Calendar No. 878

110TH CONGRESS, 2d Session } SENATE { REPORT 110–418

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2009

JULY 14, 2008.—Ordered to be printed

Mrs. MURRAY, from the Committee on Appropriations, submitted the following

REPORT

[To accompany S. 3261]

The Committee on Appropriations reports the bill (S. 3261) making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Amounts of new budget (obligational) authority for fiscal year 2009

Total of bill as reported to the Senate	$53,325,000,000
Amount of 2008 appropriations	52,979,000,000
Amount of 2009 budget estimate	55,022,920,000
Bill as recommended to Senate compared to—	
2008 appropriations	+346,000,000
2009 budget estimate	−1,697,920,000

43–429 PDF

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PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2008, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms "program, project, and activity" [PPA] shall mean any item for which a dollar amount is contained in appropriations acts (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations made through either bill or report language. In addition, the percentage reductions made pursuant to a sequestration order to funds appropriated for facilities and equipment, Federal Aviation Administration, shall be applied equally to each budget item that is listed under said account in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriations acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference.

REPROGRAMMING GUIDELINES

The Committee includes a provision (sec. 405) establishing the authority by which funding available to the agencies funded by this Act may be reprogrammed for other purposes. The provision specifically requires the advanced approval of the House and Senate Committees on Appropriations of any proposal to reprogram funds that: (1) creates a new program; (2) eliminates a program, project, or activity [PPA]; (3) increases funds or personnel for any PPA for which funds have been denied or restricted by the Congress; (4) proposes to redirect funds that were directed in such reports for a specific activity to a different purpose; (5) augments an existing PPA in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces an existing PPA by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures offices different from the congressional budget justifications or the table at the end of the Committee report, whichever is more detailed.

The Committee retains the requirement that each agency submit an operating plan to the House and Senate Committees on Appropriations not later than 60 days after enactment of this act to establish the baseline for application of reprogramming and transfer authorities provided in this act. Specifically, each agency should provide a table for each appropriation with columns displaying the budget request; adjustments made by Congress; adjustments for rescissions, if appropriate; and the fiscal year enacted level. The table shall delineate the appropriation both by object class and by PPA. The report must also identify items of special congressional interest.

The Committee expects the agencies and bureaus to submit reprogramming requests in a timely manner and to provide a thorough explanation of the proposed reallocations, including a detailed justification of increases and reductions and the specific impact the proposed changes will have on the budget request for the following fiscal year. Except in emergency situations, reprogramming requests should be submitted no later than June 30.

The Committee expects each agency to manage its programs and activities within the amounts appropriated by Congress. The Committee reminds agencies that reprogramming requests should be submitted only in the case of an unforeseeable emergency or a situation that could not have been anticipated when formulating the budget request for the current fiscal year. Further, the Committee notes that when a Department or agency submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the request to reprogram funds unapproved.

The Committee would also like to clarify that this section applies to Working Capital Funds, and that no funds may be obligated from such funds to augment programs, projects or activities for which appropriations have been specifically rejected by the Congress, or to increase funds or personnel for any PPA above the amounts appropriated by this act.

CONGRESSIONAL BUDGET JUSTIFICATIONS

Budget justifications are the primary tool used by the House and Senate Committees on Appropriations to evaluate the resource requirements and fiscal needs of agencies. The Committee is aware that the format and presentation of budget materials is largely left to the agency within presentation objectives set forth by OMB. In fact, OMB Circular A–11, part 6 specifically states that the "agency should consult with your congressional committees beforehand to ensure their awareness of your plans to modify the format of agency budget documents." The Committee expects that all agencies funded under this act will heed this directive. The Committee expects all the budget justification to provide the data needed to make appropriate and meaningful funding decisions.

While the Committee values the inclusion of performance data and presentations, it is important to ensure that vital budget information that the Committee needs is not lost. Therefore, the Committee directs that justifications submitted with the fiscal year 2010 budget request by agencies funded under this act contain the customary level of detailed data and explanatory statements to support the appropriations requests at the level of detail contained in the funding table included at the end of the report. Among other items, agencies shall provide a detailed discussion of proposed new initiatives, proposed changes in the agency's financial plan from prior year enactment, and detailed data on all programs and comprehensive information on any office or agency restructurings. At a minimum, each agency must also provide adequate justification for funding and staffing changes for each individual office and materials that compare programs, projects, and activities that are proposed for fiscal year 2010 to the fiscal year 2009 enacted level.

The Committee is aware that the analytical materials required for review by the Committee are unique to each agency in this act. Therefore, the Committee expects that the each agency will coordinate with the House and Senate Committees on Appropriations in advance on its planned presentation for its budget justification materials in support of the fiscal year 2010 budget request.

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

Section 3 of the Department of Transportation Act of October 15, 1966 (Public Law 89–670) provides for establishment of the Office of the Secretary of Transportation [OST]. The Office of the Secretary is comprised of the Secretary and the Deputy Secretary immediate and support offices; the Office of the General Counsel; the Office of the Under Secretary of Transportation for Policy, including the offices of the Assistant Secretary for Aviation and International Affairs and the Assistant Secretary for Transportation for Policy; three Assistant Secretarial offices for Budget and Programs, Governmental Affairs, and Administration; and the Offices of Public Affairs, the Executive Secretariat, Small and Disadvantaged Business Utilization, Intelligence, Security and Emergency Response, and Chief Information Officer. The Office of the Secretary also includes the Department's Office of Civil Rights and the Department's Working Capital Fund.

SALARIES AND EXPENSES

Appropriations, 2008	$91,782,000
Budget estimate, 2009	101,782,000
Committee recommendation	98,500,000

PROGRAM DESCRIPTION

This appropriation finances the costs of policy development and central supervisory and coordinating functions necessary for the overall planning and direction of the Department. It covers the immediate secretarial offices and the offices of the under secretary, assistant secretaries, general counsel and other support offices.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $98,500,000 for salaries and expenses of the Office of the Secretary of Transportation, including $60,000 for reception and representation expenses. The recommendation is $3,282,000 less than the budget request and $6,718,000 more than the fiscal year 2008 enacted level. The accompanying bill stipulates that none of the funding provided may be used for the position of Assistant Secretary for Public Affairs, and that $100,000 of the funding provided shall be reimbursed to the Office of Inspector General for costs associated with auditing the financial statements of the Working Capital Fund.

The accompanying bill authorizes the Secretary to transfer up to 5 percent of the funds from any Office of the Secretary to another. The Committee recommendation continues language that permits up to $2,500,000 of fees to be credited to the Office of the Secretary for salaries and expenses.

The following table summarizes the Committee's recommendation in comparison to the fiscal year 2008 enacted level and the budget estimate:

	Fiscal year—		Committee recommendation
	2008 enacted	2009 request	
Immediate Office of the Secretary	$2,310,000	$2,400,000	$2,400,000
Office of the Deputy Secretary	730,000	759,000	759,000
Office of the General Counsel	18,720,000	18,438,000	19,838,000
Office of the Under Secretary of Transportation for Policy	9,874,000	12,681,000	9,874,000
Office of the Assistant Secretary for Budget and Programs	9,417,000	10,708,000	10,400,000
Office of the Assistant Secretary for Governmental Affairs	2,383,000	2,447,000	2,400,000
Office of the Assistant Secretary for Administration	23,750,000	27,292,000	26,000,000
Office of Public Affairs	1,986,000	2,040,000	1,986,000
Executive Secretariat	1,516,000	1,595,000	1,595,000
Office of Small and Disadvantaged Business Utilization	1,335,000	1,369,000	1,369,000
Office of Intelligence, Security, and Emergency Response	7,874,000	9,169,000	8,994,000
Office of the Chief Information Officer	11,887,000	12,885,000	12,885,000
Total, Salaries and Expenses	91,782,000	101,782,000	98,500,000

IMMEDIATE OFFICE OF THE SECRETARY

PROGRAM DESCRIPTION

The Secretary of Transportation provides leadership and has the primary responsibility to provide overall planning, direction, and control of the Department.

COMMITTEE RECOMMENDATION

The Committee recommends $2,400,000 for fiscal year 2009 for the Immediate Office of the Secretary. The recommendation is the same as the budget request and $90,000 greater than the fiscal year 2008 enacted level.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

PROGRAM DESCRIPTION

The Deputy Secretary has the primary responsibility of assisting the Secretary in the overall planning and direction of the Department.

COMMITTEE RECOMMENDATION

The Committee recommends $759,000 for the Immediate Office of the Deputy Secretary, which is identical to the budget request and $29,000 greater than the fiscal year 2008 enacted level.

OFFICE OF THE GENERAL COUNSEL

PROGRAM DESCRIPTION

The Office of the General Counsel provides legal services to the Office of the Secretary including the conduct of aviation regulatory proceedings and aviation consumer activities and coordinates and reviews the legal work in the chief counsels' offices of the operating administrations. The General Counsel is the chief legal officer of the Department of Transportation and the final authority within the Department on all legal questions.

COMMITTEE RECOMMENDATION

The Committee recommends $19,838,000 for expenses of the Office of the General Counsel for fiscal year 2009. The recommended funding level is $1,400,000 more than the budget request and $1,118,000 more than the fiscal year 2008 enacted level.

Efforts to Protect and Ensure the Rights of Airline Passengers.—Last year, the Committee increased the budget of the Office of General Counsel by $2,500,000 in order to increase enforcement activities to better protect air travel consumers. The Committee notes that the Department's budget request for fiscal year 2009 would provide increases to almost every office within Office of the Secretary, including the Office of the Assistant Secretary for Government Affairs and the Office of Public Affairs, but not to the Office of the General Counsel. The budget request submitted by the Department would cut the budget for the Office of the General Counsel by $282,000. Of the $2,500,000 increase that the Congress provided last year to this office, the Department is currently requesting only $1,100,000 to be continued in fiscal year 2009. The Committee does not believe that this cut in the budget resources of the Office of General Counsel will help the Department enforce its rules and protect air travel consumers.

The Committee recommendation includes an additional $1,400,000 for the Office of General Counsel in order to restore the full $2,500,000 addition provided in the fiscal year 2008 enacted level. In addition, the Committee directs the Office of General Counsel to use these funds exclusively for activities that most effectively improve the enforcement of Department rules and the protection of air travel consumers. Such activities may include hiring additional staff, traveling, investing in analysis that is essential for developing regulations, and translating public documents. The Committee, however, does not believe that organizing additional forums to discuss general consumer issues is the most effective means of improving the impact of this office. Therefore, the Committee directs than none of the $2,500,000 should be used for organizing such forums in fiscal year 2009.

OFFICE OF THE UNDER SECRETARY OF TRANSPORTATION FOR POLICY

PROGRAM DESCRIPTION

The Under Secretary for Policy is the chief policy officer of the Department and is responsible to the Secretary for the analysis, development, and review of policies and plans for domestic and international transportation matters. The Office administers the economic regulatory functions regarding the airline industry and is responsible for international aviation programs, the essential air service program, airline fitness licensing, acquisitions, international route awards, computerized reservation systems, and special investigations such as airline delays.

COMMITTEE RECOMMENDATION

For fiscal year 2009, the Committee recommends $9,874,000 for the Office of the Under Secretary for Policy. The recommended funding level is $2,807,000 less than the budget request and equal to the fiscal year 2008 enacted level.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

PROGRAM DESCRIPTION

The Assistant Secretary for Budget and Programs is the principal staff advisor to the Secretary on the development, review, presentation, and execution of the Department's budget resource requirements, and on the evaluation and oversight of the Department's programs. The primary responsibilities of this office are to ensure the effective preparation and presentation of sound and adequate budget estimates for the Department, to ensure the consistency of the Department's budget execution with the action and advice of the Congress and the Office of Management and Budget, to evaluate the program proposals for consistency with the Secretary's stated objectives, and to advise the Secretary of program and legislative changes necessary to improve program effectiveness.

COMMITTEE RECOMMENDATION

The Committee recommends $10,400,000 for the Office of the Assistant Secretary for Budget and Programs. The recommended level is $308,000 less than the budget request and $983,000 over the fiscal year 2008 enacted level.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

PROGRAM DESCRIPTION

The Assistant Secretary for Governmental Affairs advises the Secretary on all congressional and intergovernmental activities and on all departmental legislative initiatives and other relationships with Members of Congress. The Assistant Secretary promotes effective communication with other Federal agencies and regional Department officials, and with State and local governments and national organizations for development of departmental programs; and ensures that consumer preferences, awareness, and needs are brought into the decisionmaking process.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $2,400,000 for the Office of the Assistant Secretary for Governmental Affairs. The recommended level is $47,000 less than the budget request and $17,000 over the fiscal year 2008 enacted level.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

PROGRAM DESCRIPTION

The Assistant Secretary for Administration is responsible for establishing policies and procedures, setting guidelines, working with the operating administrations to improve the effectiveness and efficiency of the Department in human resource management, security and administrative management, real and personal property management, and acquisition and grants management.

COMMITTEE RECOMMENDATION

The Committee recommends $26,000,000 for the Office of the Assistant Secretary for Administration. The recommended funding level is $1,292,000 less than the budget request and $2,250,000 more than the fiscal year 2008 enacted level.

OFFICE OF PUBLIC AFFAIRS

PROGRAM DESCRIPTION

The Director of Public Affairs is the principal advisor to the Secretary and other senior departmental officials and news media on public affairs questions. The Office issues news releases, articles, fact sheets, briefing materials, publications, and audiovisual materials. It also provides information to the Secretary on opinions and reactions of the public and news media on transportation programs and issues. It arranges news conferences and provides speeches, talking points, and byline articles for the Secretary and other senior departmental officials, and arranges the Secretary's scheduling.

COMMITTEE RECOMMENDATION

The Committee recommends $1,986,000 for the Office of Public Affairs, which is $54,000 less than the budget request and equal to the fiscal year 2008 enacted level.

EXECUTIVE SECRETARIAT

PROGRAM DESCRIPTION

The Executive Secretariat assists the Secretary and the Deputy Secretary in carrying out their management functions and responsibilities by controlling and coordinating internal and external written materials.

COMMITTEE RECOMMENDATION

The Committee recommends $1,595,000 for the Executive Secretariat. The recommendation is identical to the budget request and $79,000 more than the fiscal year 2008 enacted level.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

PROGRAM DESCRIPTION

The Office of Small and Disadvantaged Business Utilization has primary responsibility for providing policy direction for small and disadvantaged business participation in the Department's procurement and grant programs, and effective execution of the functions and duties under sections 8 and 15 of the Small Business Act, as amended.

COMMITTEE RECOMMENDATION

The Committee recommends $1,369,000, an amount equal to the budget request and $34,000 more than the fiscal year 2008 enacted level.

OFFICE OF INTELLIGENCE, SECURITY AND EMERGENCY RESPONSE

PROGRAM DESCRIPTION

The Office of Intelligence, Security and Emergency Response keeps the Secretary and her advisors informed on intelligence and security issues pertaining to transportation. The office also provides support to the Secretary for her statutory and administrative responsibilities in the areas of emergency preparedness, response, and recovery functions. Further, the office ensures that transportation policy and programs support the national objectives of general welfare, economic growth and stability, and the security of the Unites States.

The Office of Intelligence, Security and Emergency Response is at the forefront of the Department's response to transportation-related emergencies. To prepare for such events, the office coordinates and conducts the Department's participation in national and regional exercise and training for emergency personnel; administers the Department's Continuity of Government and Continuity of Operations programs; and coordinates DOT's role in select international contingency plan and response initiatives. Additionally, the office provides direct emergency response and recovery support through the National Response Plan [NRP] and operates the Department's Crisis Management Center [CMC], a facility that monitors the Nation's transportation system 24 hours a day, 7 days a week and is the Department's focal point during emergencies.

COMMITTEE RECOMMENDATION

The Committee recommends $8,994,000 for the Office of Intelligence, Security and Emergency Response. The recommendation is $175,000 less than the request and $1,120,000 more than the fiscal year 2008 enacted level.

OFFICE OF THE CHIEF INFORMATION OFFICER

PROGRAM DESCRIPTION

The Office of the Chief Information Officer [OCIO] serves as the principal adviser to the Secretary on matters involving information resources and information systems management.

COMMITTEE RECOMMENDATION

The Committee recommends $12,885,000, which is equal to request and $998,000 more than the fiscal year 2008 enacted level.

FINANCIAL MANAGEMENT CAPITAL

Appropriations, 2008	....
Budget estimate, 2009	$6,000,000
Committee recommendation	5,000,000

PROGRAM DESCRIPTION

The Financial Management Capital program is a new multi-year business transformation initiative to streamline and standardize the financial systems and business processes across the Department of Transportation. The initiative includes upgrading and enhancing the commercial software used for DOT's financial systems, improving the cost and performance data provided to managers, implementing a budget line of business, and instituting new accounting standards and mandates.

COMMITTEE RECOMMENDATION

The Committee is recommending $5,000,000 to support the Secretary's Financial Management Capital initiative, which is $5,000,000 more than the fiscal year 2008 enacted level and $1,000,000 less than the budget request.

This new initiative has the potential to improve the financial systems and processes of the Department and provide important benefits to all of the modes. The Committee applauds the effort that the Secretary has taken to involve the modal administrations in the planning and development process. However, the Committee wants to ensure that each mode is only paying for activities that will directly benefit its operations. The Committee is concerned that modes will be asked to reimburse OST for additional activities beyond which they have planned and budgeted, and from which they may not benefit. As a result, the Committee reminds the Secretary of language that continues to be included in the bill that limits OST's ability to approve new assessments or reimbursable agreements appropriated to the modal administrations for new activities, unless a reprogramming of funds is requested and approved by the Committees.

The Committee also directs OST to provide the House and Senate Committees on Appropriations with an expenditure plan 30 days after the enactment of this act that outlines the amount of funding for this initiative, including the amount contributed by each modal administration, as well as the benefits that will result from these investments. In addition, the Committee directs OST to provide more detailed justifications for this program in its fiscal year 2010 budget request. These detailed justifications should clearly display the amount requested for OST as well as the amount included in the budget request from each modal administration.

OFFICE OF CIVIL RIGHTS

Appropriations, 2008	$9,141,900
Budget estimate, 2009	9,384,000
Committee recommendation	9,384,000

PROGRAM DESCRIPTION

The Office of Civil Rights is responsible for advising the Secretary on civil rights and equal employment opportunity matters, formulating civil rights policies and procedures for the operating administrations, investigating claims that small businesses were denied certification or improperly certified as disadvantaged business enterprises, and overseeing the Department's conduct of its civil rights responsibilities and making final determinations on civil rights complaints. In addition, the Civil Rights Office is responsible for enforcing laws and regulations which prohibit discrimination in federally operated and federally assisted transportation programs.

COMMITTEE RECOMMENDATION

The Committee recommends a funding level of $9,384,000 for the Office of Civil Rights for fiscal year 2009. The recommendation is identical to the budget request and is $242,100 more than the fiscal year 2008 enacted level.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Appropriations, 2008	$13,883,900
Budget estimate, 2009	10,105,000
Committee recommendation	12,750,000

PROGRAM DESCRIPTION

The Office of the Secretary performs those research activities and studies which can more effectively or appropriately be conducted at the departmental level. This research effort supports the planning, research and development activities needed to assist the Secretary in the formulation of national transportation policies. The program is carried out primarily through contracts with other Federal agencies, educational institutions, nonprofit research organizations, and private firms.

COMMITTEE RECOMMENDATION

The Committee recommends $12,750,000 for transportation planning, research, and development, which is $2,645,000 more than the budget request and $1,133,900 less than the fiscal year 2008 enacted level. The Committee directs funding to be allocated to the following projects that are listed below:

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Project name	Committee recommendation
Assessment of Critical Transportation Infrastructure, MS	$750,000
Decision Support Tools for Transportation Resilience and Security, MS	750,000
Fire and Oil Spill Response Communications Project, WA	1,600,000
Freight Transportation Policy Institute, WA	500,000
Inland Pacific Hub Analysis Project, WA	250,000
University Transportation Center, MS	500,000
Wildlife Crossing Project, FL	1,000,000

WORKING CAPITAL FUND

Limitation, 2008	$128,094,000
Budget estimate, 2009 [1]	
Committee recommendation	128,094,000

[1] Proposed without limitation.

PROGRAM DESCRIPTION

The Working Capital Fund [WCF] provides common administrative services to the Department's operating administrations and other Federal entities. The services are centrally performed in the interest of economy and efficiency and are funded through negotiated agreements with Department operating administrations and other Federal customers and are billed on a fee-for-service basis to the maximum extent possible.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $128,094,000 on activities financed through the Working Capital Fund. The budget request proposes to remove the obligation limitation on the Working Capital Fund for services to the operating administrations of the Department. The Committee, however, continues to insist that the discipline of an annual limitation is necessary to keep assessments and services of the Working Capital Fund in line with costs. As in past years, the bill specifies that the limitation shall apply only to the Department and not to services provided by other entities. The Committee directs that services shall be provided on a competitive basis to the maximum extent possible.

The Committee notes that the Department has greatly improved the transparency of its budget justifications. The "transparency paper" included in the justifications for fiscal year 2009 provides essential information on total budgetary resources for the Office of the Assistant Secretary for Administration and the Office of the Chief Information Officer, including the balance of resources provided through the Working Capital Fund and direct appropriations. Therefore, the Committee directs the Department to update this "transparency paper" and include it in the budget justifications for fiscal year 2010.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

	Appropriations	Limitation on guaranteed loans
Appropriations, 2008	$893,000	$18,367,000
Budget estimate, 2009	912,000	18,367,000
Committee recommendation	912,000	18,367,000

PROGRAM DESCRIPTION

The Minority Business Resource Center of the Office of Small and Disadvantaged Business Utilization provides assistance in obtaining short-term working capital for disadvantaged, minority, and women-owned businesses. The program enables qualified businesses to obtain loans at prime interest rates for transportation-related projects. As required by the Federal Credit Reform Act of 1990, this account records the subsidy costs associated with guaranteed loans for this program as well as administrative expenses of this program.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $353,000 to cover the subsidy costs for guaranteed loans and $559,0000 for administrative expenses to carry out the guaranteed loan program. The recommendation is the same as the budget estimate and it is $19,000 more than the fiscal year 2008 enacted level. The Committee also recommends a limitation on guaranteed loans of $18,367,000 the same amount as the budget request and the fiscal year 2008 enacted level.

MINORITY BUSINESS OUTREACH

Appropriations, 2008	$2,970,000
Budget estimate, 2009	3,056,000
Committee recommendation	3,056,000

PROGRAM DESCRIPTION

This appropriation provides contractual support to assist small, women-owned, Native American, and other disadvantaged business firms in securing contracts and subcontracts arising out of transportation-related projects that involve Federal spending. It also provides support to historically black and Hispanic colleges. Separate funding is requested by the administration since this program provides grants and contract assistance that serves Department-wide goals and not just OST purposes.

COMMITTEE RECOMMENDATION

The Committee recommends $3,056,000 for grants and contractual support provided under this program for fiscal year 2009. The recommendation is the same as the budget request and $86,000 more than the fiscal year 2008 enacted level.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

	Appropriations	Mandatory [1]	Total
Appropriations, 2008	$60,000,000	$50,000,000	$110,000,000
Budget estimate, 2009	....	50,000,000	50,000,000
Committee recommendation	60,000,000	65,000,000	125,000,000

[1] From overflight fees provided to the Federal Aviation Administration pursuant to 49 U.S.C. 41742 and available spectrum action fees pursuant to Public Law 109–171.

PROGRAM DESCRIPTION

This appropriation provides funding for the Essential Air Service [EAS] program, which was created to continue air service to communities that had received federally mandated air service prior to deregulation of commercial aviation in 1978. The program currently provides subsidies to air carriers serving small communities that meet certain criteria.

The Federal Aviation Administration Reauthorization Act of 1996 (Public Law 104–264) authorized the collection of user fees for services provided by the Federal Aviation Administration [FAA] to aircraft that neither take off from, nor land in, the United States. In addition, the act stipulated that the first $50,000,000 of these so-called “overflight fees” must be used to finance the EAS program. In the event of a shortfall in fees, the law requires FAA to make up the difference from other funds available to the agency. No such shortfall has occurred, however, since fiscal year 2005.

COMMITTEE RECOMMENDATION

For fiscal year 2009, the administration proposes no appropriated funds for the EAS program, although the budget includes $50,000,000 for the EAS program to be funded by overflight fees collected by the FAA. The Committee recommendation, conversely, provides a total of $110,000,000 for the Essential Air Service program, which is comprised of an appropriation of $60,000,000 and $50,000,000 derived from overflight fees. The Committee recommendation is $60,000,000 more than the budget estimate and the same as the fiscal year 2008 enacted level. In addition, it is anticipated that $15,000,000 made available to the program from spectrum auction sales pursuant to Public Law 109–171 shall remain available to help meet program costs in 2009. As such, based on the latest projections from the Department of Transportation, the funding level provided in this bill in combination with other available funding sources should equal $125,000,000 and be sufficient to continue air service during fiscal year 2009 to all eligible communities.

The Committee rejects a proposal in the Presidents' budget request that would restructure the EAS program. The proposal would change the program by eliminating the "minimum requirements" for eligibility that are currently in place, allowing EAS funds to be used for ground transportation, and establishing a ranking of eligible communities in order to determine the order in which they would receive assistance. The Presidents proposal would serve to eliminate air service to a great many communities.

Emerging Challenges to Continued EAS Service.—Several factors are serving to undermine the ability of the DOT to deliver air service to all the communities that are guaranteed such service under the regulations governing the EAS program. Just as market forces have resulted in the loss of air service to small- and medium-sized communities that are not eligible for EAS subsidies, those very same forces have made it difficult to entice air carriers to serve such communities utilizing Federal EAS subsidies. Over the last several years, the major passenger air carriers have effectively abandoned the EAS program, leaving smaller, less-capitalized, carriers to serve the subsidized communities. Many of these smaller carriers have struggled to stay afloat. The program has also been challenged by a growing shortage of appropriately sized aircraft that are available to serve EAS communities as such equipment is either being retired from the fleet or is being used for more profitable services elsewhere in the United States or overseas.

Over the course of the last year, three EAS carriers—Air Midwest, Big Sky Airways, and Skyways Airlines, have each shuttered their operations. As a result, 37 eligible communities temporarily lost their EAS subsidized service. Taken together, the following communities are expected to be without air service for an estimated cumulative period of at least 133 months as a result of these shut downs.

EAS COMMUNITIES EXPERIENCING SERVICE INTERRUPTIONS AND SHUTDOWNS

[As of June 20, 2008]

	Last date of service in 2008	Tentative projected start of new service	Estimated no. of months dark	Incoming carrier/status
AIR MIDWEST SHUTDOWN				
EAST:				
Athens, GA	May 23	Sep 01	3	Pacific Wings
DuBois, PA	May 23	Sep 03	3	Gulfstream
Franklin/Oil City, PA	May 23	Sep 03	3	Gulfstream

EAS COMMUNITIES EXPERIENCING SERVICE INTERRUPTIONS AND SHUTDOWNS—Continued

[As of June 20, 2008]

	Last date of service in 2008	Tentative projected start of new service	Estimated no. of months dark	Incoming carrier/status
Lewisburg, WV	May 23	Sep 03	3	Gulfstream
WEST:				
Ely, NV	May 31	Sep 08	3	Great Lakes
Kingman, AZ	May 31			Great Lakes
Merced, CA	May 31	Sep 08	3	Great Lakes
Prescott, AZ	May 31			Great Lakes
Visalia, CA	May 31	Sep 08	3	Great Lakes
CENTRAL:				
Columbia, MO	June 30	Aug 19	1.5	Mesaba
El Dorado, AR	June 30	Re-bid		Proposals due June 20
Grand Island, NE	June 30	Re-bid		Proposals due June 20
Harrison, AR	June 30	Re-bid		Proposals due June 20
Hot Springs, AR	June 30	Re-bid		Proposals due June 20
Jonesboro, AR	June 30	Sep 01	2	Great Lakes
Joplin, MO	June 30	Re-bid		Proposals due June 20
Kirksville, MO	June 30	Jul 28	1	Multi-Aero
McCook, NE	June 30	June 01		Great Lakes
BIG SKY SHUTDOWN				
Cape Girardeau, MO	Jan 06	June 01	6	Great Lakes
Jackson, TN	Jan 06	Sep 01	8	Great Lakes
Massena, NY	Jan 06	Sep 16	8	Cape Air
Ogdensburg, NY	Jan 06	Sep 16	8	Cape Air
Owensboro, KY	Jan 06	Sep 01	8	Great Lakes
Plattsburgh, NY	Jan 06	Feb 12	1	Cape Air
Saranac Lake, NY	Jan 06	Feb 12	1	Cape Air
Watertown, NY	Jan 06	Sep 16	8	Cape Air
Glasgow, MT	Mar 08	Nov 01	8	Great Lakes
Glendive, MT	Mar 08	Nov 01	8	Great Lakes
Havre, MT	Mar 08	Nov 01	8	Great Lakes
Lewistown,MT	Mar 08	Sep 08 (maybe Aug 1).	6	Great Lakes
Miles City, MT	Mar 08	Nov 01	8	Great Lakes
Sidney, MT	Mar 08	Sep 08 (maybe Aug 1).	6	Great Lakes
Wolf Point, MT	Mar 08	Nov 01	8	Great Lakes
SKYWAYS SHUTDOWN				
Ironwood, MI	Apr 06	June 01	2	Great Lakes
Manistee, MI	Apr 06	June 01	2	Great Lakes
Iron Mountain, MI	Apr 06	June 05	2	Mesaba
Escanaba, MI	Apr 06	June 05	2	Mesaba

DOT has been able to secure alternative carriers for many of these communities but is struggling to find alternative carriers for others. It is likely that some of these communities may never see air service return despite the availability of Federal subsidies.

Rising fuel prices have also put increasing financial pressure on EAS carriers. As these carrier's EAS contracts come due to be renegotiated, they are appropriately seeking compensation that more realistically reflects the true cost of supplying air service under current market conditions.

In the current fiscal year (2008), the EAS program should have adequate Federal resources to meet program costs. However, this is due in part because the increased cost of the newly entered contracts reflecting higher fuel prices are being offset in part by the savings associated with the program not having to pay subsidies for the communities enduring service interruptions.

The Committee recognizes that the EAS program is undergoing a period of unprecedented uncertainty that makes it extremely difficult to predict what true program costs will be during fiscal year 2009. As such, the Committee has continued to include bill language, as it did in the 2008 Act, that directs the Secretary to transfer to the EAS program such sums as may be necessary to continue service to all eligible EAS points in fiscal year 2009. These funds, if needed, will be derived from other funds directly administered by, or appropriated to, the Office of the Secretary.

The following table reflects the points currently receiving service and the annual rates as of June 1, 2008, in the continental United States and Hawaii.

ESSENTIAL AIR SERVICE SUBSIDY PER PASSENGER

[Data based on June 1, 2008 rates and CY 2007 passengers]

States/communities	Est. Miles to Nearest Hub (S,M,or L) [1]	Avg. Daily Enplnmnts at EAS Point (YE 12/31/07)	Ann. Sbsdy Rates at 6/1/2008	Subsidy per Passenger	Total Psgrs (YE 12/31/07)	Hub	Est. no. of months in 2008 with no service	Notes
ALABAMA:								
Muscle Shoals/Florence	60	17.0	$1,504,929	$141.06	10,669	MEM		
ARIZONA:								
Kingman	121	7.7	1,275,771	266.01	4,796	LAS		(2)
Page	152	17.2	1,497,556	138.89	10,782	PHX		
Prescott	102	12.2	1,622,719	212.29	7,644	PHX		(2)
Show Low	154	20.0	988,181	78.94	12,518	PHX		
ARKANSAS:								
El Dorado	107	5.3	937,385	282.09	3,323	DFW		(3)
Harrison	80	15.4	1,406,078	145.48	9,665	DFW		(3)
Hot Springs	51	11.2	1,015,500	144.74	7,016	DFW		(3)
Jonesboro	82	9.9	937,385	151.44	6,190	DFW	2	
CALIFORNIA:								
Crescent City	314	42.2	957,025	36.22	26,421	SFO/SMF		
Merced	60	19.3	799,604	66.12	12,094	LAS	3	
Visalia	47	14.4	799,604	88.43	9,042	LAS	3	
COLORADO:								
Alamosa	164	23.5	1,150,268	78.28	14,694	DEN		
Cortez	255	33.0	796,577	38.61	20,634	DEN		
Pueblo	36	15.2	1,057,128	111.24	9,503	DEN		
GEORGIA:								
Athens	72	19.4	1,051,386	86.52	12,152	ATL	3	
Macon	82	37.5	1,968,830	83.97	23,447	ATL		
ILLINOIS:								
Decatur	126	11.8	1,350,256	182.54	7,397	STL		
Marion	123	19.8	1,126,810	90.80	12,410	STL		
Quincy	111	7.6	1,532,891	322.65	4,751	STL		
IOWA:								
Burlington	74		943,793			MCI		(4)
Fort Dodge	91	22.3	1,056,933	75.66	13,969	MSP		
Mason City	131	42.9	1,056,933	39.31	26,885	MSP		

ESSENTIAL AIR SERVICE SUBSIDY PER PASSENGER—Continued

[Data based on June 1, 2008 rates and CY 2007 passengers]

States/communities	Est. Miles to Nearest Hub (S,M,or L) [1]	Avg. Daily Enplnmnts at EAS Point (YE 12/31/07)	Ann. Sbsdy Rates at 6/1/2008	Subsidy per Passenger	Total Psgrs (YE 12/31/07)	Hub	Est. no. of months in 2008 with no service	Notes
KANSAS:								
Dodge City	150	16.5	1,378,036	133.09	10,354	DEN/MCI		
Garden City	202	35.0	2,373,320	108.30	21,915	DEN/MCI		
Great Bend	114	2.6	749,435	468.40	1,600	MCI		
Hays	175	31.8	1,757,154	88.40	19,878	DEN/MCI		
Liberal	138	12.7	995,284	125.22	7,948	DEN		
Manhattan	122	44.3	1,198,342	43.24	27,713	MCI		
Salina	97	9.3	798,895	137.43	5,813	MCI		
KENTUCKY:								
Owensboro	105		1,448,625			STL	8	([4])
MAINE:								
Augusta	67	13.1	1,190,864	166.08	8,191	BOS		
Bar Harbor	144	35.3	1,190,864	53.86	22,109	BOS		
Presque Isle	262	49.8	2,643,588	84.85	31,157	BOS		
Rockland	81	19.7	1,190,864	96.47	12,345	BOS		
MARYLAND:								
Hagerstown	78	8.6			5,413			([5])
MICHIGAN:								
Escanaba	112	30.2	1,125,884	59.56	18,903	MSP	2	
Ironwood	213	8.5	1,492,865	280.51	5,322	MKE	2	
Iron Mountain	105	24.1	1,125,884	74.54	15,105	MSP	2	
Manistee	110	10.6	1,799,395	272.06	6,614	MKE	2	
MINNESOTA:								
Chisholm/Hibbing	199	27.3	1,261,841	73.96	17,060	MSP		
Thief River Falls	305	10.9	1,065,639	156.83	6,795	MSP		
MISSISSIPPI:								
Laurel/Hattiesburg	89	46.6	917,129	31.47	29,142	MEM		
Meridian	88	49.7	686,489	22.06	31,114	ATL		
MISSOURI:								
Cape Girardeau	127		1,497,542			STL	6	
Columbia	116	35.5	598,751	26.92	22,244	STL	1.5	
Ft. Leonard Wood	85		519,858			STL		
Joplin	70	46.9	849,757	28.92	29,386	MCI		([3])

Kirksville	137	6.1	627,100	163.35	3,839	STL	1	
MONTANA:								
Glasgow	285	6.0	928,433	246.40	3,768	BIL	8	
Glendive	222	3.1	1,056,152	548.37	1,926	BIL	8	
Havre	230	4.3	1,036,616	381.11	2,720	BIL	8	
Lewistown	103	2.1	1,036,616	790.71	1,311	BIL	6	
Miles City	145	3.6	1,056,152	468.78	2,253	BIL	8	
Sidney	272	10.5	2,159,591	329.01	6,564	BIL	6	
West Yellowstone	332	12.1	431,996	57.26	7,545	SLC		
Wolf Point	293	5.2	928,433	283.84	3,271	BIL	8	
NEBRASKA:								
Alliance	233	6.3	748,635	188.53	3,971	DEN		
Chadron	290	7.7	748,635	155.45	4,816	DEN		
Grand Island	138	28.6	1,377,877	76.91	17,916	MCI		(3)
Kearney	181	40.2	897,142	35.67	25,153	DEN		
McCook	256	9.3	918,585	158.10	5,810	DEN		
North Platte	255	33.8	976,026	46.06	21,190	DEN		
Scottsbluff	192	37.4	520,137	22.20	23,431	DEN		
NEVADA:								
Ely	234	1.9	647,709	547.51	1,183	LAS	3	
NEW HAMPSHIRE:								
Lebanon	72	30.3	1,069,606	56.45	18,948	LGA		
NEW MEXICO:								
Alamogordo	89	1.3	717,506	851.13	843	ABQ		
Carlsbad	149	8.2	303,554	59.42	5,109	ABQ		
Clovis	102	8.3	1,182,645	227.87	5,190	ABQ		
Hobbs	90	6.7	303,554	71.95	4,219	ABQ		
Silver City	134	7.0	1,182,645	271.06	4,363	ABQ		
NEW YORK:								
Jamestown	76	13.1	1,217,414	147.91	8,231	IAD		
Massena	138	5.5	1,297,613	379.42	3,420	ALB	8	
Ogdensburg	105	7.6	1,353,916	283.01	4,784	ALB	8	
Plattsburgh	82	2.6	1,379,257	848.25	1,626	BOS	1	
Saranac Lake	132	11.1	1,431,875	205.58	6,965	BOS	1	
Watertown	54	29.1	1,228,334	67.37	18,232	ALB	8	
NORTH DAKOTA:								
Devils Lake	402	10.9	1,331,664	194.94	6,831	MSP		
Dickinson	319	24.5	1,696,977	110.44	15,365	DEN		
Jamestown	333	7.1	1,355,011	305.39	4,437	MSP		

ESSENTIAL AIR SERVICE SUBSIDY PER PASSENGER—Continued

[Data based on June 1, 2008 rates and CY 2007 passengers]

States/communities	Est. Miles to Nearest Hub (S,M,or L) [1]	Avg. Daily Enplnmnts at EAS Point (YE 12/31/07)	Ann. Sbsdy Rates at 6/1/2008	Subsidy per Passenger	Total Psgrs (YE 12/31/07)	Hub	Est. no. of months in 2008 with no service	Notes
OREGON:								
Pendleton	185	23.9	748,440	50.00	14,969	PDX		
PENNSYLVANIA:								
Altoona	112	13.4	1,413,627	168.81	8,374	IAD		
Bradford	77	9.4	1,217,414	207.36	5,871	IAD		
Du Bois	112	22.2	2,020,095	145.29	13,904	CLE	3	
Johnstown	84	29.5	950,835	51.40	18,497	IAD		
Lancaster	28	16.9			10,583			(5)
Oil City/Franklin	85	4.8	1,226,773	412.50	2,974	CLE	3	
PUERTO RICO:								
Mayaguez	105	14.6	735,660	80.26	9,166	SJU		
Ponce	77	13.9	661,399	75.87	8,717	SJU		(6)
SOUTH DAKOTA:								
Brookings	58	4.7			2,940			(5)
Huron	121	8.6	793,733	146.66	5,412	DEN		
Watertown	207	16.8	1,189,606	112.97	10,530	MSP		
TENNESSEE:								
Jackson	86	.0	1,598,291			STL	8	(4)
TEXAS:								
Victoria	93	28.9	610,047	33.67	18,120	IAH		
UTAH:								
Cedar City	179	20.6	1,242,256	96.18	12,916	SLC		
Moab	256	8.9	1,607,903	287.54	5,592	DEN		
Vernal	150	9.4	1,147,786	194.18	5,911	DEN		
VERMONT:								
Rutland	69	7.4	839,746	180.28	4,658	BOS		
VIRGINIA:								
Staunton	133	15.5	1,389,727	142.87	9,727	IAD		
WEST VIRGINIA:								
Beckley	168	9.1	1,930,759	338.79	5,699	IAD		
Clarksburg	96	13.5	1,058,325	124.98	8,468	IAD		
Greenbrier/Lewisburg	166	13.7	2,330,725	270.95	8,602	CLE	3	(7)
Morgantown	75	12.2	1,058,325	138.80	7,625	IAD		

Parkersburg	110	14.2	2,290,727	256.81	8,920	IAD		
WYOMING:								
Laramie	145	32.7	487,516	23.85	20,443	DEN		
Worland	161	11.8	972,757	131.15	7,417	DEN		

[1] Hub classifications are subject to change annually based on the changes in enplanement levels at the specific hub and at all airports nationwide.
[2] Great Lakes was selected at these rates on June 10 by Order 2008–6–11 but has not started service yet.
[3] Carrier-selection case is pending.
[4] Service hiatus due to Big Sky shutdown.
[5] BKX, HGR, LNS: Legislatively lost subsidy eligibility effective 10/1/2007. On February 28, 2008, their eligibility was reinstated through September 30, 2008, by the Airport and Airway Extension Act of 2008. No carriers responded to DOT's RFPs.
[6] Cape Air Traffic only.
[7] Air Midwest traffic only.

Note: Italics indicate that the community either has experienced or will experience a service hiatus in 2008.

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Appropriations, 2008	–$22,000,000
Budget estimate, 2009	–848,000
Committee recommendation	–848,000

The Committee recommends a rescission of all remaining balances from this account in fiscal year 2009. These balances are estimated at $848,000. This rescission level is the same as the budget request and $21,152,000 less than the rescission level enacted for fiscal year 2008. The funds recommended for rescission are in excess of the amount determined to be needed for eligible payments to air carriers.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

Section 101 authorizes the Secretary of Transportation to transfer to the account called "Minority Business Outreach" unexpended balances from the bonding assistance program funded out of the account "Office of the Secretary, Salaries and Expenses."

Section 102 prohibits the Office of the Secretary of Transportation from obligating funds originally provided to a modal administration in order to approve assessments or reimbursable agreements, unless the Department follows the regular process for the reprogramming of funds, including congressional notification.

Section 103 prohibits the use of funds for an EAS local participation program.

Section 104 authorizes the Secretary of Transportation or her designee to engage in activities with States and State legislatures to consider proposals related to the reduction of motorcycle fatalities.

FEDERAL AVIATION ADMINISTRATION

PROGRAM DESCRIPTION

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

Congress streamlined regulatory oversight in 1957 with the creation of two separate agencies, the Federal Aviation Agency and the Civil Aeronautics Board. When the Department of Transportation [DOT] began its operations in 1967, the Federal Aviation Agency was renamed the Federal Aviation Administration [FAA] and became one of several modal administrations within DOT. The Civil Aeronautics Board was later phased out with enactment of the Airline Deregulation Act of 1978, and ceased to exist in 1984. Responsibility for the investigation of civil aviation accidents was given to the National Transportation Safety Board in 1967. FAA's mission expanded in 1995 with the transfer of the Office of Commercial Space Transportation from the Office of the Secretary, and decreased in December 2001 with the transfer of civil aviation security activities to the new Transportation Security Administration.

COMMITTEE RECOMMENDATION

The total recommended program level for the FAA for fiscal year 2009 amounts to $15,505,833,000, which is $862,833,000 more than the budget request and $590,894,000 more than the fiscal year 2008 enacted level.

The current budget structure for the FAA includes distinct accounts to pay for the operations of the agency (Operations), and the agency's capital expenditures (Facilities and Equipment). The FAA budget justification for fiscal year 2009 proposes to restructure these two accounts along the lines of business of the agency. Under this proposal, one account would pay for the Air Traffic Organization, including both the operating and capital expenses of the organization. Another account, Safety and Operations, would pay for both the operating and capital expenses of the Aviation Safety office and other offices within the FAA. This new budget structure is consistent with the reauthorization proposal submitted by the President last year. The Senate Committee on Commerce, Science and Transportation has reported legislation that would authorize FAA programs through fiscal year 2011 and the House of Representatives has transmitted a bill to the Senate that also would extend such programs through fiscal year 2011. Both the Commerce Committee bill and the bill approved by the House of Representatives continue to authorize FAA programs under the existing account structure. As such, the Committee has also followed the current account structure for its appropriations recommendations for 2009. All of the information presented below, including the display of President's budget estimates for fiscal year 2009, follows the existing structure.

In addition to changes to the FAA budget structure, the reauthorization proposal submitted by the President would make significant changes to the financing of FAA programs. The proposal would replace the current system of aviation taxes with a new user fee system, and it would provide the FAA with the authority to borrow up to $5,000,000,000 from the Treasury. Such borrowing would be repaid by an automatic increase to one of the newly-proposed user fees. Such borrowing authority would represent a considerable departure from the current financing of almost all FAA spending through direct appropriations.

The Appropriations Committee has played a central role in ensuring that the FAA has the resources it needs to conduct its missions. The Committee has also sought to protect the investment of taxpayer dollars in the FAA by making sure that the agency spends its resources efficiently. Not only has the Committee cut wasteful spending on ineffective programs, it has also provided additional resources for critically important activities that the agency or the Office of Management and Budget [OMB] had overlooked in its budget requests. As such, the Committee continues to believe that any degradation in the Committee's ability to annually set programmatic spending levels and oversee the agency's spending habits as part of the reauthorization process should be strenuously resisted.

The following table summarizes the Committee's recommendations for fiscal year 2009 excluding rescissions:

	Fiscal year— 2008 enacted	Fiscal year— 2009 estimate	Committee recommendation
Operations:			
General fund appropriation	$2,342,939,100	$2,717,489,000	$2,923,238,000
Trust fund appropriation	6,397,060,900	6,280,973,000	6,147,000,000
Facilities and equipment	2,513,611,000	2,723,510,000	2,749,595,000
Research, engineering, and development:			
General fund appropriation	....	15,025,000	....
Trust fund appropriation	146,828,000	156,003,000	171,000,000
Grants-in-aid for airports	3,514,500,000	2,750,000,000	3,515,000,000
Total	14,914,939,000	14,643,000,000	15,505,833,000

OPERATIONS

Appropriations, 2008	$8,740,000,000
Budget estimate, 2009	8,998,462,000
Committee recommendation	9,070,238,000

PROGRAM DESCRIPTION

This appropriation provides funds for the operation, maintenance, communications, and logistical support of the air traffic control and air navigation systems. It also covers administrative and managerial costs for the FAA's regulatory, international, commercial space, medical, engineering and development programs, as well as policy oversight and agency management functions. The operations appropriation includes the following major activities: (1) the air traffic organization which operates, on a 24-hour daily basis, the national air traffic system, including the establishment and maintenance of a national system of aids to navigation, the development and distribution of aeronautical charts and the administration of acquisition, and research and development programs; (2) the regulation and certification activities including establishment and surveillance of civil air regulations to assure safety and development of standards, rules and regulations governing the physical fitness of airmen as well as the administration of an aviation medical research program; (3) the office of commercial space transportation; and (4) headquarters, administration and other staff and support offices.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $9,070,238,000 for FAA operations. This funding level is $71,776,000 more than the budget request, and $330,238,000 more than the fiscal year 2008 enacted level. The Committee recommendation derives $6,147,000,000 of the appropriation from the airport and airway trust fund. The balance of the appropriation will be drawn from the general fund of the Treasury.

As in past years, FAA is directed to report immediately to the House and Senate Committees on Appropriations in the event resources are insufficient to operate a safe and effective air traffic control system.

The Committee continues three provisions enacted in prior years relating to premium pay, aeronautical charting and cartography, and Government-issued credit cards.

The following table summarizes the Committee's recommendation in comparison to the budget estimate and fiscal year 2008 enacted level:

FAA OPERATIONS

	Fiscal year		Committee recommendation
	2008 enacted	2009 estimate	
Air Traffic Organization	$6,966,193,000	$7,078,793,000	$7,119,031,000
Aviation Safety	1,081,602,000	1,130,927,000	1,162,927,000
Commercial Space Transportation	12,549,000	14,094,000	14,094,000
Financial Services	100,593,000	112,004,000	112,004,000
Human Resource Management	91,214,000	96,091,000	96,091,000
Region and Center Operations	286,848,000	336,894,000	336,894,000
Staff Offices	162,351,000	181,321,000	180,859,000
Information Services	38,650,000	48,338,000	48,338,000
TOTAL	8,740,000,000	8,998,462,000	9,070,238,000

On May 11, 1996, Valujet Flight 592 crashed into the Florida Everglades, killing all 110 people on board. Investigations of that tragedy revealed glaring weaknesses in the FAA's program to inspect air carriers and ensure the safety of their operations. Shortly after the accident, the Associate FAA Administrator for Certification and Regulation announced his immediate retirement. Both the DOT and Congress moved rapidly to limit the FAA's mission to overseeing the safety of air transportation. Congress insisted that it was inappropriate for an agency in charge of regulating aviation safety to be simultaneously charged with advancing the commercial viability of the airline industry. Today, the FAA still struggles with creating a culture of safety and accountability. During the past year, whistleblowers disclosed that managers at an air traffic control facility had consistently underreported and misclassified operational errors by air traffic controllers. Those whistleblowers' attempts to expose and rectify the problem were met by inappropriate and punitive retaliation on the part of FAA managers. In another incident, the FAA allowed an air carrier to fly passengers for a period of at least 9 months while their aircraft were in violation of mandatory FAA safety directives. The FAA manager in charge was fully aware of these violations by the carrier but, nonetheless, allowed the carrier to fly almost 1,500 more flights carrying 145,000 passengers before other FAA managers intervened and required the violations to be rectified.

In both of the incidents cited above, FAA managers at various levels of authority were either knowledgeable or complicit in these inappropriate actions. As recently as June 30, 2008, the DOT Inspector General's investigation of the latter incident concluded that "it appears that FAA management fostered a culture whereby air carriers were considered the primary customer of its oversight mission instead of the flying public." The Committee is dismayed over the fact that, despite numerous and repeated representations to the contrary, so little has changed in both the culture of the agency and its commitment to fixing past mistakes.

Ignoring Past Agency Commitments to Improve Safety.—

> "Starting in 1991, we were addressing these very same issues. We were asking what is wrong with FAA inspections. We came up with a virtual laundry list of things that were wrong. There were promises made and promises not kept This is back in 1991—totally different leadership, totally different administration, but the problems go on. We found problems in safety oversight, problems in maintenance, problems in repair stations . . ."
>
> DOT Inspector General Mary Shiavo
> Testimony on ValuJet Flight 592 Tragedy
> House Committee on Transportation and Infrastructure
> June 25, 1996.

> "It is frustrating. In response to our 2002 recommendation for greater national oversight, FAA promised that its newly appointed Director of Flight Standards Division would undertake that responsibility. It didn't happen. We felt that we had been burned. When we reviewed ATOS again in 2005, we found the same thing."
>
> DOT Inspector General Cal Scovell
> Testimony on FAA Safety Performance
> Senate Committee on Appropriations
> April 17, 2008.

Consistent with its statutory charge, the DOT Inspector General [OIG] has continually examined the performance of the FAA and issued relevant recommendations. The FAA, in return, has often formally agreed with the IG's recommendations and promised to make improvements. Yet, these recommendations have often remained open for years at a time. The OIG has even had to take the unusual step of issuing new recommendations that say nothing more than that the FAA should quit dithering and implement the very recommendations that the agency had already promised to implement years before.

The OIG is continuing to look at the two incidents from this past year that revealed serious lapses in safety oversight and a disturbing absence of accountability on the part of FAA managers. These investigations are likely to result in significant recommendations from the Inspector General. The Committee expects the FAA to implement those safety recommendations in which the agency concurs fully and without delay. The FAA's continuing practice of issuing empty promises for improvement, but then continuing to conduct "business as usual" must cease.

The Committee notes that the OIG is currently monitoring over 180 recommendations that the office has issued to the FAA since 2001. These recommendations focus on improving safety, reducing risk posed by with major air traffic control projects, addressing key workforce issues, and strengthening financial management. Although the FAA has concurred with almost all of these recommendations, the agency still has not implemented the recommendations as promised. The chart below lists several of these recommendations that the OIG has identified as "key" recommendations that focus on improving safety, security, and oversight as well as improving fiscal controls of the FAA. Again, the FAA has concurred with all but one of these recommendations, but has not followed their concurrences with sufficient action to close the recommendation.

Report title	Date issued	Open recommendation(s)
Review of Air Carriers' Use of Aircraft Repair Stations	7/8/2003	Develop a process to: (a) identify repair stations that air carriers use to perform aircraft maintenance; (b) identify repair stations that are performing safety critical repairs; and (c) target inspector resources based on risk assessments or analysis of data collected on air carrier outsourcing practices.
Operational Evolution Plan (OEP)	7/23/2003	Develop realistic cost estimates for capacity initiatives, and link the OEP with the Agency's budget in order to set priorities for what can be accomplished in the short term.
		Determine—in concert with the aviation community—how to move forward (and at what pace) with systems that require airspace users to purchase and install new technologies.
Audit of FAA's Traffic Controller Program	6/2/2004	Develop an assessment process for identifying a new controller's potential to certify at a certain facility level and use this information in placing newly hired controllers.
		Compile national statistics and establish a baseline to better manage the time and costs associated with the controller on-the-job training [OJT] process and include these in developing a tracking system for training.
Security and Controls Over En Route Center Computer Systems	8/9/2004	Enable and enforce use of passwords to authenticate users of Air Traffic Control systems.
		Install automatic fire suppression systems to protect telecommunications equipment at the en route centers and other key locations.
Report on Observations on FAA's Controller Pilot Data Link Communications [CPDLC] Program.	9/30/2004	Implement a process by which FAA and industry agree on entrance and exit criteria of joint programs that require synchronized government and industry investment, should FAA start another CPDLC program.
Review of FAA's Terminal Automation Alternatives	11/23/2004	Replace aging displays at its four large terminal sites that do not have color displays. This should be done expeditiously and based on the priority needs of individual sites.
		Determine requirements for fusion tracking (integrating radar and satellite data for air traffic control) as well as where it is needed, how much it will cost, and how long it would take to deploy.
National Airspace Redesign	5/13/2005	Develop a strategy and establish guidelines for addressing the demand for new sectors. This strategy should take into account, among other things, planned technology enhancements, equipment and frequency limitations, and the expected size of the controller workforce.
Safety Oversight of an Air Carrier Industry in Transition	6/3/2005	Establish policies and procedures to ensure national analysis and support groups provide stronger national assistance to field offices so that risk assessments and inspections of air carrier changes are conducted in a timely and consistent manner.
Review of Chicago O'Hare Modernization Program (OMP)	7/21/2005	Develop a schedule that synchronizes implementation of airspace changes with airfield changes and send to Congress a budget linked to this schedule that identifies the timing and cost of the resources needed to complete OMP airspace changes. This includes airspace changes outside the Chicago area that further enhance the OMP.
Disposal and Development of Properties Acquired Under Airport Noise Compatibility Programs.	9/30/2005	Ensure that sponsors (a) implement written, FAA-approved plans for disposing of Airport Improvement Program [AIP] funded noise land that is no longer needed for noise compatibility programs or for airport development and (b) either return the proceeds from any dispositions to the Trust Fund or reinvest them in other FAA-approved noise mitigation projects at the airport.

Disposal and Development of Properties Acquired Under Airport Noise Compatibility Programs.	9/30/2005	FAA should direct airport sponsors to develop and implement plans to recover FAA's share (estimated at $81.7 million) of the affected land's fair market value from airports that are misusing noise land disposition proceeds at 11 airports.
Follow-up Audit-Review of Air Traffic Controller Training	12/7/2005	Identify specific coursework taught at the FAA Academy as part of new controller training that is currently provided or could be provided by colleges and universities. Determine if those courses could be discontinued as part of FAA provided training and instead made a prerequisite to employment as an air traffic controller with the FAA. Report the results of the determination (course work review and analysis) to the Secretary, Congress, and the Office of Management and Budget as part of the next update to the Agency's Controller Workforce Plan, which is due at the beginning of the fiscal year 2007 appropriations cycle.
Air Carriers' Use of Non-Certificated Repair Facilities	12/15/2005	Inventory air carrier vendor lists that include all maintenance providers working on air carrier aircraft and identify non-certificated repair facilities performing critical or scheduled maintenance. Determine whether it should limit the type of work non-certificated facilities can perform. Review air carriers' internal audit programs for non-certificated repair facilities as part of the oversight of air carrier operations to ensure that each carrier has established a standard and in-depth process for evaluating these facilities. Determine whether air carriers evaluate the background, experience, and qualifications of temporary maintenance personnel used by contractors to ensure the work they perform is completed in accordance with FAA and air carrier requirements.
Physical Security of FAA Facilities	2/14/2006	Establish protocols and conduct periodic tests of access controls at all FAA staffed facilities. Facility accreditation should be contingent upon successfully passing testing. Require that contract security guards obtain up-to-date training on various screening technologies and testing equipment.
Security and Control Over the Remote Maintenance Processing System [RMMS], FAA	2/21/2006	Enhance the current Maintenance Process System [MPS] contingency plan to address situations in which the MPS computer becomes nonfunctional, including an evaluation of alternative ways to gain remote access to critical field equipment.
Quality Control Review of the Report on Controls Over the Enterprise Service Center's Delphi Financial Management System.	9/29/2006	Enterprise Services Center Management should consider implementing a security enclave that would separate the Delphi servers by placing the servers on their own Internet Protocol network. The access to this network should be controlled by firewalls and monitored by an Intrusion Detection System. In the short run, coordinate patch management and other security features for all agencies that own hardware/software in the Mike Monroney Aeronautical Center.
Review of FAA's 2006 Update to the Controller Workforce Plan	2/9/2007	Begin using the on-the-job-training [OJT] national database to (a) determine whether training resources can be used more efficiently and effectively, (b) identify best practices, and (c) identify and investigate instances where excessive time lapses in the OJT process occurred.
Joint Planning and Development Office [JPDO]	2/12/2007	Report Next Generation Air Transportation System (NextGen) cost data along three vectors—developmental efforts, adjustments to existing programs, and NextGen implementation—when reporting NextGen financial requirements to Congress and stakeholders.

Report title	Date issued	Open recommendation(s)
		Review existing ongoing modernization programs to determine if they are still needed and, if so, what adjustments in cost, schedule, and performance parameters will be needed. Include information in the annual JPDO progress report on specific research projects with budget data for FAA developmental efforts as well as budget data of other agencies that are being leveraged and specify how the ongoing research is supporting the JPDO. Determine what skill sets and expertise, with respect to software development and system integration, will be required by the Air Traffic Organization and JPDO—and how they will be obtained—to manage and execute NextGen initiatives. Fund targeted human factors research to ensure that the changing roles of controllers and pilots envisioned by the JPDO can safely be accommodated. This will require a re-prioritization of ongoing efforts at FAA and close cooperation with National Aeronautics and Space Administration, which also conducts human factors research.
Review of FAA's Actions To Address Runway Incursions at Boston Logan, Chicago O'Hare and Philadelphia International Airports.	5/24/2007	Require each line of business to include quantitative goals in their annual business plans for reducing runway incursion risks that are specific to their oversight responsibilities and designate the Runway Safety Office the authority to review and approve all runway safety initiatives submitted by all lines of business.
FAA's Review of Allegations of Unsafe Maintenance Practices at Northwest Airlines	9/28/2007	Require the Flight Standards Service to establish better internal review procedures to ensure that comprehensive, independent investigations of safety allegations and recommendations are consistently performed.
FAA's Review of Allegations of Unsafe Maintenance Practices at Northwest Airlines	10/31/2007	Develop (a) realistic cost estimates for all activities required to complete ASDE–X implementation and (b) a master schedule through ASDE–X completion that outlines when all implementation activities and planned capabilities will be commissioned for operational use. Correct prohibitive and improper contract administration procedures by (a) discontinuing the practice of increasing contractor fees based on costs incurred rather than negotiated fixed-fee dollar amounts, (b) discontinuing the practice of making payments before meaningful work has been completed on fixed-price items, and (c) adequately documenting any contract changes. Resolve operational performance issues identified during system testing before implementing key ASDE–X safety capabilities at other airports by (a) addressing timeliness of safety alert capabilities for intersecting runways and fully testing converging taxiways capability, (b) addressing problems with dropped targets and outages during heavy rain storms, and (c) testing rain configuration software upgrades at airports with Airport Surface Detection Equipment-Model 3 radars and intersecting runways and taxiways.

		Determine (a) the feasibility of combining ASDE–X, Automatic Dependent Surveillance Broadcast [ADS–B], and in-cockpit moving map technologies to simultaneously provide controllers and pilots with direct alerts to warn them of potential ground collisions and (b) the costs and timeline for implementing this capability at all ASDE–X airports. Work with airports to aggressively promote equipping their vehicles with transponders to maximize ASDE–X capabilities as a vital step in reducing the risks of ground collisions caused by vehicle operator error.
Monitoring of fiscal year 2007 Audit of Federal Aviation Administration's [FAA] Financial Statement.	11/9/2007	Fully comply with the existing standardized policies and procedures for timely entry of transactions in the fixed assets subsidiary ledger to ensure that Construction in Progress [CIP] and related Property, Plant & Equipment [PP&E] balances are accurate, complete and performed timely throughout the year. Perform a detailed review over all base and pool projects to ensure burden allocations and allocations are complete and accurate. Complete the design and full implementation of internal controls around the existing and planned standardized policies and procedures, as well as clearly define the roles and responsibilities necessary to set-up and then manage financial reporting and capitalization operations in the various FAA organizations, as required by FMFIA and OMB Circular A–123. Ensure that supporting documentation for capitalization of PP&E, including CIP, is properly managed, maintained, and available for examination upon request. Management should consider the need for enhancing or re-evaluating current on-line documentation management system tools, as well as on-demand access to financial data for the Financial Management [AFM] organization for ad hoc reporting to support audit requirements and to support AFM in managing the CIP account. Implement a scorecard with metrics to track compliance with capitalization policies and procedures and to ensure that assets are being capitalized timely. Implement a capability to track the estimated date place in service by asset to facilitate CIP management, forecast deployment of assets, and improve the quality of the year end assertion/accrual process. Continue training and strengthening communication between the field, regions, and the operating accounting offices to ensure that they follow newly implemented guidance resulting from the Corrective Action Plan over PP&E, including CIP. Improve the functionality of its IT systems, especially fixed assets project modules, to automate transactions wherever possible, and reduce the extent of manual intervention to record routine transactions involving CIP and PP&E. Perform a human capital needs assessment for various FAA offices, with a particular focus on the Property Control and Analysis Division (AFM–500). The assessment should identify the additional managerial skill sets (e.g., financial accounting background, knowledge, and expertise) required to establish and strengthen the financial accounting and reporting infrastructure throughout the FAA, and once established, to effectively manage the processes, gradually correct control weakness, and produce reliable and timely financial statements throughout the year.

Report title	Date issued	Open recommendation(s)
		Improve the information technology environment applicable to the applications reviewed by implementing the specific recommendations provided in the aforementioned separate Limited Distribution Management Report.
		Assign ownership responsibility to the appropriate organization within the FAA to ensure inventory is fairly stated on a going forward basis.
		Perform periodic reviews to ensure the accuracy of inventory accounts in terms of valuation and classification.
		Develop policies and procedures to ensure new inventory items are not double-counted between inventory and the property general ledger.
Assessment of FAA's Risk-based System for Overseeing Aircraft Manufacturers' Suppliers.	2/26/2008	Develop a risk assessment process that emphasizes suppliers of flight-critical parts (e.g., those that manufacture critical and high-volume parts or use large numbers of suppliers, etc.) for passenger aircraft.
		Modify its supplier audit requirements so that the number of audits that inspectors are required to conduct more directly correlates with the number of suppliers used by the prime manufacturer.
Air Traffic Control Modernization: FAA Faces Challenges in Managing Ongoing Projects, Sustaining Existing Facilities, and Introducing New Capabilities.	4/14/2008	Develop written criteria for the selection of milestone metrics that are used for tracking progress with major acquisitions and reported in Agency plans and reports.
		Develop and report on a new set of metrics for measuring progress with NextGen initiatives that focus on the delivery of a new capability with respect to enhancing capacity, boosting productivity, or reducing Agency operating costs.
		Complete a gap analysis of the NAS enterprise architecture that closely examines current systems (the as is) and the planned NextGen enterprise architecture (the to be) and develop and establish priorities.
		Once the gap analysis is completed, develop an interim architecture that details what can be accomplished in the 2015 timeframe that will allow FAA to more accurately determine costs and other factors required for NextGen.
Alleged Cover-up of Operational Errors at DFW TRACON (Referral from the U.S. Office of Special Counsel).	4/18/2008	Require FAA's Office of Air Traffic Safety Oversight [AOV]—vice the Air Traffic Organization's Safety Services element [ATO-Safety]—to conduct comprehensive on-site, no-notice audits at FAA's Dallas-Fort Worth [DFW] Terminal Radar Approach Control [TRACON] facility.
		Expedite the early deployment of Traffic Analysis Review Program [TARP], a state-of-the-art automated system that detects losses of separation, at the DFW TRACON.
		Remove the Quality Assurance function at all Air Traffic Control facilities from the supervision of facility management.
		Conduct a top-to-bottom review of ATO-Safety's management, staffing, and processes.
Review of Reported Near Mid-Air Collisions [NMAC] in the New York Metropolitan Airspace.	4/24/2008	Restructure the existing NMAC reporting process so that the actual safety risks posed by reported events are accurately reflected. Actions to better reflect actual safety risks could include developing a procedure to reclassify no-hazard events, redefining the NMAC criteria, or revising the term NMAC.

Review of the Air Traffic Controller Facility Training Program	6/5/2008	Include in the next update to the Controller Workforce Plan the actual number of CPCs, CPC–ITs, and developmental controllers by location to provide stakeholders with an accurate representation of the controller workforce.
Review of FAA's Safety Oversight of Airlines and Use of Regulatory Partnership Programs (Recommendations made in testimony before Congress, April 3, 2008.).	N/A	Implement and enforce a process for second-level supervisory review of self-disclosures before they are accepted and closed—acceptance and closure should not rest solely with one inspector.
		Ensure that inspectors (a) verify that air carriers take comprehensive actions to correct underlying causes of violations identified through self-disclosure programs and (b) evaluate—before accepting a new report of a previously disclosed violation—whether the carrier developed and implemented a comprehensive solution.
		Develop procedures for periodically rotating supervisory inspectors to ensure reliable and objective air carrier oversight.
		Implement post-employment guidance that includes a cooling-off period (e.g., 2 years) that prohibits an FAA inspector hired at an air carrier he or she previously inspected from acting in any type of liaison capacity between FAA and the carrier.
		Ensure its air carrier oversight mission clearly identifies the flying public as a primary stakeholder and beneficiary of its inspection efforts; FAA should commit to this in writing and clearly communicate it to all FAA inspection staff.
		Implement a process to monitor field office inspections and alert local, regional, and Headquarters management to overdue inspections so that immediate corrective actions can be taken.
		Create a national review team to conduct periodic quality assurance reviews of FAA's oversight of air carriers to ensure that (a) appropriate processes and procedures are being applied consistently and (b) pertinent policies, laws and regulations are being followed.
		Establish an independent organization (that reports directly to the FAA Administrator or Deputy Administrator) to investigate safety issues identified by FAA employees.

AIR TRAFFIC ORGANIZATION

Critical Lapse in Accountability—Operational Errors.—In 2000, the Office of Inspector General [OIG] reported that the FAA's dependence on self-reporting to track operational errors placed the agency at risk of underreporting the errors. The report also warned that the FAA was not placing a high enough priority on establishing a reliable system of tracking operational errors. The report said, "FAA has been ineffective and has not shown a sense of urgency in reducing operational errors." The FAA concurred with most of the OIG's recommendations and promised improvements.

As discussed above, in 2004, a whistleblower from the Dallas-Fort Worth TRACON revealed that operational errors at her facility were, in fact, being underreported. On February 14, 2004, the OIG reported, "[I]t took whistleblowing . . . and our probe to expose a 7-year management practice at this TRACON of improperly investigating—and therefore, underreporting—operational errors . . . The fact that this improper practice went undetected for many years raises questions as to the efficacy of management oversight performed by FAA's Southwest region, as well as headquarters elements."

In response to the 2004 report, the FAA agreed to take a number of administrative actions to correct the problem, in 2008, the same whistleblower was required to come forward again to disclose that operational errors were still being underreported as well as misclassified as pilot errors. On June 11, 2008, the OIG reported, "We continue to receive allegations that operational errors are going unreported or in some cases intentionally misclassified. In 2007, we initiated a second investigation at the Dallas TRACON and found 62 operational errors and deviations that had been intentionally misclassified as pilot errors or "non-events."

The number and severity of operational errors are essential measurements of aviation safety. The FAA must be able to track operational errors accurately in order to monitor safety risk at its facilities. For this reason, the Committee finds it unconscionable that FAA managers at the DFW facility would underreport and later misrepresent the number of operational errors committed under their watch. Furthermore, the Committee finds it just as disturbing that the leadership at FAA headquarters would not have been aware of the situation without the persistence and courage of a whistleblower, and that headquarters leadership was unable to end these practices immediately upon discovering them the first time.

In order to return accountability to the counting of operational errors, the FAA has accelerated the implementation of the Traffic Analysis Review Program [TARP]. TARP is designed to automatically identify potential operational errors for further investigation. According to FAA plans, TARP will be deployed at DFW before the end of 2008 and throughout the agency by the end of 2009. The TARP program is not expensive, and the FAA will spend $1,108,600 in fiscal year 2009 for its implementation. The Committee believes that TARP's highest value will be in allowing the FAA to identify potential operational errors for further review without needing to rely on self-reporting. TARP should be used to enhance the safety of the system rather than simply be used as a disciplinary tool against controllers.

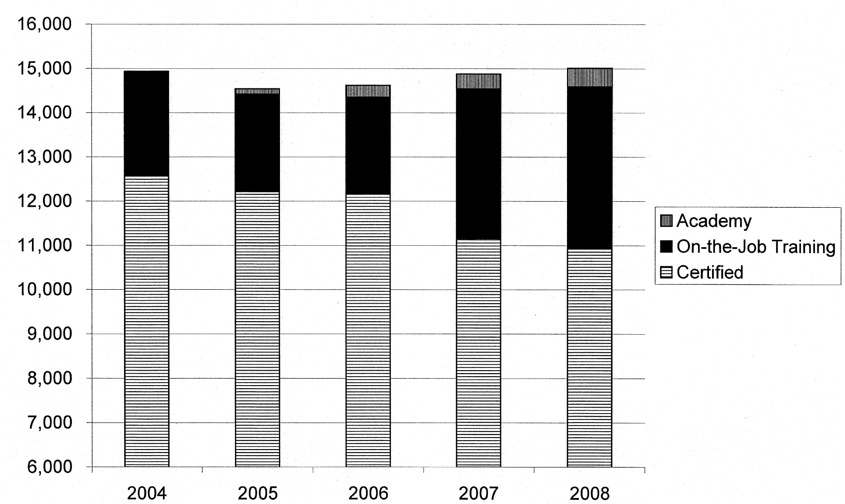
The Committee notes that the OIG has recommended a number of other actions for improving the FAA's ability to track operational errors reliably. These recommendations include taking various administrative actions, establishing no-notice audits of facilities, and giving oversight responsibilities to the Office of Air Traffic Oversight [AOV]. The Committee understands that the FAA has accepted all of the OIG's recommendations and has undertaken additional strategies for improving agency accountability. The Committee expects the FAA to follow through fully on all of these safety commitments.

Air Traffic Controller Staffing and Training.—The safety of the air transportation system relies on a fully staffed and well trained controller workforce. Due to the importance of this issue, the Committee continues to include a provision that requires the FAA to submit to Congress its annual air traffic controller workforce plan by March 31 of each year. Under the terms of this provision, the budget of the FAA will be fined by $100,000 for each day after March 31 that the report is not submitted.

The FAA faces an unprecedented challenge in training and replacing the air traffic controller workforce. Over the next few years, record numbers of air traffic controllers will become eligible for retirement or hit the mandatory retirement age. To maintain safe operations, the FAA must hire and train almost 17,000 new air traffic controllers over the next 10 years. Furthermore, the FAA must bring these new controllers on board while the experienced controllers are still available to train them. Finally, the FAA must manage all of these changes while still continuing to control air traffic safely with a controller workforce that is smaller and less experienced than the agency had years ago.

The Committee is concerned that the FAA is not adequately meeting this challenge. The agency is seeing a decline in the experience level of the air traffic controller workforce. While some decline in experience is to be expected as the workforce turns over, controllers have been retiring from the workforce consistently faster than the FAA has predicted.

Experience Level of Air Traffic Controllers, 2004-2008

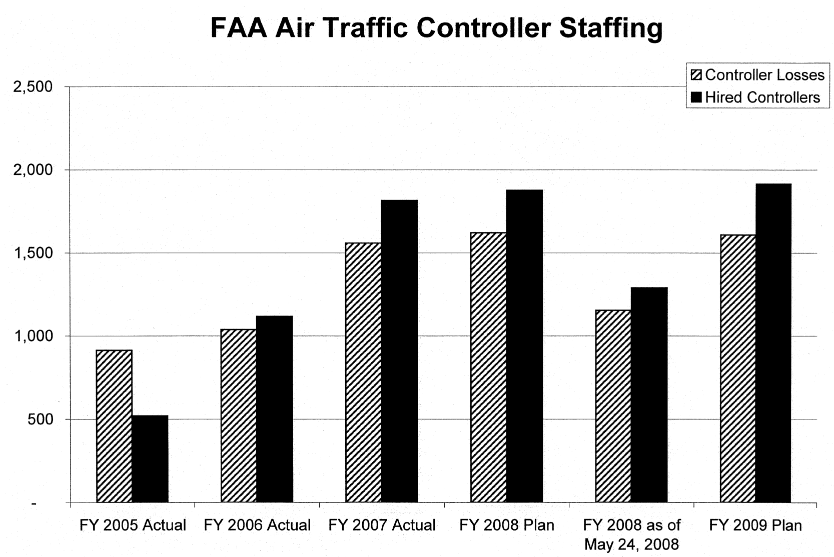


One of the greatest challenges facing the FAA as it replaces the controller workforce is the need to maintain an appropriate ratio between experienced and trainee controllers at each individual facility. The availability of sufficiently experienced controllers at each facility is essential to the FAA's ability to train new controllers that are assigned to that facility to handle traffic at all positions. Even more troubling than the overall decline in controller experience nationwide has been the severe mismatches in experience levels that have surfaced at individual facilities.

On average, non-certified (developmental) inspectors comprise 26 percent of the controller workforce. But at the air traffic control tower at Rochester International Airport in New York, such non-certified developmental controllers represent 67 percent of the controller workforce. Roughly 40 percent of the controllers are not yet certified at the Las Vegas TRACON facility. Even at some of the FAA largest and most complex facilities, such as at LaGuardia Tower and the Denver TRACON, the percentage of non-certified developmental controllers is as high as 35 percent.

Since experienced controllers must first be utilized to control traffic before they can be made available to train new controllers, such experience mismatches at individual facilities significantly undermine the FAA's ability to adequately train and advance new controllers at those facilities. The precipitous decline in experience levels at certain facilities has required the FAA Administrator to initiate an unplanned and unbudgeted program of retention bonuses just to keep experience controllers on the payroll at certain facilities and incentivize other experienced controllers to transfer to such facilities.

To address these troubling problems, the Committee recommendation includes an additional $33,738,000 for the Air Traffic Organization over and above the FAA's budget request for activities that will have a direct impact on air traffic controller experience levels and training. Such activities may include expanded of hiring contract training instructors, paying necessary expenses related to retaining experienced controllers, paying the expenses required for attracting experienced controllers to job locations where their expertise is needed, and accelerating the pace of hiring new controllers. The Committee directs the FAA to submit to the House and Senate Committees on Appropriations a plan that details how the agency expects to spend these additional funds, and what improvements the agency expects to accomplish with this plan. The Committee directs the FAA to submit this plan within 30 days of enactment.



Mainitaining an adequately trained, experienced controller workforce is not just an issue of resources. It requires the sustained and meaningful focus of senior FAA managers. As such, the Committee is particularly disturbed to read a report from the OIG indicating that the FAA has failed to implement a number of strategies the agency identified in its first controller workforce plan back in 2004. These strategies include implementing a policy that sets training "as a priority second only to operations," maintaining an accurate database on training, using the database to identify national and facility-level trends, and conducting a thorough review of FAA training to ensure that on-the-job training begins where training at the Academy ends. The Committee expects the FAA to implement these strategies promptly, and directs the FAA to report on the agency's progress in its next controller workforce plan.

The Committee also directs the FAA to include in its next controller workforce plan facility-by-facility information on the number of certified controllers, controllers in training, and developmental controllers. The FAA has argued that such data could only capture a snapshot in time, making the information incomplete and misleading. The Committee strongly disagrees. The FAA publishes the controller workforce plan annually, and the Committee believes that facility-level data is necessary for making year-to-year comparisons and watching for troubling trends, including severe experience mismatches at individual facilities. The Committee hopes that the FAA's reluctance to provide this information to the Congress does not reflect a general unwillingness on the part of FAA management to evaluate meaningful data and watch for relevant trends.

Finally, the Committee directs the FAA to include in its next controller workforce plan a new benchmark for each facility for evaluating the proportion of certified controllers to controllers-in-training and developmental controllers. The FAA has frequently said that it works to keep the percentage of noncertified controllers below a benchmark of 35 percent. However, this benchmark was developed to measure the number of controllers that can be processed through the Academy, not the number of controllers that can be trained at any given facility. Furthermore, as discussed above, the percentage of uncertified controllers varies greatly facility-by-facility. The Committee therefore directs the FAA to develop a relevant benchmark for assessing the experience level at each facility. The Committee cannot understand how the leadership at FAA headquarters can feel confident in its workforce plans when it does not have the appropriate benchmarks in place for measuring progress.

Training Simulators.—The Committee recommendation includes $24,400,000 for NAS training simulators that will help the FAA train the growing numbers of new, inexperienced air traffic controllers in the FAA workforce. This funding level is an increase of $12,400,000 above the budget request. These additional funds will allow the FAA to purchase 14 more simulators than the agency had assumed under its budget request. The funding is provided in the "Facilities and Equipment" account.

The FAA relies on experienced, certified air traffic controllers to train its new hires, but with the experienced controllers quickly retiring from the workforce, simulators are becoming an important part of the FAA's plan for training its new hires. Using simulators improves the efficiency of FAA training because they allow developmental controllers to learn their job even at times when experienced controllers are not available for traditional on-the-job training.

Performance Based Navigation.—The Committee provides $39,200,000 for Performance Based Navigation/RNAV/RNP, an increase of $4,000,000 above the budget request. Performance Based Navigation, specifically Area Navigation [RNAV] and Required Navigation Performance [RNP], is an extremely important aspect of the NextGen transportation system and an important key to minimizing delays and congestion, producing benefits in the short and intermediate term. These procedures cut down on emissions, fuel burn, and noise, and can potentially save system uses millions of dollars per year by allowing aircraft to fly routes other than those dictated by the traditional point-to-point ground based navigational aid system that has existed since the dawn of commercial aviation. These procedures can also be used to de-conflict arrivals and departures into and out of congested airspace containing closely spaced airports. The procedures can also minimize the potential for mid-air collisions in densely packed airspace. RNAV and RNP procedures can also be used to navigate into and out of airports in mountainous terrain, such as Juneau, Alaska, or near sensitive restricted airspace, such as at Reagan National Airport in Washington, DC.

Considering the myriad benefits of all forms of Performance Based Navigation and the importance to NextGen to the future of the National Airspace System, the Committee is disappointed that the FAA does not indicate how much is requested for the RNAV/RNP group within the Air Traffic Organization in the agency's budget justification documentation submitted to Congress. Also, considering that funding is spread between three different offices to carry out the mission of Performance Based Navigation, it becomes very difficult for the public, Congress, and even agency personnel to be able to track the performance and spending history of this critical office. While Systems Operations, Aviation System Standards, and Flight Standards all have legitimate reasons for being involved in the RNAV/RNP process, this organizational structure creates an overly bureaucratic tangle for funding oversight and policy implementation. The Committee directs FAA to include in future budget submissions a dedicated section within the Air Traffic Organization that details the funding requested for the Performance Based Navigation program from all sources and the number of new procedures that will be developed from the requested funding amounts. The Committee also directs that the FAA provide biannual reports to the Committee on the number of procedures developed, the average cost of procedure development, and all steps taken to streamline the procedure approval process and reduce the amount of time it takes to develop and certify new procedures.

With the additional funds provided for RNAV/RNP, the Committee directs that Systems Operations and associated offices focus on the process of developing new RNAV and RNP procedures in the terminal environment of the 35 airports of the Operational Evolution Plan. The Committee understands that new procedures, as opposed to "overlays" of existing or previously developed routings, take a considerably longer amount of time to develop due to existing airspace constraints and other factors. In addition to new procedures, the additional funds shall also be used to optimize airspace to make full utilization of RNAV/RNP technology.

Medallion Program.—The Committee recommends $2,500,000 to continue the Medallion program, a Government and industry cooperative program to improve rural air safety in Alaska. The program is an enhanced safety management system that takes a business-like approach to safety, through the use of system safety concepts such as: hazard identification and risk management, sharing of operational control responsibilities, and the development of safety objectives. As air travel is sometimes the only means to access remote areas in Alaska, this program trains aviators in the diverse hazardous conditions Alaskan pilots face in order to sustain an elevated level of safety performance.

TRACON Security Staffing.— The Committee is concerned about the lack of appropriate security staffing at the Terminal Radar Approach Control facility in Seattle, Washington. Security staffing is vital to ensure the safety of controllers at this facility and smooth functioning of air traffic control in and around the Puget Sound region. The Committee directs the agency to evaluate this staffing shortfall and allocate the appropriate level of security staffing resources at this facility.

AVIATION SAFETY

Critical Lapse in Safety Accountability.—In 2007, an FAA safety inspector came forward as a whistleblower and reported that his immediate supervisor had knowingly allowed Southwest Airlines to carry passengers on certain aircraft long after they had missed mandatory inspection deadlines. After a thorough audit, the DOT Office of Inspector General [OIG] found that the supervisor maintained an inappropriate and "cozy" relationship with Southwest Airlines, helping the airline avoid FAA rules and enforcement actions. The supervisor prevented his safety inspector from doing his job and conducting inspections of Southwest Airlines. The supervisor also allowed Southwest Airlines to self-disclose safety violations even though the FAA was already aware of the problem, and the airline continued to violate the rule even after the self-disclosure. These circumstances break the rules of the self-disclosure program.

Even as Congress and the public were discovering the true extent of the problem, the FAA denied that it was anything more than the work of a few "bad apples." The Committee, however, believes that the incident reveals several systemic failures of the FAA, including the failure of FAA managers to honor their role as regulators of aviation safety, encouraging their safety inspectors to view airlines as "customers" rather than regulated entities; the failure of the leadership at FAA headquarters to pay attention to the performance of its field offices the failure of the FAA to follow the rules of its own self-disclosure programs; and the failure of FAA managers to support and protect their own inspectors—yanking inspectors from their duties after receiving anonymous and unsubstantiated complaints from the airlines.

As the Committee continued to look into this incident, it became clear that the FAA's inspection lapses extended well beyond Southwest Airlines. In testimony before the Committee, the Administrator conceded that the FAA was behind schedule in completing safety inspections for a number of other airlines. The Administrator committed to providing specific data on how many airlines have missed inspections, and which inspections were overdue. When it arrived, the Committee was dismayed to discover that a total of eight airlines had over 100 overdue safety inspections. Some of these inspections were in high priority areas such as "aircraft worthiness," and "major repairs and alterations."

The FAA Administrator has personally committed himself to ensuring that these inspections will be completed. He testified before the Committee, saying, "I'm giving you my word that we're going to address this [that certain inspections were not done for nine years] and have a national oversight capability in as timely a manner as possible.".

The missed inspections raise serious questions about the ability of FAA headquarters to oversee the operation of its field offices. In the case of Southwest Airlines, the FAA supervisor gave higher priority to serving the airline than to safeguarding the American public. The missed inspections should have served as the first sign to FAA headquarters that there were even larger problems with the field office's oversight of the airline. The Committee therefore expects the FAA to complete all of the inspections that are currently overdue, and more importantly, to investigate any other cases of missed inspections or lax oversight in order to uncover more serious problems in the future.

In response to the disclosure of these problems, the FAA is upgrading the Air Transportation Safety Oversight System [ATOS], the database program the agency uses to manage its risk-based safety regime. The FAA has also said that data from the ATOS system will be regularly reported to agency headquarters. The agency has increased accountability of the voluntary disclosure program by requiring airline executives and higher levels of FAA managers to sign off on relevant documents. The FAA also launched a well publicized series of inspections to determine compliance with its most important Airworthiness Directives [ADs], the critical safety rules that Southwest Airlines had violated. The Committee will discuss some of these actions in greater detail below.

The Committee agrees that the FAA needs to take strong action following such a critical lapse in its safety oversight. However, the Committee does not believe that actions taken after the problems at Southwest and other airlines were disclosed in any way mitigates the personal responsibility of FAA leadership. The FAA had ample warning that its ATOS system did not catch significant holes in its inspection process. In 2002, the OIG reported, "Since early 1999, FAA has been aware of problems with ATOS. However, the agency has been slow in taking corrective actions to address known problems." The OIG reported again in 2005, "In fiscal year 2003 when air carriers were making significant changes to streamline operations and reduce costs, inspectors for five network air carriers were reviewed did not complete 26 percent of their planned inspections. Of the inspections not completed, 55 percent were in areas of the air carrier's operation that were identified as being at risk."

FAA leadership also had many opportunities to determine that the culture of safety had broken down in the office in charge of inspecting Southwest Airlines. The safety inspector tried to notify FAA leadership many times before turning to the whistleblower process in order to ensure that his story would be heard.

Finally, it was particularly disappointing to learn that critical safety inspections were not being done by FAA inspectors. The Committee has provided extra funding over and above the FAA budget request in 7 of at least 10 years to boost the number of inspectors and ensure that such critical inspections would be completed routinely while the administration has committed to complicity all such overdue inspections within a year.

The Committee cannot wait a year before learning that the FAA has not made sufficient progress in bringing these inspections up to date. Therefore, the Committee directs the FAA to provide quarterly reports to the House and Senate Committees on Appropriations that lists all overdue safety attribute inspections and element performance inspections, and provides a target date of their completion.

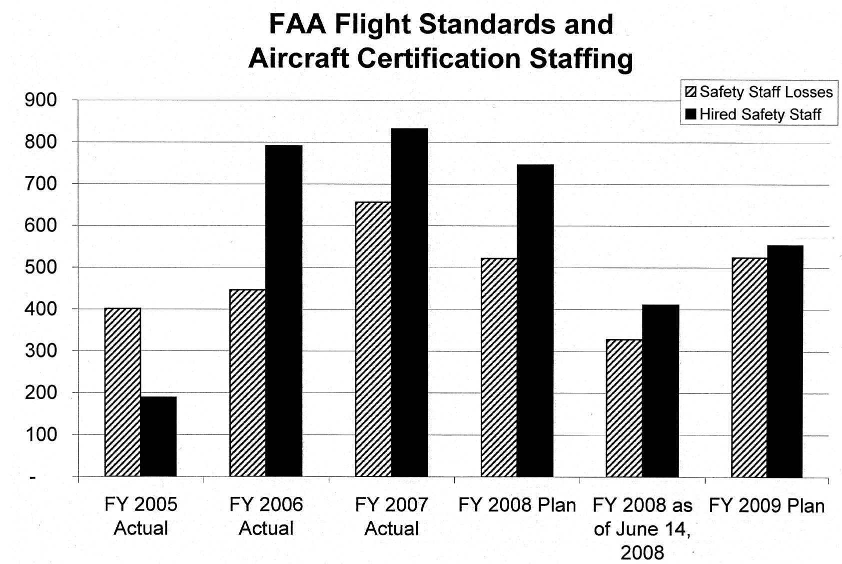
Use of Data by FAA Headquarters.—As discussed above, in order to improve the ability of FAA headquarters to oversee the work of its field offices, the FAA is requiring field offices to regularly report ATOS data to headquarters staff. However, this requirement will not result in any improvements unless managers at FAA headquarters actually analyze this data and manage the inspector workforce accordingly. The Committee therefore directs the OIG to submit a report to the House and Senate Committees on Appropriations that verifies that this data is being submitted to FAA headquarters, describes the analysis conducted by headquarters staff using this data, and evaluates the effectiveness of FAA's use of this data to monitor the work of FAA field offices. The Committee directs the OIG to submit this report within 6 months of enactment.

Demonstrations of AD Compliance.—As discussed above, following the lapse in safety oversight of Southwest Airlines, the FAA ran a well publicized series of inspections to determine compliance with its most important ADs. Although American Airlines believed its aircraft were in full compliance with FAA directives, the audit uncovered problems with the airline's compliance with an AD that proscribes fixes to the wiring on MD–80 aircraft. While the FAA had already granted American Airlines 18 months to fix the wiring problem, the environment following the disclosure of the safety lapses of Southwest resulted in FAA immediately grounding its fleet of MD–80s. The cancellation of hundreds of flights resulted in sever travel disruptions to hundreds of thousands of travelers the urgent round of audits that followed the Southwest incident. Without conducting this audit, however, it is likely that the FAA would not have discovered the problem for months or perhaps years. No physical inspections were conducted or scheduled for MD–80s to ensure compliance with this AD prior to its random selection as part of the system-wide audit.

It is clear that a process must be developed that allows certificate holders to demonstrate their interpretation of AD compliance and for FAA inspection personnel to have the opportunity to conduct physical inspections of aircraft to verify compliance. Only through such a process can the disruptions that befell the American Airlines passengers be avoided. The Committee has learned that the Secretary of Transportation's independent panel reviewing all aspects of the airworthiness directive compliance regime is examining a prototype process for certificate holders to demonstrate compliance. The Committee directs the FAA and DOT to continue to work towards developing an AD prototype process that incorporates the Committee's concerns and to report to the House and Senate Committees on Appropriations immediately upon developing a prototype process.

Safety Inspector Staffing.—Aviation Safety requires a fully staffed inspector workforce. For this reason, the Committee continues to include a provision that requires the FAA to submit to Congress its annual inspector workforce plan by March 31 of each year. Under the terms of this provision, the budget of the FAA will be fined by $100,000 for each day after March 31 that the report is not submitted.

The Committee continues to be concerned about the FAA's ability to reach its staffing goals. The Committee believes that the FAA benefits from meeting its goals through a planned, regular hiring process rather than through hiring surges at the end of the fiscal year. The figure below shows recent history for Flight Standards and Aircraft Certification staffing levels as well as the staffing goals for fiscal years 2008 and 2009. While the Committee notes that the FAA appears to be in a good position for reaching its goals for the current fiscal year it is dismayed the agency failed to prepare for fiscal year 2009 by budgeting adequately for the additional inspections that the Committee provided over and above the FAA's budget request for fiscal year 2008. As discussed below, the Committee has made the necessary budget adjustments to rectify this problem.



Increased Resources for Safety Oversight.—The Committee recommendation includes an additional $32,000,000 that was not included in the original FAA budget request submitted by the FAA. This additional funding will help the FAA increase its safety inspection staff by 75 positions, improve its safety surveillance, and replace funding for other vital safety activities that have been displaced by the agency's urgent need to increase its inspection activities. The Committee directs the FAA to allocate the additional funding as presented in the following table:

Activity	Amount
Annualize additional positions added in fiscal year 2008:	
125 positions added through appropriations act	$8,500,000
57 positions added during the year	8,400,000
Increase surveillance activity:	
75 additional safety inspection positions	6,400,000
Support for the inspector staffing model	1,000,000

Activity	Amount
Increased review of alternative means of compliance	320,000
Repair, Alteration, and Fabrication initiatives	2,000,000
Continued airworthiness and safety improvements	900,000
Support safety issues reporting system and whistleblower activities	200,000
Replace funding for displaced work:	
Aircraft certification	800,000
Element Performance Inspections	3,480,000
Total	32,000,000

The Committee believes that the administration's budget submission for aviation safety is irresponsible and lacks credibility. At the time it was developing its budget request for fiscal year 2009, the FAA was already well aware of the critical lapses in its oversight regime. Even so, the FAA failed to request the funding necessary to bring its inspection staffing level up to a level necessary and to implement improvements to its oversight programs.

The Committee is particularly galled to note that the budget request submitted by the FAA does not include enough funding to annualize the cost of increases to the inspector workforce that the Committee provided for fiscal year 2008. The Committee does not understand how the FAA could decide to put its inspection capabilities at risk by not requesting the funds necessary to pay the full cost of the inspectors' salaries.

For fiscal year 2009, the Committee is again providing increases to the FAA budget request in order to strengthen the inspector workforce. The additional funding is provided because supporting the inspector workforce continues to be a high priority for the Committee, and it is hoped that it will become a higher priority for the administration. The Committee expects the FAA to include the fully annualized the cost of the additional inspectors in its fiscal year 2010 budget request. However, if the administration chooses not to fund the cost of these inspectors, then the Committee directs the FAA to display accurately the proposed changes to the program's base, to disclose how many inspector positions would be affected by this proposal, and to fully justify the proposed cut to the inspector workforce.

Finally, the Committee directs the FAA to submit a report to the House and Senate Committees on Appropriations that delineates changes to the number of inspectors currently on board with the agency from the beginning of fiscal year 2009 until March 31, 2009. The report should provide side-by-side displays of number of inspector losses opposite the number of inspector gains. The Committee directs the FAA to transmit this report to the Committee by April 10, 2009.

Inspector Workload.—The Committee agrees with the FAA, the OIG, and the Government Accountability Office that the FAA must use a risk-based system in order to effectively oversee the safety of the aviation industry, which is growing in size and complexity every year. A risk-based approach still requires physical inspections, but it significantly changes the balance of work completed at the desk and in the field.

Since the FAA first began implementing its risk-based system and deploying the ATOS database, questions have been raised about whether or not the FAA has struck the right balance between the time inspectors field inspections the time they spend reviewing airline paperwork data analysis. Such questions have grown more pressing since the disclosure of the FAA's safety lapses.

The Committee believes that these questions cannot be answered until the FAA can inform the debate with essential information. The Committee directs the FAA to convene a working group that will develop a benchmark against which to measure the amount of time FAA safety inspectors spend in the field. The Committee directs the FAA to include representatives from the safety inspector workforce in this working group. This benchmark should provide the FAA with a floor against which to measure actual the workload of FAA inspectors and determines whether sufficient field inspections are being conducted at each facility. Should the FAA find that safety inspectors are not spending a sufficient amount of time conducting field work, the agency will complete further investigations as to the cause and implications of its findings. Finally, the Committee directs the FAA to include this benchmark and the actual measurement in its next inspector workforce plan.

Inspector Staffing Model.—The FAA has acknowledged that it does not have an adequate methodology for locating its safety inspectors in the field. This issue has particular relevance as air carriers continue to outsource an unprecedented level of repair work. This outsourced work includes significant repairs as well as ongoing maintenance, and the work is frequently completed overseas. These complications underscore the need to for the FAA to understand where the work is being done and to have a rigorous methodology for placing its safety inspectors around the globe.

The FAA is currently developing a complex staffing model to help the agency determine how many inspectors it needs on board and where those inspectors should be placed. In fiscal year 2009, the FAA expects to complete the research that will support its staffing model, identify commercial software for running the model, and begin customizing the software for the agency's particular needs. The Committee expects the FAA to keep to this schedule, and as noted above, the Committee has provided an additional $1,000,000 to expedite the completion of the model.

Prohibition on NY/NJ Area Slot Auctions.—On May 16, 2008, the Department of Transportation issued a Notice of Proposed Rulemaking [NPRM] that addressed restrictions pertaining to commercial aircraft operations in the New York/New Jersey area. The proposed rule, among other things, proposed to maintain agency-imposed caps on the number of permissible aircraft operations at John F. Kennedy International Airport (JFK) as well as Newark Liberty International Airport (EWR). A separate cap is already in place at LaGuardia Airport (LGA). The imposition of these caps has been a central element in the DOT's effort to reduce congestion in and around the New York/New Jersey airspace—one of the busiest areas of air traffic in the world. Given the extraordinary percentage of flights that traverse the New York/New Jersey airspace, it is hoped that such efforts to reduce the number of flights in this region will also serve to alleviate congestion throughout the national airspace system [NAS].

Separate from the imposition of aircraft operations caps, the DOT's NPRM also seeks to impose a highly controversial "slot auction" system for these same airports. The initiative would not serve to further limit aircraft operations. Rather, it would seek merely to reallocate landing and take-off slots between the air carriers serving the region by auctioning off a percentage of these slots to the highest bidders.

The Committee has serious questions regarding both the legality and the wisdom of this aspect of the DOT's proposed rule. First, the annual DOT Appropriations Act has long included a provision that prohibits the FAA from finalizing or implementing any regulation that would promulgate new aviation user fees not specifically authorized by law. Aspects of the new NPRM certainly appear to violate this long-standing restriction. Indeed, even the DOT itself has questioned its legal standing to put forward this proposal. In a Federal Register notice dated August 29, 2006, the DOT stated that "[L]egislation would be necessary to employ market-based approaches such as auctions or congestion pricing at LaGuardia because the FAA currently does not have the statutory authority to assess market-clearing charges for a landing or departure authorization."

The Committee believes strongly that a comprehensive policy change such as the slot auction proposal should be considered and debated as part of comprehensive aviation authorization legislation, not through a controversial and illegal rulemaking process promulgated by an outgoing administration. As such, the Committee has included a provision (Sec. 116) that prohibits DOT from finalizing the slot auction aspects of its NPRM. Nothing in that prohibition will serve to limit the DOT's ability to impose either voluntary or mandatory operational caps for the purpose of truly addressing aviation congestion in the New York/New Jersey area.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriations, 2008	$2,513,611,000
Budget estimate, 2009	2,724,000,000
Committee recommendation	2,749,595,000

PROGRAM DESCRIPTION

The Facilities and Equipment [F&E] appropriation provides funding for modernizing and improving air traffic control and airway facilities, equipment, and systems. The appropriation also finances major capital investments required by other agency programs, experimental research and development facilities, and other improvements to enhance the safety and capacity of the national airspace system [NAS]. The program aims to keep pace with the increasing demands of aeronautical activity and remain in accordance with the Federal Aviation Administration's comprehensive 5-year capital investment plan [CIP].

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,749,595,000 for the Facilities and Equipment of the Federal Aviation Administration. The Committee recommendation is $25,595,000 more than the budget estimate and $235,984,000 more than the fiscal year 2008 enacted level. The bill provides that $2,288,845,000 shall be available for obligation until September 30, 2011, and $460,500,000 shall be available until September 30, 2009.

FAA's Modernization Performance.—About 30 years ago, the FAA began a massive effort to modernize its air traffic control system. Before the end of fiscal year 2008, the cost of this modernization is expected to reach over $50,000,000,000. Over the course of the past three decades, however, the FAA has developed a track record of cost overruns, schedule delays, and unmet expectations. Some of these problems can be attributed to the complex nature of the undertaking, but the FAA still shoulders much of the responsibility. The agency has repeatedly done a poor job of defining the requirements and cost estimates for its modernization programs.

The FAA now must continue to upgrade the existing air traffic control system at the same time that it starts a new effort to completely transform that system with satellite-based technology and network-centric operations. The demand for air transportation will soon outgrow the capacity of the current system. The FAA effort to develop a completely new way to manage the national airspace system [NAS] is already decades late. Given the complexity and the expense that this new effort will entail, American taxpayers cannot afford the FAA to repeat the mistakes of its past.

The Committee feels encouraged by signs that the FAA is improving its management of capital programs. In a recent report on the modernization of the current air traffic control system, the OIG offers some commendation, saying, "Overall, we found that FAA has done a better job of managing cost growth and schedule delays with its major acquisitions since we last reported." The Committee also notes that the FAA has just lowered its budget for the Air Traffic Control Beacon Interrogator Replacement program by about $27,000,000 while adding to its current workload. In addition, the FAA this year added sites to the Free Flight Phase II program while keeping to its current budget.

Although these changes are small in comparison to the billions of dollars of cost growth that the FAA has allowed in the past, they are welcome signs of improved management.

Incremental Investments and Rebaselining.—In its report on FAA management of its modernization program, the OIG explains that the FAA has been able to improve its track record on cost and schedule growth in part by taking "a more incremental approach to investment decisions to modernize controller displays, radars, and communication equipment." The OIG further explains that "rebaselining" procedures have also served to help the FAA control costs and schedule delays. The FAA rebaselines all programs in danger of exceeding their budgets or schedules by 10 percent or more. This process requires the FAA to conduct a complete analysis of the program's current costs and benefits, and to provide a new justification for the program before proceeding any further.

Last year, the Committee condemned the FAA for using the rebaselining procedures as a way to obscure the failure of the FAA to stay within program budgets and schedules. The then-FAA Administrator had been publicly boasting that she was delivering 100 percent of her programs on time and on budget, even though many of those programs had been rebaselined after experiencing significant increases in their costs and lengthy delays in their schedules. The Committee was focused on the abuse of the rebaselining process, not on its appropriate use as a program management tool. The Committee is aware that active oversight of capital programs, such as rebaselining, has proven an effective tool against expanding costs and schedules.

The OIG has cautioned, however, that an incremental approach and rebaselining procedures are not without drawbacks, and they are vulnerable to abuse. The FAA is able to mitigate risk in the near term, but breaking programs into smaller parts also means that the end goal and the overall costs become difficult to track and mask the fact that system users and taxpayers are getting less than was originally promised. Past examples of how these approaches can be abused include the ASR–11 radar program. FAA rebaselined the program in 2005, breaking it into two segments. The first segment will produce 66 systems for $697,000,000 by fiscal year 2009, whereas the original program was expected to produce 112 systems for $743,000,000 by 2005. The cost went down, but fewer systems are being delivered and at a later date. Furthermore, FAA is postponing any investment decisions on the second segment of the program.

Incrementalism and NextGen.—The Committee notes that the challenges facing the FAA as it works to transform the air transportation system cannot be easily addressed with rebaselining procedures. For the "next generation" air transportation system, or "NextGen," the FAA must translate initial concepts and ideas into real programs with specific requirements, milestones, and cost estimates. These programs will be expensive and far more complex than what the FAA has completed to date.

The Committee is concerned that an incremental approach to program management will not serve the agency well as it develops NextGen. The Committee believes that the FAA must be able to track its investments against a clear endgame in order to transform the system efficiently and affordably. The Committee believes that the FAA is already failing to reach for new capabilities when it makes investment decisions for two programs in the agency's portfolio: Automatic Dependent Surveillance-Broadcast [ADS–B] and System-Wide Information Management [SWIM]. These programs will likely form the foundation for NextGen, but the FAA is not putting enough emphasis on achieving new capabilities. These programs will be discussed in greater detail below.

Finally, the Committee notes that the FAA has not yet brought detail to how the agency will accomplish the NextGen transformation. According to the OIG, the FAA must develop an Enterprise Architecture that will serve as a technical roadmap to NextGen, showing how the system will work and what changes are necessary to make that happen. Although the FAA is currently developing such an Enterprise Architecture, the planning documents for NextGen still lack detail. The FAA can not yet delineate its requirements or develop realistic cost estimates. For this reason, the Committee does not feel confident that the FAA knows how to it will move from the current system to NextGen.

To help the FAA establish a more clear path toward NextGen, the OIG recommends "that FAA develop and track written criteria for selecting project milestones that are used to track Agency progress with major acquisitions; develop metrics for measuring NextGen progress that focus on enhancing capacity, boosting productivity, or reducing Agency operating costs; complete a gap analysis of the current NAS and planned NextGen enterprise architectures; and establish an interim architecture to establish priorities that will allow FAA to accurately determine costs and NextGen requirements." The Committee urges the FAA to follow the recommendations of the OIG in a timely manner.

The Committee has included bill language requiring the FAA to conduct a gap analysis, set midterm goals for the completion of NextGen, and develop the interim architecture that will allow the FAA achieve those midterm goals by 2017. The interim architecture must include the estimated cost of each new capability that the FAA will achieve by 2017. The bill requires the FAA to submit this interim architecture at the same time as the President's budget submission to the Congress.

Increased Capacity and NextGen.—Considering the fact that the primary goal of NextGen is to triple capacity by the year 2025, the Committee is extremely troubled by the fact that none of the budget justifications, planning documents, or enterprise architecture documents detail how each initiative in NextGen will reduce delays and congestion between now and 2025.

The Committee directs the FAA and the Joint Planning and Development Office [JPDO] to include in future budget justifications and NextGen planning documents a full explanation and quantitative estimate of how much each new capability will reduce congestion, increase capacity and decrease delays, an explanation of how the data was modeled and compiled, and a timeframe for when these capacity improvements and delay reduction measures will start to relieve congestion.

Budget Activities Format.—The Committee directs that the fiscal year 2010 budget request for the Facilities and Equipment account conform to the same organizational structure of budget activities as displayed below.

The Committee's recommended distribution of funds for each of the budget activities funded by the appropriation follows:

FACILITIES AND EQUIPMENT

	Fiscal year 2008 enacted	Fiscal year 2009 estimate	Committee recommendation
Activity 1, Engineering, Development, Test and Evaluation:			
Advanced Technology Development and Prototyping	$42,760,000	$41,400,000	$42,900,000
Traffic Management Advisor [TMA]	15,400,000	3,700,000	3,700,000
NAS Improvement of System Support Laboratory	1,000,000	1,000,000	1,000,000
William J. Hughes Technical Center Facilities	12,000,000	12,000,000	12,000,000
William J. Hughes Technical Center Infrastructure Sustainment	4,200,000	5,400,000	5,400,000
Next Generation Network Enabled Weather	7,000,000	20,000,000	20,000,000
Data Communications for Trajectory Based Operations [NGATS]	7,400,000	28,800,000	28,800,000
Next Generation Transportation System Technology Demonstration	50,000,000	28,000,000	28,000,000
Next Generation Transportation System—System Development	....	41,400,000	41,400,000
Next Generation Transportation System—Trajectory Based Operations	....	39,500,000	39,500,000

FACILITIES AND EQUIPMENT—Continued

	Fiscal year 2008 enacted	Fiscal year 2009 estimate	Committee recommendation
Next Generation Transportation System—Weather Reduction Impact	....	14,400,000	14,400,000
Next Generation Transportation System—High Density Arrivals/Departures	....	18,200,000	18,200,000
Next Generation Transportation System—Collaborative ATM	....	27,700,000	27,700,000
Next Generation Transportation System—Flexible Terminals and Airports	....	37,100,000	37,100,000
Next Generation Transportation System—Safety Security and Environment	....	8,000,000	8,000,000
Next Generation Transportation System—Networked Facilities	....	17,000,000	17,000,000
Safeflight 21—Capstone	15,000,000	....	....
Next Generation Integrated Airport	1,960,000	....	....
ADS–B Air to Air Capabilities	9,350,000	....	....
ADS–B Three Nautical Mile Separation	....	....	6,765,000
Total, Activity 1	166,070,000	343,600,000	351,865,000
Activity 2, Air Traffic Control Facilities and Equipment:			
En Route Programs:			
En Route Automation Modernization [ERAM]	368,750,000	203,050,000	203,050,000
En Route Communications Gateway [ECG]	4,000,000	7,400,000	7,400,000
Next Generation Weather Radar [NEXRAD]—Provide	3,000,000	3,000,000	3,000,000
Air Traffic Control System Command Center [ATCSCC]—Relocation	2,500,000	28,600,000	28,600,000
ARTCC Building Improvements/Plant Improvements	52,900,000	56,500,000	56,500,000
Air Traffic Management (ATM)	90,600,000	90,200,000	90,200,000
Air/Ground Communications Infrastructure	26,200,000	7,500,000	7,500,000
ATC Beacon Interrogator [ATCBI]—Replacement	20,200,000	13,000,000	13,000,000
Air Traffic Control En Route Radar Facilities Improvements	5,300,000	5,300,000	5,300,000
Voice Switching and Control System [VSCS]	15,700,000	23,300,000	23,300,000
Oceanic Automation System	53,100,000	20,700,000	20,700,000
Corrider Weather Integrated System [CWIS]	2,100,000	5,900,000	5,900,000
San Juan Radar Approach Control [CERAP]	8,000,000	6,000,000	6,000,000
Next Generation Very High Frequency Air/Ground Communications System [NEXCOM]	30,400,000	46,400,000	46,400,000
System-Wide Information Management	23,358,000	41,000,000	49,000,000
ADS–B NAS Wide Implementation	85,650,000	300,000,000	300,000,000
En Route System Modification	4,300,000	....	....
Federal Telecommunications Infrastructure	8,500,000	....	....
ATOMS Local Area/Wide Area Network	3,500,000	....	....
Military Operations/Automated Detection and Processing Terminal [ADAPT]	1,600,000	....	....
Automated Detection and Processing Terminal [ADAPT]	1,000,000	....	....
Volcano Monitoring	2,666,000	....	....
Wind Hazard Detection Equipment	784,000	....	850,000
Subtotal, En Route Programs	814,108,000	857,850,000	866,700,000
Terminal Programs:			
Airport Surface Detection Equipment—Model X [ASDE–X]	40,600,000	32,700,000	32,700,000
Terminal Doppler Weather Radar [TDWR]—Provide	8,000,000	6,100,000	6,100,000
Standard Terminal Automation Replacement System [STARS] (TAMR Phase 1)	31,200,000	28,200,000	28,200,000
Terminal Automation Modernization/Replacement Program (TAMR Phase 3)	6,800,000	3,000,000	3,000,000
Terminal Automation Program	2,300,000	4,300,000	4,300,000
Terminal Air Traffic Control Facilities—Replace	162,630,000	134,295,476	134,545,476
ATCT/Terminal Radar Approach Control [TRACON] Facilities—Improve	47,000,000	37,900,000	37,900,000
Terminal Voice Switch Replacement [TVSR]	12,300,000	8,400,000	8,400,000
NAS Facilities OSHA and Environmental Standards Compliance	26,000,000	26,000,000	26,000,000
Airport Surveillance Radar [ASR–9]	11,200,000	8,800,000	8,800,000

FACILITIES AND EQUIPMENT—Continued

	Fiscal year 2008 enacted	Fiscal year 2009 estimate	Committee recommendation
Terminal Digital Radar [ASR–11]	20,300,000	17,100,000	17,100,000
DOD/FAA Facilities Transfer	1,300,000	1,400,000	1,400,000
Precision Runway Monitors	9,000,000	1,000,000	1,000,000
Runway Status Lights	9,000,000	26,960,000	26,960,000
National Airspace System Voice Switch [NVS]	3,000,000	10,000,000	10,000,000
Weather System Processor [WSP]	4,100,000	700,000	700,000
Voice Recorder Replacement Program [VRRP]	10,500,000	10,800,000	10,800,000
Houston Area Air Traffic System [HAATS]	4,000,000	3,600,000	3,600,000
Integrated Display System [IDS]	....	7,000,000	7,000,000
ASR–8 Service Life Extension Program	....	3,000,000	3,000,000
Integrated Terminal Weather System [ITWS]	13,200,000	4,500,000	4,500,000
Integrated Control and Monitoring	1,960,000	....	....
Multilateration Air Traffic Surveillance	686,000	....	....
ASR–8 Radar Relocation	980,000	....	....
ASDE–X Relocation and Upgrade—Sea-Tac	4,900,000	....	....
Subtotal, Terminal Programs	430,956,000	375,755,476	376,005,476
Flight Service Programs:			
Automated Surface Observing System [ASOS]	5,000,000	8,500,000	8,500,000
Flight Service Station [FSS] Modernization	5,100,000	14,600,000	14,600,000
Weather Camera Program (moved from Safeflight)	2,000,000	2,000,000	2,000,000
Subtotal, Flight Service Programs	12,100,000	25,100,000	25,100,000
Landing and Navigational Aids Program:			
VHF Omnidirectional Radio Range [VOR] with Distance Measuring Equipment [DME]	5,000,000	7,500,000	7,500,000
Instrument Landing System [ILS]—Establish	15,094,000	7,500,000	7,750,000
Wide Area Augmentation System [WAAS] for GPS	105,900,000	99,000,000	92,570,000
Runway Visual Range [RVR]	5,000,000	5,000,000	5,000,000
Approach Lighting System Improvement Program [ALSIP]	19,312,000	10,000,000	12,500,000
Distance Measuring Equipment [DME]	5,000,000	6,000,000	6,000,000
Visual NAVAIDS—Establish/Expand	3,500,000	1,700,000	1,700,000
Instrument Flight Procedures Automation [IFPA]	17,800,000	10,900,000	10,900,000
Navigation and Landing Aids—Service Life Extension Program [SLEP]	5,000,000	1,000,000	1,000,000
VASI Replacement—Replace with Precision Approach Path Indicator	3,000,000	4,000,000	4,000,000
GPS Civil Requirements	....	20,700,000	20,700,000
Subtotal, Landing and Navigational Aids Programs	184,606,000	173,300,000	169,620,000
Other ATC Facilities Programs:			
Fuel Storage Tank Replacement and Monitoring	5,900,000	6,100,000	6,100,000
Unstaffed Infrastructure Sustainment	13,700,000	15,300,000	15,300,000
Air Navigational Aids and ATC Facilities (Local Projects)	3,000,000	1,500,000	1,500,000
Aircraft Related Equipment Program	9,000,000	7,400,000	7,400,000
Aircraft Related Equipment Program—Boeing Simulator Replacement	800,000	400,000	400,000
Airport Cable Loop Systems—Sustained Support	5,000,000	7,000,000	7,000,000
Alaskan NAS Interfacility Communications System [ANICS]	2,000,000	5,000,000	5,000,000
Facilities Decommissioning	5,400,000	5,000,000	5,000,000
Electrical Power Systems—Sustain/Support	38,000,000	51,000,000	51,000,000
Aircraft Fleet Modernization—International Aircraft	....	24,900,000	24,900,000
Aircraft Fleet Modernization	9,000,000	3,000,000	3,000,000
Computer Engineering and Graphics [CAEG] Modernization	1,500,000	....	....
Energy Management and Efficiency Compliance	2,000,000	....	....
Subtotal, Other ATC Facilities Programs	95,300,000	126,600,000	126,600,000
Total, Activity 2	1,537,070,000	1,558,605,476	1,563,775,476

FACILITIES AND EQUIPMENT—Continued

	Fiscal year 2008 enacted	Fiscal year 2009 estimate	Committee recommendation
Activity 3, Non-Air Traffic Control Facilities and Equipment:			
Support Equipment:			
Hazardous Materials Management	18,200,000	18,000,000	18,000,000
Aviation Safety Analysis System [ASAS]	16,900,000	18,900,000	18,900,000
Logistics Support Systems and Facilities [LSSF]	6,300,000	9,300,000	9,300,000
National Air Space [NAS] Recovery Communications [RCOM]	10,000,000	10,000,000	10,000,000
Facility Security Risk Management	22,000,000	15,000,000	15,000,000
Information Security	15,000,000	12,000,000	12,000,000
System Approach for Safety Oversight [SASO]	11,300,000	14,300,000	14,300,000
Aviation Safety Knowledge Management Environment [ASKME]	4,000,000	7,900,000	7,900,000
Aeronautical Center Infrastructure Modernization	5,393,000	13,500,000	13,500,000
National Airspace System [NAS] Training Facilities	1,900,000	1,400,000	1,400,000
Distance Learning	1,400,000	1,500,000	1,500,000
Test Equipment—Maintenance for Replacement	2,500,000	....	....
Center for Aviation Research	2,250,000	....	....
Subtotal, Support Equipment	117,143,000	121,800,000	121,800,000
Training, Equipment, and Facilities:			
National Airspace System [NAS] Training—Simulator	14,600,000	12,000,000	24,400,000
Subtotal, Training, Equipment, and Facilities	14,600,000	12,000,000	24,400,000
Total, Activity 3	131,743,000	133,800,000	146,200,000
Activity 4, Facilities and Equipment Mission Support:			
System Support and Services:			
System Engineering and Development Support	30,155,000	32,000,000	32,000,000
Program Support Leases	40,000,000	43,504,524	43,504,524
Logistics Support Services [LSS]	7,500,000	7,900,000	7,900,000
Mike Monroney Aeronautical Center Leases	13,500,000	15,800,000	15,800,000
Transition Engineering Support	10,700,000	10,700,000	10,700,000
Frequency and Spectrum Engineering	3,400,000	3,500,000	3,500,000
Technical Support Services Contract [TSSC]	20,000,000	22,000,000	22,000,000
Resource Tracking Program [RTP]	3,500,000	4,000,000	4,000,000
Center for Advanced Aviation System Development [CAASD]	80,000,000	76,000,000	76,000,000
Aeronautical Information Management Program	9,000,000	11,600,000	11,600,000
Permanent Change of Station Moves	1,000,000	....	....
Total, Activity 4	218,755,000	227,004,524	227,004,524
Activity 5, Personnel and Related Expenses:			
Personnel and Related Expenses—ATO	459,973,000	460,500,000	460,500,000
Total, All Activities	2,513,611,000	2,723,510,000	2,749,595,000

ENGINEERING, DEVELOPMENT, TEST, AND EVALUATION

Runway Obstruction Warning System.—The Committee recommends $42,900,000 for Advanced Technology Development and Prototype, an increase of $1,500,000 from the budget request. The additional resources shall be used to fund the continued development, enhancement, and evaluation of the Runway Obstruction Warning system at the test bed at Gulfport-Biloxi Airport.

ADS–B.—The Committee recommendation includes an additional $6,765,000 to accelerate the development of three nautical mile separation in the en route environment, using Automatic Dependent Surveillance-Broadcast [ADS–B] technology. The administration did not request any funding for this activity in fiscal year 2009.

The FAA has identified ADS–B as a "transformational" program for developing the next generation air transportation system. Under the ADS–B program, the FAA is developing satellite-based technology that will allow aircraft to broadcast their precise location, identification, and flight plan information to ground facilities as well as to other aircraft.

Last year, the Committee grew concerned that the FAA was maintaining a short-sighted view of the ADS–B program by focusing its resources on developing ground-to-air capabilities without laying an adequate foundation for implementing air-to-air capabilities. Because of these concerns, the Committee provided an additional $9,300,000 for the FAA to expedite the development of such air-to-air capabilities. After close consultation with the FAA, the Committee refined its directions to the agency, giving explicit instructions that the FAA use the additional funds for applying ADS–B technology to the prevention of runway incursions and the improvement of arrival rates.

The Committee, however, remains concerned that the FAA defines its objectives for the ADS–B program too narrowly. The FAA has designed the base program for ADS–B so that the technology will merely replicate the capabilities that radar technology already provides. The FAA has argued that this method will prove the potential of ADS–B before requiring the technology to perform additional functions. This sort of approach is a conservative strategy, using current capabilities as a benchmark for success rather than the new capabilities that air transportation will soon need.

Unfortunately, the FAA must complete the transformation of air transportation within a limited timeframe, and the Committee does not believe that the FAA has the luxury of maintaining such a conservative strategy. Furthermore, by delaying the investment of its resources in new capabilities, the FAA is also postponing the time when ADS–B will produce real benefits to the larger aviation community. The Committee does not believe that the FAA should automatically structure its next generation programs so that all of these benefits accrue at the end of substantial investments. Rather, the Committee urges the FAA whenever possible to design its programs so that they can offer benefits during the course of their development and support a meaningful partnership with the aviation community.

Establishing benefits early in a program's development is especially critical for a program like ADS–B, which must rely heavily on the aviation community to equip aircraft with compatible technology. The FAA has already published an NPRM that establishes mandatory deadlines for equipping aircraft with ADS–B technology. The Committee believes these deadlines are necessary to ensure the success of the ADS–B program. However, the Committee also believes that the FAA can effectively compel the aviation industry to invest in ADS–B voluntarily by proffering benefits that can be attained only through such equipage.

If fuel prices continue at their current levels, then the FAA will have an especially hard time convincing the aviation community to invest in new technologies sooner than the regulated deadlines. Airlines today are already making unpopular choices such as cutting services and charging for baggage in order to save their businesses. Airlines and other participants in the national airspace [NAS] are not looking for new costs to pay. Before equipping with ADS–B, the industry will not only want to see that the FAA is paying its share of the expense, it will also want to see what benefits will accrue to their operations.

This year, again, the Committee is providing additional resources over and above the budget request to further the development of ADS–B capabilities. The Committee directs the FAA to use the additional $6,765,000 to accelerate the development of three nautical mile separation in the en route environment.

This closer separation standard will increase the capacity of the en route environment. It is also expected to reduce delays that occur because aircraft must transition between the terminal environment, which allows separation of 3 nautical miles, and the en route environment, which requires separation of 5 nautical miles. Because aircraft cannot instantaneously change their separation at the border of these two environments, they must transition to or from the larger separation standard while still operating in the terminal environment. Applying the 3 nautical mile separation to the en route environment would eliminate these areas of inefficiency and increase the capacity of the NAS.

AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT

En Route Automation Modernization.—The Committee recommends $203,050,000 for the En Route Automation Modernization [ERAM] program. This funding level is equal to the budget request, and $165,700,000 less than the fiscal year 2008 enacted level. Fiscal year 2008 was the peak year of funding for this program, and the annual cost of the program is expected to continue at this lower level.

Under the ERAM program, the FAA is replacing the computer network for the air traffic control facilities that manage high-altitude traffic. Modernizing this network is critical to allowing FAA to continue managing air traffic effectively. It is also an essential component of moving the FAA into the next generation of air traffic control.

The Committee commends the FAA for continuing to manage the program thus far within its budget and schedule. The success of this program depends largely on the willingness of the FAA to follow sound management practices, such as delineating all of the program requirements before signing a contract with an outside vendor. The FAA has not used these management practices as frequently or effectively on other procurement programs.

The Committee notes that the FAA is currently focusing on the largest and most complex aspects of the ERAM program. Because ERAM is expected to serve as a foundation for many other next generation automation programs, any increase in the cost of ERAM or slip in its schedule could have a direct impact on the overall pace of developing the next generation system. The Committee urges the FAA to continue following sound management practices in order to ensure the success of this important program.

System-Wide Information Management.—The Committee recommends $49,000,000 for the System-Wide Information Management [SWIM] program. This funding level is $8,000,000 more than the budget request, and $25,642,000 more than the fiscal year 2008 enacted level.

The FAA has identified the SWIM program as one of the foundations for building the next generation air transportation system. Under SWIM, the FAA is developing a new architecture that will enable all of the individual FAA systems to communicate and share data.

The Committee continues to be supportive of the SWIM program, but the Committee is concerned that the FAA is not developing a program that will deliver on the agency's promises. The Committee understands that SWIM should provide a central architecture and include the security, governance and data exchange services that are necessary to link the other FAA programs. Yet, the FAA is directing the majority of its funding to these other programs in order to develop services in a more decentralized way. Of the $41,000,000 requested for SWIM in fiscal year 2009, the FAA proposes to redirect $27,600,000 to other capital programs. Using the funds for other capital programs appears to undermine the FAA's efforts to develop the core capabilities of the SWIM program.

The Committee also questions whether the FAA is placing a high enough priority on achieving new capabilities with the SWIM program. The SWIM program is an essential part of moving toward network-enabled operations [NEO]. NEO will make it possible for the FAA, other Government agencies, and users of the NAS to share information efficiently and effectively. Two demonstrations have already proven the concept and illustrated the many benefits of NEO, but the FAA has not requested any funds for the actual implementation of this technology.

For these reasons, the bill includes an additional $8,000,000 to begin implementation of the Network Enabled Operations [NEO] program. The Committee directs the FAA to use these funds on the deployment of new capabilities that will begin providing benefits to the larger aviation community, including: dynamic use of special use airspace; use of dynamic airspace control for temporary flight restrictions that accommodates the movement of unmanned aerial systems; network-enabled distribution of enhanced traffic management system information for improved common situation awareness between authorized subscribers; and targeted NEO applications for contingency operations to distribute integrated information to authorized, on-site, State and local organizations.

The Committee directs the FAA to submit to the Committee a report which details how the FAA plans to spend the $8,000,000 and which capabilities the FAA will deploy with the funding. The Committee further directs the FAA to submit to the Committee a report that provides a thorough discussion on the lessons learned during the deployment of these new capabilities, and how such lessons can be used to accelerate the benefits of the SWIM program. The Committee directs the FAA to submit this report no later than 60 days after completing the deployment of these new capabilities

Wind Hazard Detection Equipment.—The Committee recommendation includes an additional $850,000 for the purchase of a Wind Tracer Wind Hazard Detection equipment and its installation at McCarran International Airport in Las Vegas, Nevada. Wind Tracer is laser-driven technology that measures winds, wind hazards and turbulence in airport terminal areas in dry, clear air. The equipment allows the detection and alerting of events such as dry microbursts, wind shears, gust fronts, and other hazards. The equipment commonly used by the FAA is very good at detecting these events in wet, humid conditions. However, it is less effective in the dry, clear climate of Las Vegas. This funding, in combination with resources provided for this purpose in fiscal year 2008, should be sufficient to ensure the near-term installation of this important safety tool.

Airport Surface Detection Equipment—Model X.—The Committee recommendation includes $32,700,000 for the Airport Surface Detection Equipment—Model X [ASDE–X] program, a funding level that is equal to the budget request and $7,900,000 less than the fiscal year 2008 enacted level.

ASDE–X technology is designed to prevent runway incursions by providing air traffic controllers with more accurate and detailed information about the current situation on airport surfaces. However, the program has significant limitations. First, ASDE–X still relies on air traffic controllers to convey urgent information to the flight crew of an aircraft, rather than providing that information directly to the cockpit. When fractions of a second count, this indirect approach does not provide the maximum safety benefit. Second, ASDE–X uses radars to survey airport surfaces, and heavy precipitation degrades the accuracy of radar surveillance. ASDE–X therefore cannot give alerts with a consistent level of reliability. Because of these limitations, the Committee views the ASDE–X program as a valuable yet incomplete measure for improving runway safety.

Despite all the attention given to ASDE–X, the Committee continues to be disappointed in the FAA's ability to manage the program. The FAA has repeatedly assured the Committee that the ASDE–X program will be completed on time and on budget, but the agency appears disinterested in using generally accepting practices for program management. Two years ago, the Office of the Inspector General [OIG] issued a management advisory recommending that the FAA take immediate action to correct prohibited and improper contract administration practices under the ASDE–X program. However, the FAA waited over a year before taking these corrective actions. In addition, the OIG has repeatedly recommended that the FAA establish "earned value management" mechanisms that would allow the agency to track ASDE–X progress and compare it with program costs. The FAA has not yet established such a mechanism. Seeing that the FAA refuses to use common management practices, the Committee lacks confidence in assurances by the agency that ASDE–X will in fact be delivered on time and on budget.

The Committee is also deeply concerned that the FAA has chosen to ignore recommendations from the OIG, or to implement the recommendations at a very slow pace. The ASDE–X schedule is aggressive, and the agency already has adjusted its current budget to accommodate cost growth of $94,000,000. The OIG has targeted these recommendations to reducing the risk of further cost growth or schedule delays, and the Committee urges the FAA to take them more seriously.

The Committee is particularly disturbed that the FAA has even gone so far as to withhold from the OIG important information relating to the ASDE–X program. OIG repeatedly asked for the ASDE–X master schedule, and the FAA refused to provide this document until the agency was formally served with a citation from the OIG asserting its rights and responsibilities under the Inspector General Act. Furthermore, the OIG has reported that when it asked for important information on the cost of the ASDE–X program, the FAA provided either conflicting information or data that the agency claimed was already out of date.

The FAA's reluctance to work openly with the OIG is simply not acceptable. It raises serious questions about why the FAA would feel it may be better served by withholding information from the OIG than to work with the level of transparency expected from a Government agency.

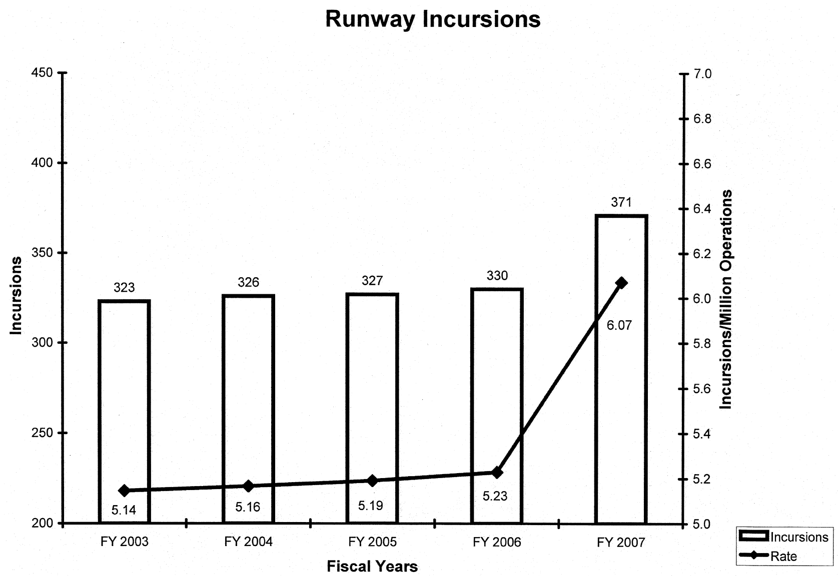
Terminal Air Traffic Control Facilities—Replace.—The Committee recommendation includes $134,545,476 for new and replacement air traffic control tower [ATCT] and ATCT/TRACON consolidation projects, an increase of $250,000 from the budget request. The Committee directs the FAA to allocate the additional funds as presented in the following table:

Location	Amount
Greenwood Airport Tower Construction, MS	$250,000

Runway Status Lights.—The Committee recommends $26,960,000 for runway status lights, an amount equal to the budget request and $17,960,000 more than the fiscal year 2008 enacted level.

Runway status lights are located in the center of a runway or taxiway, and they illuminate red to alert pilots when that area is already in use. These red lights provide clear information directly to an aircraft, improving the situational awareness of its flight crew.

Runway incursions continue to be one of the Committee's most critical safety concerns for commercial aviation. Unfortunately, recent data do not provide a clear picture of improvement. Between fiscal years 2006 and 2007, the number of the most severe runway incursions dropped from 31 to 24 incidents. However, the total number of runway incursions has grown in each of the past four years so that fiscal year 2007 saw the highest number of incursions in recent history as well as the highest rate of incursions per 1 million operations. Data for the current fiscal year to date seem to imply that this total will grow for yet another year.



Runway status lights constitute an important part of the FAA's efforts to reduce runway incursions because they provide instantaneous warnings to the cockpit that vehicles or aircraft are on the runway. The lights supplement the information provided by air traffic controllers rather than require additional communication between the cockpit and the controller. The NTSB includes improving runway safety on its list of "most wanted" safety improvements, and specifically calls on the FAA to "give immediate warnings of probable collisions/incursions directly to flight crews in the cockpit."

The program to develop and install runway status lights is still at an early stage of its implementation, and the FAA does not expect to begin installation at specific airports until fiscal year 2009. The Committee is pleased that the FAA has accelerated the program so that its final implementation will occur in 2011 instead of 2014. The Committee urges the FAA to uphold the promise of this technology by delivering the program on time and on budget. The importance of holding to this schedule is underlined by the fact that the FAA must coordinate its work on runway status lights with its aggressive schedule for the ASDE–X program.

Finally, the Committee notes that other technologies are available to improve the situational awareness of the flight crew. While supportive of runway status lights, the Committee also expects the FAA to continue investigating all technologies that hold promise for improving runway safety.

Weather Camera Program.—The Committee recommends $2,000,000 for the Weather Camera Program. This program improves safety and efficiency by providing weather visibility information in the form of near real-time camera images to aviation users in Alaska. These images give pilots important information about conditions at their destination airports and along their routes of flight. The $2,000,000 provided for fiscal year 2009 will pay for the installation of approximately 10 additional camera sites.

Approach Lighting System Improvement Program [ALSIP].—The Committee recommends $12,500,000 for the procurement and installation of frangible approach lighting equipment including high intensity approach lighting system with sequenced flashing lights [ALSF–2] and medium intensity approach lighting system [MALSR]. The amount provided is $2,500,000 more than the budget request. These additional resources shall be used to continue the program of providing lighting systems at rural airfields throughout Alaska.

Instrument Landing System [ILS]—Establish.—The Committee recommends $7,750,000 for the establishment of instrument landing systems. This increase shall be allocated as follows:

Location	Amount
Reno-Tahoe Airport Authority, Nevada	$250,000

Wide Area Augmentation System.—The Committee recommends $92,570,000 for the Wide Area Augmentation System [WAAS], which is $6,430,000 less than the budget request and $13,330,000 less than the fiscal year 2008 enacted level.

WAAS is a satellite-based technology that supplements the Global Positioning System [GPS] in order to improve the accuracy and integrity of GPS information. WAAS technology allows aircraft to rely on GPS to conduct en route operations as well as precision approach operations to qualifying airports.

The FAA budget request includes funding for a wide range of activities, including deploying an additional satellite, developing new procedures for the use of WAAS in precision approaches, and replacing old technology. The Committee recommendation includes funding for almost all of these activities. However, the Committee recommendation does not include the $6,430,000 requested specifically for the FAA to conduct outreach efforts and initiate partnerships with manufacturers and airports.

The Committee strongly believes in the value of outreach and industry partnerships, but the Committee also believes that these activities should be conducted as part of the FAA's regular course of doing business. Every time the Committee provides funding to further develop a capital program, it does so with the expectation that the FAA will work with its partners in the aviation community to ensure that the Federal investments are made in the most effective and judicious manner.

NON-AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT: SUPPORT EQUIPMENT

National Airspace System Training—Simulator.—As discussed under the Operations account, the Committee recommendation includes $24,400,000 for NAS training simulators to help the FAA train new air traffic controllers. This funding level is $12,400,000 more than the budget request and $9,800,000 more than the fiscal year 2008 enacted level.

Of the total amount of funding added to the FAA budget request, $4,000,000 will allow the FAA to purchase two High Fidelity Simulation Training systems that reproduce the terminal environment. The Committee expects the FAA to deploy these systems at the two locations identified as priorities by the FAA. The High Fidelity Simulator Training systems use advanced technologies in order to provide a significantly more realistic training experience. The Committee believes that such innovative simulators will improve the quality of training provided to new agency hires. Another $8,400,000 in additional funding will allow the FAA to purchase 12 simulators to train controllers for work in air traffic control towers. The Committee expects that the FAA will also place these simulators at the locations identified as priorities by the agency.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriations, 2008	$146,828,000
Budget estimate, 2009	171,028,000
Committee recommendation	171,000,000

PROGRAM DESCRIPTION

The Research, Engineering and Development [RE&D] appropriation provides funding for long-term research, engineering and development programs to improve the air traffic control system by increasing its safety and capacity, as well as reducing the environmental impacts of air traffic, as authorized by the Airport and Airway Improvement Act and the Federal Aviation Act, as amended. The programs are designed to meet the expected air traffic demands of the future and to promote flight safety through improvements in facilities, equipment, techniques, and procedures in order to ensure that the system will safely and efficiently handle future volumes of aircraft traffic.

COMMITTEE RECOMMENDATION

The Committee recommends $171,000,000 for the FAA's research, engineering, and development activities. The recommended level of funding is $28,000 less than the budget request and $24,172,000 more than the fiscal year 2008 enacted level.

A table showing the fiscal year 2008 enacted level, the fiscal year 2009 budget estimate, and the Committee recommendation follows:

RESEARCH, ENGINEERING, AND DEVELOPMENT

[In thousands of dollars]

	Fiscal year—		Committee recommendation
	2008 enacted	2009 estimate	
Improve Aviation Safety:			
Fire Research and Safety	7,350	6,650	6,650
Propulsion and Fuel System	4,086	3,669	3,669
Advance Material/Structural Safety	7,083	2,920	2,920
Atmospheric Hazards/Digital System Safety	3,574	4,838	4,838
Aging Aircraft	15,946	14,589	14,589
Aircraft Catastrophic Failure Prevention Research	2,202	436	436
System Integration Human Factors	9,200	7,465	7,465
Analysis	9,517	12,488	12,488

RESEARCH, ENGINEERING, AND DEVELOPMENT—Continued

[In thousands of dollars]

	Fiscal year—		Committee recommendation
	2008 enacted	2009 estimate	
Air Traffic Control/Technical Operations Human Factors	10,000	10,469	10,469
Aeromedical Research	7,760	8,395	8,395
Weather Program	16,888	16,968	16,968
Unmanned Aircraft System	2,920	1,876	1,876
Improve Efficiency:			
Joint Program and Development Office	14,321	14,494	14,466
Wake Turbulence	12,813	10,132	10,132
GPSCivil Requirements	3,100	....	....
NextGen—Air-Ground Integration	....	2,554	2,554
NextGen—Self Separation	....	8,025	8,025
NextGen—Weather Technology	....	8,049	8,049
Reduce Environmental Impacts:			
Environment and Energy	15,469	15,608	15,608
NextGen Environmental Research	....	16,050	16,050
Mission Support:			
System Planning and Resource Management	1,184	1,817	1,817
William J. Hughes Technical Center Laboratory Facility	3,415	3,536	3,536
RE&D Total	146,828	171,028	171,000

IMPROVE AVIATION SAFETY

Advance Material/Structural Safety

Advance Materials in Transport Aircraft Structures [AMTAS].—The Committee recommends $500,000 for research and development of composites materials in transport aircraft structures at the Advance Materials in Transport Aircraft Structures Center in Seattle, Washington.

Center for Runway Safety Systems.—The Committee recommends $750,000 for the Center for Runway Safety Systems at Kansas State University in Manhattan, Kansas to provide for examination and feasibility of runway safety systems by offering technical engineering and design input, including economic and life-cycle-cost analyses.

National Institute for Aviation Research.—The Committee recommends $2,500,000 for the National Institute for Aviation Research at Wichita State University in Wichita, Kansas, to purchase new equipment, hire technical personnel, and conduct research at the Advanced Materials Research Program.

Center of Excellence RITE.—The Committee encourages the retention of RITE as an F&E activity under Aerospace Medicine for the identification, evaluation, and potential application of sensor, purification and decontamination technologies for airliner cabin environments. The Committee notes the utility of innovative research beyond the airliner cabin and directs the FAA to provide a report to the House and Senate Committees on Appropriations no later than 90 days after passage of this act with recommendations on the potential applications of research across modes of transportation and other Federal and State applications.

IMPROVE EFFICIENCY

Joint Program and Development Office [JPDO]

The Committee recommends $14,466,000 for the Joint Program and Development Office, a decrease of $28,000 from the budget request and $145,000 more than the fiscal year 2008 enacted level. The budget request provides no detail on how the JPDO would use the requested lump-sum to accomplish its stated goals for fiscal year 2009. The Committee directs the FAA to provide greater detail on the programming of its RE&D budget request for the JPDO in its fiscal year 2010 budget. The Committee further directs the FAA to provide a list of the technical assistance contracts for which JPDO RE&D funds will be used in fiscal year 2009 to the Committee within 90 days of passage of this appropriations act.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Limitation, 2008	$4,399,000,000	3,514,500,000
Budget estimate, 2009	3,600,000,000	2,750,000,000
Committee recommendation	3,600,000,000	3,515,000,000

PROGRAM DESCRIPTION

Funding for grants-in-aid to airports pays for capital improvements at the Nation's airports, including those investments that emphasize capacity development, safety improvements, and security needs. Other priority areas for funding under this program include improvements to runway safety areas that do not conform to FAA standards, investments that are designed to reduce runway incursions, and aircraft noise compatibility planning and programs.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $3,515,000,000 for grants-in-aid to airports for fiscal year 2009, which is $765,000,000 more than the budget estimate and $500,000 more than the fiscal year 2008 enacted level. The Committee recommendation is sufficient to continue the important tasks of enhancing airport and airway safety, ensuring that airport standards continue to be met, maintaining existing airport capacity, and developing additional capacity.

In addition, the Committee recommends a liquidating cash appropriation of $3,600,000,000 for grants-in-aid to airports. The recommended level is equal to above the budget estimate and $165,000,000 more than the fiscal year 2008 enacted level. This appropriation is sufficient to cover the liquidation of all obligations incurred pursuant to the limitation on obligations set forward in the bill.

Airport Discretionary Grants.—Of the funds covered by the obligation limitation in this bill, the Committee directs FAA to provide funding, out of available resources, for those projects listed in the table below in the corresponding amounts. The Committee agrees that State apportionment funds may be construed as discretionary funds for the purposes of implementing this provision. To the maximum extent possible, the Administrator should work to ensure that airport sponsors for these projects first use available entitlement funds to finance the projects. However, the FAA should not require sponsors to apply carryover entitlement to discretionary projects funded in the coming year, but only those entitlements applicable to the fiscal year 2008 obligation limitation. The Committee further directs that the specific funding allocated in the table below shall not diminish or prejudice the application of a specific airport or geographic region to receive other AIP discretionary grants or multi-year letters of intent.

AIRPORT IMPROVEMENT PROGRAM

State	Airport name	Project purpose	Committee recommendation
AK	Akutan	For airport construction of a new parallel runway.	$1,250,000
MI	Battle Creek Unlimited	For construction of a new parallel runway	2,000,000
VT	Burlington International	To reconstruct the taxiway	1,000,000
WI	Chippewa Valley Regional	For second phase of the Terminal development.	1,000,000
MO	Clinton Memorial	Runway 18/36 construction	500,000
IL	Dekalb Taylor Municipal	To acquire land for expansion	300,000
MS	Golden Triangle Regional	Extension of runways and taxiways	1,500,000
MS	Gulfport-Biloxi International	Taxiway and runway construction and rehabilitation.	2,000,000
MS	Jackson-Evers International	Airfield infrastructure rehabilitation and replacements.	1,500,000
MI	Kalamazoo/Battle Creek International	For construction of new terminal building	1,700,000
KY	Louisville International-Standiford Field	To improve runway safety areas	1,000,000
AL	Mobile Regional	Rehabilitation of Runway 18/36 and Taxiway "R".	2,000,000
NH	Mt. Washington Regional	To install an instrument landing system	1,000,000
TN	Nashville International	Reconstruction of Runway 2L–20R	750,000
IL	Peoria Regional	To construct a new terminal facility at Peoria Regional.	1,000,000
PA	Philadelphia International	For runway rehabilitation	2,500,000
NC	Piedmont Triad International	Procurement and installation of an instrument landing system.	1,000,000
NC	Rowan County	For land acquisition in the existing Runway Protection Zone.	2,000,000
TX	San Marcos Municipal	For various improvements	2,000,000
ND	Sloulin Field International	Rehabilitation and extension of runway	2,000,000
ND	Grand Forks International	For construction of a terminal	300,000
MO	Springfield-Branson National	For the design, construction and rehabilitation of various runways and taxiways.	2,750,000
MS	Tunica Municipal	Airfield infrastructure rehabilitation and replacements.	750,000
WV	West Virginia Statewide	Various improvements	4,500,000

Administrative Expenses.—The Committee recommends $87,454,000 to cover administrative expenses. This funding level is $1,000,232 less than the budget estimate, and $6,778,000 more than the fiscal year 2008 enacted level.

Airport Cooperative Research.—The Committee recommends $15,000,000 for the airport cooperative research program. This funding level is equal to the budget estimate, and $5,000,000 more than the fiscal year 2008 enacted level.

Airport Technology.—The Committee recommends $19,348,000 for airport technology research. This funding level is the same as the budget request, and $636,000 more than the fiscal year 2008 level.

Small Community Air Service Development Program [SCASDP].—Following reports from the Office of the Inspector General that show the SCASDP program provides limited results in improving air service to small communities, the Committee recommends no funding for the program in fiscal year 2009, consistent with the budget request.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Rescission, 2008	−$270,500,000
Budget estimate, 2009	
Committee recommendation	−75,000,000

COMMITTEE RECOMMENDATION

The Committee recommends a rescission of contract authorization of $75,000,000 of unobligated balances of contract authority.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110 limits the number of technical staff years at the Center for Advanced Aviation Systems Development to no more than 425 in fiscal year 2009.

Section 111 prohibits funds in this act to be used to adopt guidelines or regulations requiring airport sponsors to provide the FAA "without cost" buildings, maintenance, or space for FAA services. The prohibition does not apply to negotiations between the FAA and airport sponsors concerning "below market" rates for such services or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

Section 112 permits the Administrator to reimburse FAA appropriations for amounts made available for 49 U.S.C. 41742(a)(1) as fees are collected and credited under 49 U.S.C. 45303.

Section 113 allows funds received to reimburse the FAA for providing technical assistance to foreign aviation authorities to be credited to the "Operations" account.

Section 114 extends the terms and conditions of the aviation insurance program, commonly known as "war risk insurance," and the limitation on air carrier liability for third-party claims arising out of acts of terrorism.

Section 115 prohibits funds in this act to be used for buying a store gift card certificate with a Government-issued credit card.

Section 116 prohibits the funds in this act to be used for promulgating regulations that allow the Secretary of Transportation to auction air slots, impose congestion pricing at an airport, exact an air slot from a carrier, charge a fee for the right to use a specified portion of airspace, or establish policies that would encourage an airport to undertake such actions.

Section 117 prohibits funds limited in this act for the Airport Improvement Program to be provided to an airport that refuses a request from the Secretary of Transportation to use public space at the airport for the purpose of conducting outreach on air passenger rights.

Section 118 requires the FAA Administrator to respond to the Committees on Appropriations and Commerce, Science and Transportation in writing within 60 days of the publication of any Government Accountability Office report on airspace redesign over the New York, New Jersey and Philadelphia region on the actions the agency intends to take in order to address any concerns or recommendations contained in the GAO report.

FEDERAL HIGHWAY ADMINISTRATION

PROGRAM DESCRIPTION

The principal mission of the Federal Highway Administration [FHWA] is, in partnership with State and local governments, to foster the development of a safe, efficient, and effective highway and intermodal system nationwide including access to and within national forests, national parks, indian lands and other public lands.

COMMITTEE RECOMMENDATION

Under the Committee recommendations, a total program level of $41,209,970,128 would be provided for the activities of the Federal Highway Administration in fiscal year 2009. The recommendation is $1,811,241,952 more than the budget request, and $230,745,359 less than the fiscal year 2008 enacted level. The following table summarizes the Committee's recommendations (excluding rescissions):

	Fiscal year—		Committee recommendation
	2008 enacted	2009 estimate	
Federal-aid highway program obligation limitation	$40,216,051,359	$39,398,728,226	$41,199,970,178
Additional bridge obligation limitation	1,000,000,000		
Emergency relief program (Public Law 110–28)	195,000,000		
Appalachian development highway system	15,680,000		10,000,000
Delta regional transportation development	14,014,000		
Denali access system program			6,000,000
Total	41,440,745,359	39,398,728,226	41,215,970,178

LIMITATION ON ADMINISTRATIVE EXPENSES

Appropriations, 2008	$377,556,000
Budget estimate, 2009	394,880,000
Committee recommendation	390,000,000

PROGRAM DESCRIPTION

This limitation on obligations provides for the salaries and expenses of the Federal Highway Administration for program management, direction, and coordination; engineering guidance to Federal and State agencies; and advisory and support services in field offices.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $390,000,000 for administrative expenses of the agency. This limitation is $4,880,000 less than the budget request and $12,444,000 more than the fiscal year 2008 enacted level. The bill includes language to make $3,824,000 of the limitation on administrative expenses available to the Office of Inspector General to conduct audits and investigations related to the FHWA.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Limitation, 2008	$41,216,051,359
Budget estimate, 2009	39,398,728,226
Committee recommendation	41,199,970,178

PROGRAM DESCRIPTION

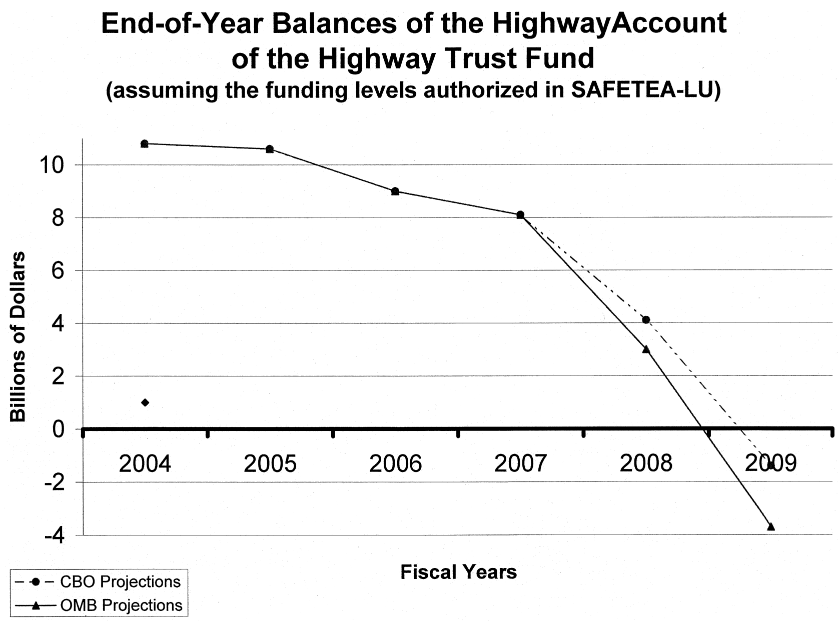
The Federal-aid highways program provides financial support to States and localities for development, construction, and repair of highways and bridges through grants. The program is financed from the Highway Trust Fund and most of the funds are distributed through apportionments and allocations to States. Title 23 of the United States Code and other supporting legislation provide authority for the various activities of the FHWA. Funding is provided by contract authority, with program levels established by annual limitations on obligations set in appropriations acts.

COMMITTEE RECOMMENDATION

The Committee recommends limiting fiscal year 2009 Federal-aid highways obligations to $41,199,970,178, which is $1,801,241,952 more than the budget request, and $983,918,819 more than the fiscal year 2008 enacted level for the regular Federal-Aid Highway program.

Within the overall limitation on fiscal year 2008 Federal-aid highway obligations, the Committee recommends limiting fiscal year 2008 obligations on transportation research to $429,800,000. The recommendation is equal to the budget request, and it is consistent with the authorized level. This specific limitation controls spending for the transportation research and technology programs of the FHWA, and it includes the intelligent transportation systems; surface transportation research; technology deployment, training and education; university transportation research; and the Bureau of Transportation Statistics.

In addition, the bill includes a provision that allows the FHWA to collect and spend fees in order to pay for the services of expert firms in the field of municipal and project finance to assist the agency in the provision of TIFIA credit instruments.



The Committee has been disappointed by the tepid leadership provided by the administration in finding a solution for the Highway Trust Fund. After more than a year of raising the alarm about the trust fund without bringing forth any concrete solutions, the Department requested special authority to bolster the balances of the highway account by transferring balances from the transit account. The Department offered assurances that those balances would be repaid to the transit account, but provided no detail on how or when it would make this repayment. In fact, according to analysis provided by the Congressional Budget Office, the budget request submitted by the administration would never allow balances to accumulate in the highway account so that the transit account could be repaid.

The Committee's concern over the Highway Trust Fund also extends to the transit account. The Committee notes that the transit account is also expected to face a solvency crisis of its own by fiscal year 2011. The Committee does not believe that the proper way to address the pending bankruptcy of the highway account is to hasten the bankruptcy of the transit account.

The Committee was pleased to receive written commitments last year from the bipartisan leadership of the Senate Finance Committee, stating that they are "dedicated to finding the necessary revenues to keep the Highway Trust Fund whole for the life of the current authorization." The Committee has been working with the Senate Finance Committee in order to bring solvency to the Highway Trust Fund. The Committee supported the Finance Committee last year when it reported a bill that would strengthen the trust fund, and again this year when the Finance Committee tried to bring important legislation to the floor that included a provision addressing the balances of the trust fund. Unfortunately, despite broad bipartisan support for such legislation, objections lodged by individual senators have kept it from being enacted.

The Committee is now in the position of recommending funding levels for the highway program without any assurances that sufficient trust fund balances will be available to support the program even at the funding level enacted for fiscal year 2008. Absent any other action by Congress that would replenish the balances of the Highway Trust Fund, this Committee would be required to cut Federal investments in highway infrastructure by more than one-third. The table below shows the minimum impact that such a cut would have on each state's formula grants:

FEDERAL-AID HIGHWAY PROGRAM OBLIGATION LIMITATION

[Fiscal year 2008 and potential fiscal year 2009, assuming no balances are provided for the Highway Trust Fund]

	Fiscal year 2008	Potential fiscal year 2009	Difference
Formula Programs			
Alabama	$637,171,053	$454,824,733	−$182,346,320
Alaska	279,027,009	213,461,360	−65,565,649
Arizona	641,147,302	423,184,887	−217,962,415
Arkansas	396,231,100	286,719,068	−109,512,032
California	2,927,693,941	2,162,914,748	−764,779,193
Colorado	431,647,397	305,442,339	−126,205,058
Connecticut	414,852,828	298,155,051	−116,697,777
Delaware	125,349,454	89,408,810	−35,940,644
District of Columbia	124,219,541	89,055,744	−35,163,797
Florida	1,624,418,469	1,102,615,868	−521,802,601
Georgia	1,175,544,083	808,957,462	−366,586,621
Hawaii	132,787,891	92,455,082	−40,332,809
Idaho	236,216,077	168,827,927	−67,388,150
Illinois	1,088,534,841	783,330,484	−305,204,357
Indiana	824,465,351	581,195,810	−243,269,541
Iowa	361,451,625	242,857,239	−118,594,386
Kansas	320,774,514	223,029,846	−97,744,668
Kentucky	549,734,543	388,477,945	−161,256,598
Louisiana	485,325,905	351,623,950	−133,701,955
Maine	138,294,977	101,473,221	−36,821,756
Maryland	503,509,566	351,819,107	−151,690,459
Massachusetts	521,001,880	365,897,655	−155,104,225
Michigan	926,049,768	722,171,474	−203,878,294
Minnesota	509,180,201	391,306,319	−117,873,882
Mississippi	373,242,956	267,581,968	−105,660,988
Missouri	736,160,886	530,486,038	−205,674,848
Montana	304,771,339	218,174,703	−86,596,636
Nebraska	236,117,358	163,744,876	−72,372,482
Nevada	232,589,219	145,744,407	−86,844,812
New Hampshire	143,146,635	100,205,953	−42,940,682
New Jersey	831,717,217	582,846,004	−248,871,213
New Mexico	299,500,553	217,029,410	−82,471,143
New York	1,420,182,342	990,367,322	−429,815,020
North Carolina	901,203,928	651,798,430	−249,405,498
North Dakota	200,065,774	139,213,152	−60,852,622
Ohio	1,133,310,969	840,803,111	−292,507,858
Oklahoma	487,380,217	342,367,319	−145,012,898
Oregon	359,329,292	255,186,729	−104,142,563
Pennsylvania	1,412,027,836	992,854,989	−419,172,847
Rhode Island	153,907,813	109,296,597	−44,611,216
South Carolina	521,548,415	362,727,197	−158,821,218
South Dakota	209,747,233	151,170,837	−58,576,396
Tennessee	693,574,094	488,908,923	−204,665,171
Texas	2,644,630,565	1,855,034,583	−789,595,982
Utah	231,513,161	160,420,055	−71,093,106
Vermont	129,246,803	96,554,996	−32,691,807

FEDERAL-AID HIGHWAY PROGRAM OBLIGATION LIMITATION—Continued

[Fiscal year 2008 and potential fiscal year 2009, assuming no balances are provided for the Highway Trust Fund]

	Fiscal year 2008	Potential fiscal year 2009	Difference
Virginia	836,304,372	600,370,965	−235,933,407
Washington	537,843,953	380,729,769	−157,114,184
West Virginia	341,068,291	244,799,450	−96,268,841
Wisconsin	620,444,962	444,299,449	−176,145,513
Wyoming	208,139,995	153,148,013	−54,991,982
SUBTOTAL	31,573,345,494	22,485,071,374	−9,088,274,120
Non-Formula Programs	8,642,705,865	4,714,928,626	−3,927,777,239
TOTAL	40,216,051,359	27,200,000,000	−13,016,051,359

The Committee believes that such a severe reduction to the highway program would impose unreasonable hardships on state budgets and the national economy, and it would threaten the safety of our transportation infrastructure.

Because the Committee is unwilling to put the Federal highway program at risk, the bill includes a provision that would transfer $8,017,355,427 in balances to the Highway Trust Fund. This transfer corresponds to the amount of balances that were taken out of the Highway Trust Fund after fiscal year 1998, a time when the pervading wisdom was that the Highway Trust Fund had "too many" balances and would not be able to spend them all.

The Committee also recommends providing an obligation limitation of $41,199,970,178, the amount authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA–LU], the authorization law for most surface transportation programs. This authorized level does not include a cut of $1,001,241,952 called for by the Revenue-Aligned Budget Authority [RABA] program. The Committee recommends a funding level that is almost equal to the level enacted for fiscal year 2008 in order to provide the highway program with a measure of stability. The following table shows the obligation limitation provided to each state under the Committee's recommended funding level.

FEDERAL-AID HIGHWAY PROGRAM OBLIGATION LIMITATION

[Fiscal year 2008 and Committee recommendation for fiscal year 2009]

	Fiscal year 2008	Committee recommendation	Difference
Formula Programs			
Alabama	$637,171,053	$685,543,016	+$48,371,963
Alaska	279,027,009	311,702,583	+32,675,574
Arizona	641,147,302	636,778,016	−4,369,286
Arkansas	396,231,100	435,575,249	+39,344,149
California	2,927,693,941	3,312,604,354	+384,910,413
Colorado	431,647,397	467,299,869	+35,652,472
Connecticut	414,852,828	449,954,744	+35,101,916
Delaware	125,349,454	138,617,001	+13,267,547
District of Columbia	124,219,541	140,334,120	+16,114,579
Florida	1,624,418,469	1,642,927,339	+18,508,870
Georgia	1,175,544,083	1,211,169,696	+35,625,613
Hawaii	132,787,891	143,485,622	+10,697,731
Idaho	236,216,077	254,021,410	+17,805,333
Illinois	1,088,534,841	1,196,535,129	+108,000,288

FEDERAL-AID HIGHWAY PROGRAM OBLIGATION LIMITATION—Continued

[Fiscal year 2008 and Committee recommendation for fiscal year 2009]

	Fiscal year 2008	Committee recommendation	Difference
Indiana	824,465,351	871,478,385	+47,013,034
Iowa	361,451,625	379,857,928	+18,406,303
Kansas	320,774,514	351,450,628	+30,676,114
Kentucky	549,734,543	592,705,890	+42,971,347
Louisiana	485,325,905	538,515,237	+53,189,332
Maine	138,294,977	159,901,591	+21,606,614
Maryland	503,509,566	540,404,755	+36,895,189
Massachusetts	521,001,880	568,853,014	+47,851,134
Michigan	926,049,768	1,102,209,396	+176,159,628
Minnesota	509,180,201	595,968,817	+86,788,616
Mississippi	373,242,956	410,678,473	+37,435,517
Missouri	736,160,886	811,424,802	+75,263,916
Montana	304,771,339	328,045,710	+23,274,371
Nebraska	236,117,358	255,952,457	+19,835,099
Nevada	232,589,219	223,557,604	−9,031,615
New Hampshire	143,146,635	154,484,581	+11,337,946
New Jersey	831,717,217	890,273,196	+58,555,979
New Mexico	299,500,553	330,088,742	+30,588,189
New York	1,420,182,342	1,534,810,766	+114,628,424
North Carolina	901,203,928	983,778,573	+82,574,645
North Dakota	200,065,774	216,353,829	+16,288,055
Ohio	1,133,310,969	1,274,601,049	+141,290,080
Oklahoma	487,380,217	529,123,770	+41,743,553
Oregon	359,329,292	396,291,640	+36,962,348
Pennsylvania	1,412,027,836	1,522,347,095	+110,319,259
Rhode Island	153,907,813	172,229,673	+18,321,860
South Carolina	521,548,415	549,574,486	+28,026,071
South Dakota	209,747,233	231,625,159	+21,877,926
Tennessee	693,574,094	742,319,544	+48,745,450
Texas	2,644,630,565	2,796,338,555	+151,707,990
Utah	231,513,161	247,484,654	+15,971,493
Vermont	129,246,803	152,151,448	+22,904,645
Virginia	836,304,372	909,749,363	+73,444,991
Washington	537,843,953	595,434,008	+57,590,055
West Virginia	341,068,291	373,289,308	+32,221,017
Wisconsin	620,444,962	668,178,206	+47,733,244
Wyoming	208,139,995	236,277,139	+28,137,144
SUBTOTAL	31,573,345,494	34,264,357,619	+2,691,012,125
Non-Formula Programs	8,642,705,865	6,935,612,559	−1,707,093,306
TOTAL	40,216,051,359	41,199,970,178	+983,918,819

Bridges.—The Committee remains concerned about the safety of our Nation's bridges. Last year, following the tragic collapse of the Interstate 35W bridge in Minneapolis, Minnesota, the Committee provided an additional $1,000,000,000 for bridge replacement and repair, and directed that this funding supplement and not supplant current State plans for such activities. FHWA issued guidance on applying for this funding in April, and the agency has already begun to provide grants and work with States on their applications.

The Committee's concern over bridge infrastructure also extends to the ability of the FHWA to effectively oversee bridge safety. The OIG has recommended that FHWA use a more risk-based, data-driven approach to its bridge oversight, and the FHWA has taken a number of steps to address holes in its oversight process. The agency established a working group to evaluate alternatives, required its division offices to conduct in-depth reviews of bridge load rating and posting practices, and started to modify the Bridge Program Manual to provide better guidance to the division offices. However, the Committee notes that the bridge manual has already been under review for a full year. While some of these issues may be complex in nature or require a rulemaking process before going forward, the Committee urges the FHWA to move forward with this process expeditiously. The Committee believes that the FHWA must place a high priority on completing its initiatives.

The Committee will continue to monitor the progress that FHWA makes in identifying new approaches to bridge oversight, completing its initiatives, and achieving results from its efforts. The Committee also directs the FHWA provide semiannual updates to the House and Senate Committees on Appropriations on the agency's progress toward improving its oversight of bridge safety.

FEDERAL-AID HIGHWAYS PROGRAMS

The roads and bridges that make up our Nation's highway infrastructure are built, operated, and maintained through the joint efforts of Federal, State, and local governments. States have much flexibility to use Federal-aid highway funds to best meet their individual needs and priorities, with FHWA's assistance and oversight.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA–LU], the highway, highway safety, and transit authorization through fiscal year 2009, makes Federal-aid highways funds available in various categories of spending.

The following table reflects an estimated distribution of obligations among the largest of the Federal-aid highway program categories, and the table is followed by a more detailed discussion of many of the categories of Federal-aid highway spending: (The obligation limitation recommended by the Committee is applicable to most of these program categories, but the resources for certain categories of spending are exempt from the limitation).

ESTIMATED OBLIGATIONS AMONG MAJOR CATEGORIES OF FEDERAL-AID HIGHWAY SPENDING SUBJECT TO OBLIGATION LIMITATION

[In millions of dollars]

	Fiscal year 2008 enacted	Fiscal year 2009 budget request	Fiscal year 2009 Committee recommendation
Federal-Aid Highway Category Subject to Obligation Limitation:			
Transportation infrastructure finance and innovation	254	122	122
Surface transportation program	7,712	7,624	8,002
National highway system	7,323	7,237	7,598
Interstate maintenance	5,996	5,926	6,219
Bridge replacement and rehabilitation	5,624	5,063	5,317
Congestion mitigation and air quality improvement	2,090	2,067	2,171
Highway safety improvement	1,278	1,262	1,325
Equity Bonus	2,421	2,413	2,533
Federal lands highways	1,059	985	1,019
Appalachian development highway system	417	424	446
High priority projects	1,860	2,546	2,544
Projects of national and regional significance	205	252	263
Research, development, and technology	391	396	415
Administration	378	395	390

ESTIMATED OBLIGATIONS AMONG MAJOR CATEGORIES OF FEDERAL-AID HIGHWAY SPENDING SUBJECT TO OBLIGATION LIMITATION—Continued

[In millions of dollars]

	Fiscal year 2008 enacted	Fiscal year 2009 budget request	Fiscal year 2009 Committee recommendation
Other categories of spending	3,942	2,630	2,778
Total	40,950	39,342	41,142

National Highway System [NHS].—The Intermodal Surface Transportation Efficiency Act [ISTEA] of 1991 authorized the NHS, which was subsequently established as a 161,000 mile road system by the National Highway System Designation Act of 1995. This system serves major population centers, intermodal transportation facilities, international border crossings, and major destinations. The NHS program provides funding for this system consisting of roads that are of primary Federal interest. The NHS consists of the current Interstate, other rural principal arterials, urban freeways and connecting urban principal arterials, and facilities on the Defense Department's designated Strategic Highway Network, and roads connecting the NHS to intermodal facilities. The Federal share for the NHS program is generally 80 percent, subject to the sliding scale adjustment, with an availability period of 4 years.

Interstate Maintenance [IM].—The 46,876-mile Dwight D. Eisenhower National System of Interstate and Defense Highways retains a separate identity within the NHS. The IM program finances projects to rehabilitate, restore, resurface and reconstruct the Interstate system. Reconstruction that increases capacity, other than HOV lanes, is not eligible for IM funds. The Federal share for the IM program is 90 percent, subject to the sliding scale adjustment, and funds are available for 4 years.

Within the funding available to the interstate maintenance discretionary program, funds are to be made available to the following projects and activities:

INTERSTATE MAINTENANCE

Project name	Committee recommendation
Columbia River Crossing, OR	$3,000,000
H–1 Kinau Off Ramp, HI	5,000,000
I–10 Connector Project, Dothan, AL	1,000,000
I–10 Interchange at Pecue Lane, LA	500,000
I–10 Reconstruction from Las Cruces to milepost 165, NM	2,000,000
I–12 Sound Walls, LA	500,000
I–225 and Colfax/17th Place Interchange, CO	1,000,000
I–25 Reconstruction Glenrock to Casper Hat Six Section, WY	2,000,000
I–25 North from SH 56 to US 34, CO	2,000,000
I–35W Improvement Project, TX	1,000,000
I–35W North Congestion Mitigation & Design, MN	1,000,000
I–44 Pavement Improvements from Glenstone Avenue to Kansas Expressway, Greene County, MO	1,000,000
I–44 Pavement Improvements from US–65 to Glenstone Avenue, MO	1,000,000
I–70 Stapleton Interchange, CO	2,000,000
I–70 Viaduct Relignment, Topeka, KS	1,000,000
I–84 Caldwell to Nampa Widening, ID	1,000,000
I–85 NB Viaduct at SR 400 NB—Exit Lane, GA	500,000
I–85 Widening, NC	1,000,000
I–94/9th Street Interchange, ND	1,000,000

INTERSTATE MAINTENANCE—Continued

Project name	Committee recommendation
I–95/US 301 Interchange Improvement Project, SC	1,000,000
I–95 Pawtucket River Bridge Replacement, RI	2,000,000
I–95 Toll Facility Rehabilitation and Highway Speed E-ZPass Improvements, DE	2,000,000
I–95/Fairfax County Parkway Interchange at Newington Road, VA	2,000,000
Improvements on I–90 from the Lawrence County Line to Exit 32, SD	2,000,000
Interstate 29 Utility Reconstruction, IA	1,000,000
Interstate 430/630: Interchange Modification, AR	2,000,000
Lincoln Parish/I–20 Transportation Corridor, LA	500,000
Third Army Road/Interstate 75 Interchange Construction, GA	750,000
Turnpike Improvement Project: SR1 and I–95, DE	2,000,000
US 17 in Onslow County, NC	1,000,000

Surface Transportation Program [STP].—STP is a flexible program that may be used by States and localities for projects on any Federal-aid highway, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities. A portion of STP funds are set aside for transportation enhancements and State suballocations are provided. The Federal share for STP is generally 80 percent, subject to the sliding scale adjustment, with a 4-year availability period.

Bridge Replacement and Rehabilitation.—The bridge program enables States to improve the condition of their bridges through replacement, rehabilitation, and systematic preventive maintenance. The funds are available for use on all bridges, including those on roads functionally classified as rural minor collectors and as local. Bridge program funds have a 4-year period of availability with a Federal share for all projects, except those on the Interstate System, of 80 percent, subject to the sliding scale adjustment. For those bridges on the Interstate System, the Federal share is 90 percent, subject to the sliding scale adjustment.

Congestion Mitigation and Air Quality Improvement Program [CMAQ].—The CMAQ program directs funds toward transportation projects and programs to help meet and maintain national ambient air quality standards for ozone, carbon monoxide, and particulate matter. A minimum one-half percent of the apportionment is guaranteed to each State.

Highway Safety Improvement Program [HSIP].—The highway infrastructure safety program features strategic safety planning and performance. The program also devotes additional resources and supports innovative approaches to reducing highway fatalities and injuries on all public roads.

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

Within the funding available for the Federal lands highway program, funds are to be made available to the following projects and activities:

FEDERAL LANDS HIGHWAYS

Project name	Committee recommendation
17-Mile Road Reconstruction, Wind River Indian Reservation, WY	$500,000
Alaska Trails Initiative, AK	2,000,000
BRAC-related Improvements in Anne Arundel County, MD	3,000,000
BRAC-related Improvements in Harford County, MD	3,000,000
BRAC-related Improvements in Montgomery County, MD	3,000,000
B-Reactor Access Road Analysis Project, WA	200,000
Cannonball and Fort Yates Streets, ND	1,350,000
City of Rocks Back Country Byway, ID	1,000,000
Cuny Table Road (BIA Route 2), Pine Ridge Indian Reservation, SD	1,000,000
Federal Lands Improvement Project, HI	1,000,000
FH–24, Banks to Lowman, ID	500,000
Flight 93 National Memorial, PA	3,000,000
Grand Teton National Park Pathways System, WY	2,000,000
Hoover Dam Bypass Bridge, AZ	4,500,000
Improvements to SD 73 from US 18 to Jackson County Serving Pine Ridge and Rosebud Reservation, SD	1,000,000
Montana Secondary 323 from Ekalaka to Alzada, MT	3,000,000
Powers Boulevard at Peterson AFB, CO	2,000,000
Pyramid Lake Highway Corridor, Sparks, NV	500,000
Sand Dunes Northern Access Road, CO	500,000
Skokomish Tribe Reservation Road Improvements, WA	1,000,000
Southern Nevada Beltway Interchanges, NV	3,000,000
Squaxin Island Access Improvement Project, WA	1,000,000
SR–160 Blue Diamond Highway—Las Vegas to Pahrump, NV	2,750,000
US 491: Navajo 9 to Shiprock, Four-lane upgrade, NM	1,000,000

Equity Bonus.—The equity bonus program provides additional funds to States to ensure that each State's total funding from apportioned programs and for High Priority Projects meets certain equity considerations. Each State is guaranteed a minimum rate of return on its share of contributions to the highway account of the Highway Trust Fund, and a minimum increase relative to the average dollar amount of apportionments under the Transportation Equity Act for the 21st Century, or TEA–21. Certain States will maintain the share of total apportionments they each received during TEA–21. An open-ended authorization is provided, ensuring that there will be sufficient funds to meet the objectives of the equity bonus. Of the total amount of funds provided for this program, each year $639,000,000 is exempt from the obligation limitation recommended by the Committee.

Emergency Relief [ER].—Section 125 of title 23, United States Code, provides $100,000,0000 annually for the ER program. This funding is not subject to the obligation limitation recommended by the Committee. This program provides funds for the repair or reconstruction of Federal-aid highways and bridges and federally owned roads and bridges that have suffered serious damage as the result of natural disasters or catastrophic failures. The ER program supplements the commitment of resources by States, their political subdivisions, or Federal agencies to help pay for unusually heavy expenses resulting from extraordinary conditions.

Highways for Life.—This program provides funding to demonstrate and promote state-of-the-art technologies, elevated performance standards, and new business practices in the highway construction process that result in improved safety, faster construction, reduced congestion from construction, and improved quality and user satisfaction by inviting innovation, new technologies, and new practices to be used in highway construction and operations.

Ferry Boats and Ferry Terminal Facilities.—This program provides funding for the construction of ferry boats and ferry terminal facilities.

Within the funding available to the ferry boats and ferry terminal facilities program, funds are to be made available to the following projects and activities:

FERRY BOATS AND FERRY TERMINAL FACILITIES

Project name	Committee recommendation
City of Gustavus Public Dock and Floats, AK	$1,000,000
Ferry Service for Route 240 Bridge Improvements, MO	1,000,000
Long Island Ferry Dock Construction, Boston, MA	1,000,000
Mayport Ferry Rehabilitation, FL	500,000
North Carolina Statewide Ferry System, NC	2,000,000
Rich Passage Wake Impact Study, WA	2,000,000
Vashon Island Passenger Ferry, WA	1,000,000

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

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

Within the funding available to the transportation and community and system preservation program, funds are to be made available to the following projects and activities:

TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PROGRAM

Project name	Committee recommendation
A–B Street Corridor Connector Project, WA	2,000,000
Avenue of the Arts Revitalization and Streetscaping Project, PA	500,000
Boone County Gunpowder Creek Trail System, KY	450,000
Capitol Street Renaissance Project, MS	3,000,000
Children's Wharf Landing Intermodal Improvements, Boston, MA	1,000,000
City of Ashland Main Street Redevelopment Project, MO	500,000
City of Haverhill Downtown Streetscape Improvements, MA	300,000
City of Negaunee, Croix Street Reconstruction; Completion of Phase I: Negaunee, MI	500,000
College Avenue Redesign, NJ	1,000,000
Downtown Revitalization: Phase II of Main Street Revitalization, Las Cruces, NM	500,000
East Aztec Arterial Route, NM	500,000
Elkins Railyard Project, WV	1,000,000
Garrison Avenue Streetscaping, AR	1,000,000
Hattiesburgh 4th Street Improvements, MS	2,000,000
I–80 Intermodal Corridor Study—Oakland, CA to Utah Stateline, UT	1,000,000
Illinois pedestrian and bicycling road and trail improvements and enhancements, IL	3,000,000
Kanawha Trestle Rail-Trail Project, WV	2,000,000

TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PROGRAM—Continued

Project name	Committee recommendation
Lewis and Clark Legacy Trail, ND	343,750
Main Street Multimodal Access and Revitalization Project, NY	1,000,000
Mexico Technology Park, MO	1,000,000
North Parkway Safety Improvement Project, WA	500,000
Old Allentown Streetscape Improvements, PA	500,000
Potomac Street Improvement, WV	1,500,000
Sidewalk Improvements, Williamstown, VT	200,000
University Place Pedestrian Overpass, WA	500,000
Woodland Trail Project, WA	500,000

Illinois Pedestrian and Bicycling Road and Trail Improvements and Enhancements, Illinois.—The Committee recommends $3,000,000 for the Illinois Department of Transportation [IDOT] for various transportation enhancement projects throughout the State. The Committee expects IDOT to provide funds for projects in the following counties: Adams County, Cook County, DuPage County, Macoupin County, Massac County, Montgomery County, Sangamon County, St. Clair County, and Will County.

Transportation Infrastructure Finance and Innovation [TIFIA].—The TIFIA credit program provides funds to assist in the development of major infrastructure facilities through greater non-Federal and private sector participation, building on public willingness to dedicate future revenues or user fees in order to receive transportation benefits earlier than would be possible under traditional funding techniques. The TIFIA program provides secured loans, loan guarantees, and standby lines of credit that may be drawn upon to supplement project revenues, if needed, during the first 10 years of project operations.

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

Appalachian Development Highway System.—This program makes funds available to construct highways and access roads under section 201 of the Appalachian Regional Development Act of 1965. Under SAFETEA–LU, funding is authorized for each of fiscal years 2005 through 2009, is available until expended, and is distributed among the 13 eligible States based on the latest available cost-to-complete estimate prepared by the Appalachian Regional Commission.

High Priority Projects.—Funds are provided for specific projects identified in SAFETEA–LU. Over 5,000 projects are identified, each with a specified amount of funding over the 5 years of SAFETEA–LU.

Projects of National and Regional Significance.—This program provides funding for specific projects of national or regional importance listed in SAFETEA–LU.

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

Within the funding available to the Delta Region Transportation Development Program, funds are to be made available to the following projects and activities:

DELTA REGIONAL TRANSPORTATION DEVELOPMENT PROGRAM

Project name	Committee recommendation
Byram-Clinton/Norrell Corridor, MS	$1,500,000
Downtown Greenwood Connector Route, MS	1,500,000
Natchez Riverfront Trails, MS	450,000
Poplar Bluff Bypass, MO	2,000,000
Route 60, MO	1,000,000
Route 61, MO	639,550
Route 84—Interstate 55, MO	1,000,000
Statesman Boulevard and Trail, MS	1,000,000
Stoddard County, to make road improvements, MO	360,440

Railway-Highway Crossing Hazard Elimination in High Speed Rail Corridors.—This program provides grants for safety improvements at grade crossings between railways and highways on designated high speed rail corridors.

Within the funding available for this program, funds are to be made available to the following projects and activities:

ELIMINATION OF RAIL-HIGHWAY GRADE CROSSING HAZARDS IN HIGH-SPEED RAIL CORRIDORS

Project name	Committee recommendation
Alameda Corridor East Grade Separations, CA	$1,000,000
Lincoln Avenue Grade Separation, Port of Tacoma, WA	1,000,000
Shaw Road Extension Project, City of Puyallup, WA	2,000,000

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriations, 2008	$41,955,051,359
Budget estimate, 2009	39,500,000,000
Committee recommendation	40,000,000,000

The Committee recommends a liquidating cash appropriation of $40,000,000,000. The recommended level is $500,000,000 more than the budget request and is necessary to pay outstanding obligations from various highway accounts pursuant to this and prior appropriations acts.

FEDERAL-AID HIGHWAYS

(RESCISSION)

(HIGHWAY TRUST FUND)

The bill rescinds $3,150,000,000 of the unobligated balances of funds apportioned to the States under chapter 1 of title 23, United States Code, excluding safety programs and funds set aside within the State for population areas. The bill includes a provision that provides States with flexibility in how this rescission is applied, consistent with the policy the Committee followed in prior years.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

Appropriations, 2008	$15,680,000
Budget estimate, 2009	
Committee recommendation	10,000,000

PROGRAM DESCRIPTION

Funding for the Appalachian Development Highway System [ADHS] is authorized under section 1069(y) of the Intermodal Surface Transportation Efficiency Act (Public Law 102–240). The ADHS program provides funds for the construction of the Appalachian corridor highways in the 13 States that comprise the Appalachian region. These highways, in many instances, are intended to replace some of the most deficient and dangerous segments of rural roadway in America.

COMMITTEE RECOMMENDATION

The Committee recommends $10,000,000 for corridor H in West Virginia of the Appalachian Development Highway System [ADHS]. The recommended amount is $5,680,000 less than the fiscal year 2008 enacted level.

DENALI ACCESS SYSTEM PROGRAM

Appropriations, 2008	
Budget estimate, 2009	
Committee recommendation	$6,000,000

PROGRAM DESCRIPTION

Funding for the Denali Access System is authorized under section 1960 of SAFETEA–LU. The program provides funds to pay for the costs of planning, designing, engineering, and constructing road and other surface transportation infrastructure to provide essential access routes to native villages and rural communities in Alaska.

COMMITTEE RECOMMENDATION

The Committee recommends $6,000,000 for the Denali Access System Program. The administration did not request any funding for this program for fiscal year 2009.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Section 120 distributes obligation authority among Federal-aid highway programs.

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

Section 122 rescinds unobligated balances associated with Public Law 102–240.

Section 123 rescinds unobligated balances associated with Public Law 105–178.

Section 124 rescinds certain funds that are unavailable for use for administrative expenses.

Section 125 rescinds certain funds that are unavailable for use for research activities.

Section 126 appropriates funds for the projects, programs, and activities specified as follows:

SURFACE TRANSPORTATION PRIORITIES

Project name	Committee recommendation
146th Street Corridor Extension, Boone County, IN	$500,000
159th and US 69 Interchange Improvements, Overland Park, KS	1,000,000
2300 West Upgrade, 1900 South to 2100 North, UT	1,000,000
5th and Market Street Transportation Improvements, PA	500,000
Advanced Bridge Safety Initiative, ME	500,000
Anchor Lake Project, MS	1,000,000
Ann Arbor-Detroit Regional Rail Project, MI	1,000,000
Artesia Road Bypass, MS	1,000,000
Barnes Crossing Road/Natchez Trace Parkway Bridge, MS	500,000
Bayside Promenade, ME	800,000
Bland Street Improvements, Bland, MO	300,000
Bonneville/Clark One-Way Couplet, NV	500,000
Bossier Parish Congestion Relief Plan, LA	1,000,000
Bridge over Brandywine Creek, PA	750,000
Campus Loop Road Extension for St. John Fisher College, NY	500,000
Cesar Chavez Blvd/Calexico-West Port of Entry Congestion Improvements, CA	3,000,000
City of Tuscaloosa Downtown Revitalization Project—University Blvd and Greensboro Avenue, AL	4,000,000
Cline Avenue Extension, East Chicago, IN	1,000,000
Clinton Street Bridge Replacement, Fort Wayne, IN	500,000
Coalfields Expressway, WV	5,000,000
Construction of Lafayette Interchange, MO	1,000,000
Cumberland Parkway/US 41 Expansion, GA	1,000,000
Decatur Downtown Streetscape Project, AL	350,000
Delaware Avenue Bridge, IA	500,000
East Texas Higher Speed Rail Feasibility Study, TX	300,000
Edward T. Breathitt (Pennyrile) Parkway Completion Project, KY	2,000,000
El Camino East/West Corridor, Winfield, LA	500,000
Establishment of Railroad Quiet Zones in the Town of Hamburg, NY	500,000
FM509 Extension, Harlingen, TX	500,000
Fort Drum Connector (I–81 to Fort Drum North Gate), NY	1,000,000
Freedom Road Transportation Improvement Project, PA	1,750,000
Gate and Intersection Improvements at Fort Lee, VA	1,000,000
Granite Falls Alternate Route, WA	2,500,000
Great Miami Boulevard Extension, OH	500,000
Harden Street Improvements—Phase II, SC	1,000,000
Hastings Bridge, MN	2,000,000
Highway 100 Extension from Edgewood Road to Highway 30, Cedar Rapids, IA	1,000,000
Highway 14–Waseca to Owatonna, MN	2,000,000
Highway 75 Revitalization Project, AL	250,000
Highway 9 Improvements, MS	3,000,000
Hudson River Waterfront Walkway, NJ	500,000
I–10 New Orleans East Upgrades, LA	200,000
I–12 Interchange at LA–16, Denham Springs, LA	750,000
I–295/76/42 Direct Connection, NJ	3,000,000
I–49 South, LA	2,000,000
I–5 to Hwy. 99W Connector, OR	3,000,000

SURFACE TRANSPORTATION PRIORITIES—Continued

Project name	Committee recommendation
I–540 Interchange Improvements, Washington and Benton Counties, AR	2,000,000
I–555 Access Road, Poinsett County, AR	2,000,000
I–69, Shreveport, LA	2,000,000
I–69, TN	500,000
I–69, TX	500,000
I–93 Kalispell Bypass, MT	3,000,000
I–95 Interchange at SR 202 (Butler Blvd.), FL	1,000,000
Improvements to the Route 60 Bridges over the James River, MO	1,000,000
Improvements to US Route 1 for access to York County Community College, ME	500,000
Improvements to US–54, Seward County, KS	1,000,000
Indian River Inlet Bridge, DE	2,000,000
Intersection Improvements on US 212 and US 81 and Improvements to US 81, SD	1,000,000
Intersection Safety Improvements, Olympia Fields, IL	500,000
Interstate 430/630: Interchange Modification, AR	3,000,000
Interstate 69/Great River Bridge: Highway 65–MS Highway 1, AR	3,000,000
Isabel Swamp Road, Washington Parish, LA	450,000
Joplin Downtown Revitalization, MO	1,000,000
K–7 Corridor Study from 183rd St to 119th Street in Olathe, KS	750,000
King Coal Highway, WV	5,000,000
LA–1 Goldenmeadow to Port Fourchon, LA	650,000
LA 28, Vernon Parish, LA	2,000,000
Lake Charles Riverfront Parkway Development Plan, LA	250,000
Lake Mead Parkway, Phase 2, NV	250,000
Little Bay Bridges/Spaulding Turnpike, NH	2,000,000
Longfellow Bridge Approach Gateway, Cambridge, MA	1,000,000
Martha/I–76 Connection, OH	500,000
McKinley/Riverside Avenues Safety Improvement Project, Muncie, IN	1,000,000
Melbourne International Access Road, FL	1,000,000
Milwaukee Intermodal Station Improvements to Train Shed and Platforms, WI	1,500,000
N.A. Sandifer Highway, MS	315,000
New Hampshire Department of Transportation, U.S. Route 4 Red List Bridge Repair, West Lebanon, NH	1,000,000
New York State Route 12	500,000
Niagara Falls International Railway Station/Intermodal Transportation Center, NY	500,000
Northside Drive, MS	2,000,000
Northwest Loop Access Road, Sandoval County, NM	1,000,000
Page Extension Phase II, MO	1,000,000
Park Avenue Multi-Use Trail, ME	800,000
Pennsylvania High-Speed Maglev Development Program, PA	1,000,000
Peters Road Extension, Plaquemines Parish, LA	650,000
Pinon Hills Boulevard East and Animas River Bridge, NM	1,000,000
Plaza del Sol Project, Village of Angel Fire, NM	350,000
Port Industrial Road Improvement Project, WA	4,000,000
Portsmouth Town Center Plan, RI	1,000,000
Reconstruction of Riverside Drive, CT	1,000,000
Redesign and Reconstruction of I–235 and Kellogg Interchange, Wichita, KS	500,000
Replacement of US–159 Bridge at Rulo, NE	1,200,000
ReTrac Project Enhancements, Reno, NV	250,000
Rickenbacker Intermodal East-West Connector, OH	300,000
Road improvements on Powderhouse Road from SD 42 to Madison Street, Sioux Falls, SD	3,000,000
Route 1/Route 123 Interchange Improvements, VA	1,000,000
Route 1 and Route 34 Connector, CT	500,000
Route 150, MO	1,000,000
Route 5 Improvements in Laclede and Camden Counties, MO	1,000,000
Salt Fork of the Red River Bridge Martha Crossing, OK	1,500,000
SE Connector, SE 6th Street to SE 14th Street (US 69), Des Moines, IA	1,500,000
Shiloh Road, MT	5,000,000
Slide Repair Work along US 60 in Eastern Kanawha County, WV	5,000,000
South Entrance Interchange at Mississippi State University, MS	1,000,000
Southwest Arterial, Dubuque, IA	1,000,000
St. John Medical Center—Broken Arrow Traffic Improvement, OK	250,000
Starkweather Creek Parkway Bike Path, WI	1,000,000
State Route 317, between I–75 and Collegedale in Hamilton County, TN	1,000,000
Steptoe Street Extension Project, WA	2,000,000

SURFACE TRANSPORTATION PRIORITIES—Continued

Project name	Committee recommendation
TH 610 from US 169 to I–94, Maple Grove, MN	1,000,000
TH–13/CR 5 Interchange, MN	1,000,000
Town of Clarkstown, New City Hamlet, NY to Revitalize South Main Street	500,000
Town of Lexington United Traffic Plan—Phase I, SC	1,000,000
Town of Tamworth, Chocorua Village Safety Project, NH	500,000
Traffic Light—Piedmont Road and Edmond Road, OK	100,000
Trinity River Vision Bridges, Fort Worth, TX	1,000,000
US 101 Safety Improvements at Deer Park, WA	980,000
US 12 Safety Improvements, WA	3,000,000
US 17 Widening, FL	2,000,000
US 2 Safety Improvements, WA	2,000,000
US Highway 30 Improvements, Whiteside County, IL	500,000
US 61 Fort Madison Bypass Interchange at Highway J40, IA	1,000,000
US Highway 59 Safety Improvements, MN	1,000,000
Urban Collector Road along I–10 North, MS	2,000,000
US 169 Highway Widening Environmental Assessment, OK	1,000,000
US Route 64, TN	1,500,000
US–191, Moab to Crescent Junction, UT	2,000,000
US–69 in Bourbon, Crawford, and Cherokee Counties, KS	750,000
V&T Railway Reconstruction Project, NV	500,000
Vermont Route 15 Improvements in Johnson and Essex Junction, VT	3,000,000
West Point Defense Facility Access Improvements, MS	1,000,000
West Virginia Route 10, WV	5,000,000
West Virginia Route 9, WV	7,000,000
Western Beltway Transportation Infrastructure Plan, MS	500,000
Western Kentucky University [WKU], University-Community Bikeway Project, KY	1,000,000
Whiterock Sustainable Trail, Guthrie County, IA	400,000
Zanesville State Street Bridge Renovation and Repair Project, OH	500,000

Section 127 provides requirements for any waiver of Buy American requirements.

Section 128 restores to the Highway Trust Fund precisely the amount of funds that were taken from it after fiscal year 1998.

Section 129 allows funds previously made available in the fiscal year 2008 appropriations act to be used for a new pedestrian and bicycle crossing in Missoula, Montana.

Section 130 continues a provision prohibiting tolling in Texas, with exceptions.

Federal Motor Carrier Safety Administration

PROGRAM DESCRIPTION

The Federal Motor Carrier Safety Administration [FMCSA] was established within the Department of Transportation by the Motor Carrier Safety Improvement Act [MCSIA] (Public Law 106–159) in December 1999. Prior to this legislation, motor carrier safety responsibilities were under the jurisdiction of the Federal Highway Administration.

FMCSA's mission is to promote safe commercial motor vehicle operation, and reduce truck and bus crashes. The agency also is charged with reducing fatalities associated with commercial motor vehicles through education, regulation, enforcement, research and innovative technology, thereby achieving a safer and more secure transportation environment. Additionally, FMCSA is responsible for ensuring that all commercial vehicles entering the United

States along its southern and northern borders comply with all Federal motor carrier safety and hazardous materials regulations.

Agency resources and activities are expected to contribute to safety in commercial vehicle operations through enforcement, including the use of stronger enforcement measures against safety violators; expedited safety regulation; technology innovation; improvements in information systems; training; and improvements to commercial driver's license testing, recordkeeping, and sanctions. To accomplish these activities, FMCSA is expected to work closely with Federal, State, and local enforcement agencies, the motor carrier industry, highway safety organizations, and individual citizens.

MCSIA and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA–LU] provides funding authorizations for FMCSA's Motor Carrier Safety Operations and Programs and Motor Carrier Safety Grants. Under these authorizations, funding supports FMCSA's expanded scope as authorized by the USA PATRIOT Act, which created new and enhanced security measures.

COMMITTEE RECOMMENDATION

The Committee recommends a level of $541,000,000 for the Federal Motor Carrier Safety Administration. This level is $11,346,000 more than the fiscal year 2008 enacted level and equal to the budget request. It is also consistent with the level authorized in SAFETEA–LU.

The mission of the Federal Motor Carrier Safety Administration [FMCSA] is to safeguard the Nation's highways by regulating the motor carrier industry. The agency is responsible for developing, implementing and enforcing regulations designed to ensure that only qualified drivers and safe vehicles are operating on the Nation's highways. Unfortunately, FMCSA has shown a pattern of undermining its safety mission by proposing weak regulations and failing to provide adequate oversight and enforcement of existing regulations. FMCSA's performance has been criticized not only by the Committee, but by the DOT Inspector General [IG], the Government Accountability Office [GAO], the National Transportation Safety Board [NTSB], as well as the Courts.

The rules that FMCSA has proposed fail to achieve maximum safety benefits, and in some instances may undermine safety. Appropriate hours-of-service standards are important to addressing a major factor identified in many crashes-fatigue. In addition, clear and consistent regulations are critical to the industry, so that they can manage operations in a compliant way; FMCSA has not provided that consistency. In 2003, the agency published a rule updating hours-of service [HOS] regulations. In 2004, in response to a legal challenge of this rule, the Court ruled that the agency's rule was "arbitrary and capricious." The agency issued another rule in 2005. The regulation was again contested, and in July of last year, the Court wrote, "once again-the agency offered no explanation for its decision during the rulemaking and failed even to respond to the petitioner's argument to its brief." As a result, the Court vacated two key provisions of the agency's rule-increasing daily driving limits to 11 hours and permitting an off-duty period of 34 hours to restart the weekly on-duty limits. The agency must now once again revise its rulemaking to comply with the law. The Committee expects that, after having the rule struck down twice, the agency will finally issue a rule that provides clear and consistent guidance to the industry and truly protects the safety of drivers and the driving public.

The DOT IG has also questioned FMCSA's effectiveness in achieving compliance in the industry. The IG regularly examines the programs and policies of the Department's agencies and, where warranted, recommends actions to improve the agency's performance. FMCSA currently has 11 open recommendations classified as "key" by the IG. One of these recommendations includes strengthening and clarifying elements of Commercial Drivers License [CDL] programs, such as the testing for CDL knowledge and qualification and training requirements for CDL examiners. This program is critical to ensuring the capability of drivers. This recommendation was made in 2002, and remains open. The Committee notes that FMCSA is now moving forward with a rule addressing its CDL programs. However, the Committee is troubled by the agency's slow response to reforming such a critical program.

The GAO also uncovered deficiencies in the FMCSA's drug testing of commercial truck drivers. GAO had investigators pose as commercial truck drivers, and visit several sites to obtain DOT-required drug tests. Of the 24 collection sites visited, 22 were not in full compliance with protocols covering sample collection. In addition, the GAO found that drivers who have tested positive for drugs with one company can often gain employment with another carrier without positive drug tests being identified. GAO recommended the creation of a national database of positive and refusal-to-test drug and alcohol test results, and that the FMCSA seek the authority to oversee drug collection sites.

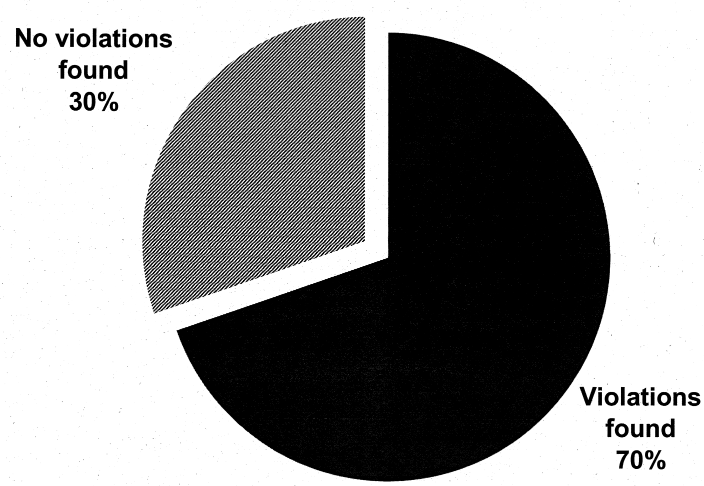
The Committee understands that the agency is working towards creating a national database, as recommended by GAO. The Committee directs the agency to submit a letter report to the House and Senate Committees on Appropriations by April 1, 2009, providing a detailed timeline for the implementation of such a database. This report should also identify any additional resources or authorities that the agency requires to improve the drug testing system.

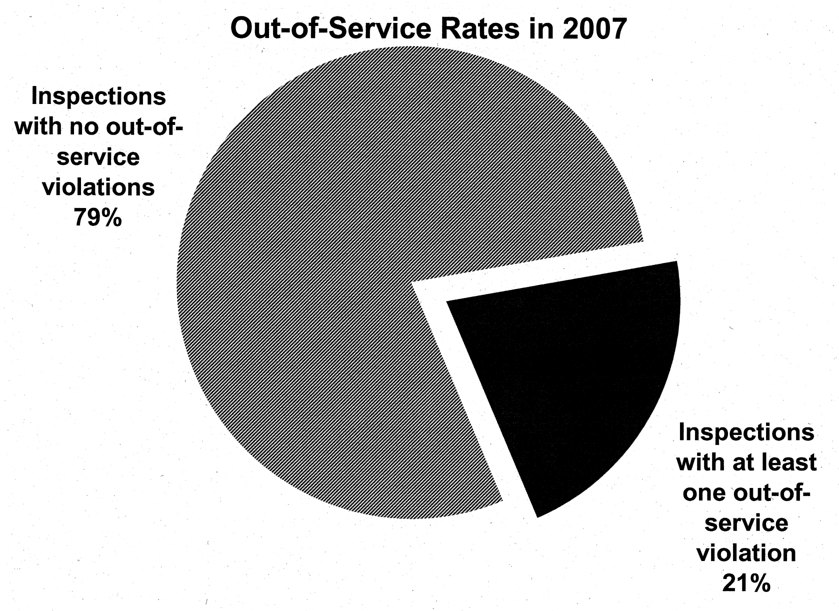
The agency also lacks a comprehensive system to oversee the health of commercial vehicle operators. In 2001, NTSB recommended that FMCSA take action to prevent medically unqualified drivers from operating commercial vehicles. This recommendation was placed on the NTSB's list of "Most Wanted" recommendations—the recommendations NTSB feels will have the greatest impact on safety—in 2003. This recommendation resulted from accident investigations that revealed system flaws that resulted in medically unqualified drivers being issued CDLs. FMCSA recently issued a notice of proposed rulemaking related to this issue. However, this did not satisfy the concerns of the NTSB. As such, the recommendation remains classified as "open—unacceptable" by the NTSB.

The Committee is committed to improving the safety of our Nation's highways and is greatly concerned with the FMCSA's actions, or inaction, related to safety recommendations and regulatory development. While the Committee acknowledges that some progress was made in reducing the number of large truck fatalities in 2006, the agency must continue to improve its safety efforts in order to foster an industry-wide commitment to safety. The Committee believes that the agency's weak regulatory and enforcement efforts undermine its ability to promote safety. The health of the motor carrier industry is important to our Nation's economy. Americans rely on trucks to deliver goods and promote trade. It is critical that the agency work to promote commerce and safety. For highway safety is important to no one more than the commercial drivers that travel the highways every day.

Industry Compliance.—Last year, the Committee included information on inspection results and out-of-service rates as a means of evaluating FMCSA's effectiveness in promoting industry compliance. While marginal gains were made in 2007 compared to 2006, the charts show that over two-thirds of inspections continue to uncover violations, and one in five trucks or drivers inspected have violations so severe that they are immediately placed out of service. FMCSA has a great deal of work to do to compel industry compliance.

Inspection Results for 2007





MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Limitation, 2008	$229,654,000
Budget estimate, 2009 (limitation)	234,000,000
Committee recommendation	234,000,000

PROGRAM DESCRIPTION

This account provides the necessary resources to support motor carrier safety program activities and maintain the agency's administrative infrastructure. Funding supports nationwide motor carrier safety and consumer enforcement efforts, including Federal safety enforcement activities at the U.S./Mexico border to ensure that Mexican carriers entering the United States are in compliance with Federal Motor Carrier Safety Regulations. Resources are also provided to fund motor carrier regulatory development and implementation, information management, research and technology, safety education and outreach, and the 24-hour safety and consumer telephone hotline.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $234,000,000 for FMCSA's Operations and Programs. The Committee has also provided the authority to liquidate an equal amount of contract authorization. The recommendation is

$4,346,000 more than the fiscal year 2008 enacted level and equal to the budget request.

The bill also rescinds $4,887,411 in unobligated balances from amounts made available under this heading in prior appropriations acts.

OPERATING EXPENSES

The Committee recommends $177,500,000 for operating expenses. This level is $5,300,000 more than the fiscal year 2008 enacted level and equal to the budget request.

Comprehensive Safety Analysis [CSA] 2010.—As the Committee noted last year, the agency is undertaking a comprehensive overhaul of all of its systems in order to better target its resources on the riskiest carriers. The agency is also seeking ways to reach more carriers through its inspection efforts by employing interventions that are less resource intensive than a full-scale compliance review. The Committee agrees that the agency's systems and procedures for conducting oversight need to be dramatically improved, and hopes that this initiative will improve the agency's performance.

The agency's CSA2010 has the potential to significantly improve FMCSA's operations. In fact, CSA 2010 promises to meaningfully address the NTSB recommendation that FMCSA improve its operations to prevent unqualified drivers or unfit vehicles from operating. As such, this year, the NTSB changed the status of this recommendation from "open unacceptable" to "open acceptable." With so many improvements promised through this initiative, it is critical that the agency meet is deadlines and that the operational improvements of CSA2010 are delivered as promised.

The Committee is closely monitoring the progress of this initiative. The chart below identifies the major milestones associated with the development and implementation of CSA2010 as identified by FMCSA. The initiative has nine elements: intervention, safety fitness determination, information technology, reauthorization, training, change management, implementation and testing, and evaluation. The Committee notes that the agency has already completed several tasks including the development of the Behavioral Analysis and Safety Improvement Categories [BASICs] for carriers and drivers. These will be important in identifying and targeting risky carriers for intervention. In addition, the agency began to pilot this initiative in four different States in order to evaluate the effectiveness of new interventions and targeting systems.

The Committee understands that part of the pilot involves using more and different interventions, including off-site investigations. While the Committee appreciates the agency's effort to develop more progressive interventions that will provide the agency with additional oversight tools, the Committee is very concerned that the agency will replace the comprehensive audits, which are effective, with less intensive ones that may be less effective. The Committee will be looking at the number of compliance reviews the agency conducts in the future, to ensure that they are just being more effectively targeted and not being substituted with these less intensive interventions.

CSA Milestones, 2008 - 2011

2008

AUGUST
- Final report on measurement methodology (in review)
- SFD Final report (in review)

SEPTEMBER
- Establish protocols for program evaluation data collection (in process)
- Define interventions for BASICs of:
  - Driver Fitness
  - Controlled Substances and Alcohol
  - Improper Loading/Cargo Securement
  - Crash History (in process)
- Develop policy, guidance and aids for interventions, Phase II (in process)
- Document intervention selection guidance for Phase II BASICs (in process)
- Deliver refined concept of operations for Phase II (incomplete)
- Deliver training for Phase II (in process)
- Initiate Phase II of operational model test (scheduled)

NOVEMBER
- Deliver final report of findings from analyses and evaluation (incomplete)
- Deliver final rulemaking support paper (complete)

DECEMBER
- Annual public listening session/report-out (ongoing)
- Notice of Proposed Rulemaking (incomplete)

2009

OCTOBER
- Coordinate with FMCSA Reauthorization Working Group (ongoing)

DECEMBER
- Annual public listening session/report-out (ongoing)
- Final rule (incomplete)

2010

MARCH
- Deliver refined concept of operations for broader implementation (incomplete)

JUNE
- Complete measurement system evaluation (incomplete)
- Modify Field Operations Training Manual (incomplete)
- Identify and summarize requirements for broader implementation (ongoing)
- Develop training materials for broader implementation (incomplete)
- Begin implementing CSA (approximate deadline, incomplete)
- Complete operational model test (approximate deadline, incomplete)

DECEMBER
- Improve core program elements for operational model test (ongoing)

2011

JULY
- Complete quantitative analyses for program evaluation (incomplete)

Improved Guidance to Enforcement Personnel.—Compliance reviews are a critical tool used by the Federal Motor Carrier Safety Administration to provide oversight of the motor carrier industry. Last year, a fatal accident on the Capital Beltway (I–495/I–95) involving a commercial truck, uncovered some flaws in the compliance review process. Prior to the accident, the motor carrier involved had undergone a compliance review by the FMCSA, which uncovered few violations. However, in an audit that followed the fatal accident, multiple violations were found and serious penalties were levied. When questioned about this incident at a hearing before the Committee last year, the Administrator committed to examining the incident and implementing any changes necessary to improve the system.

The Committee understands that FMCSA did conduct an internal audit of its systems and practices. As a result, FMCSA updated its policies and trained investigators in the field to ensure that its new policies were being implemented. For example, FMCSA advised its investigators that for motor carriers with 20 drivers, all drivers will be examined, instead of using a sample as was previously done. According to data provided by the agency, these actions are beginning to yield results with a 25 percent increase in Commercial Driver's License violations being logged. Additionally, investigators were directed to more fully investigate the data on individual drivers flagged by the system.

The Committee appreciates the agency's efforts to update its policy and provide the necessary training in the field in order to address the inadequacy it uncovered. The Committee hopes that this will remind the agency that quickly addressing safety shortcomings can deliver important safety benefits.

Targeting High Risk Carriers.—The Committee remains focused on FMCSA's ability to meet its requirement to conduct compliance reviews on all motor carriers that are identified as high risk. Last year, the Committee provided the agency with additional funding to support this effort. The Committee understands that these additional resources were used to improve the information technology systems that support the tracking of high risk carriers, and to conduct additional compliance reviews. The Committee also directed the submission of quarterly reports on the agency's ability to meet its requirement to inspect all high risk carriers. The Committee has yet to receive any reports and does not understand why this data is not readily available. The Committee believes that this data is critical in order for the agency to understand how effectively it is meeting its statutory requirement to target the riskiest carriers. The Committee has again directed that an additional $500,000 of the operations budget be dedicated to increasing the number of compliance reviews conducted on high risk carriers. The Committee further directs that the agency take this reduction from the operations accounts, not including personnel and benefits, with at least one-half coming from "other services." Furthermore, the Committee continues to require the agency to submit quarterly reports on its ability to meet the requirement to inspect all high risk carriers, and has included bill language stipulating that quarterly reports must be submitted to Congress on the last day of each fiscal quarter. In addition, the Committee has included language that reduces the appropriation provided to the agency by $100,000 for each day a report is late. The Committee further directs that if any reduction is necessary, it shall be taken from the Office of the Administrator.

ADA Compliance.—The Committee is again voicing is immense frustration at the FMCSA's unwillingness to enforce the Department of Transportation's [DOT] own Americans with Disabilities Act [ADA] regulations for over-the-road curbside operators. FMCSA is the sole agency responsible for granting or revoking operating authority to curbside operators. Yet FMCSA continues to insist that it lacks the authority to revoke or deny operating authority based on an operator's inability or unwillingness to meet DOT's ADA regulations.

The Committee is mystified by FMCSA's consistent efforts to read this responsibility out of its authorities. When this issue was litigated, FMCSA argued that the statute was "clear and unambiguous" that it did not have the authority to deny or revoke operating authority based on a carrier's unwillingness or inability to comply with ADA regulations. The Court disagreed, and ruled that the text of the statute was ambiguous. Instead of taking this as an opportunity to enforce ADA regulations, and protect the rights of disabled Americans' to access transportation, the agency instead sought to clarify again why it could not enforce these regulations.

The Committee continues to believe that FMCSA has the authority, and the responsibility, to enforce of the Department's own ADA regulations. However, since FMCSA insists on shirking this responsibility, the Committee supports the enactment of H.R. 3985, Over-the-Road Bus Transportation Accessibility Act of 2007. This bill was approved unanimously by the House of Representatives and has been reported favorably by the Senate Committee on Commerce, Science and Transportation. The Committee directs the agency to begin preparation now for implementation of this authority, so that if this bill is enacted, there will be no delay in exercising it. The Committee hopes that FMCSA will finally begin to exercise its authority to enforce DOT's ADA regulations and ensure transportation accessibility for persons with disabilities.

PROGRAM EXPENSES

The Committee recommends $56,500,000 for FMCSA's program expenses. Funding is provided for the programs as follows:

	2008 enacted	2009 estimate	Committee recommendation
Research & Technology	$8,900,000	$7,724,000	$7,974,000
Information Management	33,829,000	34,096,000	35,096,000
Regulatory Development	10,725,000	9,680,000	9,180,000
Outreach and Education	3,000,000	4,000,000	3,250,000
CMV Operations Grants	1,000,000	1,000,000	1,000,000

Information Management.—The success of the agency's CSA2010 initiative relies, in large part, on maintaining and utilizing high quality data. As the motor carrier industry continues to grow, the agency must improve its system capabilities in order to track and identify the riskiest carriers. FMCSA currently maintains numerous information technology [IT] systems. The COMPASS initiative is designed to create a new operating system. It is expected to become the agency's single source for crucial safety data. Once completed, COMPASS will replace 19 systems currently operating at FMCSA.

The completion of the COMPASS initiative promises to deliver safety benefits. It will also result in various legacy systems being retired, thereby relieving the agency of the costs of maintaining so many different systems. The Committee has therefore included an additional $1,000,000 for the Information Management program and directs that this funding be used solely to enhance the resources budgeted for the COMPASS initiative. The Committee also directs FMCSA to submit a report to the House and Senate Committee on Appropriations by April 15, 2009 that describes in detail how COMPASS funding will be utilized in fiscal year 2009, and what functions this funding will provide to the agency and its users. The report should also include a detailed timeline for each enhancement in system capability, the retirement of existing systems, and associated savings.

Research and Technology.—The Committee believes that the agency needs to be exhibiting greater leadership in testing and incorporating advanced technologies into commercial motor vehicles in order to reduce large truck accidents and fatalities. The budget documents accompanying the President's request have provided little detail on what technologies will be tested in fiscal year 2009. The Committee appreciates that the agency is dedicating resources to CSA2010. However, the agency cannot be so focused on this initiative that it misses the opportunity to improve safety by investing in advance technologies with important safety benefits. The Committee has therefore provided an additional $250,000 for the agency to increase research into technologies that promise safety benefits, such as those related to braking systems and lane departure warning systems. The Committee directs FMCSA to deliver a report to the Committee by May 1, 2009 that outlines how all of its research and technology funding will be utilized. Specifically, this report should include the technologies that are being researched or tested and the potential benefits the agency believes these technologies will provide.

Regulatory Development and Oversight.—The Committee has provided a funding level of $9,180,000 for this activity. This funding level is $1,545,000 less than the fiscal year 2008 enacted level and $500,000 less than the President's request. As the Committee has already noted, FMCSA has continually put out rules that are struck down by the Courts. Since the agency proposes rules that continually fail to meet the intent of important safety mandates and instead develops rules with data and processes questioned by the Courts, the Committee agrees with the Department's decision to cut funding for this activity. The Committee does not believe that funding will be spent by the agency in a manner that will improve the outcomes of the regulatory proposals. In addition the Committee notes that the budget includes funding for evaluation of regulations proposed by the agency. The Committee believes that the number of failed court cases sufficiently explain the effectiveness of the agency's regulatory process, and limits the funding for these activities to $100,000.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

	Liquidation of contract authorization	Limitation on obligations
Appropriations, 2008	$300,000,000	$300,000,000
Budget estimate, 2009	307,000,000	307,000,000
Committee recommendation	307,000,000	307,000,000

PROGRAM DESCRIPTION

This account provides the necessary resources for Federal grants to support State compliance, enforcement, and other programs. Grants are also provided to States for enforcement efforts at both the southern and northern borders to ensure that all points of entry into the United States are fortified with comprehensive safety measures; improvement of State commercial driver's license [CDL] oversight activities to prevent unqualified drivers from being issued CDLs; and the Performance Registration Information Systems and Management [PRISM] program, which links State motor vehicle registration systems with carrier safety data in order to identify unsafe commercial motor carriers.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $307,000,000 for motor carrier safety grants. The recommended limitation is consistent with the budget estimate and the amount authorized under SAFETEA–LU. The Committee has also provided the authority to liquidate an equal amount of contract authorization.

The Committee recommendation is $7,000,000 more than the fiscal year 2008 enacted level. The Committee recommends a separate limitation on obligations for each grant program funded under this account with the following funding allocations:

	Amount
Motor carrier safety assistance program [MCSAP]	$209,000,000
Commercial driver's license and driver improvement program	25,000,000
Border enforcement grants	32,000,000
Performance and registration information system management [PRISM] grants	5,000,000
Commercial vehicle information systems and networks [CVISN] grants	25,000,000
Safety Data Improvement	3,000,000
CDLIS	8,000,000

Oversight of MCSAP.—The FMCSA relies on its State and local partners to assist the agency in the enforcement of motor carrier regulations. FMCSA anticipates that in fiscal year 2009, there will be approximately 2 million driver and vehicle inspections; 3,700 compliance reviews; and 26,500 new entrant audits conducted by the States. FMCSA supports the efforts by providing grant money to the States. In order to receive this funding, each State must demonstrate that it has adequate motor carrier regulations and must submit a Commercial Vehicle Safety Plan [CVSP], which is reviewed and approved by FMCSA. The Committee notes that a GAO report issued in December 2005 questioned whether FMCSA was providing an adequate level of oversight to the MCSAP program. The Committee understands that FMCSA is responding to GAO's recommendations. The Committee wants to ensure that this funding is being used to effectively reduce highway fatalities and improve the safety of our Nation's highways, and looks forward to the GAO's follow up report on this topic.

The bill also rescinds $4,231,228 in unobligated balances from amounts made available under this heading in prior appropriations acts.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

The bill rescinds $1,390,201 in unobligated balances from amounts made available under this heading in prior appropriations acts.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

The bill rescinds $14,903,792 in unobligated balances from amounts made available under this heading in prior appropriations acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Section 135 subjects the funds in this act to section 350 of Public Law 107–87 in order to ensure the safety of all cross-border long haul operations conducted by Mexican-domiciled commercial carriers.

Section 136 continues a provision included in fiscal year 2008 that limits the ability of the Department to use funds to establish a cross-border demonstration program with Mexico.

Section 137 prevents the Department from using any funds to establish, implement, continue, promote, or in any way permit a cross-border demonstration program with Mexico.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

PROGRAM DESCRIPTION

The National Highway Traffic Safety Administration [NHTSA] is responsible for motor vehicle safety, highway safety behavioral programs, and the motor vehicle information and automobile fuel economy programs. The Federal Government's regulatory role in motor vehicle and highway safety began in September 1966 with the enactment of the National Traffic and Motor Vehicle Safety Act of 1966 (codified as chapter 301 of title 49, United States Code) and the Highway Safety Act of 1966 (codified as chapter 4 of title 23, United States Code). The National Traffic and Motor Vehicle Safety Act of 1966 instructs the Secretary to reduce traffic crashes and deaths and injuries resulting from traffic crashes; establish motor vehicle safety standards for motor vehicles and motor vehicle equipment in interstate commerce; carry out needed safety research and development; and expand the National Driver Register. The Highway Safety Act of 1966 instructs the Secretary to increase highway safety by providing for a coordinated national highway safety program through financial assistance to the States.

In October 1966, these activities, originally under the jurisdiction of the Department of Commerce, were transferred to the Department of Transportation, to be carried out through the National Traffic Safety Bureau. In March 1970, the National Highway Traffic Safety Administration [NHTSA] was established as a separate organizational entity in the Department. It succeeded the National Highway Safety Bureau, which previously had administered traffic and highway safety functions as an organizational unit of the Federal Highway Administration.

NHTSA's mission was expanded in October 1972 with the enactment of the Motor Vehicle Information and Cost Savings Act (now codified as chapters 321, 323, 325, 327, 329, and 331 of title 49, United States Code). This act as originally enacted, instructs the Secretary to establish low-speed collision bumper standards, consumer information activities, and odometer regulations. Three major amendments to this act have been enacted: (1) a December 1975 amendment directs the Secretary to set and administer mandatory automotive fuel economy standards; (2) an October 1984 amendment directs the Secretary to require certain passenger motor vehicles and their major replacement parts to be marked with identifying numbers or symbols; and (3) an October 1992 amendment directs the Secretary to set and administer automobile content labeling requirements.

NHTSA's current programs are authorized in five major laws: (1) the National Traffic and Motor Vehicle Safety Act (chapter 301 of title 49, United States Code); (2) the Highway Safety Act (chapter 4 of title 23, United States Code); (3) the Motor Vehicle Information and Cost Savings Act [MVICSA] (part C of subtitle VI of title 49, United States Code); (4) the National Driver Register Act of 1982; and (5) the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA–LU].

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

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

SAFETEA–LU, which was enacted on August 10, 2005, either reauthorized or added new authorizations for the full range of NHTSA programs for fiscal years 2005 through 2009.

COMMITTEE RECOMMENDATION

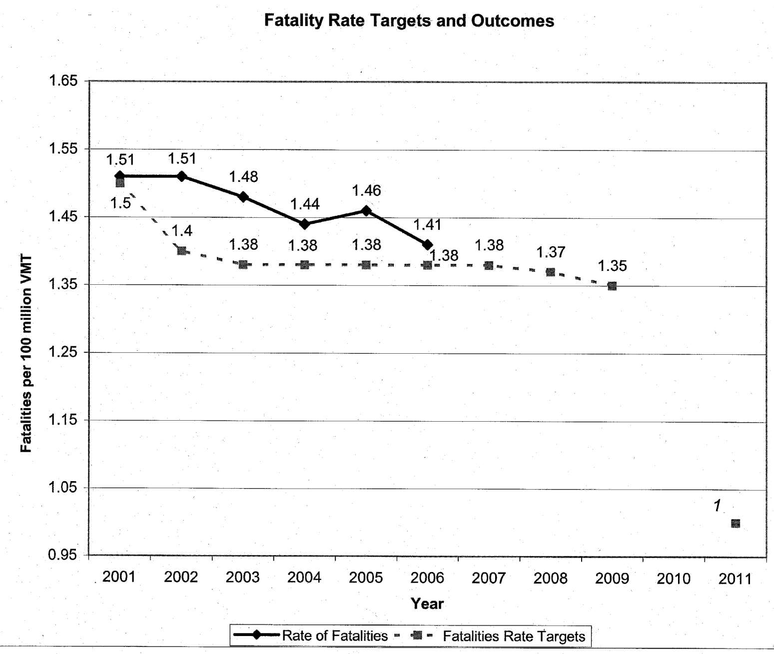
The Committee recommends $855,000,000 for the National Highway Traffic Safety Administration [NHTSA]. This funding is $4,000,000 more than the President's request and $17,428,000 more than the fiscal year 2008 enacted level.

The following table summarizes the Committee recommendations:

Program	Fiscal year—		Committee recommendation
	2008 enacted	2009 estimate	
Operations and Research	$234,322,000	$227,500,000	$231,500,000
National Driver Register	4,000,000	4,000,000	4,000,000
Highway Traffic Safety Grants	599,250,000	619,500,000	619,500,000
Total	837,572,000	851,000,000	855,000,000

Highway fatalities remain the leading cause of death in the Nation for almost every age 3 to 34. In 2006, there were 42,642 motor vehicle fatalities in the United States. With so many Americans losing their lives on our Nation's highways, the mission and purpose of the National Highway Traffic Safety Administration [NHTSA] remains central to the Nation's safety agenda.

The Department of Transportation and NHTSA enjoyed some level of progress last year in reducing both the number and rate of highway fatalities. However, even as it achieved the lowest fatality rate ever recorded, the Department still fell short of meeting the fatality goal it had set for itself in 2006. This underscores the challenges that DOT and NHTSA face in meeting its goal of 1.0 fatality per 100 million vehicle miles traveled [VMT] by 2011. As the chart below demonstrates, dramatic reductions would have to be achieved consistently over the next few years to reach this important goal.



After examining the performance goals for the Department included in its budget justification, as well as a report the Secretary submitted to Congress, the Committee does not believe that the Department has the ability to reach its 1.0 fatality rate goal by 2011. For example, the Department is lowering its fatality rate goal from 1.37 fatalities per 100 million VMT in fiscal year 2008 to 1.35 fatalities per 100 million VMT in 2009. In establishing such a modest goal for next year, the Committee cannot understand how the Department expects to reach the 1.0 fatality rate goal just 2 years later. The Department continues to assert its commitment to achieving this goal by 2011, but has not yet presented the Committee with a plan that demonstrates how this dramatic progress will be achieved.

Within this goal, the Department has established and set goals in four subcategories of highway safety. These four subcomponents of the overall fatality rate goal are: passenger vehicle occupant deaths; motorcycle rider fatalities; large truck and bus fatalities; and non-occupant highway fatalities. While the Department's goals suggest steady progress in reducing the number of occupant deaths every year, in the case of motorcycles, the Department is projecting either an increase or no progress for every year through 2013. The Department is also expecting little success in reducing the number of non-occupant fatalities. For example, the Department's goals in 2009 and 2010 remain unchanged from its goal in 2008; it is not until 2011, that the Department's goals anticipate any progress.

The Committee agrees that performance goals should be based, in part, on a realistic assessment of progress based on data. However, the Committee expects NHTSA to provide the leadership necessary to reverse the stagnant or upward trends in highway fatalities, such as those seen in the area of motorcycle fatalities. Moreover, the Committee expects DOT and NHTSA to use all available tools to create innovative solutions to the problems the data demonstrate, or seek additional authorities that will allow them to have a greater impact on highway safety. Instead, the performance goals presented as part of the administration's budget suggest that the Department has resigned itself to making little progress in the most challenging areas of highway safety, or is unwilling or unable to establish new policies that will successfully reduce the number of highway fatalities.

The Committee does acknowledge the increased attention that the Secretary brought to the issue of highway traffic safety this year with the announcement of the Rural Safety Initiative, as well as the production and release of a public safety announcement on motorcycle safety, based on her own motorcycle accident. These efforts target two highway safety issues that are critically important to achieving dramatic decreases in fatalities. However, the goals established by DOT raise questions about how much impact the Department believes these initiatives will have.

The Committee expects DOT to continue to seek innovative policies, but hopes that these new approaches will demonstrate real reductions in highway fatalities. Therefore, the Committee once again directs NHTSA to submit a report to the House and Senate Committees on Appropriations 120 days after the enactment of this act on the activities and initiatives that will enable the Department to achieve its goal of 1 fatality per 100 million VMT by 2011. This report should continue to include the performance goals established by the Department, and should also include more specific, quantifiable goals that demonstrate the efforts that NHTSA is undertaking to achieve this important goal. This report should also include any additional regulatory or legislative changes that would assist NHTSA in its efforts. This will be especially important as Congress looks to reauthorize safety programs as part of the next surface transportation authorization bill.

OPERATIONS AND RESEARCH

Appropriations, 2008	$234,322,000
Budget estimate, 2009	227,500,000
Committee recommendation	231,500,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee has provided $231,500,000 for Operations and Research. This level is $2,822,000 less than the fiscal year 2008 enacted level and $4,000,000 more than the budget request. The funding provided supports the behavioral and vehicle safety programs of NHTSA, $126,000,000 is derived from the General Fund and $105,500,000 is derived from the Highway Trust Fund, as authorized in SAFETEA–LU.

The Committee recommends funds to be distributed to the following program activities in the following amounts:

	Amount
Safety Performance	$16,968,000
Enforcement	17,477,000
Highway Safety Programs	43,209,000
Research and Analysis	58,578,000
Administrative Expenses	95,268,000

ADMINISTRATIVE EXPENSES

The Committee recommends $95,268,000 for administrative and related operating expenses associated with carrying out the agency's Behavioral Research program as authorized by section 403 of title 23, U.S.C. and with Vehicle Research program as authorized by chapter 301 of title 49, and part C of subtitle VI of title 49, U.S.C.

Budget Documentation.—The Committee has again directed NHTSA to submit a report on the agency's plans for helping the Department achieve the goal of 1 fatality per 100 million VMT by 2011, including new initiatives and proposals that will enable the agency to meet that goal. NHTSA should integrate detailed plans set out in this report into its fiscal year 2010 performance budget including appropriate quantifiable measures of success.

SAFETY PERFORMANCE

Fuel Economy.—In December 2007, Congress passed the Energy Independence and Security Act [EISA], which requires increased fuel efficiency standards for passenger vehicles for the first time in 30 years. Congress also called on NHTSA to expand its regulation of vehicles to include non-passenger automobiles, work trucks and commercial medium-duty or heavy-duty on-highway vehicles. In order to ensure that the agency has sufficient funding to meet the critical deadlines set by Congress, the Committee has recommended a funding level of $4,180,000 for the agency's fuel economy program, which is $2,300,000 more than the fiscal year 2008 enacted level and $300,000 more than the President's request. This funding is to be used to implement the requirements of the EISA Act including the evaluation of fuel economy standards for trucks as well as labeling fuel economy information.

New Car Assessment Program.—The Committee continues to support NHTSA's efforts to update and modernize the New Car Assessment Program. The Committee has therefore included the President's request of $10,393,000 for the NCAP program, which will allow NHTSA to test the same number of vehicle models as they are testing in the current year while incorporating additional tests and technologies into the program.

In addition, the Committee noted last year that NHTSA had identified that parents were experiencing some challenges with appropriately using the Lower Anchors and Tethers for Children [LATCH] installation systems. The Committee is therefore pleased that NHTSA took steps to update the child restraint system's ease of use ratings related to these systems, and hopes NHTSA will continue to work to make these systems more effective.

SAFETY ASSURANCE

The Committee includes $17,477,000 for NHTSA's enforcement activities consistent with the budget request. This funding supports the agency's efforts to ensure the safety of vehicles on our roads by enforcing compliance with safety standards and investigating safety-related defects in motor vehicles and motor vehicle equipment. The recommended level of funding will support NHTSA's efforts to enforce CAFE regulations for passenger vehicles and light trucks. This program also supports the enforcement of Federal odometer laws and encourages the enforcement of State odometer laws.

HIGHWAY SAFETY PROGRAM

The Committee recommends funds to be distributed to the following program activities in the following amounts:

	Amount
Impaired Driving	$11,206,000
Drug Impaired Driving	1,488,000
Pedestrians/Bicycle/Pupil Transportation	1,453,000
Older Driver Safety	1,700,000
Motorcycle Safety	992,000
National Occupant Protection	10,282,000
Enforcement and Justice Services	3,113,000
Emergency Medical Services	2,144,000
E-911 Implementation	1,250,000
NEMSiS	850,000
Driver Licensing	1,002,000
Highway Safety Research [1]	7,041,000
Emerging Traffic Safety Issues	588,000
International Programs	100,000

[1] This amount excludes $4,967,000 from the Highway Traffic Grants Administrative Expenses

Alcohol-related Fatalities.—The latest data from NHTSA, based on the Fatality Analysis Reporting System [FARS] and the National Automotive Sampling System [NASS] show that alcohol-related fatalities are one of the leading causes of highway fatalities. Over 31 percent of all highway fatalities involved drivers with alcohol levels with a blood alcohol level of .08 or above.

In August 2007 NHTSA held a public meeting on the use of ignition interlock systems, which included judges, court professionals, safety equipment manufacturers and national safety advocates. It is clear from the meeting that alcohol ignition interlock systems hold great promise for bringing about reductions in alcohol-related fatalities. However, there are challenges related to the intrusiveness of the technology and their use as a penalty that must be overcome if ignition interlock systems are to have maximum impact.

In an effort to increase the effectiveness and use of ignition interlocks, NHTSA is exploring ways to advance interlock technologies. It has therefore partnered with leading automobile manufacturers in the Automotive Coalition for Traffic Safety [ACTS] interlock initiative. The Committee has provided $1,000,000 as requested for this cooperative research agreement that seeks to develop alcohol detection technologies that are less intrusive than ignition interlocks with the hope of greater public acceptance for installation in vehicles. The development of advanced alcohol technologies is one of the key elements of the Campaign to Eliminate Drunk Driving, which has brought together Mother's Against Drunk Driving [MADD], major leading auto manufacturers, and responsible distilled spirit companies with a goal to eliminate drunk driving.

In addition to making some improvements to interlock technologies, it is also important to expand their use as a penalty for drunk drivers. According to NHTSA, currently, interlocks are only used on about 20 percent of the driving-while-intoxicated [DWI] cases for which they are available. In an effort to increase their use as part of the prosecutorial and judicial process, the Committee has provided $3,113,000 for Enforcement and Judicial Services. This level of funding is $414,000 more than the fiscal year 2008 enacted level and $600,000 more than the budget request. The Committee directs that funding over the requested amount be used to increase the Traffic Safety Resources Positions and improve the education and training for judges around the use of ignition interlocks as a penalty for drunk drivers. The Committee further directs NHTSA to submit a plan by May 31, 2009 detailing how the additional funding provided will be used. The Committee expects that these funds will be used in a manner that will increase the use of ignition interlocks, through such activities as the expansion and improvement of judicial training and outreach.

Motorcycle Fatalities.—Motorcycle fatalities increased in 2006 for the ninth consecutive year. There were 4,810 motorcycle fatalities, and for the first time since 1975, motorcycle rider fatalities surpassed the number of pedestrian fatalities. Rising motorcycle fatalities have continued to be a major impediment to the Department's ability to meet its 1.0 fatality goal, and the Department must take steps to reverse this trend.

Motorcycle helmets have been proven as an effective way to prevent motorcycle fatalities. As Secretary Peters noted in testimony before the Committee this year, "we could have saved easily 700 lives last year if all motorcyclists wore helmets." The Government Accountability Office [GAO] also evaluated the impact of universal helmet laws on motorcycle fatalities in a report it released in 1991. This report examined twenty studies that compared the motorcycle fatality rates under universal helmet laws to those without universal helmet laws, either before enactment or after repeal. GAO concluded, "These studies consistently showed that fatality rates were lower when universal helmet laws were in effect; most rates ranged from 20 to 40 percent lower." However, only 20 States, as well as the District of Columbia and Puerto Rico have universal helmet laws.

The Committee believes that States have the right to decide their own laws. However, the Committee also believes that the Nation's chief transportation official must have the authority to advocate on behalf of the enactment of safety laws by the States. At present, section 7104 of Public Law 105–178 hinders those efforts. Public Law 109–59 loosened those restrictions to allow the Secretary to engage in activities with State and State legislatures to consider proposals related to safety belt use laws. The Committee has included a provision to extend this authority to motorcycle helmet laws.

The Secretary of Transportation must have the ability to advocate on behalf of proven methods to reduce highway fatalities, including the enactment of universal helmet laws. The Secretary agrees, and when asked at a hearing before the Committee if she would support an exemption that would allow her to advocate for motorcycle helmet laws, she testified simply, "yes, I would." The Committee has therefore included language that removes, for fiscal year 2009, the restriction on the Secretary's ability to go to States and advocate on behalf of motorcycle helmet laws.

Safety Belts.—Data show that seat belts are the most effective countermeasure available to passenger vehicle passengers to prevent fatalities and serious injuries in traffic crashes. Moreover, a recent study from NHTSA points out that States with primary enforcement laws have lower fatality rates than States that have either secondary laws or no seat belt laws. According to the study, the fatality rate per 100 million VMT for primary enforcement States is 9 percent lower than States without primary seat belt laws. This again raises the importance of NHTSA exhibiting strong leadership in trying to assist States in passing additional primary seat belt laws.

Last year, the Committee requested that NHTSA submit quarterly reports to Congress on its efforts to work toward the implementation of primary seat belt laws in all 50 States. To date, there are only 25 States as well as the District of Columbia and the 4 territories that have primary seat belt laws. By NHTSA's own estimates, over 5,400 additional lives could have been saved if passengers had been wearing seat belts, and the enactment and enforcement of primary seat belts are an important part of lowering the number of highway fatalities. The Committee expects NHTSA and the Secretary to work to advocate for the enactment of primary seat belt laws and increased use of seat belt usage. The Committee also continues to request quarterly reports on the agency's and the Secretary's efforts in this area.

Teen Drivers.—The Committee strongly believes that NHTSA must continue to vigorously pursue strategies to reduce impaired and dangerous driving among age groups that represent the highest risks. According to NHTSA, teenagers are involved in three times as many fatal crashes as all other drivers. Recognizing that teenage and young adult drivers are at enhanced risk of being involved in an alcohol-related fatal crash, the Committee applauds NHTSA's ongoing collaboration with Students Against Destructive Decisions [SADD] and other national organizations focused on reducing underage drinking and promoting positive decisionmaking among young people. The Committee encourages NHTSA to continue to seek ways to enlist youth in addressing the behaviors that place youth at risk in motor vehicles. NHTSA is also encouraged to support additional research to prove the impact and effectiveness of peer-to-peer youth education and prevention programs.

National Emergency Medical Services [EMS] Information System.—The Committee recommends a funding level of $850,000 for the implementation of a National Emergency Medical Services Information System [NEMSIS] by the National Center for Statistics and Analysis [NCSA] and for the continued support of the NEMSIS Technical Assistance Center. This level of funding is $600,000 more than the budget request and $100,000 more than to the level provided in fiscal year 2008. There are currently 8 States submitting data to the national EMS database with as many as 15 more States and territories expected to begin submitting data this year. The next steps in NEMSIS development will be the full implementation of a national EMS database, full operation of a NEMSIS Technical Assistance Center, and eventual support of State data collection systems. Data provided to the EMS database are important to improving EMS training based on the cases EMS personnel are likely to see, as well as improving the response planning and resource allocation. The Committee believes that a comprehensive EMS system is critical to providing prompt, quality care to automobile crash victims.

RESEARCH AND ANALYSIS

Dynamic Testing Research.—The Committee strongly supports the use of dynamic testing to evaluate the performance of vehicles involved in crashes under real world conditions. Every year, over 10,000 fatalities on our Nation's highways involve rollover incidents. Currently, NHTSA does not have a dynamic test that can simulate rollover crash conditions. The Committee understands that there are concerns that dynamic test crashes may not be sufficiently repeatable to yield reliable data. At the same time, the development of such a test holds great promise in improving standards that will help protect vehicle passengers involved in rollover accidents, especially in evaluating the performance of restraints, ejection mitigation, and roof conditions during rollover situations. The Committee believes that NHTSA should evaluate and analyze how such a test might be developed or improved to meet its testing needs. The Committee has included $1,400,000 more than the budget request for safety standards support and directs that $1,000,000 of this increase be used to support this effort.

Plastic and Composite Vehicles.—The Committee recognizes the development of plastics and polymer-based composites in the automotive industry and the important role these technologies play in improving automobile performance. The Committee recommends an additional $500,000 to continue research into the possible safety benefits of Lightweight Plastics and Composite Intensive Vehicles [PCIV]. The program will help facilitate a foundation of cooperation between DOT, the Department of Energy and industry stakeholders for the development of safety-centered approaches for future lightweight automotive design.

Improved Data.—The Committee believes that data is critical to assisting NHTSA in developing programs and policies that will be the most effective in reducing the number of highway fatalities. NHTSA relies on the Fatality Analysis Reporting System [FARS] as the principal source of nationwide data on motor vehicle fatalities. It is critical that these systems continue to provide NHTSA with the best available data. These data are essential to directing resources in a manner that saves the most lives. The Committee has included $8,472,000 for FARS for fiscal year 2009 including $1,300,000 for early FARS. This is $300,000 more than the budget request and $50,000 more than the level provided in fiscal year 2008. The Committee expects that the additional resources provided will improve the agency's ability to produce better data more quickly.

NHTSA also relies on the National Automotive Sampling System [NASS] for in-depth data on crash-related non-fatal injuries. These data assist NTHSA in understanding the relationship between vehicle crash severity and occupant injury. The Committee has included $12,530,000 for NASS in fiscal year 2009. This funding level, which is $50,000 more than the fiscal year 2008 enacted level and $300,000 more than the President's request, will allow the agency to have a more robust data sample.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriations, 2008	$4,000,000	$4,000,000
Budget estimate, 2009	4,000,000	4,000,000
Committee recommendation	4,000,000	4,000,000

PROGRAM DESCRIPTION

This account provides funding to implement and operate the Problem Driver Pointer System [PDPS] and improve traffic safety by assisting State motor vehicle administrators in communicating effectively and efficiently with other States to identify drivers whose licenses have been suspended or revoked for serious traffic offenses such as driving under the influence of alcohol or other drugs.

COMMITTEE RECOMMENDATION

(LIQUIDATION OF CONTRACT AUTHORIZATION)

The Committee recommends a liquidation of contract authorization of $4,000,000 for payment on obligations incurred in carryout provisions of the National Driver Register Act. The recommended liquidating cash appropriation is equal to the budget estimate and is equal to the fiscal year 2008 enacted level.

LIMITATION ON OBLIGATIONS

The Committee recommends a limitation on obligations of $4,000,000 for the National Driver Register. The recommended limitation is the same as the budget request and the fiscal year 2008 enacted level.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriations, 2008	$599,250,000	$599,250,000
Budget estimate, 2009	619,500,000	619,500,000
Committee recommendation	619,500,000	619,500,000

PROGRAM DESCRIPTION

SAFETEA–LU reauthorizes three State grant programs: highway safety programs, occupant protection incentive grants, and alcohol-impaired driving countermeasures incentive grants; and authorizes for the first time an additional five State programs: safety belt performance grants, State traffic safety information systems improvement grants, high visibility enforcement program, child safety and child booster seat safety incentive grants, and motorcyclist safety grants.

SAFETEA–LU established a new safety belt performance incentive grant program under section 406 of title 23, United States Code; SAFETEA–LU also established a new State traffic safety information system improvement program incentive grants program under section 408 of title 23, United States Code; SAFETEA–LU amended the alcohol-impaired driving countermeasures incentive grant program authorized by section 410 of title 23, United States Code; SAFETEA–LU establishes a new program to administer at least two high-visibility traffic safety law enforcement campaigns each year to achieve one or both of the following objectives: (1) reduce alcohol-impaired or drug-impaired operation of motor vehicles; and/or (2) increase the use of safety belts by occupants of motor vehicles.

Motorcyclist Safety.—Section 2010 of SAFETEA–LU established a new program of incentive grants for motorcycle safety training and motorcyclist awareness programs.

Child Safety.—Section 2011 of SAFETEA–LU established a new incentive grant program these grants may be used only for child safety seat and child restraint programs.

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on obligations of $619,500,000 for the highway traffic safety grant programs funded under this heading. The recommended limitation is equal to the budget estimate and $20,250,000 more than fiscal year 2008 enacted level. The Committee has also provided the authority to liquidate an equal amount of contract authorization.

The Committee continues to recommend prohibiting the use of section 402 funds for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures.

The Committee recommends a separate limitation on obligations for administrative expenses and for each grant program as follows:

	Amount
Highway Safety Programs (section 402)	$235,000,000
Occupant Protection Incentive Grants (section 405)	25,000,000
Safety Belt Performance Grants (section 406)	124,500,000
State Traffic Safety Information System Improvements Grants (section 408)	34,500,000
Alcohol-Impaired Driving Countermeasures Incentive Grants (section 410)	139,000,000
Motorcyclist Safety Grants (section 2010)	7,000,000
Child Safety and Child Booster Seat Safety Incentive Grants (section 2011)	7,000,000
High Visibility Enforcement Program (section 2009)	29,000,000
Administrative Expenses	18,500,000

Performance Measures.—The Committee notes that there have been reports by both the Government Accountability Office and the DOT Inspector General recommending that NHTSA improve its performance measures for State grants. These grant programs direct resources to remedies that are vitally important to reducing the number of Americans that die on our Nation's highways every year. The funding provided allows States to use resources to most appropriately meet the needs of their State, including reducing alcohol-impaired driving, increasing the use of seat belts, and ensuring that children are in booster seats. However, over the last several years, NHTSA has not achieved the dramatic reductions in the number of fatalities that the Department and the Committee would have liked to have seen. The Committee believes that it is critical for NHTSA to ensure that these grants are not only being spent in an appropriate manner, but also that they are achieving the kind of results that are necessary to improve the safety of our Nation's highways. The Committee expects NHTSA to improve the performance measures, so that we can be sure that the funding provided to States is having its intended impact. The Committee directs the agency to submit a plan for how the agency will improve performance measures and the timeline for implementation of these performance measures in the States.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Section 140 allows $130,000 of obligation authority for section 402 of title 23 U.S.C. to be available to pay for travel and expenses for State management reviews and highway safety staff core competency development training.

Section 141 includes a provision that rescinds $1,314,648 in unobligated balances from amounts made available under the heading "Operations and Research" in prior appropriations acts.

Section 142 includes a provision that rescinds $534,000 in unobligated balances from amounts made available under the heading "National Driver Register" in prior appropriations acts.

Section 143 includes a provision that rescinds $50,000,000 in unobligated balances from amounts made available under the heading "Highway Traffic Safety Grants" in prior appropriations acts.

FEDERAL RAILROAD ADMINISTRATION

The Federal Railroad Administration [FRA] became an operating administration within the Department of Transportation on April 1, 1967. It incorporated the Bureau of Railroad Safety from the Interstate Commerce Commission, the Office of High Speed Ground Transportation from the Department of Commerce, and the Alaska Railroad from the Department of the Interior. The Federal Railroad Administration is responsible for planning, developing, and administering programs to achieve safe operating and mechanical practices in the railroad industry. Grants to the National Railroad Passenger Corporation (Amtrak) and other financial assistance programs to rehabilitate and improve the railroad industry's physical infrastructure are also administered by the Federal Railroad Administration.

SAFETY AND OPERATIONS

Appropriations, 2008	$150,193,499
Budget estimate, 2009	156,745,000
Committee recommendation	158,745,000

PROGRAM DESCRIPTION

The Safety and Operations account provides support for FRA rail safety activities and all other administrative and operating activities related to staff and programs.

COMMITTEE RECOMMENDATION

The Committee recommends $158,745,000 for Safety and Operations for fiscal year 2009, which is $2,000,000 more than the budget request and $8,551,501 more than the fiscal year 2008 enacted level. Of this amount the bill specifies that, $12,268,890 remains available until expended.

Risk Reduction.—In 2005, the FRA published its first National Rail Safety Action Plan. This report presented the agency's new focus on addressing the highest risk areas for railroad accidents—human behaviors and defective track. In addition, the FRA began targeting inspections to those locations that data indicated were the most likely to pose a risk to safety.

Two months ago, the FRA completed its update to the action plan, launching a new "FRA Risk Reduction Strategy" to improve rail safety by working more closely with rail management and labor. The FRA intends to cooperate with the rail industry to analyze safety problems and then address those problems with corrective actions before they cause accidents. The Committee commends the FRA for further developing its risk-based approach to safety oversight and for seeking the most efficient use of its resources. FRA can inspect less than one percent of the railroads' operations each year, and so the agency must find innovative ways of improving safety.

The success of the FRA's new risk reduction strategy will rely heavily on voluntary actions taken by the railroads themselves. For this reason, the Committee directs the FRA to use $1,300,000 of the increase provided to promote industry participation in the agency's new strategy. This total increase includes $500,000 for an additional site in the Close Call Confidential Reporting System [C3RS] Pilot Study initiative. This initiative is designed to create a non-punitive environment in which information on near accidents can be reported and used to identify areas of risk. The total increase also includes $800,000 for FRA to contribute to an additional pilot project in the Risk Reduction Program [RRP]. This program helps carriers identify underlying factors that contribute to accidents, address those risks, create measurable goals, and establish reporting processes.

Safety Inspectors.—The Committee notes that the budget request submitted by the FRA included funding for four additional bridge inspectors and two additional specialists in tank car technology. The Committee appreciates the priority that the administration has placed on increasing safety-related staff for the FRA. The Committee recommendation includes an additional $700,000 in order to pay for increased safety inspection staff and related travel expenses.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriations, 2008	$35,964,400
Budget estimate, 2009	33,950,000
Committee recommendation	34,000,000

PROGRAM DESCRIPTION

Railroad Research and Development provides for research in the development of safety and performance standards for railroads and the evaluation of their role in the Nation's transportation infrastructure.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $34,000,000 for railroad research and development, which is $50,000 more than the budget request and $1,964,400 less than the fiscal year 2008 enacted level.

Within the amount provided, the Committee recommends:

Project name	Committee recommendation
PEERS Rail Grade Crossing Safety program, Illinois, to improve rail-grade crossing through education and enforcement activities	$500,000
Constructed Facilities Center at West Virginia University, West Virginia, for the development of safe construction and maintenance practices that utilize advanced blast materials and structural systems	250,000
Ohio Hub Cleveland-Columbus Rail Corridor, Ohio, for a programmatic Environmental Impact Statement	500,000
Track Stability Technology, Marshall University, West Virginia, for the development of new track stability technologies using the State's rail lines as the test bed for calibrations	500,000

INTERCITY PASSENGER RAIL GRANT PROGRAM

Appropriations, 2008	....
Budget estimate, 2009	$100,000,000
Committee recommendation	....

The President's budget request includes $100,000,000 for a new capital grant program to encourage State participation in passenger rail service. Under the proposed program, a State or States would apply to the Federal Railroad Administration for grants for up to 50 percent of the cost of capital investments necessary to support improved intercity passenger rail service. The Committee has not provided funding for this program, choosing instead to direct $100,000,000 to a new "Capital Assistance to States Intercity Passenger Rail Service" program. This alternative program will fund similar activities as the President's program but on a reimbursable basis with slightly modified criteria.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Railroad Rehabilitation and Improvement Financing [RRIF] program was established by Public Law 109–178 to provide direct loans and loan guarantees to State and local governments, government-sponsored entities, or railroads. Credit assistance under the program may be used for rehabilitating or developing rail equipment and facilities. No Federal appropriation is required to implement the program because a non-Federal partner may contribute the subsidy amount required by the Credit Reform Act of 1990 in the form of a credit risk premium.

The Committee continues bill language specifying that no new direct loans or loan guarantee commitments may be made using Federal funds for the payment of any credit premium amount during fiscal year 2009. The Committee rejects proposal language from the administration to impose an artificial cap on the amount of principal supported through the RRIF program.

RAIL LINE RELOCATION AND IMPROVEMENT PROGRAM

Appropriations, 2008	$20,145,000
Budget estimate, 2009	....
Committee recommendation	20,000,000

The Committee recommends an appropriation of $20,000,000 for the Rail Line Relocation and Improvement Program, which is $145,000 less than the fiscal year 2008 enacted level. The administration requested no appropriation for this program in fiscal year 2009. Under this program, the FRA provides grants to States to fund the relocation and improvement of railroad lines. In awarding these grants, the FRA takes into consideration the effect that the proposed railroad project will have on freight and passenger operations, as well as the effect it will have on motor vehicle and pedestrian traffic and safety, community quality of life, and area commerce. Within the funding available to the Rail Line Relocation and Improvement program, funds are to be made available to the following projects and activities:

RAIL LINE RELOCATION

Project name	Committee recommendation
COLT Overpass over US 63, Boone County, MO	$1,000,000
Passenger Rail Corridor CREATE Projects, Chicago, IL	2,000,000
Phase 3 Rail Rehabilitation in Redwood Falls, MN	1,000,000
Short Line Rehabilitating, Salem, NJ	1,000,000

RAIL LINE RELOCATION—Continued

Project name	Committee recommendation
Transbay Transit Center, San Francisco, CA	2,000,000
West Freight Access Project, Port of Vancouver, WA	1,000,000

CAPITAL ASSISTANCE TO STATES—INTERCITY PASSENGER RAIL SERVICE

Appropriations, 2008	$30,000,000
Budget estimate, 2009	....
Committee recommendation	100,000,000

The Committee has provided $100,000,000 for capital assistance to States to promote new intercity passenger rail service as well as improve existing passenger rail corridors. This program was first funded in 2008 at the level of $30,000,000. Applications for first round of grants were due to the Federal Railroad Administration by June 30, 2009. This program shares many of the objectives of the Intercity Passenger Rail Grant Program included in the President's budget for 2009. As in the case of the President's proposed program, States may apply for grants of up to 50 percent of the cost of capital investments necessary to support improved intercity passenger rail service.

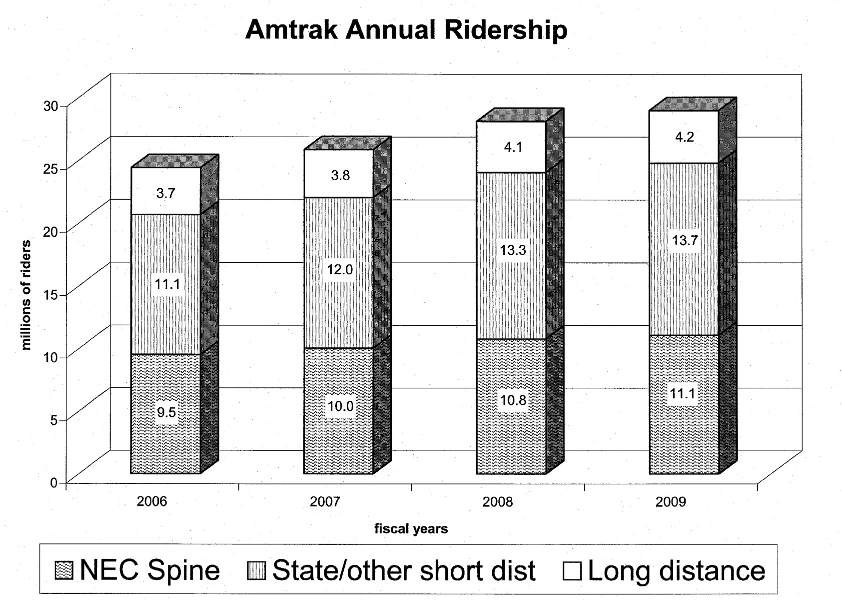
In allocating grant funding under this program, the Federal Railroad Administrator shall continue to give priority to projects to improve rail services that require either little or no Federal operating subsidy, projects where States have made a financial commitment to improve the safety of highway/rail grade crossings over which the passenger service operates, and projects that involve a commitment by freight railroads of financial resources commensurate with the benefit expected to their operations. Funds made available under this program shall be subject to the same terms and conditions relating to labor standards as capital funds made available to Amtrak.

The Committee believes that this program holds promise to alleviate some of the on-time performance problems plaguing Amtrak long-distance and State-supported trains. Despite differences of opinion over the best solutions to this problem, there was unanimity among witnesses before the Committee from Amtrak, the FRA, and the DOT Inspector General, that capital investment involving both public and freight contributions would be an important factor in improving on-time performance. As such, the proposed program incorporates the identical incentive included in the administration's proposed program; namely, that priority be given to projects that involve a commitment by host freight railroads to an enforceable on-time performance of passenger trains of 80 percent or greater. Also, as in the case of the administration's proposed program, States applying for assistance must first include intercity passenger rail service as an integral part of their statewide transportation planning activities and any capital improvement for which assistance is sought must first appear on the requesting State's Statewide Transportation Improvement Plan [STIP].

THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

The National Railroad Passenger Corporation (Amtrak) operates intercity passenger rail services in 46 States and the District of Columbia, in addition to serving as a contractor in various capacities for several commuter rail agencies. Congress created Amtrak in the Rail Passenger Service Act of 1970 (Public Law 91–518) in response to private carriers' inability to profitably operate intercity passenger rail service. Thereafter, Amtrak assumed the common carrier obligations of the private railroads in exchange for the right to priority access of their tracks for incremental cost.

Amtrak Ridership Increases.—The Committee continues to be pleased with Amtrak's successful efforts at boosting ridership across all segments of its national rail network. As displayed below, ridership is expected to increase by almost 4 million passengers or 16 percent just between 2006 and the close of the current year. Within the last month, surging ridership resulting from increased fuel prices has required Amtrak to adjust upward its estimated ridership growth in comparison to last year from 8.7 percent to 9.6 percent.



Notably, the strongest percentage growth is Amtrak ridership is not expected to be on the Northeast Corridor but over Amtrak's network of State-supported and short distance trains around the country. Amtrak's long distance network is expected to see ridership growth of more than 300,000 passengers, or just less than 8 percent, in comparison to last year. Northeast Corridor ridership, while increasing each year, is actually shrinking as a percentage of all Amtrak riders from a high in 2004 of more than 45 percent to an anticipated level in 2009 of less than 38 percent. The importance to Amtrak of the net revenues derived from Northeast Corridor riders, however, cannot be overstated.

Budget Request.—For fiscal year 2008, the President's budget request seeks a total of $800,000,000 in direct support for Amtrak, including $275,000,000 in efficiency incentive grants and $525,000,000 in capital grants. The amount requested is $525,000,000 less than the comparable 2008 level—a reduction of almost 40 percent. As in years past, the Committee cannot seriously consider the administration's budget request as a credible proposal since it will do nothing other than bankrupt the railroad. The Department of Transportation Office of Inspector General [OIG] performs quarterly audits on Amtrak's finances and reports the results of those audits to the Committee. During a hearing on Amtrak's finances held on April 3, 2008, witnesses from the OIG testified that they saw no way that Amtrak could avoid bankruptcy if funded at the President's requested level. While the administration has testified to their strong commitment to "reform" Amtrak, the fact remains that no such "reforms", merited or not, can occur if the railroad goes into receivership and is required to terminate all intercity passenger rail service. As such, for fiscal year 2008, the Committee has provided $1,550,000,000 in new appropriations for Amtrak's operating and capital needs. The amount provided is $225,000,000 more than the comparable level for fiscal year 2008.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriations, 2008	$475,000,000
Budget estimate, 2009	....
Committee recommendation	550,000,000

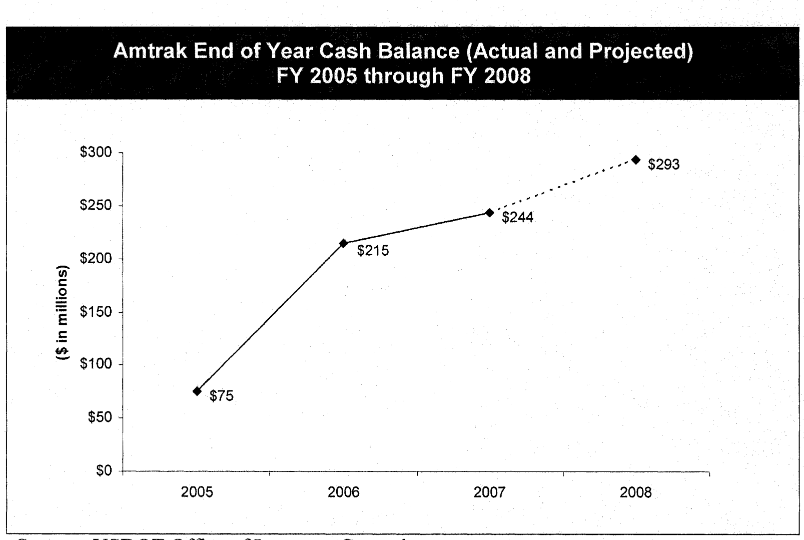
The Committee provides $550,000,000 for operating grants for Amtrak. The operating grant provides a subsidy to account for the difference between Amtrak's self-generated operating revenues and its total operating costs. The amount provided is $275,000,000 more than the President's request which sought such operating assistance through an efficiency incentive grant program. The amount provided is $75,000,000 more than the comparable amount provided for fiscal year 2007.

Amtrak Reform Legislation.—The Senate passed the Passenger Rail Investment and Improvement Act—a comprehensive passenger rail reauthorization bill—on October 30, 2007 by a vote of 70 to 22. The House of Representatives passed its version the bill on June 11, 2008 by a vote of 311 to 104. Included within those bills are numerous reform proposals for Amtrak and its operations. Pending the enactment of such a final comprehensive Amtrak reform bill, the Committee has included most of the legislative provisions from prior appropriations acts governing the availability of Amtrak operating subsidies through a route-by-route grant making process approved by the Secretary of Transportation.

Settlement of Wage Labor Contracts.—The Committee is pleased that the lengthy period of stalemate and inaction over Amtrak's labor contracts will soon come to close. Following an 8-year period during which the vast majority of Amtrak's wage workforce did not see a meaningful wage increase, Amtrak has now reached contract agreements with all of its unions. The catalyst in reaching these settlements was the decision of the National Mediation Board to release several of Amtrak's unions from mediation and the President issuing an Executive Order on December 1, 2007 appointing an Emergency Board (PEB No. 242) to investigate and report on the long-running dispute. The Emergency Board authority called for under section 10 of the Railway Labor Act has been used several times in the past to help settle rail labor disputes including disputes involving Amtrak employees.

Following the issuance of the report of that Emergency Board on December 30, 2007, Amtrak and its unions began finalizing contracts consistent with the recommendations of the PEB. Contracts have now been ratified by all 19 of Amtrak's major unions. Consistent with the recommendations of PEB 242, the recently negotiated contracts call for Amtrak's wage workers to receive lump sum payments from the Corporation to compensate them in part for the wage increases foregone during the lengthy period covering fiscal years 2002 through 2007 when Amtrak and its workers could not reach a wage settlement. While the signed contracts call for a few of Amtrak's unions to receive these payments in one lump sum, the majority of Amtrak's workers are expected to receive these payments in two increments—known as first and second retroactive wage payments. Amtrak began making the first retroactive wage payment to workers with ratified contracts utilizing revenues available to the corporation on May 8, 2008. The second retroactive wage payment is due to Amtrak's workers not later than 1 year following their receipt of the first payment.

During its hearing on Amtrak's finances held on April 3, 2008, the Committee pursued many questions surrounding the financing of the second retroactive wage payment. Differing views were expressed between witnesses from Amtrak and the DOT Office of Inspector General [OIG] as to whether Amtrak would need an increased appropriation to accommodate the cost of the second lump sum payment in fiscal year 2009. The DOT OIG witness testified that Amtrak's revenues and improved budget position indicate that the corporation is likely to end fiscal year 2008 with a substantial cash balance—now estimated to be more than $293,000,000—that should be sufficient to cover the cost of the second retroactive wage payment. Amtrak's President and Board Chairman contested that assumption, citing the uncertainty surrounding the economy and, by extension, its potential impact on Amtrak's ridership and revenues.



Source: USDOT Office of Inspector General

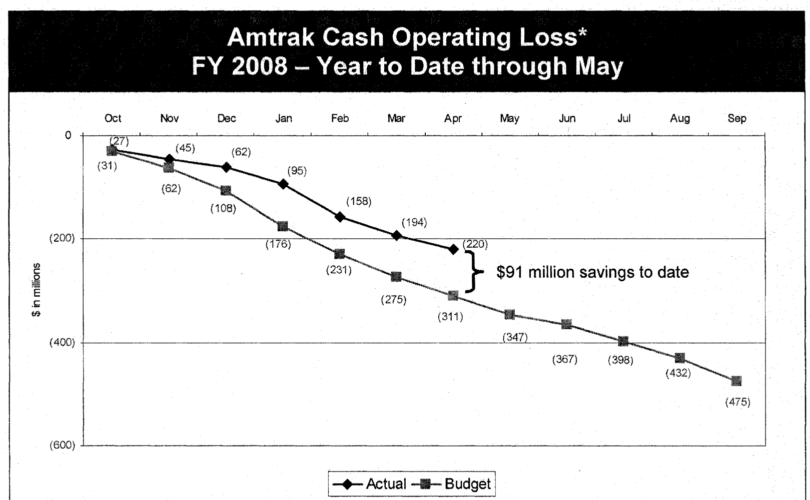
The formal grant request submitted by Amtrak's Board of Directors to the Committee acknowledges the corporation's financial liability for the second retroactive wage payment but refuses to formally seek the funding from Congress. The position of the Board was articulated by its Chairman who testified to the Committee that "it's the decision of Congress on meeting those requirements."

While the Committee believes that the Amtrak Board should submit grant requests that accurately reflect all, not just some, of the corporation's contract liabilities, the Committee has nonetheless decided to meet the requirements of the second retroactive wage payment. As such, the bill includes a provision that requires the Secretary to withhold from Amtrak the sums necessary for the payment of the second retroactive wage payment. The Secretary shall transmit those sums to the corporation for no purpose other than the payment of the second retroactive wage payments and only at such times as the payments are due.

After more than 8 years of increasingly divisive labor-management relations, the Committee hopes and expects that the resolution of this final settlement will signal a period of renewed cooperation between Amtrak labor and Amtrak management in addressing the many challenges facing the corporation.

Resources Available for Operations.—The Committee is providing $550,000,000 for operating expenses for Amtrak for fiscal year 2009. The amount provided is $75,000,000 more than the amount provided for fiscal year 2007.

The Committee believes that the amount provided will be sufficient to cover Amtrak's operating losses in 2009 after funds are withheld for the costs associated with the second retroactive wage payment that will be financed under this appropriation. Amtrak has experienced stronger-than-expected ridership growth in the current year that has boosted revenues by almost $112,000,000 over the levels initially budgeted by Amtrak. Expenses (net of the costs of the initial retroactive wage payment) have also grown, however, largely as a result of higher-than-budgeted fuel costs. The combined effect of these trends indicates that Amtrak is currently operating $91,000,000 ahead of budget and is on course to end the year with a cash balance approaching $300,000,000. The DOT Inspector General has written to the Committee to communicate his view that this balance by itself should be sufficient to allow Amtrak to finance the second retroactive wage in 2009 without any increase in its operating subsidy.



Cash operating loss defined as earnings before interest, taxes, depreciation, and other post-employment benefits (EBITDO), which is a proxy for Amtrak's Federal operating support requirement.
Source: USDOT Office of Inspector General

The Committee recognizes that there is still uncertainty that surrounds the sustainability of Amtrak's improved financial condition. It can't be estimated at this time whether fuel prices will continue to stay at current historic highs or grow even further. And while those increased fuel costs have been a strong contributor to Amtrak's improved ticket sales, it can't be known at this time whether these dramatically higher fuel prices might eventually slow the economy to an extent that they will negatively impact Amtrak's revenues. The Committee has provided a $75,000,000 increase in Amtrak's operating subsidy to ensure a greater guarantee of stability for the corporation as it progresses through the year while funding the second retroactive wage payment. The Committee will continue to monitor Amtrak's monthly financial performance reports to assess the sustainability of Amtrak's improved performance. The Committee further understands that the corporation is currently preparing a more detailed and comprehensive budget estimate for fiscal year 2009 that will be presented to its Board of Directors in July. The Committee looks forward to reviewing Amtrak's updated estimates.

On-time Performance of Amtrak Trains.—The Committee continues to be dismayed by the poor on-time performance of Amtrak's trains, especially the railroad's State-supported routes and long-distance trains that operate outside the Northeast Corridor. These trains travel over track owned and dispatched by the Nation's freight railroads. Indeed, many of these train services were operated by the freight railroads themselves until 37 years ago when the Rail Passenger Service Act allowed them to unload these money-losing operations onto the newly-created National Rail Passenger Service Corporation (Amtrak).

ON-TIME PERFORMANCE REPORT—MAY 2008 AND YEAR TO DATE

[In percent]

Service	May 2008	Fiscal year 2009 YTD
Amtrak System	72.7	72.7
Amtrak Premium	83.8	84.5
Acela Express	83.8	84.5
Metroliner	....	....
Amtrak Corridor	78.0	80.7
Keystone	87.6	87.8
Regional	73.4	77.2
Short Distance	71.7	70.0
Capitols	90.7	86.7
Carolinian	33.9	44.8
Cascades	73.7	65.8
Downeaster	80.0	74.0
Empire Corridor	72.5	65.3
Heartland Flyer	61.3	51.8
Hiawatha	92.0	86.3
Hoosier State	61.8	42.3
Illinois	50.8	56.7
Michigan	26.1	29.2
Missouri	28.2	18.2
Pacific Surfliner	73.8	77.6
Pennsylvanian	95.2	89.8
Piedmont	71.0	78.2
San Joaquins	81.4	85.2
Vermonter	24.2	33.2
Long Distance	56.4	58.2
Auto Train	67.7	80.5
California Zephyr	43.5	37.3
Capitol Limited	34.4	40.2
Cardinal	44.4	38.3
City of New Orleans	58.1	73.8
Coast Starlight	85.1	69.4
Crescent	56.5	72.1
Empire Builder	75.8	69.9
Lake Shore Ltd	61.8	58.0
Palmetto	56.5	57.2
Silver Meteor	66.1	68.0
Silver Star	56.5	45.1
Southwest Chief	46.8	74.1
Sunset Limited	30.8	22.6
Texas Eagle	11.3	23.8

Despite the heightened attention brought to the poor on-time performance of Amtrak's off-corridor trains, there has only been marginal improvement seen over the last year. Nationwide, Amtrak's on-time performance improved from 68.9 percent in 2007 to 72.7 percent for the year to date. However, these figures include the much higher on-time performance rates on Amtrak's Northeast

Corridor services and mask the much poorer performance of Amtrak trains off the Corridor. Certain Amtrak services—including State-supported services—continue to arrive at their destinations on time less than one-third of the time. Short distance trains in Vermont, Missouri, and Michigan have, for the year to date, experienced on-time arrival rates of only 33 percent, 18 percent and 29 percent respectively. Long distance services such as the California Zephyr, the Capitol Limited, and the Cardinal arrive on time less than half the time while the Sunset Limited and the Texas Eagle arrive on time less than one-quarter of the time.

In testimony before the Committee in 2007, the FRA Administrator testified that the on-time performance of Amtrak trains was "one of my top priorities outside of safety itself." In order to monitor the Administrator's progress in addressing the problem, the Committee included a requirement in the 2008 appropriations act for the Administrator to submit quarterly reports detailing his efforts. That law states explicitly that these quarterly reports "shall compare the most recent actual on-time performance data to pre-established on-time performance goals that the Administrator shall set for each rail service, identified by route" (see sec. 151 of division K, Public Law 110–161). To the Committee's dismay, the Administrator's first quarterly report was submitted woefully late and lacked the route-by-route goal and performance data that was required under the law. The Committee expects that Administrator's next submission to comply fully with the law. Moreover, as the Committee has done previously with reports from DOT that are not submitted by their statutory deadline, a provision has been added to the bill that reduces the funds available to the Office of the Secretary by $100,000 for each day that the report is submitted beyond its statutory due date.

The first quarterly report, as submitted by the Administrator, states that "even without regulatory authority over [on-time performance], the FRA can leverage its Federal leadership role and its grant-making capabilities to support improved reliability of intercity passenger trains over host freight railroads." Since the Administrator agrees that he has some of the tools necessary to seriously address the OTP problem, the Committee expects him to use them and show measurable results in the near future.

The Committee commends the Secretary for using a recent meeting with the chief executives of the major Class I railroads to charge them with identifying one Amtrak route operating on their territory and developing an action plan for removing delays and improving on-time performance on that route. Such plans were expected to be developed in partnership with Amtrak and the FRA. To date, the following routes have been identified for this initiative:

Railroad	Route
CSX Transportation	Interstate 95 Corridor (continued implementation of the FRA-mandated plan of 2007)
Norfolk Southern	Chicago, IL to Porter, IN, to Cleveland, OH
BNSF Railway	Chicago, IL to Denver, CO (California Zephyr)
Canadian National Railway	Chicago to Carbondale, IL
Canadian Pacific Railway	New York City, NY—Albany, NY—Montreal, CA (Adirondack)

The Committee understands that the Union Pacific and Amtrak have yet to reach an agreement on the appropriate route or segment to be included as part of this initiative.

The Committee hopes that, in focusing on just one route per railroad, the Secretary and the Administrator have not lost sight of the need to improve the on-time performance of the entire Amtrak network in the near term. The Committee hopes that the Secretary's initiative is intended as the precursor to a larger systemwide effort and not a short-lived exercise in "picking the low hanging fruit."

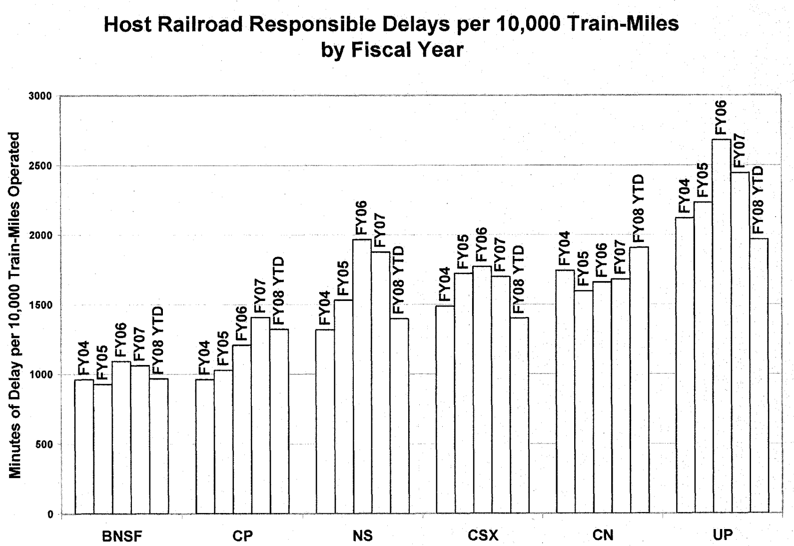
The Committee believes that the administration should view an aggressive effort to improve Amtrak's on-time performance as wholly consistent with its vision for the future of rail passenger service. The administration has always bristled at the cost of Amtrak's operating subsidies and requested serious cuts or the elimination of such subsidies every year. Just this past March, the DOT Inspector General reported that improving the on-time performance of Amtrak's trains could have a dramatic impact in reducing Amtrak's needs for such operating subsidies. According to the IG, improving the performance of Amtrak's off-corridor trains to 85 percent on-time in 2006 would have reduced Amtrak's operating loss by 30 percent or more than $135,000,000.

The administration has also taken the position that expanded financial participation by the States must be central part of any effort to expand Amtrak's network. Yet, as you review the current on-time performance of Amtrak's many trains, some of the most unreliable services with the worst on-time performance are those that have been jointly funded by the States. Such examples include State-supported trains in Michigan, Missouri, and Vermont.

It's hard to fathom how Amtrak can succeed in answering the administration's challenge and entice the expanded financial participation of the States if new State-supported services are likely to be burdened with the same pathetically poor on-time performance as the current State-supported services.

The administration should also rise to the challenge of forcefully improving Amtrak's on-time performance because, at present, national rail policy on this topic is being made not by the Secretary or the Administrator, but rather by railroad executives and train dispatchers spread around the country. With the passage of the Rail Passenger Service Act in October 1970, the Nation's freight railroads were allowed to pass the costs of their money-losing passenger services on to the newly created national passenger railroad—Amtrak. However, that law also required Amtrak trains operating over freight-owned track to be granted "preference over freight transportation in using a rail line, junction, or crossing." When the Committee asked the FRA Administrator in 2007 whether the freight railroads were uniformly complying with both the letter and spirit of this law, the Administrator testified that "I don't think there's uniformity in terms of the importance of this among the Class I railroads." More recently, the DOT Inspector General conducted an audit of the freight railroads' dispatching practices when it comes to granting the statutory preference to Amtrak trains. The IG representative testified to the Committee that "by their practices, (the freight railroads) are in fact defining Amtrak's preference rights since they control the dispatching."

The Committee finds the status quo as articulated by the Inspector General's office to be unacceptable and believes the administration should as well. Surely, the definition of a central element of the Rail Passenger Services Act should be determined by appropriately elected and appointed officials and not by the managers and dispatchers of individual freight railroads. These differences in dispatching practices are certainly a contributing factor to the differing performance by the individual freight railroads in delivering Amtrak trains on time; as displayed below:



Taxpayer-subsidized Offshoring of Amtrak Jobs.—As part of the development of the appropriations bill providing funding for Amtrak for fiscal year 2007, the Committee included a provision that would immediately terminate Federal funding for Amtrak should the corporation contract for services to be performed overseas that had been provided domestically on or before July 1, 2006. The necessity for this provision was brought about by the Amtrak Board of Directors giving consideration to moving some of Amtrak's reservation customer service functions overseas. In the wake of the Committee's response last year, Amtrak abandoned its plan. The Committee still considers it unconscionable that the Nation's taxpayer-subsidized national railroad might consider moving jobs overseas. And while the Committee is not aware of any similar proposals being considered by the Amtrak Board, the Committee has included a permanent provision terminating Federal subsidies in the wake of any such action (Sec. 150).

Food and Beverage Service.—The Committee continues to be supportive of Amtrak's efforts to reduce its operating loses stemming from food and beverage service. The forecasted loss for 2007 is expected to be almost 25 percent below the actual loss experienced in 2005. The Committee expects Amtrak to continue to make efforts to reduce this loss while simultaneously working to improve customer satisfaction. The DOT Inspector General is encouraged to continue to monitor these efforts.

EFFICIENCY INCENTIVE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(RESCISSION)

Appropriations, 2008	....
Budget estimate, 2008	$275,000,000
Committee recommendation (rescission)	−46,800,000

The Committee has not included new budget authority for efficiency incentive grants to the national railroad passenger corporation. The President's budget requested $275,000,000 for this purpose in lieu of requesting any funding for Amtrak's operating losses. The Committee has continued to meet the Amtrak needs through funding made available for operating needs of the Operating Grants appropriation.

The Committee is also recommending of rescission of $46,800,000 from funds made available for efficiency incentive grants in fiscal years 2006 and 2007. Such funds are being rescinded to help offset the costs of Amtrak's operations appropriation including the costs associated with the second retroactive wage payment due to Amtrak's workers in fiscal year 2009. In testimony before the Committee, Amtrak's Board Chairman indicated that these funds would be an appropriate offset for these costs. In written communication to the Senate, Amtrak's President also signaled that these funds would be "extremely helpful" in assisting the corporation in meeting the costs of these payments.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriations, 2008	$850,000,000
Budget estimate, 2009	525,000,000
Committee recommendation	1,000,000,000

The Committee recommends $1,000,000,000 for capital and debt service grants for Amtrak. Of this amount, not more than $285,000,000 shall be available for debt service payments. The amount provided is $150,000,000 more than the comparable 2007 appropriation and $475,000,000 more than the President's request.

Amtrak capital expenses are dedicated to maintaining Amtrak's capital plant in a state of good repair, keeping aging equipment in safe working order, and overhauling rolling stock to minimize equipment failures. The lion's share of Amtrak's annual capital grant goes toward maintaining the Northeast Corridor due to the railroad's sole ownership of the majority of that corridor. As in the case of Amtrak operating expenses, the Committee has included most of the legislative provisions from prior appropriations acts governing the availability of Amtrak capital grants through a route-by-route grant making process approved by the Secretary of Transportation. Such language may become unnecessary should the Congress enact a comprehensive Amtrak reform bill through the normal legislative process.

Fire and Life Safety Improvements.—The Committee has provided an increase of $150,000,000 for Amtrak's capital needs. While the Committee does not wish to earmark funding for specific projects under this appropriation, the Committee notes that the grant request submitted by the Amtrak Board envisions an increase in spending from the capital grant program for fire and life safety improvements along the Northeast Corridor of almost $35,000,000. Given the number of Amtrak passengers that utilize the Northeast Corridor infrastructure and the critical vulnerabilities that must be addressed along the corridor, the Committee believes that these improvements should be a very high priority for the Amtrak Board as it establishes its capital spending plan for fiscal year 2009.

Coordination With Intercity Passenger Rail Assistance to States.—For the second consecutive year, the Committee has funded the new Capital Assistance to States program for intercity passenger rail services. This new program presents an important opportunity for Amtrak to benefit from State and FRA expenditures to expand or improve passenger rail service. The competitive program funded by the Committee places a priority on grant applications that include matching contributions from host freight railroads. Matching funds from Amtrak would also boost the competitiveness of State applications. In order to maximize coordination with the States and the benefits that these State expenditures might bring to Amtrak, the Committee encourages Amtrak to work with States applicants to coordinate, wherever possible, Amtrak's own capital expenditures with those of State partners, especially in instances where such expenditures hold promise to improve the on-time performance of Amtrak's services outside the Northeast Corridor.

Amtrak Fleet Plan.—The positive net revenues that Amtrak derives from its Northeast Corridor operations are as central to the corporation's continued solvency as the subsidies provided by the Committee. Yet the "Amfleet" cars that have operated over the corridor are now more than 30 years old and will soon require replacement. Demand for expanded Amtrak services off of the corridor continues to grow. Yet Amtrak is ill-suited to provide that service, even where States are willing to subsidize it, because of a desperate shortage of available rail cars. While Amtrak has a number of damaged railcars available for repair, the corporation must balance the costs of such repairs against the capital expenditures necessary just to maintain current operations. Amtrak is clearly in need of a comprehensive plan for the management, maintenance and replacement of its rolling stock. As such, the Committee has included a provision in the bill requiring Amtrak to submit a comprehensive fleet plan that addresses these issues. The fleet plan will be required to be submitted at the same time Amtrak submits its comprehensive business plan. Current law already requires the business plan to be submitted to the Committee not later than 90 days following enactment of the annual Appropriations Act.

ADMINISTRATIVE PROVISIONS

Section 150 permanently prohibits funds for the National Railroad Passenger Corporation from being available if the Corporation contracts for services at or from any location outside of the United

States which were, as of July 1, 2006, performed by a full-time or part-time Amtrak employee within the United States.

Section 151 requires the Federal Railroad Administrator to submit quarterly reports to the House and Senate Committees on Appropriations on Amtrak on-time performance.

Section 152 allows DOT to purchase promotional items of nominal value for use in certain outreach activities.

Section 153 allows the Secretary to receive and use cash or spare parts to repair and replace damaged track inspection cars.

FEDERAL TRANSIT ADMINISTRATION

The Federal Transit Administration was established as a component of the Department of Transportation by Reorganization Plan No. 2 of 1968, effective July 1, 1968, which transferred most of the functions and programs under the Federal Transit Act of 1964, as amended (78 Stat. 302; 49 U.S.C. 1601 et seq.), from the Department of Housing and Urban Development. The missions of the Federal Transit Administration are: to assist in the development of improved mass transportation facilities, equipment, techniques, and methods; to encourage the planning and establishment of urban and rural transportation services needed for economical and desirable development; to provide mobility for transit dependents in both metropolitan and rural areas; to maximize the productivity and efficiency of transportation systems; and to provide assistance to State and local governments and their instrumentalities in financing such services and systems.

The current authorization for transit programs is contained in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA–LU].

The following table summarizes the Committee's recommendations compared to the fiscal year 2008 enacted level and the administration's request excluding rescissions:

Program	Fiscal year—		Committee recommendation
	2008 enacted	2009 estimate	
Administrative expenses	$89,300,000	$94,413,000	$93,000,000
Formula and bus grants	7,767,887,062	8,360,565,000	8,260,565,000
Research and University Research Centers	65,362,900	59,600,000	63,000,000
Capital investment grants	1,569,091,997	1,620,828,893	1,809,250,000
Total	9,491,641,959	10,135,406,893	10,225,815,000

ADMINISTRATIVE EXPENSES

Appropriations, 2008	$89,300,000
Budget estimate, 2009	94,413,000
Committee recommendation	93,000,000

PROGRAM DESCRIPTION

Administrative expenses funds personnel, contract resources, information technology, space management, travel, training, and other administrative expenses necessary to carry out its mission to promote public transportation systems.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $93,000,000 for the agency's salaries and administrative expenses. The recommended level of funding is $1,413,000 less than the budget request and $3,700,000 more than the fiscal year 2008 enacted level. the bill limits travel expenses to $1,539,000, and it limits the central account to $23,322,000.

The Committee recommendation includes language authorizing the Administrator to transfer funding between offices. Any transfers totaling more than 5 percent of the initial appropriation from this account must be approved by the House and Senate Committees on Appropriations through the usual reprogramming process.

Project Management Oversight Activities.—The Committee directs FTA to continue to submit to the House and Senate Committees on Appropriations the quarterly FMO and PMO reports for each project with a full funding grant agreement.

To further support oversight activities, the bill continues a provision requiring FTA to transfer $2,000,000 to the DOT Office of Inspector General [OIG] for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems. This transfer must come from funds available for the execution of contracts. Over the past several years, the OIG has provided critical oversight of a number transit projects and FTA activities, which the Committee has found invaluable. The Committee anticipates that the Inspector General will continue such activities in fiscal year 2009.

Full Funding Grant Agreements [FFGAs].—TEA–21, as amended, requires that FTA notify the House and Senate Committees on Appropriations, as well as the House Committee on Transportation and Infrastructure and the Senate Committee on Banking, 60 days before executing a full funding grant agreement. In its notification to the House and Senate Committees on Appropriations, the Committee directs FTA to submit the following information: (1) a copy of the proposed full funding grant agreement; (2) the total and annual Federal appropriations required for the project; (3) the yearly and total Federal appropriations that can be planned or anticipated for future FFGAs for each fiscal year through 2011; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization, by individual project; (5) an evaluation of whether the alternatives analysis made by the applicant fully assessed all the viable alternatives; (6) a financial analysis of the project's cost and sponsor's ability to finance the project, which shall be conducted by an independent examiner and which shall include an assessment of the capital cost estimate and finance plan; (7) the source and security of all public and private sector financing; (8) the project's operating plan, which enumerates the project's future revenue and ridership forecasts; and (9) a listing of all planned contingencies and possible risks associated with the project.

The Committee also directs FTA to inform the House and Senate Committees on Appropriations in writing 30 days before approving schedule, scope, or budget changes to any full funding grant agreement. Correspondence relating to all changes shall include any budget revisions or program changes that materially alter the project as originally stipulated in the FFGA, including any proposed change in rail car procurement.

The Committee directs FTA to continue to provide a monthly new start project update to the House and Senate Committees on Appropriations, detailing the status of each project. This update should include FTA's plans and specific milestone schedules for advancing projects, especially those within 2 years of a proposed full funding grant agreement. In addition, FTA should notify the Committees 10 days before any project in the new starts process is given approval by FTA to advance to preliminary engineering or final design.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(INCLUDING RESCISSION)

	Trust fund
Appropriations, 2008	$7,767,887,062
Budget estimate, 2009	8,360,565,000
Committee recommendation	8,260,565,000

PROGRAM DESCRIPTION

The Formula and Bus Grants account includes funding for the following programs: urbanized area formula grants; clean fuels formula grants; formula grants for special needs of elderly individuals and individuals with disabilities; formula grants for non-urbanized areas; job access and reverse commute grants; new freedom grants; growing States and high density States grants; bus and bus facility grants; rail modernization grants; alternatives analysis; alternative transportation in parks and public lands; and the national transit database. In addition, set-asides from formula funds are directed to a grant program for intercity bus operators to finance Americans with Disabilities Act accessibility costs.

COMMITTEE RECOMMENDATION

The Committee recommends limiting obligations in the transit formula and bus grants account in fiscal year 2009 to $8,260,565,000. The recommendation is $492,677,938 more than the fiscal year 2008 enacted level. The Committee also recommends $8,670,000,000 in authority to liquidate contract authorizations, an amount sufficient to cover outstanding obligations from this account.

The Committee recommendation maintains the set-aside for project oversight in current law instead of providing an increase for program management of formula funds, as requested.

The following table displays the distribution of obligation limitation among the program categories of formula and bus grants:

DISTRIBUTION OF OBLIGATION LIMITATION AMONG MAJOR CATEGORIES OF FORMULA AND BUS GRANTS

Program category	Amount
Clean Fuels Program	$51,500,000
Urbanized Area Formula [1]	4,552,280,553
Over-the-road Bus Program	8,800,000
Elderly and Persons with Disabilities	133,500,000
Nonurbanized Area Formula [1]	538,084,447
Bus and Bus Facility (includes clean fuels)	884,000,000
Fixed Guideway Modernization	1,666,500,000
Job Access and Reverse Commute	164,500,000
New Freedom	92,500,000
National Transit Database	3,500,000
Planning Programs	113,500,000
Alternatives Analysis	25,000,000
Alternative Transportation in Parks and Public Lands	26,900,000

[1] Includes funding for Growing States and High Density States under section 49 U.S.C. 5340.

The following table displays the State-by-State distribution of funds for several of the major program categories in the formula and bus grants account (these distributions are calculated using the formulas set in SAFETEA–LU, the most recent authorization law for transit programs):

FEDERAL TRANSIT ADMINSITRATION ESTIMATED FISCAL YEAR 2009 APPORTIONMENTS FOR FORMULA GRANTS PROGRAMS (BY STATE)

State	Section 5307 and 5340 urbanized area	Section 5311 and 5340 non-urbanized area	Section 5310 special needs for elderly and individuals with disabilities	Job access and reverse commute	New freedom	State total
Alabama	$20,296,442	$13,191,443	$2,316,728	$2,879,269	$1,580,716	$40,264,597
Alaska	25,942,978	6,044,600	298,338	249,848	133,248	32,669,011
Arizona	60,901,486	9,409,106	2,421,844	3,186,127	1,613,609	77,532,172
Arkansas	9,976,987	10,063,051	1,485,312	1,693,187	924,977	24,143,514
California	734,520,308	23,149,055	14,201,973	23,567,408	11,695,490	807,134,234
Colorado	59,519,921	8,339,835	1,680,952	2,011,568	1,243,083	72,795,360
Connecticut	74,908,400	2,720,694	1,633,799	1,355,919	1,127,343	81,746,155
Delaware	11,392,583	1,260,415	467,748	317,788	231,164	13,669,698
District of Columbia	84,533,477		401,674	456,545	223,556	85,615,252
Florida	214,255,791	13,665,804	9,054,548	9,984,723	6,505,029	253,465,895
Georgia	84,498,944	17,043,811	3,388,163	4,486,717	2,513,664	111,931,299
Hawaii	31,536,227	1,977,060	652,887	549,587	354,739	35,070,500
Idaho	7,324,777	5,802,408	622,251	757,544	379,945	14,886,924
Illinois	268,894,909	14,176,509	5,238,179	6,071,487	3,691,937	298,073,021
Indiana	46,239,840	13,565,559	2,750,575	2,774,069	1,862,130	67,192,173
Iowa	17,406,124	10,085,925	1,411,636	1,245,522	757,073	30,906,280
Kansas	12,604,053	9,358,468	1,263,995	1,116,971	688,090	25,031,578
Kentucky	22,895,630	12,794,452	2,134,698	2,220,396	1,282,835	41,328,011
Louisiana	37,011,598	10,263,425	2,125,248	3,478,198	1,598,377	54,476,845
Maine	4,390,901	5,450,554	738,482	608,059	403,410	11,591,406
Maryland	116,691,757	5,014,908	2,260,435	2,136,201	1,662,607	127,765,908
Massachusetts	197,198,340	3,494,764	3,005,985	2,799,891	2,108,240	208,607,219
Michigan	84,522,014	17,346,380	4,355,117	4,791,256	3,146,204	114,160,970
Minnesota	54,718,451	12,738,937	1,990,631	1,702,860	1,119,362	72,270,241
Mississippi	6,529,543	11,514,715	1,489,595	1,755,085	814,978	22,103,916
Missouri	46,854,685	13,795,458	2,626,238	2,689,161	1,582,543	67,548,085
Montana	3,416,567	7,487,307	515,089	549,402	253,731	12,222,096
Nebraska	10,110,453	6,541,409	833,830	676,232	371,742	18,533,666
Nevada	27,409,647	4,905,231	1,022,392	1,032,410	693,529	35,063,210
New Hampshire	6,194,324	3,525,899	625,384	424,371	387,861	11,157,839
New Jersey	322,916,098	3,264,005	3,827,337	3,418,004	2,677,319	336,102,763
New Mexico	11,583,543	8,155,173	922,070	1,318,079	567,213	22,546,077
New York	724,884,147	17,530,743	9,093,992	11,751,939	6,640,776	769,901,597
North Carolina	50,405,452	21,921,524	3,791,181	4,040,386	2,561,858	82,720,401

North Dakota	3,954,018	3,947,922	404,204	350,871	187,613	8,844,628
Ohio	109,902,727	19,951,877	5,095,271	5,328,123	3,363,088	143,641,086
Oklahoma	17,158,479	11,267,408	1,753,695	1,957,799	1,008,090	33,145,471
Oregon	45,889,090	9,755,664	1,624,581	1,767,450	978,972	60,015,757
Pennsylvania	188,087,472	20,183,865	6,017,165	6,048,012	3,790,923	224,127,436
Rhode Island	20,306,948	588,250	633,128	562,119	362,907	22,453,351
South Carolina	19,462,121	11,019,109	2,016,570	2,254,389	1,371,615	36,123,805
South Dakota	3,105,634	4,888,347	447,170	376,568	196,839	9,014,558
Tennessee	35,872,944	14,055,492	2,815,688	3,215,451	1,918,824	57,878,398
Texas	249,475,484	33,742,068	8,422,652	14,959,249	6,746,650	313,346,103
Utah	36,539,059	4,779,865	827,533	1,072,095	547,165	43,765,716
Vermont	1,823,452	2,636,628	379,702	225,023	141,005	5,205,810
Virginia	68,709,737	12,445,674	2,970,333	3,074,340	2,032,950	89,233,034
Washington	120,370,224	9,532,254	2,524,195	2,985,645	1,925,130	137,337,448
West Virginia	6,585,761	6,714,801	1,116,184	1,275,226	708,504	16,400,476
Wisconsin	50,593,755	13,448,469	2,303,921	2,272,753	1,498,861	70,117,759
Wyoming	1,738,736	4,627,828	322,017	243,656	136,074	7,068,311
America Samoa		226,515	65,166	98,972	8,925	399,578
Guam		612,261	173,448	99,105	26,039	910,853
N. Mariana Islands	803,902	34,875	66,533	151,666	29,856	1,086,832
Puerto Rico	47,239,640	1,401,654	2,041,295	7,985,779	2,103,599	60,771,967
Virgin Islands	972,234		163,743	99,501	17,993	1,253,471
Subtotal	4,521,077,815	511,459,447	132,832,500	164,500,000	92,500,000	5,422,369,762
Oversight	31,202,738	2,325,000	667,500			34,195,238
Total	4,552,280,553	513,784,447	133,500,000	164,500,000	92,500,000	5,456,565,000
Tribal Transit Program		15,000,000				15,000,000
RTAP		9,300,000				9,300,000
Grand Total	4,552,280,553	538,084,447	133,500,000	164,500,000	92,500,000	5,480,865,000

Springfield Union Station, Massachusetts.—The Committee continues to be supportive of the construction of a new, affordable facility in the city of Springfield, Massachusetts. Considerable funds already appropriated for this project from as far back as 2002 remain unobligated, and still other funds provided for the project in authorization acts also remain unobligated. However, the Committee is encouraged that State and local leadership are close to finalizing a new scope and design for the facility. The Committee asks that the Federal Transit Administration continue to work with State and local leaders to develop a reasonable schedule for the new project so that all appropriated funds can be obligated promptly.

West Virginia Statewide Bus and Bus Facilities.—Consistent with the provisions of section 3044 of SAFETEA–LU, the bill includes a total of $10,417,280 for bus and bus facilities within the State of West Virginia for fiscal year 2009.

Within the funding available to the bus and bus facilities program, funds are to be made available to the following projects and activities:

BUS AND BUS FACILITIES

Project name	Committee recommendation
Abilene Paratransit Vehicle Replacement, TX	$480,000
Addison County Transit Resources Facilities, Buses, and Equipment, VT	1,000,000
Alabama Senior Transportation Program, AL	1,000,000
Albuquerque Transit Facility Rehabilitation, City of Albuquerque, NM	150,000
Athens-Clarke County Transit, Bus Procurement, GA	1,400,000
Automotive-Based Fuel Cell Hybrid Bus Program, DE	500,000
Baldwin County Bus and Bus Facilities Project, AL	1,000,000
Ben Franklin Transit Maintenance Facility Construction, WA	1,350,000
Bloomfield Intermodal Improvements, NJ	2,000,000
Bridgeport Intermodal Transportation Center, CT	3,000,000
Capital Metro Bus and Bus Facilities Improvements, TX	500,000
CATA Bus and Bus Facilities, Lansing, MI	2,000,000
Cedar Avenue Bus Rapid Transit, MN	1,000,000
Central City Intermodal Transfer Terminal, NV	1,000,000
City of Detroit Fare Collection System, Bus Upgrades, MI	1,000,000
City of Moultrie Intermodal Facility, GA	500,000
Clallam Transit Vehicle Replacement, WA	302,000
Deerfield Valley Transit Association Buses, Facilities, and Equipment, VT	2,000,000
Design and Construction of an Intermodal Transportation Center for Los Lunas, NM	1,000,000
Dubuque Downtown Transportation Center Intermodal Facility, Dubuque, IA	250,000
East Tennessee Human Resources Agency Wheelchair Accessible Vehicles, TN	1,000,000
Enumclaw Welcome Center Intermodal Transit Facility, WA	1,500,000
Everett Transit Vehicle Replacement, WA	1,000,000
Frankfort Transit, KY	1,000,000
Goldsboro Union Depot, NC	500,000
Grant Transit Vehicle Replacement, WA	448,000
Greater Minnesota Transit Capital, MN	3,000,000
Greater Richmond Transit Company [GRTC] Bus Replacement, VA	1,000,000
Greensboro Multimodal Facility, NC	1,000,000
Harrison County Multi-Modal Facilities, MS	3,000,000
HART Bus Rapid Transit Project, FL	2,000,000
Hillsboro Intermodal Transit Facility, OR	3,000,000
Idaho Transit Coalition Buses and Bus Facilities, ID	2,500,000
Intercity Transit Intermodal Facility Project, WA	1,850,000
Intermodal Facilities, Salt Lake City, UT	5,000,000
JATRAN Light Rail Feasibility Study, MS	500,000
Lafayette Hybrid Bus Project, IN	2,100,000
Lake Tahoe Bus Facilities, NV	500,000

BUS AND BUS FACILITIES—Continued

Project name	Committee recommendation
Lakewood Multi Modal Facility, NJ	1,000,000
Laredo Bus Maintenance Facility and Refueling Depot, TX	1,000,000
Lufkin VA Clinic Shuttle, TX	300,000
LYNX Buses, Orlando, FL	3,000,000
Marshall County Vehicle Replacement for Seniors and for the Mentally Disabled, AL	300,000
MARTA Clean Fuel Buses and Facilities, GA	1,400,000
Murray-Calloway County Transit Authority Expansion Project, KY	1,200,000
ND Statewide Transit, ND	2,000,000
Nevada Statewide Bus Facilities	500,000
Oklahoma City Bus Replacement, OK	1,400,000
Pacific Transit Vehicle Replacement, WA	480,000
Paducah Area Transit System, KY	2,500,000
Pierce Transit Peninsula Park and Ride, WA	1,775,000
Pullman Transit Vehicle Replacement, WA	1,356,000
Queen Street Station, PA	3,000,000
Reno/Sparks Intermodal Transportation Center developments, NV	500,000
Rural Bus Program for Hawaii, Maui, and Kauai, HI	2,000,000
Senior Transportation, RI	200,000
Southside Bus Facility Replacement in Hampton Roads, VA	2,000,000
St. Louis Metro Bus and Paratransit Rolling Stock Project, MO	4,000,000
State of Illinois downstate bus and bus facilities, IL	5,000,000
Statewide Bus and Bus Facilities, MD	2,000,000
Statewide Bus and Bus Facilities, MO	2,000,000
Statewide Bus and Bus Facility Enhancements, AK	600,000
Statewide Bus Replacement, RI	1,000,000
Townsend Great Smoky Mountain Heritage Bus Station, TN	1,000,000
Transit Authority of Lexington Bus Purchase Project, KY	3,100,000
Transit Authority of Northern Kentucky Buses, KY	1,500,000
Transit Bus and Bus Replacement, IA	4,000,000
Transit Maintenance and Operations Facility, City of Las Cruces, NM	1,000,000
Treasure Valley Transit Facilities, ID	500,000
Twin Transit Vehicle Replacement, WA	410,000
University of Alabama Bus and Bus Facility Project, AL	500,000
Valley Transit Vehicle Replacement, WA	388,000
Whatcom County Transit Vehicle Replacement, WA	2,000,000
Wisconsin Statewide Bus and Bus Facilities, WI	4,000,000
Wonderland Intermodal Transit Improvements, MA	1,000,000

Within the funding available to the alternatives analysis program, funds are to be made available to the following projects and activities:

ALTERNATIVES ANALYSIS

Project name	Committee recommendation
Aberdeen MARC Rail Storage Yard, MD	$500,000
Coast Transit Alternatives Analysis, MS	1,200,000
MARTA I–20 East Transit Corridor, GA	500,000
Northwest New Jersey—Northeast Pennsylvania Passenger Rail Project, PA	1,000,000
Overland Park/Metcalf Transit Study, KS	700,000
West of Hudson Regional Transit Access Project, NY	2,000,000

RESEARCH AND UNIVERSITY RESEARCH CENTERS

	General fund
Appropriations, 2008	$65,362,900
Budget estimate, 2009	59,600,000
Committee recommendation	63,000,000

PROGRAM DESCRIPTION

This appropriation provides financial assistance to support activities that are designed to develop solutions that improve public transportation. As the Federal agency responsible for transit, FTA assumes a leadership role in supporting research intended to identify different strategies to increase ridership, improve personal mobility, minimize automobile fuel consumption and air pollution, and enhance the quality of life in all communities.

FTA may make grants, contracts, cooperative agreements, or other agreements for research, development, demonstration, and deployment projects, and evaluation of technology of national significance to public transportation. FTA provides transit agencies with research results to help make them better equipped to improve public transportation services and to help public transportation services meet national transportation needs at a minimum cost. FTA assists transit agencies to employ new service methods and technologies that improve their operations and capital efficiencies or improve transit safety and emergency preparedness.

The purpose of the university transportation centers [UTC] program is to foster a national resource and focal point for the support and conduct of research and training concerning the transportation of passengers and property. Funds provided under the FTA's UTC program are transferred to and managed by the Research and Innovation Technology Administration and combined with a transfer of funds from the Federal Highway Administration.

COMMITTEE RECOMMENDATION

The Committee recommends $63,000,000 for research and university research centers. The Committee recommendation is $3,400,000 more than the budget request, and $2,362,900 less than the fiscal year 2008 enacted level.

The Committee recommends funds for the following:

Project name	Committee recommendation
Missouri Transportation Institute, Missouri, for research on alternative sources of energy to power transit vehicles, including hydrogen power and plug-in hybrids	$1,000,000
West Virginia University Exhaust Emissions Testing Initiative, West Virginia, for the evaluation and characterization of the exhaust emissions from all new transit buses offered for sale to United States transit bus operators	$500,000

CAPITAL INVESTMENT GRANTS

Appropriations, 2008	$1,569,091,997
Budget estimate, 2009	1,620,828,893
Committee recommendation	1,809,250,000

PROGRAM DESCRIPTION

The Capital Investment Grants account includes funding for two programs authorized under section 5309 of title 49 of the United States Code: the New Starts program and the Small Starts program. Under New Starts, the FTA provides grants to fund the building of new fixed guideway systems or extensions to existing fixed guideway systems. Eligible services include light rail, rapid rail (heavy rail), commuter rail, and busway/high occupancy vehicle

[HOV] facilities. In addition, significant corridor-based bus capital projects which either use an exclusive lane or which involve a substantial investment in a defined corridor (such as bus rapid transit) may also be eligible. Under Small Starts, the FTA provides grants for projects requesting less than $75,000,000 and with a total cost of less than $250,000,000.

COMMITTEE RECOMMENDATION

The Committee action recommends a level of $1,809,250,000. The recommended level is $188,421,107 more than the budget request and $240,158,003 more than the fiscal year 2008 enacted level.

The Committee recommends the following allocations of capital investment grant funds in fiscal year 2009:

Project name	Committee recommendation
AC Transit Bus Rapid Transit Corridor, CA	$3,000,000
Bellevue-Redmond BRT, WA	20,000,000
Bus Rapid Transit, Potomac Yard-Crystal City, VA	1,000,000
Bus Rapid Transit—State Avenue Corridor, Wyandotte County, KS	1,500,000
Central Corridor Light Rail Transit Project, MN	20,000,000
Central Link Initial Segment, Seattle, WA	28,846,735
Central Phoenix/East Valley Light Rail, AZ	91,800,000
Charlotte Rapid Transit Extension Northeast Corridor, NC	18,000,000
Commuter Rail Improvements, Fitchburg, MA	27,000,000
CTA Brown Line, IL (Ravenswood)	29,474,404
CTA Circle Line, IL	8,000,000
Dallas Area Rapid Transit Northwest/Southeast Light Rail MOS, TX	87,974,716
Downtown Orlando East-West Circulator System, FL	8,000,000
Dulles Corridor Rail Project, VA	30,000,000
Honolulu High-Capacity Transit Corridor Project, HI	20,000,000
Houston METRO—Advanced Transit Program/METRO Solutions Phase 2, TX	10,000,000
Hudson-Bergen Light Rail MOS2, NJ	1,103,860
Improvements to the Rosslyn Metro Station, VA	2,000,000
I–69 HOV/BRT, MS	7,650,000
Largo Metrorail Extension, Washington, DC	34,700,000
Livermore-Amador Bus Rapid Transit, CA	7,990,000
Long Island Rail Road East Side Access, NY	197,370,000
Los Angeles Metro Gold Line Eastside Extension, CA	74,600,000
Los Angeles Metro Rapid Bus System Gap Closure, CA	332,620
Los Angeles Wilshire Blvd Bus-Only Lane, CA	10,952,330
MARC Commuter Rail Improvements and Rolling Stock, MD	15,000,000
Mason Street Corridor Bus Rapid Transit, CO	11,182,000
METRA, IL	6,607,000
Miami-Dade County Metrorail Orange Line Expansion, FL	20,000,000
Mid Jordan Light Rail Extension, UT	10,000,000
Mountain Links BRT, AZ	6,238,000
Norfolk Light Rail Project, VA	57,055,734
North Shore LRT Corridor, PA	670,885
Northstar Corridor Rail Project, MN	71,166,060
Pacific Highway South BRT, WA	281,520
Perris Valley Line Metrolink Extension, CA	50,000,000
Pioneer Parkway EmX BRT, Springfield, OR	296,000
Portland Streetcar Loop, OR	50,000,000
San Diego Mid-City Rapid, CA	21,650,000
San Francisco Third Street Light Rail Transit Project—Central Subway, CA	8,000,000
Second Avenue Subway—Phase I, NY	249,927,000
South Corridor I205/ Portland Mall Light Rail Project, OR	81,600,000
South County Commuter Rail, Wickford Junction Station, RI	1,345,500
South Sacramento Corridor Phase 2 Project, CA	7,000,000
Southeast Corridor LRT, CO	1,031,210
Stamford Urban Transitway, CT	5,000,000
Trans-Hudson Midtown Corridor, NJ	75,000,000
Troost Corridor BRT, Kansas City, MO	125,200

Project name	Committee recommendation
University Link LRT Extension, WA	100,000,000
VRE Rolling Stock, VA	5,000,000
Weber County to Salt Lake City Commuter Rail, UT	81,600,000
West Corridor Light Rail, CO	70,000,000

Appropriations for Full Funding Grant Agreements.—The Committee reiterates direction initially agreed to in the fiscal year 2002 conference report that FTA should not sign any FFGAs that have a maximum Federal share of higher than 60 percent.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

Section 160 exempts authority previously made available for programs of the FTA under 49 U.S.C. 5338 from the obligation limitations in this act.

Section 161 allows funds under this act, Federal Transit Administration, capital investment grants not obligated by September 30, 2011 to be made available for other projects under 49 U.S.C. 5309.

Section 162 allows funds appropriated before October 1, 2008, that remain available for expenditure to be transferred to the most recent appropriation heading.

Section 163 allows unobligated funds for new projects under Federal Transit Authority to be used during this fiscal year to satisfy expenses incurred for such projects.

Section 164 amends the Central Link Initial Segment Project.

Section 165 prohibits the Federal Transit Administration from issuing a final rule under section 5309 of title 49, United States Code, but allows the agency to continue to review comments on the rule.

Section 166 rescinds funds from the discretionary bus program.

Section 167 allows funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities to be used to construct new vessels and facilities, or to improve existing vessels and facilities, and provides that funding may be used by the city and county of Honolulu to operate a passenger ferry boat service demonstration project.

Section 168 extends the availability of funds previously provided for specific transit projects.

Section 169 corrects the category of funding available for the Charlotte Rapid Transit Extension—Northeast Corridor Light Rail Project, North Carolina.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

PROGRAM DESCRIPTION

The Saint Lawrence Seaway Development Corporation [SLSDC] is a wholly owned Government corporation established by the Saint Lawrence Seaway Act of May 13, 1954 (33 U.S.C. 981). The SLSDC is a vital transportation corridor for the international movement of bulk commodities such as steel, iron, grain, and coal, serving the North American region that makes up one-quarter of the United States population and nearly one-half of the Canadian population. The SLSDC is responsible for the operation, maintenance, and development of the United States portion of the Saint Lawrence Seaway between Montreal and Lake Erie.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

Appropriations, 2008	$17,392,000
Budget estimate, 2009	31,842,000
Committee recommendation	27,000,000

PROGRAM DESCRIPTION

The Harbor Maintenance Trust Fund [HMTF] was established by the Water Resources Development Act of 1986 (Public Law 99–662). Since 1987, the HMTF has supported the operations and maintenance of commercial harbor projects maintained by the Federal Government. Appropriations from the Harbor Maintenance Trust Fund and revenues from non-Federal sources finance the operation and maintenance of the Seaway for which the SLSDC is responsible.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $27,000,000 for the operations, maintenance, and asset renewal of the Saint Lawrence Seaway. This amount is $9,608,000 more than the fiscal year 2008 level and $4,842,000 less than the budget request.

The recommended level fully funds the Agency's request for operations and routine maintenance at $16,207,000, and provides an additional $10,793,000 to begin the Agency's proposed Asset Renewal Program. This amount is $4,842,000 less than the Agency's request. The Committee is pleased to recommend this amount for the modernization of the Seaway despite the shortage of funds available for new initiatives in fiscal year 2009. The Seaway will celebrate its 50th year of operation in 2009, which is roughly equal to the design life of its infrastructure components. The Asset Renewal Program is a 10-year capital investment plan to refresh and modernize the SLSDC's decaying bridge, tunnel, channel, and lock facilities, machinery, and other equipment without widening or deepening the Seaway. The SLSDC has a history of financial responsibility, and the Committee expects that this program will adhere to its schedule and budgetary goals. Given that the Committee is unable to fully fund the request for fiscal year 2009, it directs the SLSDC to submit within 90 days following passage of this appropriations act a revised schedule and cost estimate for the Asset Renewal Program through its completion.

MARITIME ADMINISTRATION

PROGRAM DESCRIPTION

The Maritime Administration [MARAD] is responsible for programs authorized by the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1101 et seq.). MARAD is also responsible for programs that strengthen the U.S. maritime industry in support of the Nation's security and economic needs. MARAD prioritizes DOD's use of ports and intermodal facilities during DOD mobilizations to guarantee the smooth flow of military cargo through commercial ports. MARAD manages the Maritime Security Program, the Voluntary Intermodal Sealift Agreement Program and the Ready Reserve Force, which assure DOD access to commercial and strategic sealift and associated intermodal capacity. MARAD also continues to address the disposal of obsolete ships in the National Defense Reserve Fleet which are deemed a potential environmental risk. Further, MARAD administers education and training programs through the U.S. Merchant Marine Academy and six State maritime schools that assist in providing skilled merchant marine officers who are capable of serving defense and commercial transportation needs. The Committee continues to fund MARAD in its support of the United States as a maritime Nation.

MARITIME SECURITY PROGRAM

Appropriations, 2008	$156,000,000
Budget estimate, 2009	174,000,000
Committee recommendation	174,000,000

PROGRAM DESCRIPTION

The Maritime Security Program provides resources to maintain a U.S. flag merchant fleet crewed by U.S. citizens to serve both the commercial and national security needs of the United States. The program provides direct payments to U.S. flag ship operators engaged in U.S. foreign trade. Participating operators are required to keep the vessels in active commercial service and are required to provide intermodal sealift support to the Department of Defense in times of war or national emergency.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $174,000,000 for the Maritime Security Program. This amount is $18,000,000 more than the fiscal year 2008 enacted level and equal to the budget request. This level is consistent with the program's authorized level.

OPERATIONS AND TRAINING

Appropriations, 2008	$121,992,000
Budget estimate, 2009	117,848,000
Committee recommendation	123,560,000

PROGRAM DESCRIPTION

The Operations and Training appropriation primarily funds the salaries and expenses for MARAD headquarters and regional staff in the administration and direction for all MARAD programs. The account includes funding for the U.S. Merchant Marine Academy, six State maritime schools, port and intermodal development, cargo preference, international trade relations, deep-water port licensing, and administrative support costs.

COMMITTEE RECOMMENDATION

The Committee has recommended an appropriation of $123,560,000 for Operations and Training at the Maritime Administration for fiscal year 2009. This amount is $1,568,000 more than the fiscal year 2008 enacted level and $5,712,000 more than the budget request. Funding for the subaccounts within the "operations and training" account are provided as follows:

	Fiscal year 2009 request	Committee recommendation
U.S. Merchant Marine Academy:		
Salary and Benefits	$26,794,000	....
Academy Operations	26,414,000	....
Midshipmen Program	....	....
Instructional Program	....	....
Program, Direction and Admin	....	....
Maintenance, Repair and Operations	....	....
Capital Improvements	8,150,000	....
Subtotal, USMMA	61,358,000	[1] $61,358,000
State Maritime Schools:		
Direct Schoolship Payments	1,881,000	3,000,000
Student Incentive Payments	800,000	1,200,000
Schoolship Maint. & Repair	8,306,000	10,500,000
Subtotal, State Maritime Schools	10,987,000	14,700,000
MARAD Operations:		
Ports & MTS Improvement	3,743,000	5,743,000
Capital Construction Fund Management	618,000	618,000
International Activities	866,000	866,000
Deepwater Port Licensing	1,226,000	1,226,000
Cargo Preference Management	3,890,000	3,890,000
Mobile Source Emissions	944,000	944,000
MSP Administration	700,000	700,000
VISA/Vessel Transfer	2,169,000	2,169,000
Mariner Training & Education Management	921,000	921,000
Strategic Ports/National Security Planning	1,335,000	1,335,000
War Risk Insurance	908,000	908,000
Organizational Excellence	1,480,000	1,480,000
Administrative Support	26,702,000	26,702,000
Subtotal, MARAD Operations	45,502,000	47,502,000
Total MARAD Operations and Training	117,847,000	123,560,000

[1] Funding for the USMMA is provided to the Secretary of Transportation.

Earlier this year, the Committee was informed by the Department of Transportation and the Maritime Administration [MARAD] that for many years, officials at the United States Merchant Marine Academy may have been involved in the improper and illegal use of appropriated funds. The suggested level of impropriety is startling.

The list of potential violations identified in an internal review of the Academy ordered by the Department of Transportation's Deputy Secretary includes: obligating funding in excess of the amount appropriated for salaries and benefits at the Academy; bypassing the civil service system by employing staff through the Academy's Non-Appropriated Fund Instrumentalities [NAFIs] to conduct official Academy business; bypassing competition requirements by entering into invalid reimbursable agreements in order to transmit revenue to one of the Academy's NAFIs—the Global Maritime and Transportation School [GMATS]; circumventing Federal procurement regulations; and, perhaps most disturbingly, siphoning funds away from the direct appropriation for the Academy's instructional program for other Academy functions.

The level of disregard that Academy officials appear to have shown to appropriate financial practices, Government regulations and statutory limitations is intolerable. These actions are likely to result in the reporting of several violations of the Anti-Deficiency Act. Moreover, the idea that so many questionable and potentially illegal actions took place under the supervision of MARAD leadership suggestions either gross negligence in the agency's oversight responsibility, or worse, complicity. The Committee is also greatly disturbed that some of the actions by the Academy's officials appear to have taken funding away from the educational programs for the Academy's students.

In order to better assess the financial operations at the Academy, ascertain how funding is being used by Academy officials, and examine how these actions may have been allowed to occur, the bipartisan leadership of the House and Senate subcommittees has asked the Government Accountability Office [GAO] to conduct a thorough audit of the Academy. This audit is essential to ensuring that the Academy's operations are once again on a sound financial and legal footing.

GAO is initiating this audit work at the same time that the Committee is considering the Academy's budget request for fiscal year 2009. The formal budget request for the Academy, as submitted by the President deviates from prior years in that several program activities are combined into one activity called "Academy Operations". This new unified account is expected to subsume the following funding activities for which the Committee has customarily set annual funding levels: the midshipmen program; the instructional program; program direction and administration; and maintenance, repair and operations. The Committee does not feel that it is responsible to provide the Academy with greater flexibility at a time when it is being accused of mismanaging its finances and ignoring congressional direction.

The Committee is deeply committed to the mission of the Academy and to ensuring that its midshipmen receive first-rate training and education. The Committee hopes that the GAO's audit will provide a verifiable and accurate accounting of how the funding at the Academy is aligned between budget accounts and program activities. However, absent the input of GAO based on its audit, the Committee cannot provide funding to the Academy as requested.

Therefore, in the interim, in order to ensure that the education of the midshipmen is not compromised, and that fiscal integrity and legality are restored, the Committee has provided funding solely to the Secretary of Transportation to support the programs, operations, and capital needs of the Academy. The Committee has stipulated that 80 percent of the funding can be obligated only after the Secretary, in consultation with the Maritime Administration, submits a plan detailing how funding will be spent, which is approved by the House and Senate Committees on Appropriations. Language is also included prohibiting the Superintendent, Vice Superintendent, and Chief Financial Officer of the Academy from having any budget control over Academy funding.

Student State Maritime Schools.—The Committee has provided $14,700,000 for State Maritime Schools. The level provided is $3,713,000 more than the requested level and $1,519,000 more than the enacted fiscal year 2008 level. Within the amount provided, the Committee has provided an increase to the direct schoolship payments in order to help offset high fuel costs associated with the training ships at the State academies.

The Committee has also provided an increase for the student incentive payment program. The President requested, and the Committee has included, language authorizing increased payments for students under this program. The Committee therefore wanted to provide sufficient resources to meet growing demand.

Marine Transportation System.—The Maritime Administration is the single source for all Marine Transportation System [MTS] information. The information advocate is a comprehensive database of information to assist in reducing intermodal congestion and to increase transportation efficiency. The Committee has provided an additional $2,000,000 for the Maritime Administration to advance their existing Information Framework, expand their mission of information advocacy for all MTS information and assure critical marine information is captured, managed, protected and available to all authorized agencies.

SHIP DISPOSAL

Appropriations, 2008	$17,000,000
Budget estimate, 2009	18,000,000
Committee recommendation	15,000,000

PROGRAM DESCRIPTION

The Ship Disposal account provides resources to dispose of obsolete merchant-type vessels of 150,000 gross tons or more in the National Defense Reserve Fleet [NDRF] which the Maritime Administration is required by law to dispose of by the end of 2006. Currently there is a backlog of more than 115 ships awaiting disposal. Many of these vessels are some 50 years old or more and pose a significant environmental threat due to the presence of hazardous substances such as asbestos and solid and liquid polychlorinated biphenyls [PCBs].

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $15,000,000 for the Maritime Administration's Ship Disposal program. This level of funding is $2,000,000 less than the fiscal year 2008 enacted level and $3,000,000 less than the President's request. The Committee strongly supports the Maritime Administration's efforts to dispose of all obsolete vessels that it has in its fleet. However, the program continues to have a significant amount of carryover funding. This is due, in part, to the fact that ship disposal activities are currently suspended in the State of California due to conflicting environmental mandates and regulatory constraints. In addition, the increased price of steel has reduced the cost-per-ton of disposing of ships in the fleet. Therefore, the Committee believes that MARAD can continue to operate the program at this lower level of funding.

ASSISTANCE TO SMALL SHIPYARDS

Appropriations, 2008	$10,000,000
Budget estimate, 2009	....
Committee recommendation	20,000,000

PROGRAM DESCRIPTION

As authorized by section 3506 of the National Defense Authorization Act for Fiscal Year 2006, the Assistance to Small Shipyards program provides assistance in the form of grants, loans and loan guarantees to small shipyards for capital improvements.

COMMITTEE RECOMMENDATION

The Committee is recommending an appropriation of $20,000,000 for assistance to small shipyards and maritime communities. This level of funding is $10,000,000 more than the fiscal year 2008 enacted level and $20,000,000 more than the President's budget request. Last year was the first time that this program was funded since its authorization in 2006. The importance of this program to maritime communities was demonstrated by the overwhelming demand for the funding provided. MARAD received over 50 applications totaling over $122,000,000. Therefore the Committee has continued to provide resources to support this program, and believes that it is an important tool to assist maritime communities and domestic shipyards in their ability to compete for both domestic and international commercial ship construction contracts.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

Appropriations, 2008	$8,408,000
Budget estimate, 2009	3,531,000
Committee recommendation	13,531,000

PROGRAM DESCRIPTION

The Program, established pursuant to title XI of the Merchant Marine Act, 1936, as amended, provides for a full faith and credit guarantee by the U.S. Government of debt obligations issued by (1) U.S. or foreign shipowners for the purpose of financing or refinancing either U.S. flag vessels or eligible export vessels constructed, reconstructed or reconditioned in U.S. shipyards and (2) U.S. shipyards for the purpose of financing advanced shipbuilding technology and modern shipbuilding technology (Technology) of a privately owned general shipyard facility located in the United States. The Program is administered by the Secretary of Transportation acting by and through the Maritime Administrator. Under the Federal Credit Reform Act of 1990, appropriations to cover the estimated costs of a project must be obtained prior to the issuance of any approvals for title XI financing.

COMMITTEE RECOMMENDATION

The Committee has recommended an appropriation of $13,531,000 for the Maritime Guaranteed Loan Title XI program. Of the amount provided, $3,531,000 is for administrative expenses necessary to carry out the program. This level of funding is $5,123,000 more than the fiscal year 2008 enacted level and

$10,000,000 more than the President's request. The loan guarantee amount of $10,000,000 will provide for a total loan volume of up to $225,000,000. The affordable financing opportunities that these loans allow are critical to ensuring that small and medium shipowners can build ships in the United States. The Committee expects that MARAD will move quickly to approve the loan guarantees, which are critical to our domestic shipbuilding industry.

SHIP CONSTRUCTION

(RESCISSION)

Appropriations, 2008	−$6,673,000
Budget estimate, 2009	....
Committee recommendation	−1,382,000

PROGRAM DESCRIPTION

The Ship Construction account, which hasn't been funded since 1981, provided construction cost subsidies for vessels built to operate in U.S. foreign trade. This program was designed to offset the higher cost of constructing ships in the U.S. versus overseas.

COMMITTEE RECOMMENDATION

The Committee has recommended a rescission of all unobligated balances under this heading.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 175 authorizes the Maritime Administration to furnish utilities and services and make repairs to any lease, contract, or occupancy involving Government property under the control of MARAD. Rental payments received pursuant to this provision shall be credited to the Treasury as miscellaneous receipts.

Section 176 prohibits obligations incurred during the current year from construction funds in excess of the appropriations and limitations contained in this act or in any prior appropriation act.

Section 177 increases the authorized amount for student incentive payments available to students attending the State maritime academies from $4,000 to $8,000 per student, and allows this assistance to be used for tuition.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

The Pipeline and Hazardous Material Safety Administration [PHMSA] was established in the Department of Transportation on November 30, 2004, pursuant to the Norman Y. Mineta Research and Special Programs Improvement Act (Public Law 108–246). The PHMSA is responsible for the Department's pipeline safety program as well as oversight of hazardous materials transportation safety operations. The administration also is dedicated to safety, including the elimination of transportation-related deaths and injuries associated with hazardous materials and pipeline transportation, and by promoting transportation solutions that enhance communities and protect the environment.

OPERATIONS

(PIPELINE SAFETY FUND)

Appropriations, 2008	$18,130,000
Budget estimate, 2009	18,130,000
Committee recommendation	19,130,000

PROGRAM DESCRIPTION

This account funds program support costs for the PHMSA, including policy development, civil rights, management, administration, and agency-wide expenses.

COMMITTEE RECOMMENDATION

The Committee recommends $19,130,000 for this account, of which $639,000 is transferred from the Pipeline Safety Fund. This funding is $1,000,000 more than both the budget request and the fiscal year 2008 enacted level. The Committee has provided $1,000,000 over the budget request and directs that this funding be transferred to the Office of Pipeline Safety for Information Grants to Communities.

HAZARDOUS MATERIALS SAFTEY

Appropriations, 2008	$28,000,000
Budget estimate, 2009	28,000,000
Committee recommendation	28,000,000

PROGRAM DESCRIPTION

The PHMSA oversees the safety of more than 800,000 daily shipments of hazardous materials in the United States. PHMSA uses risk management principles and security threat assessments to fully assess and reduce the risks inherent in hazardous materials transportation.

COMMITTEE RECOMMENDATION

The Committee recommends $28,000,000 for hazardous materials safety, of which $1,802,000 shall remain available until September 30, 2010. These funds are the same as the budget request and the fiscal year 2008 enacted level.

Hazardous Materials Intermodal Portal.—The Committee has once again included the requested funding level of $1,127,000 for the Hazardous Materials Intermodal Portal within the Hazardous Materials budget. The Committee supports the goal of this portal to allow hazardous materials data to be accessed by, and shared across, Federal agencies and regulators. It is an important tool that will enable the agency to ensure that it has the most accurate and up-to-date information in order to better track and target its enforcement efforts. The Committee hopes that the agency will ensure that other departments and agencies that will benefit from this system will provide the PHMSA with resources to assist in the system's development and implementation.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

Appropriations, 2008	$79,828,000
Budget estimate, 2009	93,291,000
Committee recommendation	93,291,000

PROGRAM DESCRIPTION

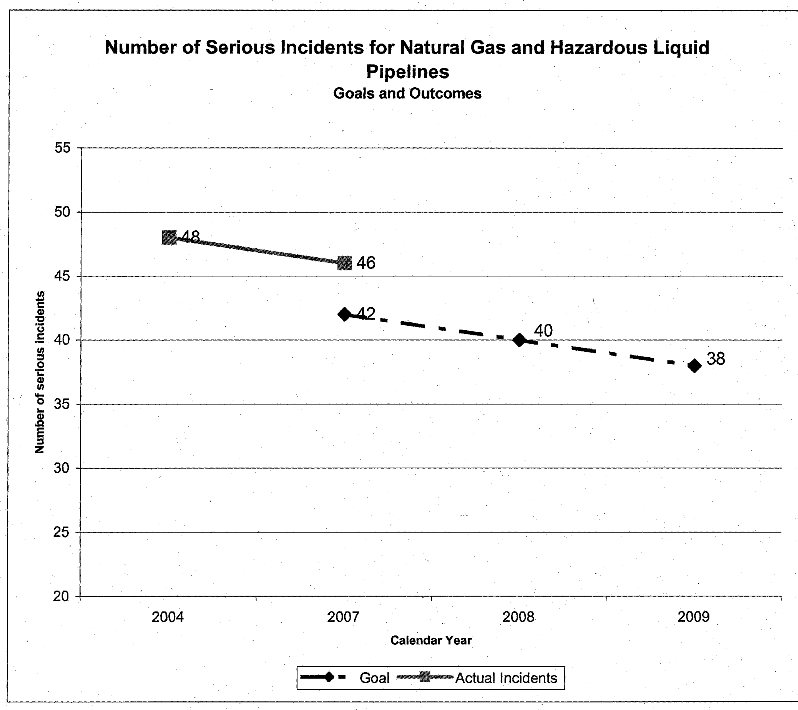
The Office of Pipeline Safety [OPS] is designed to promote the safe, reliable, and reliable sound transportation of natural gas and hazardous liquids by pipelines.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $93,291,000 for the Office of Pipeline Safety. This amount is $13,463,000 more than the fiscal year 2008 enacted level and equal to the budget request. Of the funding provided, $18,810,000 shall be derived from the Oil Spill Liability Trust Fund and $74,481,000 shall be from the Pipeline Safety Fund.

There are over 2,300,000 miles of pipelines in the United States carrying natural gas and hazardous liquids. These pipelines are in every community in our Nation, and the consequences of not properly operating or maintaining them can be dire, resulting in serious injury or death. In 2007, these incidents included: two fatalities and seven injuries resulting from a propane pipeline explosion in Clarke County, Mississippi; two fatalities when a crude oil spill ignited in Clearbrook, Minnesota; and one fatality and one injury resulting from a pipeline rupture in Delhi, Louisiana.

As the chart below displays, the number of pipeline incidents increased in 2007. PHMSA must remain vigilant in its effort to conduct inspections on our Nation's pipelines and ensure compliance with all Federal regulation. The budget for the Office of Pipeline Safety is increased this year and the Committee expects that these resources will be directed in a manner to reduce the number of serious pipeline incidents.



Inspector and Enforcement Staffing.—In fiscal year 2008, the Committee provided the Pipeline and Hazardous Materials Safety Administration with funding for 15 new pipeline inspector and enforcement staff. Increasing the inspector workforce is critical to meeting the new responsibilities the agency was given in the Pipeline Inspection, Protection, Enforcement and Safety [PIPES] Act of 2006, and to ensuring the safety of pipelines in communities across the country.

The Committee continues to believe that it is essential to boost the inspector and enforcement workforce and has included funding for eight additional inspection and enforcement positions in fiscal year 2009, consistent with the President's request. The Committee also directs PHMSA to provide quarterly reports on pipeline inspector and enforcement staffing levels to the House and Senate Committees on Appropriations, so the Committee can be assured that the agency is moving expeditiously to fill and retain these critical positions.

Information Grants to Communities.—The Pipeline Safety Improvement Act of 2002, authorized grants to communities or nonprofit groups for technical assistance, including engineering and other scientific analysis of pipeline safety. The program's authorization was extended in the PIPES Act of 2006 with additional requirements that PHMSA provide at least three demonstration grants, and establish procedures and criteria for grants. The Committee understands that the agency has now established competitive procedures for awarding grants and is near completion on grant selection criteria.

The agency was also limited by language that prohibits user fees from being used to fund these grants. Since the Office of Pipeline Safety is funded solely by user fees, resources have not been available for these grants. The Committee believes that these grants can assist communities in improving pipeline safety and preventing future pipeline incidents. Therefore, the Committee has included an appropriation from the general fund of $1,000,000 within the agency's operations account, to be transferred to the Office of Pipeline Safety, for the purpose of making grants under this program. The Committee also requires that grants be awarded no later than 120 days after the enactment of this act.

Grants to States.—The Committee has included $34,297,000 for grants to States. These activities include: grants to support States' regulation of pipelines; one-call grants; and State damage prevention grants. The Committee believes that the States' efforts to assist in inspecting and regulating pipelines are critical to ensuring the safety of the Nation's pipelines. The increase of $11,739,000 in funding for State pipeline safety grants will help States meet the new mandates required under the PIPES Act, and will result in additional inspection and enforcement efforts by the States.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Appropriations, 2008	$28,506,000
Budget estimate, 2009	28,506,000
Committee recommendation	28,506,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends $28,506,000 for this activity, of which $188,000 shall be for activities related to emergency response training curriculum development and updates, as authorized by section 117(A)(i)(3)(B) of HMTUSA. The Committee includes an obligation limitation of $28,318,000 for the emergency preparedness grant program.

The recommended level for emergency preparedness grants supports training of first responders and planning for communities to allow them to appropriately respond to hazardous materials incidents. This amount also supports the development and publication of the Emergency Response Guidebook, as well as, training and curriculum development for public sector emergency response and preparedness teams.

Research and Innovative Technology Administration

RESEARCH AND DEVELOPMENT

Appropriations, 2008	$12,000,000
Budget estimate, 2009	12,000,000
Committee recommendation	12,000,000

PROGRAM DESCRIPTION

The Research and Innovative Technology Administration [RITA] was established in the Department of Transportation, effective November 24, 2004, pursuant to the Norman Y. Mineta Research and Special Programs Improvement Act (Public Law 108–246). The mission of RITA is to focus the Department's multi-modal and intermodal research efforts, while coordinating the multifaceted research agenda of the Department.

RITA includes the University Transportation Centers, the Volpe National Transportation Center and the Bureau of Transportation Statistics [BTS], which is funded by an allocation from the Federal Highway Administration's Federal-aid highway account.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $12,000,000 for Research and Innovative Technology Administration for fiscal year 2009. The amount provided is equal to the fiscal year 2008 level and equal to the budget request.

The Committee recommends funds to be distributed to the following program activities in the following amounts:

	Amount
Salaries and Administrative Expenses	$5,964,000
Hydrogen Fuels Safety Research and Development	500,000
RD&T Coordination	536,000
Nationwide Differential Global Positioning System [NDGPS]	5,000,000

Research, Development, and Technology Coordination.—The Committee recommends $536,000 for Research, Development, and Technology Coordination, equal to budget request and the fiscal year 2008 enacted level. RITA must ensure that federally funded transportation research grants are made for projects that produce new and novel technologies and practices. After publication of the GAO's report on Transportation Research, RITA committed in its Strategic Plan to carefully assess and coordinate the Department's research programs. RITA has faced serious challenges in achieving this goal. This is due in part to longstanding contracts for duplicative research projects at institutions across the country. The Committee encourages the Administrator to continue putting pressure on RITA's existing partners to put their research funding to its most productive use, and to differentiate their work from other efforts already underway. Organizational structures within the Department of Transportation also undermine RITA's ability to set a focused research agenda.

Nationwide Differential Global Positioning System [NDGPS].—The Committee directs that not less than $5,000,000 shall be made available for the Nationwide Differential Global Positioning System, an increase of $400,000 from the budget request and equal to the fiscal year 2008 enacted level. The amount requested for NDGPS was reduced from the amount provided for fiscal year 2008, and the funds reallocated to a new budget item. However, the Committee has learned that the NDGPS request is expected to fall short of what will be needed to support the system through fiscal year 2009, and that significant recapitalization of the system will be necessary in the next few years. NDGPS has a wide variety of applications and users, and the service must not be allowed to deteriorate. The Committee further directs the Secretary to submit a recapitalization plan for NDGPS, including anticipated costs and completion dates, to the Committee within 90 days following passage of this appropriations act.

BUREAU OF TRANSPORTATION STATISTICS

(LIMITATION ON OBLIGATIONS)

Limitation on obligations, 2008	$27,000,000
Budget estimate, 2009	27,000,000
Committee recommendation	27,000,000

PROGRAM DESCRIPTION

The Bureau of Transportation Statistics [BTS] is funded by an allocation from the limitation on obligations for Federal-aid highways. The Bureau compiles, analyzes, and makes accessible information on the Nation's transportation systems; collects information on intermodal transportation and other areas as needed; and enhances the quality and effectiveness of the statistical programs of the Department of Transportation through research, the development of guidelines, and the promotion of improvements in data acquisition and use.

COMMITTEE RECOMMENDATION

Under the appropriation of the Federal Highway Administration, the bill provides $27,000,000 for BTS.

The Committee limits BTS staff to 122 FTEs in fiscal year 2009 in order to curtail the significant growth in staffing that occurred previously within this agency.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 2008	$66,400,000
Budget estimate, 2009	70,468,000
Committee recommendation	72,200,000

PROGRAM DESCRIPTION

The Inspector General Act of 1978 established the Office of Inspector General [OIG] as an independent and objective organization, with a mission to: (1) conduct and supervise audits and investigations relating to the programs and operations of the Department; (2) provide leadership and recommend policies designed to promote economy, efficiency, and effectiveness in the administration of programs and operations; (3) prevent and detect fraud, waste, and abuse; and (4) keep the Secretary and Congress currently informed regarding problems and deficiencies.

COMMITTEE RECOMMENDATION

The Committee recommendation provides $72,200,000 for activities of the Office of Inspector General, which is $5,800,000 more than the fiscal year 2008 enacted level and $1,732,000 more than the budget request.

The Committee recommendation includes $1,700,000 for the Office of Inspector General to increase its staffing levels by 12 full-time equivalents [FTE]. The Committee expects the Inspector General to use this funding increase to hire staff with the expertise necessary to evaluate the performance of the Federal Aviation Administration in overseeing aviation safety, managing the national airspace, and modernizing its capital programs.

As the aviation industry grows in size and complexity, the programs and policies of the Federal Aviation Administration also grow increasingly complicated. In recent years, for example, the agency has restructured its safety oversight program to follow a risk-based model and begun an effort to modernize the entire air transportation system. The Committee relies on the Inspector General and his staff to provide objective analysis of Federal Aviation Administration's programs. For this reason, the Committee believes that the Inspector General needs to maintain an adequate staffing level and to ensure that his staff are equipped with the necessary expertise.

In addition, the OIG will receive $6,024,000 transferred from other agencies in this bill for audit and investigation activities within that agency, as noted below:

	Amount
Federal Highway Administration	$3,824,000
Federal Transit Administration	2,000,000
Office of the Secretary	100,000
National Transportation Safety Board	100,000

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

The Committee has included a provision in section 407 that requires all departments and agencies in this act to report to the House and Senate Committees on Appropriations on all sole source contracts, including the contractor, the amount of the contract, and the rationale for a sole-source procurement as opposed to a market-based procurement. The Committee directs the IG to assess any conflicts of interest with regard to these contracts and DOT.

Unfair Business Practices.—The bill maintains language which authorizes the OIG to investigate allegations of fraud and unfair or deceptive practices and unfair methods of competition by air carriers and ticket agents.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

	Appropriation	Crediting offsetting collections
Appropriations, 2008	$26,325,000	$25,075,000
Budget estimate, 2009	23,085,000	26,385,000
Committee recommendation	26,847,000	25,597,000

PROGRAM DESCRIPTION

The Surface Transportation Board [STB] was created on January 1, 1996, by the Interstate Commerce Commission Termination Act of 1995 [ICCTA] (Public Law 104–88). The Board is a three-member, bipartisan, decisionally independent adjudicatory body organizationally housed within DOT and is responsible for the regulation of the rail and pipeline industries and certain non-licensing regulation of motor carriers and water carriers.

STB's rail oversight activities encompass rate reasonableness, car service and interchange, mergers, line acquisitions, line constructions, and abandonments. STB's jurisdiction also includes certain oversight of the intercity bus industry and pipeline carriers, rate regulation involving noncontiguous domestic water transportation, household goods carriers, and collectively determined motor carrier rates.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $26,847,000. This funding level is equal to the request by the Surface Transportation Board, $3,762,000 more than the President's request, and $522,000 more than the fiscal year 2008 enacted level. Included in the recommendation is $1,250,000 in fees, which will offset the appropriated funding. At this funding level, the Board will be able to accommodate 150 full-time equivalent staff.

User Fees.—Current statutory authority, under 31 U.S.C. 9701, grants the Board the authority to collect user fees. Language is included in the bill allowing fees to be credited to the appropriation on a dollar-for-dollar basis as the fees are received and credited. The Committee continues this language to simplify the tracking of the collections and provide the Board with more flexibility in spending its appropriated funds.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180 allows funds for maintenance and operation of aircraft; motor vehicles; liability insurance; uniforms; or allowances, as authorized by law.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 not to exceed the rate for an Executive Level IV.

Section 182 prohibits funds in this act for salaries and expenses of more than 110 political and presidential appointees in the Department of Transportation.

Section 183 prohibits funds for the implementation of section 404 of title 23, United States Code.

Section 184 prohibits recipients of funds made available in this act to release personal information, including a Social Security number, medical or disability information, and photographs from a driver's license or motor vehicle record without express consent of the person to whom such information pertains; and prohibits the Secretary of Transportation from withholding funds provided in this act for any grantee if a State is in noncompliance with this provision.

Section 185 allows funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited to each agency's respective accounts.

Section 186 clarifies the requirement to fund certain programs, projects and activities identified in this report within the accounts of the Federal Highway Administration, Federal Railroad Administration, and Federal Transit Administration.

Section 187 authorizes the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation.

Section 188 prohibits funds in this act to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations at least 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $500,000 or more is announced by the Department or its modal administration.

Section 189 allows rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management center, charge card programs, subleasing of building space and miscellaneous sources are to be credited to appropriations of the Department of Transportation.

Section 190 requires amounts from improper payments to a third party contractor that are lawfully recovered by the Department of Transportation be available to cover expenses incurred in recovery of such payments.

Section 191 establishes requirements for reprogramming actions by the House and Senate Committees on Appropriations.

Section 192 eliminates certain solid waste processing entities from the jurisdiction of the Surface Transportation Board.

Section 193 prohibits the Surface Transportation Board from charging filing fees for rate complaints that are greater than the fees authorized for district court civil suits.

Section 194 limits to 10 percent the amount of funds from each discretionary program that can be used for the Department of Transportation's congestion initiatives, after taking into account projects specified in this act and SAFETEA–LU as well as funds necessary to fulfill obligations in any existing agreements between the Department of Transportation and metropolitan areas.

Section 195 makes funding available for the reimbursement of costs associated with a ferryboat service while the Route 240 bridge over the Missouri River is being replaced.

Section 196 extends the availability for CMAQ funds to be used for rail service in New Mexico.

Section 197 requires that any fiscal year 2006 through 2009 section 5309 bus category funds earmarked under section 3044(a)(598) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users [SAFETEA–LU] that are unobligated or unexpended in a grant for the "OATS, Incorporated, MO–ITS Information and Billing System and Bus Facilities" be available to OATS, Incorporated for bus and bus-related facilities.

Section 198 requires that any fiscal year 2006 through 2009 funds earmarked under section 1702 of SAFETEA–LU that are unobligated or unexpended shall be available for maintenance, repair and reconstruction of the Tucker Bridge in the city of St. Louis, Missouri.

Section 199 requires the Department of Transportation, including the Federal Highway Administration and National Highway Traffic Safety Administration, to conduct a study of the fuel consumption savings and safety ramifications generated by the expanded use of Neighborhood Electric Vehicles on roadways with a maximum speed limit of 40 miles per hour.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Appropriations, 2008	$37,636,952,000
Budget estimate, 2009	39,075,851,000
Committee recommendation	42,363,811,000

PROGRAM DESCRIPTION

The Department of Housing and Urban Development [HUD] was established by the Housing and Urban Development Act (Public Law 89–174), effective November 9, 1965. This Department is the principal Federal agency responsible for programs concerned with the Nation's housing needs, fair housing opportunities, and improving and developing the Nation's communities.

In carrying out the mission of serving the needs and interests of the Nation's communities and of the people who live and work in them, HUD administers mortgage and loan insurance programs that help families become homeowners and facilitate the construction of rental housing; rental and homeownership subsidy programs for low-income families who otherwise could not afford decent housing; programs to combat discrimination in housing and affirmatively further fair housing opportunity; programs aimed at ensuring an adequate supply of mortgage credit; and programs that aid neighborhood rehabilitation, community development, and the preservation of our urban centers from blight and decay.

HUD administers programs to protect the homebuyer in the marketplace and fosters programs and research that stimulate and guide the housing industry to provide not only housing, but better communities and living environments.

COMMITTEE RECOMMENDATION

The Committee recommends for fiscal year 2009 an appropriation of $42,363,811,000 for the Department of Housing and Urban Development. This is $4,726,859,000 more than the fiscal year 2008 enacted level and $3,287,960,000 more then the budget request.

The Committee reiterates that the Department must limit the reprogramming of funds between the program, projects, and activities within each account to not more than $500,000 without prior approval of the Committees on Appropriations. Unless otherwise identified in the bill or report, the most detailed allocation of funds presented in the budget justifications is approved, with any deviation from such approved allocation subject to the normal reprogramming requirements. It is the intent of the Committee that all carryover funds in the various accounts, including recaptures and de-obligations, are subject to the normal reprogramming requirements outlined above. No changes may be made to any program, project, or activity if it is construed to be policy or a change in policy, without prior approval of the Committees on Appropriations. Finally, the Committee expects to be notified regarding reorganizations of offices, programs or activities prior to the planned implementation of such reorganizations, as well as be identified, on a monthly basis, of all ongoing litigation, including any negotiations or discussions, planned or ongoing, regarding a consent decree between the Department and any other entity, including the estimated costs of such decrees. No reprogramming between accounts is allowed under this bill.

EXECUTIVE DIRECTION

Appropriations, 2008	$24,980,000
Budget estimate, 2009	....
Committee recommendation	24,791,000

PROGRAM DESCRIPTION

This account provides all Personnel Compensation and Benefits and Non-Personnel Services funding for the Office of the Secretary, the Deputy Secretary, the Office of Congressional and Intergovernmental Affairs, the Office of Public Affairs, and the Office of Small and Disadvantaged Business Utilization. Additionally, funding is provided for the executive management in the offices of the Chief Financial Officer, the General Counsel, the Office of Administration, the Office of Public and Indian Housing, the Office of Community Planning and Development, the Office of Housing, the Office of Policy Development and Research, and the Office of Fair Housing and Equal Opportunity. These individuals are responsible for developing policy and managing the resources necessary to carry out HUD's mission. The core mission of the Department of Housing and Urban Development is to support community development, increase access to affordable housing free from discrimination and help Americans achieve the dream of homeownership.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $24,791,000 for this account, which is $24,791,000 more than the budget request and $189,000 less than the fiscal year 2008 level. The budget request eliminated this account and transferred these functions to the "Administration, Operations and Management account." The appropriated levels for each account reflect the actual needs based on updated information provided by HUD prior to the Committee mark up of the bill. Amounts are made available as follows:

	Amount
Immediate Office of the Secretary and Deputy Secretary	$4,047,480
Office of Hearings and Appeals	1,681,140
Office of Small and Disadvantaged Business Utilization	567,240
Immediate Office of the Chief Financial Officer	750,360
Immediate Office of the General Counsel	1,580,000
Office of the Assistant Secretary for Congressional and Intergovernmental Relations	2,828,630
Office of the Assistant Secretary for Public Affairs	2,694,500
Office of the Assistant Secretary for Administration	1,047,000
Office of the Assistant Secretary for Public and Indian Affairs	1,669,430
Office of the Assistant Secretary for Community and Planning Development	1,778,650
Office of the Assistant Secretary for Housing, Federal Housing Commissioner	3,936,000

	Amount
Office of the Assistant Secretary for Policy Development and Research	1,490,850
Office of the Assistant Secretary for Fair Housing and Equal Opportunity	719,820

The Consolidated Appropriation Act of 2008 included a new salaries and expense structure through nine separate accounts. Previously, HUD administered all salaries and expenses though a single "Management and Administration" account. This new structure was designed to improve transparency and to give the Committee greater oversight for these appropriated funds. This structure also included an "Executive Direction" account that includes the Senate-confirmed Secretary, Deputy Secretary and Assistant Secretaries to increase accountability over the lead policymakers of the Department. The fiscal year 2009 budget request proposes to eliminate the "Executive Direction" account and transfer these functions into the "Administration, Operations and Management" account which was designed to cover non-personnel expenses for the Department and included personnel compensation and benefits for divisions within HUD that provide Department-wide assistance. The Committee rejects this request and maintains the previous structure established in fiscal year 2008. The Committee notes that the Consolidated Appropriation Act of 2008 included bill language instructing the Department to follow the structure of that bill for the administration's fiscal year 2009 budget justification. The Committee once again instructs the Department to use this structure in submitting the fiscal year 2010 budget justification.

The Secretary is authorized to transfer funds within offices under Executive Direction following written notification to the House and Senate Committees on Appropriations, provided that no amount for any office may be increased or decreased by more than 5 percent by all transfers. Notice of any change in funding greater than 5 percent must be submitted for prior approval by the Committees. Further, the Secretary must provide quarterly written notification to the Committees regarding the status of pending congressional reports. The bill also provides that no more than $25,000 provided under the immediate Office of the Secretary shall be available for the official reception and representation expenses as the Secretary may determine.

ADMINISTRATION, OPERATIONS, AND MANAGEMENT

Appropriations, 2008	$493,630,000
Budget estimate, 2009	546,218,000
Committee recommendation	527,433,640

The Administration, Operations and Management [AOM] account is the backbone of HUD's operations, and consists of several offices that are supposed to work seamlessly to provide the support services required to ensure the Department performs its core mission, and is compliant with all legal, operational, and financial guidelines established by the Congress for the benefit of the Nation. The AOM account funds the personnel compensation and benefits costs of the remaining staff in the Office of General Counsel, the Office of the Chief Financial Officer, and the Office of Administration, as well as the entire staff in the Office of the Chief Procurement Officer, the Office of Departmental Equal Employment Opportunity, the Office of Field Policy and Management, the Office of Departmental Operations and Coordination, and the Office of Faith-Based and Community Initiatives. This account also contains Non-Personnel Services funding for the Department.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $527,433,640 for this account, which is $18,784,360 less than the budget request and $33,803,640 more than the fiscal year 2008 level. The appropriated levels for each account reflect the actual needs based on updated information provided by HUD prior to the Committee mark-up of the bill. This appropriation will support hiring in each of the program offices. At the time of publication of this report, the Department has more than 700 vacancies, and the Committee will continue to monitor hiring throughout the 2009 fiscal year. Funds are made available as follows:

	Amount
Office of Administration Personnel Compensation and Benefits	$75,510,000
Office of Departmental Operations and Coordination Personnel Compensation and Benefits	11,003,940
Office of Field Policy and Management Personnel Compensation and Benefits	48,817,430
Office of the Chief Procurement Officer Personnel Compensation and Benefits	13,438,200
Office of the Chief Financial Officer Personnel Compensation and Benefits	34,028,820
Office of the General Counsel Personnel Compensation and Benefits	84,837,460
Office of the Departmental Equal Employment Opportunity Personnel Compensation and Benefits	3,085,120
Office of Faith-Based and Community Initiatives Personnel Compensation and Benefits	1,215,280
Non-personnel expenses	255,497,390

The Committee continues to provide for the necessary administrative and non-administrative expenses of the Department. Funds may be used for advertising and promotional activities that support the housing mission area. Further, the Secretary is authorized to transfer funds between offices under this account, after such transfer has been submitted to, and received written approval by, the Committees on Appropriations. No appropriation for any office may be increased or decreased by more than 10 percent.

Personnel Compensation and Benefits

PUBLIC AND INDIAN HOUSING

Appropriations, 2008	$173,310,000
Budget estimate, 2009	190,340,000
Committee recommendation	190,390,100

This account provides salary and benefits funding to support staff in headquarters and in 46 field offices (funding for the immediate office of Assistant Secretary is provided out of the Executive Direction Account) in the Office of Public and Indian Housing [PIH]. PIH is charged with ensuring the availability of safe, decent, and affordable housing, creating opportunities for resident's self sufficiency and economic independence, and assuring the fiscal integrity of all public housing agencies. The Office ensures that safe, decent and affordable housing is available to Native American families, creates economic opportunities for tribes and Indian housing residents, assists tribes in the formulation of plans and strategies for community development, and assures fiscal integrity in the operation of the programs. The Office also administers programs authorized in the Native American Housing Assistance and Self Determination Act of 1996 [NAHASDA], which provides housing assistance to Native Americans and Native Hawaiians. PIH also manages the Housing Choice Voucher program, in which tenant-based vouchers increase affordable housing choices for low-income families. Tenant-based vouchers enable families to lease safe, decent, and affordable privately-owned rental housing.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $190,390,100 for this account, which is $50,100 more than the budget request and $17,080,100 more than the fiscal year 2008 level. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee mark-up of the bill.

COMMUNITY PLANNING AND DEVELOPMENT

Appropriations, 2008	$90,310,000
Budget estimate, 2009	95,035,000
Committee recommendation.	94,233,700

This account provides salary and benefits funding for Community Planning and Development [CPD] staff in headquarters and in 43 field offices, (funding for the immediate office of the Assistant Secretary is provided out of the Executive Direction account). CPD's mission is to enable the progress of viable urban, suburban and rural communities by promoting integrated approaches to community and economic development. CPO programs also assist in the expansion of opportunities for low-and moderate-income individuals and families in moving towards homeownership. The Assistant Secretary for CPD administers formula and competitive grant programs as well as guaranteed loan programs that help communities plan and finance their growth and development. These programs also help communities increase their capacity to govern and provide shelter and services for homeless persons and other persons with special needs, including person with HIV/AIDS.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $94,233,700 for this account, which is $801,300 less than the budget request and $3,923,700 more than the fiscal year 2008 level. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee markup of the bill.

HOUSING

Appropriation,2008	$334,450,000
Budget estimate, 2009	354,299,000
Committee recommendation	363,198,000

This account provides salary and benefits funding to support staff in headquarters and in 52 field locations, (funding for the immediate office of the Assistant Secretary/FHA Housing Commissioner is provided out of the Executive Direction account) in the Office of Housing. The Office of Housing is responsible for implementing programs to assist projects for occupancy by very low-income and moderate-income households, to provide capital grants to nonprofit sponsors for the development of housing for the elderly or handicapped, and to conduct several regulatory functions. The Office also administers Federal Housing Administration [FHA] programs that help lenders reduce exposure to the risk of default. These programs underwrite mortgages or loan insurance to finance new construction, rehabilitation or the purchase of existing dwelling units. The Office also provides services to maintain and preserve home ownership, especially for underserved population. This assistance allows lenders to make lower-cost financing available to more borrowers for home and home improvement loans, and apartment, hospital, and nursing home loans. FHA provides a vital link in addressing America's homeownership and affordable housing needs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $363,198,000 for this account, which is $8,899,000 more than the budget request and $28,748,000 more than the fiscal year 2008 level. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee markup of the bill. The Committee notes that the updated information provided by HUD modified the fiscal year 2009 budget request for this account from $354,299,000 to $348,198,470. Because of the high-risk issues facing FHA, the Committee recommends a $15,000,000 increase over the fiscal year 2009 modified budget request for additional staffing, including subcontracts and special needs in areas that are subject to crisis situations that could place FHA Mutual Mortgage Fund at unanticipated risk of loss. Without needed staff and mortgage expertise, FHA is at risk of sustaining excessive losses that could put FHA at risk of becoming economically unviable.

The Committee also recommends a $24,000,000 increase the administrative and contract expenses under the "Mutual Mortgage Insurance Program Account" to enable FHA to modernized their information technology systems and obtain the appropriate administrative support to meet unanticipated FHA needs.

The Committee is concerned that the President's budget provides inadequate staffing needs to address the reform and expansion of the Federal Housing Administration [FHA]. The Committee, through hearings and direct communications with the Department, has repeatedly warned the Department to provide the resources sufficient to meet the responsibilities of an expanding role for FHA. The Committee notes that at present, FHA has 289 vacancies. The Committee encourages the Secretary to work with the Office of Personnel Management [OPM] to provide FHA direct hiring authority; in order to expedite the filling of these vacancies and to provide FHA the stability necessary to protect the financial integrity of the FHA single family housing program. The Committee notes that OPM has recently granted direct-hire flexibilities to the Department of Health and Human Service's Centers for Medicare and Medicaid Services, the Securities and Exchange Commission, the Department of Agriculture, Department of Energy, the Office of

Federal Housing Enterprise Oversight and the Department of Justice.

OFFICE OF THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

Appropriations, 2008	$8,250,000
Budget estimate, 2009	8,559,000
Committee recommendation	10,000,000

This account provides all salary and benefits funding to support Government National Mortgage Association [GNMA] headquarters staff. GNMA programs help expand the supply of affordable housing in the United States by linking the capital markets to the Nation's housing markets. GNMA accomplishes this by facilitating the financing of residential mortgage loans insured or guaranteed by the Federal Housing Administration [FHA], the Department of Veteran Affairs [VA], and additional entities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $10,000,000, which is $1,441,000 more than the budget request and $1,750,000 more than the 2008 enacted level. The Committee provides an increase to cover the expansion of anticipated FHA guarantees for fiscal year 2009. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee mark-up of the bill.

POLICY DEVELOPMENT AND RESEARCH

Appropriations, 2008	$16,950,000
Budget estimate, 2009	19,829,000
Committee recommendation	18,070,850

This account provides salary and benefits funding to support staff in headquarters and in 16 field locations, (funding for the immediate office of Assistant Secretary is provided out of the Executive Direction account) in the Office of Policy Development and Research [PD&R]. PD&R supports the Department's efforts to help create cohesive, economically healthy communities. PD&R is responsible for maintaining current information on housing needs, market conditions, and existing programs, as well as conducting research on priority housing and community development issues. The Office provides reliable and objective data and analysis to help inform policy decisions.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $18,070,850 for this account, which is $1,758,150 less than the budget request and $1,120,850 more than the fiscal year 2008 level. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee markup of the bill.

FAIR HOUSING AND EQUAL OPPORTUNITY

Appropriations, 2008	$63,140,000
Budget estimate, 2009	67,905,000
Committee recommendation	69,020,990

This account provides salary and benefits funding to support staff in headquarters and in 42 field locations, (funding for the immediate office of Assistant Secretary is provided out of the Executive Direction account) in the Office of Fair Housing and Equal Opportunity [FHEO]. FHEO is responsible for investigating, resolving, and prosecuting complaints of housing discrimination and conducting education and outreach activities to increase awareness of the requirements of the Fair Housing Act. The Office also develops and interprets fair housing policy, processes complaints, performs compliance reviews and provides oversight and technical assistance to local housing authorities and community development agencies regarding section 3 of the Housing and Urban Development Act of 1968.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $69,020,990, which is $1,115,990 more than the budget request and $5,880,990 more than the fiscal year 2008 level. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee markup of the bill.

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

Appropriations, 2008	$6,980,000
Budget estimate, 2009	7,815,000
Committee recommendation	6,727,950

This account provides salary and benefits funding to support the Office of Healthy Homes and Lead Hazard Control [OHHLHC] headquarters staff. OHHLHC administers and manages the lead-based paint and healthy homes activities of the Department, and is directly responsible for the administration of the Lead-Based Paint Hazard Reduction program. The Office also develops lead-based paint regulations, guidelines, and policies applicable to HUD programs, designs lead-based paint and healthy homes training programs, administers lead-hazard control and healthy homes grant programs, and implements the lead and healthy homes research program.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $6,727,950 for this account, which is $1,087,050 less than the budget request and $252,050 less than the fiscal year 2008 level. The appropriated level for this account reflects the actual needs based on updated information provided by HUD prior to the Committee markup of the bill.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2008 [1]	$16,391,000,000
Budget estimate, 2009 [1]	15,881,000,000
Committee recommendation [1]	16,703,000,000

[1] Include an advance appropriation.

PROGRAM DESCRIPTION

This account provides funding for the section 8 tenant-based (voucher) program. Section 8 tenant-based housing assistance is one of the principle appropriations for Federal housing assistance and provides rental housing assistance to approximately 2 million families. The program also funds incremental vouchers to assist non-elderly disabled families and vouchers for tenants that live in projects where the owner of the project has decided to leave the section 8 program. The program also provides for the replacement of units lost from the assisted housing inventory (tenant protection vouchers). Under these programs, eligible low-income families pay 30 percent of their adjusted income for rent, and the Federal Government is responsible for the remainder of the rent, up to the fair market rent or some other payment standard. This account also provides funding for the Contract Administrator program, Family Self-Sufficiency [FSS], Housing and Urban Development Veterans Supportive Housing [HUD–VASH] Program and the Family Unification program. Under FSS, families receive job training and employment that should lead to a decrease in their dependency on Government assistance and help them move toward economic self-sufficiency.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $16,703,000,000 for fiscal year 2009; including $4,200,000,000 as an advance appropriation to be made available on October 1, 2009. This amount is $822,000,000 more than the budget request and $312,000,000 more than the fiscal year 2008 level.

The Committee recommends $14,827,000,000 for the renewal costs for section 8 contracts which is $500,000,000 more than the budget request and $126,000,000 more than the fiscal year 2008 level. The Committee notes that the budget request provides only $160,071,000 less than the fiscal year 2008 level for all the renewal costs associated with almost 2 million vouchers. The administration budget would force Public Housing Authorities [PHAs] to cover all inflationary costs associated with rent increases as well as absorb the cost of tenant protection vouchers that were added to their authorized lease levels. The vast majority of PHAs do not have sufficient resources to meet this unfunded responsibility and the result would be the possible displacement of vulnerable low-income residents. Adequate funding has been provided for inflationary costs, incremental vouchers, vouchers for tenants that live in projects where the owner of the project has decided to opt-out of the section 8 project-based program, or for the replacement of other units lost from the assisted housing inventory. This appropriation will ensure that PHAs have sufficient funding to renew approximately 2 million existing contracts and prevent the displacement of any current tenants.

The Committee continues the section 8 renewal formula established in fiscal year 2008. This formula is based on data derived through the voucher management system [VMS] on the most recently completed Federal fiscal year. This formula provides an efficient method to capture actual costs incurred by PHAs including variations in the rental markets.

Tenant Protection Vouchers.—The Committee recommends $200,000,000 for tenant protection assistance. This is $50,000,000 more than the budget request and the same as the fiscal year 2008 level. The Committee rejects the administrative efforts to limit tenant protection vouchers only to units under lease at the time of conversion. Rather, the Committee has included statutory language requiring the Secretary to provide replacement vouchers for all units that cease to be available as assisted housing due to demolition, disposition, or conversion, subject to the available of funds. The Committee has also included bill language allowing tenant protection in the form of project-based assistance to prevent the displacement of seniors currently residing in section 202 properties built between 1959 and 1974 that are refinanced or rehabilitated. These two statutory changes will prevent the loss of critical housing assistance in communities around the Nation.

Set-asides for Special Circumstances.—The Committee provides a set-aside of $100,000,000 to allow the Secretary to adjust allocations to PHAs under certain prescribed circumstances. They include (1) public housing agencies that experienced a significant increase, as determined by the Secretary, in renewal costs of tenant-based rental assistance resulting from unforeseen circumstances or any continued impact of Hurricanes Katrina and Rita and voucher utilization or the impact from portability under section 8(r) of the act; (2) public housing agencies with voucher leasing rates at the end of the calendar year that exceed the average leasing for the 12-month period used to establish the allocation; and/or (3) public housing agencies with vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the act. A PHA should not receive an adjustment to their allocation from the funding provided under this section if the Secretary determines that such PHA, through negligence or intentional actions, would exceed their authorized level.

Family Unification Program.—The Committee has provided $20,000,000 for incremental voucher assistance through the Family Unification Program. This level of funding is the same as the fiscal year 2008 enacted level and $20,000,000 more than the budget request. The Committee has included language that requires the Secretary to make this funding available to entities with experience in using this program and the with the sufficient resources available to provide voucher recipients with appropriate supportive services.

The Family Unification program assists families that have been separated, or are facing separation due to a lack of housing. The program also provides vouchers to youths age 18 to 21 that are aging out of foster care, or those age 16 or older who lack adequate housing.

The Committee encourages HUD to coordinate the release of these vouchers with providers that are part of HUD's Continuum of Care. Members of the Continuum of Care can assist public housing authorities identify families and youth that could benefit from this program. The Committee also hopes that these vouchers will be used to serve victims of domestic violence who lack a safe and stable home environment.

HUD-Veterans Affairs Supportive Housing Program.—Today one out of every five homeless persons on the street is a veteran. In order to reduce these numbers, the Committee recommends $75,000,000 for the Housing and Urban Development Veterans Affairs Supportive Housing [HUD–VASH] program. This level of funding is equal to the fiscal year 2008 enacted level and consistent with the budget request.

In fiscal year 2008, the Committee provided new HUD–VASH vouchers for the first time since 1993. Through this joint program, HUD provides veterans with housing assistance while the Department of Veterans Affairs provides case management and other supportive services to veterans suffering from mental illness or substance abuse disorders. The HUD–VASH vouchers are used to move our veterans from the street or shelter into permanent housing. The funding provided in fiscal year 2008 provided housing authorities with over 10,000 vouchers for veterans in every State, as well as the District of Columbia and Puerto Rico. The funding provided in fiscal year 2009 will serve an additional 10,000 homeless veterans.

Administrative Fees and Family Self-Sufficiency Coordinators.—The Committee recommends $1,500,000,000 for administrative fees and the cost of Family Self-Sufficiency Coordinators. For the administrative fees account, the Committee recommends $1,450,000,000, which is $50,000,000 more than the budget request and $99,000,000 more than the fiscal year 2008 level. The Committee also includes bill language allowing the Secretary to utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated under the heading "Annual Contributions for Assisted Housing" and the heading "Housing Certificate Fund" for fiscal years 2008 and prior fiscal years to increase funding as needed for administrative fees. The Committee recommends $50,000,000 for the Family Self-Sufficiency Coordinators, which is $2,000,000 more than the budget request and $1,000,000 more than the fiscal year 2008 level. The Committee funds this program within the administrative fee account to expedite payments for this service.

Working Capital Transfer.—The Committee recommends allowing up to $7,929,000 to be transferred to the Working Capital Fund. This level is the same as the budget request and $1,435,000 more than the fiscal year 2008 level. The Committee includes bill language requiring that this funding be used solely to enhance the voucher management leasing and cost data system. This is necessary for the Department to have the proper tools to monitor the largest appropriated account within HUD. The Committee has experienced difficulty receiving reliable and timely information regarding funding balances in this account. Such information is essential for the Committee to carry out the primary funding and oversight decisions and responsibilities. The Committee includes bill language requiring the Department to publish the voucher management system leasing and cost data on the Department's website prior to drawing down this funding.

Reducing Unusable Balances.—The fiscal year 2009 budget request includes bill language allowing the Secretary to reduce a public housing agency's unusable net restricted assets (section 8 reserve accounts) in amounts as determined by the Secretary. These reserve accounts are derived from section 8 voucher funding. Each public housing authority is limited to a specific number of vouchers under lease often referred to as the "authorized level". Reserve balances are divided into two categories. "Useable reserves" can be used by a PHA at anytime to fund additional vouchers up to their authorized level. "Unusable reserves" are balances that are in addition to the full cost to lease up to their "authorized level" and these funds cannot be used by a public housing authority.

The Committee recommends a reduction of a portion of the unusable reserves in fiscal year 2009. The Committee anticipates unusable reserve balances will be more than sufficient to cover the cost of this reduction in 2009 while providing no adverse impact on public housing authorities or their tenants.

Semiannual Reports.—The Committee requests the Secretary to continue to submit the semi-annual on the effectiveness of the budget-based approach to vouchers as first mandated in Senate Report 109–109.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2008	$6,381,810,000
Budget estimate, 2009 [1]	7,400,000,000
Committee recommendation [1]	8,450,200,000

[1] Includes an advance appropriation.

PROJECT DESCRIPTION

Section 8 project-based rental assistance provides a rental subsidy to a private landlord that is tied to a specific housing unit as opposed to a voucher which allows a recipient to seek a unit, subject primarily to certain rent caps. Amounts in this account include funding for the renewal of expiring 8 project-based contracts, including section 8, moderate rehabilitation, and single room occupancy [SRO] housing. This account also provides funds for contract administrators.

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of $8,450,200,000 for the annual renewal of project-based contracts, of which up to $232,000,000 is for the cost of contract administrators and up to $10,000,000 may be transferred to the Working Capital Fund. This funding is $1,050,200,000 more than the budget request and $2,068,390,000 more than the fiscal year 2008 level.

For over 2 years, the Committee has attempted without success to work with HUD to determine the full costs needed to renew all expiring project-based contracts for their usual 12-month term. These efforts have made it clear to the Committee that both HUD and OMB have been deliberately misleading the Congress and the public on these actual program costs. Instead, HUD and OMB have refused to request adequate resources to stabilize this program and, instead, have taken to renewing contracts for shorter periods of time that will be just long enough to push program costs into the next fiscal year. Other budget game-playing by the HUD has included deliberately delaying payments to owners for periods of up to 6 months—causing owners to miss mortgage and utility payments and calling into question the Governments commitment to this long-term rental assistance program. In so doing, HUD has put hundreds of contracts at risk covering thousands of tenants across the Nation. Further compounding the funding shortage has been the requirement for HUD to increasingly convert expiring multiyear contracts into annual contracts, effectively boosting program costs year over year.

Most recently, HUD's financial gimmickry with this program appears to be designed to push the financial "day of reckoning" for this program off until this next administration. The budget materials submitted by HUD concede the problems associated with "payment timeliness" and also concede that the budget request will only be sufficient to incrementally fund contracts until December 2009. With all those incremental contracts expiring each year, HUD will need a massive infusion of funds to renew a slew of contracts. The Committee has sought to address this problem by providing an unprecedented annual increase in this account of $2,068,390,000. The amount provided is $1,050,200,000 more than the administration's budget request. While the amount provided still will not be sufficient to allow HUD to return to the practice of renewing all expiring contracts for the usual 12-month duration, this additional funding should restore some stability to the program by allowing the Department to enter into longer term contracts with owners. Such stability should provide greater certainty that tenants will be able to stay in their homes.

Working Capital Fund Transfer.—The Committee includes bill language for the Working Capital Fund transfer requiring that this funding be used solely for the development and maintenance of support systems needed to adequately administer and monitor the project-based section 8 account.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2008	$2,438,964,000
Budget estimate, 2009	2,024,000,000
Committee recommendation	2,444,000,000

PROGRAM DESCRIPTION

This account provides funding for modernization and capital needs of public housing authorities (except Indian housing authorities), including management improvements, resident relocation and homeownership activities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,444,000,000 for the Public Housing Capital Fund, which is $420,000,000 more than the budget request and $5,036,000 more than the fiscal year 2008 level.

Of the amount made available under this section, $40,000,000 is for supportive services for residents of public housing and up to $8,820,000 is made available to pay the costs of administrative and judicial receiverships. The Committee includes language allowing up to $14,577,000 to be transferred to the Working Capital Fund. The Committee recommends $12,000,000 for technical assistance activities which is $4,580,000 more than the budget request and the same as the 2008 level.

The Committee provides an adequate increase in funding for capital needs in order to maintain the public housing portfolio which is necessary to preserve affordable, safe and sanitary housing for low-income residents.

HUD is prohibited from using any funds under this account as an emergency reserve under section 9(k) of the United States Housing Act of 1937, but is provided up to $20,000,000 for emergency capital needs including safety measures to address crime and drug-related criminal activity.

The Committee recommends up to $15,345,000, equal to the budget request, to support the ongoing financial and physical assessment activities at the Real Estate Assessment Center [REAC].

PUBLIC HOUSING OPERATING FUND

Appropriations, 2008	$4,200,000,000
Budget estimate, 2009	4,300,000,000
Committee recommendation	4,400,000,000

PROGRAM DESCRIPTION

This account provides funding for the payment of operating subsidies to approximately 3,100 public housing authorities (except Indian housing authorities) with a total of approximately 1.2 million units under management in order to augment rent payments by residents in order to provide sufficient revenues to meet reasonable operating costs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,400,000,000 for the public housing operating fund, which is $100,000,000 more than the budget request and $200,000,000 more than the fiscal year 2008 level. The Committee has provided additional funds to offset rising utility costs and increased requirements placed on PHAs.

HUD is prohibited from using any funds under this account as an emergency reserve under section 9(k) of the United States Housing Act of 1937. The bill includes language from the fiscal year 2004 appropriation bill that prohibits the use of operating funds to pay for the operating expenses for a prior year.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING [HOPE VI]

Appropriations, 2008	$100,000,000
Budget estimate, 2009	....
Committee recommendation	100,000,000

PROGRAM DESCRIPTION

The “Revitalization of severely distressed public housing” [HOPE VI] account makes awards to public housing authorities on a competitive basis to demolish obsolete or failed developments or to revitalize, where appropriate, sites upon which these developments exist. This is a focused effort to eliminate public housing which was, in many cases, poorly located, ill-designed, and not well constructed. Such unsuitable housing has been very expensive to operate, and difficult to manage effectively due to multiple deficiencies.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $100,000,000 for the "HOPE VI" account. This amount is the same as the fiscal year 2008 enacted level and $100,000,000 more than the budget request.

The HOPE VI program continues to transform neighborhoods and improve the lives of public housing residents. Revitalizing neighborhoods and creating mixed income communities is a challenging endeavor. However, the Committee notes that there are many examples of communities across the country that have undergone successful transformation using the HOPE VI program. The Committee is also encouraged by the use of green practices and Leadership in Energy and Environmental Design [LEED] standards in the design of HOPE VI projects. The Committee expects HUD to encourage the use of such practices in future projects.

Some program grantees continue to face challenges in moving forward with project development and construction. The Committee is especially concerned about older grantees that have struggled to meet program and construction goals. The Committee directs that of the funds provided for the HOPE VI program, $2,400,000 is to be used for technical assistance. The Committee further directs that no less than $1,000,000 of this funding be used to hire expeditors to assist grantees that have been slow to expend project funds and move forward with their projects. Such expeditors should have demonstrated experience assisting public housing authorities in developing strategies and plans that enable grantees to meet production goals. In addition to assisting older grantees through the use of expeditors, the Committee also encourages HUD to examine all options available to ensure that funds are expended in order to improve public housing, including redirecting funds to projects with the capacity to move forward with revitalization efforts in a timely manner.

The Committee is encouraged by HUD's efforts this year to provide additional assistance to grantees, especially those facing imminent deadlines. The Committee believes that this additional attention has resulted in increased funding being expended by grantees in fiscal year 2008. The Committee continues to encourage HUD to be in regular contact with grantees about their deadlines and provide them with the appropriate technical assistance. The Committee directs the agency to provide the House and Senate Committees on Appropriations with quarterly updates on the status of projects and grantees' expenditure of funds.

NATIVE AMERICAN HOUSING BLOCK GRANT

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2008	$630,000,000
Budget estimate, 2009	627,000,000
Committee recommendation	650,000,000

PROGRAM DESCRIPTION

This account funds the native American housing block grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 [NAHASDA]. This program provides an allocation of funds on a formula basis to Indian tribes and their tribally designated housing entities to help them address the housing needs within their communities. Under this block grant, Indian tribes will use performance measures and benchmarks that are consistent with the national goals of the program, but can base these measures on the needs and priorities established in their own Indian housing plan.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $650,000,000 for the Native American Housing Block Grant, of which $9,000,000 is set aside for a credit subsidy to support a loan level not to exceed $420,000,000 for the section 601 Loan Guarantee Loan Program. This total level is $23,000,000 more than the budget request and $20,000,000 more than the fiscal year 2008 level.

The Committee includes $4,000,000 for technical assistance through a national organization representing Native American housing interests and $4,250,000 for inspections of Indian housing units, contract expertise, training, technical assistance, oversight and management.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

Appropriations, 2008	$9,000,000
Budget estimate, 2009	5,940,000
Committee recommendation	10,000,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $10,000,000 for the Native Hawaiian Housing Block Grant, which is $4,060,000 more than the budget request and $1,000,000 more than the fiscal year 2008 level. Of the amount provided, $299,211 shall be for training and technical assistance activities including up to $100,000 for related travel for Hawaii-based HUD employees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Program account	Limitation on guaranteed loans
Appropriations, 2008	$7,450,000	$367,000,000
Budget estimate, 2009	9,000,000	420,000,000
Committee recommendation	9,000,000	420,000,000

PROGRAM DESCRIPTION

This program provides access to private financing for Indian families, Indian tribes and their tribally designated housing entities who otherwise could not acquire housing financing because of the unique status of Indian trust land. As required by the Federal Credit Reform Act of 1990, this account includes the subsidy costs associated with the loan guarantees authorized under this program.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $9,000,000 in program subsidies to support a loan level of $420,000,000. This subsidy level is the same as the budget request and $1,550,000 more than the fiscal year 2008 level.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Program account	Limitation on guaranteed loans
Appropriations, 2008	$1,044,000	$41,504,255
Budget estimate, 2009	....	....
Committee recommendation	1,044,000	41,504,255

PROGRAM DESCRIPTION

This program provides access to private financing for native Hawaiians who otherwise could not acquire housing finance because of the unique status of the Hawaiians Home Lands as trust land. As required by the Federal Credit Reform Act of 1990, this account includes the subsidy costs associated with the loan guarantees authorized under this program.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,044,000 in program subsidies to support a loan level of $41,504,255. This subsidy level is $1,044,000 more than the budget request and the same as the fiscal year 2008 level.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS [HOPWA]

Appropriations, 2008	$300,100,000
Budget estimate, 2009	300,100,000
Committee recommendation	315,100,000

PROGRAM DESCRIPTION

The Housing Opportunities for Persons With AIDS [HOPWA] Program is designed to provide States and localities with resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons living with HIV/AIDS and their families.

Statutorily, 90 percent of appropriated funds are distributed by formula to qualifying States and metropolitan areas on the basis of the number and incidence of AIDS cases reported to Centers for Disease Control and Prevention by March 31 of the year preceding the appropriation year. The remaining 10 percent of funds are distributed through a national competition.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $315,100,000 for the Housing Opportunities for Persons with AIDS program, which provides housing and supportive services to persons living with HIV/AIDS. This level of funding is $15,000,000 more than both the fiscal year 2008 enacted level and the budget request. Of the funding provided, the Committee has included language that allows $1,485,000 to be used for technical assistance and limits the amount available for transfer to the Department's Working Capital Fund to $1,750,000. The Committee has also included language requiring HUD to allocate these funds in a manner that preserves existing HOPWA programs to the extent that these programs are determined to be meeting the needs of persons with AIDS.

The Committee is pleased with the agency's effort to promote the use of permanent supportive housing as an effective model for keeping persons with HIV/AIDS in stable housing. This has been demonstrated as an effective way to improve health outcomes for persons living with HIV/AIDS. A recent study on the effectiveness of placing homeless individuals with chronic medical conditions, including HIV/AIDS, into permanent supportive housing proved that stable housing was successful in not only improving the housing outcomes of those receiving it, but also in reducing the costs of caring for those individuals.

The Committee looks forward to the results of another scientific study that HUD is conducting in partnership with the Centers for Disease Control and Prevention, as well as other public and private organizations. This study is examining the effects of housing on HIV disease progression, transmission risks and medical utilization. The Committee is encouraged, though, by preliminary evidence suggesting the positive effect that stable housing can have on improving the health of persons living with HIV/AIDS.

The Committee notes the success that HUD had in exceeding its performance goal for the percentage of HOPWA program clients that maintained housing stability, avoided homelessness, and accessed treatment. In fiscal year 2007, the program achieved a 93 percent success rate in this goal. The Committee believes that the additional funding provided will allow the program to continue to provide housing to persons living with HIV/AIDS in an efficient and effective manner.

The President's budget funds the program at last year's level, and has not included any additional resources to cover increasing rental and other associated inflationary costs. The Committee has therefore included $15,000,000 more than the President's request to ensure that all eligible grantees can continue to maintain the current level of assistance and services to persons living with HIV/AIDS.

OFFICE OF RURAL HOUSING AND ECONOMIC DEVELOPMENT

Appropriations, 2008	$17,000,000
Budget estimate, 2009	....
Committee recommendation	30,000,000

PROGRAM DESCRIPTION

The Office of Rural Housing and Economic Development was established to ensure that the Department has a comprehensive approach to rural housing and rural economic development issues. The account includes funding for capacity building in rural, underserved areas, and grants for Indian tribes, State housing finance agencies, State and local economic development agencies, rural nonprofits and rural community development corporations to pursue strategies designed to meet rural housing and economic development needs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $30,000,000 for the Office of Rural Housing and Economic Development for fiscal year 2009, which is $13,000,000 more than the fiscal year 2008 level. The administration did not request funding for this program.

The Committee does not accept the administration's recommendation to eliminate funding for this program. The Committee believes that the Office of Rural Housing and Economic Development plays an important role in HUD's community development activities. Twenty-five percent of nonmetropolitan homes are renter-occupied, and the high cost of housing burdens those in rural areas, as it does in urban communities. Furthermore, the Committee notes that the programs of the Office of Rural Housing and Economic Development are sufficiently different from the housing programs administered by the Department of Agriculture to warrant separate appropriations. Calculations of population to determine if an area is rural shall be based on the reality of an area, not the aggregation of the total population of a number of rural areas in an application for funds.

Economic Development Assistance for Federally Recognized Indian Tribes.—The Committee is concerned about the high rates of unemployment and poverty experienced by Native Americans, which are nearly twice as high as those of other Americans. The Committee believes that it is critical to give federally recognized Indian tribes the resources and tools that will enable them to promote economic development, create jobs and increase housing capacity. The Committee has provided an increase of $12,000,000 for the Office of Rural Housing and Economic Development for the purpose of conducting economic development and entrepreneurship activities for federally recognized Indian tribes. This funding should be used for such activities as the establishment of revolving loan programs, business planning and development and for increasing affordable housing. In addition to these activities, HUD should also use this funding to increase capacity on federally recognized Indian tribes by conducting outreach and training. The training and outreach provided should assist federally recognized tribes in leveraging additional resources, including tax credits, and developing innovative approaches to addressing their housing and employment needs.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2008	$3,865,800,000
Budget estimate, 2009	3,000,000,000
Committee recommendation	3,889,465,000

PROGRAM DESCRIPTION

Under title I of the Housing and Community Development Act of 1974, as amended, the Department is authorized to award block grants to units of general local government and States for the funding of local community development programs. A wide range of physical, economic, and social development activities are eligible with spending priorities determined at the local level, but the law enumerates general objectives which the block grants are designed to fulfill, including adequate housing, a suitable living environment, and expanded economic opportunities, principally for persons of low and moderate income. Grant recipients are required to use at least 70 percent of their block grant funds for activities that benefit low- and moderate-income persons.

Funds are distributed to eligible recipients for community development purposes utilizing the higher of two objective formulas, one of which gives somewhat greater weight to the age of housing stock. Seventy percent of appropriated funds are distributed to entitlement communities and 30 percent are distributed to nonentitlement communities after deducting designated amounts for setasides.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,889,465,000 for the Community Development Fund in fiscal year 2009. This level is $889,465,000 more than the budget request and $23,665,000 more than the fiscal year 2008 level.

For the fourth year in a row, the administration has sought to justify their recommendation to slash funding for the Community Development Block Grant [CDBG] program by proposing legislative "reforms" for the program. For fiscal year 2009, the administration's budget proposes a funding cut of approximately 18 percent from the fiscal year 2008 level. The Committee notes that the administrations “reform” legislation, which has yet to be introduced in either the House or the Senate, purports to “reform” the program by cutting assistance to affluent communities. The Committee notes, however that CDBG grantees are required by law to use at least 70 percent of their funding to benefit low and moderate-income persons. And, in reality, according to the HUD’s own budget documents, between 94.8 and 96.4 percent of CDBG funds benefited low- and moderate-income persons in fiscal year 2007. The Committee applauds the State and local governments for their targeted use of funds to assist persons in greatest need. The Committee believes that such aggressive targeting efforts makes it clear that the administration’s proposed “reforms” and reduced funding level would do nothing other than de-fund needed assistance in poor communities. The Committee is disappointed with the administration’s proposed reduction of the CDBG formula grant program by $659,025,000 or approximately 18 percent. The Committee has heard from communities all around the Nation that are struggling to address the housing crisis and the destructive impact on housing, employment, the tax base and crime. The Committee is dismayed that the administration would propose to reduce one of the Federal Government’s most effective tools to stabilize these communities. The Committee rejects the administration’s proposed funding cut.

The Committee includes $65,000,000 for grants to Indian tribes for essential economic and community development activities which is $7,580,000 more than the budget request and $3,000,000 more than the fiscal year 2008 level.

The Committee includes language indicating funding made available within this account, $3,175,000, may be transferred to the Working Capital Fund. This is equal to the budget request. The Committee includes the administration’s proposal for $5,000,000 to be used for technical assistance activities within CDBG. The Committee recommends funding for the Economic Development Initiative [EDI] and the Neighborhood Initiatives program [NI]. The Committee clarifies that funding provided through EDI and NI can not be used to reimburse costs already incurred on a project before an award is made by HUD for that specific project.

The Committee includes modified language making technical corrections to economic development initiatives funded under this heading in prior appropriation acts.

The Economic Development Initiatives are as follows:

ECONOMIC DEVELOPMENT INITIATIVES

Project name	Committee recommendation
180 Turning Lives Around Hazlet, NJ, for the design and construction of a new domestic violence shelter ...	$1,000,000
Acadiana Outreach Center, Lafayette, LA, for building of a mixed income housing development in Lafayette, LA	1,000,000
Advocates for Basic Legal Equality, Inc. Toledo, OH, for renovation of the former Western Union Building located at the corner of Huron Street and Jefferson Avenue in downtown Toledo, OH	750,000
Albany Dougherty Industrial Park, Albany, GA, for transformation of real estate property and infrastructure into a Certified Industrial Park	200,000
Alexandria—Riverfront Multi-State Development for the Alexandria Riverfront, Alexandria, LA	500,000
American Lighthouse Foundation, Rockland, ME, for restoration and preservation of Maine’s historic lighthouses	400,000

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Project name	Committee recommendation
Appalachia Service Project, WV, for providing free home repairs to low-income families in Southern West Virginia	500,000
Ardmore Development Authority/City of Ardmore, OK, for infrastructure improvements necessary to develop the Ardmore Technology Park	200,000
Arlington Chamber of Commerce, Arlington, TX, for development of an entrepreneurial center	200,000
Armstrong County, PA, for site preparation and redevelopment of a brownfield site	200,000
Audubon Mississippi, Moss Point, MS, for a nature-based education facility	1,000,000
Audubon Nature Institute, New Orleans, LA, for building a Living Science Museum	200,000
Barnesville-Lamar County Industrial Park, Barnesville, GA, for site preparation and infrastructure	500,000
Berkshire Theater Festival, Stockbridge, MA, for renovation and revitalization of the Berkshire Theatre Festival's facilities and grounds	200,000
Bernalillo County, NM, for transitional housing facility for recovering substance abuse clients	600,000
Beyond Housing, St. Louis, MO, for the demolition and development of the Pagedale Community Development Initiative	1,500,000
Big Sky Econ. Dev. Authority, Billings, MT, for development and urban renewal in East Downtown Billings	325,000
Boys and Girls Club of Fauquier County, VA, for facility renovations in support of the new building, including making the building handicap accessible	200,000
Boys and Girls Club of Greater Nashua, Nashua, NH, for renovation and expansion of the facility	500,000
Boys and Girls Club of the Grand River, McLaughlin, SD, for the Boys and Girls Club of the Grand River Area (South Dakota sites) for facility upgrades to existing and new sites on the Standing Rock Sioux Reservation	200,000
Care and Share Food Bank, Colorado Springs, CO, for equipment to be used to expand services to low-income individuals	300,000
Casey County Fiscal Court, Liberty, KY, for renovations at the Central Kentucky Agriculture and Expo Center	200,000
Casper College, Casper, WY, for the creation of business incubators	500,000
Cathedral Soup Kitchen, Inc., Camden, NJ, for the construction of a new facility	200,000
Center for People in Need, Lincoln, NE, for construction and renovation to create the Non-Profits and Education/Training Center	1,000,000
Central Utah Pioneer Heritage Association, UT, for construction and project development funds	200,000
Centre County Industrial Development Corporation, PA, for site preparation and redevelopment as part of the West End revitalization initiative	200,000
Charleston Kanawha Housing Authority, Chas. WV, for new low-income housing at the Littlepage Terrace and Washington Manor public housing facilities in downtown Charleston, WV	2,000,000
Charlotte-Mecklenburg Housing Partnership, Charlotte, NC, for transforming vacant and blighted properties along the Statesville Avenue Corridor into affordable housing	400,000
Child Abuse and Neglect Council Of Oakland County, Pontiac, MI, for renovation and expansion of the facility	500,000
Chilkat Indian Village/Klukwan, AK, for construction of Heritage Center and Bald Eagle Observatory	500,000
Chippewa Cree Tribe, Box Elder, MT, for transportation and rehabilitation of housing units from Malmstrom Air force base that would otherwise be destroyed to the Rocky Boy's Reservation	750,000
Christopher House, Chicago, IL, for the construction of Logan Square Family Resource Center	250,000
City of Ada, OK, for construction of a water storage tower	200,000
City of Aliceville, AL, for downtown revitalization	400,000
City of Beaumont, TX, for streetscape improvements	200,000
City of Berlin, NH, for the acquisition and demolition of dilapidated housing	300,000
City of Billings, MT, for environmental remediation and demolition of building previously owned by U.S. Naval Reserve	500,000
City of Boise, ID, for design and construction of the City of Boise's geothermal system expansion	700,000
City of Bridgeport, CT, for relevant outreach, advocacy, education, financial assistance and support services	500,000
City of Brockton, MA, for renovations to the War Memorial building and redevelopment of blighted downtown area	200,000
City of Carbondale, PA, for downtown revitalization efforts	200,000
City of Carlsbad, NM, for continued construction of a youth sports complex in Carlsbad, New Mexico	200,000
City of Charleston, SC, for the preservation, construction, and critically needed improvements to the St. Andrews' neighborhood's low-income housing	300,000
City of Cincinnati, OH, for complete property acquisition, demolition, and remediation of the Queen City Barrel area to create an urban industrial park	500,000
City of Council Bluffs, IA, for housing rehabilitation and construction in the Playland Park neighborhood located north of I–480 and west of I–29	500,000
City of Craig, AK, for the redevelopment of the abandoned cannery property in the City of Craig	350,000
City of Detroit, MI, for preservation and redevelopment of a public park and related business activities in the Corktown Neighborhood	4,000,000

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Project name	Committee recommendation
City of Easton, PA, for housing rehabilitation and neighborhood revitalization	500,000
City of Evanston, WY, for improvements to the Historic Evanston Roundhouse and Railyard in Evanston, Wyoming	400,000
City of Highland Park, MI, for elimination of blight in the North Point neighborhood	500,000
City of Hillsboro, TX, for streetscape improvements	200,000
City of Jackson, MS, for renovation and rehabilitation of the Thalia Mara Performing Arts Facility	400,000
City of Jackson, MS, for the renovation of the Historic Medgar Evers Farish Street NAACP Office	750,000
City of Jasper, AL, for an Industrial Park Development	800,000
City of Kankakee, IL, for the purchase, renovation and conversion of houses that are in foreclosure, abandoned, or in disrepair to affordable use properties	250,000
City of Kotzebue, AK, for construction of recreation and fairgrounds area	400,000
City of Marshalltown, IA, for housing redevelopment in the Grant Park Neighborhood	600,000
City of Maysville, Maysville, KY, for the renovation of the Cox Building	2,700,000
City of Medford, MA, for downtown redevelopment and rehabilitation	200,000
City of Methuen, MA, for the rehabilitation and redevelopment of blighted and underutilized buildings	200,000
City of Midland, TX, for downtown redevelopment	200,000
City of Milwaukee, WI, Redevelopment Authority for site acquisition, demolition, remediation, and/or redevelopment of priority projects in the 30th Street Industrial Corridor	200,000
City of Nashua, NH, for design and construction of downtown riverfront redevelopment program	400,000
City of North Adams, MA, for the redevelopment of historic downtown building	200,000
City of Northwood, ND, for reconstruction of downtown retail and office space destroyed by a tornado	700,000
City of Orlando, FL, for redevelopment of blighted areas of Parramore neighborhood	1,000,000
City of Oxford, MS, for renovation of the Powerhouse Community Arts Center	300,000
City of Pierre, SD, for revitalization of the Pierre historic downtown area and waterfront development	200,000
City of Portland, OR, for capital and operating costs to assist homeless and low income veterans with housing and supportive services	600,000
City of Reno, NV, for purchase of vacant buildings for Oliver Montello affordable housing projects	200,000
City of Rocky Mount, NC, for renovation of existing buildings for the revitalization of downtown Rocky Mount	300,000
City of Rosslyn, WA, for structural upgrades and other improvements to Rosslyn's primary public facility	840,000
City of South Salt Lake, UT, for streetscaping features along State and Main Streets between northern boundary of the City and I–80	400,000
City of Spartanburg, SC, for installation of residential infrastructure	400,000
City of Tarrant, AL, for streetscaping and pedestrian walkways to support proposed economic development plans	400,000
City of Toledo, OH, for completion of asbestos abatement and to begin structural improvements for the redevelopment of the former ACME power plant building	500,000
County of Tunica, MS, for restoration of existing buildings, construction of addition to the visitors center, and exhibit design to form a combine the visitors center, blues exhibit and gift shop into a Blues Gateway in the Mississippi Delta	950,000
City of Waterbury, CT, for the redevelopment of brownfields	250,000
City of Waterloo, IA, for demolition and redevelopment of a blighted area	400,000
City of Wilkes-Barre, PA, for revitalization of economic and recreational amenities at Coal Street Park	1,000,000
City of Wilson, NC, for clearing blighted structures from downtown Wilson and constructing new units for commercial occupancy	500,000
City of Wrangell, AK, for renovation of a community center	500,000
Clark County Food Bank, Clark County, WA, for the construction of a food bank	750,000
Clearfield City, UT, for purchasing 2.29 blighted acres, and to fund the development of public open spaces	400,000
Community Housing of Wyandotte County, Kansas City, KS, for the continuing revitalization efforts in the St. Peter's neighborhood	900,000
CommunityWorks, Helena, MT, for facility construction	1,000,000
Connie Lupardus, CAEZ, Clay, WV, for the construction and economic development activities of the Central Appalachian Empowerment Zone	200,000
County of Hudson, NJ, for transformation of the former Koppers Coke site in Kearny into a 2 million square foot industrial park that includes warehousing and distribution space	400,000
County of Santa Barbara, Santa Barbara, CA, for construction and renovation of the Lompoc Veterans Building	850,000
Department of Natural Resources, Annapolis, MD, for construction of a visitor center and recreational facilities	500,000
Downtown Emergency Services Center, Seattle, WA, for the provision of 83 studio apartments for chronically homeless, mentally ill people	750,000
Downtown Jackson Plaza Incorporated, Jackson, MS, for construction of a civic gathering plaza	1,000,000

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Project name	Committee recommendation
East Moline Downtown Development, East Moline, IL, for capital improvements to infrastructure and development projects in downtown E. Moline, including acquisition and renovation of dilapidated structures ..	250,000
Eritrean Association, Seattle, WA, for the expansion of the current Community Center facility	300,000
Flagship Enterprise Center, Anderson, IN, for technology and infrastructure improvements	500,000
Four Bands Community Fund, Eagle Butte, SD, for the Four Bands Community Fund to enable the organization to capitalize a revolving loan program, and in addition provide business development assistance	250,000
Granger, WA, for the construction of the Granger Community Center	300,000
Grant County Food Bank, Silver City, NM, for the rehabilitation or construction of a facility to serve as a food pantry and thrift store to serve the needs of Grant County	500,000
Great Falls Development Authority, Great Falls, MT, for infrastructure related construction along Black Eagle Road	1,000,000
Great Smoky Mountains Heritage Center Townsend, TN, Expansion and improvements to the Heritage Center	600,000
Greene County Industrial Board, Greene County, AL, Industrial Park Development	300,000
Hawaii Public Housing Authority, HI, for code enforcement and renovation of abandoned housing units to provide 22 housing units for low income individuals in Honolulu	400,000
Highline-West Seattle Mental Health, Burien, WA, for the provision of permanent, affordable housing and on-site mental health treatment and case management for 22 adults living with serious and persistent mental illness	225,000
Hocking Athens Pery Community Action, Glouster, OH, for the renovation of the community center	250,000
Hope Community Development Corporation, Charleston, WV, for purchasing existing dilapidated properties for the construction of new homes	750,000
Howard County, Ellicott City, MD, for construction and equipment for community rooms	400,000
International Institute of RI, Providence, RI, for building renovations to expand and improve community services to low-income individuals	300,000
Iowa Department of Economic Development, Des Moines, IA, for improving the physical and economic health of city centers	1,000,000
Jackson County Board of Supervisors, Jackson County, MS, for improvements and enhancements to the County's multi-purpose community arena in Vancleave	200,000
King County Housing Authority, Seattle, WA, for neighborhood rehabilitation and improvement and community investment	1,000,000
Kitsap Mental Health Services, Bremerton, WA, for the provision of 16 residential and short-term stabilization beds for adults age 18 and over with severe or acute mental illness	400,000
Kodiak Island Borough/Women's Bay, AK, for construction of an emergency shelter	500,000
Laiopua 2020, Kailua-Kona, HI, for planning, design, and construction of the Laiopua 2020 Community Center	500,000
Lake Area Improvement Corporation, Madison, SD, for expansion of the industrial park	200,000
Lake Area Community Center, New Orleans, LA, for the building of a mixed income housing development in Lafayette, LA	200,000
Lakota Fund, Kyle, SD, for capitalization of a revolving loan program and business development assistance	250,000
Lewiston City, UT, for reconstruction and revitalization of local community recreation center	250,000
Los Pueblos Community Council, Ribera, NM, for preservation and renovation of Old Ribera School Building for use as a community and cultural center	900,000
MAC, Inc., Area Agency on Aging, Salisbury, MD, for the construction of a new building that will house programs and services for lower shore elders	400,000
Massachusetts Attorney General, MA, for repair of abandoned houses	200,000
Memphis Bioworks Foundation, TN, for construction of the UT-Baptist Research Park in the downtown Memphis Medical Center	800,000
Mercy Housing Lakefront, Chicago, IL, for the development of supportive housing units for homeless in the City of Milwaukee	500,000
Newport News, VA, for acquisition, demolition and relocation activities, and capital improvements of dilapidated housing	700,000
Nickerson Community Center, Providence, RI, for building renovations to provide permanent rental housing for veterans who are chronically homeless	600,000
Northern Community Investment Corporation, St. Johnsbury, VT, for the North County Broadband Initiative, NH	700,000
Northeast Community Center, Spokane County, WA, for the implementation of the third phase of the Center's expansion to include a new partner, Partners for Families and Children	500,000
Northeast Community College, Norfolk, NE, for construction of the College Center at South Sioux City, NE ...	500,000
North-Missoula CDC, Missoula, MT, for construction of a neighborhood center	1,000,000
Nye County, NV, for a multi-generational community facility in Amargosa Valley	200,000

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Project name	Committee recommendation
Office of Economic Opportunity, VT, for homeless mental illness and substance abuse programs through Vermont Office of Economic Opportunity	250,000
Ogontz Avenue Revitalization Corporation, Philadelphia, PA, for acquisition and rehabilitation of vacant properties as part of a low and moderate income housing initiative	200,000
Ojinjinkta Housing Development Corporation, LLC, Rosebud Home Manufacturing Facility, SD, for the inventory and equipment needed for the construction of affordable homes for Native Americans	600,000
Oktibbeha County, MS, for restoration of the Oktibbeha County Courthouse	300,000
Open Arms of Minnesota, Minneapolis, MN, for construction of a new building for Open Arms of Minnesota	300,000
Opportunity Village, Las Vegas, NV, for a new employment and training center	600,000
Orange County Government, Orlando, FL, for renovations to a building to house a center that will engage and support the chronically homeless	1,000,000
Orange County Great Park Corporation, CA, for improvements to the Orange County Great Park	500,000
Our City Reading, Reading, PA, for a housing rehabilitation initiative and down payment assistance for home buyers	200,000
Pacific Gateway Center, HI, for retail business incubator capital improvement project targeting immigrants, refugees and low-to-moderate income residents of Hawaii who seek entrepreneurship as a means of escaping poverty	300,000
Para Los Ninos, Los Angeles, CA, for the renovation of the Vermont Avenue Family Resources Center	300,000
Pendleton Round-Up Association, Pendleton, OR, for the reconstruction and construction needs of the Pendleton Round-Up and Happy Canyon Facilities	750,000
Port of Gold Beach, OR, for rebuilding the high dock	200,000
Poughkeepsie, NY, for the development of a pedestrian bridge	1,000,000
Providence Community Action, Providence, RI, for purchase of a building to provide transitional housing for homeless families	700,000
Provo City, UT, for a parking facility	500,000
Puget Sound Educational Service Dist, Seattle, WA, for the construction of the Greenbridge Early Learning Center	1,000,000
Quincy Smelter, Franklin Township, MI, for remediation and preservation	300,000
Randolph County YMCA, IN, for expansion of the Child Care Facility	500,000
Red Lake Band of Chippewa Indians, Ponemah, MN, for design, construction, and buildout of a multipurpose facility on the Red Lake Indian reservation to provide space for the provision of youth and elderly programs	300,000
reStart, Inc., Kansas City, MO, to provide for facility improvements	400,000
Ritchie County Commission, WV, for the completion of the North fork of the Hughes River Watershed Project	650,000
RurAL CAP, Anchorage, AK, for rural Alaska Head Start facility upgrades, including energy-efficiency measures, health/safety improvements, and increased activity space	200,000
Rural Learning Center, Howard, SD, for construction of a green energy training center and elimination of community blight	200,000
Salishan HOPE IV, Tacoma, WA, for neighborhood rehabilitation and improvement and community investment	1,000,000
San Juan County, UT, for renovations and facility upgrade	400,000
Scott County Housing Council, Davenport, IA, for Affordable Housing Revolving Loan Fund and Grant Pool in Scott County, Iowa	400,000
Second Harvest Food Bank, Muncie, IN, for the renovation of the Second Harvest Food Bank of East Central Indiana	300,000
Southwest Indian Foundation, Gallup, NM, for the Operation Footprint program to construct and place new homes for needy Navajo families	1,000,000
Southwestern Vermont Council On Aging, VT, for Vermont Senior Centers Renovations and Maintenance	400,000
Spirit Lake Nation, Fort Totten, ND, for construction of low-income senior housing units	750,000
St. Michael's School and Nursery, Wilmington, DE, for HVAC replacement in school for low-income children	300,000
St. Monica's Home, Lincoln, NE, for construction of the new St. Monica's Community Center for low income women and their families in need of substance abuse and mental health treatment	440,000
Stone County, MS, for heavy equipment to assist in infrastructure needs across the county	200,000
Tallahatchie County, MS, for restoration of the Tallahatchie County Courthouse	1,000,000
The Houston Food Bank, Houston, TX, for the purchase and renovation of a new building	650,000
The Ministry of Caring Inc., Wilmington, DE, for handicap accessibility to a homeless shelter for women	500,000
Town of Boothbay, ME, for development of visitor and educational facilities and public access waterfront trails	500,000
Town of Colmar Manor, MD, for construction of the Colmar Manor Community Center	300,000
Town of Milo, ME, for utility and infrastructure upgrades to the new Eastern Piscataquis Industrial Park	500,000
Town of Rockingham, VT, for Rockingham Community Recreation Center	400,000

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Project name	Committee recommendation
Town of Warren, Warren, RI, for rehabilitation and revitalization of park infrastructure to serve low-income families	200,000
Turtle Mountain Band of Chippewa, Belcourt, ND, for the construction of a youth center to serve Native Americans on the reservation	500,000
Vermont Department of Buildings and Services, VT, for Veterans Monuments	250,000
Vermont Housing and Conservation Board, Montpelier, VT, for projects throughout the State of Vermont to enhance affordable housing and community development linked with land conservation and historic preservation	4,000,000
Vermont Housing and Conservation Board, VT, for Vergennes Senior Housing Project	400,000
Volunteers of America—Dakotas, Sioux Falls, SD, for construction of a new facility to house a residential substance treatment center for women and their children and for other services	500,000
Volunteers of America Southeast, Inc., Mobile, AL, for construction of housing along Alabama's Katrina-decimated Gulf Coast	1,400,000
Wadsworth Atheneum Museum of Art in Hartford, CT, for waterproofing activities in basement-level storage areas	700,000
WECRD, Mountain Home, ID, for planning, design, and construction of an energy efficient, multi-use, community facility	300,000
West Oregon Electric Cooperative, Vernonia, OR, for restoration of services	500,000
Wick Neighbors, Inc. Youngstown, OH, for replacing and improving existing infrastructure around the Wick neighborhood in Youngstown, OH to promote economic development	700,000
Wilmington Housing Authority, Wilmington, DE, for exterior facade repair of fire damage to low-income housing	500,000
Winrock International, Little Rock, AR, for support of the Winrock International Regional Entrepreneur Assistance Program	400,000
Woodward Industrial Foundation, Woodward, OK, for construction of a multi-purpose community campus	200,000
World Trade Center of St. Louis, MO, for the development of a commercialization center to enhance business and economic activities	1,000,000
YMCA of Eastern Union County, Elizabeth, NJ, for renovation of social services facilities	300,000
YMCA of Pawtucket, Pawtucket, RI, for purchase of equipment to expand and improve the quality and quantity of community services for low and moderate income families	300,000
YWCA of Northwest Georgia, Inc., Marietta, GA, for housing programs and staff which assist women, men and children who are survivors of domestic violence and sexual assault	500,000
YWCA Seattle-King Co-Snohomish County, Seattle WA, for the improvement of the 3 housing projects acquired recently to expand the YWCA Snohomish County Regional Housing Network	400,000
YWCA, Spokane, WA, for the creation of Youth Development program space complete with fixtures, furnishings and equipment	500,000
YWCA, Yakima, WA, for infrastructure improvements to Bringing It Home, Central Washington's largest domestic violence facility	1,000,000

The neighborhood initiatives are as follows:

NEIGHBORHOOD INITIATIVES

Project name	Committee recommendation
Catholic Charities Housing Services, Yakima, WA, for the education of Hispanic communities regarding homeownership	$800,000
Center for Planning and Excellence, LA, for phase II of comprehensive planning for land use, transportation and economic development in parishes and municipalities in Louisiana	200,000
City of Racine, WI, Redevelopment Authority, for demolition of blighted buildings and vacant parcels, street beautification and restoration of a station platform at the Chicago-Northwestern Railroad depot	1,000,000
City of Spokane, WA, for homeless rapid rehousing activities	150,000
City of Vancouver, WA, for road and rail system improvements to reconnect Vancouver to the Columbia River	3,000,000
City of Waterbury, CT, for a plan to clean polluted and blighted properties and market them for suitable redevelopment	1,000,000
Covenant House Alaska Crisis Center, Anchorage, AK, for relocation and expansion	350,000
Harbor Homes, Nashua, NH, for two new supportive housing programs for honorably discharged homeless veterans	500,000
Missisippi State University, MS, for a Civic Capacity Development Initiative	1,000,000
Nevada Fair Housing Center, Las Vegas, NV, for purchase and rehabilitation of foreclosed properties	850,000

NEIGHBORHOOD INITIATIVES—Continued

Project name	Committee recommendation
Patrick F. Taylor Foundation, New Orleans, LA, for the acquisition, renovation and construction of affordable housing in the Greater New Orleans area	200,000
St. Louis County Economic Council, St. Louis, MO, for the planning and design for the Lemay Community Center	500,000
Tiverton Library Services, Tiverton, RI, for land acquisition to build a new public library	500,000
Village of Columbus, NM, for the renovation of the former Columbus Elementary school building to house a multi-purpose community facility	1,000,000

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Program costs	Limitation on guaranteed loans
Appropriations, 2008	$4,500,000	$205,000,000
Budget estimate, 2009		
Committee recommendation	6,000,000	275,000,000

PROGRAM DESCRIPTION

Section 108 of the Housing and Community Development Act of 1974, as amended, authorizes the Secretary to issue Federal loan guarantees of private market loans used by entitlement and non-entitlement communities to cover the costs of acquiring real property, rehabilitation of publicly owned real property, housing rehabilitation, and other economic development activities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $6,000,000 for the program costs associated with the section 108 loan guarantee program. This amount is $1,500,000 more than the fiscal year 2008 level. The administration recommended no funding for this program.

Of the funding provided, $6,000,000 is for credit subsidy costs to guarantee $275,000,000 in section 108 loan commitments in fiscal year 2009.

The Committee recognizes that for every $1 of section 108 funding, $3 is leveraged in private investment. This additional private investment will benefit revitalization efforts across the country. The Committee encourages the Secretary to streamline the section 108 loan guarantee process to ensure that communities in need have access to this effective financing tool more promptly. To improve rural and non-entitlement participation in the section 108 Guaranteed Program, the Committee directs HUD to provide a report to the Committee on Appropriations within 120 days of enactment which outlines obstacles, including regulatory barriers, that confront non-entitlement jurisdictions in accessing the section 108 program. The Committee expects the Department to continue to provide training and technical assistance through outreach and other efforts to rural and non-entitlement communities through the section 108 program.

BROWNFIELDS REDEVELOPMENT

Appropriations, 2008	$10,000,000
Budget estimate, 2009	....
Committee recommendation	....

PROGRAM DESCRIPTION

Section 108(q) of the Housing and Community Development Act of 1974, as amended, authorizes the Brownfields Redevelopment program. This program provides competitive economic development grants in conjunction with section 108 loan guarantees for qualified brownfields projects. Grants are made in accordance with section 108(q) selection criteria. The program supports the cleanup and economic redevelopment of contaminated sites.

COMMITTEE RECOMMENDATION

The Committee does not recommend an appropriation for the Brownfield Redevelopment program, consistent with the budget request. The Committee notes that other Federal appropriations are available for the same purpose through the Environmental Protection Agency [EPA]. Communities may also use CDBG funds to redevelop Brownfield's sites.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2008	$1,704,000,000
Budget estimate, 2009	1,966,640,000
Committee recommendation	1,966,640,000

PROGRAM DESCRIPTION

Title II of the National Affordable Housing Act, as amended, authorizes the HOME Investment Partnerships Program. This program provides assistance to States and units of local government for the purpose of expanding the supply and affordability of housing to low- and very low-income people. Eligible activities include tenant-based rental assistance, acquisition, and rehabilitation of affordable rental and ownership housing and, also, construction of housing. To participate in the HOME program, State and local governments must develop a comprehensive housing affordability strategy. There is a 25 percent matching requirement for participating jurisdictions which can be reduced or eliminated if they are experiencing fiscal distress.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,966,640,000 for the Home Investment Partnership Program. This amount is equal to the budget request and $262,640,000 more than the comparable level for fiscal year 2008. The Committee does not provide funding for the American Dream Downpayment Fund as such downpayment assistance is already an eligible purpose for funding made available through the HOME program.

Technical Assistance.—The Committee includes $15,000,000 for technical assistance. This amount is $5,000,000 more than the budget request and $2,500,000 more than the fiscal year 2008 level. Of this amount, $10,000,000 is for qualified nonprofit intermediaries to provide technical assistance to Community Housing and Development Organizations [CHDOs]. The remaining $5,000,000 is for intermediaries to provide technical assistance to HOME participating jurisdictions.

American Dream Downpayment Initiative.—The Committee recommends $10,000,000 for the American Dream Downpayment Initiative which is $40,000,000 less than the budget request and the same as the fiscal year 2008 level.

SELF-HELP AND ASSISTED HOMEOWNERSHIP

Appropriations, 2008	$60,000,000
Budget estimate, 2009	40,000,000
Committee recommendation	66,000,000

PROGRAM DESCRIPTION

Self-Help Homeownership Opportunity Program [SHOP] funds assist low-income homebuyers willing to contribute "sweat equity" toward the construction of their houses. The funds will increase nonprofit organization's ability to leverage funds from other sources and produce at least 2,000 new homeownership units. In 2006, SHOP became a separate account. SHOP was previously funded as a set-aside within the Community Development Fund. This account also includes funding for grantees to develop the capacity of nonprofit community development entities to undertake community development and affordable housing projects.

COMMITTEE RECOMMENDATION

The Committee recommends $66,000,000 for the Self-Help and Assisted Homeownership Program, which is $26,000,000 more than the budget request and $6,000,000 more than the fiscal year 2008 level. The Committee has included $27,000,000 for the Self-Help Homeownership Opportunity Program authorized under section 11 of the Housing Opportunity Extension Act of 1996.

The Committee recommends $35,000,000 for capacity building as authorized by section 4 of the HUD Demonstration Act of 1993. The Committee notes that funding provided under this section requires a statutory 3-to-1 match to further leverage resources to assist more communities. In fiscal year 2007, the Local Initiative Support Corporation and the Enterprise Community Partners leveraged over $8 for every one Federal dollar provided by this program. The Committee provides $4,000,000 to carry out capacity building activities as authorized under section 6301 through 6305 in Public Law 110–246.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2008	$1,585,990,000
Budget estimate, 2009	1,636,000,000
Committee recommendation	1,667,000,000

PROGRAM DESCRIPTION

The Homeless Assistance Grants Program provides funding to break the cycle of homelessness and to move homeless persons and families to permanent housing. This is done by providing rental assistance, emergency shelter, transitional and permanent housing, and supportive services to homeless persons and families. The emergency grant is a formula funded grant program, while the supportive housing, section 8 moderate rehabilitation single-room occupancy program and the shelter plus care programs are competitive grants. Homeless assistance grants provide Federal support to one of the Nation's most vulnerable populations. These grants assist localities in addressing the housing and service needs of a wide variety of homeless populations while developing coordinated Continuum of Care [CoC] systems that ensure the support necessary to help those who are homeless to attain housing and move toward self-sufficiency.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,667,000,000 for Homeless Assistance Grants for fiscal year 2009. This amount is $81,010,000 more than the fiscal year 2008 enacted level and $31,000,000 more than the President's request. Of the amount appropriated, up to $8,000,000 is for technical assistance and data analysis, and not to exceed $2,675,000 may be transferred to the Working Capital Fund. Sufficient funding has also been included to fully fund shelter plus care renewals on an annual basis. The Committee has continued bill language that: (1) requires not less than 30 percent of the funds appropriated, excluding renewal costs, shall be for permanent housing for both individuals and families; (2) requires the renewal of all expiring shelter plus care contracts on an annual basis if the contract meets certain requirements; (3) requires a 25 percent match for social services; and (4) requires all homeless funding recipients to coordinate and integrate their programs with other mainstream and targeted social programs.

The Committee has not included bill language requested by the President that would set $50,000,000 aside for the Samaritan Housing Initiative for chronically homeless individuals. HUD already targets funding to the chronically homeless, and the Committee believes that increased funding should be made available for both homeless families and homeless individuals.

Preventing Homelessness Among the Nation's Veterans.—In May of this year, the Committee held a hearing on the issue of homeless veterans with officials from the Departments of Housing and Urban Development [HUD] and Veterans Affairs [VA], as well as experts from the housing and veteran communities. The Committee received testimony on how to meet the needs of thousands of veterans that are currently experiencing homelessness, such as providing veterans with permanent supportive housing.

The Committee also heard testimony on the importance of taking steps to address the needs of veterans that may be at-risk of homelessness, particularly veterans returning from the wars in Iraq and Afghanistan. As an official from the VA testified at the hearing "the best strategy with this new generation of veterans is to . . . reach them very early."

The new generation of veterans is different from previous generations in many ways, including an increasing number of female veterans, veterans with families, and veterans from the National Guard. As such, it is critical that the unique needs of these veterans be examined and new approaches be developed to serve them better. This should include addressing their housing, healthcare and employment and training challenges. Preventing homelessness will also require coordination among local, State, and Federal agencies, workforce boards, education and training institutions, community-based organizations and other private or public entities.

The Committee has included $10,000,000 for HUD to conduct a demonstration program and directs HUD to coordinate with the VA and the Department of Labor [DOL] to test the effectiveness of strategies to prevent veterans from becoming homeless. The Committee has directed HUD, in coordination with the VA and DOL, to select a limited number of sites in urban and rural areas to test and evaluate prevention methods.

In evaluating sites for selection, the Committee directs that selected sites have high rates of veterans that are homeless, as well as grantees experienced in coordinating with the VA and DOL to help veterans access mainstream services. The Secretary is also required to select up to three sites close to military installations where service members are transitioning from military service into civilian life, in order to reach veterans recently returning from service that may be struggling in their transition to civilian life. The Secretary must also select up to four sites in rural areas to examine the needs of veterans that live far from the VA medical centers. Such veterans should include National Guard members who are not part of traditional military communities.

The grantees selected must be part of HUD's Continuum of Care. The funding provided shall be used to assist veterans, as well as any dependent family members, find and maintain housing. Assistance may be used for short-term housing assistance, including up to 18 months of rental assistance, first and last month's rent, back rent or related housing assistance. Grantees may also use funding for appropriate services for veterans and their families, including, but not limited to, child care, family services and case management.

The Committee understands that the VA will assist selected grantees in conducting outreach, referring veterans to providers for housing assistance, and providing appropriate case management services, similar to the services provided under the HUD–VASH program.

Education, job training and employment services are also critical to improving the economic stability of veterans at-risk of homelessness. The Committee therefore encourages the DOL to work with HUD to identify grantees that have experience working with the veteran population, and assist grantees in helping veterans access mainstream education and job training programs.

The Committee has also included up to $750,000 for an evaluation of this demonstration. This evaluation should examine: the most effective ways to identify, reach, and assist veterans who are at-risk of homelessness or are experiencing short-term homelessness; the extent to which services and activities meet the needs of veterans experiencing a housing crisis and contribute to their longer-term economic stability; and the identification of any barriers that limit prevention activities.

Homeless Youth.—Every year, as many as 1.6 million youth in the United States experience homelessness. Achieving housing stability is critical to helping these youth reach independent and productive adulthoods. While various housing models are showing promise in assisting homeless youth achieve housing stability, more data is needed to determine what practices are most successful in meeting the needs of this population. The Committee therefore directs the Secretary to conduct an evaluation of the housing models that are most effective in preventing and ending homelessness for youth aged 16 to 24 years. In conducting the evaluation, the Secretary shall measure the following outcomes: residential stability, educational stability and advancement, and employment training, placement and retention. The Committee has provided $3,000,000 for evaluation activities within this account, and directs that not less than $500,000 be set aside for this evaluation on the housing needs of homeless youth.

Permanent Supportive Housing.—The Committee continues language that requires 30 percent of funds be set aside for permanent supportive housing for individuals and families. This will support Federal, State and local efforts to increase the supply of permanent housing until the estimated need of 150,000 units is met. The Committee continues to believe that permanent supportive housing is critical to reducing homelessness for both individuals and families.

Annual Homeless Assessment Report [AHAR].—In February 2007, HUD released the first Annual Homeless Assessment Report. This report stemmed from congressional directives begun in 2001 that charged the Department with collecting homeless data through the implementation of a new Homeless Management Information System [HMIS]. The AHAR report included HMIS data, information provided by Continuums of Care, and a count of sheltered and unsheltered persons from one night in January 2005. This report provided a better understanding of the Nation's homeless—who they are, where they are located, and the services they are accessing.

The Committee requests that HUD submit the AHAR report by June 12, 2009. The Committee further hopes that HUD's efforts to increase participation in the HMIS effort will lead to improved information about and understanding of the Nation's homeless.

Renewal Costs.—The Committee reiterates the directive included in the conference report for the Consolidated Appropriations Act, 2005 (House Report 108–792) regarding out-year costs of renewing HUD's permanent housing programs. The Department should continue to include 5-year projects, on an annual basis, for the cost of renewing the permanent housing component of the Supportive Housing program and the shelter plus care program in its fiscal year 2009 budget justifications.

HOUSING PROGRAM

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2008	$735,000,000
Budget estimate, 2009	540,000,000
Committee recommendation	765,000,000

PROGRAM DESCRIPTION

This account provides funding for housing for the elderly under section 202. Under this program, the Department provides capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing for seniors and provides project-based rental assistance [PRAC] to support operational costs for such units.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $765,000,000 for the section 202 program. This level is $225,000,000 more than the budget request and $30,000,000 more than the fiscal year 2008 level. The Committee recommends $80,000,000 for service coordinators and for the continuation of existing congregate service grants; up to $25,000,000 for the conversion of projects to assisted living housing or for substantial rehabilitation for emergency capital repairs; $20,000,000 for grants to nonprofits for architectural and engineering work, site control and planning activities. The Committee includes language allowing up to $1,600,000 may be transferred to the Working Capital Fund.

The Committee has provided $15,000,000 as requested in the budget for a Leverage Financing Demonstration program.

The Committee directs the Secretary to establish a funding allocation for the State of Nevada from the total amount made available under section 202.

The Committee is again dismayed by the administration's efforts to slash funding targeted on the housing needs of low-income elderly citizens. According to a recent survey by the American Association of Retired Persons [AARP], there are at least 10 seniors waiting for every available section 202 unit that becomes available. This estimate does not consider properties that have closed their waiting list or seniors that have been discouraged to apply for the program because of the low turnover and long waiting lists that are common for this program. The 2005 Affordable Housing Needs Report from HUD states that, between 2003 and 2005, the number and percentage of elderly renters with very low incomes and worst case housing needs by 9.6 percent to 3.58 million. The number of worst case seniors has increase by 1.5 percent to 1.291 million.

The Committee notes that, while improvements have been made over the last year, much more needs to be done by HUD to expedite the process of approving project applications under the 202 program. The Committee is hopeful that HUD will continue to make progress in this area. The Committee also expects HUD to use a portion of this appropriation for necessary emergency repairs to preserve this essential housing stock.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2008	$237,000,000
Budget estimate, 2009	160,000,000
Committee recommendation	250,000,000

PROGRAM DESCRIPTION

This account provides funding for housing for the persons with disabilities under section 811. Under this program, the Department provides capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing for persons with disabilities. Up to 25 percent of the funding may be made available for tenant-based assistance under section 8 and provides project-based rental assistance [PRAC] to support operational costs for such units.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $250,000,000 for the section 811 program. This level is $90,000,000 more than the budget request and $13,000,000 more than the fiscal year 2008 level. HUD is directed to ensure all tenant-based assistance made available under this account shall remain available for persons with disabilities upon turnover. The Committee has provided $87,100,000 for incremental section 8 vouchers under this program. In addition, section 811 funds may be used for inspections by HUD's Real Estate Assessment Center [REAC] and for related inspection activities. HUD is directed to submit a budget to the Committees on Appropriations before funding REAC inspections. The Committee includes language indicating funding made available within this account, not to exceed $1,600,000, may be transferred to the Working Capital Fund.

The Committee directs the Secretary to establish a funding allocation for the State of Nevada from the total amount made available under section 811.

This is the fifth consecutive year that the President's budget proposed deep cuts to the capital advance/project-based side of the 811 program. Both the House and Senate have consistently rejected these cuts which would undermine a program already burdened with significant renewal costs.

According to Priced Out in 2006, a recent study of income and rental costs for people with the most significant and long term disabilities, people receiving Federal Supplemental Security Income [SSI] benefits had incomes equal to only 18.2 percent of median income in 2006. Over 4 million non-elderly adults receive SSI and it can be conservatively estimated that more than 1 million of these persons need permanent supportive housing. The current section 811 program produces fewer than 1,000 new units per year.

The Committee has provided $10,000,000, as requested in the budget, for a Leverage Financing Demonstration program.

HOUSING COUNSELING ASSISTANCE

Appropriations, 2008[1]	$50,000,000
Budget estimate, 2009	65,000,000
Committee recommendation	65,000,000

[1] Funding for this activity was previously provided under the Home Investment Partnership Office Partnership account.

PROGRAM DESCRIPTION

The Housing Counseling Assistance Program provides comprehensive housing counseling services to eligible homeowners and tenants through grants to nonprofit intermediaries, State government entities, and other local and national agencies. Eligible counseling activities include pre- and post-purchase education, personal financial management, reverse mortgage product education, foreclosure/mitigation, and rental counseling.

COMMITTEE RECOMMENDATION

The Committee recommends $65,000,000 for the Housing Counseling Assistance program, which is the same as the budget request and $15,000,000 more than the fiscal year 2008 level. Funding for this activity was previously provided under the Home Investment Partnership Program account.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

Appropriations, 2008	$27,600,000
Budget estimate, 2009	27,600,000
Committee recommendation	27,600,000

PROGRAM DESCRIPTION

This account provides amendment funding for housing assisted under a variety of HUD housing programs.

COMMITTEE RECOMMENDATION

The Committee recommends $27,600,000 for HUD-assisted, State-aided, non-insured rental housing projects which is the same as the budget request and the same as the fiscal year 2008 level.

RENT SUPPLEMENT

(RESCISSION)

The Committee recommends a rescission of $37,600,000 for section 236 payments to State-aided, non-insured projects which is $10,000,000 more than the budget request and the same as the 2008 enacted level.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

PROGRAM DESCRIPTION

The Housing and Urban Development Act of 1968 authorized HUD to establish a revolving fund for the collection of rents in excess of the established basic rents for section 236 projects. Subject to appropriations, HUD is authorized to transfer excess rent collection received after 1978 to the Flexible Subsidy Fund.

COMMITTEE RECOMMENDATION

The Committee recommends that the account continue to serve as the repository for the excess rental charges appropriated from the Rental Housing Assistance Fund; these funds will continue to offset flexible subsidy outlays and other discretionary expenditures to support affordable housing projects. The language is designed to allow surplus funds in excess of allowable rent levels to be returned to project owners only for purposes of the rehabilitation and renovation of projects.

MANUFACTURED HOUSING FEES TRUST FUND

Appropriations, 2008	$16,000,000
Budget estimate, 2009	16,000,000
Committee recommendation	16,000,000

PROGRAM DESCRIPTION

The National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the Manufactured Housing Improvement Act of 2000, authorizes the Secretary to establish Federal manufactured home construction and safety standards for the construction, design, and performance of manufactured homes. All manufactured homes are required to meet the Federal standards, and fees are charged to producers to cover the costs of administering the act.

COMMITTEE RECOMMENDATION

The Committee recommends $16,000,000 to support the manufactured housing standards programs of which $10,600,000 is expected to be derived from fees collected and deposited in the Manufactured Housing Fees Trust Fund account and not more than $5,400,000 shall be available from the general fund. The total amount recommended is the same as the budget request and the same as the fiscal year 2008 enacted level.

The Committee thanks the Department for submitting line-item expenses for the manufactured housing program in its proposed fiscal year 2009 budget request, and encourages the HUD to continue doing so in its future budgets. In addition, the Committee encourages HUD to continue to prioritize its expenditures for this program in accordance with the appropriate sections of the Manufactured Housing Improvement Act of 2000.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

	Limitation on direct loans	Limitation on guaranteed loans	Administrative contract expenses
Appropriations, 2008	$50,000,000	$185,000,000,000	$77,400,000
Budget estimate, 2009	50,000,000	185,000,000,000	116,000,000
Committee recommendation	50,000,000	185,000,000,000	140,000,000

[1] Administrative expenses for MMI are funded within the Office of Housing.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

	Limitation on direct loans	Limitation on guaranteed loans	Administrative contract expenses	Program costs
Appropriations, 2008	$50,000,000	$45,000,000,000	$78,111,000	$8,600,000
Budget estimate, 2009	50,000,000	35,000,000,000	47,871,000	8,600,000
Committee recommendation	50,000,000	45,000,000,000	47,871,000	8,600,000

[1] Administrative expenses for GSR are funded within the Office of Housing.

PROGRAM DESCRIPTION

The Federal Housing Administration [FHA] fund covers the mortgage and loan insurance activity of HUD mortgage/loan insurance programs which are grouped into the mutual mortgage insurance [MMI] fund, cooperative management housing insurance [CMHI] fund, general insurance fund [GI] fund, and the special risk insurance [SRI] fund. For presentation and accounting control purposes, these are divided into two sets of accounts based on shared characteristics. The unsubsidized insurance programs of the mutual mortgage insurance fund and the cooperative management housing insurance fund constitute one set; and the general risk insurance and special risk insurance funds, which are partially composed of subsidized programs, make up the other.

COMMITTEE RECOMMENDATION

The Committee has included the following amounts for the "Mutual Mortgage Insurance Program" account: a limitation on guaranteed loans of $185,000,000,000, a limitation on direct loans of $50,000,000 and $140,000,000 for administrative contract expenses of which up to $70,794,000 may be transferred to the Working Capital Fund to be used solely for development and maintenance of FHA information technology systems. The amount provided for administrative expenses is $24,000,000 more than the President's request.

For the GI/SRI account, the Committee recommends $45,000,000,000 as a limitation on guaranteed loans and a limitation on direct loans of $50,000,000. The Committee provides $47,871,000 for administrative contract expenses.

The Committee directs HUD to continue direct loan programs in 2009 for multifamily bridge loans and single family purchase money mortgages to finance the sale of certain properties owned by the Department. Temporary financing shall be provided for the acquisition and rehabilitation of multifamily projects by purchasers who have obtained commitments for permanent financing from another lender. Purchase money mortgages will enable governmental and nonprofit intermediaries to acquire properties for resale to owner-occupants in areas undergoing revitalization.

Since its inception in 1934, the FHA has played a critical role in meeting the demands of borrowers that the private market would not serve—creating housing products that have insured over 34 million homes. In the wake of this new crisis, the Committee believes that the FHA must reestablish itself as America's mortgage lender. The agency should do this, not by imitating the marketing and underwriting practices of some subprime lenders, but by working to ensure that families are able to purchase and stay in their homes with affordable loans that they fully understand.

The Committee has continued to warn HUD and FHA that predatory lending is a widespread problem affecting moderate and low-income borrowers across the Nation. These activities have contributed to the housing crisis we currently face. The Committee directs the Secretary to provide a report to the Committee on Appropriations within 90 days on the proper role of HUD, including identifying the proper agencies and authorities, to establish an Office of Predatory Lending. This Office, working in conjunction with the Department of Justice, would take on the responsibility to establish rules and requirements to protect the American pubic from fraud and abuse.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2008:	
Limitation on guaranteed loans	$200,000,000,000
Budget estimate, 2009:	
Limitation on guaranteed loans	200,000,000,000
Committee recommendation:	
Limitation on guaranteed loans	200,000,000,000

PROGRAM DESCRIPTION

The Government National Mortgage Association [GNMA], through the mortgage-backed securities program, guarantees privately issued securities backed by pools of mortgages. GNMA is a wholly owned corporate instrumentality of the United States within the Department. Its powers are prescribed generally by title III of the National Housing Act, as amended. GNMA is authorized by section 306(g) of the act to guarantee the timely payment of principal and interest on securities that are based on and backed by a trust, or pool, composed of mortgages that are guaranteed and insured by the Federal Housing Administration, the Rural Housing Service, or the Department of Veterans Affairs. GNMA's guarantee of mortgage-backed securities is backed by the full faith and credit of the United States.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on new commitments on mortgage-backed securities of $200,000,000,000. This level is the same as the budget request and the fiscal year 2008 level.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriations, 2008	$51,440,000
Budget estimate, 2009	54,700,000
Committee recommendation	59,624,000

PROGRAM DESCRIPTION

Title V of the Housing and Urban Development Act of 1970, as amended, directs the Secretary of the Department of Housing and Urban Development to undertake programs of research, evaluation, and reports relating to the Department's mission and programs. These functions are carried out internally and through grants and contracts with industry, nonprofit research organizations, educational institutions, and through agreements with State and local governments and other Federal agencies. The research programs seek ways to improve the efficiency, effectiveness, and equity of HUD programs and to identify methods to achieve cost reductions. Additionally, this appropriation is used to support HUD evaluation and monitoring activities and to conduct housing surveys. Funding is also provided for university programs to further community development related activities.

COMMITTEE RECOMMENDATION

The Committee recommends $59,624,000 for research, technology and community development activities in fiscal year 2009. This level is $4,924,000 more than the budget request and $8,184,000 more than the fiscal year 2008 level. Within the amounts provided, $2,000,000 shall be made available to conduct a comprehensive study to be managed by the Office of Policy Development and Research to analyze the total costs necessary to administer the tenant-based voucher program. This study should consider all requirements such as targeting, housing quality and rent reasonableness and should analyze whether there are cost differentials based on the number of vouchers administered, type of area served, rental costs, population serves and other factors as determined by the Secretary. The Committee recommends $23,000,000 to carry out university programs to further community development related activities as authorized under section 107 of the Housing and Community Development Act of 1974.

The Committee provides $5,000,000 for the Secretary to carry out a national competitive program to advance technology housing construction and building material to benefit the American public. Of the $5,0000,000 made available for this purpose, up to $2,000,000 may be used to develop technology and materials designed to benefit disaster prone areas.

In addition, because in the past HUD has used this office's broad authority to administer new and unauthorized programs, the Office of Policy Development and Research is denied demonstration authority except where approval is provided by Congress in response to a reprogramming request.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriations, 2008	$50,000,000
Budget estimate, 2009	51,000,000
Committee recommendation	56,000,000

PROGRAM DESCRIPTION

The fair housing activities appropriation includes funding for both the Fair Housing Assistance Program [FHAP] and the Fair Housing Initiatives Program [FHIP].

The Fair Housing Assistance Program helps State and local agencies to implement title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in the sale, rental, and financing of housing and in the provision of brokerage services. The major objective of the program is to assure prompt and effective processing of title VIII complaints with appropriate remedies for complaints by State and local fair housing agencies.

The Fair Housing Initiatives Program is authorized by section 561 of the Housing and Community Development Act of 1987, as amended, and by section 905 of the Housing and Community Development Act of 1992. This initiative is designed to alleviate housing discrimination by increasing support to public and private organizations for the purpose of eliminating or preventing discrimination in housing, and to enhance fair housing opportunities.

COMMITTEE RECOMMENDATION

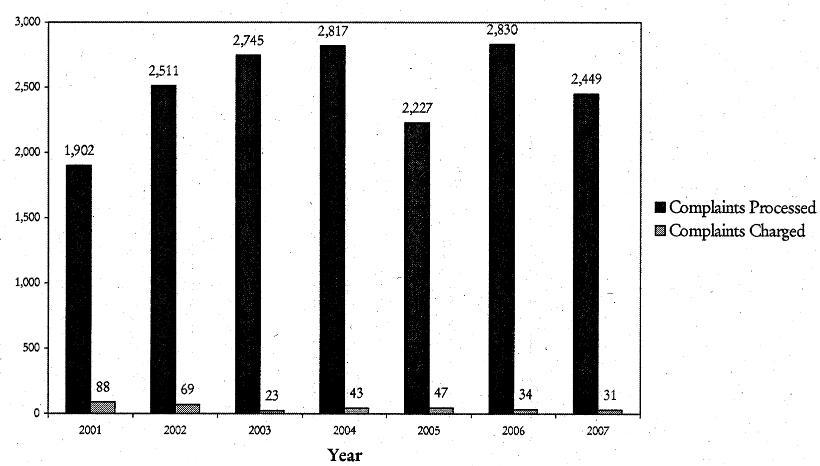
The Committee recommendation provides $56,000,000, of which $27,000,000 is for the fair housing assistance program [FHAP] and $28,500,000 is for the fair housing initiatives program [FHIP]. The total is $5,000,000 more than the budget request and $6,000,000 more than the fiscal year 2008 level.

The Committee emphasizes that State and local agencies under FHAP should have the primary responsibility for identifying and addressing discrimination in the sale, rental, and financing of housing and in the provision of brokerage services. It is critical that consistent fair housing policies be identified and implemented to insure continuity and fairness, and that States and localities continue to increase their understanding, expertise, and implementation of the law.

The practice of housing discrimination and predatory lending continues to be a serious concern for the Committee. Fair housing organizations provide vital services in protecting tenants by conducting testing and research activities to uncover fair lending violations. The Committee is concerned of the fact that, as the housing crisis continues, consumer complaints against landlords, mortgage brokers and real estate agents have increased. Recent reports show that, as the number of complaints to HUD continues to rise, the number of complaints determined to have merit and accepted by HUD for further investigation continue to decline. This record raises questions as to whether cases are being routinely dismissed by HUD without sufficient review.

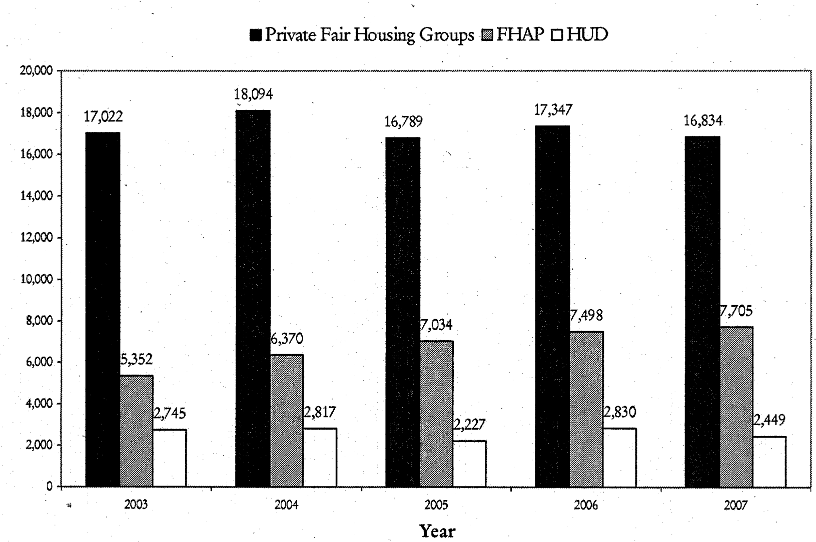
The following chart illustrates the number of housing discrimination complaints received by HUD and the number of those complaints that are forwarded for further investigation. If HUD determines that a complaint has merit, HUD "charges" the case. The decline in "charged cases" since 2001 is stark—in 2007, HUD charged only 1.2 percent of total complaints processed which is down from 4.6 percent charged in 2001.

Complaints Processed by HUD Compared to Complaints Charged by HUD



In 2007, there were 27,023 complaints of housing discrimination. The number of complaints filed, however, still represents less than 1 percent of the annual incidence of discrimination. The total number of complaints has been fairly consistent over the past 5 years. Private fair housing organizations continue to process more than 60 percent of the complaints.

Total Fair Housing Complaints Filed



Combating Discrimination, Predatory Lending and Mortgage Rescue Scams.—The Committee recommends an increase of $4,500,000 more than the 2008 enacted level. Within the increased funds provided, $2,000,000 shall be used solely to assist in the protection of the American public from mortgage rescue scams. These funds shall be used to investigate, test and perform outreach and educational activities in addressing mortgage rescue scams.

The demand for FHIP funding has grown as nonprofit fair housing organizations continue to work to meet the needs of consumers impacted by the home mortgage crisis. The Committee directs HUD to ensure that all funds appropriated to FHIP are directed to educational and enforcement activities, including an annual national media campaign, as authorized by section 561 of the Housing and Community Development Act of 1987. The Committee does not provide funding or authorize HUD to use funds provided to FHIP to administer the Housing Discrimination Study as proposed in the budget request.

The Committee provides $500,000 to allow HUD to continue the creation and promotion of translated materials that support the assistance of persons with limited English proficiency.

OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

Appropriations, 2008	$145,000,000
Budget estimate, 2009	116,000,000
Committee recommendation	145,000,000

PROGRAM DESCRIPTION

Title X of the Housing and Community Development Act of 1992 established the Residential Lead-Based Paint Hazard Reduction Act under which HUD is authorized to make grants to States, localities and native American tribes to conduct lead-based paint hazard reduction and abatement activities in private low-income housing. This has become a significant health hazard, especially for children. According to the Centers for Disease Control and Prevention [CDC], some 434,000 children have elevated blood levels, down from 1.7 million in the late 1980's. Despite this improvement, lead poisoning remains a serious childhood environmental condition, with some 2.2 percent of all children aged 1 to 5 years having elevated blood lead levels. This percentage is much higher for low-income children living in older housing.

COMMITTEE RECOMMENDATION

The Committee recommends $145,000,000 for lead-based paint hazard reduction and abatement activities for fiscal year 2009. This amount is $29,000,000 more than the budget request and the same as the fiscal year 2008 enacted level. Of this amount, HUD may use up to $14,600,000 for the Healthy Homes Initiative under which HUD conducts a number of activities designed to identify and address housing-related illnesses. The Committee includes bill language requiring $250,000 of the total amount made available to the Lead Hazard Reduction Program to be used in conducting communications and outreach activities to potential applicants of the Lead Hazard Reduction Demonstration Grant program.

The Committee recommends $48,000,000 for the lead hazard reduction demonstration program which was established in fiscal year 2003 to focus on major urban areas where children are disproportionately at risk for lead poisoning.

As previously discussed, there remains significant lead risks in privately owned housing, particularly in unsubsidized low-income units. For that reason, approximately 1 million children under the age of 6 in the United States suffer from lead poisoning. While lead poisoning crosses all socioeconomic, geographic, and racial boundaries, the burden of this disease falls disproportionately on low-income and minority families. In the United States, children from poor families are eight times more likely to be poisoned than those from higher income families. Nevertheless, the risks associated with lead-based paint hazards can be addressed fully over the next decade.

The Committee also encourages HUD to work with grantees on its lead-based paint abatement hazards programs so that information is disclosed to the public on lead hazard abatements, risk assessment data and blood lead levels through publications and internet sites such as Lead-SafeHomes.info.

MANAGEMENT AND ADMINISTRATION

WORKING CAPITAL FUND

Appropriations, 2008	$155,000,000
Budget estimate, 2009	224,000,000
Committee recommendation	200,000,000

PROGRAM DESCRIPTION

The Working Capital Fund, authorized by the Department of Housing and Urban Development Act of 1965, finances information technology and office automation initiatives on a centralized basis.

COMMITTEE RECOMMENDATION

The Committee recommends $200,000,000 for the Working Capital Fund for fiscal year 2008. These funds are $24,000,0000 less than the budget request and $45,000,000 more than the fiscal year 2008 level. This fund is needed to enhance efficient use of appropriated funds and improve budget projections and needs for submission of the Committees on Appropriations.

The Committee notes that the Working Capital Fund is also supported with additional funding provided though the transfer of direct appropriated program funds within 10 separate HUD accounts. The Committee recommends a total transfer level to the Working Capital Fund of $89,300,000, which is the same as the budget request and $9,762,000 more than the fiscal year 2008 level.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2008	$112,000,000
Budget estimate, 2009	115,000,000
Committee recommendation	115,000,000

PROGRAM DESCRIPTION

This appropriation will finance all salaries and related expenses associated with the operation of the Office of the Inspector General [OIG].

COMMITTEE RECOMMENDATIONS

The Committee recommends $115,000,000 for the Office of Inspector General [OIG]. This amount is the same as the budget request and $3,000,000 more than the fiscal year 2008 level. The Committee does not provide for transfers of FHA funds to OIG. The Committee has eliminated all salaries and expenses transfers and replaced this funding mechanism with direct appropriations to specific salaries and expenses accounts within each HUD mission area. This new format will provide for a more transparent process and a more effective way to allocate staffing to match programmatic needs.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2008	$66,000,000
Budget estimate, 2009	66,600,000
Committee recommendation	66,600,000

PROGRAM DESCRIPTION

This appropriation funds the Office of Federal Housing Enterprise Oversight [OFHEO], which was established in 1992 to regulate the financial safety and soundness of the two housing Government sponsored enterprises [GSE's], the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation. The Office was authorized in the Federal Housing Enterprise Safety and Soundness Act of 1992, which also instituted a three-part capital standard for the GSE's, and gave the regulator enhanced authority to enforce those standards.

COMMITTEE RECOMMENDATION

The Committee recommends $66,600,000 for the Office of Federal Housing Enterprise Oversight, which is the same as the budget request and $600,000 more than the fiscal year 2008 enacted level.

ADMINISTRATIVE PROVISIONS

The Committee recommends administrative provisions. A brief description follows.

SEC. 201. This section promotes the refinancing of certain housing bonds.

SEC. 202. This section clarifies a limitation on use of funds under the Fair Housing Act.

SEC. 203. This section clarifies the allocation of HOPWA funding for fiscal year 2006.

SEC. 204. This section requires HUD to award funds on a competitive basis unless otherwise provided.

SEC. 205. This section allows funds to be used to reimburse GSEs and other Federal entities for various administrative expenses.

SEC. 206. This section limits HUD spending to amounts set out in the budget justification.

SEC. 207. This section clarifies expenditure authority for entities subject to the Government Corporation Control Act.

SEC. 208. This section requires HUD to submit certain additional information as part of its annual budget justifications.

SEC. 209. This section requires quarterly reports on all uncommitted, unobligated and excess funds associated with HUD programs.

SEC. 210. This section makes a number of corrections to the award of HOPWA funding.

SEC. 211. This section requires HUD to submit its fiscal year 2010 budget justifications according to congressional requirements.

SEC. 212. This section exempts Los Angeles County, Alaska, Iowa, and Mississippi from the requirement of having a PHA resident on the board of directors for fiscal year 2006. Instead, the public housing agencies in these States are required to establish advisory boards that include public housing tenants and section 8 recipients.

SEC. 213. This section allows HUD to authorize the transfer of existing project-based subsidies and liabilities from obsolete housing to housing that better meets the needs of the assisted tenants.

SEC. 214. This section provides allocation requirements for Native Alaskans under the Native American Indian Housing Block Grant program.

SEC. 215. This section exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

SEC. 216. This section reforms certain section 8 rent calculations as to athletic scholarships.

SEC. 217. This section expands the availability of Home Equity Conversion Mortgages during 2009.

SEC. 218. This section requires HUD to maintain section 8 assistance on HUD-held or owned multifamily housing.

SEC. 219. This section extends the HOPE VI program until September 30, 2009.

SEC. 220. The section allows public housing authorities with less than 400 units the option to be exempt from management requirements in the operating fund rule.

SEC. 221. This section requires HUD to report quarterly to the Appropriations Committees on the use of sole source contracting by HUD.

SEC. 222. This section clarifies the use of the 108 loan guaranteed program for non-entitlement communities.

SEC. 223. This section requires HUD to report to the Appropriations Committees on the status of all section 8 project-based housing units, including all units preserved or lost as section 8 project-based housing.

SEC. 224. This section requires allotment holders to meet certain criteria of the CFO.

SEC. 225. This section limits attorney fees.

SEC. 226. This section rescinds a portion of unusable balances.

SEC. 227. This section expands service coordinators to other HUD assisted housing.

SEC. 228. This section modifies the HOME technical assistance program and extends the authorization of the HOME program to 2011.

SEC. 229. The section modifies the NOFA process to include the Internet.

SEC. 230. This section allows technical assistance under section 514(f)(3).

SEC. 231. This section increases the FHA single-family loan limits.

SEC. 232. This section would allow refinancing of certain section 202 loans.

SEC. 233. The section makes reforms to the Federal Surplus Property Program under the McKinney-Vento Homeless Assistance Act.

SEC. 234. This section extends flexibility previously granted to public housing agencies in the most heavily impacted areas from damages incurred by Hurricanes Katrina or Rita.

SEC. 235. This section increases the aggregate number of Moving-to-Work agencies by three public housing agencies.

TITLE III

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

Appropriations, 2008	$6,150,000
Budget estimate, 2009	6,447,000
Committee recommendation	6,550,000

PROGRAM DESCRIPTION

The Architectural and Transportation Barriers Compliance Board (Access Board) was established by section 502 of the Rehabilitation Act of 1973. The Access Board is responsible for developing guidelines under the Americans with Disabilities Act, the Architectural Barriers Act, and the Telecommunications Act. These guidelines ensure that buildings and facilities, transportation vehicles, and telecommunications equipment covered by these laws are readily accessible to and usable by people with disabilities. The Board is also responsible for developing standards under section 508 of the Rehabilitation Act for accessible electronic and information technology used by Federal agencies. The Access Board also enforces the Architectural Barriers Act. In addition, the Board provides training and technical assistance on the guidelines and standards it develops to Government agencies, public and private organizations, individuals and businesses on the removal of accessibility barriers.

In 2002, the Access Board was given additional responsibilities under the Help America Vote Act. The Board serves on the Board of Advisors and the Technical Guidelines Development Committee, which helps Election Assistance Commission develop voluntary guidelines and guidance for voting systems, including accessibility for people with disabilities.

COMMITTEE RECOMMENDATION

The Committee recommends $6,550,000 for the operations of the Architectural and Transportation Barriers Compliance Board. This level of funding is $400,000 more than the fiscal year 2008 enacted level and $103,000 more than the President's request. The Committee has included additional funding over the budget request to cover rent increases that the Access Board will assume in fiscal year 2009. Absent this increase, the Board would be forced to cut funding that supports the development of guidelines for the Americans with Disabilities Act, including cost assessments of proposed and final rules.

Federal Maritime Commission

SALARIES AND EXPENSES

Appropriations, 2008	$22,072,000
Budget estimate, 2009	23,953,000
Committee recommendation	23,949,000

PROGRAM DESCRIPTION

The Federal Maritime Commission [FMC] is an independent regulatory agency which administers the Shipping Act of 1984 (Public Law 98–237) as amended by the Ocean Shipping Reform Act of 1998 (Public Law 105–258); section 19 of the Merchant Marine Act, 1920 (41 Stat. 998); the Foreign Shipping Practices Act of 1988 (Public Law 100–418); and Public Law 89–777.

FMC regulates the international waterborne commerce of the United States. In addition, the FMC has responsibility for licensing and bonding ocean transportation intermediaries and assuring that vessel owners or operators establish financial responsibility to pay judgments for death or injury to passengers, or nonperformance of a cruise, on voyages from U.S. ports. Major program areas for 2006 are: carrying out investigations of foreign trade practices under the Foreign Shipping Practices Act; maintaining equitable trading conditions in U.S. ocean commerce; ensuring compliance with applicable shipping statutes; pursuing an active enforcement program designed to identify and prosecute violators of the shipping statutes; and reviewing ocean carrier operational and pricing agreements to guard against excessively anticompetitive effects.

COMMITTEE RECOMMENDATION

The Committee includes $23,949,000 for the salaries and expenses of the Federal Maritime Commission for fiscal year 2009. This amount is $4,000 less than the budget request and $1,877,000 more than the fiscal year 2008 enacted level.

National Transportation Safety Board

SALARIES AND EXPENSES

Appropriations, 2008	$84,499,000
Budget estimate, 2009	87,891,000
Committee recommendation	91,000,000

PROGRAM DESCRIPTION

Initially established along with the Department of Transportation [DOT], the National Transportation Safety Board [NTSB] commenced operations on April 1, 1967, as an independent Federal agency. The board is charged by Congress with investigating every civil aviation accident in the United States as well as significant accidents in the other modes of transportation—railroad, highway, marine and pipeline—and issuing safety recommendations aimed at preventing future accidents. Although it has always operated independently, NTSB relied on DOT for funding and administrative support until the Independent Safety Board Act of 1974 (Public Law 93–633) severed all ties between the two organizations starting in 1975.

In addition to its investigatory duties, NTSB is responsible for maintaining the Government's database of civil aviation accidents and also conducts special studies of transportation safety issues of national significance. Furthermore, in accordance with the provisions of international treaties, NTSB supplies investigators to serve as U.S. Accredited Representatives for aviation accidents overseas involving U.S-registered aircraft, or involving aircraft or major components of U.S. manufacture. NTSB also serves as the "court of appeals" for any airman, mechanic or mariner whenever certificate action is taken by the Federal Aviation Administration [FAA] or the U.S. Coast Guard Commandant, or when civil penalties are assessed by FAA.

COMMITTEE RECOMMENDATION

The Committee recommends $91,000,000 for the National Transportation Safety Board, which is $3,109,000 more than the budget request and $6,501,000 more than the fiscal year 2008 enacted level. Bill language is including that allows NTSB to reimburse the DOT Inspector General up to $100,000 for costs associated with audits and investigations. The bill also rescinds $671,275 in funding provided in Public Law 106–246 for investigations that have been completed.

The NTSB conducts investigations on transportation accidents in order to formulate recommendations that will improve transportation safety. These investigations require experienced personnel with expertise in various areas of transportation. In fiscal year 2005, the agency experienced significant reductions in staff. As a result, the agency continues to endure staffing shortages in critical investigative, engineering and other specialized positions that are elemental to the agency's ability to conduct investigations and research. The Committee recommends an increase of $2,109,000 over the budget request to hire at least 11 additional personnel in the most critical safety areas of highways, pipelines, railroads, research and engineering and aviation.

Cost Accounting System.—The Committee is aware that the Government Accountability Office [GAO] has recommended that, in order to improve its processes and operations, the NTSB must develop a cost-accounting system. This system would provide the agency a better ability to track personnel costs and outputs. The Committee agrees with this recommendation, and has provided the agency with $1,000,000 over the budget request to support the development and implementation of this system.

NTSB Academy.—As the Committee noted last year, the NTSB entered into an illegal multi-year lease for its new training facility without sufficient funding to cover the cost of the lease. As a result, the NTSB had to report an Anti-Deficiency Act violation in 2003. The Academy proved to be a drain on the Academy's finances, diverting funding from important NTSB activities.

The Committee has been monitoring the actions the NTSB is taking to move the training center toward self-sufficiency. The Congress required the NTSB to submit a business plan to accomplish that goal. The plan proposed awarding a contract to an outside entity that would partner with the agency in running the facility. Unfortunately, there was a lack of interest by outside entities in such an arrangement, and such a contract was never awarded.

Since this plan could not be carried out, the agency sought alternative means of offsetting the costs of operating the facility. The agency was successful in leasing some of the facility space to other agencies, thereby reducing some of the financial burden of operating the facility. The Committee directs the agency to continue to seek additional opportunities to lease out, or otherwise generate revenue from the facility, so that the agency can appropriately focus its resources on the important investigative work that is central to the agency's mission.

The Committee has once again included language that allows the agency to continue to make payments on the lease with the funding the agency is provided. This authority is granted for fiscal year 2009 only. In addition, the Committee directs the agency to submit detailed information on the costs associated with the facility, as well as revenue the agency expects the facility to generate as part of the fiscal year 2010 budget request.

Improvement in Closing Major Investigations.—The Committee notes that NTSB has greatly reduced the amount of time it takes to complete major investigations. Between 2006 and 2007, the NTSB decreased the time it took to complete major investigations by over 100 days. The Committee applauds the NTSB's efforts and expects the agency to continue to work on completing major investigations as expeditiously as possible, in order to quickly advance transportation safety recommendations.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriations, 2008	$299,800,000
Budget estimate, 2009	150,000,000
Committee recommendation	156,000,000

PROGRAM DESCRIPTION

The Neighborhood Reinvestment Corporation was created by the Neighborhood Reinvestment Corporation Act (title VI of the Housing and Community Development Amendments of 1978, Public Law 95–557, October 31, 1978). Neighborhood Reinvestment Corporation now operates under the trade name "NeighborWorks America." NeighborWorks America helps local communities establish efficient and effective partnerships between residents and representatives of the public and private sectors. These partnership-based organizations are independent, tax-exempt, nonprofit entities and are frequently known as Neighborhood Housing Services [NHS] or mutual housing associations.

Collectively, these organizations are known as the NeighborWorks network. Nationally, 235 NeighborWorks organizations serve nearly 3,000 urban, suburban and rural communities in 49 States, the District of Columbia, and Puerto Rico.

COMMITTEE RECOMMENDATION

The Committee recommends $156,000,000 for the Neighborhood Reinvestment Corporation [NRC] for fiscal year 2009. This amount is $6,000,000 more than the budget request and $143,800,000 less than the fiscal year 2008 enacted level. The Committee continues to support the set-aside of $5,000,000 for the multifamily rental housing initiative, which has been successful in developing innovative approaches to producing mixed-income affordable housing throughout the Nation. The Committee directs NRC to provide a status report on this initiative in its fiscal year 2009 budget justifications.

Housing Counseling Assistance.—The Committee has included $25,000,000, as requested, to continue the National Foreclosure Mitigation Counseling Program initiated by Congress in fiscal year 2008. Millions of homeowners are facing the prospect of foreclosure, and unfortunately, many of them aren't aware of the options available to help them avoid losing their homes. The funding provided by Congress last year is currently assisting housing counselors serve thousands of homeowners that are facing the fallout from the subprime crisis.

As required by Congress, NRC awarded funding to housing counseling providers within 60 days of enactment of the fiscal year 2008 act. Over $130,000,000 in grants were awarded to 130 State housing finance agencies, HUD-approved counseling intermediaries, and NeighborWorks organizations in States and areas with the highest rates of foreclosure or delinquency. This provided a rapid infusion of resources to counselors struggling to meet the demand for counseling assistance. NRC also used funding to conduct training sessions in order to increase foreclosure counseling capacity.

The Committee notes that both the American Housing Rescue and Foreclosure Prevention Act of 2008 as passed by the House of Representatives, and the Foreclosure Prevention Act of 2008 as passed by the Senate include additional funding to support the National Foreclosure Mitigation Counseling Program. The Committee believes that housing counseling is a critical component of any foreclosure prevention effort, and supports the inclusion of counseling funding in these acts.

Rescue Scam Prevention.—The Committee is concerned by reports of the increasing number of rescue scams associated with the subprime housing crisis. Homeowners struggling to make mortgage payments are being enticed into fraudulent or suspicious deals in an attempt to avoid losing their homes. In the end, though, many lose their money, their homes, or both. The Committee wants to make homeowners that may be targeted for these scams aware that there are qualified counselors and legitimate financing options available to help them address their situation. As such, the Committee has provided the NRC with $6,000,000 to develop a public education and outreach campaign to specifically combat rescue scams and educate mortgage consumers who may be victimized by such scams about their options. The Committee expects that this funding will be used for campaign development, production, and outreach activities, including direct mailings. NRC may also use funding to develop appropriate tools that will enable consumers to identify rescue scams for what they are, conduct self-assessments, and provide them with the information necessary to help them avoid rescue scams. The Committee further directs the NRC to develop messages and target populations and communities most at-risk for rescue scams. Such efforts may include partnering with appropriate organizations to serve traditionally hard-to-reach consumers.

Rural Areas.—The Committee also continues to support Neighborhood Reinvestment Corporation's efforts in building capacity in rural areas. The Committee urges the Corporation to continue its efforts in addressing the needs of rural communities.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriations, 2008	$2,150,000
Budget estimate, 2009	2,660,000
Committee recommendation	2,660,000

PROGRAM DESCRIPTION

The United States Interagency Council on Homelessness is an independent agency created by the McKinney-Vento Homeless Assistance Act of 1987 to coordinate and direct the multiple efforts of Federal agencies and other designated groups. The Council was authorized to review Federal programs that assist homeless persons and to take necessary actions to reduce duplication. The Council can recommend improvements in programs and activities conducted by Federal, State, and local government as well as local volunteer organizations. The Council consists of the heads of 18 Federal agencies such as the Departments of Housing and Urban Development, Health and Human Services, Veterans Affairs, Agriculture, Commerce, Defense, Education, Labor, and Transportation; and other entities as deemed appropriate.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,660,000 for the United States Interagency Council on Homelessness [ICH]. This amount is $510,000 more than the fiscal year 2008 enacted level and equal to the budget request. These funds are for carrying out the functions authorized under section 203 of the McKinney-Vento Homeless Assistance Act. Bill language is included that extends the reauthorization for the ICH until October 1, 2012.

Homeless Veterans.—On May 1, 2008, the Committee held a hearing on the issue of homeless veterans, and heard testimony about the importance of better coordination among Federal agencies. It is clear that the problems associated with homeless veterans are not simply related to housing. Instead, there is a complex set of challenges that veterans face when they are at risk of becoming homeless, and those challenges require the engagement of various Federal agencies. These agencies must create a better transition for service members leaving military service and returning to civilian life in order to prevent homelessness. In addition, the agencies must address the needs of the more than 300,000 veterans that already face homelessness every year.

The ICH must play a role in facilitating the coordination of the various Federal agencies to address the issue of homelessness among our Nation's veterans. To that end, the ICH is directed to develop a comprehensive plan to prevent and end homelessness among our Nation's veterans. In developing this plan, the Chair of the ICH, the Secretary of Veterans Affairs, is expected to include all members of the ICH, and at a minimum must engage ICH members from: the Department of Defense, the Department of Housing and Urban Development, the Department of Labor, and the Department of Health and Human Services. This plan shall include specific actions that each agency will take to better serve our Nation's veterans. The ICH is directed to update the Committee on its efforts with an interim report due to the Committee 90 days after the enactment of this act, and to provide a final report to the Committee 180 days after the enactment of this act.

Staffing.—Last year, the Committee provided ICH with funds to hire additional personnel. The Committee understands that as a result of the ICH's limited authorization, the Council was hindered in its ability to provide prospective staff with appropriate benefits. The bill therefore includes a provision that extends the authorization of ICH through 2012, as requested by the President and the Committee expects the ICH to move expeditiously to hire the necessary staff. The Committee reiterates its direction that the special supervisor position be used to improve Federal coordination and develop policies to prevent and end homelessness in the United States.

Travel.—The Committee continues to be concerned by the extensive travel of the Council's Executive Director. The Committee believes that more time must be spent working to improve Federal policies, and coordinating the efforts of Federal agencies. Therefore, the travel budget for the Executive Director is again limited to $50,000.

The Committee is also concerned about the international travel of the Executive Director. Therefore bill language has been included that limits salaries and benefits of any employee of the ICH that spends more than 20 days outside of the United States while not on annual leave.

TITLE IV

GENERAL PROVISIONS THIS ACT

Section 401 requires pay raises to be absorbed within appropriated levels in this act or previous appropriations acts.

Section 402 prohibits pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this act.

Section 403 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 404 limits expenditures for consulting service through procurement contracts where such expenditures are a matter of public record and available for public inspection.

Section 405 authorizes the reprogramming of funds and specifies the reprogramming procedures for agencies funded by this act.

Section 406 ensures that 50 percent of unobligated balances may remain available for certain purposes.

Section 407 requires departments and agencies under this act to report information regarding all sole source contracts.

Section 408 prohibits the use of funds for employee training unless such training bears directly upon the performance of official duties.

Section 409 continues the provision prohibiting the use of funds for eminent domain unless such taking is employed for public use.

Section 410 prohibits funds in this act to be transferred without express authority.

Section 411 protects employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 412 prohibits the use of funds for activities not in compliance with the Buy American Act.

Section 413 prohibits funding for any person or entity convicted of violating the Buy American Act.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill "which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session."

The Committee is filing an original bill, which is not covered under this rule, but reports this information in the spirit of full disclosure.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2009:

TITLE I—DEPARTMENT OF TRANSPORTATION

- Federal Aviation Administration:
  - Operations
  - Facilities and Equipment
  - Research, Engineering and Development
  - Grants-in-Aid for Airports
- Federal Railroad Administration:
  - Safety and Operations
  - Railroad Research and Development
  - Grants to the National Passenger Railroad Corp
- Pipeline and Hazardous Materials Safety Administration:
  - Administrative Expenses
- Research and Innovative Technology Administration:
  - Research and Development
- Surface Transportation Board

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- Rental Assistance:
  - Section 8 Contract Renewals and Administrative Expenses
  - Section 441 Contracts
  - Section 8 Preservation, Protection, and Family Unification
  - Contract Administrators
  - Public Housing Capital Fund
  - Public Housing Operating Fund
- Native American Housing Block Grants:
  - Native American Housing Block Grants
  - Federal Guarantees
- Indian Housing Loan Guarantee Fund
- Native Hawaiian Housing Block Grant
- Native Hawaiian Housing Loan Guarantee Fund
- Housing Opportunities for Persons with Aids
- Rural Housing and Economics Development

Community Development Fund:
- Community Development Block Grants
- Economic Development Initiatives
- Neighborhood Initiatives

HOME Program:
- HOME Investment Partnership
- Downpayment Assistance Initiative

HOPE VI

Brownfields Redevelopment

Self Help and Assisted Homeownership Opportunity:
- Capacity Building
- Housing Assistance Council
- Self-Help Homeownership Opportunity Program
- National Housing Development Corporation
- Homeless Assistance Grants
- Housing for the Elderly
- Housing for Persons with Disabilities

FHA General and Special Risk Program Account:
- Limitation on Guaranteed Loans
- Limitation on Direct Loans
- Credit Subsidy
- Administrative Expenses

GNMA Mortgage Backed Securities Loan Guarantee Program Account:
- Limitation on Guaranteed Loans
- Administrative Expenses
- Policy Development and Research
- Fair Housing Activities, Fair Housing Program
- Lead Hazards Reduction Program
- Salaries and Expenses

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI, OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on July 10, 2008, the Committee ordered reported an original bill (S. 3261) making appropriations for the Departments of of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009, and authorized the chairman of the Committee or the chairman of the subcommittee to offer the text of the Senate bill as a Committee amendment in the nature of a substitute to the House companion measure, with the bill subject to amendment and subject to the budget allocations, by a recorded vote of 28–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Byrd	
Mr. Inouye	
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Feinstein	

Mr. Durbin
Mr. Johnson
Ms. Landrieu
Mr. Reed
Mr. Lautenberg
Mr. Nelson
Mr. Cochran
Mr. Stevens
Mr. Specter
Mr. Domenici
Mr. Bond
Mr. McConnell
Mr. Shelby
Mr. Bennett
Mr. Craig
Mrs. Hutchison
Mr. Brownback
Mr. Allard
Mr. Alexander

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

TITLE 12—BANKS AND BANKING

CHAPTER 13—NATIONAL HOUSING

SUBCHAPTER II—MORTGAGE INSURANCE

§ 1709. Insurance of mortgages

(a) * * *

* * * * * * *

(b) Eligibility for insurance; mortgage limits

To be eligible for insurance under this section a mortgage shall comply with the following:

(1) * * *

(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the

Secretary shall approve) in an amount *not to exceed the lesser of—*

[(A) not to exceed the lesser of—

[(i) in the case of a 1-family residence, 95 percent of the median 1-family house price in the area, as determined by the Secretary; in the case of a 2-family residence, 107 percent of such median price; in the case of a 3-family residence, 130 percent of such median price; or in the case of a 4-family residence, 150 percent of such median price; or

[(ii) 87 percent of the dollar amount limitation determined under section 1454(a)(2) of this title for a residence of the applicable size; except that the dollar amount limitation in effect for any area under this subparagraph may not be less than the greater of the dollar amount limitation in effect under this section for the area on October 21, 1998, or 48 percent of the dollar limitation determined under section 1454(a)(2) of this title for a residence of the applicable size; and

[(B) not to exceed an amount equal to the sum of—

[(i) the amount of the mortgage insurance premium paid at the time the mortgage is insured; and

[(ii) in the case of—

[(I) a mortgage for a property with an appraised value equal to or less than $50,000, 98.75 percent of the appraised value of the property;

[(II) a mortgage for a property with an appraised value in excess of $50,000 but not in excess of $125,000, 97.65 percent of the appraised value of the property;

[(III) a mortgage for a property with an appraised value in excess of $125,000, 97.15 percent of the appraised value of the property; or

[(IV) notwithstanding subclauses (II) and (III), a mortgage for a property with an appraised value in excess of $50,000 that is located in an area of the State for which the average closing cost exceeds 2.10 percent of the average, for the State, of the sale price of properties located in the State for which mortgages have been executed, 97.75 percent of the appraised value of the property.]

(A)(i) in the case of a 1-family residence, the median 1-family house price in the area, as determined by the Secretary; and in the case of a 2-, 3-, or 4-family residence, the percentage of such median price that bears the same ratio to such median price as the dollar amount limitation in effect under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)) for a 2-, 3-, or 4-family residence, respectively, bears to the dollar amount limitation in effect under such section for a 1-family residence; or

(ii) the dollar amount limitation determined under such section 305(a)(2) for a residence of the applicable size;

except that the dollar amount limitation in effect for any area under this subparagraph may not be less than the greater of—

(I) the dollar amount limitation in effect under this section for the area on October 21, 1998, or

(II) 65 percent of the dollar limitation determined under such section 305(a)(2) for a residence of the applicable size; and

(B) not to exceed the appraised value of the property, plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.

For purposes of the preceding sentence, the term "area" means a metropolitan statistical area as established by the Office of Management and Budget *or in the case of a geographic region not encompassed within a metropolitan statistical area established by the Office of Management and Budget, such other geographic region as determined by the Secretary*; and the median 1-family house price for an area shall be equal to the median 1-family house price of the county within the area that has the highest such median price. ❲For purposes of this paragraph, the term "average closing cost" means, with respect to a State, the average, for mortgages executed for properties that are located within the State, of the total amounts (as determined by the Secretary) of initial service charges, appraisal, inspection, and other fees (as the Secretary shall approve) that are paid in connection with such mortgages.❳ Notwithstanding any other provision of this section, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, such mortgage shall not exceed 90 per centum of the entire appraised value of the property as of the date the mortgage is accepted for insurance, unless (i) the dwelling was completed more than one year prior to the application for mortgage insurance, or (ii) the dwelling was approved for guaranty, insurance, or a direct loan under chapter 37 of title 38 prior to the beginning of construction, or (iii) the dwelling is covered by a consumer protection or warranty plan acceptable to the Secretary and satisfies all requirements which would have been applicable if such dwelling had been approved for mortgage insurance prior to the beginning of construction. As used herein, the term "veteran" means any person who served on active duty in the armed forces of the United States for a period of not less than ninety days (or is certified by the Secretary of Defense as having performed extra-hazardous service), and who was discharged or released therefrom under conditions other than dishonorable, except that persons enlisting in the armed forces after September 7, 1980, or entering active duty after October 16, 1981, shall have their eligibility determined in accordance with section 5303A(d) of title 38. Notwithstanding any other provision of this paragraph, the amount which may be insured under this section may be increased by up to 20 percent if such increase is necessary to account for the increased cost of the residence due to the installation of a solar energy system (as defined in subparagraph (3) of the last paragraph of section 1703(a) of this title) therein.

【Notwithstanding any other provision of this paragraph, the Secretary may not insure, or enter into a commitment to insure, a mortgage under this section that is executed by a first-time homebuyer and that involves a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Secretary shall approve) in excess of 97 percent of the appraised value of the property unless the mortgagor has completed a program of counseling with respect to the responsibilities and financial management involved in homeownership that is approved by the Secretary; except that the Secretary may, in the discretion of the Secretary, waive the applicability of this requirement.】

* * * * * * *

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 8—LOW-INCOME HOUSING

SUBCHAPTER I—GENERAL PROGRAM OF ASSISTED HOUSING

§ 1437v. Demolition, site revitalization, replacement housing, and tenant-based assistance grants for projects

(a) * * *

* * * * * * *

(m) Funding

(1) Authorization of appropriations

There are authorized to be appropriated for grants under this section $574,000,000 for fiscal year 【2003】 *2009.*

* * * * * * *

(o) Sunset

No assistance may be provided under this section after 【September 30, 2007】 *September 30, 2009*.

* * * * * * *

CHAPTER 130—NATIONAL AFFORDABLE HOUSING

SUBCHAPTER II—INVESTMENT IN AFFORDABLE HOUSING

PART B—COMMUNITY HOUSING PARTNERSHIP

§ 12773. Housing education and organizational support

(a) * * *

* * * * * * *

(d) Limitations

Contracts under this section with any one contractor for a fiscal year may not—

(1) exceed 【20】 *25* percent of the amount appropriated for this section for such fiscal year; or

* * * * * * *

(e) Single-State contractors

Not less than ⟦40⟧ *25* percent of the funds made available for this section in an appropriations Act in any fiscal year shall be made available for eligible contractors that have worked primarily in one State. The Secretary shall provide assistance under this section, to the extent applications are submitted and approved, to contractors in each of the geographic regions having a regional office of the Department of Housing and Urban Development.

* * * * * * *

PART C—OTHER SUPPORT FOR STATE AND LOCAL HOUSING STRATEGIES

§ 12783. Conditions of contracts

(a) * * *

* * * * * * *

(b) Contract terms

Contracts under this part shall be for not more than 3 years and shall provide not more than 20 percent of the operating budget of the contracting organization in any one year. Within any fiscal year, contracts with any one organization may not be entered into for a total of more than ⟦20⟧ *40* percent of the funds appropriated under this part in that fiscal year.

* * * * * * *

PART E—OTHER ASSISTANCE

§ 12821. Downpayment assistance initiative

(a) * * *

* * * * * * *

(i) Sunset

The Secretary shall have no authority to make grants under this ⟦Act after December 31, 2007⟧ *section after December 31, 2011.*

* * * * * * *

CHAPTER 135—RESIDENCY AND SERVICE REQUIREMENTS IN FEDERALLY ASSISTED HOUSING

SUBCHAPTER IV—GENERAL PROVISIONS

§ 13641. Definitions

For purposes of this title: [1]

(1) * * *

* * * * * * *

(2) Federally assisted housing

The terms “federally assisted housing” and “project” mean—

(A) * * *

* * * * * * *

(F) housing insured, assisted, or held by the Secretary or a State or State agency under section 1715z–1 of title 12; ❲and❳

(G) housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of the United States Housing Act of 1937 [42 U.S.C. 1437f(b)(2)], as in effect before October 1, 1983, that is assisted under a contract for assistance under such section❲.❳*; and*

(H) housing that is assisted under section 811 of the Cranston-Gonzalez Affording Housing Act (42 U.S.C. 8013).

* * * * * * *

TITLE 46—SHIPPING

PART B—MERCHANT MARINE SERVICE

CHAPTER 515—STATE MARITIME ACADEMY SUPPORT PROGRAM

* * * * * * *

§ 51509. Student incentive payment agreements

(a) * * *

(b) PAYMENTS.—Payments under an agreement under this section shall be equal to ❲$4,000❳ *$8,000* each academic year and be paid, as prescribed by the Secretary, while the individual is attending the academy. The payments shall be used for uniforms, *tuition,* books, and subsistence.

* * * * * * *

TITLE 49—TRANSPORTATION

Subtitle VII—Aviation Programs

PART A—AIR COMMERCE AND SAFETY

Subpart III—Safety

CHAPTER 443—INSURANCE

§ 44302. General authority

(a) * * *

* * * * * * *

(f) EXTENSION OF POLICIES.—

(1) IN GENERAL.—The Secretary shall extend through August 31, ❲2006❳ *2009*, and may extend through December 31, ❲2006❳ *2009*, the termination date of any insurance policy that the Department of Transportation issued to an air carrier under subsection (a) and that is in effect on the date of enactment of this subsection on no less favorable terms to the air carrier than existed on June 19, 2002; except that the Secretary shall amend the insurance policy, subject to such terms

and conditions as the Secretary may prescribe, to add coverage for losses or injuries to aircraft hulls, passengers, and crew at the limits carried by air carriers for such losses and injuries as of such date of enactment and at an additional premium comparable to the premium charged for third-party casualty coverage under such policy.

* * * * * * *

§ 44303. Coverage

(a) * * *

* * * * * * *

(b) AIR CARRIER LIABILITY FOR THIRD PARTY CLAIMS ARISING OUT OF ACTS OF TERRORISM.—For acts of terrorism committed on or to an air carrier during the period beginning on September 22, 2001, and ending on December 31, 【2006】 *2009*, the Secretary may certify that the air carrier was a victim of an act of terrorism and in the Secretary's judgment, based on the Secretary's analysis and conclusions regarding the facts and circumstances of each case, shall not be responsible for losses suffered by third parties (as referred to in section 205.5(b)(1) of title 14, Code of Federal Regulations) that exceed $100,000,000, in the aggregate, for all claims by such parties arising out of such act. If the Secretary so certifies, the air carrier shall not be liable for an amount that exceeds $100,000,000, in the aggregate, for all claims by such parties arising out of such act, and the Government shall be responsible for any liability above such amount. No punitive damages may be awarded against an air carrier (or the Government taking responsibility for an air carrier under this subsection) under a cause of action arising out of such act. The Secretary may extend the provisions of this subsection to an aircraft manufacturer (as defined in section 44301) of the aircraft of the air carrier involved.

* * * * * * *

McKINNEY-VENTO HOMELESS ASSISTANCE ACT

TITLE II—INTERAGENCY COUNCIL ON THE HOMELESS

SEC. 209. TERMINATION.

The Council shall cease to exist, and the requirements of this title shall terminate, on October 1, 【2008】 *2012*.

* * * * * * *

AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000, PUBLIC LAW 106–569

TITLE VIII—HOUSING FOR ELDERLY AND DISABLED FAMILIES

SUBTITLE A—REFINANCING FOR SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY

SEC. 811. PREPAYMENT AND REFINANCING.

(a) APPROVAL OF PREPAYMENT OF DEBT.—Upon request of the project sponsor of a project assisted with a loan under section202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act), *for which the Secretary's consent to prepayment is required,* the Secretary shall approve the prepayment of any indebtedness to the Secretary relating to any remaining principal and interest under the loan as part of a prepayment plan under which—

(1) the project sponsor agrees to operate the project until the maturity date of the original loan under terms at least as advantageous to existing and future tenants as the terms required by the original loan agreement or any *project-based* rental assistance payments contract under section 8 of the United States Housing Act of 1937 (or any other *project-based* rental housing assistance programs of the Department of Housing and Urban Development, including the rent supplement program under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s)) ⟦relating to the project; and⟧ *any successor project-based rental assistance program, relating to the project, except that if, such project-based rental assistance is no longer available to the project as a result of insufficient amounts of appropriated funds for such purpose, or is no longer available on terms that would provide the project with income equivalent to the project-based rental assistance, the project-based rental assistance contract shall be deemed terminated, including all obligations and restrictions thereunder, and the project owner may charge tenants rent sufficient for the project owner to meet debt service payments and operating cost requirements approved by the Secretary. Such contract termination shall be an eligibility event for purposes of section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)) and the tenants of such project shall be eligible for enhanced vouchers in accordance with such section; and*

(2) the prepayment may involve refinancing of the loan if such refinancing results in ⟦a lower interest rate on the principal of the loan for the project and in reductions in debt service related to such loan⟧

(A) a lower interest rate on the principal of the loan for the project and in reductions in debt service related to such loan, or

(B) a transaction in which the project owner will address the physical needs of the project. Any approved funding must meet a cost benefit analysis, as established by the

Secretary, that the benefit of the transaction outweighs the cost of the transaction.

* * * * * * *

CONSOLIDATED APPROPRIATIONS ACT, 2008, PUBLIC LAW 110–161

DIVISION K—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,585,990,000, of which $1,580,990,000 shall remain available until September 30, 2010, and of which $5,000,000 shall remain available until expended for rehabilitation projects with ten-year grant terms: *Provided,* That of the amounts provided, $25,000,000 shall be set aside to conduct a demonstration program for the rapid re-housing of homeless families: *Provided further,* That of amounts made available in the preceding proviso, not to exceed $1,250,000 may be used to conduct an evaluation of this demonstration program: *Provided further,* That funding made available for this demonstration program shall be used by the Secretary, expressly for the purposes of providing housing and services to homeless families in order to evaluate the effectiveness of the rapid re-housing approach in addressing the needs of homeless families: *Provided further, That the Secretary may renew grants made under this demonstration program and may treat such original grants and any such renewal grants as if these grants were made under the supportive housing program: Provided further,* That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing for individuals and families: *Provided further,* That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further,* That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further,* That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further,* That up to $8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further,* That not to exceed $2,475,000 of the funds appropriated under this heading may be transferred to the Working Capital Fund: *Provided further,* That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2008.

* * * * * * *

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93–344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the budget resolution for 2009: Subcommittee on Transportation and Housing and Urban Development, and Related Agencies:				
Mandatory	....	....	....	....
Discretionary	53,325	53,325	115,148	[1] 114,199
Projection of outlays associated with the recommendation:				
2009	....	....	....	[2] 44,315
2010	....	....	....	32,984
2011	....	....	....	14,777
2012	....	....	....	6,661
2013 and future years	....	....	....	8,265
Financial assistance to State and local governments for 2009	NA	26,268	NA	27,864

[1] Includes outlays from prior-year budget authority.
[2] Excludes outlays from prior-year budget authority.

NA: Not applicable.

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

The Constitution vests in the Congress the power of the purse. The Committee believes strongly that Congress should make the decisions on how to allocate the people's money.

As defined in Rule XLIV of the Standing Rules of the Senate, the term "congressional directed spending item" means a provision or report language included primarily at the request of a Senator, providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or congressional district, other than through a statutory or administrative, formula-driven, or competitive award process.

For each item, a Member is required to provide a certification that neither the Member nor the Senator's immediate family has a pecuniary interest in such congressionally directed spending item. Such certifications are available to the public on the website of the Senate Committee on Appropriations (www.appropriations.Senate.gov/Senators.cfm).

Following is a list of congressionally directed spending items included in the Senate recommendation discussed in this report, along with the name of each Senator who submitted a request to the Committee of jurisdiction for each item so identified. Neither the Committee recommendation nor this report contains any limited tax benefits or limited tariff benefits as defined in rule XLIV.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Airport Improvement Program	Akutan, AK	$1,250,000	Senators Stevens, Murkowski
Airport Improvement Program	Battle Creek Unlimited, MI	2,000,000	Senators Stabenow, Levin
Airport Improvement Program	Burlington International, VT	1,000,000	Senator Leahy
Airport Improvement Program	Chippewa Valley Regional, WI	1,000,000	Senator Kohl
Airport Improvement Program	Clinton Memorial, MO	500,000	Senator Bond
Airport Improvement Program	Dekalb Taylor Municipal, IL	300,000	Senator Durbin
Airport Improvement Program	Golden Triangle Regional, MS	1,500,000	Senators Cochran, Wicker
Airport Improvement Program	Grand Forks International, ND	300,000	Senators Dorgan, Conrad
Airport Improvement Program	Gulfport-Biloxi International, MS	2,000,000	Senator Cochran
Airport Improvement Program	Jackson-Evers International, MS	1,500,000	Senator Cochran
Airport Improvement Program	Kalamazoo/Battle Creek International, MI	1,700,000	Senators Stabenow, Levin
Airport Improvement Program	Louisville International-Standiford Field, KY	1,000,000	Senator McConnell
Airport Improvement Program	Mobile Regional, AL	2,000,000	Senators Shelby, Sessions
Airport Improvement Program	Mt. Washington Regional, NH	1,000,000	Senator Sununu
Airport Improvement Program	Nashville International, TN	750,000	Senators Alexander, Corker
Airport Improvement Program	Peoria Regional, IL	1,000,000	Senator Durbin
Airport Improvement Program	Philadelphia International, PA	2,500,000	Senators Specter, Casey
Airport Improvement Program	Piedmont Triad International, NC	1,000,000	Senator Burr
Airport Improvement Program	Rowan County, NC	2,000,000	Senator Dole
Airport Improvement Program	San Marcos Municipal, TX	2,000,000	Senators Hutchison, Cornyn
Airport Improvement Program	Sloulin Field International, ND	2,000,000	Senators Dorgan, Conrad
Airport Improvement Program	Springfield-Branson National, MO	2,750,000	Senator Bond
Airport Improvement Program	Tunica Municipal, MS	750,000	Senator Cochran
Airport Improvement Program	West Virginia Statewide, WV	4,500,000	Senator Byrd
Alternatives Analysis	Aberdeen MARC Rail Storage Yard, MD	500,000	Senator Cardin
Alternatives Analysis	Coast Transit Alternatives Analysis, MS	1,200,000	Senator Cochran
Alternatives Analysis	MARTA I–20 East Transit Corridor, GA	500,000	Senator Chambliss
Alternatives Analysis	Northwest New Jersey-Northeast Pennsylvania PasSenatorer Rail Project, PA	1,000,000	Senator Specter
Alternatives Analysis	Overland Park/Metcalf Transit Study, KS	700,000	Senator Brownback
Alternatives Analysis	West of Hudson Regional Transit Access Project, NY	2,000,000	Senator Schumer
Appalachian Highway Development System	Corridor H, WV	10,000,000	Senator Byrd
Buses and Bus Facilities	Abilene Paratransit Vehicle Replacement, TX	480,000	Senators Cornyn, Hutchison
Buses and Bus Facilities	Addison County Transit Resources Facilities, Buses, and Equipment, VT	1,000,000	Senator Leahy
Buses and Bus Facilities	Alabama Senior Transportation Program, AL	1,000,000	Senator Shelby

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Buses and Bus Facilities	Albuquerque Transit Facility Rehabilitation, City of Albuquerque, NM	150,000	Senators Domenici, Bingaman
Buses and Bus Facilities	Athens-Clarke County Transit, Bus Procurement, GA	1,400,000	Senators Isakson, Chambliss
Buses and Bus Facilities	Automotive-Based Fuel Cell Hybrid Bus Program, DE	500,000	Senator Carper, Biden
Buses and Bus Facilities	Baldwin County Bus and Bus Facilities Project, AL	1,000,000	Senator Shelby
Buses and Bus Facilities	Ben Franklin Transit Maintenance Facility Construction, WA	1,350,000	Senators Murray, Cantwell
Buses and Bus Facilities	Bloomfield Intermodal Improvements, NJ	2,000,000	Senators Menendez, Lautenberg
Buses and Bus Facilities	Bridgeport Intermodal Transportation Center, CT	3,000,000	Senators Dodd, Lieberman
Buses and Bus Facilities	Oklahoma City Bus Replacement, OK	1,400,000	Senator Inhofe
Buses and Bus Facilities	Capital Metro Bus and Bus Facilities Improvements, TX	500,000	Senators Cornyn, Hutchison
Buses and Bus Facilities	CATA Bus and Bus Facilities, Lansing, MI	2,000,000	Senators Levin, Stabenow
Buses and Bus Facilities	Cedar Avenue Bus Rapid Transit, MN	1,000,000	Senators Coleman, Klobuchar
Buses and Bus Facilities	Central City Intermodal Transfer Terminal, NV	1,000,000	Senators Reid, Ensign
Buses and Bus Facilities	City of Detroit Fare Collection System, Bus Upgrades, MI	1,000,000	Senators Stabenow, Levin
Buses and Bus Facilities	City of Moultrie Intermodal Facility, GA	500,000	Senators Chambliss, Isakson
Buses and Bus Facilities	Clallam Transit Vehicle Replacement, WA	302,000	Senators Murray, Cantwell
Buses and Bus Facilities	Deerfield Valley Transit Association Buses, Facilities, and Equipment, VT	2,000,000	Senator Leahy
Buses and Bus Facilities	Design and Construction of an Intermodal Transportation Center for Los Lunas, NM	1,000,000	Senator Bingaman
Buses and Bus Facilities	Dubuque Downtown Transportation Center Intermodal Facility, Dubuque, IA	250,000	Senator Harkin
Buses and Bus Facilities	East Tennessee Human Resources Agency Wheelchair Accessible Vehicles, TN	1,000,000	Senators Corker, Alexander
Buses and Bus Facilities	Enumclaw Welcome Center Intermodal Transit Facility, WA	1,500,000	Senator Murray
Buses and Bus Facilities	Everett Transit Vehicle Replacement, WA	1,000,000	Senators Murray, Cantwell
Buses and Bus Facilities	Frankfort Transit, KY	1,000,000	Senator McConnell
Buses and Bus Facilities	Goldsboro Union Depot, NC	500,000	Senator Dole
Buses and Bus Facilities	Grant Transit Vehicle Replacement, WA	448,000	Senators Murray, Cantwell
Buses and Bus Facilities	Greater Minnesota Transit Capital, MN	3,000,000	Senator Coleman
Buses and Bus Facilities	Greater Richmond Transit Company (GRTC) Bus Replacement, VA	1,000,000	Senators Warner, Webb
Buses and Bus Facilities	Greensboro Multimodal Facility, NC	1,000,000	Senator Dole
Buses and Bus Facilities	Harrison County Multi-Modal Facilities, MS	3,000,000	Senator Wicker
Buses and Bus Facilities	HART Bus Rapid Transit Project, FL	2,000,000	Senators Martinez, Bill Nelson
Buses and Bus Facilities	Hillsboro Intermodal Transit Facility, OR	3,000,000	Senators Smith, Wyden
Buses and Bus Facilities	Idaho Transit Coalition Buses and Bus Facilities, ID	2,500,000	Senators Crapo, Craig
Buses and Bus Facilities	Intercity Transit Intermodal Facility Project, WA	1,850,000	Senators Murray, Cantwell
Buses and Bus Facilities	Intermodal Facilities, Salt Lake City, UT	5,000,000	Senators Hatch, Bennett
Buses and Bus Facilities	JATRAN Light Rail Feasibility Study, MS	500,000	Senator Cochran

Buses and Bus Facilities	Lafayette Hybrid Bus Project, IN	2,100,000	Senator Lugar
Buses and Bus Facilities	Lake Tahoe Bus Facilities	500,000	Senator Reid
Buses and Bus Facilities	Lakewood Multi Modal Facility, NJ	1,000,000	Senators Lautenberg, Menendez
Buses and Bus Facilities	Laredo Bus Maintenance Facility and Refueling Depot, TX	1,000,000	Senators Hutchison, Cornyn
Buses and Bus Facilities	Lufkin VA Clinic Shuttle, TX	300,000	Senator Cornyn
Buses and Bus Facilities	LYNX Buses, Orlando, FL	3,000,000	Senator Martinez
Buses and Bus Facilities	Marshall County Vehicle Replacement for Seniors and for the Mentally Disabled, AL	300,000	Senator Shelby
Buses and Bus Facilities	MARTA Clean Fuel Buses and Facilities, GA	1,400,000	Senator Isakson
Buses and Bus Facilities	Murray-Calloway County Transit Authority Expansion Project, KY	1,200,000	Senator McConnell
Buses and Bus Facilities	ND Statewide Transit, ND	2,000,000	Senators Dorgan, Conrad
Buses and Bus Facilities	Nevada Statewide Bus Facilities	500,000	Senators Reid, Ensign
Buses and Bus Facilities	Pacific Transit Vehicle Replacement, WA	480,000	Senators Murray, Cantwell
Buses and Bus Facilities	Paducah Area Transit System, KY	2,500,000	Senator McConnell
Buses and Bus Facilities	Pierce Transit Peninsula Park and Ride, WA	1,775,000	Senators Murray, Cantwell
Buses and Bus Facilities	Pullman Transit Vehicle Replacement, WA	1,356,000	Senators Murray and Cantwell
Buses and Bus Facilities	Queen Street Station, PA	3,000,000	Senator Specter
Buses and Bus Facilities	Reno/Sparks Intermodal Transportation Center developments, NV	500,000	Senators Reid, Ensign
Buses and Bus Facilities	Rural Bus Program for Hawaii, Maui, and Kauai, HI	2,000,000	Senators Inouye, Akaka
Buses and Bus Facilities	Senatoror Transportation, RI	200,000	Senators Whitehouse, Reed
Buses and Bus Facilities	Southside Bus Facility Replacement in Hampton Roads, VA	2,000,000	Senators Warner, Webb
Buses and Bus Facilities	St. Louis Metro Bus and Paratransit Rolling Stock Project, MO	4,000,000	Senator Bond
Buses and Bus Facilities	State of Illinois downstate bus and bus facilities, IL	5,000,000	Senator Durbin
Buses and Bus Facilities	Statewide Bus and Bus Facilities, MD	2,000,000	Senators Cardin, Mikulski
Buses and Bus Facilities	Statewide Bus and Bus Facilities, MO	2,000,000	Senator Bond
Buses and Bus Facilities	Statewide Bus and Bus Facility Enhancements, AK	600,000	Senator Stevens
Buses and Bus Facilities	Statewide Bus Replacement, RI	1,000,000	Senator Reed
Buses and Bus Facilities	TownSenator Great Smoky Mountain Heritage Bus Station, TN	1,000,000	Senator Alexander
Buses and Bus Facilities	Transit Authority of Lexington Bus Purchase Project, KY	3,100,000	Senator McConnell
Buses and Bus Facilities	Transit Authority of Northern Kentucky Buses, KY	1,500,000	Senators Bunning, McConnell
Buses and Bus Facilities	Transit Bus and Bus Replacement, IA	4,000,000	Senators Harkin, Grassley
Buses and Bus Facilities	Transit Maintenance and Operations Facility, City of Las Cruces, NM	1,000,000	Senators Domenici, Bingaman
Buses and Bus Facilities	Treasure Valley Transit Facilities, ID	500,000	Senators Crapo, Craig
Buses and Bus Facilities	Twin Transit Vehicle Replacement, WA	410,000	Senators Murray, Cantwell
Buses and Bus Facilities	University of Alabama Bus and Bus Facility Project, AL	500,000	Senator Sessions
Buses and Bus Facilities	Valley Transit Vehicle Replacement, WA	388,000	Senators Murray, Cantwell
Buses and Bus Facilities	Whatcom County Transit Vehicle Replacement, WA	2,000,000	Senator Murray
Buses and Bus Facilities	Wisconsin Statewide Bus and Bus Facilities, WI	4,000,000	Senator Kohl
Buses and Bus Facilities	Wonderland Intermodal Transit Improvements, MA	1,000,000	Senators Kennedy, Kerry
Capital Investment Grants—New Starts	Central Corridor Light Rail Transit Project, MN	20,000,000	Senators Coleman, Klobuchar

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Capital Investment Grants—New Starts	Central Link Initial Segment, Seattle, WA	28,846,735	Senators Murray, Cantwell, The President
Capital Investment Grants—New Starts	Central Phoenix/East Valley Light Rail, AZ	91,800,000	The President
Capital Investment Grants—New Starts	Charlotte Rapid Transit Extension Northeast Corridor, NC	18,000,000	Senators Dole, Burr
Capital Investment Grants—New Starts	CTA Brown Line, IL (Ravenswood)	29,474,404	Senator Durbin, The President
Capital Investment Grants—New Starts	CTA Circle Line, IL	8,000,000	Senator Durbin
Capital Investment Grants—New Starts	Dallas Area Rapid Transit Northwest/Southeast Light Rail MOS, TX	87,974,716	Senators Hutchison, Cornyn, The President
Capital Investment Grants—New Starts	Downtown Orlando East-West Circulator System, FL	8,000,000	Senator Martinez
Capital Investment Grants—New Starts	Dulles Corridor Rail Project, VA	30,000,000	Senators Webb, Warner
Capital Investment Grants—New Starts	Honolulu High-Capacity Transit Corridor Project, HI	20,000,000	Senators Inouye, Akaka
Capital Investment Grants—New Starts	Houston METRO—Advanced Transit Program/METRO Solutions Phase 2, TX	10,000,000	Senator Hutchison
Capital Investment Grants—New Starts	Hudson-Bergen Light Rail MOS2, NJ	1,103,860	Senators Lautenberg, Menendez, The President
Capital Investment Grants—New Starts	Largo Metrorail Extension, Washington, DC	34,700,000	Senators Mikulski, Cardin, Warner, Webb, The President
Capital Investment Grants—New Starts	Long Island Rail Road East Side Access, NY	197,370,000	Senator Schumer, The President
Capital Investment Grants—New Starts	Los Angeles Metro Gold Line Eastside Extension, CA	74,600,000	Senators Feinstein, Boxer, The President
Capital Investment Grants—New Starts	MARC Commuter Rail Improvements and Rolling Stock, MD	15,000,000	Senators Mikulski, Cardin
Capital Investment Grants—New Starts	METRA, IL	6,607,000	Senator Durbin
Capital Investment Grants—New Starts	Miami-Dade County Metrorail Orange Line Expansion, FL	20,000,000	Senators Martinez, Bill Nelson
Capital Investment Grants—New Starts	Mid Jordan Light Rail Extension, UT	10,000,000	Senators Bennett, Hatch
Capital Investment Grants—New Starts	Norfolk Light Rail Project, VA	57,055,734	Senators Webb, Warner, The President
Capital Investment Grants—New Starts	North Shore LRT Corridor, PA	670,885	The President
Capital Investment Grants—New Starts	Northstar Corridor Rail Project, MN	71,166,060	Senators Klobuchar, Coleman, The President
Capital Investment Grants—New Starts	San Francisco Third Street Light Rail Transit Project—Central Subway, CA	8,000,000	Senators Feinstein, Boxer
Capital Investment Grants—New Starts	Second Avenue Subway—Phase I, NY	249,927,000	Senator Schumer, The President
Capital Investment Grants—New Starts	South Corridor I205/Portland Mall Light Rail Project, OR	81,600,000	Senator Smith, Wyden, The President
Capital Investment Grants—New Starts	South County Commuter Rail, Wickford Junction Station, RI	1,345,500	Senator Reed
Capital Investment Grants—New Starts	South Sacramento Corridor Phase 2 Project, CA	7,000,000	Senators Feinstein, Boxer

Capital Investment Grants—New Starts	Southeast Corridor LRT, CO	1,031,210	Senators Allard, Salazar, The President
Capital Investment Grants—New Starts	Stamford Urban Transitway, CT	5,000,000	Senators Dodd, Lieberman
Capital Investment Grants—New Starts	Trans-Hudson Midtown Corridor, NJ	75,000,000	Senators Lautenberg, Menendez
Capital Investment Grants—New Starts	University Link LRT Extension, WA	100,000,000	Senator Murray, The President
Capital Investment Grants—New Starts	VRE Rolling Stock, VA	5,000,000	Senator Webb
Capital Investment Grants—New Starts	Weber County to Salt Lake City Commuter Rail, UT	81,600,000	Senators Bennett, Hatch, The President
Capital Investment Grants—New Starts	West Corridor Light Rail, CO	70,000,000	Senators Allard, Salazar, The President
Capital Investment Grants—Small Starts	AC Transit Bus Rapid Transit Corridor, CA	3,000,000	Senator Feinstein
Capital Investment Grants—Small Starts	Bellevue-Redmond BRT, WA	20,000,000	Senators Murray, Cantwell, The President
Capital Investment Grants—Small Starts	Bus Rapid Transit, Potomac Yard-Crystal City, VA	1,000,000	Senator Webb
Capital Investment Grants—Small Starts	Bus Rapid Transit—State Avenue Corridor, Wyandotte County, KS	1,500,000	Senator Brownback
Capital Investment Grants—Small Starts	Commuter Rail Improvements, Fitchburg, MA	27,000,000	The President
Capital Investment Grants—Small Starts	I–69 HOV/BRT, MS	7,650,000	Senators Cochran, Wicker
Capital Investment Grants—Small Starts	Improvements to the Rosslyn Metro Station, VA	2,000,000	Senator Webb
Capital Investment Grants—Small Starts	Livermore-Amador Bus Rapid Transit, CA	7,990,000	Senators Feinstein, Boxer, The President
Capital Investment Grants—Small Starts	Los Angeles Metro Rapid Bus System Gap Closure, CA	332,620	Senators Feinstein, Boxer, The President
Capital Investment Grants—Small Starts	Los Angeles Wilshire Blvd Bus-Only Lane, CA	10,952,330	Senators Feinstein, Boxer, The President
Capital Investment Grants—Small Starts	Mason Street Corridor bus rapid transit, CO	11,182,000	Senators Allard, Salazar, The President
Capital Investment Grants—Small Starts	Mountain Links BRT, AZ	6,238,000	The President
Capital Investment Grants—Small Starts	Pacific Highway South BRT, WA	281,520	Senator Murray, The President
Capital Investment Grants—Small Starts	Perris Valley Line Metrolink Extension, CA	50,000,000	Senators Feinstein, Boxer, The President
Capital Investment Grants—Small Starts	Pioneer Parkway EmX BRT, Springfield, OR	296,000	The President
Capital Investment Grants—Small Starts	Portland Streetcar Loop, OR	50,000,000	Senators Wyden, Smith, The President
Capital Investment Grants—Small Starts	San Diego Mid-City Rapid, CA	21,650,000	Senator Feinstein, The President
Capital Investment Grants—Small Starts	Troost Corridor BRT, Kansas City, MO	125,200	Senator Bond, The President
Delta Regional Transportation Development Program	Byram-Clinton/Norrell Corridor, MS	1,500,000	Senators Cochran, Wicker
Delta Regional Transportation Development Program	Downtown Greenwood Connector Route, MS	1,500,000	Senator Cochran
Delta Regional Transportation Development Program	Natchez Riverfront Trails, MS	450,000	Senators Cochran, Wicker
Delta Regional Transportation Development Program	Poplar Bluff Bypass, MO	2,000,000	Senator Bond
Delta Regional Transportation Development Program	Route 60, MO	1,000,000	Senator Bond

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Delta Regional Transportation Development Program	Route 61, MO	639,550	Senator Bond
Delta Regional Transportation Development Program	Route 84–Interstate 55, MO	1,000,000	Senator Bond
Delta Regional Transportation Development Program	Statesman Boulevard and Trail, MS	1,000,000	Senator Cochran
Delta Regional Transportation Development Program	Stoddard County, to make road improvements, MO	360,440	Senator Bond
Denali Commission	Denali Commission, AK	6,000,000	Senator Stevens
Elimination of Rail-Highway Grade Crossing Hazards	Alameda Corridor East Grade Separations, CA	1,000,000	Senator Feinstein
Elimination of Rail-Highway Grade Crossing Hazards	Lincoln Avenue Grade Separation, Port of Tacoma, WA	1,000,000	Senators Murray, Cantwell
Elimination of Rail-Highway Grade Crossing Hazards	Shaw Road Extension Project, City of Puyallup, WA	2,000,000	Senators Murray, Cantwell
FAA—Facilities and Equipment	Approach Lighting System Improvement Program, AK	2,500,000	Senator Stevens
FAA—Facilities and Equipment	Runway Obstruction Warning System, MS	1,500,000	Senator Cochran
FAA—Facilities and Equipment	Wind Hazard Detection Equipment, McCarran International, NV	850,000	Senators Reid, Engisn
FAA—Facilities and Equipment	ILS for Reno Tahoe Airport	250,000	Senators Reid, Ensign
FAA—Operations	Medallion Program, AK	2,500,000	Senator Stevens
FAA—Research, Engineering and Development	Advanced Materials Performance Research, National Institute for Aviation Research, Wichita State University, Wichita, KS.	2,500,000	Senators Brownback, Roberts
FAA—Research, Engineering and Development	Center for Runway Safety Systems, Kansas State University, Manhattan, KS	750,000	Senator Brownback
FAA—Research, Engineering and Development	Advanced Materials in Transport Aircraft Structures	500,000	Senator Murray
FAA—Terminal Air Traffic Control Facilities	Greenwood Airport Tower Construction, MS	250,000	Senator ————
Federal Lands (Public Lands Highways)	17–Mile Road Reconstruction, Wind River Indian Reservation, WY	500,000	Senator Enzi
Federal Lands (Public Lands Highways)	Alaska Trails Initiative, AK	2,000,000	Senator Stevens
Federal Lands (Public Lands Highways)	BRAC-related Improvements in Anne Arundel County, MD	3,000,000	Senators Mikulski, Cardin
Federal Lands (Public Lands Highways)	BRAC-related Improvements in Harford County, MD	3,000,000	Senators Mikulski, Cardin
Federal Lands (Public Lands Highways)	BRAC-related Improvements in Montgomery County, MD	3,000,000	Senators Mikulski, Cardin
Federal Lands (Public Lands Highways)	B-Reactor Access Road Analysis Project, WA	200,000	Senator Murray
Federal Lands (Public Lands Highways)	Cannonball and Fort Yates Streets, ND	1,350,000	Senators Dorgan, Conrad
Federal Lands (Public Lands Highways)	City of Rocks Back Country Byway, ID	1,000,000	Senators Crapo, Craig
Federal Lands (Public Lands Highways)	Cuny Table Road (BIA Route 2), Pine Ridge Indian Reservation, SD	1,000,000	Senator Johnson
Federal Lands (Public Lands Highways)	Federal Lands Improvement Project, HI	1,000,000	Senator Inouye
Federal Lands (Public Lands Highways)	FH–24, Banks to Lowman, ID	500,000	Senators Craig, Crapo
Federal Lands (Public Lands Highways)	Flight 93 National Memorial, PA	3,000,000	Senators Specter, Casey
Federal Lands (Public Lands Highways)	Grand Teton National Park Pathways System, WY	2,000,000	Senator Barrasso
Federal Lands (Public Lands Highways)	Hoover Dam Bypass Bridge, AZ	4,500,000	Senator Kyl
Federal Lands (Public Lands Highways)	Improvements to SD 73 from US 18 to Jackson County Serving Pine Ridge and Rosebud Reservation, SD.	1,000,000	Senator Thune

Federal Lands (Public Lands Highways)	Montana Secondary 323 from Ekalaka to Alzada, MT	3,000,000	Senator Baucus
Federal Lands (Public Lands Highways)	Powers Boulevard at Peterson AFB, CO	2,000,000	Senator Salazar
Federal Lands (Public Lands Highways)	Pyramid Lake Highway Corridor, Sparks, NV	500,000	Senators Reid, Ensign
Federal Lands (Public Lands Highways)	Sand Dunes Northern Access Road, CO	500,000	Senator Allard
Federal Lands (Public Lands Highways)	Skokomish Tribe Reservation Road Improvements, WA	1,000,000	Senator Murray
Federal Lands (Public Lands Highways)	Southern Nevada Beltway Interchanges, NV	3,000,000	Senators Reid, Ensign
Federal Lands (Public Lands Highways)	Squaxin Island Access Improvement Project, WA	1,000,000	Senator Murray
Federal Lands (Public Lands Highways)	SR–160 Blue Diamond Highway—Las Vegas to Pahrump, NV	2,750,000	Senators Ensign, Reid
Federal Lands (Public Lands Highways)	US 491: Navajo 9 to Shiprock, Four-lane upgrade, NM	1,000,000	Senator Bingaman
Ferry Boats and Ferry Terminal Facilities	City of Gustavus Public Dock and Floats, AK	1,000,000	Senator Murkowski
Ferry Boats and Ferry Terminal Facilities	Ferry Service for Route 240 Bridge Improvements, MO	1,000,000	Senator Bond
Ferry Boats and Ferry Terminal Facilities	Long Island Ferry Dock Construction, Boston, MA	1,000,000	Senators Kennedy, Kerry
Ferry Boats and Ferry Terminal Facilities	Mayport Ferry Rehabilitation, FL	500,000	Senators Bill Nelson, Martinez
Ferry Boats and Ferry Terminal Facilities	North Carolina Statewide Ferry System, NC	2,000,000	Senator Dole
Ferry Boats and Ferry Terminal Facilities	Rich Passage Wake Impact Study, WA	2,000,000	Senator Murray
Ferry Boats and Ferry Terminal Facilities	Vashon Island PasSenatorer Ferry, WA	1,000,000	Senators Murray, Cantwell
FRA—Research and Development	PEERS Rail Grade Crossing Safety, IL	500,000	Senator Durbin
FRA—Research and Development	Ohio Hub Cleveland—Columbus Rail Corridor, OH	500,000	Senator Brown
FRA—Research and Development	Constructed Facilities Center at West Virginia University, WV	250,000	Senator Byrd
FRA—Research and Development	Track Stability Technology, Marshall University, WV	500,000	Senator Byrd
FTA—Research	Missouri Transportation Institute	1,000,000	Senator Bond
FTA—Research	WVU Exhaust Emissions Testing Initiative, WV	500,000	Senator Byrd
Interstate Maintenance	Columbia River Crossing, OR	3,000,000	Senators Wyden, Smith
Interstate Maintenance	H–1 Kinau Off Ramp, HI	5,000,000	Senator Inouye
Interstate Maintenance	I–10 Connector Project, Dothan, AL	1,000,000	Senator Sessions
Interstate Maintenance	I–10 Interchange at Pecue Lane, LA	500,000	Senators Vitter, Landrieu
Interstate Maintenance	I–10 Reconstruction from Las Cruces to milepost 165, NM	2,000,000	Senator Bingaman
Interstate Maintenance	I–12 Sound Walls, LA	500,000	Senator Vitter
Interstate Maintenance	I–225 and Colfax/17th Place Interchange, CO	1,000,000	Senators Allard, Salazar
Interstate Maintenance	I–25 North from SH 56 to US 34, CO	2,000,000	Senators Salazar, Allard
Interstate Maintenance	I–35W Improvement Project, TX	1,000,000	Senators Cornyn, Hutchison
Interstate Maintenance	I–35W North Congestion Mitigation & Design, MN	1,000,000	Senators Coleman, Klobuchar
Interstate Maintenance	I–44 Pavement Improvements from Glenstone Avenue to Kansas Expressway, Greene County, MO.	1,000,000	Senator Bond
Interstate Maintenance	I–44 Pavement Improvements from US–65 to Glenstone Avenue, MO	1,000,000	Senator Bond
Interstate Maintenance	I–70 Stapleton Interchange, CO	2,000,000	Senators Salazar, Allard
Interstate Maintenance	I–70 Viaduct Realignment, Topeka, KS	1,000,000	Senator Brownback
Interstate Maintenance	I–84, Caldwell to Nampa Widening, ID	1,000,000	Senators Crapo, Craig
Interstate Maintenance	I–85 NB Viaduct at SR 400 NB—Exit Lane, GA	500,000	Senator Chambliss
Interstate Maintenance	I–85 Widening, NC	1,000,000	Senators Burr, Dole

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Interstate Maintenance	I–94/9th Street Interchange, ND	1,000,000	Senators Dorgan, Conrad
Interstate Maintenance	I–95/US 301 Interchange Improvement Project, SC	1,000,000	Senator Lindsey Graham
Interstate Maintenance	I–95 Pawtucket River Bridge Replacement, RI	2,000,000	Senators Whitehouse, Reed
Interstate Maintenance	I–95 toll Facility Rehabilitation and Highway Speed E–ZPass Improvements, DE	2,000,000	Senators Carper, Biden
Interstate Maintenance	I–95/Fairfax County Parkway Interchange at Newington Road, VA	2,000,000	Senator Webb
Interstate Maintenance	Improvements on I–90 from the Lawrence County Line to Exit 32, SD	2,000,000	Senator Thune
Interstate Maintenance	Lincoln Parish/I–20 Transportation Corridor, LA	500,000	Senator Landrieu
Interstate Maintenance	I–25 Reconstruction, Glenrock to Casper Hat Six Section, WY	2,000,000	Senators Enzi, Barrasso
Interstate Maintenance	Interstate 29 Utility Reconstruction, IA	1,000,000	Senators Grassley, Harkin
Interstate Maintenance	Interstate 430/630: Interchange Modification, AR	2,000,000	Senators Lincoln, Pryor
Interstate Maintenance	Third Army Road/Interstate 75 Interchange Construction, GA	750,000	Senators Chambliss, Isakson
Interstate Maintenance	Turnpike Improvement Project: SR1 and I–95, DE	2,000,000	Senators Biden, Carper
Interstate Maintenance	US 17 in Onslow County, NC	1,000,000	Senator Dole
Maritime Administration	Marview	2,000,000	Senator Cochran
NHTSA—Operations and Research	Plastic and Composite Vehicles Research	500,000	Senator Murray
Rail Line Relocation	Passenger Rail Corridor CREATE Projects, Chicago, IL	2,000,000	Senator Durbin
Rail Line Relocation	Phase 3 Rail Rehabilitation in Redwood Falls, MN	1,000,000	Senator Klobuchar
Rail Line Relocation	Short Line Rehabilitating, Salem, NJ	1,000,000	Senators Menendez, Lautenberg
Rail Line Relocation	Transbay Transit Center, San Francisco, CA	2,000,000	Senator Boxer
Rail Line Relocation	West Freight Access Project, Port of Vancouver, WA	1,000,000	Senators Murray, Cantwell
Rail Line Relocation	COLT Overpass over US 63, Boone County, MO	1,000,000	Senator Bond
Surface Transportation Priorities	146th Street Corridor Extension, Boone County, IN	500,000	Senator Lugar
Surface Transportation Priorities	159th and US 69 Interchange Improvements, Overland Park, KS	1,000,000	Senators Roberts, Brownback
Surface Transportation Priorities	2300 West Upgrade, 1900 South to 2100 North, UT	1,000,000	Senator Hatch
Surface Transportation Priorities	5th and Market Street Transportation Improvements, PA	500,000	Senator Specter
Surface Transportation Priorities	Advanced Bridge Safety Initiative, ME	500,000	Senators Collins, Snowe
Surface Transportation Priorities	Anchor Lake Project, MS	1,000,000	Senator Cochran
Surface Transportation Priorities	Ann Arbor-Detroit Regional Rail Project, MI	1,000,000	Senators Stabenow, Levin
Surface Transportation Priorities	Artesia Road Bypass, MS	1,000,000	Senators Cochran, Wicker
Surface Transportation Priorities	Barnes Crossing Road/Natchez Trace Parkway Bridge, MS	500,000	Senators Wicker, Cochran
Surface Transportation Priorities	Bayside Promenade, ME	800,000	Senators Snowe, Collins
Surface Transportation Priorities	Bland Street Improvements, Bland, MO	300,000	Senator Bond
Surface Transportation Priorities	Bonneville/Clark One-Way Couplet, NV	500,000	Senator Reid
Surface Transportation Priorities	Bossier Parish Congestion Relief Plan, LA	1,000,000	Senators Landrieu, Vitter

Surface Transportation Priorities	Bridge over Brandywine Creek, PA	750,000	Senator Specter
Surface Transportation Priorities	Campus Loop Road Extension for St. John Fisher College, NY	500,000	Senator Schumer
Surface Transportation Priorities	Cesar Chavez Blvd/Calexico-West Port of Entry Congestion Improvements, CA	3,000,000	Senator Boxer
Surface Transportation Priorities	City of Tuscaloosa Downtown Revitalization Project—University Blvd and Greensboro Avenue, AL.	4,000,000	Senator Shelby
Surface Transportation Priorities	Cline Avenue Extension, East Chicago, IN	1,000,000	Senator Bayh
Surface Transportation Priorities	Clinton Street Bridge Replacement, Fort Wayne, IN	500,000	Senators Bayh, Lugar
Surface Transportation Priorities	Coalfields Expressway, WV	5,000,000	Senator Byrd
Surface Transportation Priorities	Construction of Lafayette Interchange, MO	1,000,000	Senator Bond
Surface Transportation Priorities	Cumberland Parkway/US 41 Expansion, GA	1,000,000	Senator Isakson
Surface Transportation Priorities	Decatur Downtown Streetscape Project, AL	350,000	Senator Sessions
Surface Transportation Priorities	Delaware Avenue Bridge, IA	500,000	Senators Grassley, Harkin
Surface Transportation Priorities	East Texas Higher Speed Rail Feasibility Study, TX	300,000	Senator Hutchison
Surface Transportation Priorities	Edward T. Breathitt (Pennyrile) Parkway Completion Project, KY	2,000,000	Senator McConnell
Surface Transportation Priorities	El Camino East/West Corridor, Winnfield, LA	500,000	Senators Landrieu, Vitter
Surface Transportation Priorities	Establishment of Railroad Quiet Zones in the Town of Hamburg, NY	500,000	Senator Schumer
Surface Transportation Priorities	FM509 Extension, Harlingen, TX	500,000	Senators Hutchison, Cornyn
Surface Transportation Priorities	Fort Drum Connector (I–81 to Fort Drum North Gate), NY	1,000,000	Senator Schumer
Surface Transportation Priorities	Freedom Road Transportation Improvement Project, PA	1,750,000	Senators Specter, Casey
Surface Transportation Priorities	Gate and Intersection Improvements at Fort Lee, VA	1,000,000	Senators Warner, Webb
Surface Transportation Priorities	Granite Falls Alternate Route, WA	2,500,000	Senators Murray, Cantwell
Surface Transportation Priorities	Great Miami Boulevard Extension, OH	500,000	Senator Voinovich
Surface Transportation Priorities	Harden Street Improvements—Phase II, SC	1,000,000	Senator Lindsey Graham
Surface Transportation Priorities	Hastings Bridge, MN	2,000,000	Senator Klobuchar
Surface Transportation Priorities	Highway 100 Extension from Edgewood Road to Highway 30, Cedar Rapids, IA	1,000,000	Senators Harkin, Grassley
Surface Transportation Priorities	Highway 14–Waseca to Owatonna, MN	2,000,000	Senators Coleman, Klobuchar
Surface Transportation Priorities	Highway 75 Revitalization Project, AL	250,000	Senator Sessions
Surface Transportation Priorities	Highway 9 Improvements, MS	3,000,000	Senator Cochran
Surface Transportation Priorities	Hudson River Waterfront Walkway, NJ	500,000	Senators Menendez, Lautenberg
Surface Transportation Priorities	I–10 New Orleans East Upgrades, LA	200,000	Senator Landrieu
Surface Transportation Priorities	I–12 Interchange at LA 15, Denham Springs, LA	750,000	Senator Landrieu
Surface Transportation Priorities	I–295/76/42 Direct Connection, NJ	3,000,000	Senators Lautenberg, Menendez
Surface Transportation Priorities	I–49 South, LA	2,000,000	Senators Landrieu, Vitter
Surface Transportation Priorities	I–5 to Hwy. 99W Connector, OR	3,000,000	Senators Smith, Wyden
Surface Transportation Priorities	I–540 Interchange Improvements, Washington and Benton Counties, AR	2,000,000	Senators Lincoln, Pryor
Surface Transportation Priorities	I–555 Access Road, Poinsett County, AR	2,000,000	Senators Lincoln, Pryor
Surface Transportation Priorities	I–69, Shreveport, LA	2,000,000	Senators Landrieu, Vitter
Surface Transportation Priorities	I–69, TN	500,000	Senators Corker, Alexander
Surface Transportation Priorities	I–69, TX	500,000	Senator Hutchsion
Surface Transportation Priorities	I–93 Kalispell Bypass, MT	3,000,000	Senators Tester, Baucus

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Surface Transportation Priorities	I–95 Interchange at SR 202 (Butler Blvd.), FL	1,000,000	Senator Martinez
Surface Transportation Priorities	Improvements to the Route 60 Bridges over the James River, MO	1,000,000	Senator Bond
Surface Transportation Priorities	Improvements to US Route 1 for access to York County Community College, ME	500,000	Senators Collins, Snowe
Surface Transportation Priorities	Improvements to US–54, Seward County, KS	1,000,000	Senator Brownback
Surface Transportation Priorities	Indian River Inlet Bridge, DE	2,000,000	Senators Carper, Biden
Surface Transportation Priorities	Intersection Improvements on US 212 and US 81 and Improvements to US 81, SD	1,000,000	Senator Thune
Surface Transportation Priorities	Intersection Safety Improvements, Olympia Fields, IL	500,000	Senator Durbin
Surface Transportation Priorities	Interstate 430/630: Interchange Modification, AR	3,000,000	Senators Lincoln, Pryor
Surface Transportation Priorities	Interstate 69/Great River Bridge: Highway 65–MS Highway 1, AR	3,000,000	Senators Lincoln, Pryor
Surface Transportation Priorities	Isabel Swamp Road, Washington Parish, LA	450,000	Senator Landrieu
Surface Transportation Priorities	Joplin Downtown Revitalization, MO	1,000,000	Senator Bond
Surface Transportation Priorities	K–7 Corridor Study from 183rd St to 119th Street in Olathe, KS	750,000	Senators Roberts, Brownback
Surface Transportation Priorities	King Coal Highway, WV	5,000,000	Senator Byrd
Surface Transportation Priorities	LA–1 Goldenmeadow to Port Fourchon, LA	650,000	Senator Landrieu
Surface Transportation Priorities	Lake Charles Riverfront Development Plan	250,000	Senators Landrieu, Vitter
Surface Transportation Priorities	Lake Mead Parkway, Phase 2, NV	250,000	Senator Reid
Surface Transportation Priorities	LA 28, Vernon Parish, LA	2,000,000	Senators Landrieu, Vitter
Surface Transportation Priorities	Little Bay Bridges/Spaulding Turnpike, NH	2,000,000	Senator Gregg
Surface Transportation Priorities	Longfellow Bridge Approach Gateway, Cambridge, MA	1,000,000	Senators Kennedy, Kerry
Surface Transportation Priorities	Martha/I–76 Connection, OH	500,000	Senator Voinovich
Surface Transportation Priorities	McKinley/Riverside Avenues Safety Improvement Project, Muncie, IN	1,000,000	Senator Lugar
Surface Transportation Priorities	Melbourne International Access Road, FL	1,000,000	Senator Bill Nelson
Surface Transportation Priorities	Milwaukee Intermodal Station Improvements to Train Shed and Platforms, WI	1,500,000	Senator Kohl
Surface Transportation Priorities	N.A. Sandifer Highway, MS	315,000	Senators Cochran, Wicker
Surface Transportation Priorities	New Hampshire Department of Transportation, U.S. Route 4 Red List Bridge Repair, West Lebanon, NH.	1,000,000	Senator Sununu
Surface Transportation Priorities	New York State Route 12	500,000	Senator Schumer
Surface Transportation Priorities	Niagara Falls International Railway Station/Intermodal Transportation Center, NY	500,000	Senator Schumer
Surface Transportation Priorities	Peters Road Extension, Plaquemines Parish, LA	650,000	Senators Landrieu, Vitter
Surface Transportation Priorities	ReTrac Project Enhancements, Reno, NV	250,000	Senators Reid, Engisn
Surface Transportation Priorities	Northside Drive, MS	2,000,000	Senator Cochran
Surface Transportation Priorities	Northwest Loop Access Road, Sandoval County, NM	1,000,000	Senator Domenici
Surface Transportation Priorities	Page Extension Phase II, MO	1,000,000	Senator Bond
Surface Transportation Priorities	Park Avenue Multi-Use Trail, ME	800,000	Senators Snowe, Collins

Surface Transportation Priorities	Pennsylvania High-Speed Maglev Development Program, PA	1,000,000	Senator Specter
Surface Transportation Priorities	Pinon Hills Boulevard East and Animas River Bridge, NM	1,000,000	Senator Domenici
Surface Transportation Priorities	Plaza del Sol Project, Village of Angel Fire, NM	350,000	Senators Domenici, Bingaman
Surface Transportation Priorities	Port Industrial Road Improvement Project, WA	4,000,000	Senators Murray, Cantwell
Surface Transportation Priorities	Portsmouth Town Center Plan, RI	1,000,000	Senators Reed, Whitehouse
Surface Transportation Priorities	Reconstruction of Riverside Drive, CT	1,000,000	Senators Dodd, Lieberman
Surface Transportation Priorities	Redesign and Reconstruction of I–235 and Kellogg Interchange, Wichita, KS	500,000	Senators Roberts, Brownback
Surface Transportation Priorities	Replacement of US–159 Bridge at Rulo, NE	1,200,000	Senators Ben Nelson, Hagel
Surface Transportation Priorities	Rickenbacker Intermodal East-West Connector, OH	300,000	Senators Voinovich, Brown
Surface Transportation Priorities	Road improvements on Powderhouse Road from SD 42 to Madison Street, Sioux Falls, SD	3.000,000	Senator Johnson
Surface Transportation Priorities	Route 1/Route 123 Interchange Improvements, VA	1,000,000	Senator Webb
Surface Transportation Priorities	Route 1 and Route 34 Connector, CT	500,000	Senator Lieberman
Surface Transportation Priorities	Route 150, MO	1,000,000	Senator Bond
Surface Transportation Priorities	Route 5 Improvements in Laclede and Camden Counties, MO	1,000,000	Senator Bond
Surface Transportation Priorities	Salt Fork of the Red River Bridge Martha Crossing, OK	1,500,000	Senator Inhofe
Surface Transportation Priorities	SE Connector, SE 6th Street to SE 14th Street (US 69), Des Moines, IA	1,500,000	Senators Harkin, Grassley
Surface Transportation Priorities	Shiloh Road, MT	5,000,000	Senators Baucus, Tester
Surface Transportation Priorities	Slide Repair Work along US 60 in Eastern Kanawha County, WV	5,000,000	Senator Byrd
Surface Transportation Priorities	South Entrance Interchange at Mississippi State University, MS	1,000,000	Senator Cochran
Surface Transportation Priorities	Southwest Arterial, Dubuque, IA	1,000,000	Senators Grassley, Harkin
Surface Transportation Priorities	St. John Medical Center—Broken Arrow Traffic Improvement, OK	250,000	Senator Inhofe
Surface Transportation Priorities	Starkweather Creek Parkway Bike Path, WI	1,000,000	Senator Kohl
Surface Transportation Priorities	State Route 317, between I–75 and Collegedale in Hamilton County, TN	1,000,000	Senators Alexander, Corker
Surface Transportation Priorities	Steptoe Street Extension Project, WA	2,000,000	Senator Murray
Surface Transportation Priorities	TH 610 from US 169 to I–94, Maple Grove, MN	1,000,000	Senators Coleman, Klobuchar
Surface Transportation Priorities	TH–13/CR 5 Interchange, MN	1,000,000	Senators Coleman, Klobuchar
Surface Transportation Priorities	Town of Clarkstown, New City Hamlet, NY to revitalize South Main Street	500,000	Senator Schumer
Surface Transportation Priorities	Town of Lexington United Traffic Plan—Phase I, SC	1,000,000	Senator Lindsey Graham
Surface Transportation Priorities	Town of Tamworth, Chocorua Village Safety Project, NH	500,000	Senator Sununu
Surface Transportation Priorities	Traffic Light—Piedmont Road and Edmond Road, OK	100,000	Senator Inhofe
Surface Transportation Priorities	Trinity River Vision Bridges, Fort Worth, TX	1,000,000	Senators Hutchison, Cornyn
Surface Transportation Priorities	U.S. 101 Safety Improvements at Deer Park, WA	980,000	Senators Murray, Cantwell
Surface Transportation Priorities	U.S. 12 Safety Improvements, WA	3,000,000	Senators Murray, Cantwell
Surface Transportation Priorities	U.S. 17 Widening, FL	2,000,000	Senator Bill Nelson
Surface Transportation Priorities	U.S. 2 Safety Improvements, WA	2,000,000	Senators Murray, Cantwell
Surface Transportation Priorities	U.S. 61 Fort Madison Bypass Interchange at Highway J40, IA	1,000,000	Senators Grassley, Harkin
Surface Transportation Priorities	US Highway 30 Improvements, Whiteside County, IL	500,000	Senator Durbin
Surface Transportation Priorities	U.S. Highway 59 Safety Improvements, MN	1,000,000	Senator Klobuchar
Surface Transportation Priorities	Urban Collector Road along I–10 North, MS	2,000,000	Senators Cochran, Wicker
Surface Transportation Priorities	US 169 Highway Widening Environmental Assessment, OK	1,000,000	Senator Inhofe

CONGRESSIONALLY DIRECTED SPENDING ITEMS

TRANSPORTATION/HOUSING AND URBAN DEVELOPMENT

Account	Project	Funding	Member
Surface Transportation Priorities	US Route 64, TN	1,500,000	Senators Alexander, Corker
Surface Transportation Priorities	US–191, Moab to Crescent Junction, UT	2,000,000	Senators Bennett, Hatch
Surface Transportation Priorities	US–69 in Bourbon, Crawford, and Cherokee Counties, KS	750,000	Senators Brownback, Roberts
Surface Transportation Priorities	V&T Railroad Reconstruction Project, NV	500,000	Senator Reid
Surface Transportation Priorities	Vermont Route 15 Improvements in Johnson and Essex Junction, VT	3,000,000	Senator Leahy
Surface Transportation Priorities	West Point Defense Facility Access Improvements, MS	1,000,000	Senator Cochran
Surface Transportation Priorities	West Virginia Route 10, WV	5,000,000	Senator Byrd
Surface Transportation Priorities	West Virginia Route 9, WV	7,000,000	Senator Byrd
Surface Transportation Priorities	Western Beltway Transportation Infrastructure Plan, MS	500,000	Senator Cochran
Surface Transportation Priorities	Western Kentucky University (WKU), University-Community Bikeway Project, KY	1,000,000	Senator McConnell
Surface Transportation Priorities	Whiterock Sustainable Trail, Guthrie County, IA	400,000	Senators Harkin, Grassley
Surface Transportation Priorities	Zanesville State Street Bridge Renovation and Repair Project, OH	500,000	Senator Brown
Transportation & Community & System Preservation	A–B Street Corridor Connector Project, WA	2,000,000	Senator Murray
Transportation & Community & System Preservation	Avenue of the Arts Revitalization and Streetscaping Project, PA	500,000	Senator Casey
Transportation & Community & System Preservation	Boone County Gunpowder Creek Trail System, KY	450,000	Senator McConnell
Transportation & Community & System Preservation	Capitol Street Renaissance Project, MS	3,000,000	Senators Cochran, Wicker
Transportation & Community & System Preservation	Children's Wharf Landing Intermodal Improvements, Boston, MA	1,000,000	Senators Kennedy, Kerry
Transportation & Community & System Preservation	City of Ashland Main Street Redevelopment Project, MO	500,000	Senator Bond
Transportation & Community & System Preservation	City of Haverhill Downtown Streetscape Improvements, MA	300,000	Senators Kennedy, Kerry
Transportation & Community & System Preservation	City of Negaunee, Croix Street Reconstruction; Completion of Phase I: Negaunee, MI	500,000	Senators Levin, Stabenow
Transportation & Community & System Preservation	College Avenue Redesign, NJ	1,000,000	Senators Lautenberg, Menendez
Transportation & Community & System Preservation	Downtown Revitalization: Phase II of Main Street Revitalization, Las Cruces, NM	500,000	Senators Domenici, Bingaman
Transportation & Community & System Preservation	East Aztec Arterial Route, NM	500,000	Senators Domenici, Bingaman
Transportation & Community & System Preservation	Elkins Railyard Project, WV	1,000,000	Senator Byrd
Transportation & Community & System Preservation	Garrison Avenue Streetscaping, AR	1,000,000	Senators Lincoln, Pryor
Transportation & Community & System Preservation	Hattiesburgh 4th Street Improvements, MS	2,000,000	Senators Cochran, Wicker
Transportation & Community & System Preservation	I–80 Intermodal Corridor Study—Oakland, CA to Utah Stateline, UT	1,000,000	Senator Reid
Transportation & Community & System Preservation	Illinois pedestrian and bicycling road and trail improvements and enhancements, IL	3,000,000	Senator Durbin
Transportation & Community & System Preservation	Kanawha Trestle Rail-Trail Project, WV	2,000,000	Senator Byrd
Transportation & Community & System Preservation	Lewis and Clark Legacy Trail, ND	343,750	Senators Dorgan, Conrad
Transportation & Community & System Preservation	Main Street Multimodal Access and Revitalization Project, NY	1,000,000	Senator Schumer
Transportation & Community & System Preservation	Mexico Technology Park, MO	1,000,000	Senator Bond
Transportation & Community & System Preservation	North Parkway Safety Improvement Project, WA	500,000	Senators Murray, Cantwell
Transportation & Community & System Preservation	Old Allentown Streetscape Improvements, PA	500,000	Senator Casey

Transportation & Community & System Preservation	Potomac Street Improvement, WV	1,500,000	Senator Byrd
Transportation & Community & System Preservation	Sidewalk Improvements, Williamstown, VT	200,000	Senators Leahy, Sanders
Transportation & Community & System Preservation	University Place Pedestrian Overpass, WA	500,000	Senators Murray, Cantwell
Transportation & Community & System Preservation	Woodland Trail Project, WA	500,000	Senators Murray, Cantwell
Transportation Planning, Research and Development	Assessment of Critical Transportation Infrastructure, MS	750,000	Senator Cochran
Transportation Planning, Research and Development	Decision Support Tools for Transportation Resilience and Security, MS	750,000	Senators Cochran, Wicker
Transportation Planning, Research and Development	Fire and Oil Spill Response Communications Project, WA	1,600,000	Senators Murray, Cantwell
Transportation Planning, Research and Development	Freight Transportation Policy Institute, WA	500,000	Senators Murray, Cantwell
Transportation Planning, Research and Development	Inland Pacific Hub Analysis Project, WA	250,000	Senator Murray
Transportation Planning, Research and Development	University Transportation Center, MS	500,000	Senators Cochran, Wicker
Transportation Planning, Research and Development	Wildlife Crossing Project, FL	1,000,000	Senator Bill Nelson

ECONOMIC DEVELOPMENT INITIATIVES

Grantee	Project	Funding	Member
180 Turning Lives Around, Hazlet, NJ	For the design and construction of a new domestic violence shelter	$1,000,000	Senator Lautenberg
Acadiana Outreach Center, Lafayette, LA	For building of a mixed income housing development	750,000	Senators Landrieu, Vitter
Advocates for Basic Legal Equality, Inc. Toledo, OH	For renovation of the former Western Union Building located at the corner of Huron Street and Jefferson Avenue in downtown Toledo, OH.	750,000	Senator Brown
Albany Dougherty Industrial Park, Albany, GA	For transformation of real estate property and infrastructure into a Certified Industrial Park	200,000	Senator Chambliss
Alexandria Riverfront Multi-Site Development	For the redevelopment of the Alexandria Riverfront	400,000	Senator Vitter
American Lighthouse Foundation, Rockland, ME	For restoration and preservation of Maine's historic lighthouses	400,000	Senators Collins, Snowe
Appalachia Service Project, WV	For providing free home repairs to low-income families in Southern West Virginia	500,000	Senator Byrd
Ardmore Development Authority/City of Ardmore, OK	For infrastructure improvements necessary to develop the Ardmore Technology Park	200,000	Senator Inhofe
Arlington Chamber of Commerce, Arlington, TX	For development of an entrepreneurial center	200,000	Senator Hutchison
Armstrong County, PA	For site preparation and redevelopment of a brownfield site	200,000	Senator Specter
Audubon Mississippi, Moss Point, MS	For a nature-based education facility	1,000,000	Senators Cochran, Wicker
Audubon Nature Institute, New Orleans, LA	For building a Living Science Museum	200,000	Senator Landrieu
Barnesville-Lamar County Industrial Park, Barnesville, GA.	For site preparation and infrastructure.	500,000	Senator Chambliss
Berkshire Theater Festival, Stockbridge, MA	For renovation and revitalization of the Berkshire Theatre Festival's facilities and grounds	200,000	Senators Kennedy, Kerry
Bernalillo County, NM	For transitional housing facility for recovering substance abuse clients	600,000	Senator Domenici
Beyond Housing, St. Louis, MO	For the demolition and for the Pagedale Community Development Initiative	1,500,000	Senator Bond
Big Sky Econ. Dev. Authority, Billings, MT	For development and urban renewal in East Downtown Billings	325,000	Senator Baucus
Boys & Girls Club of the Grand River, McLaughlin, SD	For the Boys and Girls Club of the Grand River Area (South Dakota sites) for facility upgrades to existing and new sites on the Standing Rock Sioux Reservation.	200,000	Senator Johnson
Boys and Girls Club of Fauquier County, VA	For facility renovations in support of the new building, including making the building handicap accessible.	200,000	Senators Warner, Webb
Boys and Girls Club of Greater Nashua, Nashua, NH	For renovation and expansion of the facility	300,000	Senator Gregg

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Grantee	Project	Funding	Member
Care and Share Food Bank, Colorado Springs, CO	For equipment to be used to expand services to low-income individuals	300,000	Senator Salazar
Casey County Fiscal Court, Liberty, KY	For renovations at the Central Kentucky Agriculture and Expo Center	200,000	Senator Bunning
Casper College, Casper, WY	For the creation of business incubators	500,000	Senator Barrasso
Cathedral Soup Kitchen, Inc., Camden, NJ	For the construction of a new facility	200,000	Senator Lautenberg
Center for People in Need, Lincoln, NE	For construction and renovation to create the Non-Profits and Education/Training Center	1,000,000	Senator Ben Nelson
Central Utah Pioneer Heritage Association, UT	For construction and project development funds	200,000	Senator Bennett
Centre County Industrial Development Corporation, PA	For site preparation and redevelopment as part of the West End revitalization initiative	200,000	Senator Specter
Charleston Kanawha Housing Authority, Chas. WV	For new low-income housing at the Littlepage Terrace and Washington Manor public housing facilities in downtown Charleston, WV.	2,000,000	Senator Byrd
Charlotte-Mecklenburg Housing Partnership, Charlotte, NC.	For transforming vacant and blighted properties along the Statesville Avenue Corridor into affordable housing.	400,000	Senator Dole
Child Abuse and Neglect Council Of Oakland County, Pontiac, MI.	For renovation and expansion of the facility	500,000	Senators Levin, Stabenow
Chilkat Indian Village/Klukwan, AK	For construction of Heritage Center and Bald Eagle Observatory	500,000	Senator Stevens
Chippewa Cree Tribe, Box Elder, MT	For transportation and rehabilitation of housing units from Malmstrom Air force base that would otherwise be destroyed to the Rocky Boy's Reservation.	750,000	Senators Tester, Baucus
Christopher House, Chicago, IL	For the construction of Logan Square Family Resource Center	250,000	Senator Durbin
City of Ada, OK	For construction of a water storage tower	200,000	Senator Inhofe
City of Aliceville, AL	For downtown revitalization	400,000	Senator Shelby
City of Beaumont, TX	For streetscape improvements	200,000	Senator Hutchison
City of Berlin, NH	For the acquisition and demolition of dilapidated housing	300,000	Senator Sununu
City of Billings, MT	For environmental remediation and demolition of building previously owned by U.S. Naval Reserve.	500,000	Senator Tester
City of Boise, ID	For design and construction of the City of Boise's geothermal system expansion	700,000	Senators Craig, Crapo
City of Bridgeport, CT	For relevant outreach, advocacy, education, financial assistance and support services	500,000	Senators Dodd, Lieberman
City of Brockton, MA	For renovations to the War Memorial building and redevelopment of blighted downtown area	200,000	Senators Kennedy, Kerry
City of Carbondale, PA	For downtown revitalization efforts	200,000	Senator Specter
City of Carlsbad, NM	For continued construction of a youth sports complex in Carlsbad, New Mexico	200,000	Senators Bingaman, Domenici
City of Charleston, SC	For the preservation, construction, and critically needed improvements to the St. Andrews' neighborhood's low-income housing.	300,000	Senator Graham
City of Cincinnati, OH	For complete property acquisition, demolition, and remediation of the Queen City Barrel area to create an urban industrial park.	500,000	Senator Voinovich
City of Council Bluffs, IA	For housing rehabilitation and construction in the Playland Park neighborhood located north of I–480 and west of I–29 in Council Bluffs, Iowa.	500,000	Senators Harkin, Grassley
City of Craig, AK	For the redevelopment of the abandoned cannery property in the City of Craig	350,000	Senator Murkowski

City of Detroit, MI	For preservation and redevelopment of a public park and related business activities in the Corktown Neighborhood.	4,000,000	Senator Levin
City of Easton, PA	For housing rehabilitation and neighborhood revitalization	500,000	Senator Casey
City of Evanston, WY	For improvements to the Historic Evanston Roundhouse and Railyard in Evanston, Wyoming	400,000	Senator Enzi
City Of Highland Park, MI	For elimination of blight in the North Point neighborhood	500,000	Senators Stabenow, Levin
City of Hillsboro, TX	For streetscape improvements	200,000	Senator Hutchison
City of Jackson, MS	For renovation and rehabilitation of the Thalia Mara Performing Arts Facility	400,000	Senators Cochran, Wicker
City of Jackson, MS	For the renovation of the Historic Medgar Evers Farish Street NAACP Office	750,000	Senator Cochran
City of Jasper, AL	For an industrial park development	800,000	Senator Shelby
City of Lake Charles, LA	For building a wetlands center in Lake Charles	250,000	Senator Landrieu
City of Kankakee, IL	For the purchase, renovation, and conversion of houses that are in foreclosure, abandoned, or in disrepair to affordable use properties.	250,000	Senator Durbin
City of Kotzebue, AK	For construction of recreation and fairgrounds area	400,000	Senator Stevens
City of Marshalltown, IA	For housing redevelopment in the Grant Park Neighborhood	600,000	Senator Grassley
City of Maysville, Maysville, KY	For the renovation of the Cox Building	2,700,000	Senator McConnell
City of Medford, MA	For downtown redevelopment and rehabilitation	200,000	Senators Kennedy, Kerry
City of Methuen, MA	For the rehabilitation and redevelopment of blighted and underutilized buildings	200,000	Senators Kennedy, Kerry
City of Midland, TX	For downtown redevelopment	200,000	Senator Hutchison
City of Milwaukee, WI, Redevelopment Authority	For site acquisition, demolition, remediation and/or redevelopment of priority projects in the 30th Street Industrial Corridor.	200,000	Senator Kohl
City of Nashua, NH	For design and construction of downtown riverfront redevelopment program	200,000	Senator Gregg
City of North Adams, MA	For the redevelopment of historic downtown building	200,000	Senators Kennedy, Kerry
City of Northwood, ND	For reconstruction of downtown retail and office space destroyed by a tornado	700,000	Senators Dorgan, Conrad
City of Orlando, FL	For redevelopment of blighted areas of the Parramore neighborhood	1,000,000	Senators Bill Nelson, Martinez
City of Oxford, MS	For renovation of the Powerhouse Community Arts Center	300,000	Senator Cochran
City of Pierre, SD	For revitalization of the Pierre historic downtown area and waterfront development	200,000	Senator Johnson
City of Portland, OR	For capital and operating costs to assist homeless and low income veterans with housing and supportive services.	600,000	Senators Smith, Wyden
City of Reno, NV	For purchase of vacant buildings for Oliver Montello affordable housing project	200,000	Senator Reid
City of Rocky Mount, NC	For renovation of existing buildings for the revitalization of downtown Rocky Mount	300,000	Senator Dole
City of Roslyn, WA	For structural upgrades and other improvements to Roslyn's primary public facility	840,000	Senator Murray
City of South Salt Lake, UT	For Streetscaping features along State and Main Streets between northern boundary of the City and I–80.	400,000	Senators Bennett, Hatch
City of Spartanburg, SC	For installation of residential infrastructure	400,000	Senator Graham
City of Tarrant, AL	For streetscaping and pedestrian walkways to support proposed economic development plans	400,000	Senator Shelby
City of Toledo, OH	For completion of asbestos abatement and to begin structural improvements for the redevelopment of the former ACME power plant building.	500,000	Senators Voinovich, Brown
City of Waterbury, CT	For the redevelopment of brownfields	250,000	Senator Lieberman
City of Waterloo, IA	For demolition and redevelopment of a blighted area	400,000	Senators Grassley, Harkin
City of Wilkes-Barre, PA	For revitalization of economic and recreational amenities at Coal Street Park	1,000,000	Senator Casey

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Grantee	Project	Funding	Member
City of Wilson, NC	For clearing blighted structures from downtown Wilson and constructing new units for commercial occupancy.	500,000	Senator Burr
City of Wrangell, AK	For renovation of a community center	500,000	Senator Stevens
Clark County Food Bank, Clark County, WA	For the construction of a food bank	750,000	Senator Murray
Clearfield City, UT	For purchasing 2.29 blighted acres, and to fund the development of public open spaces	400,000	Senators Bennett, Hatch
Community Housing of Wyandotte County, Kansas City, KS.	For the continuing revitalization efforts in the St. Peter's neighborhood	900,000	Senator Brownback
CommunityWorks, Helena, MT	For facility construction	1,000,000	Senator Baucus
Connie Lupardus, CAEZ, Clay, WV	For the construction and economic development activities of the Central Appalachian Empowerment Zone.	200,000	Senator Byrd
County of Hudson, NJ	For transformation of the former Koppers Coke site in Kearny into a two million square foot industrial park that includes warehousing and distribution space.	400,000	Senators Menendez, Lautenberg
County of Santa Barbara, Santa Barbara, CA	For construction and renovation of the Lompoc Veterans Building	850,000	Senator Boxer
County of Tunica, MS	For restoration of existing buildings, construction of addition to the visitors center, and exhibit design to form a combine the visitors center, blues exhibit and gift shop into a Blues Gateway in the Mississippi Delta.	950,000	Senator Cochran
Department of Natural Resources, Annapolis, MD	For construction of a visitor center and recreational facilities	500,000	Senators Mikulski, Cardin
Downtown Emergency Services Center, Seattle, WA	For the provision of 83 studio apartments for chronically homeless, mentally ill people	750,000	Senators Murray, Cantwell
Downtown Jackson Plaza Incorporated, Jackson, MS	For construction of a civic gathering plaza	1,000,000	Senator Cochran
East Moline Downtown Development, East Moline, IL	For capital improvements to infrastructure and development projects in downtown E. Moline, including acquisition and renovation of dilapidated structures.	250,000	Senator Durbin
Eritrean Association, Seattle, WA	For the expansion of the current Community Center facility	300,000	Senator Murray
Flagship Enterprise Center, Anderson, IN	For technology and infrastructure improvements	500,000	Senators Bayh, Lugar
Four Bands Community Fund, Eagle Butte, SD	For the Four Bands Community Fund to enable the organization to capitalize a revolving loan program, and in addition provide business development assistance.	250,000	Senator Johnson
Granger, WA	For the construction of the Granger Community Center	300,000	Senator Murray
Grant County Food Bank, Silver City, NM	For the rehabilitation or construction of a facility to serve as a food pantry and thrift store to serve the needs of Grant County.	500,000	Senator Bingaman
Great Falls Development Authority, Great Falls, MT	For infrastructure related construction along Black Eagle Road	1,000,000	Senator Tester
Great Smoky Mountains Heritage Center, Townsend, TN.	For expansion and improvements to the Heritage Center	600,000	Senator Alexander
Greene County Industrial Board, Greene County, AL	For industrial park development	300,000	Senator Shelby
Hawaii Public Housing Authority, HI	For code enforcement and renovation of abandoned housing units to provide 22 housing units for low income individuals in Honolulu.	400,000	Senator Inouye
Highline-West Seattle Mental Health, Burien, WA	For the provision of permanent, affordable housing and on-site mental health treatment and case management for 22 adults living with serious and persistent mental illness.	225,000	Senator Murray

Hocking Athens Pery Community Action, Glouster, OH	For the renovation of the community center	250,000	Senator Brown
Hope Community Development Corporation, Charleston, WV.	For purchasing existing dilapidated properties for the construction of new homes	750,000	Senator Byrd
Howard County, Ellicott City, MD	For construction and equipment for community rooms	400,000	Senator Mikulski
International Institute of RI, Providence, RI	For building renovations to expand and improve community services to low-income individuals.	300,000	Senator Reed
Iowa Dept of Economic Development, Des Moines, IA	For improving the physical and economic health of city centers	1,000,000	Senator Harkin
Jackson County Board of Supervisors, Jackson County, MS.	For improvements and enhancements to the County's multi-purpose community arena in Vancleave.	200,000	Senator Wicker
King County Housing Authority, Seattle, WA	For neighborhood rehabilitation and improvement and community investment	1,000,000	Senator Murray
Kitsap Mental Health Services, Bremerton, WA	For the provision of 16 residential and short-term stabilization beds for adults age 18 and over with severe or acute mental illness.	400,000	Senator Murray
Kodiak Island Borough/Women's Bay, AK	For construction of an emergency shelter	500,000	Senator Stevens
Laiopua 2020, Kailua-Kona, HI	For planning, design, and construction of the Laiopua 2020 Community Center	500,000	Senator Akaka
Lake Area Community Center, New Orleans, LA	For the building of a mixed-income housing development in Lafayette	200,000	Senator Landrieu
Lake Area Improvement Corporation, Madison, SD	For expansion of the industrial park	200,000	Senator Johnson
Lakota Fund, Kyle, SD	For capitalization of a revolving loan program and business development assistance	250,000	Senator Johnson
Lewiston City, UT	For reconstruction and revitalization of local community recreation center	250,000	Senator Bennett
Los Pueblos Community Council, Ribera, NM	For preservation and renovation of Old Ribera School Building for use as a community and cultural center.	900,000	Senator Domenici
MAC, Inc., Area Agency on Aging, Salisbury, MD	For the construction of a new building that will house programs and services for lower shore elders.	400,000	Senator Cardin
Massachusetts Attorney General, MA	For repair of abandoned houses	200,000	Senators Kennedy, Kerry
Memphis Bioworks Foundation, TN	For construction of the UT-Baptist Research Park in the downtown Memphis Medical Center	800,000	Senator Corker
Mercy Housing Lakefront, Chicago, IL	For the development of supportive housing units for homeless in the City of Milwaukee	500,000	Senator Kohl
Newport News, VA	For acquisition, demolition and relocation activities, and capital improvements of dilapidated housing.	700,000	Senators Warner, Webb
Nickerson Community Center, Providence, RI	For building renovations to provide permanent rental housing for veterans who are chronically homeless.	600,000	Senators Reed, Whitehouse
Northeast Community Center, Spokane County, WA	For the implementation of the third phase of the Center's expansion to include a new partner, Partners for Families and Children.	500,000	Senator Murray
Northeast Community College, Norfolk, NE	For construction of the College Center at South Sioux City, NE	500,000	Senators Ben Nelson, Hagel
North-Missoula CDC, Missoula, MT	For construction of a neighborhood center	1,000,000	Senators Baucus, Tester
Northern Community Investment Corporation, St. Johnsburg, VT.	For the North Country Broadband Initiative, NH	700,000	Senator Gregg
Nye County, NV	For a multi-generational community facility in Amargosa Valley	200,000	Senator Reid
Office of Economic Opportunity, VT	For Support Homeless Mental Illness and Substance Abuse Programs Through Vermont Office of Economic Opportunity.	250,000	Senator Sanders
Ogontz Avenue Revitalization Corporation, Philadelphia, PA.	For acquisition and rehabilitation of vacant properties as part of a low and moderate income housing initiative.	200,000	Senator Specter

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Grantee	Project	Funding	Member
Ojinjinkta Housing Development Corporation, LLC Rosebud Home Manufacturing Facility, SD.	For the inventory and equipment needed for the construction of affordable homes for Native Americans.	600,000	Senator Thune
Oktibbeha County, MS	For restoration of the Oktibbeha County Courthouse	300,000	Senators Cochran, Wicker
Open Arms of Minnesota, Minneapolis, MN	For construction of a new building for Open Arms of Minnesota	300,000	Senator Coleman
Opportunity Village, Las Vegas, NV	For a new employment and training center	600,000	Senators Ensign, Reid
Orange County Government, Orlando, FL	For renovations to a building to house a center that will engage and support the chronically homeless.	1,000,000	Senator Martinez
Orange County Great Park Corporation, CA	For improvements to the Orange County Great Park	500,000	Senator Boxer
Our City Reading, Reading, PA	For a housing rehabilitation initiative and down payment assistance for home buyers	200,000	Senator Specter
Pacific Gateway Center, HI	For retail business incubator capital improvement project targeting immigrants, refugees and low-to-moderate income residents of Hawaii who seek entrepreneurship as a means of escaping poverty.	300,000	Senator Inouye
Para Los Ninos, Los Angeles, CA	For the renovation of the Vermont Avenue Family Resources Center	300,000	Senator Boxer
Pendleton Round-Up Association, Pendleton, OR	For the reconstruction and construction needs of the Pendelton Round-Up and Happy Canyon Facilities.	750,000	Senators Smith, Wyden
Port of Gold Beach, OR	For rebuilding the high dock	200,000	Senators Wyden, Smith
Poughkeepsie, NY	For the development of a pedestrian bridge	1,000,000	Senator Schumer
Providence Community Action, Providence, RI	For purchase of a building to provide transitional housing for homeless families	700,000	Senators Reed, Whitehouse
Provo City, UT	For a parking facility	500,000	Senators Hatch, Bennett
Puget Sound Educational Service Dist, Seattle, WA	For the construction of the Greenbridge Early Learning Center	1,000,000	Senator Murray
Quincy Smelter, Franklin Township, MI	For remediation and preservation	300,000	Senators Levin, Stabenow
Randolph County YMCA, IN	For expansion of the Child Care Facility	500,000	Senator Lugar
Red Lake Band of Chippewa Indians, Ponemah, MN	For design, construction, and buildout of a multipurpose facility on the Red Lake Indian reservation to provide space for the provision of youth and elderly programs.	300,000	Senator Coleman
reStart, Inc., Kansas City, MO	For facility improvements	400,000	Senator Bond
Ritchie County Commission, WV	For the completion of the North fork of the Hughes River Watershed Project	650,000	Senator Byrd
RurAL CAP, Anchorage, AK	For rural Alaska Head Start facility upgrades, including energy-efficiency measures, health/safety improvements, and increased activity space.	200,000	Senator Murkowski
Rural Learning Center, Howard, SD	For construction of a green energy training center and elimination of community blight	200,000	Senator Thune
Salishan HOPE VI, Tacoma, WA	For the neighborhood rehabilitation and improvement and community investment	1,000,000	Senators Murray, Cantwell
San Juan County, UT	For renovations and facility upgrade	400,000	Senators Hatch, Bennett
Scott County Housing Council, Davenport, IA	For Affordable Housing Revolving Loan Fund and Grant Pool in Scott County, Iowa	400,000	Senators Harkin, Grassley
Second Harvest Food Bank, Muncie, IN	For the renovation of the Second Harvest Food Bank of East Central Indiana	300,000	Senator Lugar
Southwest Indian Foundation, Gallup, NM	For the Operation Footprint program to construct and place new homes for needy Navajo families.	1,000,000	Senator Bingaman
Southwestern Vermont Council On Aging, VT	For Vermont Senior Centers Renovations and Maintenance	400,000	Senator Sanders

Spirit Lake Nation, Fort Totten, ND	For construction of low-income senior housing units	750,000	Senators Dorgan, Conrad
St. Michael's School and Nursery, Wilmington, DE	For HVAC replacement in school for low-income children	300,000	Senators Biden, Carper
St. Monica's Home, Lincoln, NE	For construction of the new St. Monica's Community Center for low income women and their families in need of substance abuse and mental health treatment.	440,000	Senator Ben Nelson
Stone County, MS	For heavy equipment to assist in infrastructure needs across the county	200,000	Senator Wicker
Tallahatchie County, MS	For restoration of the Tallahatchie County Courthouse	1,000,000	Senators Cochran, Wicker
The Houston Food Bank, Houston, TX	For the purchase and renovation of a new building	650,000	Senators Cornyn, Hutchison
The Ministry of Caring Inc., Wilmington, DE	For handicap accessibility to a homeless shelter for women	500,000	Senators Biden, Carper
Town of Boothbay, ME	For development of visitor and educational facilities and public access waterfront trails	500,000	Senator Collins, Snowe
Town of Colmar Manor, MD	For construction of the Colmar Manor Community Center	300,000	Senator Cardin
Town of Milo, ME	For utility and infrastructure upgrades to the new Eastern Piscataquis Industrial Park	500,000	Senators Collins, Snowe
Town of Rockingham, VT	For Rockingham Community Recreation Center	400,000	Senator Sanders
Town of Warren, Warren, RI	For rehabilitation and revitalization of park infrastructure to serve low-income families	200,000	Senators Whitehouse, Reed
Turtle Mountain Band of Chippewa, Belcourt, ND	For the construction of a youth center to serve Native Americans on the reservation	500,000	Senators Dorgan, Conrad
Vermont Department of Buildings and Services, VT	For Veterans Monuments	250,000	Senator Sanders
Vermont Housing & Conservation Board, Montpelier, VT	For projects throughout the State of Vermont to enhance affordable housing and community development linked with land conservation and historic preservation.	4,000,000	Senator Leahy
Vermont Housing and Conservation Board, VT	For Vergennes Senior Housing Project	400,000	Senator Sanders
Volunteers of America—Dakotas, Sioux Falls, SD	For construction of a new facility to house a residential substance treatment center for women and their children and for other services.	500,000	Senator Thune
Volunteers of America Southeast, Inc., Mobile, AL	For construction of housing along Alabama's Katrina-decimated Gulf Coast	1,400,000	Senator Sessions
Wadsworth Atheneum Museum of Art in Hartford, CT	For waterproofing activities in basement-level storage areas	700,000	Senators Dodd, Lieberman
WECRD, Mountain Home, ID	For planning, design, and construction of an energy efficient, multi-use, community facility	300,000	Senator Craig
West Oregon Electric Cooperative, Vernonia, OR	For restoration of services	500,000	Senators Wyden, Smith
Wick Neighbors, Inc. Youngstown, OH	For replacing and improving existing infrastructure around the Wick neighborhood in Youngstown, OH to promote economic development.	700,000	Senator Brown
Wilmington Housing Authority, Wilmington, DE	For exterior facade repair of fire damage to low-income housing	500,000	Senators Biden, Carper
Winrock International, Little Rock, AR	For support of the Winrock International Regional Entrepreneur Assistance Program	400,000	Senators Lincoln, Pryor
Woodward Industrial Foundation, Woodward, OK	For construction of a multi-purpose community campus	200,000	Senator Inhofe
World Trade Center of St. Louis, MO	For the construction of a commercialization center	1,000,000	Senator Bond
YMCA of Eastern Union County, Elizabeth, NJ	For renovation of social services facilities	300,000	Senator Lautenberg
YMCA of Pawtucket, Pawtucket, RI	For purchase of equipment to expand and improve the quality and quantity of community services for low and moderate income families.	300,000	Senators Whitehouse, Reed
YWCA of Northwest Georgia, Inc., Marietta, GA	For housing programs and staff which assist women, men and children who are survivors of domestic violence and sexual assault.	500,000	Senator Isakson
YWCA Seattle-King Co-Snohomish County, Seattle WA	For the improvement of the 3 housing projects acquired recently to expand the YWCA Snohomish County Regional Housing Network.	400,000	Senator Murray
YWCA, Spokane, WA	For the creation of Youth Development program space complete with fixtures, furnishings and equipment.	500,000	Senator Murray

ECONOMIC DEVELOPMENT INITIATIVES—Continued

Grantee	Project	Funding	Member
YWCA, Yakima, WA	For infrastructure improvements to Bringing It Home, Central Washington's largest domestic violence facility.	1,000,000	Senator Murray

NEIGHBORHOOD INITIATIVES

Grantee	Project	Funding	Member
Catholic Charities Housing Services, Yakima, WA	For the education of Hispanic communities regarding homeownership	$800,000	Senator Murray
Center for Planning Excellence, LA	For phase II of comprehensive planning for land use, transportation, and economic development in parishes and municipalities in Louisiana.	200,000	Senator Landrieu
City of Racine, WI, Redevelopment Authority	For demolition of blighted buildings and vacant parcels, street beautification and restoration of a station platform at the Chicago-Northwestern Railroad depot.	1,000,000	Senator Kohl
City of Spokane, WA	For homeless rapid rehousing activities	150,000	Senator Murray
City of Vancouver, WA	For road and rail system improvements to reconnect Vancouver to the Columbia River	3,000,000	Senators Murray, Cantwell
City of Waterbury, CT	For a plan to clean polluted and blighted properties and market them for suitable redevelopment.	1,000,000	Senator Dodd
Covenant House Alaska Crisis Center, Anchorage, AK	For relocation and expansion	350,000	Senator Murkowski
Harbor Homes, Nashua, NH	For two new supportive housing programs for honorably discharged homeless veterans	500,000	Senators Sununu, Gregg
Mississippi State University, MS	For a Civic Capacity Development Initiative	1,000,000	Senators Cochran, Wicker
Nevada Fair Housing Center, Las Vegas, NV	For purchase and rehabilitation of foreclosed properties	850,000	Senator Reid
Patrick F. Taylor Foundation, New Orleans, LA	For the acquisition, renovation and construction of affordable housing in the Greater New Orleans area.	200,000	Senator Vitter
St. Louis County Economic Council, St. Louis, MO	For the planning and design for the Lemay Community Center	500,000	Senator Bond
Tiverton Library Services, Tiverton, RI	For land acquisition to build a new public library	500,000	Senator Reed
Village of Columbus, NM	For the renovation of the former Columbus Elementary school building to house a multi-purpose community facility.	1,000,000	Senator Bingaman

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
TITLE I—DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	91,782	101,782	98,500	+6,718	−3,282
Immediate Office of the Secretary	(2,310)		(2,400)	(+90)	(+2,400)
Immediate Office of the Deputy Secretary	(730)		(759)	(+29)	(+759)
Office of the General Counsel	(18,720)		(19,838)	(+1,118)	(+19,838)
Office of the Under Secretary of Transportationfor Policy	(9,874)		(9,874)		(+9,874)
Office of the Assistant Secretary for Budgetand Programs	(9,417)		(10,400)	(+983)	(+10,400)
Office of the Assistant Secretary for Governmental Affairs	(2,383)		(2,400)	(+17)	(+2,400)
Office of the Assistant Secretary for Administration	(23,750)		(26,000)	(+2,250)	(+26,000)
Office of Public Affairs	(1,986)		(1,986)		(+1,986)
Office of the Executive Secretariat	(1,516)		(1,595)	(+79)	(+1,595)
Office of Small and Disadvantaged Business Utilization	(1,335)		(1,369)	(+34)	(+1,369)
Office of Intelligence, Security, and Emergency Response	(7,874)		(8,994)	(+1,120)	(+8,994)
Office of the Chief Information Officer	(11,887)		(12,885)	(+998)	(+12,885)
Subtotal	91,782	101,782	98,500	+6,718	−3,282
Financial management capital		6,000	5,000	+5,000	−1,000
Office of Civil Rights	9,141	9,384	9,384	+243	
Rescission of excess compensation for air carriers	−22,000	−1,000	−1,000	+21,000	
Transportation planning, research, and development	13,884	10,105	12,750	−1,134	+2,645
Working capital fund	(128,094)		(128,094)		(+128,094)
Minority business resource center program	893	912	912	+19	
(Limitation on guaranteed loans)	(18,367)	(18,367)	(18,367)		
Minority business outreach	2,970	3,056	3,056	+86	
Payments to air carriers (Airport & Airway Trust Fund)	60,000		60,000		+60,000
Total, Office of the Secretary	156,670	130,239	188,602	+31,932	+58,363

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
Federal Aviation Administration					
Operations	8,740,000	....	9,070,238	+330,238	+9,070,238
Air traffic organization	(6,966,193)	....	(7,119,031)	(+152,838)	(+7,119,031)
Aviation safety	(1,081,602)	....	(1,162,927)	(+81,325)	(+1,162,927)
Commercial space transportation	(12,549)	....	(14,094)	(+1,545)	(+14,094)
Financial services	(100,593)	....	(112,004)	(+11,411)	(+112,004)
Human resource management	(91,214)	....	(96,091)	(+4,877)	(+96,091)
Region and center operations	(286,848)	....	(336,894)	(+50,046)	(+336,894)
Staff offices	(162,351)	....	(180,859)	(+18,508)	(+180,859)
Information services	(38,650)	....	(48,338)	(+9,688)	(+48,338)
Safety and operations (Airport and Airway Trust Fund)	....	2,052,094	....	....	−2,052,094
Air traffic organization(Airport & Airway Trust Fund)	....	9,669,878	....	....	−9,669,878
Facilities & equipment (Airport & Airway Trust Fund)	2,513,611	....	2,749,595	+235,984	+2,749,595
Research, engineering, and development:					
Airport and Airway Trust Fund	146,828	156,003	171,000	+24,172	+14,997
General Fund	....	15,025	....	....	−15,025
Subtotal	146,828	171,028	171,000	+24,172	−28
Grants-in-aid for airports (Airport and Airway Trust Fund) (Liquidation of contract authorization)	(4,399,000)	(3,600,000)	(3,600,000)	(−799,000)	....
(Limitation on obligations)	(3,514,500)	(2,750,000)	(3,515,000)	(+500)	(+765,000)
Small community air service development program	(10,000)	....	....	(−10,000)	....
Administration	(80,676)	(87,454)	(87,454)	(+6,778)	....
Airport Cooperative Research Program	(10,000)	(15,000)	(15,000)	(+5,000)	....
Airport technology research	(18,712)	(19,348)	(19,348)	(+636)	....
Rescission of contract authority (BY AIP)	−270,500	....	−75,000	+195,500	−75,000
Subtotal	(3,244,000)	(2,750,000)	(3,440,000)	(+196,000)	(+690,000)
War risk insurance program extension	−120,000	....	....	+120,000	....

Total, Federal Aviation Administration	11,009,939	11,893,000	11,915,833	+905,894	+22,833
Appropriations	(11,280,439)	(11,893,000)	(11,990,833)	(+710,394)	(+97,833)
Rescissions of contract authority	(−270,500)		(−75,000)	(+195,500)	(−75,000)
(Limitations on obligations)	(3,514,500)	(2,750,000)	(3,515,000)	(+500)	(+765,000)
Total budgetary resources	(14,524,439)	(14,643,000)	(15,430,833)	(+906,394)	(+787,833)
Federal Highway Administration					
Limitation on administrative expenses	(377,556)	(394,880)	(390,000)	(+12,444)	(−4,880)
Federal-aid highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(41,955,051)	(39,500,000)	(40,000,000)	(−1,955,051)	(+500,000)
(Limitation on obligations)	(40,216,051)	(39,398,728)	(41,199,970)	(+983,919)	(+1,801,242)
(Limitation on obligations)—bridges	(1,000,000)			(−1,000,000)	
(Exempt contract authority)	(739,000)	(739,000)	(739,000)		
Appalachian development highway system	15,680		10,000	−5,680	+10,000
Delta Regional Authority	14,014			−14,014	
Denali Access System			6,000	+6,000	+6,000
Surface Transportation projects			182,695	+182,695	+182,695
I–35W bridge repair and reconstruction (emergency appropriations)	195,000			−195,000	
Rescission of contract authority (Highway Trust Fund)	−3,150,000	−3,150,000	−3,150,000		
Rescission of ISTEA contract authority (HTF)	−1,292	−109,000	−284,000	−282,708	−175,000
Rescission of TEA–21 contract authority (HTF)	−5,987	−626,000	−626,000	−620,013	
TIFIA (rescission of contract authority) (Sec. 124)	−256,806			+256,806	
Administration (rescission of contract authority) (Sec. 125)	−43,359		−33,401	+9,958	−33,401
Research (rescission of contract authority) (Sec. 126)	−239,802		−11,757	+228,045	−11,757
Highway related safety grants (rescission) (Sec. 127)	−11			+11	
Miscellaneous appropriations and miscellaneous highway trust funds (rescission) (Sec. 128)	−4,754			+4,754	
2008 rescission of revenue-aligned budget authority (Sec. 129)	−370,488			+370,488	
Rescission of discretionary contract authority	−39,350			+39,350	
Total, Federal Highway Administration	−3,887,155	−3,885,000	−3,906,463	−19,308	−21,463
Appropriations	(29,694)		(198,695)	(+169,001)	(+198,695)
Rescissions	(−4,765)			(+4,765)	
Rescissions of contract authority	(−4,107,084)	(−3,885,000)	(−4,105,158)	(+1,926)	(−220,158)
Emergency appropriations	(195,000)			(−195,000)	
(Limitations on obligations)	(41,216,051)	(39,398,728)	(41,199,970)	(−16,081)	(+1,801,242)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)		
Total budgetary resources	(38,067,896)	(36,252,728)	(38,032,507)	(−35,389)	(+1,779,779)
Federal Motor Carrier Safety Administration					
Motor carrier safety operations and programs (Highway Trust Fund) (Liquidation of contract authorization)	(229,654)	(234,000)	(234,000)	(+4,346)	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
(Limitation on obligations)	(229,654)	(234,000)	(234,000)	(+4,346)	
Motor carrier safety grants (Highway Trust Fund) (Liquidation of contract authorization)	(300,000)	(307,000)	(307,000)	(+7,000)	
(Limitation on obligations)	(300,000)	(307,000)	(307,000)	(+7,000)	
National motor carrier safety program (HTF) (rescission of contract authority)	−5,213		−14,904	−9,691	−14,904
Motor carrier safety (HTF) (rescission of contract authority)	−32,188		−1,390	+30,798	−1,390
Motor carrier safety grants (HTF) (rescission of contract authority)	−11,260		−4,231	+7,029	−4,231
Motor carrier safety operations and programs (HTF) (rescission of contract authority)	−1,816		−4,887	−3,071	−4,887
Total, Federal Motor Carrier Safety Admin	−50,477		−25,412	+25,065	−25,412
Rescissions of contract authority	−50,477		−25,412	+25,065	−25,412
(Limitations on obligations)	(529,654)	(541,000)	(541,000)	(+11,346)	
Total budgetary resources	(479,177)	(541,000)	(515,588)	(+36,411)	(−25,412)
National Highway Traffic Safety Administration					
Operations and research (general fund)	126,572		126,000	−572	+126,000
Operations and research (Highway Trust Fund) (Liquidation of contract authorization)	(107,750)	(105,500)	(105,500)	(−2,250)	
(Limitation on obligations)	(107,750)	(105,500)	(105,500)	(−2,250)	
Operations and Research (HTF)(legislative proposal) (Liquidation of contract authorization)		(122,000)			(−122,000)
(Limitation on obligations)		(122,000)			(−122,000)
Subtotal, Operations and research	(234,322)	(227,500)	(231,500)	(−2,822)	(+4,000)
National Driver Register (Highway Trust Fund) (Liquidation of contract authorization)	(4,000)	(4,000)	(4,000)		
(Limitation on obligations)	(4,000)	(4,000)	(4,000)		
Highway traffic safety grants (Highway Trust Fund) (Liquidation of contract authorization)	(599,250)	(619,500)	(619,500)	(+20,250)	
(Limitation on obligations):					
Highway safety programs (23 USC 402)	(225,000)	(235,000)	(235,000)	(+10,000)	
Occupant protection incentive grants (23 USC 405)	(25,000)	(25,000)	(25,000)		
Safety belt performance grants (23 USC 406)	(124,500)	(124,500)	(124,500)		
State traffic safety information system improvement grants (23 USC 408)	(34,500)	(34,500)	(34,500)		
Alcohol-impaired driving countermeasures grants (23 USC 410)	(131,000)	(139,000)	(139,000)	(+8,000)	
High visibility enforcement	(29,000)	(29,000)	(29,000)		

Child safety and booster seat grants	(6,000)	(7,000)	(7,000)	(+1,000)	
Motorcyclist safety	(6,000)	(7,000)	(7,000)	(+1,000)	
Grant administration	(18,250)	(18,500)	(18,500)	(+250)	
Operations and research (rescission of contract authority) (sec. 141)	−12,197		−1,315	+10,882	−1,315
National driver register (rescission of contract authority) (sec. 142)	−120		−534	−414	−534
Highway traffic safety grants (rescission of contract authority) (sec. 143)	−10,529		−50,000	−39,471	−50,000
Subtotal	(580,404)	(623,500)	(571,651)	(−8,753)	(−51,849)
Total, National Highway Traffic Safety Admin	103,726		74,151	−29,575	+74,151
Appropriations	(126,572)		(126,000)	(−572)	(+126,000)
Rescissions of contract authority	(−22,846)		(−51,849)	(−29,003)	(−51,849)
(Limitations on obligations)	(711,000)	(851,000)	(729,000)	(+18,000)	(−122,000)
Total budgetary resources	(814,726)	(851,000)	(803,151)	(−11,575)	(−47,849)
Federal Railroad Administration					
Safety and operations	150,193	156,745	158,745	+8,552	+2,000
Railroad research and development	35,964	33,950	34,000	−1,964	+50
Capital assistance to States—Intercity Passenger Rail Service	30,000		100,000	+70,000	+100,000
Intercity Passenger Rail Grant Program (leg proposal)		100,000			−100,000
Rail line relocation and improvement program	20,145		20,000	−145	+20,000
National Railroad Passenger Corporation					
Operating grants to the National Railroad Passenger Corporation	475,000		550,000	+75,000	+550,000
Capital grants to the National Railroad Passenger Corporation	850,000	525,000	1,000,000	+150,000	+475,000
Efficiency incentive grants to National Railroad Passenger Corporation		275,000			−275,000
Efficiency incentive grants to the National Railroad Passenger Corporation (rescission)			−46,800	−46,800	−46,800
Total, National Railroad Passenger Corporation	1,325,000	800,000	1,503,200	+178,200	+703,200
Total, Federal Railroad Administration	1,561,302	1,090,695	1,815,945	+254,643	+725,250
Federal Transit Administration					
Administrative expenses	89,300	94,413	93,000	+3,700	−1,413
Formula and Bus Grants (Hwy Trust Fund, Mass Transit Account (liquidation of contract authorization)	(6,855,000)	(8,670,000)	(8,670,000)	(+1,815,000)	
(limitation on obligations)	(7,767,887)	(8,360,565)	(8,260,565)	(+492,678)	(−100,000)
Rescission of prior year contract authority (HTF)	−28,661			+28,661	
Rescission of current year contract authority	−105,006		−100,000	+5,006	−100,000
Flexible funding					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
Subtotal	(7,634,220)	(8,360,565)	(8,160,565)	(+526,345)	(−200,000)
Subtotal (obligational authority)	(7,767,887)	(8,360,565)	(8,260,565)	(+492,678)	(−100,000)
Research and University Research Centers	65,363	59,600	63,000	−2,363	+3,400
Trust fund share of expenses (Mass Transit Account, HTF) (liquidation of contract authorization)	(6,855,000)	(8,670,000)	(8,670,000)	(+1,815,000)	
Capital investment grants	1,569,092	1,620,829	1,809,250	+240,158	+188,421
Total, Federal Transit Administration	1,590,088	1,774,842	1,865,250	+275,162	+90,408
Appropriations	1,723,755	1,774,842	1,965,250	+241,495	+190,408
Rescissions of contract authority	−133,667		−100,000	+33,667	−100,000
(Limitations on obligations)	(7,767,887)	(8,360,565)	(8,260,565)	(+492,678)	(−100,000)
Total budgetary resources	(9,491,642)	(10,135,407)	(10,225,815)	(+734,173)	(+90,408)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	17,392	31,842	27,000	+9,608	−4,842
Maritime Administration					
Maritime security program	156,000	174,000	174,000	+18,000	
Operations and training	121,992	117,848	123,560	+1,568	+5,712
Ship disposal	17,000	18,000	15,000	−2,000	−3,000
Assistance to small shipyards	10,000		20,000	+10,000	+20,000
Vessel operations revolving fund					
War risk insurance revolving fund					
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses	3,408	3,531	3,531	+123	
Guarantee loans subsidy	5,000		10,000	+5,000	+10,000
Ship construction (rescission)	−6,673		−1,382	+5,291	−1,382
Total, Maritime Administration	306,727	313,379	344,709	+37,982	+31,330
Appropriations	(313,400)	(313,379)	(346,091)	(+32,691)	(+32,712)
Rescissions	(−6,673)		(−1,382)	(+5,291)	(−1,382)

Pipeline and Hazardous Materials Safety Administration					
Hazardous materials safety	28,000	28,000	28,000	....	....
Administrative expenses	17,491	....	....	−17,491	....
Pipeline Safety information grants to Communities	....	....	1,000	+1,000	+1,000
Operations	....	17,491	17,491	+17,491	....
Pipeline Safety Fund	639	639	639	....	....
Subtotal	(18,130)	(18,130)	(19,130)	(+1,000)	(+1,000)
Pipeline safety:					
Pipeline Safety Fund	61,018	74,481	74,481	+13,463	....
Oil Spill Liability Trust Fund	18,810	18,810	18,810	....	....
Subtotal	(79,828)	(93,291)	(93,291)	(+13,463)	....
Emergency preparedness grants:					
Emergency preparedness fund	188	188	188	....	....
Limitation on emergency preparedness fund	(28,318)	(28,318)	(28,318)	....	....
Total, Pipeline and Hazardous Materials Safety Administration	154,464	167,927	168,927	+14,463	+1,000
Research and Innovative Technology Administration					
Research and development	12,000	12,000	12,000	....	....
Office of Inspector General					
Salaries and expenses	66,400	70,468	72,200	+5,800	+1,732
Surface Transportation Board					
Salaries and expenses	26,325	23,085	26,847	+522	+3,762
Offsetting collections	−1,250	−1,250	−1,250	....	....
Total, Surface Transportation Board	25,075	21,835	25,597	+522	+3,762
Rescission of disc. contract authority (Sec. 186)	−68,799	....	....	+68,799	....
Total, title I, Department of Transportation	10,969,034	11,592,909	12,550,021	+1,580,987	+957,112
Appropriations	(15,460,845)	(15,478,909)	(16,956,622)	(+1,495,777)	(+1,477,713)
Rescissions	(−33,438)	(−1,000)	(−49,182)	(−15,744)	(−48,182)
Rescission of contract authority	(−4,653,373)	(−3,885,000)	(−4,357,419)	(+295,954)	(−472,419)
Emergency appropriations	(195,000)	....	....	(−195,000)	....
(Limitations on obligations)	(53,739,092)	(51,901,293)	(54,245,535)	(+506,443)	(+2,344,242)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
(Exempt contract authority)	(739,000)	(739,000)	(739,000)		
Total budgetary resources	(64,708,126)	(63,494,202)	(66,795,556)	(+2,087,430)	(+3,301,354)
(Title I, non-emergency discretionary total)	(10,774,034)	(11,592,909)	(12,550,021)	(+1,775,987)	(+957,112)
TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive direction	24,980		24,791	−189	+24,791
Office of the Secretary	(3,930)		(4,047)	(+117)	(+4,047)
Office of Hearings and Appeals	(1,580)		(1,681)	(+101)	(+1,681)
Office of Small and Disadvantaged Business Utilization	(510)		(567)	(+57)	(+567)
Office of the Chief Financial Officer	(725)		(750)	(+25)	(+750)
Office of the General Counsel	(1,155)		(1,580)	(+425)	(+1,580)
Office of Assistant Secretary for Congressional and Intergovernmental Relations	(2,670)		(2,829)	(+159)	(+2,829)
Office of the Assistant Secretary for Public Affairs	(2,520)		(2,695)	(+175)	(+2,695)
Office of the Assistant Secretary for Administration	(1,630)		(1,047)	(−583)	(+1,047)
Office of the Assistant Secretary for Public and Indian Housing	(1,620)		(1,669)	(+49)	(+1,669)
Office of the Assistant Secretary for Community Planning and Development	(1,520)		(1,779)	(+259)	(+1,779)
Assistant Secretary for Housing/Federal Housing Commissioner	(3,600)		(3,936)	(+336)	(+3,936)
Office of Assistant Secretary for Policy Development and Research	(1,570)		(1,491)	(−79)	(+1,491)
Office of the Assistant Secretary for Fair Housing and Equal Opportunity	(1,950)		(720)	(−1,230)	(+720)
Subtotal	24,980		24,791	−189	+24,791
Administration, operations, and management	493,630	546,218	527,434	+33,804	−18,784
Office of Administration	(69,070)		(75,510)	(+6,440)	(+75,510)
Office of Departmental Operations and Coordination	(10,630)		(11,004)	(+374)	(+11,004)
Office of Field Policy and Management	(51,300)		(48,817)	(−2,483)	(+48,817)
Office of Chief Procurement Officer	(12,370)		(13,438)	(+1,068)	(+13,438)
Office of Chief Financial Officer	(31,600)		(34,029)	(+2,429)	(+34,029)

Office of the General Counsel	(80,670)		(84,837)	(+4,167)	(+84,837)
Office of Departmental Equal Employment Opportunity	(2,810)		(3,085)	(+275)	(+3,085)
Center for Faith-Based and Community Initiatives	(1,160)		(1,215)	(+55)	(+1,215)
Department non-personnel expenses	(234,020)		(255,497)	(+21,477)	(+255,497)
Subtotal	493,630	546,218	527,434	+33,804	−18,784
Personnel compensation and benefits:					
Public and Indian Housing	173,310	190,340	190,390	+17,080	+50
Community Planning and Development	90,310	95,035	94,234	+3,924	−801
Housing	334,450	354,299	363,198	+28,748	+8,899
Office of the Government National Mortgage Association	8,250	8,559	10,000	+1,750	+1,441
Policy Development and Research	16,950	19,829	18,071	+1,121	−1,758
Fair Housing and Equal Opportunity	63,140	67,905	69,021	+5,881	+1,116
Office of Healthy Homes and Lead Hazard Control	6,980	7,815	6,728	−252	−1,087
Subtotal	693,390	743,782	751,642	+58,252	+7,860
Total, Management and Administration	1,212,000	1,290,000	1,303,867	+91,867	+13,867
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals	14,701,000	14,327,000	14,827,000	+126,000	+500,000
Tenant protection vouchers	200,000	150,000	200,000		+50,000
Family self-sufficiency coordinators	49,000	48,000	50,000	+1,000	+2,000
Administrative fees	1,351,000	1,400,000	1,450,000	+99,000	+50,000
Incremental family unification vouchers	20,000		20,000		+20,000
Veterans affairs supportive housing	75,000	75,000	75,000		
Nonelderly disabled incremental vouchers	30,000			−30,000	
Disaster Displacement Assistance Program		39,000	39,000	+39,000	
Working capital fund (transfer out)	(−6,494)	(−7,929)	(−7,929)	(−1,435)	
Subtotal	16,426,000	16,039,000	16,661,000	+235,000	+622,000
Advance appropriations	4,158,000	4,000,000	4,200,000	+42,000	+200,000
Less appropriations from prior year advances	−4,193,000	−4,158,000	−4,158,000	+35,000	
Total, Tenant-based rental assistance	16,391,000	15,881,000	16,703,000	+312,000	+822,000
Project-based rental assistance:					
Renewals	6,143,082	6,768,000	6,468,000	+324,918	−300,000
Contract administrators	238,728	232,000	232,000	−6,728	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
Working capital fund (transfer out)	(−3,960)	(−5,000)	(−10,000)	(−6,040)	(−5,000)
Subtotal	6,381,810	7,000,000	6,700,000	+318,190	−300,000
Advance appropriations	....	400,000	1,750,200	+1,750,200	+1,350,200
Total, Project-based rental assistance	6,381,810	7,400,000	8,450,200	+2,068,390	+1,050,200
Public Housing Capital Fund	2,438,964	2,024,000	2,444,000	+5,036	+420,000
Working capital fund (transfer out)	(−16,847)	(−14,577)	(−14,577)	(+2,270)	....
Public Housing Operating Fund	4,200,000	4,300,000	4,400,000	+200,000	+100,000
Revitalization of severely distressed public housing	100,000	....	100,000	....	+100,000
Native American housing block grants	630,000	627,000	650,000	+20,000	+23,000
Indian housing loan guarantee fund program account	7,450	9,000	9,000	+1,550	....
(Limitation on guaranteed loans)	(367,000)	(420,000)	(420,000)	(+53,000)	....
Native Hawaiian housing block grant	9,000	5,940	10,000	+1,000	+4,060
Native Hawaiian loan guarantee fund program account	1,044	....	1,044	....	+1,044
(Limitation on guaranteed loans)	(41,504)	....	(41,504)	....	(+41,504)
Total, Public and Indian Housing	30,159,268	30,246,940	32,767,244	+2,607,976	+2,520,304
Community Planning and Development					
Housing opportunities for persons with AIDS	300,100	300,100	315,100	+15,000	+15,000
Working capital fund (transfer out)	(−1,485)	(−1,750)	(−1,750)	(−265)	....
Rural housing and economic development	17,000	....	30,000	+13,000	+30,000
Community development fund	3,865,800	3,000,000	3,889,465	+23,665	+889,465
Road Home (Public Law 110–116, Div B) (Sec. 159) (emergency)	3,000,000	....	....	−3,000,000	....
Working capital fund (transfer out)	(−1,570)	(−3,175)	(−3,175)	(−1,605)	....
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(205,000)	....	(275,000)	(+70,000)	(+275,000)
Credit subsidy	4,500	....	6,000	+1,500	+6,000
Brownfields redevelopment	10,000	....	....	−10,000	....

HOME investment partnerships program	1,704,000	1,966,640	1,966,640	+262,640	
Working capital fund (transfer out)	(−3,465)	(−4,200)	(−4,200)	(−735)	
Self-help homeownership opportunity program	60,000	40,000	66,000	+6,000	+26,000
Homeless assistance grants	1,585,990	1,636,000	1,667,000	+81,010	+31,000
Working capital fund (transfer out)	(−2,475)	(−2,675)	(−2,675)	(−200)	
Total, Community Planning and Development	10,547,390	6,942,740	7,940,205	−2,607,185	+997,465
Housing Programs					
Housing for the elderly	735,000	540,000	765,000	+30,000	+225,000
Working capital fund (transfer out)	(−1,400)	(−1,600)	(−1,600)	(−200)	
Housing for persons with disabilities	237,000	160,000	250,000	+13,000	+90,000
Working capital fund (transfer out)	(−600)	(−1,600)	(−1,600)	(−1,000)	
Housing counseling assistance		65,000	65,000	+65,000	
Manufactured housing fees trust fund	16,000	16,000	16,000		
Offsetting collections	−16,000	−16,000	−16,000		
General fund payment to trust fund		5,400	5,400	+5,400	
Subtotal		5,400	5,400	+5,400	
Rental housing assistance	27,600	27,600	27,600		
Rent supplement (rescission)	−37,600	−27,600	−37,600		−10,000
Total, Housing Programs	962,000	770,400	1,075,400	+113,400	+305,000
Federal Housing Administration					
FHA—Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(185,000,000)	(185,000,000)	(185,000,000)		
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)		
Move single-family prog from GSRI (leg proposal)		10,000			−10,000
Administrative contract expenses	77,400	116,000	140,000	+62,600	+24,000
Working capital fund (transfer out)	(−25,550)	(−46,794)	(−70,794)	(−45,244)	(−24,000)
FHA—General and special risk program account:					
(Limitation on guaranteed loans)	(45,000,000)	(35,000,000)	(45,000,000)		(+10,000,000)
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)		
Offsetting receipts	−230,000	−140,000	−140,000	+90,000	
Credit subsidy	8,600	8,600	8,600		
Right of first refusal	5,000			−5,000	
Administrative contract expenses	78,111	47,871	47,871	−30,240	
Consumer education and outreach		1,000	1,000	+1,000	
Additional contract expenses		14,400	14,000	+14,000	−400

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
Move single-family prog to MMI (leg proposal)		−10,000			+10,000
Administrative fee increase	−20,000			+20,000	
Working capital fund (transfer out)	(−15,692)			(+15,692)	
Total, Federal Housing Administration	−80,889	47,871	71,471	+152,360	+23,600
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)		
Consolidate admin expenses (leg proposal)		(43,000)			(−43,000)
Offsetting receipts	−163,000	−170,000	−170,000	−7,000	
Total, Gov't National Mortgage Association	−163,000	−170,000	−170,000	−7,000	
Policy Development and Research					
Research and technology	51,440	54,700	59,624	+8,184	+4,924
Fair Housing and Equal Opportunity					
Fair housing activities	50,000	51,000	56,000	+6,000	+5,000
Office of Healthy Homes and Lead Hazard Control					
Lead hazard reduction	145,000	116,000	145,000		+29,000
Management and Administration					
GSE regulator/HUD oversight (legislative proposal)		−4,000			+4,000
Working capital fund	155,000	224,000	200,000	+45,000	−24,000
(By transfer)	(79,538)	(89,300)	(118,300)	(+38,762)	(+29,000)
Office of Inspector General	112,000	115,000	115,000	+3,000	
Office of Federal Housing Enterprise Oversight	66,000	66,600	66,600	+600	
Offsetting receipts	−66,000	−66,600	−66,600	−600	

Total, Management and Administration	267,000	335,000	315,000	+48,000	−20,000
(Grand total, Management and Administration)	(1,479,000)	(1,625,000)	(1,618,867)	(+139,867)	(−6,133)
Rescissions and Adjustments:					
Housing certificate fund	−1,250,000			+1,250,000	
Fiscal year 2008 advance appropriation (rescission)	−723,257		−800,000	−76,743	−800,000
Community Development Fund		−205,800			+205,800
Subtotal	−1,973,257	−205,800	−800,000	+1,173,257	−594,200
FHA Proposals:					
Remove HECM cap (fiscal year 2009 legislative proposal)	−512,000	−391,000	−391,000	+121,000	
Increase single family loan limit (leg proposal)		−12,000	−9,000	−9,000	+3,000
Increase multifamily loan limit	−28,000			+28,000	
Total, title II, Department of Housing and Urban Development	40,636,952	39,075,851	42,363,811	+1,726,859	+3,287,960
Appropriations	(36,524,809)	(35,708,851)	(38,043,811)	(+1,519,002)	(+2,334,960)
Rescissions	(−2,010,857)	(−233,400)	(−837,600)	(+1,173,257)	(−604,200)
Advance appropriations	(4,158,000)	(4,400,000)	(5,950,200)	(+1,792,200)	(+1,550,200)
Emergency appropriations	(3,000,000)			(−3,000,000)	
Offsetting receipts	(−953,000)	(−717,000)	(−710,000)	(+243,000)	(+7,000)
Offsetting collections	(−82,000)	(−82,600)	(−82,600)	(−600)	
(By transfer)	(79,538)	(89,300)	(118,300)	(+38,762)	(+29,000)
(Transfer out)	(−79,538)	(−89,300)	(−118,300)	(−38,762)	(−29,000)
(Limitation on direct loans)	(100,000)	(100,000)	(100,000)		
(Limitation on guaranteed loans)	(430,613,504)	(420,420,000)	(430,736,504)	(+123,000)	(+10,316,504)
(Title II, non-emergency discretionary total)	(37,636,952)	(39,075,851)	(42,363,811)	(+4,726,859)	(+3,287,960)
TITLE III—OTHER INDEPENDENT AGENCIES					
Architectural and Transportation Barriers Compliance Board	6,150	6,447	6,550	+400	+103
Federal Maritime Commission	22,072	23,953	23,949	+1,877	−4
National Transportation Safety Board:					
Salaries and expenses	84,499	87,891	91,000	+6,501	+3,109
Rescission of unobligated balances		−671	−671	−671	
Neighborhood Reinvestment Corporation	299,800	150,000	156,000	−143,800	+6,000
United States Interagency Council on Homelessness	2,150	2,660	2,660	+510	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2008 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2008 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2008 appropriation	Budget estimate
Total, title III, Other Independent Agencies	414,671	270,280	279,488	−135,183	+9,208
Grand total (net)	52,020,657	50,939,040	55,193,320	+3,172,663	+4,254,280
Appropriations	(56,593,325)	(55,616,711)	(59,438,592)	(+2,845,267)	(+3,821,881)
Rescissions	(−2,022,295)	(−234,071)	(−886,453)	(+1,135,842)	(−652,382)
Rescissions of contract authority	(−4,653,373)	(−3,885,000)	(−4,357,419)	(+295,954)	(−472,419)
Advance appropriations	(4,158,000)	(4,400,000)	(5,950,200)	(+1,792,200)	(+1,550,200)
Emergency appropriations	(3,195,000)			(−3,195,000)	
Negative subsidy receipts	(−953,000)	(−717,000)	(−710,000)	(+243,000)	(+7,000)
Offsetting collections	(−82,000)	(−82,600)	(−82,600)	(−600)	
(Limitation on obligations)	(53,739,092)	(51,901,293)	(54,245,535)	(+506,443)	(+2,344,242)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)		
Total budgetary resources	(105,759,749)	(102,840,333)	(109,438,855)	(+3,679,106)	(+6,598,522)

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