a large portion of tribal funds are spent on planning, administration, and operating expenses.

⁷ Part of the rationale for reducing IHBG funding was what may appear to be a delay in use of available tribal housing funds. However, such apparent delay is an aberration. Since NAHASDA was initially funded in fiscal year 1998 through fiscal year 2009, tribal expenditure rates are 88 percent. Based on a HUD ARRA spending report dated March 20, 2010, tribes are spending HUD and ARRA funds at a rate that at least equals and, in some cases, exceeds the national average.

is important because it provides a 95 percent guarantee on loans made by private lenders, which is an incentive for lenders to get involved in the development of much-needed housing in tribal areas. Section 184 is specifically geared toward facilitating home loans in Indian Country. We request that these programs be funded at \$2 million and \$9 million, respectively.

Indian Community Development Block Grant (ICDBG)

While appreciated, proposed funds of \$65 million for the ICDBG are insufficient to meet the current needs for essential infrastructure, including sewer and running water, in Indian Country. We request that this program be funded at \$100 million.

Native Hawaiian Housing

Low-income Native Hawaiian families continue to face tremendous challenges, similar to those that tribal members face in the rest of the United States. The President's budget request of \$10 million for the Native Hawaiian Housing Block Grant is appreciated, but the budget includes no funding for the section 184A program in Hawaii. While it has taken some time to get this program started—because lenders are not familiar with the section 184A program—providing no funding would be a step backward for Native Hawaiian families working toward home ownership. We urge Congress to consider this before agreeing to the administration's proposal to eliminate funding for the program.

TRAINING AND TECHNICAL ASSISTANCE (T/TA) AND THE PROPOSED TRANSFORMATION INITIATIVE

The President's budget request would eliminate entirely the much-needed, exceptional T/TA that has been provided by NAIHC since NAHASDA was implemented. The provision of T/TA is critical for tribes to build their capacity to effectively plan, implement, and manage tribal housing programs. Eliminating funding for T/TA would be disastrous for tribal housing authorities and would be a huge step in the wrong direction. Tribes need more assistance in building capacity, not less. Since NAIHC's funding for T/TA was restored in 2007, requests for T/TA have steadily grown. The funding that NAIHC is currently receiving is insufficient to meet the continuous, growing demand for T/TA. Therefore, we are forced to make difficult decisions regarding when, where, and how to provide the most effective T/TA possible to our membership.

The President's budget request proposes an agency-wide Transformation Initiative Fund ("TIF") with up to 1 percent of HUD's total budget, which would draw funds away from essential housing programs, including \$5.8 million from the IHBG account, "to continue the on-going comprehensive study of housing needs in Indian Country and native communities in Alaska and Hawaii." While the NAIHC membership believes the TI may have merit, we do not believe that transferring nearly \$6 million from the IHBG account to conduct a study on housing needs is a wise or even defensible use of Federal taxpayer funds. More importantly, the \$6 million affects funding that has historically been appropriated to NAIHC for T/TA. Through resolutions, the NAIHC membership has repeatedly taken the position that a portion of the IHBG allocation should be provided to NAIHC for T/TA, which is a reflection of their confidence in NAIHC and the continuing demand for the essential capacity-building services that we provide. We request that funding in the amount of \$4.8 million for T/TA be included in the fiscal year 2011 budget.

CONCLUSION

NAHASDA was enacted to provide Indian tribes and Native American communities with new and creative tools necessary to develop culturally relevant, safe, decent, affordable housing. NAIHC has very specific concerns regarding the President's budget request for Indian housing funding levels and we urge Congress, with the leadership of this subcommittee, to not permit excessive funding reductions in the NAHASDA program. To do so would be an enormous step backwards and devastate the progress that has been made in the past 12 years to improve housing conditions in Indian Country. Based on the facts outlined above and the potentially devastating impact a dramatic cut to Indian housing funds will most certainly have on Indian Country, NAIHC requests funding in the amounts outlined above in order to meet the immense needs in Indian country.

Thank you, Chairwoman Murray, Ranking Member Bond, and the members of this subcommittee for allowing us to express our budgetary priorities and concerns regarding Native American housing needs. Your continued support of Native American communities is truly appreciated, and the NAIHC is eager to work with you and your professional staff on any and all issues pertaining to Indian housing programs and living conditions for America's indigenous people.

PREPARED STATEMENT OF NA TANYA DAVINA STEWART

Subcommittee Members: I am submitting this testimony concerning the Federal and local transportation agencies charged with the creation and implementation of transportation projects in Lake County, Indiana and their non-compliance with Executive order 12898, 1994 and the provisions of Environmental Justice —“the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”

On April 16 and 17, 2010, the Northwestern Indiana Regional Planning Commission (NIRPC), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) held corrective action workshops as a result of NIRPC's certification review to address the ongoing challenges NIRPC has with their technical analysis and lack of adherence to environmental justice mandates.

During the course of the workshops several issues emerged that are of grave concern to those of us who were in attendance. We stated our concerns to NIRPC and feel compelled to address this subcommittee since NIRPC receives Federal funding from you.

—*On the Issue of Fair Treatment.*—The Federal funding ratio of 80:20 for projects places an excessive burden upon cities that are experiencing extreme revenue shortfalls. Gary, Indiana and the entire Northwest Indiana Region once reigned as an industrial giant and the steel industry was the backbone of the economy. In this post-industrial age, cities like Gary have been slow to transition to the information and technology economies. This is a regional as well as a national problem. Our economic base continues to erode along with our property values that incidentally, are the source of our scant city revenues. Is it possible for the Federal Government to make special allowances when it comes to funding basic road maintenance projects by lowering or eliminating the cost distressed cities have to pay especially when budget cuts dictate that a city may be unable to prioritize such basic yet essential projects? Safe and paved streets are a quality of life issue.

—*On the Issue of Meaningful Involvement.*—NIRPC receives most of its funding from Lake County residents. The diverse ethnic and intergenerational demographic make-up of the county is not reflective in NIRPC's workforce and governing board. NIRPC's board is appointed by dictates of State law and consists of elected officials. We are aware that NIRPC's board appointments are not an issue for the Federal Government to resolve. In keeping with the call for meaningful involvement as put forth by the definition of environmental justice and in our right to fully engage in our democracy; it is imperative that we also hold positions of power on the board and/or have a say in whom we desire to represent our interests on the board in order to be more involved in the decision-making on projects that will affect our lives. Our calls to have grassroots organizations, youth, the elderly, and differently able people represented in these positions of power have fallen upon deaf ears and we feel are a direct violation of our rights. It is our tax dollars that fund NIRPC yet we do not play a significant role in the development, implementation, and enforcement of the policies and transportation projects that directly impact our lives. If the Federal Government continues to fund agencies like NIRPC then it is your responsibility to weigh in on ensuring said agencies truly involve the community residents in every stage of the development of projects.

During the meeting, a board member of NIRPC just happened to mention that NIRPC had recently created a 501c3 on Economic Development within their organization. NIRPC had already appointed the 501c3 board that is comprised of elected officials and members from the business community. If a city within NIRPC's jurisdiction wants to move forward on an economic development plan and is in need of additional revenue from the Federal Government, that city would have to go through NIRPC to secure Federal dollars. Based upon NIRPC's history of non-inclusion of marginalized people and their technical analysis and environmental justice shortcomings as cited by the certification review process, we are gravely concerned about the acquisition of NIRPC's new power.

We implore the Federal Government to re-evaluate their funding allocation policies. When Federal funds for transportation are directed to State governments and Metropolitan Planning Organizations (MPO) how are those monies dispersed? Do cities with the greatest need receive the bulk of the money or cities more adapt with the grant writing process? Is the national objective to secure and maintain center cities and make them more energy efficient and accessible or is it to continue to

fund urban sprawl and construct new highways that will decimate farmland and open spaces we all rely upon for food and oxygen?

Sending monies to the State government and MPO's may be an efficient mechanism to maintain Federal and State highways and regional projects like light and speed rail but may not be an efficient distribution of funds for local projects like street and bridge maintenance. When cities have to compete for monies from a funding pool that encompasses projects that include regional and State projects, cities may lose out on funding opportunities and continue to decline, especially during economic down turns.

We ask that you take our funding concerns and efforts to hold MPO's like NIRPC to the high standards of inclusion set forth by Executive order 12898, 1994 into consideration as you weigh in on the fiscal year 2011 appropriations and general national transportation policies.

PREPARED STATEMENT OF THE NATIONAL AIDS HOUSING COALITION

The National AIDS Housing Coalition (NAHC) requests \$410 million for the Housing Opportunities for Persons With AIDS Program (HOPWA) for fiscal year 2011. NAHC is a national non-profit membership housing organization founded in 1994 that works to end the HIV/AIDS epidemic by ensuring that persons living with HIV/AIDS have quality, affordable and appropriate housing. NAHC's members are people living with HIV/AIDS, service providers, developers, researchers, public health and housing departments and advocates.

Research presented through NAHC's Research Summit Series overwhelmingly confirms housing as a strategic point of intervention to address HIV/AIDS and the impacts of homelessness and the concomitant effects of race and gender, poverty, mental illness, chronic drug use, incarceration and exposure to trauma and violence. Housing has been shown as cost effective by stabilizing people with HIV/AIDS and reducing reliance on other public systems.

The HOPWA program is relied upon by HIV/AIDS service organizations nationwide to assure that stable, affordable housing and the critical supportive services that help people remain housed is available to those coping with the debilitating and impoverishing effects of HIV/AIDS. HOPWA's hallmark is its flexibility to provide a continuum of housing and housing-related case management and supportive services for low income individuals and their families living with HIV/AIDS. HOPWA dollars are used for short and longer term rents, facility-based assistance as well as limited rent, mortgage or utility payments that play a critical role in homelessness prevention. HOPWA can also be used for new development and rehabilitation. Finally, in the face of shrinking resources, HOPWA's importance to community strategic planning efforts cannot be underestimated—facilitating better coordination of local and private resources and filling gaps in local systems of care to meet housing need among people with HIV/AIDS and their families.

AIDS HOUSING IS CENTRAL FOR HIV/AIDS HEALTH

Lack of housing is associated with remaining outside of medical care and improved housing status has been shown to significantly affect access to healthcare, including anti-retroviral treatment (ART) and adherence. In summary:

Housing Impacts Continuity of Care.—Over time, housing status is among the strongest predictors of entry into HIV care, primary care visits, continuous care, and care that meets clinical practice standards.

Housing Improves Health Outcomes.—Improved housing status has a significant, positive association with better HIV-related health, including CD4 counts, viral load, and co-infection with HCV or TB.

AIDS Housing is a Powerful Weapon Against Homelessness.—Research confirms that homelessness is a major risk factor for HIV, and HIV is a major risk factor for homelessness: for example, at any given time, up to 16 percent of people living with HIV/AIDS are homeless, while as many as 70 percent report a lifetime experience of homelessness or housing instability.

AIDS Housing is Prevention.—Over time, persons who improve their housing status reduce their risk behaviors by one-half. Access to housing improves access and adherence to ART, which lowers viral load and reduces the risk of transmission.

AIDS Housing is Cost-effective.—AIDS housing investments reduce other public costs by improving the health of people living with HIV/AIDS and preventing new infections, making housing dollars a wise use of limited public resources.

HOUSING NEED AMONG PEOPLE WITH HIV/AIDS

Over 56,000 people became infected with HIV in the past year in the United States. Experts estimate that over one-half of people living with HIV/AIDS will need some form of housing assistance during the course of their illness, while national research has shown that housing is the greatest unmet service need for people living with HIV disease. Data indicates that approximately 72 percent of PLWHA have incomes below \$30,000; the number in need is likely to increase proportionally with the weakened economy and sustained high unemployment levels.

In 2010, HOPWA will continue providing housing support for over 58,000 households in 133 formula eligible jurisdictions, providing assistance in all 50 States, the District of Columbia, Puerto Rico and the Virgin Islands. Three new jurisdictions became eligible for formula funding—Little Rock, Arkansas; Albuquerque, New Mexico; and Allentown, Pennsylvania. In addition, 93 competitive grants are currently operating. The program is tied to positive client outcomes in the 58,367 households served in the current fiscal year, making it possible for assisted individuals to better attend to their health needs, function in their families and society. AIDS housing is a cost-effective way to end homelessness and achieve positive individual and community health outcomes. HUD reports that 94 percent of all HOPWA rental assistance households in a recent program year were able to achieve maximum stability, reducing risks of homelessness and participating in healthcare.

NAHC recommends a funding level of \$410 million, which would permit assistance to an additional 14,000 people with HIV/AIDS in need of housing assistance and reduce unmet need by over 10 percent.

EXAMPLES OF AIDS HOUSING NEED ACROSS THE COUNTRY

AIDS housing need has exploded in virtually every region of the country. As the affordable housing crisis envelopes higher income people, persistently vulnerable populations are squeezed out of assistance. Though waiting lists are no longer maintained in many jurisdictions, affordable housing need continues to grow.

In Alabama, just 414 people with HIV/AIDS and their families receive HOPWA assistance, while 2,173 HOPWA-eligible households have unmet housing needs. The tenant-based rental assistance program has been closed to new applicants since June 2008. Of the families on the waiting list, 77 percent are living at or below the poverty level.

Across Massachusetts, 1,699 families are on waiting lists for AIDS housing assistance—355 in greater Boston alone.

In San Francisco, the city's centralized housing waiting list has over 1,000 people and has been closed to new applicants since November 2001.

There are 4,637 people living with HIV/AIDS on the waiting list for housing assistance in Dallas—almost one-third of all HIV-positive people in the city. In needs assessments, housing assistance was consistently ranked second in overall unmet need, surpassed only by dental care.

The overall number of unmet AIDS housing need in Central Ohio from 2004–2009 is 770 households, based on the current Consolidated Plan for the city of Columbus.

OTHER LOW INCOME HOUSING PROGRAMS REMAIN CRUCIAL

Of course, HOPWA will never fully meet the housing need for all those living with HIV/AIDS and their families. AIDS housing providers urge full and adequate funding for the range of low-income housing programs relied upon in the continuum of housing and services for people with HIV/AIDS, including Homeless Assistance Grants, Tenant-Based Rental Assistance, Public Housing, and section 811 Housing for People with Disabilities, among others.

In conclusion, NAHC urges the subcommittee to fund the Housing Opportunities for Persons With AIDS program at the highest level possible for fiscal year 2011 to accommodate new formula jurisdictions expected to become eligible and to assist existing programs in moving closer to meeting the actual housing needs in their jurisdictions.

NAHC respectfully asks the subcommittee to approve funding of \$410 million for the Housing Opportunities With AIDS program for fiscal year 2011.

PREPARED STATEMENT OF THE UNIVERSITY CORPORATION FOR ATMOSPHERIC
RESEARCH (UCAR)

On behalf of the University Corporation for Atmospheric Research (UCAR) and the larger university community involved in weather and climate research, I submit this written testimony for the record of the Senate Committee on Appropriations,

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies.

UCAR is a consortium of 75 universities that manages and operates the National Center for Atmospheric Research and additional programs that support and extend the country's scientific research and educational capabilities. UCAR is supported by the National Science Foundation and other Federal agencies, including the U.S. Department of Transportation (USDOT)'s Federal Highway Administration (FHWA) and Federal Aviation Administration (FAA).

I want to thank the subcommittee for its leadership in supporting research and development programs at the FAA and FHWA. I urge you to support the President's commitment to ensuring safer, more efficient air and road travel. One essential piece of this commitment to modernizing air and surface travel is providing drivers, pilots, and other vehicle operators with access to real-time weather information. I urge you to support these relatively small but critically important R&D programs within the FAA and FHWA budgets.

FEDERAL HIGHWAY ADMINISTRATION (FHWA)

The highest priority for the USDOT and the FHWA is transportation safety. Last month, the National Highway Traffic Safety Administration released a report projecting that traffic fatalities have declined for the 15th consecutive quarter, the lowest annual level since 1954. Still, 24 percent of weather-related vehicle crashes occur on snowy, slushy or icy pavement, causing 1,300 deaths and more than 116,800 injuries annually. There are also economic costs: snow and ice significantly increase road maintenance costs, and State and local agencies spend more than \$2.3 billion on snow and ice control operations annually.

Since the late 1990s, researchers and engineers from several national labs and universities have played a pivotal role bringing the surface transportation and weather communities together to increase traffic safety, efficiency, and mobility. Applications of successful research and development supported by the Road Weather Research and Development Program (SAFETEA-LU sec. 5308) have significantly reduced the cost of State DOT winter snow and ice control activities and are likely to have significantly reduced weather-related accidents. This program, authorized at \$5 million per year, has proven quite successful. For example, the Winter Maintenance Decision Support System, which supports pavement snow and ice control operations, was successfully developed, tested, and implemented by the private sector in more than 13 States. The Road Weather Research Program is also developing advanced weather and road condition safety applications as part of the USDOT's IntelliDrive Initiative.

In the absence of a new surface transportation reauthorization bill, the President's fiscal year 2011 request keeps funding for the Road Weather Research Program frozen at \$4 million. It is imperative that this be increased to the authorized level of \$5 million per year. A fully-funded Program would support the development of technologies that integrate weather and road condition information into traffic management centers, improve understanding of driver behavior in poor weather, develop in-vehicle information systems and wireless technologies that provide warnings to drivers when poor weather and road conditions exist, improve the understanding of the impact of weather on pavement condition, and develop new active control strategies optimized for poor weather and road conditions. I urge the subcommittee to fund the Road Weather Research and Development Program at its full authorized level of \$5.0 million in fiscal year 2011.

THE FEDERAL AVIATION ADMINISTRATION (FAA)

Projections indicate that the demand for aviation will increase by a factor of two or three over the next two decades. Expansion of aviation is likely to continue and, as in the past, could outpace economic growth. To meet future aviation capacity needs, the United States is developing and implementing a dynamic, flexible and scalable Next Generation Air Transportation System (NextGen) that is safe, secure, efficient and environmentally sound.

I urge you to support the President's overall fiscal year 2011 request of \$16.5 billion for the FAA, an increase of \$476 million above fiscal year 2010 enacted levels. This increase reflects the administration's recognition of future passenger growth and its commitment to safety and performance.

INTEGRATING WEATHER INTO THE FUTURE AIR TRANSPORTATION SYSTEM

The primary goal of NextGen is to address and meet the rapidly changing needs of the National Airspace System (NAS). Providing accurate, timely weather information required by aviation decisionmakers is fundamental to NextGen's success in

achieving capacity, efficiency, and safety goals. Improved weather forecasts, plus a shared source of decision support information for NAS decisionmakers, are crucial elements of achieving the goal of reducing the weather impact. The first step, though, is establishing a clear understanding of the impacts that have the most effect on NAS efficiency and capacity. The most visible impact to us all is “delays,” both airborne and ground, affecting both airplanes and people. Delay translates to operational cost for the airlines, and lost productivity for the users of the system—people and cargo.

RESEARCH, ENGINEERING, AND DEVELOPMENT

The fiscal year 2011 request of \$190 million for the Research, Engineering, and Development (RE&D) line office at the FAA continues important work in current research areas, including aviation weather research. This 7.6 percent increase over fiscal year 2010 supports enhanced NextGen research and development efforts in the areas of air-ground integration, weather information for pilots, and environmental research for aircraft technologies and alternative fuels to improve aviation’s environmental and energy performance. The following programs can be found within the RE&D line office of the President’s fiscal year 2011 FAA budget request.

WEATHER PROGRAM

Aviation weather research and applications are critical to the FAA’s safety, operations and efficiency record. A number of research projects are underway, through the Weather Program and in collaboration with industry representatives, which focus on in-flight icing, turbulence, winter weather and deicing protocols, thunderstorms, ceiling, and visibility.

One example system that translates a large amount of weather data into a significant safety and delay impact is the Weather Decision Support for Deicing Decision Making System (WSDDM). The accumulation of ice on aircraft prior to take off has long been recognized as one of the most significant safety hazards affecting the aviation industry today. Using WSDDM, airport snowfall rate in terms of liquid water content is translated into deicing fluid application procedures and aircraft holdover times.

While the goal of the Weather Program is to increase safety, capacity, and support NextGen, I am very concerned that the request of \$16.5 million simply will not support the R&D needs of the program which is down almost 2 percent from last year’s level and operating with one-half the funding level of 10 years ago. To address the challenges and meet the research needs of NextGen, the Weather Program must receive, at a minimum, \$18 million for fiscal year 2011.

WEATHER TECHNOLOGY IN THE COCKPIT

The crash of an Air France jet last year over the Atlantic Ocean, killing all 216 passengers and 12 crew members, is an example of the limits of pilots’ ability to cope with severe weather. Pilots currently have little weather information as they fly over remote stretches of the ocean, which is where some of the worst turbulence occurs. Providing pilots with at least an approximate picture of developing storms could help guide them safely around areas of potentially severe weather.

The Weather Technology in the Cockpit Program leverages research activities with other agencies, academia and the private sector by enabling the adoption of cockpit technologies that provide pilots with hazardous weather information and improve situational awareness. It seeks to ensure the adoption of cockpit, ground, and communication technologies, practices, and procedures that will provide pilots with shared and consistent weather information to enhance common situational awareness, plus engage the aircraft as a “node” that autonomously exchanges weather information with surrounding aircraft and ground systems. One system being developed combines satellite data and computer weather models with cutting-edge artificial intelligence techniques to identify and predict rapidly evolving storms and other potential areas of turbulence, and alert pilots and air traffic controllers to storms and turbulence over the continental United States.

I am very disappointed that the fiscal year 2011 request for this small but life-saving program was reduced almost 3 percent from fiscal year 2010 to \$9.3 million. I urge you to fund the Weather Technology in the Cockpit program at \$10 million, at a minimum.

FACILITIES AND EQUIPMENT

In the FAA’s Facilities and Equipment line office, I would like to call your attention to two very important programs, NextGen Network Enabled Weather (NNEW)

and Reduce Weather Impact, and ask you to support the fiscal year 2011 request for both.

NEXTGEN NETWORK ENABLED WEATHER (NNEW)

Exploring, identifying, and employing methods and techniques that will help facilitate the flow of operation-specific weather-related data and information to end users is critical. The NextGen Network Enabled Weather project is dedicated to using and developing technologies and standards for NextGen that will support effective dissemination of weather data. The concept of a 4-D Weather Data Cube is a foundational element of NextGen. It is envisioned that this virtual data cube will comprise weather data and information from disparate data contributors and locations. From this Cube, end users (e.g., air traffic managers, pilots, etc.) will be able to obtain a common weather picture of the NAS. The fiscal year 2011 request for NNEW is \$28.25 million, an \$8 million increase over fiscal year 2010. To develop the NextGen weather dissemination system smoothly and efficiently, I urge you to support this request.

NEXTGEN REDUCE WEATHER IMPACT

The goal of the NextGen Reduce Weather Impact Program is to provide increased capacity in U.S. airspace to reduce congestion and meet projected demand in an environmentally sound manner. The Program addresses implementation of improved forecasts and provides weather forecast information tailored for integration into traffic management decision support systems. Some of this work starts with identification of the air traffic management impact of interest, and then translating weather into metrics associated with that impact.

The current weather observing network is inadequate to the needs of NextGen. Improvements will be central to the Reduce Weather Impact Program. Working with appropriate scientific, modeling and user communities, current sensor information and dissemination shortfalls will be identified and evaluated. Investigating technologies for optimizing and improving automated aircraft weather reporting will also be conducted. To continue this work, I urge you to support the President's fiscal year 2011 request of \$43.2 million for the NextGen Reduce Weather Impact Program, an increase of \$7.6 million above fiscal year 2010.

On behalf of UCAR, as well as all U.S. citizens who use the surface and air transportation systems, I want to thank you for the important work you do in supporting the country's scientific research, training, and technology transfer. We appreciate your attention to the recommendations of our community concerning the fiscal year 2011 FHWA and FAA budgets and your concern for the safety of the Nation's transportation systems.

PREPARED STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Thank you Chairwoman Murray, Ranking Member Bond, and other members of the subcommittee for this opportunity to submit written testimony on the fiscal year 2011 appropriations bill.

NRPA is a 501(c)3 national non-profit organization with more than 21,000 members. We represent both citizens and park and recreation professionals. Our mission is to advance parks, recreation and environmental conservation for the benefit of all people. Because we represent the public park and recreation agencies in the United States, we touch the lives of over 300 million people in virtually every community.

As your subcommittee works to craft the fiscal year 2011 appropriations bill, we request that you include \$4.2 billion for the Community Development Block Grant (CDBG) Program.

The CDBG program equips communities with the resources they need to address serious community development challenges. The program has been an invaluable tool to help cities replace decaying infrastructure and provide safe places to live, work, learn and become physically active. Unfortunately, despite proven success, the CDBG formula grant program has seen a decrease in funding over the past few years going from \$4.9 billion in fiscal year 2004 to \$3.9 billion in fiscal year 2010. This is a decrease of more than 20 percent in only 6 short years.

According to the Department of Housing and Urban Development, approximately \$100 million of CDBG funds are utilized annually for parks and recreation projects. This is not surprising since studies have shown that parks and recreational resources are often key components to the revitalization of communities and blighted areas as they increase property values, reduce storm water runoff, mitigate urban heat islands and improve health and wellness. The flexibility afforded through the

CDBG program allows communities to implement funds in ways that best meet their specific needs such as including park and recreation projects as part of a comprehensive redevelopment initiative.

The 2005–2010 5 year community development plan for Olympia, Washington cited an unmet need of \$2.7 million for parks and recreation projects relative to community development. Throughout the State hundreds of projects are seeking funding for the acquisition of, and improvements to, parks and recreation facilities in order to improve the livability of moderate to low income neighborhoods and promote healthier, sustainable communities. Such projects are well positioned to be funded through the CDBG program.

Missouri has utilized CDBG funds to address a host of community development needs throughout the State. In 2009 St. Louis leveraged over \$5 million in CDBG money to improve accessibility of playgrounds for children with disabilities, for environmental remediation to reduce stormwater runoff, for sidewalk, and streetlight enhancements to make parks safer for families, and parks and recreation infrastructure improvements to support recovery efforts for neighborhoods suffering from high foreclosure and diminishing property values.

The city of Tuscaloosa, Alabama leverages an average of nearly \$1.5 million in CDBG money on an annual basis to fund projects that address community development needs. Among these were projects bringing park and recreation facilities into ADA compliance to make them more accessible for persons with disabilities, improving playground equipment to make them safer for children, building walking trails to help the city become healthier and more livable, as well as enhancing park and recreation infrastructure to provide economic stimulus in economically depressed areas.

The importance of CDBG, however, goes beyond providing safe infrastructure. Funding provided through the CDBG program often serves as the catalyst for private investment. In fact, the National League of Cities concluded that over the more than 30-year life of the program, CDBG has leveraged nearly \$324 billion in new private investment in our Nation's communities. This equates to a three to one return on investment.

CDBG funds also help to reduce crime and build a skilled workforce. Various parks and recreation departments throughout the country use CDBG funding in coordination with other community organizations, to provide educational services, employment training and youth development initiatives to low-income youth and their families. For example, in Phoenix, Arizona, the city parks and recreation department partners with a local non-profit called Kids Café to provide a safe and secure after school environment for children. This program provides low-income children with healthy, nutritious meals, as well as tutors and mentors, and engages them in recreational sports.

For more than 30 years the CDBG program has played a critical role in revitalizing neighborhoods and improving the quality of life in communities throughout this country. CDBG funding provides valuable resources that allow communities to tailor projects to address their unique community needs. From ensuring the energy efficiency of public buildings to reducing crime and providing safe recreational infrastructure, CDBG funding is building healthy, livable and economically viable communities. The National Recreation and Park Association strongly supports increased funding for the CDBG program and calls on Congress to fund the program at \$4.2 billion in fiscal year 2011.

Thank you for this opportunity to present testimony.