

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND
URBAN DEVELOPMENT, AND RELATED AGENCIES AP-
PROPRIATIONS BILL, 2017

JUNE 7, 2016.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. DIAZ-BALART, from the Committee on Appropriations,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 5394]

The Committee on Appropriations submits the following report in
explanation of the accompanying bill making appropriations for the
Departments of Transportation, and Housing and Urban Develop-
ment, and related agencies for the fiscal year ending September 30,
2017.

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PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2017, 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 accom-
panying bill, the terms “program, project, and activity” (PPA) shall
mean any item for which a dollar amount is contained in approp-
riations acts (including joint resolutions providing continuing ap-

propriations) and 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.

The Committee expects that the operating plans will address each number listed in the reports, and warns that efforts to operate programs at levels contrary to the levels recommended and directed in these reports would not be advised.

OPERATING PLANS AND 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 advance approval of the House and Senate Committees on Appropriations of any proposal to reprogram funds that:

- creates a new program;
- eliminates a program, project, or activity (PPA);
- increases funds or personnel for any PPA for which funds have been denied or restricted by the Congress;
- redirects funds that were directed in such reports for a specific activity to a different purpose;
- augments an existing PPA in excess of \$5,000,000 or 10 percent, whichever is less;
- reduces an existing PPA by \$5,000,000 or 10 percent, whichever is less; or
- 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 must 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 also must identify items of special Congressional interest. In certain instances, the Committee may direct the agency to submit a revised operating plan for approval or may direct changes to the operating plan if the plan is not consistent with the directives of the conference report and statement of the managers.

The Committee expects the agencies and bureaus to submit reprogramming requests in a timely manner and to provide a thor-

ough explanation of the proposed reallocations, including a detailed justification of increases and reductions and the specific impact of proposed changes on the budget request for the following fiscal year. Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Reprogramming procedures shall apply to funds provided in this bill, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2017, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2017.

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. Except in emergency situations, reprogramming requests should be submitted no later than June 30, 2017. 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 of both HUD and DOT and that no funds may be obligated from working capital fund accounts 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 the Office of Management and Budget (OMB). In fact, OMB Circular A-11, part 1 specifically instructs agencies to consult with congressional committees beforehand. The Committee expects that all agencies funded under this Act will heed this directive.

The Committee expects all of the budget justifications to provide the data needed to make appropriate and meaningful funding decisions. The Committee continues the direction that justifications submitted with the fiscal year 2018 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 this 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, 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 2018 to the fiscal year 2017 enacted levels.

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 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 2018 budget request.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$108,750,000
Budget request, fiscal year 2017	114,396,000
Recommended in the bill	112,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+3,250,000
Budget request, fiscal year 2017	−2,396,000

COMMITTEE RECOMMENDATION

The bill provides \$112,000,000 for the salaries and expenses of the offices comprising the Office of the Secretary of Transportation (OST). The Committee’s recommendation is \$3,250,000 above the 2016 enacted level and \$2,396,000 below the request. The Committee’s recommendation includes individual funding for each of these offices as has been done in prior years. The following table (dollars in thousands) compares the fiscal year 2016 enacted level to the fiscal year 2017 budget request and the Committee’s recommendation by office. The Committee strongly urges the Department to manage hiring and attrition in 2016 to meet these levels for 2017. Reductions are also encouraged in the areas of travel and contracts.

	2016 enacted	2017 request	2017 House Bill
Office of the Secretary	\$2,734	\$2,758	\$2,758
Deputy Secretary	1,025	1,040	1,040
Executive Secretariat	1,737	1,760	1,760
Under Secretary for Transportation Policy	9,941	11,108	10,033
Small and Disadvantaged Business Utilization	1,434	---	---
Intelligence and Security and Emergency Response	10,793	11,089	11,089
Chief Information Officer	16,280	17,084	16,485
General Counsel	20,609	20,772	20,772
Assistant Secretary for Government Affairs	2,546	2,569	2,546
Assistant Secretary for Budget and Programs	13,697	14,020	14,019
Assistant Secretary for Administration	25,925	30,054	29,356
Public Affairs	2,029	2,142	2,142
Total: Salaries and Expenses	108,750	114,396	112,000

Immediate Office of the Secretary.—The immediate Office of the Secretary has primary responsibility to provide overall planning, direction, and control of departmental affairs.

Immediate Office of the Deputy Secretary.—The Office of the Deputy Secretary has primary responsibility to assist the Secretary in the overall planning, direction, and control of departmental affairs. The Deputy Secretary serves as the chief operating officer of the Department of Transportation.

Executive Secretariat.—The Executive Secretariat assists the Secretary and Deputy Secretary in carrying out their responsibilities by controlling and coordinating internal and external documents.

Office of Small and Disadvantaged Business Utilization.—The budget request proposed merging the Office of Small and Disadvantaged Business Utilization with the appropriation for Minority Business Outreach to create one office addressing the needs of these stakeholders. The Committee's recommendation reflects this reorganization and funds are provided under the header "Small and Disadvantaged Business Utilization and Outreach."

Office of the Chief Information Officer.—The Office of the Chief Information Officer serves as the principal advisor to the Secretary on information resources and information systems management.

Office of the Assistant Secretary for Governmental Affairs.—The Office of the Assistant Secretary for Governmental Affairs is responsible for coordinating all Congressional, intergovernmental, and consumer activities of the Department.

The bill continues a provision (Sec. 185) that requires the Department to notify the Committees on Appropriations no fewer than three business days before any discretionary grant award, letter of intent, loan, loan guarantee, line of credit commitment or full funding grant agreement totaling \$1,000,000 or more is announced by the Department or its modal administrations from: (1) the Federal Highway Administration; (2) the airport improvement program of the Federal Aviation Administration; (3) the Federal Railroad Administration; (4) any program of the Federal Transit Administration other than the formula grants; (5) the Maritime Administration; and (6) any grant funded with the National Infrastructure Investments account. Such notification shall include the date on which the official announcement of the grant is to be made and no such announcement shall involve funds that are not available for obligation. The habit adopted by this Administration of selecting only certain congressional offices to receive the benefit of a four day advance notice is disingenuous and contrary to the spirit of the provision, which was created to give all offices an equal notice for any award.

Office of the General Counsel.—The Office of the General Counsel provides legal services to the Office of the Secretary and coordinates and reviews the legal work of the chief counsels' offices of the operating administrations.

Office of the Assistant Secretary for Budget and Programs.—The Assistant Secretary for Budget and Programs is responsible for developing, reviewing, and presenting budget resource requirements for the Department to the Secretary, Congress, and the Office of Management and Budget.

Office of the Assistant Secretary for Administration.—The Office of the Assistant Secretary for Administration serves as the principal advisor to the Secretary on department-wide administrative matters and the responsibilities include leadership in acquisition reform and human capital.

Office of Public Affairs.—The Office of Public Affairs is responsible for the Department's press releases, articles, briefing materials, publications, and audio-visual materials.

Office of Intelligence, Security, and Emergency Response.—The Office of Intelligence, Security, and Emergency Response is responsible for intelligence, security policy, preparedness, training and exercises, national security, and operations.

Office of the Under Secretary of Transportation for Policy.—The Office of the Under Secretary of Transportation for Policy serves as the Department’s chief policy officer, and is responsible for the coordination and development of departmental policy and legislative initiatives; international standards development and harmonization; aviation and other transportation-related trade negotiations; the performance of policy and economic analysis; and the execution of the Essential Air Service program.

Operating plan.—The Committee directs the Department to submit an operating plan for fiscal year 2017 signed by the Secretary for review by the Committees on Appropriations within 60 days of the bill’s enactment. The operating plan should include funding levels for the various offices, programs, and initiatives detailed down to the object class or program element covered in the budget justification and supporting documents, documents referenced in the House and Senate reports, and the statement of the managers (i.e. not simply the activities called out in bill language). Should the Department create, alter, discontinue, or otherwise change any program as described in the Department’s budget justification, those changes must be a part of the Department’s operating plan.

Finally, the Department shall submit with the operating plan a summary of the DOT reporting requirements contained in the Act, the House and Senate reports, and the statement of the managers. The Committee requests a number of reports to gather information and conduct oversight. The summary should include Inspector General and Government Accountability Office reports as well.

Non-motorized traffic fatalities.—Increasing traffic fatalities among non-motorized road users continues to be a problem in many areas. Select states have benefited from targeted technical assistance and training workshops aimed at updating their standards and practices to meet the needs of all road users, particularly non-motorized users. The Secretary, through its Safer People, Safer Streets initiative, is encouraged to conduct rigorous outreach to states and Metropolitan Planning Organizations (MPOs) regarding the availability of such training, with particular focus on states and MPOs with high rates of non-motorized road user fatalities, and ensure that such training is provided, to the maximum extent practicable.

Accessibility performance measures.—The Secretary of Transportation, in coordination with the Federal Highway Administration and the Federal Transit Administration, is encouraged to establish an accessibility performance measure to be available to states, metropolitan planning organizations, and transit agencies to assess the degree to which the transportation system, including public transportation, provides multimodal connections to economic opportunities, including job concentration areas, health care services, child care services, and education and workforce training services, particularly for disadvantaged populations.

General provisions.—The Committee renews its direction to justify each general provision proposed either in its relevant modal

congressional justification or in the OST congressional justification. If the budget proposes to drop or delete a general provision, the Department is directed to explain the change as well.

Bill language.—The bill continues language that permits up to \$2,500,000 of fees to be credited to the Office of the Secretary for salaries and expenses, limits reception and representation expenses to \$60,000, and allows for a transfer of up to five percent between offices.

RESEARCH AND TECHNOLOGY

Appropriation, fiscal year 2016	\$13,000,000
Budget request, fiscal year 2017	18,007,000
Recommended in the bill	13,000,000
Bill compared with:	
Appropriation, fiscal year 2016	— — —
Budget request, fiscal year 2017	– 5,007,000

The Office of the Assistant Secretary for Research and Technology coordinates, facilitates, and reviews the Department’s research and development programs and activities; coordinating and developing positioning, navigation and timing (PNT) technology; maintaining PNT policy, coordination and spectrum management; managing the Nationwide Differential Global Positioning System; and overseeing and providing direction to the Bureau of Transportation Statistics, the Intelligent Transportation Systems Joint Program Office, the University Transportation Centers program, the Volpe National Transportation Systems Center and the Transportation Safety Institute.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$13,000,000 for research and technology activities, \$5,007,000 below the budget request and the same level as fiscal year 2016. The recommendation does not include funds above the baseline account level for civil signal monitoring.

NATIONAL INFRASTRUCTURE INVESTMENTS

Appropriation, fiscal year 2016	\$500,000,000
Budget request, fiscal year 2017	1,250,000,000
Recommended in the bill	450,000,000
Bill compared with:	
Appropriation, fiscal year 2016	– 50,000,000
Budget request, fiscal year 2017	– 800,000,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$450,000,000 for National Infrastructure Investment grants, \$50,000,000 below the 2016 level and \$800,000,000 below the request. Funds are discretionary from the

general fund of the Treasury and available until September 30, 2019.

The Committee provides funds for highway and bridge projects, transit projects, freight rail projects, and port infrastructure investments, including land ports of entry—the most critical areas to preserving, expanding, and improving our Nation’s transportation infrastructure. The bill retains language directing an equitable distribution of funds and stipulates that not less than 20 percent of the funds shall be for projects in rural areas. Further, not more than 20 percent of the funds may be awarded to projects in a single state. Up to 20 percent of the funds may be used for the subsidy and administrative costs of projects eligible for Transportation Infrastructure Finance and Innovation Act assistance. Bill language is included to limit grants to a minimum of \$5,000,000 and a maximum of \$100,000,000 in urban areas, and a minimum of \$1,000,000 in rural areas. The federal share for projects funded under this header is limited to 80 percent of the project cost in urban areas, and may exceed 80 percent in rural areas. The Secretary is directed to give priority to projects that require a federal contribution to complete overall financing. All projects must comply with subchapter IV of chapter 31 of title 40, United States Code. Further, the Secretary may utilize up to \$20,000,000 of the funds available to fund the oversight and administrative requirements in the various modes.

High growth areas are challenged by the high costs of infrastructure to support the growing economy, and often these areas must provide a local funding match that exceeds the federal requirement in order to complete transportation projects. The Committee strongly encourages the Department to take into consideration population growth, as well as the expanded port and waterways coming into operation in 2016 and beyond, and the matching funds when evaluating the impact and merit of the TIGER grant applications.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE
BUREAU

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	\$3,000,000
Recommended in the bill	3,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+3,000,000
Budget request, fiscal year 2017	---

The National Surface Transportation and Innovative Finance Bureau will administer and coordinate or consolidate aspects of the U.S. Department of Transportation’s existing surface transportation innovative finance programs as authorized in section 9001 of the Fixing America’s Surface Transportation (FAST) Act.

COMMITTEE RECOMMENDATION

The Committee recommendation includes \$3,000,000 for the first year of the newly authorized National Surface Transportation and Innovative Finance Bureau, the same as the request.

FINANCIAL MANAGEMENT CAPITAL

Appropriation, fiscal year 2016	\$5,000,000
Budget request, fiscal year 2017	4,000,000
Recommended in the bill	4,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 1,000,000
Budget request, fiscal year 2017	- - -

The financial management capital program continues funding beyond the deployment of DOT’s multi-year project to upgrade DOT’s financial systems, processes and reporting capabilities.

COMMITTEE RECOMMENDATION

The Committee recommends the budget request of \$4,000,000 to complete the Department’s financial management upgrade initiative, \$1,000,000 below the prior year’s funding level. This is the last year the Committee will provide funding for this initiative.

CYBER SECURITY INITIATIVE

Appropriation, fiscal year 2016	\$8,000,000
Budget request, fiscal year 2017	15,000,000
Recommended in the bill	15,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+ 7,000,000
Budget request, fiscal year 2017	- - -

The cyber security initiative is an effort to close performance gaps in the Department’s cybersecurity. The initiative includes support for essential program enhancements, infrastructure improvements and contractual resources to enhance the security of the Department’s computer network and reduce the risk of security breaches.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$15,000,000 to support the Secretary’s cyber security initiative, which is \$7,000,000 above the fiscal year 2016 enacted level and the same as the budget request.

DATA ACT COMPLIANCE

Appropriation, fiscal year 2016	- - -
Budget request, fiscal year 2017	\$4,000,000
Recommended in the bill	- - -
Bill compared with:	
Appropriation, fiscal year 2016	- - -
Budget request, fiscal year 2017	- 4,000,000

The Digital Accountability and Transparency Act (DATA Act) (P.L. 113–101) created another set of requirements for agencies to report financial data.

COMMITTEE RECOMMENDATION

The Committee recommendation does not include specific funds for DATA Act activities. The Department requested \$4,000,000. The Committee encourages the Department to refine existing reporting and financial statement capabilities to meet DATA Act goals without expending significant amounts of resources.

U.S. DIGITAL SERVICES

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	\$1,000,000
Recommended in the bill	---
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	-1,000,000

The U.S digital services team is requested to provide private sector best practices in the disciplines of design, software engineering, and product management to DOT's most important services in consultation with DOT's Chief Information Officer.

COMMITTEE RECOMMENDATION

The Committee recommendation does not include funds for the creation of this new office.

OFFICE OF CIVIL RIGHTS

Appropriation, fiscal year 2016	\$9,678,000
Budget request, fiscal year 2017	9,751,000
Recommended in the bill	9,751,000
Bill compared with:	
Appropriation, fiscal year 2016	+73,000
Budget request, fiscal year 2017	---

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

COMMITTEE RECOMMENDATION

The Committee recommends \$9,751,000 for the Office of Civil Rights, the same as the budget request and \$73,000 more than the fiscal year 2016 funding level.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Appropriation, fiscal year 2016	\$8,500,000
Budget request, fiscal year 2017	17,043,000
Recommended in the bill	12,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+3,500,000
Budget request, fiscal year 2017	-5,043,000

This appropriation finances research activities and studies related to the planning, analysis, and information development used in the formulation of national transportation policies and plans. It also finances the staff necessary to conduct these efforts. The overall program is carried out primarily through contracts with other federal agencies, educational institutions, nonprofit research organizations, and private firms.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$12,000,000 for transportation planning, research, and development, which is \$3,500,000 above the fiscal year 2016 enacted level and \$5,043,000 below the budget request.

Of the funds provided, the recommendation includes approximately \$7,000,000 for salaries and expenses, and \$3,000,000 to support the permitting dashboard.

Open skies evaluation.—The Committee recommendation includes \$229,000 as requested for international regulatory cooperation and research/airline alliance research, global carrier research, the international transportation forum, and a “best practices” initiative for implementing open skies aviation agreements. DOT is to use the funds to conduct economic analyses and review competition and regulatory standards, plus any signed agreements, to ensure that U.S. airlines and consumers realize the benefits of open skies agreements, but that the agreements are fair, especially as they relate to low-cost airlines and other emerging international competitors. Further, the review is to examine the issues and allegations of whether government subsidies have resulted in market distortions.

Human trafficking prevention training for airline personnel.—Human trafficking is often facilitated by use of commercial air travel, due to its speed and convenience. The Bureau of Labor Statistics reports that there are 108,510 flight attendants in the U.S. who, if properly trained, can help law enforcement properly identify suspected victims and traffickers to intercept and restrict the movement of these criminal networks. The Committee is concerned about the limited efficacy of current online training for airline personnel and encourages DOT to explore broad expert training for airline training staff at each major airline in the United States, which would include participation from trafficking survivors to help better understand the needs of victims.

WORKING CAPITAL FUND

Appropriation, fiscal year 2016	\$190,039,000
Budget request, fiscal year 2017	— — —
Recommended in the bill	190,389,000
Bill compared with:	
Appropriation, fiscal year 2016	+350,000
Budget request, fiscal year 2017	+190,389,000

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$190,389,000 on the Working Capital Fund (WCF), an increase of \$350,000 over the limit set in 2016. The Administration did not propose a WCF legislative limitation. The Committee continues to stipulate that the limitation is only for services provided to the Department of Transportation, not other entities. Further, the Committee directs that,

as much as possible, services shall be provided on a competitive basis.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

	Appropriation	Limitation on guaranteed loans
Appropriation, fiscal year 2016	\$933,000	(\$18,367,000)
Budget request, fiscal year 2017	941,000	---
Recommended in the bill	941,000	(18,367,000)
Bill compared with:		
Appropriation, fiscal year 2016	+8,000	---
Budget request, fiscal year 2017	---	(+18,367,000)

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

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$941,000 for the resource center, the same as the budget request and \$8,000 more than the 2016 amounts. Of the funds provided, \$339,000 is to cover the subsidy costs of guaranteed loans and \$602,000 is for administrative expenses to carry out the guaranteed loan program. The Committee recommends a limitation on guaranteed loans of \$18,367,000, the same as the limitation in fiscal year 2016.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

Appropriation, fiscal year 2016 ¹	\$4,518,000
Budget request, fiscal year 2017	4,646,000
Recommended in the bill	4,646,000
Bill compared with:	
Appropriation, fiscal year 2016	+128,000
Budget request, fiscal year 2017	---

¹The total of the fiscal year appropriations for Small and Disadvantaged Business Utilization (\$1,434,000) and Minority Business Outreach (\$3,084,000).

The fiscal year 2017 budget proposes to merge the salaries and expenses of the Office of Small and Disadvantaged Business Utilization with the minority business outreach program to provide contractual support to small and disadvantaged businesses and provide information dissemination and technical and financial assistance to empower those businesses to compete for contracting opportunities with DOT and DOT-funded contracts or grants for transportation-related projects.

COMMITTEE RECOMMENDATION

The Committee recommends the budget request of \$4,646,000 for small and disadvantaged business utilization and outreach, which is \$128,000 more than the 2016 level.

The Committee encourages the Department to partner with Hispanic-serving institutions and historically black colleges and universities for research and information dissemination with regards to minority owned businesses.

PAYMENTS TO AIR CARRIERS
(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2016	\$175,000,000
Budget request, fiscal year 2017	150,000,000
Recommended in the bill	150,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 25,000,000
Budget request, fiscal year 2017	- - -

The Essential Air Service program (EAS) was created by the Airline Deregulation Act of 1978 as a ten-year measure to continue air service to communities that had received air service prior to deregulation. The program currently provides subsidies to air carriers serving small communities that meet certain criteria.

The Federal Aviation Administration Reauthorization Act of 1996 authorized the collection of “overflight fees”. Overflight fees are a type of user fee collected by the Federal Aviation Administration (FAA) from aircraft that neither take off from, nor land in, the United States. The FAA Modernization and Reform Act of 2012 increased the authorized level of overflight fee collection, and increased the amount that the Department can apply to the EAS program. The budget request estimates that fee will provide \$104,239,000 for the EAS program in fiscal year 2017.

COMMITTEE RECOMMENDATION

For fiscal year 2017, the Committee includes \$150,000,000 in discretionary funding for the EAS program, which is \$25,000,000 below the fiscal year 2016 enacted level and the same as the budget request. This funding level is sufficient to continue service to all eligible EAS communities.

The following table shows the discretionary, mandatory, and total program levels for the EAS program:

	Appropriation	Mandatory	Total program
FY 2016 Enacted	\$175,000,000	\$108,000,000	\$283,000,000
FY 2017 Request	150,000,000	104,000,000	254,000,000
Committee Recommendation	150,000,000	104,000,000	254,000,000

The Committee remains concerned about the growing costs associated with the EAS program. While limiting the program to current sites and eliminating the requirement that EAS carriers utilize 15-passenger aircraft have helped mitigate some of the cost growth, the Committee believes that the Department should continue to explore reforms to the program that will create greater competition among carriers and control overall costs.

The Committee directs the Department to utilize all the overflight fees collected for this program to alleviate the discretionary funding requirement for the program.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF
TRANSPORTATION

Section 101. The Committee continues the provision prohibiting the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, unless such

assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102. The Committee continues the provision allowing the Department to use the Working Capital Fund to provide transit benefits to Federal employees.

Section 103. The Committee continues the provision regarding administrative requirements of DOT's Credit Council.

FEDERAL AVIATION ADMINISTRATION

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

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

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2016	\$9,909,724,000
Budget request, fiscal year 2017	9,994,352,000
Recommended in the bill	9,994,352,000
Bill compared with:	
Appropriation, fiscal year 2016	+84,628,000
Budget request, fiscal year 2017	---

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

The operations appropriation includes the following major activities: (1) operation on a 24-hour daily basis of a national air traffic

system; (2) establishment and maintenance of a national system of aids to navigation; (3) establishment and surveillance of civil air regulations to ensure safety in aviation; (4) development of standards, rules and regulations governing the physical fitness of air-men, as well as the administration of an aviation medical research program; (5) administration of the acquisition, and research and development programs; (6) headquarters, administration, and other staff offices; and (7) development, printing, and distribution of aeronautical charts used by the flying public.

COMMITTEE RECOMMENDATION

The Committee recommends \$9,994,352,000 for FAA operations, which is \$84,628,000 above the fiscal year 2016 enacted level and the same as the budget request.

The following table shows a comparison of the fiscal year 2016 enacted level, the budget request, and the Committee recommendation by budget activity:

	FY 2016 enacted	FY 2017 request	Committee recommendation
Air traffic organization	7,505,293,000	7,539,785,000	7,539,785,000
Aviation safety	1,258,411,000	1,286,982,000	1,291,982,000
Commercial space transportation	17,800,000	19,826,000	19,826,000
Finance and management	760,500,000	771,342,000	770,342,000
NextGen	60,089,000	60,155,000	60,155,000
Security and Hazardous Materials Safety	100,880,000	107,161,000	107,161,000
Staff offices	206,751,000	209,101,000	205,101,000
Total	9,909,724,000	9,994,352,000	9,994,352,000

Justification of general provisions.—The Committee continues its direction to provide a justification for each general provision proposed in the FAA budget, and therefore expects the fiscal year 2018 budget to include adequate information on each proposed general provision.

TRUST FUND SHARE OF FAA BUDGET

The bill derives \$9,049,000,000 of the total operations appropriation from the Airport and Airway Trust Fund. The balance of the appropriation, \$945,352,000, will be drawn from the general fund of the Treasury.

AIR TRAFFIC ORGANIZATION

The bill provides \$7,539,785,000 for the air traffic organization, which is \$34,492,000 above the 2016 enacted level and the same as the budget request.

Contract tower program.—The Committee recommendation includes \$159,000,000 for the contract tower program, including the contract tower cost-share program. The Committee continues to support the program as a safe, cost-efficient mechanism for providing air traffic services to pilots and local communities.

Chicago O'Hare International Airport.—The Committee directs the FAA to continue to work expeditiously to identify appropriate short and long term mitigation measures to address local concerns that have been raised as a result of the O'Hare Modernization Program at Chicago O'Hare International Airport. The FAA is ex-

pected to provide a progress report on these measures to the Committee within 90 days of enactment of this Act.

Contract weather observers.—Prior to eliminating the Contract Weather Observer (CWO) program, the Committee directs FAA to undertake a comprehensive study, with public and stakeholder input, and issue a report examining safety risks, hazard effects, efficiency, and operational effects on airports, airlines, and other stakeholders that could result from loss of CWO service at the 57 airports that are being evaluated for potential conversion from the loss of service. The FAA is directed to provide this report to House and Senate Committees on Appropriations immediately upon its completion. The Committee understands that this initiative could result in tangible savings in the operations account. The Committee therefore emphasizes that this direction should not preclude FAA from proceeding with this initiative for certain locations in fiscal year 2017 should it meet the above conditions for public outreach and analysis.

Controller staffing.—The Committee notes FAA’s inability to develop reliable numbers on how many controllers it needs and urges FAA to address the current staffing challenges as illustrated by a recent Inspector General (IG) report on the Nation’s most critical facilities. The staffing challenges at FAA facilities are longstanding and are the result of many factors, including lack of management attention and an outdated staffing model for en route facilities. The Committee directs FAA to develop a plan for developing an updated controller staffing model for en route centers no later than 120 days after enactment. The IG also found that FAA facility managers could be more effective and bring about much needed efficiency gains through the use of commercially available scheduling tools. The Committee directs the IG to assess FAA’s progress adopting and implementing scheduling tools and determine whether benefits are being realized by air traffic managers, particularly at the most active facilities.

Maintenance technician staffing and training.—During the summer of 2015, the En Route Automation Modernization system (ERAM) at Washington Center suffered a software malfunction which disrupted air travel all along the East Coast for several days. FAA’s after-action reports raised important concerns about the training and staffing of the maintenance workforce. The Committee is concerned this important workforce has not received the attention it deserves over the years. The Committee directs the IG to assess FAA’s plans and strategy for the hiring and placement of maintenance technicians and whether the FAA Academy effectively trains this important workforce.

Allergic reactions aboard aircraft.—The Committee directs the FAA to review its policies concerning severe allergic reactions aboard aircraft and submit a report within 90 days of enactment detailing: the reporting requirements for airlines when an allergic reaction occurs, the data collection standards for such a report, and the number of reports in the past year.

AVIATION SAFETY

The Committee provides \$1,291,982,000 for aviation safety, which is \$33,571,000 above the fiscal year 2016 enacted level and \$5,000,000 above the budget request.

The Committee continues its direction requiring the Secretary to provide annual reports regarding the use of the funds provided, including, but not limited to, the total full-time equivalent staff years in the offices of aircraft certification and flight standards, total employees, vacancies, and positions under active recruitment.

Aircraft certification.—The Committee provides \$228,700,000 for the Aircraft Certification Service, an increase of \$6,364,000 over the fiscal year 2016 enacted level and \$2,000,000 above the request. The Committee directs FAA to utilize the additional resources to better utilize Organization Delegation Authorization (ODA), and to better focus on cutting edge technologies and aviation product innovations. Further, according to the Inspector General, FAA does not have a full understanding of its staffing requirements to provide oversight of the ODA program. This is a significant and basic program management issue that needs urgent attention. The IG made recommendations related to improving FAA's staffing process, developing better risk-based oversight tools, and assessing the effectiveness of training, and FAA has acknowledged these recommendations and is in the process of developing a new oversight process. The Committee directs FAA to provide a status report regarding its efforts to improve ODA oversight processes, including its progress addressing the IG's recommendations.

Unmanned aircraft systems (UAS).—The Committee provides \$15,185,000 for the Office of Unmanned Aircraft Systems Integration, an increase of \$3,000,000 above the budget request. This increase is provided to help FAA accelerate its efforts to safely integrate UAS into the national airspace.

UAS research plan.—The FAA Modernization Act of 2012 required FAA to submit a comprehensive plan for the integration of unmanned aircraft systems (UAS) into the national airspace. Although the agency did submit a plan in 2014, Congress has expressed concern over its lack of detail, resource requirements, and timelines. The Committee believes FAA, working in concert with other agencies, needs to produce a comprehensive plan identifying the research needed for full UAS integration. FAA currently does not have a plan for beyond visual line of sight (BVLOS) integration, nor has it articulated the data needed to support the development of BVLOS standards. The Committee believes FAA needs to identify the research and data required for full integration, create a test and evaluation master plan with the number and types of flight tests required, identify the resources and planned schedule for critical research, and show how the results will be used in the standards-setting process. The Committee therefore directs FAA to submit to the House and Senate Committees on Appropriations a comprehensive plan for research supporting full integration of unmanned aircraft systems no later than 180 days after enactment.

Harmonizing flight data and cockpit voice recorder regulations.—The Committee understands that automatic deployable flight recorders are among the acceptable technologies that meet new Inter-

national Civil Aviation Organization requirements. The Committee is concerned that the corresponding Federal Aviation Regulations (FAR) for Cockpit Voice and Flight Data Recorders have not been harmonized to reflect the allowed use of automatic deployable flight recorders, resulting in uncertain certification requirements for aircraft manufacturers and airlines wishing to voluntarily install deployable flight recorders. The Committee encourages the FAA to ensure all necessary U.S. regulations are formally updated to enable the voluntary use of FAA approved deployable flight recorder technology without the need for an applicant to file for an equivalent level of safety (ELS) to meet applicable recorder FARs.

FAA inspectors and repair station oversight.—The Office of Inspector General has reported that FAA transferred its foreign repair station oversight duties without fully evaluating foreign authority oversight capabilities. The Committee is concerned that FAA is expanding its use of aviation safety agreements without sufficient planning. FAA is directed to provide the Committee with a report on the steps it takes before it relinquishes oversight responsibilities to foreign authorities to ensure the entities have the resources and expertise to conduct oversight.

Human Intervention Motivation Study (HIMS) and the Flight Attendant Drug and Alcohol Program (FADAP).—The Committee recognizes the effectiveness of the Human Intervention Motivation Study (HIMS) and the Flight Attendant Drug and Alcohol Program (FADAP) in mitigating drug and alcohol abuse through a peer identification and intervention program. The Committee recommends that FAA continue to prioritize this program and urges FAA to continue this program within available resources.

COMMERCIAL SPACE TRANSPORTATION

The Committee recommends the budget request of \$19,826,000 for the Office of Commercial Space Transportation, which is \$2,026,000 above the fiscal year 2016 enacted level.

Hiring.—The recommended funding level will allow the Office of Commercial Space Transportation to add operational personnel to support an increased level of activity in its licensing, permitting and safety inspection functions. The Committee notes that the budget request includes a twenty percent growth in personnel in this office above the fiscal year 2016 personnel level. The Committee believes that the office should be able to judiciously hire critical operational staff within the amounts provided.

Space Launch System.—The Committee commends the FAA Office of Commercial Space Transportation's efforts to promote private sector lunar exploration and development, which may require the use of heavy-lift launching capability, such as the Space Launch System. Specifically, in collaboration with the Commercial Space Transportation Advisory Committee, the Committee encourages the FAA to explicitly define non-interference and to enhance its payload review process to provide companies planning private sector lunar development with the security and predictability necessary to support substantial investments.

FINANCE AND MANAGEMENT

The Committee recommends \$770,342,000 for finance and management activities, which is \$9,842,000 above the fiscal year 2016 enacted level and \$1,000,000 below the request.

Workforce diversity.—The Committee directs FAA to continue to update the House and Senate Committees on Appropriations on the diversity of the controller workforce. The Committee notes that revised hiring procedures yielded a class of developmental controllers that represent a more diverse demographic. The Committee remains interested in the success of these new controllers, and requests a briefing on their progress no later than 180 days after enactment.

NEXTGEN AND OPERATIONS PLANNING

The Committee recommends \$60,155,000 for NextGen and Operations Planning, which is \$66,000 above the fiscal year 2016 enacted level and the same as the budget request.

SECURITY AND HAZARDOUS MATERIALS SAFETY

The Committee recommends \$107,161,000 for Security and Hazardous Materials Safety, which is \$6,281,000 above the fiscal year 2016 enacted level and the same as the budget request.

STAFF OFFICES

The Committee recommends \$205,101,000 for Staff Offices, which is \$1,650,000 below the fiscal year 2016 enacted level and \$4,000,000 below the budget request. The Committee urges FAA to continue to prioritize its ongoing study of the 65 day-night average sound level (DNL) to determine whether it is the correct standard. The Committee expects regular updates on this study.

BILL LANGUAGE

Second career training program.—The bill retains language prohibiting the use of funds for the second career training program. This prohibition has been in annual appropriations Acts for many years, and is included in the President's budget request.

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

Aeronautical charting and cartography.—The bill maintains the provision prohibiting funds in this Act from being used to conduct aeronautical charting and cartography (AC&C) activities through the working capital fund (WCF).

Credits.—The bill includes language allowing funds received from specified public, private, and foreign sources for expenses incurred to be credited to the appropriation.

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2016	\$2,855,000,000
Budget request, fiscal year 2017	2,838,000,000
Recommended in the bill	2,838,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 17,000,000
Budget request, fiscal year 2017	- - -

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$2,838,000,000 for the FAA's facilities and equipment program. This level is \$17,000,000 below the level provided in fiscal year 2016 and the same as the budget request. The bill provides that, of the total amount recommended, \$2,352,000,000 is available for obligation until September 30, 2019, and \$486,000,000 (the amount for personnel and related expenses) is available until September 30, 2018. These obligation availabilities are consistent with past appropriations Acts.

The following table provides funding levels for facilities and equipment activities and budget line items.

Program	FY 2017 request	Recommendation
Activity 1—Engineering, Development, Test and Evaluation:		
Advanced Technology Development and Prototyping	24,800,000	24,800,000
William J. Hughes Technical Center Laboratory Improvement	1,000,000	1,000,000
William J. Hughes Technical Center Laboratory Sustainment	19,000,000	19,000,000
William J. Hughes Technical Center Infrastructure Sustainment	12,200,000	12,200,000
Separation Management Portfolio	25,800,000	27,800,000
Improved Surface Portfolio	2,000,000	2,000,000
On Demand NAS Portfolio	8,500,000	11,500,000
Improved Multiple Runway Operations Portfolio	6,500,000	6,500,000
NAS Infrastructure Portfolio	17,660,000	17,660,000
NextGen Support Portfolio	12,000,000	12,000,000
Performance Based Navigation & Metroplex Portfolio	17,500,000	17,500,000
TOTAL ACTIVITY 1	146,960,000	151,960,000
Activity 2— Air Traffic Control Facilities and Equipment:		
a. En Route Programs		
En Route Automation Modernization (ERAM).		
En Route Automation Modernization (ERAM)—System Enhancements and Tech Refresh	78,000,000	78,000,000
En Route Communications Gateway (ECG)	2,650,000	2,650,000
Next Generation Weather Radar (NEXRAD)—Provide	6,300,000	6,300,000
Air Route Traffic Control Center (ARTCC) & Combined Control Facility (CCF) Building Improvements	74,870,000	74,870,000
Air Traffic Management (ATM)	20,000,000	20,000,000
Air/Ground Communications Infrastructure	8,750,000	8,750,000
Air Traffic Control En Route Radar Facilities Improvements	5,800,000	5,800,000
Voice Switching and Control System (VSCS)	11,300,000	11,300,000
Oceanic Automation System	24,000,000	24,000,000
Next Generation Very High Frequency Air/Ground Communications (NEXCOM)	50,500,000	50,500,000
System-Wide Information Management	28,800,000	28,800,000

Program	FY 2017 request	Recommendation
ADS-B NAS Wide Implementation	31,100,000	154,800,000
Windshear Detection Service	4,500,000	4,500,000
Collaborative Air Traffic Management Technologies	13,820,000	13,820,000
Time Based Flow Management Portfolio	50,600,000	50,600,000
ATC Beacon Interrogator (ATCBI)—Sustainment	1,000,000	1,000,000
NextGen Weather Processors	27,800,000	27,800,000
Airborne Collision Avoidance System X (ACASX)	8,900,000	8,900,000
Data Communications in Support of NG Air Transportation System	232,000,000	232,000,000
Non-Continental United States (Non-CONUS) Automation	3,000,000	3,000,000
Subtotal En Route Programs	683,690,000	807,390,000
b. Terminal Programs		
Airport Surface Detection Equipment—Model X (ASDE-X)	8,400,000	8,400,000
Terminal Doppler Weather Radar (TDWR)—Provide	5,000,000	5,000,000
Standard Terminal Automation Replacement System (STARS) (TAMR Phase 1)	64,200,000	64,200,000
Terminal Automation Modernization/Replacement Program (TAMR Phase 3)	108,900,000	108,900,000
Terminal Automation Program	7,700,000	7,700,000
Terminal Air Traffic Control Facilities—Replace	58,800,000	58,800,000
ATCT/Terminal Radar Approach Control (TRACON) Facilities—Improve	47,720,000	47,720,000
Terminal Voice Switch Replacement (TVSR)	6,000,000	6,000,000
NAS Facilities OSHA and Environmental Standards Compliance	42,700,000	42,700,000
Airport Surveillance Radar (ASR 9)	4,500,000	4,500,000
Terminal Digital Radar (ASR 11) Technology Refresh and Mobile Airport Surveil- lance Radar (MASR)	6,100,000	6,100,000
Runway Status Lights	4,800,000	4,800,000
National Airspace System Voice System (NVS)	48,400,000	48,400,000
Integrated Display System (IDS)	7,700,000	7,700,000
Remote Monitoring and Logging System (RMLS)	9,900,000	9,900,000
Mode S Service Life Extension Program (SLEP)	37,900,000	37,900,000
Surveillance Interface Modernization	26,800,000	26,800,000
Improved Surface/TFDM Portfolio	42,200,000	42,200,000
National Air Space (NAS) Voice Recorder Program (NVRP)	2,000,000	2,000,000
Integrated Terminal Weather System (ITWS)	1,000,000	1,000,000
Next Generation: Surveillance and Weather Radar Capability & Back-up Surveil- lance Capability	6,000,000	6,000,000
Flight and Interfacility Data Interface (FIDI) Modernization	15,000,000	15,000,000
Subtotal Terminal Programs	561,720,000	561,720,000
c. Flight Service Programs		
Aviation Surface Observation System (ASOS)	10,000,000	10,000,000
Future Flight Services Program	3,000,000	3,000,000
Alaska Flight Service Facility Modernization (AFSFM)	2,650,000	2,650,000
Weather Camera Program	2,200,000	2,200,000
Subtotal Flight Service Programs	17,850,000	17,850,000
d. Landing and Navigational Aids Program		
VHF Omnidirectional Radio Range (VOR) with Distance Measuring Equipment (DME)	7,000,000	7,000,000
Instrument Landing System (ILS)—Establish	7,000,000	7,000,000
Wide Area Augmentation System (WAAS) for GPS	85,000,000	111,600,000
Runway Visual Range (RVR) and Enhanced Low Visibility Operations (ELVO)	6,500,000	6,500,000
Approach Lighting System Improvement Program (ALSIP)	3,000,000	3,000,000
Distance Measuring Equipment (DME)	3,000,000	3,000,000
Visual NAVAIDS—Establish/Expand	2,000,000	2,000,000
Instrument Flight Procedures Automation (IFPA)	9,400,000	9,400,000
Navigation and Landing Aids—Service Life Extension Program (SLEP)	3,000,000	3,000,000
VASI Replacement—Replace with Precision Approach Path Indicator	5,000,000	5,000,000
Runway Safety Areas—Navigational Mitigation	14,000,000	14,000,000
Integrated Control and Monitoring System (ICMS)—NAVAIDS Monitoring Equip- ment	2,000,000	2,000,000
Subtotal Landing and Navigational Aids Programs	146,900,000	173,500,000
e. Other ATC Facilities Programs		
Fuel Storage Tank Replacement and Management	22,700,000	20,700,000
Unstaffed Infrastructure Sustainment	40,490,000	40,490,000

Program	FY 2017 request	Recommendation
Aircraft Related Equipment Program	13,000,000	13,000,000
Airport Cable Loop Systems—Sustained Support	8,000,000	8,000,000
Alaskan Satellite Telecommunications Infrastructure (ASTI)	6,000,000	6,000,000
Facilities Decommissioning	6,200,000	6,200,000
Electrical Power Systems—Sustain/Support	105,000,000	105,000,000
Energy Management and Compliance (EMC)	2,000,000	2,000,000
Child Care Center Sustainment	1,000,000	1,000,000
FAA Telecommunications Infrastructure	10,360,000	10,360,000
System Capacity, Planning, and Improvements	6,500,000	6,500,000
Subtotal Other ATC Facilities Programs	221,250,000	219,250,000
TOTAL ACTIVITY 2	1,631,410,000	1,779,710,000
Activity 3—Non-Air Traffic Control Facilities and Equipment:		
a. Support Equipment		
Hazardous Materials Management	31,000,000	31,000,000
Aviation Safety Analysis System (ASAS)	11,300,000	11,300,000
National Air Space (NAS) Recovery Communications (RCOM)	12,000,000	12,000,000
Facility Security Risk Management	21,000,000	21,000,000
Information Security	24,970,000	24,970,000
System Approach for Safety Oversight (SASO)	17,200,000	17,200,000
Aviation Safety Knowledge Management Environment (ASKME)	4,200,000	4,200,000
Aerospace Medical Equipment Needs (AMEN)	3,000,000	3,000,000
System Safety Management Portfolio	17,000,000	17,000,000
National Test Equipment Program	5,000,000	5,000,000
Mobile Assets Management Program	5,760,000	5,760,000
Aerospace Medicine Safety Information Systems (AMSIS)	12,000,000	12,000,000
Tower Simulation System (TSS) Technology Refresh	3,000,000	3,000,000
Subtotal Support Equipment	167,430,000	167,430,000
b. Training, Equipment and Facilities		
Aeronautical Center Infrastructure Modernization	14,000,000	14,000,000
Distance Learning	1,500,000	1,500,000
Subtotal Training, Equipment and Facilities	15,500,000	15,500,000
TOTAL ACTIVITY 3	182,930,000	182,930,000
Activity 4—Facilities and Equipment Mission Support:		
a. System Support and Services		
System Engineering and Development Support	35,000,000	35,000,000
Program Support Leases	46,600,000	46,600,000
Logistics and Acquisition Support Services	11,000,000	11,000,000
Mike Monroney Aeronautical Center Leases	19,300,000	19,300,000
Transition Engineering Support	24,100,000	24,100,000
Technical Support Services Contract (TSSC)	23,000,000	23,000,000
Resource Tracking Program (RTP)	6,000,000	6,000,000
Center for Advanced Aviation System Development (CAASD)	60,000,000	60,000,000
Aeronautical Information Management Program	10,400,000	10,400,000
Cross Agency NextGen Management	2,000,000	2,000,000
TOTAL ACTIVITY 4	237,400,000	237,400,000
Activity 5—Personnel and Related Expenses:		
Personnel and Related Expenses	489,000,000	486,000,000
Activity 6—Sustain ADS-B services and Wide Area Augmentation Services (WAAS)		
GEOs:		
ADS-B services and WAAS GEOs	150,300,000	* - - -
SUB-TOTAL ALL ACTIVITIES	2,838,000,000	2,838,000,000

*The service support for ADS-B and WAAS GEOs are funded in their respective programmatic lines in Activity 2.

*Alignment of pre-implementation and established programs.—*The Committee notes that the FAA requested funding for Performance Based Navigation and Metroplex Portfolio under Activity 1, even though most of the funding would support activities that are a part of a well-established program and could not be considered

“pre-implementation.” The congressional justifications include important details on complex programs at the FAA, and this material should be presented clearly and accurately. The Committee therefore directs the FAA to ensure that its fiscal year 2018 budget request includes funding for pre-implementation activities only under Activity 1 and for established programs only under Activity 2.

Space-based automatic dependent surveillance-broadcast (ADS-B).—The Committee provides \$27,800,000 for Separation Management Portfolio, a decrease of \$3,700,000 below the fiscal year 2016 enacted level and an increase of \$2,000,000 above the budget request. The increase above the request is provided to advance efforts related to space-based ADS-B to ensure FAA keeps pace with global developments in air traffic technology. The Committee notes that in fiscal years 2015 and 2016, it provided \$22,500,000 to advance FAA’s efforts to integrate space-based ADS-B into the national airspace to ensure FAA keeps pace with global developments in air traffic technology. Of these funds, over \$20,000,000 remains unobligated. The Committee is aware that the FAA is postponing key decisions that will delay its schedule for space-based ADS-B and reduced oceanic aircraft separation. Despite delays by the FAA, the international aviation community is preparing to be able to use space-based ADS-B in 2018. The International Civil Aviation Organization (ICAO) is in the process of approving a 15/15 nautical mile separation standard for oceanic traffic under surveillance for use in 2018, and foreign air navigation service providers (ANSP) in neighboring airspace are taking the necessary steps to implement the ICAO reduced oceanic separation standard in 2018. In order to increase safety and enhance efficiency in US-controlled oceanic airspace in the same timeframe as neighboring ANSPs, the Committee directs the FAA to streamline its current strategy by making a final investment decision expeditiously to implement a 15/15 nautical mile oceanic separation capability and provide this new surveillance capability in the same manner that terrestrial ADS-B surveillance is provided.

Cyber testbed.—The recommendation includes \$11,500,000 for “On Demand NAS Portfolio”, an increase of \$500,000 above the fiscal year 2016 enacted level and a \$3,000,000 increase above the budget request. The Committee directs FAA to use the funds provided above the budget request to continue to develop and implement an integrated Cyber Testbed at the FAA Technical Center to ensure that modernization programs are compliant with FAA data security regulations before entering the national airspace. The testbed will perform active and conceptual threat testing of vulnerabilities of cabin communications, entertainment, and information technology systems on civil passenger aircraft, and will incorporate cybersecurity threat modeling.

Performance-based navigation.—The Committee recognizes that Performance Based Navigation (PBN) is the essential stepping stone to NextGen, and a top investment priority for the NextGen Advisory Committee. However, as the Inspector General has reported, the lack of automated controller tools to manage and sequence aircraft remains a barrier to maximizing benefits from new PBN routes. The Inspector General highlighted that while FAA deployed an automation tool to help controllers optimize PBN oper-

ations at high altitudes, it has not effectively managed the implementation of the tool or made it a priority. Moreover, it is unclear when the new Terminal Sequencing and Spacing Tool can be implemented at the Nation’s most active airports. The Committee directs FAA to provide a report on the automation improvements to-date and actions still needed, as well as the status of deploying the Terminal Sequencing and Spacing tool at the Nation’s most active airports.

Next generation weather radar.—The Committee supports FAA’s efforts to begin analyzing and developing a strategy for replacing radars that are 20 to 40 years old. The Committee recognizes the importance of this effort but it also reflects a down payment on a potentially larger program with significant budgetary implications. The Committee directs the Inspector General to examine whether FAA is effectively leveraging work conducted by other federal agencies to reduce development costs and risk, and how this new radar system fits into FAA’s existing plans for NextGen.

Terminal airport traffic control facilities-replace.—The Committee notes that there are some contract towers that are more than forty years of age, are non-compliant with OSHA standards, and have line of sight issues that adversely affect air traffic control safety. The Committee directs the FAA to conduct assessments of these towers and report back to the Committee within six months of enactment.

Very high frequency (VHF) omni-directional range (VOR) and tactical air navigation (TACAN).—The Committee is aware of efforts underway to address the rationalization and recapitalization of aging en route navigational aids. These systems are critical to the safety, resiliency, and on-going operations of both civilian and military air navigation. The Committee directs FAA to move ahead with the issuance of a request for proposals (RFP) to implement a service based procurement for VHF, VOR, and TACAN systems. The RFP shall be released with the objective of issuing a contract during fiscal year 2017.

Facility decommissioning.—The Committee encourages FAA to remove or relocate any non-directional beacons over fifty years old in which a U.S. County is requesting either its elimination or significant size reduction by replacing the beacon with a modern antenna.

BILL LANGUAGE

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

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2016	\$166,000,000
Budget request, fiscal year 2017	167,500,000
Recommended in the bill	167,500,000
Bill compared with:	
Appropriation, fiscal year 2016	+1,500,000
Budget request, fiscal year 2017	---

This appropriation provides funding for long-term research, engineering, and development programs to improve the air traffic con-

trol system and to raise the level of aviation safety, as authorized by the Airport and Airway Improvement Act and the Federal Aviation Act. The appropriation also finances the research, engineering, and development needed to establish or modify federal air regulations.

COMMITTEE RECOMMENDATION

The Committee recommends \$167,500,000 for FAA's research, engineering, and development programs, which is \$1,500,000 above the enacted level and the same as the budget request.

The Committee recommendation includes the following funding levels for research, engineering, and development programs.

Program	FY 2017 request	FY 2017 House
Fire Research & Safety	7,925,000	7,925,000
Propulsion & Fuel Systems	2,574,000	2,574,000
Advanced Materials /Structural Safety	4,113,000	4,500,000
Aircraft Icing/Digital System Safety/Cyber Security	5,102,000	5,102,000
Continued Air Worthiness	10,269,000	9,269,000
Aircraft Catastrophic Failure Prevention Research	1,528,000	1,528,000
Flightdeck/Maintenance/System Integration Human Factors	8,513,000	7,044,000
Safety System Management/Terminal Area Safety	7,000,000	7,000,000
Air Traffic Control/Technical Operations Human Factors	6,165,000	5,539,000
Aeromedical Research	9,538,000	8,467,000
Weather Research	17,976,000	16,500,000
Unmanned Aircraft Systems Research	8,422,000	13,422,000
NextGen—Alternative Fuels for General Aviation	5,792,000	7,000,000
Commercial Space Transportation Safety	2,953,000	2,000,000
Total Safety	97,870,000	97,870,000
NextGen—Wake Turbulence	8,609,000	8,609,000
NextGen—Air Ground Integration	8,575,000	8,575,000
NextGen—Weather Technology in the Cockpit	4,059,000	4,059,000
NextGen—Information Security	1,000,000	1,000,000
Total Economic Competitiveness	22,243,000	22,243,000
Environment & Energy	15,013,000	15,013,000
NextGen Environmental Research—Aircraft Technologies, Fuels and Metrics	26,174,000	26,174,000
Total Environmental Sustainability	41,187,000	41,187,000
System Planning and Resource Management	2,788,000	2,788,000
WJHTC Lab Facilities	3,412,000	3,412,000
Total Mission Support	6,200,000	6,200,000
Total	167,500,000	167,500,000

Advanced material/structural integrity safety.—The Committee recommendation includes \$4,500,000 for Advanced Material/Structural Integrity Safety, a decrease of \$2,909,000 below the fiscal year 2016 enacted level and an increase of \$387,000 above the budget request.

Additive manufacturing.—The Committee is aware that products created through additive manufacturing processes have entered commercial use. As industry moves towards manufacturing safety-critical products through additive processes, the Committee encourages FAA to undertake basic and applied research to fully assess the safety and certification aspects of this new technology.

Unmanned aircraft systems research.—The Committee provides \$13,422,000 for Unmanned Aircraft Systems Research, a decrease of \$4,213,000 below the fiscal year 2016 enacted level and an in-

crease of \$5,000,000 above the budget request. The Committee directs FAA to use the NextGen integrated laboratories, in partnership with NASA laboratories, to provide for proofs of concept supporting the integration of UAS into the national airspace (NAS). This effort will ensure interoperability with NAS systems through the Unmanned Traffic Management system, which will create an air traffic control network for UAS that will have the capability to communicate with existing NAS infrastructure.

NextGen—alternative fuels for general aviation.—The Committee provides \$7,000,000 for NextGen—Alternative Fuels for General Aviation, the same as the enacted level and an increase of \$1,208,000 above the budget request.

GRANTS IN AID FOR AIRPORTS
(LIMITATION ON OBLIGATIONS)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2016	\$3,600,000,000	\$3,350,000,000
Budget request, fiscal year 2017	3,500,000,000	2,900,000,000
Recommended in the bill	3,750,000,000	3,350,000,000
Bill compared to:		
Appropriation, fiscal year 2016	+150,000,000	-- --
Budget request, fiscal year 2017	+250,000,000	+450,000,000

The bill includes a liquidating cash appropriation of \$3,750,000,000 for grants-in-aid for airports, authorized by the Airport and Airway Improvement Act of 1982, as amended, which is \$150,000,000 above the fiscal year 2016 level and \$250,000,000 above the budget request. This funding provides for liquidation of obligations incurred pursuant to contract authority and annual limitations on obligations for grants-in-aid for airport planning and development, noise compatibility and planning, the military airport program, reliever airports, airport program administration, and other authorized activities.

LIMITATION ON OBLIGATIONS

The bill includes a limitation on obligations of \$3,350,000,000 for fiscal year 2017, which is the same as the fiscal year 2016 enacted level and \$450,000,000 above the budget request.

Regulatory compliance.—The Committee is concerned about the findings of the 2013 Airport Cooperative Research Program report entitled, “Impact of Regulatory Compliance Costs on Small Airports.” The Committee directs FAA to develop a plan to implement the report’s recommendations and report back to Congress within 180 days of enactment.

Unmanned aircraft systems airports detection and mitigation technology.—The Committee directs the FAA Administrator, not later than 60 days after enactment, to establish a pilot program at three airports to deploy and evaluate counter-UAS detection and mitigation technologies that can locate and track unmanned aircraft and the ground operator while not interfering with existing airport operations, navigation, and communications systems. The pilot should demonstrate technologies that cannot be disabled or overridden by a UAS operator, or be dependent on the UAS manu-

facturer or operator for detection compliance. The Committee directs FAA to provide a report on the pilot project findings no later than 180 days after enactment.

Noise insulation.—The Committee is concerned that FAA’s current criteria restricts eligibility for federally funded sound insulation and limits one of the most important tools that airports have to address community concerns about noise impacts. The Committee encourages FAA to reevaluate its current criteria and provide airports with flexibility to expand eligibility where appropriate, and permit second round insulation to account for subsequent improvements in technology.

ADMINISTRATION AND RESEARCH PROGRAMS

Airport administrative expenses.—Within the overall obligation limitation, the bill includes \$107,691,000 for the administration of the airports program by the FAA. This funding level is \$591,000 above the fiscal year 2016 enacted level and the same as the budget request.

Airport cooperative research program (ACRP).—The recommendation includes \$15,000,000, which is the same as the fiscal year 2016 enacted level and the budget request. The ACRP identifies shared problem areas facing airports that can be solved through applied research but are not adequately addressed by existing federal research programs.

Airport technology research.—The Committee recommendation includes a minimum of \$31,375,000 for the FAA’s airport technology research program, which is \$375,000 above the enacted level and the same as the budget request. The funds provided for this program are utilized to conduct research in the areas of airport pavement; airport marking and lighting; airport rescue and firefighting; airport planning and design; wildlife hazard mitigation; and visual guidance.

Tarmac Vehicle Safety.—The Committee notes that there is no national standard that requires marking on airport vehicles and equipment that operate in busy night time conditions. The Committee directs the FAA to study one large hub airport, one medium hub airport and one small hub airport to determine whether national standards for conspicuity of surface vehicles operating at the airports are necessary. The FAA is directed to report to the House and Senate Committees on Appropriations its finding and recommendations no later than one year after enactment of this Act.

BILL LANGUAGE

Runway incursion prevention systems and devices.—Consistent with prior year appropriations Acts, the bill allows funds under this limitation to be used for airports to procure and install runway incursion prevention systems and devices.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110. The Committee retains a provision limiting the number of technical work years at the Center for Advanced Aviation Systems Development to 600 in fiscal year 2017.

Section 111. The Committee retains a provision prohibiting FAA from requiring airport sponsors to provide the agency 'without cost' building construction, maintenance, utilities and expenses, or space in sponsor-owned buildings, except in the case of certain specified exceptions.

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

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

Section 114. The Committee continues a provision prohibiting FAA from paying Sunday premium pay, except in those cases where the individual actually worked on a Sunday.

Section 115. The Committee continues a provision prohibiting FAA from using funds to purchase store gift cards or gift certificates through a government-issued credit card.

Section 116. The Committee continues a provision that requires approval from the Deputy Assistant Secretary for Administration of the Department of Transportation for retention bonuses for any FAA employee.

Section 117. The Committee continues a provision that requires the Secretary to block the display of an owner or operator's aircraft registration number in the Aircraft Situational Display to Industry program, upon the request of an owner or operator.

Section 118. The Committee continues a provision that limits the number of FAA political appointees to 9.

Section 119. The Committee continues a provision that prohibits funds for any increase in fees for navigational products until FAA has reported a justification for such fees to the House and Senate Committees on Appropriations.

Section 119A. The Committee continues a provision that requires FAA to notify the House and Senate Committees on Appropriations at least 90 days before closing a regional operations center or reducing the services it provides.

Section 119B. The Committee continues a provision prohibiting funds to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

FEDERAL HIGHWAY ADMINISTRATION

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

LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2016	\$429,000,000
Budget request, fiscal year 2017	435,795,000
Recommended in the bill	435,795,000
Bill compared with:	
Appropriation, fiscal year 2016	+6,795,000
Budget request, fiscal year 2017	--

The limitation on administrative expenses caps the amount, from within the limitation on obligations, that FHWA may spend on salaries and expenses necessary to conduct and administer the federal-aid highway program, highway-related research, and most other federal highway programs.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on FHWA administrative expenses of \$435,795,000, including \$3,248,000 transferred to the Appalachian Regional Commission. The recommendation is \$6,795,000 above the enacted level, and the same as the budget request.

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

[In thousands of dollars]

Program	Fiscal year 2016 enacted	Fiscal 2017 request ¹	Recommended
Federal-aid highways (obligation limitation)	42,361,000	50,766,100	43,266,100
Exempt contract authority	739,000	739,000	739,000
Rescission of contract authority	0	- 2,436,000	0
Total program level	43,100,000	49,069,100	44,005,100

¹ Includes \$7,500,000 requested for new programs called 21st Century Clean Transportation Plan Investments.

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

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

Programs included within the federal-aid highways program are financed from the highway trust fund. The federal-aid highways program is funded by contract authority, and liquidating cash appropriations are subsequently provided to fund outlays resulting from obligations incurred under contract authority. The Committee

sets, through the annual appropriations process, an overall limitation on the total contract authority that can be obligated under the program in a given year.

COMMITTEE RECOMMENDATION

The Committee recommends a total program level of \$44,005,100,000 for the activities of FHWA in fiscal year 2017. This amount is \$905,100,000 above the fiscal year 2016 enacted level and \$5,064,000,000 below the budget request. Included within the recommended amount is an obligation limitation of \$43,266,100,000 and \$739,000,000 in contract authority that is exempt from the obligation limitation.

Right-of-way advertising revenue study.—Not later than one year after the date of enactment of this Act, FHWA shall report to the House and Senate Committees on Appropriations on opportunities for, and impediments to, permitting states to allow advertising in the form of logos on the back of highway signs in highway rights-of-way as a means to generate state revenue. Such report shall identify applicable statutory and regulatory provisions, design issues, and safety considerations.

Highway guide sign fonts.—In early 2016, FHWA notified state transportation agencies of its intention to rescind approval for the use of an alternate font on highway guide signs. The decision was made without adequate public consideration and input, and immediately impacted an estimated 26 states that had been given prior approval for alternate font use as a safe way to communicate with the traveling public. FHWA is directed to suspend enforcement of actions terminating the interim approval of this alternate font for highway guide signs until the agency provides an opportunity for public comment on this matter, and documents the safety and cost implications of this decision for affected states. FHWA is directed within 30 days of enactment of this Act to brief the House and Senate Committees on Appropriations regarding the process it will undertake to receive public comment.

Corrosion prevention.—The Committee directs FHWA to conduct a study comparing the cost-effectiveness of industry-recognized corrosion prevention worker certifications on Federally-funded corrosion prevention bridge and overpass projects. The study shall compare no less than twelve currently obligated projects preserving the structure of bridges using corrosion prevention and mitigation systems, including at least six projects that utilize an industry recognized corrosion prevention worker standard, and no less than six similar projects that do not use an industry recognized worker standard. The study shall include a comparison of the time to complete projects, initial quality control reports, and budgetary overruns. FHWA shall submit the results from its study in a report to the House and Senate Committees on Appropriations no more than two years after the date of enactment of this Act.

Innovative engineering and design approaches.—The Committee understands that pavement design requires continuous improvement and that Pavement ME Design is the next generation of pavement design software based upon the national cooperative highway research program's mechanistic-empirical pavement design guide. Other innovative approaches such as project level life-

cycle cost analysis help to identify best value solutions with the desired performance at the lowest cost over the project's life. With limited funding available for transportation projects, it is imperative that the Department promote the most efficient use of federal funding. The Committee directs the Secretary to treat Pavement ME Design combined with life-cycle cost analysis as eligible under subsection 120(c) of title 23, United States Code as an innovative engineering and design approach that will both optimize the design and lower the cost of projects. FHWA shall issue guidance to division offices and State departments of transportation on this eligibility.

Bridge and structure product and technology innovations clearing house.—The Committee directs the Department to facilitate implementation of new and advanced transportation infrastructure by promoting and advancing new products and innovations related to highway bridges and structures. Unfortunately, the mainstreaming of new innovations within the surface transportation communities is a lengthy, complex, and difficult process. As part of this action, the Committee directs the Department to serve as clearing house for new innovations by providing a specific location for bridge and structure stakeholders to find technically robust and unbiased information and reports that evaluate innovations and accelerate acceptance and implementation of new bridge and structure materials and technologies.

Autonomous vehicle technology.—The Committee recognizes the rapid pace at which autonomous vehicle technology is developing, and is interested in validating the safety of the new technology. To help facilitate the deployment and safety testing of autonomous vehicles, the Committee encourages the Secretary to solicit applications under the advanced transportation and congestion management technologies deployment program for autonomous vehicle projects to test the feasibility of deployment through geographically contained ridesharing pilot programs. In reviewing applications, the Secretary should consider the extent to which applicants propose to include the gathering and sharing of critical safety data with the government and the extent to which applicants propose to test the benefits of the technology with groups that might otherwise have limited transportation options, such as older people who no longer drive, those with disabilities, or those with no driver's license.

Geosynthetic reinforced soil-integrated bridge system program.—The Committee supports continuing the geosynthetic reinforced soil-integrated bridge system program including research and deployment to capitalize on investments in the program. The Committee encourages FHWA to fund research to address development of technical specifications for segmental facing material durability, connections between geosynthetics and segmental facing materials in retaining walls, including bridge abutments, segmental unit sound barriers, and scour countermeasures in erosion control systems. The Committee encourages FHWA to complete currently planned cost studies of geosynthetic-reinforced soil abutments and to prepare and distribute reports to state DOTs to enhance state and local application. The Committee encourages FHWA to use

demonstration grants to deploy innovations in geosynthetics and segmental retaining walls.

Permeable pavements.—The Committee encourages the Secretary to accelerate research, demonstration, and deployment of permeable pavements to achieve flood mitigation, pollutant reduction, stormwater runoff reduction, and conservation. Projects may include roadway shoulder load testing and documenting life-cycle cost efficiency.

Recycled materials.—Recycled materials help the environment and provide a cost-effective alternative. Section 1428 of the Fixing America's Surface Transportation Act (FAST Act) requires the Secretary to encourage use of durable and sustainable materials. The Committee encourages FHWA to fulfill these objectives and to consider working collaboratively with the Expert Task Group, the American Association of State Highway and Transportation Officials, and industry stakeholders in developing revised standards that allow for the maximum use of recycled materials without detrimental impact to life-cycle cost.

Advanced composite bridge technologies.—The Committee supports FHWA's efforts to improve the safety, efficiency, reliability, and performance of transportation infrastructure. It also notes the growing need to accelerate adoption of best practices, technologies, and materials that lead to faster construction and cost-effective rehabilitation of bridges. The Committee encourages the Department to support the demonstration and deployment of advanced composite materials in bridge replacement and rehabilitation.

Federally-owned bridges.—The Committee recognizes that there are a number of infrastructure projects owned solely by the federal government that are in serious need of repair. The Committee strongly encourages the Department to give the highest priority to grant applications for federal infrastructure projects which serve the greatest purpose in terms of public use. The attributes of infrastructure projects that should be given the highest priority must include, but should not be limited to, high rates of traffic, facilitation of regional traffic patterns, proximity to major metropolitan areas, facilitation of interstate commerce, accessibility to and from major metropolitan areas, and national security purpose including evacuation. Other attributes—such as projects which link states, federal districts, national parks, or territories to other major national monuments and parks—should also be considered.

Transportation infrastructure and military installations.—Since the passage of the Federal-Aid Highway Act of 1956 (P.L. 84-627), investments in transportation infrastructure have been directly tied to supporting national defense. Access to and from military installations continues to impact operations and local communities. The Committee strongly encourages the Secretary to work with the Secretary of Defense to assess the transportation infrastructure that supports access to and from domestic military installations and to develop a strategy for addressing opportunities to improve base access and egress, impact on the local community, and national security.

Streamlining of environmental impact reviews.—The Committee recognizes the efforts by the Department to implement the updated FAST Act provisions designed to streamline environmental impact

review processes, and encourages the Department to continue efforts to work cooperatively with federal and state agencies. The Committee urges the Department to continue participating in the facilitation of environmental impact process improvements for regional and national transportation projects, to coordinate with relevant federal agencies, state and local governments, and other public interest groups, and to periodically provide updates on the progress of such activities.

Critical commerce corridors.—The Committee believes critical commerce corridors, an authorized use of funds in the nationally significant freight and highway projects program, can improve our economic efficiency, reduce travel times, and promote safe travel on our nation’s roads and highways. These corridors include existing highways where a barrier physically separates lanes dedicated to heavy commercial trucks from lanes dedicated to passenger vehicles. The Committee encourages DOT to strongly consider applications for the creation of critical commerce corridors when awarding grants to individual states.

Transportation Infrastructure Finance and Innovation Act (TIFIA) program.—The Committee notes the significant role of TIFIA credit assistance in expanding the capacity of the federal-aid highways program to deliver projects. The Committee encourages the Department to fully obligate amounts available for credit assistance and to complete new credit agreements with eligible project sponsors in a timely manner.

Modeling and simulation technology.—The utilization of modeling and simulation technology can save taxpayer dollars and can more efficiently design, build, operate and maintain our nation’s infrastructure. The Department should utilize modeling and simulation technology to analyze highway and public transportation projects to ensure that these projects will increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts cost effectively.

Freight transportation projects.—The Committee encourages the Secretary to give priority consideration to projects that advance exports and imports, increase the efficiency of national and international freight movement, promote economic growth on a regional and national basis, and increase employment.

Border state infrastructure.—The Department of Transportation shall encourage states using federal funds designated for border state infrastructure to ensure participation of city and county governments along the U.S.-Mexico border in project selection processes.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2016	\$43,100,000,000
Budget request, fiscal year 2017 ¹	51,505,100,000
Recommended in the bill	44,005,100,000
Bill compared with:	
Appropriation, fiscal year 2016	+905,100,000
Budget request, fiscal year 2017	–7,500,000,000

¹Includes \$7,500,000,000 requested for a new program called 21st Century Clean Transportation Plan Investments.

COMMITTEE RECOMMENDATION

The Committee recommends a liquidating cash appropriation of \$44,005,100,000, which is \$905,100,000 above the enacted level and \$7,500,000,000 below the budget request. This is the amount required to pay the outstanding obligations of the highway program at levels provided in this Act and prior appropriations Acts.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Section 120 distributes obligation authority among federal-aid highway programs. The provision has been updated to be consistent with changes to the underlying authorizing statute.

Section 121 credits funds received by the Bureau of Transportation Statistics to the Federal-Aid Highways account.

Section 122 provides requirements for any waiver of the Buy America Act.

Section 123 requires congressional notification before the Department provides credit assistance under the TIFIA program.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

The Federal Motor Carrier Safety Administration (FMCSA) was established within the Department of Transportation (DOT) by Congress through the Motor Carrier Safety Improvement Act of 1999. FMCSA’s mission is to promote safe commercial motor vehicle operations and reduce truck and bus crashes. FMCSA works with federal, state, and local entities, the motor carrier industry, highway safety organizations, and the public to further its mission.

FMCSA resources are used to prevent and mitigate commercial vehicle accidents through regulation, enforcement, stakeholder training, technological innovation, and improved information systems. FMCSA also is responsible for enforcing federal motor carrier safety and hazardous materials regulations for all commercial vehicles entering the United States along its southern and northern borders.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2016	\$267,400,000	(\$267,400,000)
Budget request, fiscal year 2017 ¹	427,200,000	(427,200,000)
Recommended in the bill	277,200,000	(277,200,000)
Bill compared with:		
Appropriation, fiscal year 2016	+9,800,000	(+9,800,000)
Budget request, fiscal year 2017	– 150,000,000	(– 150,000,000)

¹ Includes \$150,000,000 requested for new programs called 21st Century Clean Transportation Plan Investments.

This limitation controls FMCSA spending on salaries, operating expenses, and research. It provides resources to support motor carrier safety program activities and to maintain the agency’s administrative infrastructure. This funding supports nationwide motor

carrier safety and consumer enforcement efforts, including the Compliance, Safety, and Accountability Program, regulation and enforcement of freight transport, and federal safety enforcement at the U.S. borders. These resources also fund regulatory development and implementation, information management, research and technology, grants to state and local partners, safety education and outreach, and the safety and consumer telephone hotline.

COMMITTEE RECOMMENDATION

The Committee recommends \$277,200,000 in liquidating cash for motor carrier safety operations and programs. The Committee also recommends limiting obligations from the highway trust fund to \$277,200,000 for motor carrier safety operations and programs in fiscal year 2017. These levels are \$9,800,000 above the fiscal year 2016 enacted level and \$150,000,000 below the budget request.

The Committee continues bill language specifying funding amounts for the research and technology program available until September 30, 2019.

Bus lease and interchange rule.—On March 16, 2016, FMCSA announced it was extending the compliance date for its final rule concerning the lease and interchange of passenger carrying motor vehicles based on issues raised in numerous petitions for reconsideration. The Committee directs FMCSA to expeditiously complete its review and modify the rule to resolve the issues raised, and ensure the rule appropriately targets unsafe passenger carriers without unduly interfering in compliant business operations. If FMCSA is unable to effect a modification of the rule by January 2018, the Committee expects FMCSA to grant an additional extension until the rule can be modified.

Commercial permitting and licensing.—The Committee recognizes security concerns exist regarding licensing of commercial drivers and issuing commercial learner's permits. However, the demand for commercial truck drivers continues to rise. The Committee encourages FMCSA to work with the states and industry on balancing the mitigation of security concerns with the needs of the commercial driving workforce and industry.

The FMCSA shall deliver a report to the House and Senate Committees on Appropriations within 90 days of enactment on the history of domicile requirements for commercial drivers, including requirements for military personnel stationed outside of their home state, the feedback and concerns posed by states and other stakeholders, and the potential for improvements to domicile requirements for commercial permitting and licensing.

The Committee recognizes the commercial driving industry faces workforce shortfalls. In an effort to minimize unnecessary barriers to entry to the commercial driving industry, the Committee directs FMCSA to evaluate the merits of a pilot program for permitting states to license drivers 18 to 21 years old, and report recommendations to the House and Senate Committees on Appropriations within 180 days of enactment. As part of this evaluation, FMCSA shall gather input from states on a pilot program.

Natural gas vehicles.—The Secretary is encouraged to assess new developments and advances with respect to natural gas vehicles, to oversee implementation of new safety regulations for liquefied nat-

ural gas fuel tanks and fuel systems on commercial motor vehicles, to revise and update regulations for compressed natural gas (CNG) cylinders, including inspection requirements for such cylinders, to issue guidelines on the ability of bus manufacturers to deploy transit buses that have roof-top mounted CNG cylinders, and to clarify through guidance that rules restricting alternative fuel vehicle access to bridges and tunnels should not be any more restrictive than those addressing gasoline and diesel fueled vehicles.

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

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2016	\$313,000,000	(\$313,000,000)
Budget request, fiscal year 2017	367,000,000	(367,000,000)
Recommended in the bill	367,000,000	(367,000,000)
Bill compared with:		
Appropriation, fiscal year 2016	+54,000,000	(+54,000,000)
Budget request, fiscal year 2017	---	---

FMCSA's motor carrier safety grants are used to support compliance reviews in the states, identify and apprehend traffic violators, conduct roadside inspections, and conduct safety audits of new entrant carriers. Additionally, grants are provided to states for safety enforcement at the U.S. borders, improvement of state commercial driver's license oversight activities, and improvements in linking states' motor vehicle registration systems and carrier safety data.

COMMITTEE RECOMMENDATION

The Committee recommends \$367,000,000 in liquidating cash for this program, as well as a \$367,000,000 limitation on obligations, in fiscal year 2017. These levels are \$54,000,000 above the fiscal year 2016 enacted level and the same as the budget request.

The Committee recommends the following obligation limitations for grants funded under this account:

Motor carrier safety assistance program	(\$292,600,000)
High priority activities program	(42,200,000)
Commercial motor vehicle operator grants program	(1,000,000)
Commercial driver's license program implementation program	(31,200,000)

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION

Section 130 subjects the funds appropriated in this Act to certain terms and conditions regarding Mexican-domiciled motor carriers.

Section 131 requires FMCSA to send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or some other manner of delivery that records receipt of the notice by the persons responsible for the violations.

Section 132 suspends enforcement of changes made to the restart provisions of the hours of service regulation that went into effect

on July 1, 2013, and clarifies congressional intent that DOT shall continue to enforce the restart provisions that were in effect prior to those changes.

Section 133 prohibits funds from being used for a wireless roadside inspection program until 180 days after the Secretary makes specific certifications to the House and Senate Committees on Appropriations.

Section 134 clarifies the preemption of state and local laws and regulations by federal laws and regulations related to motor carrier driver hours of service, and makes such preemption retroactive to the date of enactment of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305).

Section 135 prohibits funds from being used to amend, revise, or otherwise modify safety fitness determination regulations until certain conditions are met.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The National Highway Traffic Safety Administration (NHTSA) was established in March of 1970 to administer motor vehicle and highway safety programs. It was the successor agency to the National Highway Safety Bureau, which was housed in the Federal Highway Administration.

NHTSA's mission is to save lives, prevent injuries, and reduce economic costs due to road traffic crashes through education, research, safety standards, and enforcement activity. To accomplish these goals, NHTSA establishes and enforces safety performance standards for motor vehicles and motor vehicle equipment, investigates safety defects in motor vehicles, and conducts research on driver behavior and traffic safety.

NHTSA provides grants and technical assistance to state and local governments to enable them to conduct effective local highway safety programs. Together with state and local partners, NHTSA works to reduce the threat of drunk, impaired, and distracted drivers, and to promote policies and devices with demonstrated safety benefits including helmets, child safety seats, airbags, and graduated licenses.

NHTSA establishes and ensures compliance with fuel economy standards, investigates odometer fraud, establishes and enforces vehicle anti-theft regulations, and provides consumer information on a variety of motor vehicle safety topics.

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$918,327,000 for NHTSA, which is \$49,295,000 above the fiscal year 2016 enacted level and \$262,945,000 below the budget request.

The following table summarizes the Committee's recommendations:

	2016 enacted	2017 request	Committee recommendation
Operations and research (general fund and highway trust fund)	\$295,700,000	¹ \$595,900,000	\$332,955,000
Highway traffic safety grants (highway trust fund)	573,332,000	585,372,000	585,372,000
Total	869,032,000	1,181,272,000	918,327,000

¹ Includes \$200,000,000 requested for new programs called 21st Century Clean Transportation Plan Investments.

The Committee recommends funding levels that provide NHTSA with sufficient resources to continue its critical work improving the safety of passenger travel on the nation's highway system.

OPERATIONS AND RESEARCH
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

	(General fund) ¹	(Highway trust fund) ²	Total
Appropriation, fiscal year 2016	\$152,800,000	\$142,900,000	\$295,700,000
Budget request, fiscal year 2017	250,000,000	345,900,000	595,900,000
Recommended in the bill	187,055,000	145,900,000	332,955,000
Bill compared to:			
Appropriation, fiscal year 2016	+34,255,000	+3,000,000	+37,255,000
Budget request, fiscal year 2017	-62,945,000	-200,000,000	-262,945,000

¹ For comparison purposes, the table does not reflect the budget proposal to fund all of NHTSA's Operations and Research activities with mandatory budget authority.

² Request includes \$200,000,000 for autonomous vehicle development that is within new programs called 21st Century Clean Transportation Plan Investments.

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

COMMITTEE RECOMMENDATION

The Committee recommends \$332,955,000, which is \$37,255,000 above the fiscal year 2016 enacted level and \$262,945,000 below the budget request. Of this total, \$187,055,000 is from the general fund for operations and vehicle safety research, and \$145,900,000 is from the highway trust fund for operations and behavioral highway safety research. The Committee rejects the request to fund vehicle safety activities out of the highway trust fund rather than the general fund. The recommendation includes a \$24,000,000 increase for safety defects investigation, a \$7,200,000 increase for vehicle electronics and emerging technologies, and \$3,000,000 to fund grants to States that use their vehicle registration process to notify vehicle owners and lessees of any open recalls on their vehicles as authorized under Section 24105 of the FAST Act (Pub. L. 114-94).

Office of safety defects investigations.—The office of safety defects investigation (ODI) enhances safety by allowing NHTSA to investigate motor vehicles and motor vehicle equipment for possible defect trends, and where appropriate, seek recalls of vehicles and equipment that pose an unreasonable safety risk. The multiple deadly automobile equipment failure crises, which have occurred in

recent years, underscore the importance of a robust defect investigation and recall capability. To support improvements in this area, the Committee recommendation provides a significant increase in resources for ODI to enhance and expand this critical function, and to ensure NHTSA remains on track to not only implement, but also sustain all DOT Office of the Inspector General (OIG) recommendations from the 2011, 2015, and 2016 ODI audit reports. The Committee expects ODI to expand stakeholder outreach for the reporting of potential safety problems, to significantly enhance data gathering and analysis capabilities, and to promptly resolve and respond to safety investigation petitions. The Committee directs NHTSA to report to the House and Senate Committees on Appropriations within 30 days of enactment with a detailed 2017 expenditure plan for ODI that also includes an assessment of its implementation of all OIG audit recommendations. The Committee further directs the OIG to continue to assess NHTSA's progress in implementation of its recommendations for ODI and to report to the House and Senate Committees on Appropriations within 90 days of enactment of this Act on the agency's progress.

Vehicle electronics and emerging technology.—As vehicle safety features like autonomous driving continue to advance, it is imperative that NHTSA have a clear understanding of these new technologies and related cybersecurity issues. Understanding how technology advances are evolving and converging will ensure that consumers, regulators, and safety advocates are best able to navigate and implement new vehicle capabilities. To forward this understanding, the Committee recommendation provides \$10,800,000 for vehicle electronics and emerging technologies research, a \$7,200,000 increase above the fiscal year 2016 enacted level.

Vehicle safety rulemaking safety standards support.—NHTSA's vehicle safety rulemaking safety standards support is funded at the request. This funding will allow NHTSA to provide the technical support needed to develop motor vehicle safety standards, including implementation of the provisions of the Tire Efficiency, Safety, and Registration Act of 2015 that were included in the FAST Act. Funding will support the planning, infrastructure, and outreach to support the electronic registration of tires by independent dealers, as well as facilitate a publicly available tire identification number search application.

Highway-rail grade crossing safety.—NHTSA has vast experience in addressing driver behaviors that threaten highway safety. Highway-rail grade crossings pose a major risk to highway safety and are an ongoing challenge for the safety community. Eliminating the most hazardous grade crossings will help reduce the risk to automobile and train passengers. The Committee urges NHTSA to work with states to target resources toward the most hazardous crossings. Additionally, increased public awareness will help educate drivers on the dangers of entering active highway-rail grade crossings. Therefore, the Committee provides \$6,500,000 for NHTSA to develop a high visibility enforcement paid-media campaign in the area of highway-rail grade crossing safety. The Committee directs NHTSA to coordinate these resources with the media on other highway safety campaigns, and to work collaboratively with the

Federal Railroad Administration on the campaign’s message development.

Marijuana-impaired driving study.—The Committee directs the National Highway Traffic Safety Administration, in coordination with the National Institute on Drug Abuse and other related agencies, to conduct a study of marijuana-impaired driving to fulfill the requirement of Section 4008 of the Funding America’s Surface Transportation Act (Public Law 114–94). The study shall examine methods to detect marijuana impaired driving, including devices capable of measuring marijuana levels in motor vehicle operators, impairment standards research for driving under the influence of marijuana, methods to differentiate the cause of driving impairment between alcohol and marijuana, state-based policies on marijuana impaired driving, and the role and extent of marijuana impairment in motor vehicle accidents.

Plastics and polymer-based composite materials.—The Committee recognizes the importance that plastics and polymer composites play in reducing vehicle weight. They provide vehicle manufacturers with innovative tools to reduce fuel consumption and, by association, vehicle emissions, including air toxics and greenhouse gases. As manufacturers plan for future fleets, composite materials offer benefits for meeting new targets established under NHTSA’s recent vehicle fuel efficiency rules. At the same time, the Committee recognizes that composite manufacturing is a new and growing industry, providing highly skilled jobs in the automotive industry. The Committee directs NHTSA’s vehicle safety research program to accelerate the advancement of the state of the art for computer modeling of advanced plastics and polymer composites, including testing and evaluation techniques, while validating the safety performance of plastics and polymer composites in structural applications for the automotive industry in fiscal year 2017. 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 light-weight automotive design.

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

	Liquidation of contract authorization	Limitation on obligation
Appropriation, fiscal year 2016	\$573,332,000	(\$573,332,000)
Budget request, fiscal year 2017	585,372,000	(585,372,000)
Recommended in the bill	585,372,000	(585,372,000)
Bill compared with:		
Appropriation, fiscal year 2016	+12,040,000	+(12,040,000)
Budget request, fiscal year 2017	---	---

The highway traffic safety state grant programs authorized under the FAST Act include: Highway Safety Programs, the National Priority Safety Programs, and the High Visibility Enforcement Program.

These grant programs provide resources to states for highway safety programs that are data-driven and that meet states' most pressing highway safety problems. They are a critical asset in reducing highway traffic fatalities and injuries.

COMMITTEE RECOMMENDATION

The Committee recommends \$585,372,000 in liquidating cash from the highway trust fund to pay outstanding obligations of the highway safety grant programs at the levels provided in this Act and prior appropriations Acts. The Committee also recommends limiting the obligations from the highway trust fund in fiscal year 2017 for the highway traffic safety grants programs to \$585,372,000. These levels are \$12,040,000 above the fiscal year 2016 enacted level and the same as the budget request. The recommendation includes \$5,494,000 for the driver alcohol detection system for safety (DADSS) program, which funds in-vehicle alcohol detection device research.

The Committee recommends the following funding allocations for grant programs:

Highway safety programs (section 402)	(\$252,300,000)
National priority safety programs (section 405)	(277,500,000)
High visibility enforcement program	(29,500,000)
Administrative expenses	(26,072,000)

Driver alcohol detection system for safety (DADSS).—The FAST Act includes a total of \$21,248,000 million through fiscal year 2020 for the ongoing advanced drunk driving detection technology program known as DADSS. The DADSS program is an ambitious public-private research effort to develop a publicly-acceptable and commercially-viable technology that will prevent a drunk driver (at or over 0.08 BAC) from operating a vehicle. Technology development progress to date was demonstrated at DOT headquarters in June 2015. The accompanying bill includes \$5,494,000 for continued research, the amount requested by NHTSA for fiscal year 2017. In light of the significant life-saving potential of the program, approximately 7,000 lives annually, the Committee urges NHTSA to take steps to accelerate the program, including additional support from the auto industry partners in this activity.

Safety promotional materials.—For the purpose of federal grants administered by NHTSA, safety equipment purchased for traffic safety educational trainings, such as child car seats, bicycle helmets and lights, and reflective vests, shall not be considered promotional materials or memorabilia.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Section 140 provides limited funding for travel and related expenses associated with state management reviews and highway safety core competency development training.

Section 141 exempts from the current fiscal year's obligation limitation any obligation authority that was made available in previous public laws.

Section 142 prohibits funding for the national roadside survey and further prohibits NHTSA from funding other roadside surveys.

Section 143 prohibits funds from being used to mandate global positioning system tracking without providing full and appropriate consideration of privacy concerns under 5 U.S.C. Chapter 5, subchapter II.

FEDERAL RAILROAD ADMINISTRATION

The Federal Railroad Administration (FRA) was established by the Department of Transportation Act, on October 15, 1966. The FRA plans, develops, and administers programs and regulations to promote the safe operation of freight and passenger rail transportation in the United States. The U.S. railroad system consists of over 650 railroads with 200,000 freight employees, 171,000 miles of track, and 1.35 million freight cars. In addition, the FRA continues to oversee grants to the National Railroad Passenger Corporation (Amtrak) with the goal of assisting Amtrak with improvements to its passenger service and physical infrastructure.

SAFETY AND OPERATIONS

Appropriation, fiscal year 2016	\$199,000,000
Budget request, fiscal year 2017	213,298,000
Recommended in the bill	207,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+8,000,000
Budget request, fiscal year 2017	-6,298,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$207,000,000 for safety and operations, which is \$8,000,000 above the fiscal year 2016 enacted level and \$6,298,000 below the budget request. Of the amount provided under this heading, \$15,900,000 is available until expended. The recommended level fully funds personnel provided in fiscal year 2016, and does not provide additional positions in fiscal year 2017.

Nationwide bridge safety.—The Committee is concerned about increasing traffic volume and load traveling over aging bridges. In 2010, FRA issued a bridge safety standards rule requiring railroad track owners to implement bridge management programs that include procedures for determining bridge load capacities and inspecting bridges. An IG audit published April 21, 2016, revealed significant gaps in FRA's leadership, management, and oversight of track owner's compliance with bridge safety standards. It found that FRA did not have a comprehensive list of track owners that must comply with bridge standards, had not developed guidance on prioritization of track owners for bridge safety reviews, and did not have guidance for its specialists on conducting bridge safety reviews. In addition, it did not have guidance on how to track and follow up on non-compliance and recommend civil penalties.

The Committee notes that FRA concurred with and is addressing each of the IG's recommendations. Implementation of these improvements will allow FRA to ensure effective deployment of over-

sight resources to the highest risk track owners and ensure its specialists appropriately address all safety issues.

To advance this effort, the Committee's recommendation includes \$500,000 for a nationwide bridge inventory. These funds will allow FRA to create a web-based portal to collect electronic data from railroads on the number, condition of bridges, and date of last inspection.

Railroad safety information system (RSIS).—The recommendation includes a total of \$4,300,000 for RSIS, an increase of \$500,000. This will increase the capabilities of FRA's principal repository of safety data, and allows FRA to enforce safety regulation that have data collection and management requirements.

Automated track inspection program (ATIP).—The Committee's recommendation includes \$10,500,000 for ATIP, an increase of \$700,000. ATIP uses track geometry measurement vehicles to automatically measure track conditions. These vehicles supplement the work of FRA's inspectors to ensure railroads are compliant with the FRA Track Safety Standards.

The Committee emphasizes the importance of robust data collection and analysis during track inspection operations, and encourages the FRA and the private rail industry to increase the use of predictive analytics, trend spotting, and targeted audits stemming from track inspection data. Utilizing real-time track data in concert with predictive modelling will provide for a more efficient use of inspectors and track inspection programs as a whole. We encourage close collaboration between FRA and the private rail industry to better focus urgent attention on areas of greatest need.

Safe transportation of energy products.—The Committee includes funding for FRA's safe transport of energy products programs. These include crude oil safety inspectors, safety route managers and tank car quality assurance specialists, tank car research and increased mileage of ATIP on routes that carry energy produces.

Passenger rail between Mexico & United States.—The Committee understands that standards or protocols for passenger rail between the United States and Mexico do not currently exist. The Committee encourages FRA to work with all relevant state and federal agencies and their Mexican counterparts to study what standards and protocols are needed to facilitate a passenger and freight rail line between the United States and Mexico, in Texas, and other international land crossings.

Congestion at international rail crossings.—The Committee understands that there are a number of international rail crossings where the switching of train operators has caused delays and resulted in street blockage on the United States side of the border. GAO conducted an assessment of best practices that can be used to reduce rail border crossing times and reduce the blockage of street crossings. The Committee encourages the Secretary of Transportation to improve the availability of national data to quantify freight trends, impacts on local traffic and continue to work with all relevant state and federal agencies and their Mexican counterparts to harmonize regulations and address congestion at international rail crossings per the recommendations made in the GAO report. The Committee directs FRA to report to the Committee on its progress within 90 days of the enactment of this Act.

System safety and risk reduction programs.—The Committee recognizes that continued investments in critical rail infrastructure programs will make our rails, railcars, and trains safer for all who use them. Therefore, the Committee urges the Federal Railroad Administration to prioritize investments in the development of technologies designed to verify the functional performance of complex electronic systems such as: positive train control, electronically controlled pneumatic brakes, automated train control, passenger door control, train communications, train environmental control, and railcar signs.

Freight rail information sharing.—Timely, accurate, and accessible data about freight rail movements is critical to understanding the multimodal movement of freight across the country. The Committee understands the FRA receives detailed information about freight volumes and performance metrics on Class 1 railroads on a weekly basis from the American Association of Railroad Companies. The Committee encourages FRA to continue to work with the freight rail industry and encourage rail companies to share data about freight movements, including system volumes, detailed speed and volume for individual terminals and lines, and transit times through critical rail bottlenecks like Chicago. This information will enhance local, state, and national transportation, track progress over time and identify key barometers of the rail system’s overall health.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2016	\$39,100,000
Budget request, fiscal year 2017	53,500,000
Recommended in the bill	43,100,000
Bill compared with:	
Appropriation, fiscal year 2016	+4,000,000
Budget request, fiscal year 2017	– 10,400,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$43,100,000 for railroad research and development, which is \$4,000,000 above the fiscal year 2016 enacted level and \$10,400,000 less than the budget request.

Safe transportation of energy products (STEP).—The Committee provides \$2,000,000 for FRA to research and mitigate risks associated with frequent and large volume rail transport of crude oil.

Southeast Corridor Rail Commission.—The Committee’s recommendation includes \$1,000,000 to stand-up the Southeast Corridor Rail Commission. The Commission will develop a regional rail plan and improve mutual cooperation and planning between states and stakeholders.

Short-line safety.—The Committee’s recommendation includes \$2,000,000 to improve safety practices and safety training for Class II and Class III freight railroads. This supports FRA’s initiative to

partner with short-line and regional railroads to build a stronger, sustainable safety culture in this segment of the rail industry. The initiative will support safety compliance assessments and training on short lines that transport crude oil.

Intelligent railroad systems.—The Committee’s recommendation includes \$1,000,000 to facilitate research with universities on intelligent railroad systems.

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, and 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 includes 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 2017, except for federal funds awarded in accordance with section 3028(c) of Public Law 114–94.

RAIL SERVICE IMPROVEMENT PROGRAM

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	¹ \$3,700,000,000
Recommended in the bill	---
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	–3,700,000,000

¹The Administration’s budget requested \$3,700,000,000 in mandatory spending from the Highway Trust Fund for an unauthorized rail service improvement program.

The FRA budget documents include a new rail service improvement program. The program is a new, unauthorized program that results in mandatory spending.

COMMITTEE RECOMMENDATION

The Committee recommends no funding for the rail service improvement program in fiscal year 2017. The recommendation is the same as the fiscal year 2016 enacted level, and \$3,700,000,000 below the budget request.

CURRENT PASSENGER RAIL SERVICE PROGRAM

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	¹ \$2,300,000,000
Recommended in the bill	---
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	–2,300,000,000

¹The Administration requested \$2,300,000,000 in mandatory spending from the Highway Trust Fund for an unauthorized rail service improvement program.

In fiscal year 2017, the FRA requested a new current passenger rail service program that replaces the National Railroad Passenger Corporation appropriation. It is an unauthorized program that results in mandatory spending.

COMMITTEE RECOMMENDATION

The Committee recommends no funding for the current passenger rail service program in fiscal year 2017; instead the Committee provides funds for this purpose consistent with the Public Law 114-94, the FAST Act. The recommendation is the same as the fiscal year 2016 enacted level and \$2,300,000,000 below the budget request.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

Appropriation, fiscal year 2016	1 _ _ _
Budget request, fiscal year 2017	2 _ _ _
Recommended in the bill	\$25,000,000
Bill compared with:	
Appropriation, fiscal year 2016	_ _ _
Budget request, fiscal year 2017	_ _ _

¹The fiscal year 2016 Appropriations Act included \$19,163,000 for capital projects on the Northeast Corridor.

²The budget request provided funding for these purposes under a mandatory unauthorized program.

The FAST Act authorized the federal-state partnership for state of good repair under section 11302. The purpose of these grants is to reduce the state of good repair backlog on publically-owned or Amtrak-owned infrastructure, equipment, and facilities. Eligible activities include capital projects to (1) replace existing assets in-kind or with assets that increase capacity or service levels, (2) ensure that service can be maintained while existing assets are brought into a state of good repair, (3) bring existing assets into a state of good repair.

COMMITTEE RECOMMENDATION

The Committee recommends \$25,000,000 for the federal-state partnership for state of good repair grants, \$25,000,000 more than the fiscal year 2016 enacted level and \$25,000,000 more than the budget request.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANTS

Appropriation, fiscal year 2016	1 _ _ _
Budget request, fiscal year 2017	2 _ _ _
Recommended in the bill	\$25,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+25,000,000
Budget request, fiscal year 2017	+25,000,000

¹Rail Safety Grants, a program with some similar eligibilities, received \$50,000,000 in fiscal year 2016.

²The budget request provided funding for these purposes under the rail service improvement program, a mandatory, unauthorized program.

Authorized under Section 11301 of the FAST Act, the purpose of the consolidated rail infrastructure and safety improvement (CRISI) grants is to improve the safety, efficiency, and reliability of passenger and freight rail systems. Eligible activities include a wide range of capital, regional and corridor planning, environmental analyses, research, workforce development, and training projects.

COMMITTEE RECOMMENDATION

The Committee recommends \$25,000,000 for CRISI grants, \$25,000,000 more than the fiscal year 2016 enacted level and

\$25,000,000 more than the budget request. The Committee recognizes that communities with high volume international inland ports on the U.S.-Mexico border face unique transportation challenges caused by international trade. The Committee encourages the agency to consider the impacts of these freight movements, including traffic, highway-rail grade crossings, congestion and safety when awarding grants.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION
(AMTRAK)

Amtrak, created as a for-profit business in 1970, operates trains over 20,000 miles of track owned by freight railroad carries, and over about 654 miles of its own track, most of which is on the Northeast Corridor (NEC) from Washington, D.C., to Boston, Massachusetts. Amtrak operates both electrified trains, which can achieve speeds of up to 150 mph on the highest quality track on the NEC, and diesel locomotives, which currently can achieve speeds between 74–110 miles per hour.

Amtrak runs a deficit each year and requires a federal subsidy to cover its losses. In the past, it was impossible to discern from Amtrak’s or FRA’s budget request or other publicly available data federal funds required to operate Amtrak’s network by line of business. In fact, funding requests consistently exceeded operating losses by one-third.

The FAST Act authorizes funds for Amtrak through 2020 under a new structure that includes two lines of businesses, the Northeast Corridor (NEC) that runs from Boston to Washington, D.C., and the National Network (which encompasses Amtrak’s state-supported and long-distance routes, as well as other non-NEC activities). Amtrak’s annual Federal funding was previously provided through an operating grant and a capital/debt grant. This new account structure, when combined with new planning and reporting requirements focused on Amtrak’s business lines and asset categories, will significantly improve the transparency of Amtrak funding and the delivery of its services. It is now transparent to Congress and the American taxpayers where Amtrak is using its federal appropriations.

The Committee recommends \$1,420,000,000 for Amtrak, an increase of \$30,000,000 from the fiscal year 2016 enacted level. The Committee provides funding consistent with the authorized structure.

Congressional budget justification.—The Committee appreciates the level of detail in the fiscal year 2017 budget justification and directs Amtrak to submit justification with a similar level of detail for fiscal year 2018.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD
PASSENGER CORPORATION

Appropriation, fiscal year 2016	1 _ _ _
Budget request, fiscal year 2017	_ _ _
Recommended in the bill	\$420,000,000
Bill compared with:	
Appropriation, fiscal year 2016	_ _ _
Budget request, fiscal year 2017	_ _ _

¹In fiscal year 2016, funds were provided in a different structure.

²The budget request included \$2,300,000,000 in mandatory funds for Amtrak.

The Committee recommends \$420,000,000 for grants to the northeast corridor for operating and capital purposes. In addition to these funds, the Northeast Corridor retains its operating profits for use on the corridor. This funding level provides \$5,000,000 to the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriation, fiscal year 2016	1_ _ _
Budget request, fiscal year 2017	2_ _ _
Recommended in the bill	\$1,000,000,000
Bill compared with:	
Appropriation, fiscal year 2016	_ _ _
Budget request, fiscal year 2017	_ _ _

¹In fiscal year 2016, funds were provided in a different structure.

²The budget request included \$2,300,000,000 in mandatory funds for Amtrak.

The Committee recommends \$1,000,000,000 for national network grants to Amtrak. These funds subsidize operating and capital losses on Amtrak’s long-distance routes, state-supported routes, as well as other non-NEC activities. The FAST Act allows Amtrak to transfer operating profits from the Northeast Corridor to this appropriation under certain conditions.

ADMINISTRATIVE PROVISIONS

Section 150. The Commission continues a provision that limits overtime to \$35,000 per employee, allows Amtrak’s president to waive this restriction for specific employees for safety or operational efficiency reasons, and requires notification to the House and Senate Committees on Appropriations within 30 days of granting such waivers. It also requires Amtrak to submit an annual report summarizing overtime payments incurred by the Corporation for calendar year 2017 and the prior three years. The summary shall include total number of employees that received waivers, total overtime payments paid to employees receiving waivers for each month for 2017 and the prior three calendar years.

FEDERAL TRANSIT ADMINISTRATION

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

The most recent authorization for the programs under the Federal Transit Administration is contained in the Fixing America’s Surface Transportation Act (P.L. 114–94) and extensions. Annual Appropriations Acts included annual limitations on obligations for the transit formula grants programs, and direct appropriations of

budget authority from the general fund of the Treasury for the FTA's administrative expenses, some research programs, and capital investment grants.

ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2016	\$108,000,000
Budget request, fiscal year 2017	115,017,000
Recommended in the bill	110,665,000
Bill compared with:	
Appropriation, fiscal year 2016	+2,665,000
Budget request, fiscal year 2017	-4,352,000

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$110,665,000 for FTA's administrative expenses, a decrease of \$4,352,000 below the budget request and an increase of \$2,665,000 above the 2016 enacted level. The Committee's recommendation provides these funds from the General Fund, as usual, and rejects the proposal to fund basic salaries and expenses from a trust fund. The request was a significant increase over the fiscal year 2016 level and proposed 39 new FTE. The Committee provided a moderate funding increase and directs FTA to target FTE increases to the following offices: safety, planning, budget, and regional offices.

Operating plans.—The Committee reiterates its direction from previous years that requires the FTA's operating plan to include a specific allocation of administrative expenses resources. The operating plan should include a delineation of full time equivalent employees, for the following offices: Office of the Administrator; Office of Administration; Office of Chief Counsel; Office of Communications and Congressional Affairs; Office of Program Management; Office of Budget and Policy; Office of Research, Demonstration and Innovation; Office of Civil Rights; Office of Planning and Environment; Office of Safety and Oversight; and regional offices. Further, the operating plan must include any new programs or changes to the budget request, including new grant programs. In addition, the Committee directs FTA to notify the House and Senate Committees on Appropriations at least thirty days in advance of any change that results in an increase or decrease of more than five percent from the initial operating plan submitted to the Committees for fiscal year 2017.

Budget justifications.—FTA's budget justification for fiscal year 2017 is a tremendous improvement over the prior year's document. From the various resource tables to the thoughtful narratives to each administrative provision justification—the agency's effort and attention given to producing a quality budget justification is greatly appreciated. The Committee strongly encourages FTA to continue the format and content in the fiscal year 2018 documents.

Annual new starts report.—The Committee has again included bill language requiring FTA to submit the annual new starts report with the initial submission of the budget request due in February, 2017.

Transit security.—The Committee continues bill language prohibiting FTA from creating a permanent office of transit security.

Full funding grant agreements (FFGAs).—Title 49 requires that the FTA notify the House and Senate Committees on Appropria-

tions as well as the House Committee on Transportation and Infrastructure and the Senate Committee on Banking sixty days before executing a full funding grant agreement. In its notification to the House and Senate Committees on Appropriations, the Committee directs the FTA to include the following: (1) a copy of the proposed full funding grant agreement; (2) the total and annual federal appropriations required for that project; (3) yearly and total federal appropriations that can be reasonably planned or anticipated for future FFGAs for each fiscal year through 2021; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization, by individual project; (5) a financial analysis of the project's cost and sponsor's ability to finance the project, which shall be conducted by an independent examiner and which shall include an assessment of the capital cost estimate and the finance plan; (6) the source and security of all public- and private-sector financial instruments; (7) the project's operating plan, which enumerates the project's future revenue and ridership forecasts; and (8) a listing of all planned contingencies and possible risks associated with the project.

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

In addition, the Committee directs FTA to continue reporting monthly to the House and Senate Committees on Appropriations on the status of each project with a full funding grant agreement or that is within two years of a full funding grant agreement.

Oil re-refining.—Studies conducted by National Laboratories and other federal agencies conclude that the re-refining of used motor oils into regenerated base oils achieve substantial energy conservation and environmental benefits while meeting all applicable industry standards for quality. The continued and expanded acceptance of the practice of recycling used motor oil through the process of re-refining, including in the management of federal and local transit agency fleets, will be essential to capturing these benefits. The Committee encourages FTA to consider the development of voluntary programs to encourage local transit fleets to promote sustainable used oil management, recycling, and procurement.

TRANSIT FORMULA GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

	Liquidation of contract authorization	Limitation on obligations
Appropriation, fiscal year 2016	\$10,400,000,000	\$9,347,605,000
Budget request, fiscal year 2017	10,800,000,000	9,733,706,000
Recommended in the bill	10,800,000,000	9,733,706,000
Bill compared with:		
Appropriation, fiscal year 2016	+400,000,000	+386,101,000
Budget request, fiscal year 2017	---	---

The FAST Act provides contract authority for the transit formula grant programs from the mass transit account of the highway trust fund. These programs include: urbanized area formula, state of good repair grants, formula grants for rural areas, growing states and high density states, mobility for seniors and persons with disabilities, bus and bus facilities grants, bus testing facilities, planning programs, transit oriented development, a pilot program for enhanced mobility, public transportation innovation, technical assistance and workforce development, positive train control, and the National Transit Database. The Appropriations Act sets an annual obligation limitation for such authority. This account is the only FTA account funded from the Highway Trust Fund.

COMMITTEE RECOMMENDATION

The Committee recommends an obligation limitation of \$9,733,706,000 for the formula programs and activities, the same as the budget request and the program authorization. The Committee’s recommendation also includes \$10,800,000,000 in liquidating funds.

The Committee strongly encourages the Federal Transit Administration to follow the guidance set forth in the FAST Act when developing scoring criteria for the competitive Bus and Bus Facilities Program. Per the legislation, the age and mileage of fleet should be the primary consideration for scoring applications.

Positive train control.—The FAST Act created a new category of funding under the transit formula obligation limitation to assist commuter railroads to comply with positive train control (PTC) requirements. The Committee’s recommendation includes \$199,000,000 for PTC work, as authorized.

TECHNICAL ASSISTANCE AND TRAINING

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	---
Recommended in the bill	\$5,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+5,000,000
Budget request, fiscal year 2017	+5,000,000

The FAST Act authorizes FTA to provide technical assistance under section 5314 of title 49 for human resource and training activities, and workforce development programs.

COMMITTEE RECOMMENDATION

The Committee recommends \$5,000,000 for technical assistance and training authorized under section 5314, \$5,000,000 above the appropriated 2016 level and the budget request. In addition to the directly appropriated funds, another \$9,000,000 is provided through the obligation limitation under the header “Transit formula grants.” The funds provided under this header are to support activities specified in section 5314 (a) and (b) of title 49.

CAPITAL INVESTMENT GRANTS

Appropriation, fiscal year 2016	\$2,177,000,000
Budget request, fiscal year 2017	3,500,000,000
Recommended in the bill	2,500,470,000
Bill compared with:	
Appropriation, fiscal year 2016	+323,470,000
Budget request, fiscal year 2017	-999,530,000

Grants for capital investment to rail or other fixed guideway transit systems are awarded to public bodies and agencies (transit authorities and other state and local public bodies and agencies thereof) including states, municipalities, other political subdivisions of states; public agencies and instrumentalities of one or more states; and certain public corporations, boards and commissions under state law.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,500,470,000 for capital investment grants which is \$323,470,000 above the fiscal year 2016 enacted level and \$999,530,000 below the budget request.

The fiscal year 2017 recommendation provides \$1,234,790,000 for all current and on-going full funding grant agreements (FFGA) consistent with the agreed-upon payout schedules for each project.

Signed FFGAs	Fiscal year 2017 recommendation
CA—Regional Connector Transit Corridor	\$100,000,000
CA—Westside Subway Extension	100,000,000
CA—Third Street Light Rail Phase 2—Central	150,000,000
CA—Silicon Valley Berryessa Extension	125,000,000
CO—RTD Eagle Denver	150,000,000
MA—Cambridge to Medford, Green Line	150,000,000
HI—Honolulu	243,730,000
NC—Blue Line Extension, NE Corridor	100,000,000
OR—Milwaukie LRT	100,000,000
FL—SunRail Phase II	16,060,000

The Committee’s recommendation provides \$500,000,000 for projects that will be signed under a FFGA by September 30, 2017.

Anticipated FFGAs	Fiscal year 2017 recommendation
CA—Westside Section 2 Los Angeles	\$100,000,000
CA—Santa Ana and Garden Grove Streetcar	75,000,000
CA—San Diego Midcoast Corridor	100,000,000
MD—Purple Line DC Area	100,000,000
MN—Southwest LRT Minneapolis	10,000,000
TX—TEX Rail, Fort Worth	100,000,000
WA—Seattle Lynwood	15,000,000

In addition, \$407,830,000 is provided for ten new small start projects proposed in the budget.

Small starts	Fiscal year 2017 recommendation
AZ—Tempe Streetcar	\$50,000,000
CA—Sacramento Riverfront Streetcar	50,000,000
FL—Ft. Lauderdale Wave Streetcar	11,010,000
FL—Jacksonville East Corridor	16,930,000
IN—Indianapolis Red Rapid Transit Line	50,000,000
MI—Grand Rapids Laker Line BRT	56,810,000
MO—Kansas City Prospect MAX BRT	29,890,000
NM—Albuquerque Rapid Transit	50,000,000
WA—Everett Swift II BRT	43,190,000
WA—Seattle City Center Connector	50,000,000

Further, the Committee recommends \$332,850,000 for projects funded through core capacity grants and proposed in the budget request.

Core capacity	Fiscal year 2017 recommendation
CA—Caltrain Electrification San Carlos	\$100,000,000
IL—Red and Purple Line Chicago	100,000,000
NY—Carnarsie New York	83,680,000
TX—DART Red and Blue Dallas	49,170,000

Finally, the Committee’s recommendation includes \$25,000,000 (about 1.0 percent) for oversight activities related to the investments of this account.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Appropriation, fiscal year 2016	\$150,000,000
Budget request, fiscal year 2017	150,000,000
Recommended in the bill	150,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	---

Section 601 of Division B of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) (Public Law 110–432) authorized \$1,500,000,000 over a ten-year period for preventive maintenance and capital grants for the Washington Metropolitan Area Transportation Authority (WMATA). The law requires that the federal funds be matched dollar-for-dollar by Virginia, Maryland and the District of Columbia in equal proportions. The compact required under the law has been established and Virginia, Maryland and the District of Columbia have all committed to providing \$50,000,000 each in local matching funds. Fiscal year 2017 represents the 8th year of payments under PRIIA.

COMMITTEE RECOMMENDATION

The Committee recommendation includes \$150,000,000 for safety capital grants for WMATA, which is equal to both the budget request and last year’s enacted level.

The Committee directs WMATA to continue addressing the safety issues within the agency, specifically the safety hazard repairs identified, and in many cases mandated by the National Transportation Safety Board (NTSB) and FTA. WMATA is further directed

to continue implementing any and all corrective actions to address financial, contracting, and accounting concerns raised by FTA’s financial management oversight audit.

Finally, should the WMATA board endorse any effort to defer state of good repair maintenance, or move funds from safety improvements to operating expenses in order to address an operating budget shortfall, the Committee will view those budgetary shifts as a lack of commitment to the spirit in which these PRIIA funds were provided and the Committee will reconsider its financial contributions accordingly.

Wireless service extension.—The bill again includes a one-year extension of the wireless service requirement in PRIIA. The Committee urges WMATA to complete the installation of infrastructure necessary to comply with the mandate most expeditiously.

The Committee would like to ensure that WMATA is not missing an opportunity to seize the most cost-effective and efficient sources for their much needed, extensive repairs. The Committee directs GAO to report to the House and Senate Committees on Appropriations by March 31, 2017 on WMATA’s plans for future maintenance, repairs, and construction. The evaluation should include safety improvement measures, levels of efficiency, and practices that will increase cost-effectiveness.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

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

Section 161. The Committee continues the provision that allows funds appropriated for capital investment grants and bus and bus facilities not obligated by September 30, 2020, plus other recoveries to be available for other projects under 49 U.S.C. 5309.

Section 162. The Committee continues the provision that allows for the transfer of prior year appropriations from older accounts to be merged into new accounts with similar, current activities.

Section 163. The Committee continues the provision that prohibits a full funding grant agreement for a project with a new starts share greater than 50 percent.

Section 164. The Committee includes a provision regarding a certain fixed guideway project in Houston, Texas.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

Appropriation, fiscal year 2016	\$28,400,000
Budget request, fiscal year 2017	36,028,000
Recommended in the bill	36,028,000
Bill compared with:	
Appropriation, fiscal year 2016	+7,628,000
Budget request, fiscal year 2017	---

The Great Lakes Saint Lawrence Seaway System, located between Montreal and Lake Erie, is a binational, 15-lock system jointly operated by the U.S. Saint Lawrence Seaway Development Corporation (SLSDC) and its Canadian counterpart, the Canadian St. Lawrence Seaway Management Corporation. The SLSDC was

established by the St. Lawrence Seaway Act of 1954 and is a wholly owned government corporation and an operating administration of the U.S. Department of Transportation (DOT). The SLSDC is charged with operating and maintaining the U.S. portion of the St. Lawrence Seaway. This responsibility includes the two U.S. locks in Massena, New York, vessel traffic control in portions of the St. Lawrence River and Lake Ontario, and trade development functions to enhance the utilization of the St. Lawrence Seaway.

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

COMMITTEE RECOMMENDATION

The Committee recommends a total appropriation of \$36,028,000 to fund the operations, maintenance, and capital asset renewal needs of the SLSDC. This funding level is \$7,628,000 above the fiscal year 2016 appropriation and equal to the budget request. The Committee continues the direction to the SLSDC to provide semi-annual reports consistent with the requirements stated in the Explanatory Statement of the Department of Transportation Appropriations Act of 2009.

The Committee's recommendation includes funds as requested for the continued replacement of the *Robinson Bay* tugboat due to the safety, emergency response, and ice breaking missions of the vessel, as well as funds for the hands-free mooring system installation at Snell Lock.

The Committee recognizes the increasingly competitive environment of global multimodal and waterborne capacity in the Americas and around the world. The Committee requests the Department to provide a report within 180 days of enactment of this Act, on opportunities that could improve the Great Lakes navigation system's capabilities to support economic development in Great Lakes states and increase trade and traffic on the Saint Lawrence Seaway.

MARITIME ADMINISTRATION

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

commercial and strategic sealift and associated intermodal capability. Further, MARAD's education and training programs through the U.S. Merchant Marine Academy and six state maritime academies help create skilled U.S. merchant marine officers.

MARITIME SECURITY PROGRAM

Appropriation, fiscal year 2016	\$210,000,000
Budget request, fiscal year 2017	211,000,000
Recommended in the bill	300,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+90,000,000
Budget request, fiscal year 2017	+89,000,000

The purpose of the Maritime Security Program (MSP) is to maintain and preserve a U.S. flag merchant fleet to serve the national security needs of the United States. The MSP provides direct payments to U.S. flagship operators engaged in U.S.-foreign trade. Participating operators are required to keep the vessels in active commercial service and are required to provide intermodal sealift support to the Department of Defense in times of war or national emergency.

COMMITTEE RECOMMENDATION

The Committee recommends \$300,000,000 for the maritime security program, consistent with the authorized funding level, which is \$90,000,000 more than provided in fiscal year 2016 and \$89,000,000 above the request. Funds are available until expended.

OPERATIONS AND TRAINING

Appropriation, fiscal year 2016	\$171,155,000
Budget request, fiscal year 2017	194,146,000
Recommended in the bill	175,079,000
Bill compared with:	
Appropriation, fiscal year 2016	+3,924,000
Budget request, fiscal year 2017	-19,067,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$175,079,000 for MARAD operations and training expenses, \$3,924,000 more than the fiscal year 2016 funding level and \$19,067,000 below the fiscal year 2017 budget request.

MARAD operations.—Of the funds provided, a total of \$54,000,000 is for headquarters and regional office operations, of which \$3,000,000 is for maritime environment and compliance program expenses.

The Committee continues the reporting requirement that MARAD submit information on the number of vacancies at MARAD headquarters and regional offices, and the duties associated with each vacancy concurrent with the fiscal year 2018 budget submission. The Committee's recommendation assumes no new FTE in the new fiscal year. However, the recommended funding

level will support expenses associated with the Port of Anchorage litigation, contract wiring system conversion, reserve fleet realignment, current services adjustments and at least \$1,000,000 for IT upgrades. The Committee directs MARAD to provide details on changes to the budget request in the Department's operating plan submission.

United States Merchant Marine Academy.—The U.S. Merchant Marine Academy (the Academy or USMMA) provides educational programs for men and women to become shipboard officers and leaders in the maritime industry. The Committee continues to include language requiring all funding for the Academy go directly to the Secretary, and that 50 percent of the funding will not be available until MARAD submits a plan detailing how the funding will be spent. The Committee's funding recommendation includes a total of \$85,879,000 in fiscal year 2017 for the USMMA, of which up to \$74,700,000 is for Academy operations and not less than \$11,179,000 is for capital improvements. The committee's recommendation includes \$7,179,000 as requested for seawall repairs and the architecture and engineering work associated with future renovations of Patten, Gibbs, Fitch, and Fulton Halls. Funds requested for the renovation of Fulton Hall are not included in the recommended funding level, a reduction taken without prejudice.

State maritime academies.—The Committee recommends \$35,200,000 for the state maritime academies. Of the funds provided, \$3,000,000 is for direct payments, \$2,400,000 is for student payments, and \$1,200,000 is for fuel assistance. Funds requested for enhanced mariner compliance and training are not included in the funding recommendation.

Schoolships.—The Committee's recommendation for the state maritime academies includes \$22,000,000 for the repair and maintenance of existing schoolships. Further, another \$6,000,000 is recommended for the design and construction of a common schoolship design for all maritime academies under MARAD. The Committee directs MARAD to report to the Committees within 180 days of enactment of this Act a cost-benefit analysis of undertaking a design and build effort for new schoolships versus purchasing and retrofitting ships less than 10 years old available on the open market.

Mariner numbers.—The success of the maritime security program relies not only on the availability of U.S.-flagged ships, but U.S. mariners available for contingency operations. Current trends indicate that the number of credentialed and active mariners continues to drop despite high graduation rates at the existing six state schools and the USMMA. The Committee directs MARAD to report by February 6, 2017 on opportunities and challenges to increasing the number of U.S. Coast Guard credentialed officers. Further, the Committee encourages MARAD to consider the costs and benefits associated with increasing the number of state schools, and identify coastal states and localities that could support a new school. Consideration should be given to states that currently do not have a maritime or other national service academy, and areas with a diverse population.

SHIP DISPOSAL

Appropriation, fiscal year 2016	\$5,000,000
Budget request, fiscal year 2017	20,000,000
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+5,000,000
Budget request, fiscal year 2017	- 10,000,000

MARAD serves as the federal government’s disposal agent for government-owned merchant vessels weighing 1,500 gross tons or more. The ship disposal program provides resources to dispose of obsolete merchant-type vessels in the National Defense Reserve Fleet (NDRF). The Maritime Administration was required by Public Law 106–398 to dispose of its obsolete inventory by the end of 2006. These vessels pose a significant environmental threat due to the presence of hazardous substances such as asbestos and solid and liquid polychlorinated biphenyls (PCBs).

COMMITTEE RECOMMENDATION

The Committee recommends \$10,000,000 for ship disposal activities, \$5,000,000 above the fiscal year 2016 funding level and \$10,000,000 below the budget request. Funds are available until expended.

The Committee’s recommendation includes \$7,000,000 for ship disposal costs. The Committee directs MARAD to prioritize funds to first dispose of ships held in the Suisun Bay Reserve Fleet in order to comply with the April 2010 California court consent decree.

Finally, \$3,000,000 is recommended for continued maintenance of the NS SAVANNAH. The Committee again encourages MARAD to explore the possibility of making costs associated with maintenance and disposal of the NS SAVANNAH an eligible activity at the National Maritime Heritage Grant program in the 2018 request.

MARITIME GUARANTEED LOAD (TITLE XI) PROGRAM
(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

Appropriation, fiscal year 2016	\$8,135,000
Budget request, fiscal year 2017	- 2,000,000
Recommended in the bill	- 2,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 10,135,000
Budget request, fiscal year 2017	- - -

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

COMMITTEE RECOMMENDATION

The Committee recommends the budget request for appropriated funds of \$3,000,000 for the maritime guaranteed loan (Title XI) Program, which is \$35,000 less than the amount provided in fiscal

year 2016. Funds are transferred to the “Operations and Training” account.

Further, the Committee’s recommendation adopts the Administration’s proposed rescission of \$5,000,000 in excess prior year funds for the costs associated with the federal government subsidizing the loans in this program.

ADMINISTRATIVE PROVISIONS

Section 170. The Committee continues a provision that allows the Maritime Administration to furnish utilities and services and make repairs to any lease, contract, or occupancy involving government property under the control of MARAD and rental payments shall be paid into the Treasury as miscellaneous receipts.

Section 171. The Committee continues a provision regarding MARAD ship disposal.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) administers nationwide safety programs designed to protect the public and the environment from risks inherent in the commercial transportation of hazardous materials by pipeline, air, rail, vessel, and highway. Many of these materials are essential to the national economy. The agency’s highest priority is safety, and it uses safety management principles and security assessments to promote the safe transport of hazardous materials and the security of the nation’s pipelines.

OPERATIONAL EXPENSES

Appropriation, fiscal year 2016	\$21,000,000
Budget request, fiscal year 2017	23,688,000
Recommended in the bill	21,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	-2,688,000

This appropriation finances the operational support costs for PHMSA, including agency-wide functions of administration, management, policy development, legal counsel, budget, financial management, civil rights, human resources, acquisition services, information technology, and governmental and public affairs.

COMMITTEE RECOMMENDATION

The Committee recommends \$21,000,000 for PHMSA operational expenses. This is the same as the fiscal year 2016 enacted level, and \$2,688,000 below the budget request. The recommendation does not include funding for pipeline information grants to communities.

HAZARDOUS MATERIALS SAFETY

Appropriation, fiscal year 2016	\$55,619,000
Budget request, fiscal year 2017	68,249,000
Recommended in the bill	57,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+1,381,000
Budget request, fiscal year 2017	-11,249,000

The hazardous materials safety program advances the safe and secure transport of hazardous materials (hazmat) in commerce by air, truck, railroad and vessel. PHMSA evaluates hazmat safety risks, develops and enforces regulations for transporting hazmat, educates shippers and carriers, investigates hazmat incidents and failures, conducts research, and provides grants to improve emergency response to transportation incidents involving hazmat.

COMMITTEE RECOMMENDATION

The Committee recommends \$57,000,000, which is \$1,381,000 above the fiscal year 2016 enacted level and \$11,249,000 below the budget request. This funding level supports the agency's existing hazardous materials safety program, including prior year increases provided to support the safe transport of energy products. Funding is provided to continue research on hazardous petroleum products, including work with the Department of Energy on test methods for crude oil, carrying out combustion experiments, and modeling to develop hazard profiles of different crude oils. The Committee recommends \$7,570,000 of the total to remain available for three years for long-term research and development contracts.

Inland ports of entry.—The Committee directs PHMSA to work with local governments at international inland ports of entry with a high volume of hazardous material border crossings to reduce the risk associated with crossing and storing hazardous material and to enhance the capacity of local officials in dealing with threats of hazardous material incidents.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

	(Pipeline safety fund)	(Oil spill liability trust fund)	(Pipeline safety design review fund)	Total
Appropriation, fiscal year 2016	\$124,500,000	\$22,123,000	\$0	\$146,623,000
Budget request, fiscal year 2017	153,443,000	19,500,000	2,000,000	174,943,000
Recommended in the bill	128,000,000	22,000,000	0	150,000,000
Bill compared to:				
Appropriation, fiscal year 2016	+3,500,000	−123,000	− − −	+3,377,000
Budget request, fiscal year 2017	−25,443,000	+2,500,000	−2,000,000	−24,943,000

PHMSA oversees the safety, security, and environmental protection of pipelines through analysis of data, damage prevention, education and training, development and enforcement of regulations and policies, research and development, grants for states pipeline safety programs, and emergency planning and response to accidents. The pipeline safety program is responsible for a national regulatory program to protect the public against the risks to life and property in the transportation of natural gas, petroleum, and other hazardous materials by pipeline.

COMMITTEE RECOMMENDATION

The Committee recommends \$150,000,000 to continue pipeline safety operations, research and development, and state grants-in-aid, which is \$3,377,000 above the fiscal year 2016 enacted level

and \$24,943,000 below the budget request. Of the total, \$22,000,000 is from the oil spill liability trust fund, and \$128,000,000 is from the pipeline safety fund.

The Committee recommendation provides \$12,000,000 for research and development, \$43,000,000 for state pipeline safety grants, \$1,058,000 for state one-call grants, and \$1,500,000 for state damage prevention grants. Funding is provided for full year costs of additional staff hired in 2016, net of attrition. However, no additional program or personnel increases are funded in 2017. Funding requested for a national pipeline safety database is not provided. PHMSA shall deliver a report to the House and Senate Committees on Appropriations within 120 days of enactment that details staffing and hiring plans for fiscal year 2017 as well as actual turnover and hiring in fiscal year 2016.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Appropriation, fiscal year 2016	(\$28,318,000)
Budget request, fiscal year 2017	(28,318,000)
Recommended in the bill	(28,318,000)
Bill compared to:	
Appropriation, fiscal year 2016	(--)
Budget request, fiscal year 2017	(--)

The Hazardous Materials Transportation Uniform Safety Act of 1990 (Public Law 101-616) requires PHMSA to: (1) develop and implement a reimbursable emergency preparedness grant program; (2) monitor public sector emergency response training and planning and provide technical assistance to states, political subdivisions, and Indian tribes; and (3) develop and update periodically a mandatory training curriculum for emergency responders.

COMMITTEE RECOMMENDATION

The Committee recommends \$28,318,000 for the emergency preparedness grants program, which is the same as the fiscal year 2016 enacted level and the budget request.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$87,472,000
Budget request, fiscal year 2017	90,152,000
Recommended in the bill	90,152,000
Bill compared with:	
Appropriation, fiscal year 2016	+2,680,000
Budget request, fiscal year 2017	---

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

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$90,152,000 for the Office of Inspector General, which is \$2,680,000 greater than the fiscal year 2016 enacted level and equal to the budget request. The Committee continues to highly value IG's oversight of departmental programs and activities.

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

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

Audit of Metropolitan Transit Authority of Harris County, Texas.—The Committee directs the IG to provide progress updates on the status of the audit into the financial solvency of the Metropolitan Transit Authority of Harris County, Texas (Houston METRO).

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180. The Committee continues the provision allowing the Department of Transportation (DOT) to use funds for aircraft, motor vehicles, liability insurance, uniforms, or allowances, as authorized by law.

Section 181. The Committee continues the provision limiting appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV.

Section 182. The Committee continues the provision prohibiting funds from being used for salaries and expenses of more than 110 political and Presidential appointees in DOT. The provision also requires that none of the personnel covered by this provision may be assigned on temporary detail outside DOT.

Section 183. The Committee continues the provision prohibiting recipients of funds made available in this Act from releasing certain personal information and photographs from a driver's license or motor vehicle record without express consent of the person to whom such information pertains, and prohibits the withholding of funds provided in this Act for any grantee if a state is in non-compliance with this provision.

Section 184. The Committee continues the provision permitting funds received by specified DOT agencies from states or other private or public sources for expenses incurred for training to be credited to certain specified agency accounts.

Section 185. The Committee continues the provision prohibiting funds for loans, loan guarantees, lines of credit, or grants unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations no less than three days in advance,

and directs the Secretary to give concurrent notification for any “quick release” of funds from the Federal Highway Administration’s emergency release program.

Section 186. The Committee continues the provision allowing funds received from rebates, refunds, and similar sources to be credited to appropriations of the DOT.

Section 187. The Committee continues the provision allowing amounts from improper payments to a third party contractor that are lawfully recovered by the DOT to be available to cover expenses incurred in the recovery of such payments, and allows the Secretary to credit an account that is associated with such improper payments.

Section 188. The Committee continues the provision mandating that reprogramming action notifications shall be transmitted solely to the House and Senate Committees on Appropriations, and are to be approved or denied solely by the House and Senate Committees on Appropriations.

Section 189. The Committee continues the provision allowing funds appropriated to modal administrations to be obligated for the Office of the Secretary for costs related to assessments only when such funds provide a direct benefit to that modal administration.

Section 190. The Committee continues the provision authorizing DOT to set uniform standards for transit benefits for agency transit passes and transit benefits.

Section 191. The Committee continues the provision that prohibits the use of funds to implement any geographic, economic, or other hiring preference not otherwise authorized by law, unless certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 192. The Committee includes a provision prohibiting funds from being used for high-speed rail in the State of California.

Section 193. The Committee includes a provision modifying penalty wages regarding foreign and intercoastal voyages and coast-wise voyages.

Section 194. The Committee includes a provision prohibiting funds from being used in contravention of section 24305(c)(4) of title 49 U.S.C. regarding Amtrak food and beverage service.

Section 195. The Committee includes a provision making technical corrections to section 5303 of title 49 regarding a bi-state metropolitan planning organization.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

Management and administration accounts provide operating support to the Department of Housing and Urban Development (HUD). Funding supports the salaries and expenses of nearly all HUD employees, as well as certain non-personnel expenses critical to carrying out HUD’s mission, including funding for shared service agreements. The Committee supports the Department’s efforts to transform the way it does business and encourages the Department

to continue efforts to streamline operations while making targeted technology and human capital investments.

Shared service agreements.—The Committee supports the Department's efforts to improve its operations through shared service arrangements with the Department of Treasury. The Committee recommendation reflects an expectation that the Department will continue to offset the cost of these agreements with reductions or reallocations of budgetary resources previously dedicated to delivering these services. The Department shall deliver a report to the House and Senate Committees on Appropriations within 60 days of enactment that compares projections of shared service agreement transaction volumes used to calculate payments for fiscal year 2016 with actual volumes for the year, reconciliation payments or credits associated with discrepancies between actual and projected volumes for 2016, and the projected transaction volumes and related payment amounts for fiscal year 2017.

Budget presentation.—The Committee directs HUD to continue to clearly identify and explain within its budget request the movement, reclassification, or transfer of budgetary resources from one account, program, project, or activity to another account, program, project, or activity in order to facilitate year-over-year comparisons. Any programs, projects, or activities that are newly requested or transferred from accounts outside Management and Administration shall also be clearly identified and clearly distinguished from adjustments to baseline spending.

New initiatives.—The Committee reiterates that the Department must limit the reprogramming of funds between the programs, projects, and activities within each account and that no changes may be made to any program, project, or activity without prior approval of the House and Senate Committees on Appropriations. Unless otherwise identified in the bill or report, the most detailed allocation of budgetary resources presented in the budget justifications is approved with any deviation from such approved allocation subject to reprogramming requirements. All carryover funds, including recaptures and deobligations, are also subject to reprogramming requirements.

HUD Office of Inspector General (OIG) audit findings.—In a November 2015 audit report, HUD OIG expressed a disclaimer of opinion on HUD's fiscal years 2015 and 2014 (restated) consolidated financial statements because of the significant effects of certain unresolved audit matters. These unresolved audit matters relate to HUD's improper use of cumulative and first-in, first-out budgetary accounting methods, \$5.4 billion in non-pooled loan assets from Ginnie Mae, \$19.8 billion in Ginnie Mae budgetary resources, and improper accounting of advances made to public housing agencies and Indian housing block grant grantees and loans receivable from the emergency homeowners' loan program. These weaknesses were due to an inability to establish a compliant control environment, implement adequate financial accounting systems, retain key financial management staff, and identify appropriate accounting principles and policies. It is astonishing that a financial institution as important as HUD would receive such disclaimers on its financial statements. The Department is directed to prioritize resources provided under this heading toward activities

that will help mitigate the nine material weaknesses, eight significant deficiencies in internal controls, and six instances of non-compliance with applicable laws and regulations uncovered by the OIG audit. In addition, the Department is directed to report to the House and Senate Committees on Appropriation within 30 days of enactment on its plan for such resource prioritization in fiscal year 2017, as well as what progress has been made to date in implementing and addressing the HUD OIG's recommendations made in audit reports 2016-FO-0001, 2016-FO-0002, 2016-FO-0003, and 2016-FO-0004.

EXECUTIVE OFFICES

Appropriation, fiscal year 2016	\$13,800,000
Budget request, fiscal year 2017	14,479,000
Recommended in the bill	14,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+200,000
Budget request, fiscal year 2017	- 479,000

The Executive Offices account funds the salaries and expenses of the Immediate Office of the Secretary, the Immediate Office of the Deputy Secretary, the Office of Adjudicatory Services, the Office of Congressional and Intergovernmental Relations, the Office of Public Affairs, the Office of Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships.

The Immediate Office of the Secretary provides program and policy guidance, and operations management and oversight in administering all programs, functions, and authorities of the Department.

The Immediate Office of the Deputy Secretary provides operations management and helps the Department achieve its strategic goals by providing management support to program offices under the direction of the Office of the Secretary.

The Office of Adjudicatory Services, formerly known as the Office of Hearings and Appeals, conducts hearings and makes determinations regarding formal complaints or adverse actions initiated by HUD based upon alleged violations of federal statutes and implementing regulations.

The Office of the Assistant Secretary for Congressional and Intergovernmental Relations is responsible for coordinating Congressional and intergovernmental relations activities involving program offices to ensure the effective and accurate presentation of the Department's views.

The Office of Public Affairs educates the American people about the Department's mission through media outreach and other communication tools, such as press releases, press conferences, the Internet, media interviews, new media, and community outreach.

The Office of Small and Disadvantaged Business Utilization provides small business program design and outreach to the business community and serves as the central referral point for small business regulatory compliance information.

The Center for Faith-based and Neighborhood Partnerships conducts outreach, recommends changes to HUD policies and programs that present barriers to grassroots organizations, and initiates special projects, such as grant writing training.

COMMITTEE RECOMMENDATION

The committee recommends \$14,000,000, which is \$200,000 above the fiscal year 2016 enacted level and \$479,000 below the budget request.

The bill also provides that no more than \$25,000 provided under the immediate Office of the Secretary shall be available for official reception and representation expenses as the Secretary may determine.

Notice of HUD assistance.—HUD provides many different types of financial assistance to accomplish the missions of housing and development. Grants, loans, mortgages, contracts, and cooperative agreements are provided in support of many different types of stakeholders including individuals, public housing authorities, not-for-profit organizations, states and governors, mayors and cities, and landlords. As a consequence, there is no single HUD point of contact in a given community, or one single grant recipient and it is difficult to comprehensively track all of HUD's investments, projects, and programs across a single community. The Committee directs the Secretary, either through the various program offices or through technical assistance initiatives, to notify local officials where HUD assistance is, or will be, used for new construction, hazard remediation, or substantial rehabilitation of multifamily units, public buildings, or other projects which involve the construction of or rehabilitation of properties other than single family homes.

ADMINISTRATIVE SUPPORT OFFICES

Appropriation, fiscal year 2016	\$559,100,000
Budget request, fiscal year 2017	520,062,000
Recommended in the bill	516,000,000
Bill compared with:	
Appropriation, fiscal year 2016	–43,100,000
Budget request, fiscal year 2017	–4,062,000

The Administrative Support Offices account funds the salaries and expenses of the Office of Administration, the Office of the Chief Human Capital Officer, the Office of General Counsel, the Office of the Chief Financial Officer, the Office of the Chief Procurement Officer, the Office of Departmental Equal Employment Opportunity, the Office of Field Policy and Management, the Office of Strategic Planning and Management, and the Office of the Chief Information Officer.

The Office of Administration provides general operational support services to all offices and divisions throughout HUD. These services include HUD's non-information technology infrastructure in the following areas: nationwide management and operation of buildings, Freedom of Information Act (FOIA) processing, records management, Privacy Act administration, protective and physical security for HUD's Secretary and Deputy Secretary, and disaster and emergency response coordination.

The Office of the Chief Human Capital Officer provides human resource services to all offices and divisions throughout HUD. These services include HUD's non-information technology infrastructure in the following areas: strategic human capital management, enterprise level training and learning, recruitment and staff-

ing, workforce planning, retention, engagement, succession planning and Departmental performance management.

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

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

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

The Office of the Chief Information Officer (OCIO) is led by the Chief Information Officer (CIO) who reports to the Office of the Secretary/Deputy Secretary. HUD's CIO advises senior managers on the strategic use of information technology to support core business processes and to achieve mission critical goals. OCIO is responsible for providing modern information technology that is secure, accessible and cost effective while ensuring compliance with applicable regulatory requirements.

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

The mission of the Office of Departmental Equal Employment Opportunity (ODEEO) is to ensure the enforcement of Federal laws relating to the elimination of all forms of discrimination in the Department's employment practices. The mission is carried out through the functions of three divisions: the Affirmative Employment division, the Alternative Dispute Resolution division, and the Equal Employment Opportunity division.

The Office of Strategic Planning and Management drives organizational, programmatic, and operational change across the Department to maximize efficiency and performance. The office facilitates HUD's strategic planning process by identifying the Department's strategic priorities and transformational change initiatives, cre-

ating and managing work plans for targeted transformation projects, and developing key program performance measures and targets for monitoring.

COMMITTEE RECOMMENDATION

The Committee recommends \$516,000,000 for this account, which is \$43,100,000 below the fiscal year 2016 enacted level and \$4,062,000 below the budget request.

Funding specified for each office is as follows:

Office	Amount
Office of Administration	\$202,500,000
Office of the Chief Financial Officer	53,500,000
Office of the General Counsel	95,250,000
Office of the Chief Human Capital Officer	40,250,000
Office of Field Policy and Management	51,250,000
Office of the Chief Procurement Officer	19,000,000
Office of the Departmental Equal Employment Opportunity	3,500,000
Office Strategic Planning and Management	4,500,000
Office of the Chief Information Officer	46,250,000

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

Appropriation, fiscal year 2016	\$205,500,000
Budget request, fiscal year 2017	220,932,000
Recommended in the bill	216,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+10,500,000
Budget request, fiscal year 2017	-4,932,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$216,000,000 for this account, which is the \$10,500,000 above the level enacted in fiscal year 2016, and \$4,932,000 below the fiscal year 2017 budget request.

COMMUNITY PLANNING AND DEVELOPMENT

Appropriation, fiscal year 2016	\$104,800,000
Budget request, fiscal year 2017	110,259,000
Recommended in the bill	109,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+4,200,000
Budget request, fiscal year 2017	-1,259,000

The Office of Community Planning and Development (CPD) assists communities in their efforts to provide affordable housing and expanded economic opportunities for low and moderate-income persons. The primary means toward this end is the development of partnerships among all levels of government and the private sector. This Office is responsible for the effective administration of Community Development Block Grants (CDBG), the Home Investment

Partnership (HOME), Homeless Assistance Grants, and other HUD community development programs.

COMMITTEE RECOMMENDATION

The Committee recommends \$109,000,000 for this account, which is \$4,200,000 above the level enacted in fiscal year 2016, and \$1,259,000 below the budget request.

HOUSING

Appropriation, fiscal year 2016	\$375,000,000
Budget request, fiscal year 2017	393,148,000
Recommended in the bill	387,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+12,000,000
Budget request, fiscal year 2017	-6,148,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$387,000,000 for this account, which is \$12,000,000 above the level enacted in fiscal year 2016, and \$6,148,000 below the budget request. The Committee expects the Department to leverage the reorganization of the office of multifamily to realize budgetary savings and to reallocate resources to other baseline functions.

POLICY DEVELOPMENT AND RESEARCH

Appropriation, fiscal year 2016	\$23,100,000
Budget request, fiscal year 2017	24,500,000
Recommended in the bill	23,000,000
Bill compared with:	
Appropriation, fiscal year 2016	-100,000
Budget request, fiscal year 2017	-1,500,000

The Office of Policy Development and Research (PD&R) directs the Department's annual research agenda to support the research and evaluation of housing and other departmental initiatives to improve HUD's effectiveness and operational efficiencies. Research proposals are determined through consultation with senior staff from each HUD program office, the Office of Management and Budget, and Congress.

COMMITTEE RECOMMENDATION

The Committee recommends \$23,000,000 for this account, which is \$100,000 below the level enacted in fiscal year 2016 and \$1,500,000 below the budget request.

FAIR HOUSING AND EQUAL OPPORTUNITY

Appropriation, fiscal year 2016	\$72,000,000
Budget request, fiscal year 2017	74,235,000
Recommended in the bill	72,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	-2,235,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$72,000,000 for this account, which is the same as the level enacted in fiscal year 2016 and \$2,235,000 below the budget request.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

Appropriation, fiscal year 2016	\$7,000,000
Budget request, fiscal year 2017	7,826,000
Recommended in the bill	8,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+1,000,000
Budget request, fiscal year 2017	+174,000

The Office of Healthy Homes and Lead Hazard Control (OHHLHC) is directly responsible for the administration of the Lead-Based Paint Hazard Reduction program authorized by Title X of the Housing and Community Development Act of 1992. The office also addresses multiple housing-related hazards affecting the health of residents, particularly children. The office develops lead-based paint regulations, guidelines, and policies applicable to HUD programs, and enforces the Lead Disclosure Rule issued under Title X.

COMMITTEE RECOMMENDATION

The Committee recommends \$8,000,000 for this account, which is \$1,000,000 above the fiscal year 2016 enacted level and \$174,000 above the budget request.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

The Department of Housing and Urban Development's Working Capital Fund (WCF) was established by the Consolidated Appropriations Act, 2016 to consolidate by transfer resources that support certain centrally performed administrative functions. The pur-

pose of the WCF is to promote economy, efficiency, and accountability among the various HUD offices that rely on these functions.

COMMITTEE RECOMMENDATION

The Committee recommendation provides the Secretary with the authority to transfer amounts provided in this title for salaries and expenses, except those for the Office of Inspector General, to this account for the purpose of funding centralized activities. The Department is required to centralize and fund from this account any shared service agreements executed between HUD and another federal agency. For fiscal year 2017, the Department is permitted to centralize and fund from this account: financial management, procurement, travel, relocation, human resources, printing, records management, space renovation, furniture, and supply services. The Committee expects that, prior to exercising discretion to centrally fund an activity, the Secretary shall have established transparent and reliable unit cost accounting for the offices and agencies of the Department that use the activity, and shall have adequately trained staff within each affected office and agency on resource planning and accounting processes associated with the centralization of funds to this account.

Further, prior to centralizing either furniture or space renovation, the Committee directs the Department to deliver a comprehensive, multi-year real property improvement plan that details all planned space realignments, capital improvements, maintenance requirements, and other costs associated with carrying out HUD's most recent strategic plan, including any elements of the General Service Administration (GSA) study on the Weaver Building that HUD plans to include as part of its Reimbursable Work Agreement with GSA.

Prior to exercising its authority to transfer funds for activities beyond what is required for shared service agreements, the Committee expects HUD to establish a clear execution plan for centralizing the additional activities, and to transmit that plan to the House and Senate Committees on Appropriations 30 days prior to transferring such funds into the WCF.

HUD shall include in its annual operating plan a detailed outline of its plans for transferring budgetary resources to the WCF in fiscal year 2017.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2016	\$19,628,525,000
Budget request, fiscal year 2017	20,854,000,000
Recommended in the bill	20,188,675,000
Bill compared with:	
Appropriation, fiscal year 2016	+560,150,000
Budget request, fiscal year 2017	-665,325,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$20,188,675,000 for tenant-based rental assistance, which is \$560,150,000 above the fiscal year 2016 enacted level and \$665,325,000 below the budget request. Consistent with the budget request, the Committee continues the advance of \$4,000,000,000 of the funds appropriated under this heading for Section 8 programs to October 1, 2017.

Voucher renewals.—The Committee provides \$18,311,675,000 for the renewal of tenant-based vouchers. This level is \$630,224,000 above the fiscal year 2016 enacted level and \$135,325,000 below the budget request. The Committee directs the Department to monitor and report to the House and Senate Committees on Appropriations each quarter on the trends in Section 8 subsidies and to report on the required program alterations due to changes in rent or changes in tenant income.

The Committee recommendation does not include bill language proposed in the budget request for new special purpose vouchers. However, the Committee encourages HUD to facilitate the issuance of vouchers for vulnerable populations, including families that face homelessness, as vouchers become available to PHAs upon turnover.

Veterans affairs supportive housing (VASH).—The Committee provides funding to renew approximately 86,000 existing VASH vouchers to continue the effort to eliminate homelessness among our Nation's veterans.

Vouchers for homeless Native American veterans.—The Committee provides \$7,000,000 for renewal of vouchers for Native American veterans who are homeless or at risk of homelessness living on or near a reservation, or other Indian areas. This program was first funded in fiscal year 2015, and because of the unique nature of the program, a separate renewal line is required.

Homeless veterans on U.S.-Mexico border.—The Committee notes that there are many homeless veterans living on the U.S.-Mexico border, many of whom have not historically been counted in the Point-In-Time Homeless Survey. The Committee directs HUD to develop strategies and recommendations for addressing and reducing U.S. veteran homelessness in the U.S. on the border.

Tenant protection.—The Committee provides \$110,000,000 for tenant protection vouchers, which is \$20,000,000 below the fiscal year 2016 enacted level and the same as the budget request.

Administrative fees.—The Committee provides \$1,650,000,000 for allocations to public housing authorities (PHAs) to conduct activities associated with placing and maintaining individuals under Section 8 assistance. This amount is equal to the fiscal year 2016 enacted level and \$427,000,000 below the budget request.

Mainstream voucher renewals.—The Committee provides \$110,000,000 to renew expiring Section 811 tenant-based subsidies. This level is \$2,926,000 above the fiscal year 2016 enacted level and equal to the budget request. The Committee directs HUD to issue guidance to the housing agencies administering these vouchers to continue to serve people with disabilities upon turnover.

PHA notification.—The Committee continues in bill language the direction to the Department to communicate to each PHA, within

60 days of enactment, the amount that will be made available to each PHA for fiscal year 2017. The amount provided in this account is the only source of federal funds that may be used to renew tenant-based vouchers. The amounts appropriated here may not be augmented from any other source.

Public housing assessment system.—The Committee directs HUD to study and report back to the Committee on potential changes to the Public Housing Assessment System for PHAs that operate 550 or fewer public housing units and Housing Choice Vouchers combined by taking into consideration physical inspections and an annual financial assessment based on current assets and liabilities. The Department shall update the House and Senate Committees on Appropriations of their findings within 180 days of enactment of this Act. The Committee remains interested in ways to reduce onerous regulations for small public housing authorities.

Over-income residents.—The Committee encourages HUD to continue to work with PHAs to reduce the number of residents in public housing who are over-income and to address the demand for affordable housing by low-income individuals and families on waiting lists. The Committee emphasizes that, in addressing the issue of over-income residents, the Department should not impede policies that increase self-sufficiency of residents. The Committee directs HUD to provide a report to the Committee identifying measures the Department is taking to address over-income tenants no later than 180 days after enactment.

The Committee has been looking at barriers to permanent housing that youth face when exiting foster care. The Committee encourages HUD and PHAs to reevaluate their policies to ensure that youth exiting foster care transition to housing without experiencing homelessness. When eligible, these youth should receive consideration for tenant based rental assistance and other forms of permanent housing assistance. HUD is directed to notify the House and Senate Committees on Appropriations if the provisions of Section 213 of this Act pose a barrier to providing such assistance.

The Committee is concerned about reports that some public housing authorities are requiring residents to declaw their pet cats, although HUD regulations do not contain such a requirement. The Committee urges HUD to notify all PHAs that declawing is not required in public housing under HUD policy.

RENTAL ASSISTANCE DEMONSTRATION

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	\$50,000,000
Recommended in the bill	---
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	- 50,000,000

The Rental Assistance Demonstration (RAD) was authorized in fiscal year 2012 to preserve public housing by enabling Public Housing Authorities to use a portion of their operating and capital funds to leverage private sector funding to recapitalize their housing stock and maintain their units of affordable housing primarily through the conversion to long-term Section 8 rental assistance contracts. The budget request includes a request of \$50,000,000 for

an expansion of the program to public housing properties that cannot convert their housing at their existing funding levels, and to include Section 202 Project Rental Assistance Contracts (PRAC) properties.

COMMITTEE RECOMMENDATION

The Committee does not provide a separate line of funding or expanded authorities requested for the program. The Committee believes that the current cap of 185,000 units eligible for conversion will allow a significant number of PHAs to undertake RAD conversions in fiscal year 2017, as conversions have been completed on only a fraction of the 185,000 total unit cap.

HOUSING CERTIFICATE FUND

(RESCISSION)

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

COMMITTEE RECOMMENDATION

Language is included to allow unobligated balances from specific accounts to renew or amend Project-Based Rental Assistance contracts.

PUBLIC HOUSING CAPITAL FUND

Appropriation, fiscal year 2016	\$1,900,000,000
Budget request, fiscal year 2017	1,865,000,000
Recommended in the bill	1,900,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	+35,000,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$1,900,000,000 for the public housing capital fund, which is the same as the fiscal year 2016 enacted level and \$35,000,000 above the budget request.

Within the amounts provided, the Committee directs that:

—No more than \$10,000,000 is directed to support the ongoing public housing financial and physical assessment activities of the Real Estate Assessment Center;

—Up to \$1,000,000 is for administrative and judicial receiverships;

—Up to \$20,000,000 is made available for emergency capital needs, excluding Presidentially-declared disasters. The Committee

includes language to ensure that funds are used only for repairs needed due to an unforeseen and unanticipated emergency event or natural disaster that occurs during fiscal year 2017, or for certain security measures;

—\$35,000,000 is for the Resident Opportunity and Self-Sufficiency (ROSS) program; and

—\$15,000,000 is provided for the Jobs Plus program to improve employment opportunities and earnings of public housing residents.

Physical needs assessment prohibition.—The Committee has included bill language prohibiting funds for HUD’s Physical Needs Assessment (PNA) requirement for PHAs. Implementation of PNA requirements on PHAs unnecessarily increase administrative burdens on PHAs and appear to have no operational benefit for local housing programs.

PUBLIC HOUSING OPERATING FUND

Appropriation, fiscal year 2016	\$4,500,000,000
Budget request, fiscal year 2017	4,569,000,000
Recommended in the bill	4,500,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	- 69,000,000

The public housing operating fund subsidizes the costs associated with operating and maintaining public housing. This subsidy supplements funding received by public housing authorities from tenant rent contributions and other income. In accordance with section 9 of the United States Housing Act of 1937, as amended, funds are allocated by formula to public housing authorities for the following purposes: utility costs; anti-crime and anti-drug activities, including the costs of providing adequate security; routine maintenance cost; administrative costs; and general operating expenses.

COMMITTEE RECOMMENDATION

The Committee recommends \$4,500,000,000 for the federal share of PHA operating expenses. This amount is the same as the fiscal year 2016 enacted level and \$69,000,000 below the budget request.

CHOICE NEIGHBORHOODS INITIATIVE

Appropriation, fiscal year 2016	\$125,000,000
Budget request, fiscal year 2017	200,000,000
Recommended in the bill	100,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 25,000,000
Budget request, fiscal year 2017	- 100,000,000

COMMITTEE RECOMMENDATION

The Committee recommends \$100,000,000 for the Choice Neighborhoods Initiative Program, which is \$25,000,000 below the 2016 enacted level and \$100,000,000 below the budget request. The Committee encourages the Department to give prior year planning grant recipients priority consideration when awarding implementation grants.

FAMILY SELF SUFFICIENCY

Appropriation, fiscal year 2016	\$75,000,000
Budget request, fiscal year 2017	75,000,000
Recommended in the bill	75,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	---

The Family Self-Sufficiency program funds coordinators to help HUD-assisted residents achieve economic independence.

COMMITTEE RECOMMENDATION

The Committee provides \$75,000,000 to support the Family Self-Sufficiency program. This is the same as the fiscal year 2016 enacted level and the same as the budget request. The Committee expects the Department to prioritize assistance to individuals and families that results in job stability, increased tenant incomes, and greater rent contributions.

NATIVE AMERICAN HOUSING BLOCK GRANTS

Appropriation, fiscal year 2016	\$650,000,000
Budget request, fiscal year 2017	700,000,000
Recommended in the bill	655,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+5,000,000
Budget request, fiscal year 2017	-45,000,000

The Native American Housing Block Grants program, authorized by the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), provides funds to American Indian tribes and their Tribally Designated Housing Entities (TDHEs) to address affordable housing needs within their communities.

COMMITTEE RECOMMENDATION

The Committee recommends \$655,000,000 for Native American Housing Block Grants, which is \$5,000,000 above the fiscal year 2016 enacted level and \$45,000,000 below the budget request.

—\$3,500,000 is for organizations representing Native American housing interests to provide training and technical assistance to Indian housing authorities and TDHEs. Of this amount, no less than \$2,000,000 is for a national organization as authorized under NAHASDA.

—\$2,000,000 is for Title VI loan guarantees up to \$17,857,142.

Bill language is included to reduce formula allocation funding from any grantee that has an unexpended balance greater than three times its formula allocation, unless that grantee's formula allocation is less than \$8,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	\$500,000
Recommended in the bill	---
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	-500,000

The Native Hawaiian Housing Block Grant program provides grants to the State of Hawaii Department of Hawaiian Home Lands for housing and housing-related assistance to develop, maintain and operate affordable housing for eligible low-income native Hawaiian families.

COMMITTEE RECOMMENDATION

The Committee does not recommend funding for this program, which is the same as the fiscal year 2016 enacted level and \$500,000 below the budget request.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

Credit subsidy:	
Appropriation, fiscal year 2016	\$7,500,000
Budget request, fiscal year 2017	5,500,000
Recommended in the bill	5,500,000
Bill compared with:	
Appropriation, fiscal year 2016	-2,000,000
Budget request, fiscal year 2017	---
Limitation on guaranteed loans:	
Appropriation, fiscal year 2016	1,190,476,190
Budget request, fiscal year 2017	1,341,463,415
Recommended in the bill	1,341,463,415
Bill compared with:	
Appropriation, fiscal year 2016	+150,987,000
Budget request, fiscal year 2017	---

Section 184 of the Housing and Community Development Act of 1992 establishes a loan guarantee program for Native American individuals and housing authorities to build new housing or purchase existing housing on trust land. This program provides access to private financing that otherwise might be unavailable because of the unique legal status of Indian trust land.

COMMITTEE RECOMMENDATION

The Committee recommends \$5,500,000 in new credit subsidy for the Section 184 loan guarantee program, which is \$2,000,000 below the fiscal year 2016 enacted level and the same as the budget request. This will guarantee a loan volume of \$1,341,463,415, which is \$150,987,000 above the fiscal year 2016 enacted level and the same as the budget request.

COMMUNITY PLANNING AND DEVELOPMENT

Appropriation, fiscal year 2016	\$6,650,700,000
Budget request, fiscal year 2017	6,829,000,000
Recommended in the bill	6,882,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+231,300,000
Budget request, fiscal year 2017	+53,000,000

The Office of Community Planning and Development (CPD) is responsible for administering the Community Development Block Grants (CDBG), the Home Investment Partnership (HOME), Housing Opportunities for Persons with AIDS (HOPWA), Homeless Assistance Grants (HAG), and other HUD community development programs. Most of these programs pass Federal funds through to state and local governments and other entities to address housing and development needs.

COMMITTEE RECOMMENDATION

The Committee recommends \$6,882,000,000 for Community Planning and Development programs, which is \$231,300,000 above the fiscal year 2016 enacted level and \$53,000,000 above the budget request.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriation, fiscal year 2016	\$335,000,000
Budget request, fiscal year 2017	335,000,000
Recommended in the bill	335,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	---

The Housing Opportunities for Persons with AIDS (HOPWA) program provides states and localities with resources to address the housing needs of low-income persons living with HIV/AIDS. Funding is distributed by formula to qualifying states and metropolitan areas based on the cumulative incidences of AIDS reported to the Centers for Disease Control. Government recipients are required to have a HUD-approved Comprehensive Plan or Comprehensive Housing Affordability Strategy.

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$335,000,000 for the HOPWA program, which is the same as the fiscal year 2016 enacted level and the same as the budget request. The Committee recommendation includes formula grants and funding for the renewal of certain expiring contracts that were previously funded under HOPWA competitive grants.

Formula modernization.—The current HOPWA formula, which is based on cumulative AIDS cases and area incidence, no longer reflects the nature of an epidemic that has been transformed by both advances in HIV health care and surveillance, and by the increasingly disproportionate impact of the virus on communities of poverty and color. The Committee encourages the Department to work with the authorizing committees on any additional statutory authority needed to modernize the HOPWA formula.

COMMUNITY DEVELOPMENT FUND

Appropriation, fiscal year 2016	\$3,060,000,000
Budget request, fiscal year 2017	2,880,000,000
Recommended in the bill	3,060,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	+180,000,000

The Community Development Fund, authorized by the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), provides funding, primarily through Community Development Block Grants, to state and local governments and other eligible entities to carry out community and economic development activities.

COMMITTEE RECOMMENDATION

The Committee recommends a total of \$3,060,000,000 for the Community Development Fund account, which is the same as the

fiscal year 2016 enacted level and \$180,000,000 above the budget request.

Of the amounts made available:

—\$3,000,000,000 is for the Community Development Block Grants (CDBG) formula program for entitlement communities and states. This is the same as the fiscal year 2016 enacted level and \$200,000,000 above the budget request; and

—\$60,000,000 is for the Native American Housing and Economic Development Block Grant (also known as “Indian CDBG”), which is the same as the fiscal year 2016 enacted level and \$20,000,000 below the budget request.

Of the amount provided for the CDBG formula program, \$7,000,000 is for insular areas, per 42 U.S.C. 5306(a)(2), which is the same as the fiscal year 2016 enacted level and the budget request. The recommendation continues language requiring the Department to notify grantees of their formula allocation within 60 days of enactment of this Act.

Entitlement community eligibility.—The Committee has not included language establishing a minimum grant amount necessary to become or remain an entitlement community. The Committee is concerned about the impact of this change on smaller communities. Under the proposal, communities that would otherwise have directly received funding would have to compete with other communities for a portion of the funding allocated to their state. The Committee notes that communities that have voluntarily joined an urban county for purposes of CDBG allocations have achieved similar efficiencies.

Veterans service organizations.—The Committee encourages the Department to examine ways to work with existing, eligible veterans service organizations to improve their facilities through the community development block grant program. The Committee recognizes the important role local veterans service organizations play in community development and support.

National disaster resilience competition.—The Disaster Relief Appropriations Act (P.L. 113–2) provided much needed resources to assist the victims of Superstorm Sandy. However, despite concerns from Congressional delegations from affected states, HUD went forward with a \$1 billion national disaster resilience competition (NRDC). The results of this competition have furthered concerns regarding the allocation of funding for NRDC. The Committee directs the Secretary to provide a report to the House and Senate Committees on Appropriations within 60 days of enactment which details the process by which HUD decided to create such a competition and how awards were determined. The report shall include an analysis of need in communities that still have unmet needs as a result of Superstorm Sandy, and an explanation of why NRDC funding was not directed to address those unmet needs.

Low-moderate income data.—The Committee directs HUD to publish the margin of error at the place level for the low-and-moderate income (LMI) American Community Survey data HUD used to determine CDBG eligibility for each place that has a margin of error that is 20% or greater. The Committee expects HUD to make this data public within 90 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

	Budget Authority	Limitation on guaranteed loans
Appropriation, fiscal year 2016	---	(\$300,000,000)
Budget request, fiscal year 2017	---	(\$300,000,000)
Recommended in the bill	---	(\$300,000,000)
Bill compared with:		
Appropriation, fiscal year 2016	---	---
Budget request, fiscal year 2017	---	---

The Section 108 Loan Guarantee program is a source of variable and fixed-rate financing for communities undertaking projects eligible under the Community Development and Block Grant (CDBG) program. Such activities may include economic development, housing rehabilitation, public facilities, and large-scale physical development projects. By pledging their current and future CDBG allocations to cover the loan amount as security, communities are able to finance large-scale projects with a federally guaranteed loan. HUD may require additional security for a loan, as determined on a case-by-case basis.

COMMITTEE RECOMMENDATION

The Committee recommendation continues the Section 18 Loan Guarantee program as a borrower-paid subsidy program, and therefore recommends providing no budget authority, which is the same as fiscal year 2016 enacted and the budget request. The Committee also accepts the requested limit on guaranteed loan volume of \$300,000,000 which is the same as the fiscal year 2016 enacted level.

HOME INVESTMENT PARTNERSHIPS PROGRAM

Appropriation, fiscal year 2016	\$950,000,000
Budget request, fiscal year 2017	940,000,000
Recommended in the bill	950,000,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	+10,000,000

The HOME investment partnerships program provides block grants to participating jurisdictions (states, units of local government, Indian tribes, and insular areas) to undertake activities that expand the supply of affordable housing in the jurisdiction. HOME block grants are distributed based on formula allocations. Upon receipt of these Federal funds, state and local governments develop a housing affordability strategy to acquire, rehabilitate, or construct new affordable housing, or to provide rental assistance to eligible families.

COMMITTEE RECOMMENDATION

The Committee recommends \$950,000,000 for activities funded under this account, which is the same as fiscal year 2016 enacted and \$10,000,000 above the budget request.

People with disabilities and the elderly.—The Committee encourages the Department and grantees to utilize HOME funds to modernize, rehabilitate, and develop housing for people with disabilities and the elderly. The Committee notes that HOME funding is a

flexible funding source that can leverage other capital to address the shortage of housing for the elderly and the disabled.

Statutory reforms.—The Committee does not include the statutory reforms to HOME requested in the budget that would eliminate communities from the program that receive less than \$500,000. HOME funding is a vital resource for communities working to meet the needs of low-income families and individuals in need of supportive housing, including veterans, persons with disabilities, seniors and persons experiencing homelessness. The program allows states and localities to respond to individuals' most pressing housing needs. HOME provides gap financing that is critical to the creation and provision of affordable housing for the families who need it the most.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

Appropriation, fiscal year 2016	\$55,700,000
Budget request, fiscal year 2017	10,000,000
Recommended in the bill	50,000,000
Bill compared with:	
Appropriation, fiscal year 2016	– 5,700,000
Budget request, fiscal year 2017	+40,000,000

Self-Help Homeownership Opportunity Program (SHOP) funds are distributed through grants to nonprofit organizations and consortia that have experience in providing or facilitating self-help homeownership opportunities. Grant funds are used for land acquisition and improvements associated with developing new, decent dwellings for low-income persons, including those living in colonias, using the self-help model.

Section 4 Capacity Building funds are set-aside within this account for activities described under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note). Section 4 funds are awarded to a limited number of non-profits, which use the funds to develop the capacity of community development corporations (CDCs) and community housing development organizations (CHDOs). The CDCs and CHDOs then undertake community development and affordable housing activities. Section 4 funds must be matched by recipients with at least three times the grant amount in private funding.

COMMITTEE RECOMMENDATION

The Committee recommends \$50,000,000 for this account which includes \$10,000,000 for SHOP, \$35,000,000 for Section 4 capacity building, and \$5,000,000 for capacity building grants to national rural housing organizations that operate capacity building activities in at least seven HUD regions. The recommended funding level for each of these activities is \$5,700,000 below the fiscal year 2016 enacted level. The Committee rejects the request to fund these activities through other programs or under other accounts.

The Committee encourages that the Section 4 funds be awarded competitively to a limited number of non-profits to aid community development corporations and community housing development organizations. Further, the Committee recognizes that the Section 4 capacity building program strengthens lower-income urban and rural communities through the expansion of affordable housing

units. The Committee recommends at least \$5 million of the funds made available by the Section 4 Capacity Building program be used for rural capacity building activities.

HOMELESS ASSISTANCE GRANTS

Appropriation, fiscal year 2016	\$2,250,000,000
Budget request, fiscal year 2017	2,664,000,000
Recommended in the bill	2,487,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+237,000,000
Budget request, fiscal year 2017	-177,000,000

The Homeless Assistance Grants account provides funding for programs under title IV of the McKinney Act, as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. HEARTH Act programs include the Continuum of Care (CoC) competitive grants, the Emergency Solutions Grants (ESG) program, and the Rural Housing Stability Grants program.

COMMITTEE RECOMMENDATION

The Committee recommends funding the homeless assistance grant programs at \$2,487,000,000, which is \$237,000,000 above the fiscal year 2016 enacted level and \$177,000,000 below the budget request. The recommendation includes funding to support continuum of care project renewals of no less than \$2,014,000,000, at least \$270,000,000 in formula emergency solutions grants, and \$40,000,000 for discretionary grants to fund rapid re-housing or other critical activities in communities that have recently lost significant capacity to serve persons experiencing homelessness. Up to \$7,000,000 is available for the national homeless data analysis project.

Performance-driven funding awards.—Holding projects accountable to their ability to demonstrate effectiveness through performance data is essential to getting the most out of limited federal resources. The recommendation continues language which directs the Secretary to award an increasing share of funding on the basis of system performance.

Continuum of care funding reallocation.—The recommendation includes language that directs the Secretary to prioritize funding to grantees that, when appropriate, reallocate funding from lower performing projects to higher performing projects. Reallocation drives higher return on investment and can also serve as a mechanism for containing annual inflation.

Supplementary emergency solutions grant funding for negatively impacted communities.—The Committee supports HUD's efforts to ensure that the continuum of care program funds high-quality, evidence-based projects through a rigorous national competition based on performance. The actions taken by the Department to increase competitiveness in the program have been responsive to the Committee's direction. However, the Committee also recognizes that changes of this nature may be difficult for communities to implement at the local level, and has included an appropriation of \$40,000,000 to assist communities that lost significant capacity in the national competition. The Committee directs HUD to distribute

this allocation via a formula, as determined by the Secretary, to the communities that lost the most funding in the continuum of care program after January 1, 2016 relative to the total funding the community was eligible to receive. Funds shall be used in accordance with the emergency solutions grant (ESG) program, shall be allocated to the largest ESG recipient in each continuum of care, and shall be awarded at the same time as the overall ESG allocation.

Technical assistance.—The Committee recommendation provides at least \$15,000,000 for technical assistance to continuum of care communities. Of this amount, no less than \$5,000,000 shall fund technical assistance and capacity building in communities with high need. HUD shall not exceed the statutory cap on technical assistance.

Trauma-informed care.—The Committee recognizes the value of trauma-informed care and housing services and supports expanding the availability of these services to families, families with children, and individuals that are currently or on the verge of being homeless. Therefore, the Committee directs the Department to report to the House and Senate Committees on Appropriations within 180 days of enactment on what steps can be taken to improve access to services across all federal, state, and local homeless services, outreach, and prevention programs.

HOUSING PROGRAMS

PROJECT BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2016	\$10,620,000,000
Budget request, fiscal year 2017	10,816,000,000
Recommended in the bill	10,901,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+281,000,000
Budget request, fiscal year 2017	+85,000,000

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

COMMITTEE RECOMMENDATION

The Committee provides a total of \$10,901,000,000, including \$400,000,000 provided as advance appropriations, for the annual renewal of project-based contracts. This funding level is \$281,000,000 above the enacted level for fiscal year 2016 and \$85,000,000 above the budget request. Up to \$235,000,000 is available for performance-based contract administrators (PBCA).

Performance-based contract administrators.—PBCAs are public housing agencies, as defined by 42 USC 1437(a), which include state and local public housing authorities and their instrumentalities. They are responsible for conducting on-site management reviews of assisted properties, adjusting contract rents, and review-

ing, processing, and paying monthly vouchers, among other tasks. The Committee notes that PBCAs are integral to the Department’s efforts to reduce improper payments, protect residents, and ensure properties are well maintained. The Committee directs the Department to solicit and award PBCA contracts under full and open competition and without geographic limitation in accordance with the Competition in Contracting Act and the Federal Acquisition Regulation. Notwithstanding any provision of state law, the Committee rejects any attempt to weaken the PBCAs’ comprehensive oversight of the properties administered under their management, diminish the applicability of federal law, or limit out-of-state competition by reliance on letters from state attorneys general, as seen in the 2012 NOFA process, or otherwise.

HOUSING FOR THE ELDERLY

Appropriation, fiscal year 2016	\$432,700,000
Budget request, fiscal year 2017	505,000,000
Recommended in the bill	505,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+72,300,000
Budget request, fiscal year 2017	---

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

COMMITTEE RECOMMENDATION

The Committee recommends \$505,000,000, which is \$72,300,000 above the fiscal year 2016 enacted level and equal to the budget request. This amount will fully fund contract renewals and amendments in fiscal year 2017 for the elderly program.

The recommendation allocates available funding as follows:

- \$427,000,000 for the renewal and amendment of project rental assistance contracts (PRAC);
- Up to \$75,000,000 for service coordinators and the continuation of congregate services grants; and
- \$3,000,000 for property inspections and related costs.

The Committee continues to include bill language relating to the initial contract and renewal terms for assistance provided under this heading and language allowing these funds to be used for inspections and analysis of data by HUD’s REAC program office.

HOUSING FOR PERSONS WITH DISABILITIES

Appropriation, fiscal year 2016	\$150,600,000
Budget request, fiscal year 2017	154,000,000
Recommended in the bill	154,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+3,400,000
Budget request, fiscal year 2017	---

The Housing for Persons with Disabilities (Section 811) program provides eligible private, non-profit organizations with capital grants to finance the acquisition, rehabilitation or construction of

supportive housing for disabled persons and provides project-based rental assistance (PRAC) to support operational costs for such units.

COMMITTEE RECOMMENDATION

The Committee recommends \$154,000,000 for Section 811 activities, which is \$3,400,000 above the fiscal year 2016 enacted level and equal to the budget request. This level will fully fund the project rental assistance and project assistant contract renewals and amendments in fiscal year 2017. The Committee continues to include bill language allowing funds to be used for inspections and analysis of data by HUD's REAC program office.

HOUSING COUNSELING ASSISTANCE

Appropriation, fiscal year 2016	\$47,000,000
Budget request, fiscal year 2017	47,000,000
Recommended in the bill	55,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+8,000,000
Budget request, fiscal year 2017	+8,000,000

Section 106 of the Housing and Urban Development Act of 1968 authorized HUD to provide housing counseling services to homebuyers, homeowners, low and moderate income renters, and the homeless.

COMMITTEE RECOMMENDATION

The Committee recommends \$55,000,000 for Housing Counseling Assistance, which is \$8,000,000 above the fiscal year 2016 enacted level and equal to the budget request. The Committee increases funding for HUD counseling activities to offset the reduction in foreclosure mitigation counseling under the Neighborhood Reinvestment Corporation appropriation.

The Committee retains bill language that provides two year funding availability to allow HUD flexibility to obligate recaptures and unobligated balances to support counseling activity rather than allowing the funds to expire. The bill retains language that requires HUD to make grants within 180 days of enactment, and allows multi-year agreements, subject to the availability of annual appropriations.

The Committee encourages HUD to coordinate with FEMA's flood insurance advocate to ensure HUD counselors located in flood-prone states receive adequate training and information to educate future homeowners on their potential flood risks, associated flood insurance premiums, home mitigation measures available proven to reduce flood risk, and any federal assistance available for mitigation projects and activities.

RENTAL HOUSING ASSISTANCE

Appropriation, fiscal year 2016	\$30,000,000
Budget request, fiscal year 2017	20,000,000
Recommended in the bill	20,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 10,000,000
Budget request, fiscal year 2017	---

The rental housing assistance account includes existing long-term project-based rental assistance contracts covering approximately affordable housing units under the rent supplement and section 236 rental assistance payment (RAP) programs. Enacted in 1965 and 1974 respectively, these programs created affordable units for low-income families. Monthly payments are made to project owners from existing contract balances, and new budget authority for short-term extensions of expiring contracts and annual contract amendments. Contract amendments provide additional subsidy to below-market contracts where rents have been constrained and owners are unable to adequately service properties and perform ongoing maintenance.

COMMITTEE RECOMMENDATION

The Committee recommends \$20,000,000 in funding for the rental housing assistance program, which is \$10,000,000 below the fiscal year 2016 enacted level and equal to the budget request. This appropriation will fully fund contract amendment and extension needs in fiscal year 2017. The Committee continues bill language that allows HUD to use unobligated balances and recaptured funds for extensions and amendments.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

Appropriation, fiscal year 2016	\$10,500,000
Budget request, fiscal year 2017	11,500,000
Recommended in the bill	11,500,000
Bill compared with:	
Appropriation, fiscal year 2016	+1,000,000
Budget request, fiscal year 2017	- - -

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. HUD estimates that there are 8 million manufactured homes built since 1976 that are currently in use.

COMMITTEE RECOMMENDATION

The Committee recommends up to \$11,500,000 for the manufactured housing standards programs to be derived from certification label fees collected and deposited in the manufactured housing fees trust fund, established pursuant to the Manufactured Housing Improvement Act of 2000. The Committee does not provide a direct appropriation for this account. The recommendation is \$1,000,000 above the fiscal year 2016 enacted level, and equal to the budget request. This increase reflects the growth in production since 2011, which is projected to continue.

The Committee includes language allowing the Department to collect fees from program participants for the dispute resolution and installation programs. These fees are to be deposited into the trust fund and may be used by the department subject to the overall cap placed on the account.

The Committee urges HUD to work with the Department of Energy to evaluate the cost of duplicative energy efficiency standards as they relate to manufactured housing and eliminate overlapping regulations.

FEDERAL HOUSING ADMINISTRATION
MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

	Limitation of direct loans	Limitation of guaranteed loans	Administrative contract expenses
Appropriation, fiscal year 2016	\$5,000,000	\$400,000,000,000	\$130,000,000
Budget request, fiscal year 2017	5,000,000	400,000,000,000	160,000,000
Recommended in the bill	5,000,000	400,000,000,000	130,000,000
Bill compared to:			
Appropriation, fiscal year 2016	---	---	---
Budget request, fiscal year 2017	---	---	- 30,000,000

The Federal Housing Administration's (FHA) mutual mortgage insurance program account includes the mutual mortgage insurance (MMI) and cooperative management housing insurance funds. This program account covers unsubsidized programs, primarily the single-family home mortgage program, which is the largest of all the FHA programs. These include the Condominium, Section 203(k) rehabilitation, and Home Equity Conversion Mortgage programs (HECM) and the multifamily Cooperative Management Housing Insurance Funds (CMHI). The cooperative housing insurance program provides mortgages for cooperative housing projects of more than five units that are occupied by members of a cooperative housing corporation.

COMMITTEE RECOMMENDATION

The Committee recommends the following limitations on loan commitments in the MMI program account: \$400,000,000,000 for loan guarantees and \$5,000,000 for direct loans. The recommendation also includes \$130,000,000 for administrative contract expenses.

The Committee's recommendation for administrative contract expenses is equal to the fiscal year 2016 enacted level and \$30,000,000 below the budget request. Although the Committee is committed to system automation, quality control efforts, and risk management improvements; the Committee denies authority to assess a new fee to augment administrative costs.

HECM.—The Committee includes bill language that lifts the statutory aggregate cap of 275,000 HECM loan guarantees in fiscal year 2017. The Committee has carried similar language in prior years.

Eminent Domain.—The Committee continues to carry bill language that prohibits financing of properties obtained through eminent domain. The Committee continues to be concerned about proposals for local governments to seize underwater performing mortgages and then refinance them into an FHA product. The Committee required HUD to submit a report on April 1, 2014 detailing the effects using eminent domain for these purposes will have on

the housing market, including FHA primary and refinance market, as well as the broader mortgage market, interest rates, homeownership, and affordability. The Committee continues to await the delivery of this report, and continues to prohibit HUD from financing mortgages for properties that have been subject to eminent domain.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

	Limitation of direct loans	Limitation of guaranteed loans
Appropriation, fiscal year 2016	\$5,000,000	30,000,000,000
Budget request, fiscal year 2017	5,000,000	30,000,000,000
Recommended in the bill	5,000,000	30,000,000,000
Bill compared to:		
Appropriation, fiscal year 2016	---	---
Budget request, fiscal year 2017	---	---

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

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on loan guarantees of \$30,000,000,000, which is the same as the fiscal year 2016 enacted level and equal to the budget request. It includes a limitation of \$5,000,000 for direct loans, which is equal to the fiscal year 2016 enacted level and equal to the budget request. This program provides short-term purchase money mortgages to allow non-profit and governmental agencies to acquire single family properties and resell to low income purchasers. However, use has declined recently due to the shortage of state/local government subsidies needed to offset participants’ development costs associated with administering the program.

The Committee encourages HUD to coordinate with FEMA’s flood insurance advocate and identify rehabilitation activities eligible under section 203(k) that also fulfill FEMA’s hazard mitigation standards and to identify qualifying disaster mitigation rehabilitation options on its website and other promotional materials.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 GUARANTEES OF MORTGAGE BACKED SECURITIES LOAN GUARANTEE
 PROGRAM ACCOUNT

	Limitation of guaranteed loans	Administrative contract expenses
Appropriation, fiscal year 2016	\$500,000,000,000	\$23,000,000
Budget request, fiscal year 2017	500,000,000,000	23,300,000
Recommended in the bill	500,000,000,000	23,000,000
Bill compared to:		
Appropriation, fiscal year 2016	---	---
Budget request, fiscal year 2017	---	---

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

COMMITTEE RECOMMENDATION

The recommendation includes a \$500,000,000,000 limitation on loan commitments for mortgage-backed securities, as requested, and \$23,000,000 for the personnel costs of GNMA, to be funded by Commitment and Multiclass fees. The recommendation for personnel costs is equal to the fiscal year 2016 enacted level and equal to the budget request.

POLICY DEVELOPMENT AND RESEARCH

Appropriation, fiscal year 2016	\$85,000,000
Budget request, fiscal year 2017	¹ 185,000,000
Recommended in the bill	80,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 5,000,000
Budget request, fiscal year 2017	- 105,000,000

¹Of the \$185,000,000 requested, \$65,000,000 was to be provided by straight appropriation and \$120,000,000 was to be transferred from other HUD program accounts. This bill does not recommend transfers from other accounts.

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.

This appropriation is used to support HUD evaluation and monitoring activities and to conduct housing surveys. Finally, funds under this heading are used to support technical assistance activities to the various states, communities, and agencies that are charged with administering HUD's programs and funds.

COMMITTEE RECOMMENDATION

The Committee recommends \$80,000,000 for this account, which is \$5,000,000 below last year's level and \$105,000,000 below the budget request. Consistent with prior years, the Committee again rejects the Administration's proposal to fund research and technical assistance through a take down and transfer from other appropriated HUD program accounts.

Of the activities proposed in the budget, the Committee recommends \$50,000,000 for the core research programs: \$41,500,000 for market surveys, \$5,700,000 for research support and dissemination, \$600,000 for data acquisition, \$1,000,000 for housing finance studies, \$1,000,000 for research partnerships, and \$200,000 for housing technology.

The Committee recommends \$5,000,000 for new and continuing studies and demonstration evaluations, with up to \$2,000,000 for the MTW study. Further, the Committee's recommendation includes \$25,000,000 for all technical assistance—program-specific, cross cutting, and place-based. Of the funds identified for technical assistance to troubled PHA's, the Committee strongly urges the Department to target truly troubled or at-risk PHAs requiring assistance to conduct basic business and housing responsibilities versus assisting with glitzy new and bonus endeavors, such as energy performance contracts.

The Committee strongly encourages the Department to consider providing technical assistance to distressed cities and communities through a network of non-profit or private sector organizations that have a proven track record of providing assistance to multiple cities across various disciplines, including economic development, workforce development, fiscal efficiency, and promoting best practices and inter-city assistance.

The Committee again continues to recommend funds for the SHOP program as a separate account under the Office of Housing, consistent with prior years.

As in prior years, the bill includes a general provision in Title II that prohibits funds from being used for a doctoral dissertation research grant program.

The bill includes a general provision in Title II that allows the Department to use prior year deobligated or unexpended funds made available to the Office of Policy Development and Research for other research and evaluations. The Committee provides this authority under the condition that any new obligations are subject to the regular reprogramming procedures outlined in section 405.

Resilient construction.—The Committee supports enhanced resiliency for new construction and renovation. The Committee urges HUD to study technologies, elements, and materials that create more resilient single and multi-family homes such as lean manufacturing, safe rooms, and alternative materials to improve durability and safety during natural disasters. The term “resilient con-

struction” is defined as construction methods that: (1) allow a structure to resist hazards brought on by a major disaster, (2) allow a structure to continue to provide the primary functions of the structure following a major disaster, (3) reduce the magnitude or duration of a disruptive event to a structure, and (4) allow the structure to have the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event.

Fair market rents.—The Committee encourages the Department to improve the process concerning fair market rents (FMRs). The Committee recommends that proposed FMRs be published no later than July 1st so that parties have sufficient time to consider the rates before the October 1st publishing date for final FMRs, understanding that HUD already has an established procedure for public housing agencies and other interested parties to comment on proposed FMRs. In addition, the Committee recommends that HUD establish and publish a clear process for public housing agencies to follow in order to request reevaluation of FMRs, where public housing agencies are having demonstrable difficulty placing voucher tenants in units (e.g., low success rates despite high payment standards).

The Committee recommends that, where available, HUD incorporate the most recent, statistically reliable, regional data on rents paid in a market when determining FMRs for a community.

Area median income.—The Committee commends efforts to test alternative measurements of fair market rent using small areas to gauge the impact on local housing choices, but urges HUD to also look at the current measurement methodology of area median income (AMI) in metropolitan areas in order to more accurately and locally measure AMI to offer affordable housing. Within 180 days of enactment of this Act, the Committee directs HUD to submit a report to the Committee on the options for measuring AMI using more localized methodologies, the feasibility of using these alternative measurements, and if HUD has plans to test the identified alternatives.

The Committee recognizes the need for an examination of the effects of rapidly rising rents in urban areas across the nation, and strategies to create and retain affordable housing options, and avoid displacement in these communities. The Committee directs the Secretary to submit a report to the House and Senate Committees on Appropriations within 180 days of enactment detailing best practices and recommendations to address the displacement of lower-income families and long-time residents in urban areas, and loss of affordable housing across the nation.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriation, fiscal year 2016	\$65,300,000
Budget request, fiscal year 2017	70,000,000
Recommended in the bill	65,300,000
Bill compared with:	
Appropriation, fiscal year 2016	---
Budget request, fiscal year 2017	-4,700,000

The Office of Fair Housing and Equal Opportunity (OFHEO) is responsible for developing policies and guidance, and for providing

technical support for enforcement of the Fair Housing Act and the civil rights statutes. OFHEO serves as the central point for the formulation, clearance and dissemination of policies, intra-departmental clearances, and public information related to fair housing issues. OFHEO receives, investigates, conciliates and recommends the issuance of charges of discrimination and determinations of non-compliance for complaints filed under Title VIII and other civil rights authorities. Additionally, OFHEO conducts civil rights compliance reviews and compliance reviews under section 3.

COMMITTEE RECOMMENDATION

The Committee recommends \$65,300,000 for fair housing programs, which is the same as the fiscal year 2016 level and \$4,700,000 below the request. Of the funds provided, \$24,300,000 is for the fair housing assistance programs, \$300,000 is for the limited English proficiency initiative and \$1,500,000 is for the National Fair Housing Training Academy. Of the \$39,200,000 for the fair housing initiative programs, not less than \$7,450,000 is for education and outreach programs. The Committee directs the Department to focus resources on education, outreach, and training initiatives, and supporting local and state organizations that conduct investigations and adjudicate claims.

Group homes, local land use, and the Fair Housing Act.—The Committee is aware that the Secretary is in the process of updating the 1999 Joint Statement on Group Homes, Local Land Use, and the Fair Housing Act. The Committee stresses the importance of the Secretary coordinating with the Attorney General to complete this process in a timely manner and recognizing or defining the role of state or local governments in defining zoning ordinances, licensing, and registration requirements regarding sober homes.

Affirmatively furthering fair housing (AFFH).—A number of communities and local organizations have expressed concern that the guidance provided by HUD regarding compliance with the new AFFH rule is vague, and the communication with stakeholders regarding requirements and compliance is lacking. The Committee's recommendation includes resources under the salaries and expenses and policy, development, and research accounts to address these concerns. Further, the Committee directs HUD to work with its grantees and stakeholders to address their concerns, and continue to refine the tools and resources available to stakeholders to comply with the new rule.

Disparate impact and insurance.—The United States District Court, Northern Division of Illinois found that “HUD’s response to the insurance industry’s concerns [regarding the Disparate Impact Rule] was arbitrary and capricious” and remanded a portion of the “Implementation of the Fair Housing Act’s Discriminatory Effects Standard” rule regarding insurance back to HUD for further consideration and explanation. The Committee directs HUD to take action expeditiously in response to the Court’s remand.

The Committee directs the Department to provide a spend plan for all funds and activities in this account concurrent with the fiscal year 2017 operating plan and provide 3 days’ notice prior to the announcement of any grant.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

Appropriation, fiscal year 2016	\$110,000,000
Budget request, fiscal year 2017	130,000,000
Recommended in the bill	110,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+20,000,000
Budget request, fiscal year 2017	+20,000,000

The Office of Lead Hazard Control and Healthy Homes is responsible for administering the lead-based paint hazard reduction program authorized by Title X of the Housing and Community Development Act of 1992. The office also addresses multiple housing-related health hazards through the healthy homes initiative, pursuant to the Secretary's authority in sections 501 and 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 and 1701z-2).

The office develops lead-based paint regulations, guidelines, and policies applicable to HUD programs and enforces the lead disclosure rule issued under Title X. For both lead-related and healthy homes issues, the office designs and administers programs for grants, training, research, demonstration, and education.

COMMITTEE RECOMMENDATION

The Committee recommends \$130,000,000 for the lead programs, which is \$20,000,000 above both the fiscal year 2016 enacted level and the budget request.

The Committee recommends no more than \$20,000,000 for the healthy homes initiative, and directs the Department to fund activities aimed at reducing incidences of asthma, mold, pests and radon.

Lead hazards in assisted housing.—The Committee recognizes the need for updated lead inspection standards for federally assisted housing especially given the significant impact lead exposure can have on children and their development. The Committee believes that HUD has the statutory authority necessary to require more stringent inspections when checking homes for lead paint. HUD's current visual lead inspections have proven insufficient, and more rigorous standards, such as requiring risk assessments prior to a family moving into a home, should be implemented to ensure that children living in federally assisted housing are protected from lead poisoning.

Lead hazards in housing study.—The Committee directs the Government Accountability Office (GAO) to report to the House and Senate Committees on Appropriations, not later than 180 days after enactment, on the issue of lead hazards in housing, including:

(1) an assessment of the implications of changing Department regulations to align with the Centers for Disease Control and Prevention guidance; and

(2) an assessment of the implications of requiring a risk assessment (beyond a visual assessment) for initial and periodic inspections for lead-based paint hazards for housing receiving federal assistance through HUD, and the impact it would have on landlord participation and the availability of affordable housing;

(3) an analysis of whether existing federal programs and funding for lead hazard control activities in housing receiving federal assistance meet the current and evolving needs;

(4) recommendations on how to improve coordination and leveraging of public and private funds to reduce the costs associated with the identification and remediation of lead hazards; and

(5) an identification of existing partnerships among public housing agencies and public health agencies to address lead-based paint hazards, what gaps exist in compliance and enforcement, and whether the partnerships can be replicated and enhanced through better data collection and dissemination among stakeholders.

The Committee directs the Department to provide a spend plan for all funds and activities in this account concurrent with the fiscal year 2017 operating plan and provide 3 days' notice prior to the announcement of any grant.

INFORMATION TECHNOLOGY FUND

Appropriation, fiscal year 2016	\$250,000,000
Budget request, fiscal year 2017	286,000,000
Recommended in the bill	100,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 150,000,000
Budget request, fiscal year 2017	- 186,000,000

The information technology fund finances the information technology (IT) systems that support departmental programs and operations, including FHA Mortgage Insurance, housing assistance and grant programs, as well as core financial and general operations.

COMMITTEE RECOMMENDATION

The Committee recommends \$100,000,000 in direct appropriations for the IT fund to support Department-wide information technology system activities, \$150,000,000 less than the fiscal year 2016 enacted level and \$186,000,000 below the budget request. The Department requires approximately \$250,000,000 simply to operate basic telecommunication services and existing information technology contracts, and prior to enactment, the Committee will work to identify sources of funds to maintain and upgrade the Department's systems. The Committee strongly urges HUD to continue refining the services and contracts under the Department's Working Capital Fund so that IT services can be funded by the users.

The Committee directs HUD to continue with efforts to retire obsolete, unproductive, and expensive information technology systems, and streamline and consolidate current services contracts in an effort to direct resources for higher priority and more effective systems.

As HUD makes progress to move forward with modernizing its IT systems, much of the credit for any success needs to be given to GAO and its continued oversight and evaluation of HUD IT governance. The Committee strongly urges HUD to adhere to the direction provided by GAO.

In addition to GAO's reviews, the Committee commends the Office of the Chief Information Officer for bringing IT investments and development under the control of the OCIO versus the individual program offices. The Committee is opposed to any program

office utilizing funds outside of the IT fund for system development and directs HUD to maintain IT investments under this header or the Working Capital Fund only.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2016	\$126,000,000
Budget request, fiscal year 2017	129,000,000
Recommended in the bill	128,082,000
Bill compared with:	
Appropriation, fiscal year 2016	+2,082,000
Budget request, fiscal year 2017	- 918,000

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

COMMITTEE RECOMMENDATION

The Committee recommends \$128,082,000 for the Office of Inspector General, which is \$2,082,000 greater than the fiscal year 2016 enacted level and \$918,000 below the budget request. The Committee does not provide funds for any additional personnel.

The Committee has found the reports and investigations undertaken by the IG over the past few years to be interesting and pertinent to the work of the Committee.

Fair and equitable pay arbitration case.—The HUD OIG shall review and audit all events related to the Order and Remedy, FMCS No. 03-07743, issued by Arbitrator Andree McKissick on January 10, 2012, otherwise known as Fair and Equitable Pay, and report to the House and Senate Committees on Appropriations its findings and recommendations including: (1) the Department’s past and present human resource practices with regard to classification, workload balancing, workforce restructuring, position management, and fairness of advertising positions and other issues raised in this case; (2) whether any such current practices should be changed to better align with applicable laws and regulations; and (3) to continue to examine whether HUD provided a correct assessment of liability in this matter as it relates to the annual Financial Statement Audit going back five years.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

INCLUDING TRANSFER OF FUNDS

(INCLUDING RESCISSIONS)

Section 201. The Committee continues a provision regarding certain overpayments to be returned to Treasury.

Section 202. The Committee continues the provision prohibiting the use of funds to investigate or prosecute legal activities under the Fair Housing Act.

Section 203. The Committee continues the provision extending HOPWA formula modifications affecting certain jurisdictions in New York, New Jersey, and North Carolina.

Section 204. The Committee continues the provision requiring that funds be distributed on a competitive basis unless specified otherwise in statute.

Section 205. The Committee continues the provision allowing HUD to use funds to reimburse the Government National Mortgage Association (GNMA), Fannie Mae and other federal entities for services and facilities.

Section 206. The Committee continues the provision requiring HUD to comport with the budget estimates except as otherwise provided in this Act or through an approved reprogramming.

Section 207. The Committee continues the provision providing authorization for HUD corporations to utilize funds under certain conditions and restrictions.

Section 208. The Committee continues the provision requiring a report on available balances each quarter.

Section 209. The Committee continues the provision requiring that the Administration's budget and the Department's budget justifications for fiscal year 2018 be submitted in the identical account and sub-account structure provided in this Act.

Section 210. The Committee continues the provision exempting PHA Boards in Alaska, Iowa, and Mississippi and the County of Los Angeles from the public housing resident representation requirement, and provides alternative requirements.

Section 211. The Committee continues the provision exempting GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 212. The Committee continues the provision authorizing HUD to transfer debt and use agreements from an obsolete project to a viable project, provided certain conditions are met.

Section 213. The Committee continues the provision setting forth the requirements for eligibility for section 8 voucher assistance.

Section 214. The Committee continues the provision distributing Native American Housing Block Grant funds to the same Native Alaskan recipients as in fiscal year 2005.

Section 215. The Committee continues the provision authorizing the Secretary to insure mortgages under section 255 of the National Housing Act.

Section 216. The Committee continues the provision instructing HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 217. The Committee continues the provision allowing amounts provided under the section 108 loan guarantee program to be used to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State.

Section 218. The Committee continues the provision allowing PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 219. The Committee continues the provision restricting the Secretary from imposing any requirement or guideline relating to asset management that restricts or limits the use of capital funds for central office costs, up to the limits established in the Quality Housing and Work Responsibility Act of 1998.

Section 220. The Committee continues the provision directing that no HUD employee, including those working in the offices of the IG and GNMA, shall be designated as an allotment holder unless the Chief Financial Officer determines that they have received training.

Section 221. The Committee continues the provision requiring that the Secretary publish all notice of funding availability on the internet for fiscal year 2017.

Section 222. The Committee continues the provision requiring that attorney fees for programmatic litigation must be paid from the personnel and benefits accounts of affected offices and the Office of General Counsel, and be restricted to payment of attorney fees only.

Section 223. The Committee continues the provision allowing the Secretary to transfer up to 10 percent of funds or \$4,000,000, whichever is less, appropriated under the headings "Administrative Support Offices" or "Program Office Salaries and Expenses" to any other office funded under such headings.

Section 224. The Committee continues the provision allowing the disaster housing assistance programs to be considered a program of HUD for the purpose of income verifications and matching.

Section 225. The Committee continues the provision requiring HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 226. The Committee continues the provision placing a salary and bonus limit on public housing agency officials and employees.

Section 227. The Committee continues the provision prohibiting funds from being used for the doctoral dissertation research grant program at HUD.

Section 228. The Committee continues the provision requiring the Secretary to provide the Committees on Appropriations advance notice of discretionary awards.

Section 229. The Committee continues the provision prohibiting funds from being used to require or enforce the physical needs assessment (PNA).

Section 230. The Committee continues the provision prohibiting funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 231. The Committee continues the provision prohibiting funds from being used to terminate the status of a unit of local government as a metropolitan city, as defined under section 102 of the

Housing and Community Development Act of 1974, with respect to grants under section 106 of such Act.

Section 232. The Committee continues the provision requiring unexpended funding for research, evaluation and statistical purposes at the completion of a contract, grant or cooperative agreement to be deobligated and reobligated for additional research, subject to reprogramming requirements in this Act.

Section 233. The Committee continues the provision prohibiting funds to be used for financial awards for employees subject to administrative discipline.

Section 234. The Committee includes a provision that permits HUD to consolidate funds used to manage disaster recovery grants.

Section 235. The Committee includes a provision permitting HUD to provide one year transition grants under the continuum of care program.

Section 236. The Committee includes a provision prohibiting funds to enforce Executive Order 13690 regarding flood risk management.

Section 237. The Committee includes a provision that rescinds unobligated balances from various accounts.

TITLE III—RELATED AGENCIES

UNITED STATES ACCESS BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$8,023,000
Budget request, fiscal year 2017	8,190,000
Recommended in the bill	8,190,000
Bill compared with:	
Appropriation, fiscal year 2016	+167,000
Budget request, fiscal year 2017	---

The United States Access Board (Access Board) was established by section 502 of the Rehabilitation Act of 1973 with the primary mission of ensuring accessibility for people with disabilities. The Access Board is responsible for developing guidelines under the Americans with Disabilities Act (ADA), the Architectural Barriers Act, and the Telecommunications Act. The Access Board is 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 and provides training and technical assistance on the guidelines and standards it develops.

The Access Board has been given responsibilities under the Help America Vote Act to serve on the Election Assistance Commission's Board of Advisors and Technical Guidelines Development Committee. Additionally, the Board maintains a small research program that develops technical assistance materials and provides information needed for rulemaking.

COMMITTEE RECOMMENDATION

The Committee recommends \$8,190,000 for the operations of the Access Board, which is \$167,000 greater than the fiscal year 2016 enacted level and equal to the budget request.

The Committee is concerned that the 2010 Americans with Disabilities Act standard for automated teller machines (ATM) has not kept pace with improvements in technology. The Committee encourages the Access Board to consider new and innovative technology features when updating any standards involving ATMs, point-of-sale systems, self-service kiosks, and other similar devices.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$25,660,000
Budget request, fiscal year 2017	27,490,000
Recommended in the bill	27,490,000
Bill compared with:	
Appropriation, fiscal year 2016	+1,830,000
Budget request, fiscal year 2017	---

Established in 1961, the Federal Maritime Commission (FMC) is an independent government agency, responsible for the regulation of oceanborne transportation in the foreign commerce of the United States. The Federal Maritime Commission monitors ocean common carriers, marine terminal operators, conferences, ports, and ocean transportation intermediaries to ensure they maintain just and reasonable practices. Among other activities, FMC also maintains a trade monitoring and enforcement program, monitors the laws and practices of foreign governments and their impacts on shipping conditions in the U.S., and enforces special regulatory requirements as they apply to controlled carriers.

The principal shipping statutes administered by the FMC are the Shipping Act of 1984 (46 U.S.C. 40101–41309), the Foreign Shipping Practices Act of 1988 (46 U.S.C. 42301–42307), Section 19 of the Merchant Marine Act, 1920 (46 U.S.C. 42101–42109), Public Law 89–777 (46 U.S.C. 44101–44106).

COMMITTEE RECOMMENDATION

The Committee recommends the budget request of \$27,490,000 for the Federal Maritime Commission, which is \$1,830,000 over the fiscal year 2016 appropriation. Of the funds provided, not less than \$552,024 is available for the Office of Inspector General.

NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$24,499,000
Budget request, fiscal year 2017	23,274,000
Recommended in the bill	23,274,000
Bill compared with:	
Appropriation, fiscal year 2016	-1,225,000
Budget request, fiscal year 2017	---

The Amtrak Inspector General is an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law and for promoting economy, efficiency and effectiveness at Amtrak.

COMMITTEE RECOMMENDATION

The Committee recommends \$23,274,000 for Amtrak’s Office of Inspector General (Amtrak OIG), which is \$1,225,000 less than the fiscal year 2016 enacted level and equal to the fiscal year 2017 budget request. The recommended level will allow Amtrak OIG to undertake audits, evaluations, and investigations and will ensure the OIG’s effective oversight of Amtrak’s programs and operations.

The OIG’s efforts have resulted in valuable studies and recommendations for this Committee and for the Corporation that have yielded cost savings and management improvements. These studies have been in a number of areas, including food and beverage service, capital planning, overtime, and fraud. In addition, Amtrak OIG has been instrumental in developing an audit process to review invoices and identifying overpayments.

NATIONAL TRANSPORTATION SAFETY BOARD
SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$105,170,000
Budget request, fiscal year 2017	106,000,000
Recommended in the bill	106,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+830,000
Budget request, fiscal year 2017	---

Initially established along with the Department of Transportation (DOT), the National Transportation Safety Board (NTSB) commenced operations on April 1, 1967, as an independent federal agency charged by Congress with investigating every civil aviation accident in the United States, as well as significant accidents in other modes of transportation—railroad, highway, marine and pipeline—and issuing safety recommendations aimed at preventing future accidents. Although it has always operated independently, the NTSB relied on the DOT for funding and administrative support until the Independent Safety Board Act of 1974 (Public Law 93–633) severed all ties between the two organizations effective April of 1975.

In addition to its investigatory duties, the NTSB is responsible for maintaining the government’s database of civil aviation accidents and conducting special studies of transportation safety issues of national significance. Furthermore, in accordance with the provisions of international treaties, the NTSB supplies investigators to serve as U.S. Accredited Representatives for aviation accidents overseas involving U.S.-registered aircraft, or involving aircraft or major components of U.S. manufacture. The NTSB also serves as the court of appeals for any airman, mechanic or mariner whenever certificate action is taken by the Administrator of the Federal Aviation Administration (FAA) or the U.S. Coast Guard Commandant, or when civil penalties are assessed by the FAA. In addition, the NTSB operates the NTSB Academy in Ashburn, Virginia.

COMMITTEE RECOMMENDATION

The Committee recommends \$106,000,000 for the salaries and expenses of the NTSB, which is \$830,000 greater than the fiscal year 2016 enacted level and equal to the budget request.

NTSB Academy.—The agency is encouraged to continue to seek additional opportunities to lease out, or otherwise generate revenue from the NTSB Academy, so that the agency can appropriately focus its resources on the important investigative work that is central to the agency’s mission. In addition, the agency is again directed to submit detailed information on the costs associated with the NTSB Academy, as well as the revenue the facility is expected to generate, as part of the fiscal year 2018 budget request.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriation, fiscal year 2016	\$175,000,000
Budget request, fiscal year 2017	140,000,000
Recommended in the bill	140,000,000
Bill compared with:	
Appropriation, fiscal year 2016	- 35,000,000
Budget request, fiscal year 2017	- - -

The Neighborhood Reinvestment Corporation (NRC) was created by the Neighborhood Reinvestment Corporation Act (title VI of the Housing and Community Development Amendments of 1978). NRC now operates under the trade name 'NeighborWorks America.' NeighborWorks America helps local communities establish working partnerships between residents and representatives of the public and private sectors. These partnership-based organizations are independent, tax-exempt, community-based nonprofit entities, often referred to as NeighborWorks organizations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$140,000,000 for fiscal year 2017, which is \$35,000,000 below the fiscal year 2016 enacted level and equal to the budget request. This recommendation increases funding for NRC's core program by \$5,000,000 above the fiscal year 2016 enacted level and is equal to the budget request. Consistent with the budget request, the Committee does not include funding for the National Foreclosure Mitigation Counseling (NFMC) Program.

The NFMC program originated in fiscal year 2007 and was envisioned as a one-time funding effort to respond to the housing foreclosure crisis. Instead, it has received funds for a total of 9 years.

The Committee recommendation recognizes that the economy continues to improve and foreclosures continue to decline. RealtyTrac states that foreclosure filings are at a 9 year low, and were reported on fewer than 1.1 million properties in 2015, down 3 percent from 2014 and down 62 percent from the peak in 2010. The annual foreclosure rate is less than 1 percent of all U.S. housing units for the second consecutive year. Further, the NRC has integrated foreclosure mitigation counseling into its other counseling programs, eliminating the need for a separate program. However, to offset the reduction, the Committee included additional funding for HUD's housing counseling assistance appropriation.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2016	\$32,375,000
Budget request, fiscal year 2017	42,401,000
Recommended in the bill	37,000,000
Bill compared with:	
Appropriation, fiscal year 2016	+4,625,000
Budget request, fiscal year 2017	- 5,401,000

The Surface Transportation Board (STB) was created in the Interstate Commerce Commission Termination Act of 1995 and is the successor agency to the Interstate Commerce Commission. The

STB is an economic regulatory and adjudicatory body charged by Congress with resolving railroad rate and service disputes and reviewing proposed railroad mergers, as the regulation of other surface transportation carriers, including intercity bus industry and surface pipeline carriers, and household-goods carriers. The Surface Transportation Board Reauthorization Act of 2015 (P.L. 114–110) established the Board as a wholly independent agency and expanded the Board’s membership from three to five Board Members.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$37,000,000 for fiscal year 2017, which is \$4,625,000 more than the fiscal year 2016 enacted level and \$5,401,000 below the budget request. The STB is estimated to collect \$1,250,000 in fees, which will offset the appropriation for a total program cost of \$35,750,000. The recommendation includes at least \$2,046,000 for information technology system improvements, assumes the Board will contract with the Department of Transportation for administrative support functions, and funds salary and expenses on a half-year basis for the two new Board Members and their staff.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

Appropriation, fiscal year 2016	\$3,530,000
Budget request, fiscal year 2017	3,600,000
Recommended in the bill	2,000,000
Bill compared with:	
Appropriation, fiscal year 2016	– 1,530,000
Budget request, fiscal year 2017	– 1,600,000

The mission of the United States Interagency Council on Homelessness (USICH) is to coordinate the Federal response to homelessness and to create a national partnership at every level of government and with the private sector to reduce and end homelessness in the nation while maximizing the effectiveness of the Federal Government in contributing to the end of homelessness.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,000,000 for the USICH, which is \$1,530,000 below fiscal year 2016 enacted and \$1,600,000 below the budget request. Funding for USICH is reduced in anticipation of the October 1, 2017 sunset date. The recommendation does not include the request to extend the sunset date or increase the salary for the USICH executive director. The Committee believes that funding projects that directly serve the homeless is a better use of scarce budgetary resources going forward.

The Committee encourages the nineteen USICH member agencies to use the next year to establish permanent working relationships that will endure USICH’s sunset date at the end of fiscal year 2017.

GENERAL PROVISION—THIS ACT

(INCLUDING RESCISSIONS)

Section 401. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 402. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 403. The Committee continues the provision limiting consulting service expenditures through a procurement contract to contracts where such expenditures are a matter of public record, with exceptions.

Section 404. The Committee continues the provision prohibiting employee training not specifically related to the performance of official duties.

Section 405. The Committee continues the provision specifying reprogramming procedures and requires tables to include prior year enacted levels.

Section 406. The Committee continues the provision allowing up to fifty percent of unobligated balances appropriated for salaries and expenses to remain available for certain purposes, contingent upon approval by the House and Senate Committees on Appropriations.

Section 407. The Committee continues the provision prohibiting funds from being used for any project that seeks to use the power of eminent domain unless eminent domain is employed only for a public use.

Section 408. The Committee continues the provision denying the transfer of funds made available in this Act, except pursuant to a transfer made by this Act or by authority granted in this Act.

Section 409. The Committee continues the provision prohibiting funds in this Act from being used to permanently replace an employee intent on returning to his or her past occupation after completion of military service.

Section 410. The Committee continues the provision prohibiting funds in this Act from being used unless the expenditure is in compliance with the Buy American Act.

Section 411. The Committee continues the provision prohibiting funds from being made available to any person or entity that has been found to have violated the Buy American Act.

Section 412. The Committee continues the provision prohibiting funds for first-class airline accommodations in contravention of section 301–10.122 and 301–10.123 of title 41, C.F.R.

Section 413. The Committee continues the provision prohibiting funds from being used for the approval of a new foreign air carrier permit or exemption application if that approval would contravene United States law of Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement and specifies that nothing in this section shall prohibit, restrict, or preclude the Secretary of DOT from granting a permit or exemption where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Treaty and U.S. law.

Section 414. The Committee continues the provision that restricts the number of employees that agencies funded in this Act may send to international conferences.

Section 415. The Committee continues the provision prohibiting funds from being used to lease or purchase new light duty vehicles for any executive fleet or an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

Section 416. The Committee continues the provision capping the amount of fees the Surface Transportation Board can charge and collect for rate or practice complaints filed at the amount authorized for court civil suit filing fees.

Section 417. The Committee includes a provision rescinding all unobligated balances from various salaries and expenses accounts.

Section 418. The Committee includes a provision that establishes a spending reduction account.

HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

The following materials are submitted in accordance with various requirements of the Rules of the House of Representatives:

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding: The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

RESCISSION OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following lists the rescissions of unexpended balances included in the accompanying bill:

- \$5,000,000 of budget authority from "Department of Transportation-Maritime Administration-Maritime Guaranteed Loan (Title XI) Program Account";
- Such sums that are available from "Department of Housing and Urban Development-Housing Certificate Fund";
- Section 237 rescinds such sums that are available from "Department of Housing and Urban Development-Management and Administration", "Department of Housing and Urban Development-Program Office Salaries and Expenses"; and such sums that are recaptured from various community development programs;
- Section 417 rescinds such sums that are available from "Department of Transportation-Office of the Secretary-Salaries and Expenses", "Department of Transportation-Office of the Secretary-Office of Civil Rights", "Department of Transportation-Office of the Secretary-Minority Business Outreach", "Department of Transportation-Federal Transit Administration-Administrative Expenses", "Department of Transportation-Pipeline and Hazardous Materials Safety Administration-Operational Expenses", "Department of Transportation-Surface Transportation Board-Salaries and Ex-

penses”, “Access Board-Salaries and Expenses”, “Federal Maritime Commission-Salaries and Expenses”, “National Railroad Passenger Corporation-Office of Inspector General-Salaries and Expenses”, “National Transportation Safety Board-Salaries and Expenses”, and “United States Interagency Council on Homelessness-Operating Expenses”.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following lists the transfers of unexpended balances included in the accompanying bill:

UNDER TITLE I—DEPARTMENT OF TRANSPORTATION

Account from which the transfer is made	Account to which the transfer is made	Amount
Office of the Secretary	Office of the Secretary	≤5% of certain funds subject to conditions
Office of the Secretary, National, Infrastructure Investments.	Federal Highway Administration, Federal Transit Administration, Federal Railroad Administration, Maritime Administration.	Up to \$20,000,000
Federal Aviation Administration, Operations.	Federal Aviation Administration, Operations.	≤2% of certain funds subject to conditions
FHWA: Limitation on administrative expenses.	Appalachian Regional Commission	\$3,248,000
Maritime Administration, Maritime Guaranteed Loan (Title XI) Program Account.	Maritime Administration, Operations and Training.	\$3,000,000

UNDER TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Account from which the transfer is made	Account to which the transfer is made	Amount
Administrative Support Offices	Program Office Salaries and Expenses	≤\$4,000,000 subject to conditions
Program Office Salaries and Expenses ..	Administrative Support Offices	≤\$4,000,000 subject to conditions
Executive Offices, Administrative Support Offices, Program Office Salaries and Expenses, Government National Mortgage Association”.	Working Capital Fund	Such sums as necessary

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

CONSOLIDATED APPROPRIATIONS ACT, 2015

* * * * *

**DIVISION K—TRANSPORTATION, HOUSING AND URBAN
DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015**

* * * * *

TITLE I

DEPARTMENT OF TRANSPORTATION

* * * * *

**ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER
SAFETY ADMINISTRATION**

* * * * *

SEC. 133. (a) TEMPORARY SUSPENSION OF ENFORCEMENT.—None of the funds appropriated or otherwise made available by this Act or any other Act shall be used to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, and such sections shall have no force or effect from the date of enactment of this Act until the later of September 30, ~~2015~~ 2016, or upon submission of the final report issued by the Secretary under this section. The restart provisions in effect on ~~June 30, 2013~~ December 26, 2011, shall be in effect during this period.

(b) PUBLIC NOTIFICATION.—As soon as possible after the date of the enactment of this Act, the Secretary of Transportation shall publish a Notice in the Federal Register and on the Federal Motor Carrier Safety Administration website announcing that the provisions in the rule referred to in subsection (a) shall have no force or effect from the date of enactment of this Act through September 30, 2015, and the restart rule in effect on June 30, 2013, shall immediately be in effect.

(c) COMMERCIAL MOTOR VEHICLE (CMV) DRIVER RESTART STUDY.—Within 90 days of the date of enactment of this Act, the Secretary shall initiate a naturalistic study of the operational, safety, health and fatigue impacts of the restart provisions in sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, on commercial motor vehicle drivers. The study required under this subsection shall—

(1) compare the work schedules and assess operator fatigue between the following two groups of commercial motor vehicle drivers, each large enough to produce statistically significant results:

(A) commercial motor vehicle drivers who operate under such provisions, in effect between July 1, 2013, and the day before the date of enactment of this Act, and

(B) commercial motor vehicle drivers who operate under the provisions in effect on June 30, 2013.

(2) compare, at a minimum, the 5-month work schedules, and assess safety critical events (crashes, near crashes and crash-relevant conflicts) and operator fatigue between the commercial motor vehicle drivers identified under subsection (c)(1) of this section from a statistically significant sample of drivers comprised of fleets of all sizes, including long-haul, regional and short-haul operations in various sectors of the industry, in-

cluding flat-bed, refrigerated, tank, and dry-van, to the extent practicable;

(3) assess drivers' safety critical events, fatigue and levels of alertness, and driver health outcomes by using both electronic and captured record of duty status, including the Psychomotor Vigilance Test (PVT), e-logging data, actigraph watches and cameras or other on-board monitoring systems that record or measure safety critical events and driver alertness;

(4) utilize data from electronic logging devices, consistent to the extent practicable, with the anticipated requirements for such devices in section 31137(b) of title 49, United States Code, from motor carriers and drivers of commercial motor vehicles, notwithstanding any limitation on the use of such data under section 31137(e) of title 49, United States Code; and

(5) include the development of an initial study plan and final report, each of which shall be subject to an independent peer review by a panel of individuals with relevant medical and scientific expertise.

(d) DEPARTMENT OF TRANSPORTATION OFFICE OF INSPECTOR GENERAL REVIEW.—Prior to the study required under this subsection commencing and within 60 days of the date of enactment of this Act, the Secretary shall submit a plan outlining the scope and methodology for the study to the Department of Transportation Inspector General.

(1) Within 30 days of receiving the plan, the Office of Inspector General shall review and report whether it includes—

(A) a sufficient number of participating drivers to produce statistically significant results consistent with subsection (c)(2);

(B) the use of reliable technologies to assess the operational, safety and fatigue components of the study to produce consistent and valid results;

(C) appropriate performance measures to properly evaluate the study outcomes; and

(D) an appropriate selection of the independent review panel under subsection (c)(5).

(2) The Office of Inspector General shall report its findings, conclusions and any recommendations to the Secretary and to the House and Senate Committees on Appropriations within 30 days of receipt of the plan.

(e) REPORTING REQUIREMENTS.—The Secretary shall submit a final report on the findings and conclusions of the study and the Department's recommendations on whether the provisions in effect on July 1, 2013, provide a greater net benefit for the operational, safety, health and fatigue impacts of the restart provisions to the Inspector General within 210 days of receiving the Office of the Inspector General report required in subsection (d)(2).

(1) Within 60 days of receipt of the Secretary's findings and recommendations in subsection (e), the Inspector General shall report to the Secretary and the House and Senate Committees on Appropriations on the study's compliance with the requirements outlined under subsection (c).

(2) Upon submission of the Office of the Inspector General report in paragraph (1), the Secretary shall submit its report

to the House and Senate Committees on Appropriations and make the report publically available on its website.

(f) CERTIFICATION.—The Secretary of Transportation shall certify in writing in a manner addressing the Inspector General’s findings and recommendations in subsection (d)(1) and (e)(1) of this section that the Secretary has met the requirements as described in section (c) and (d).

(g) PAPERWORK REDUCTION ACT EXCEPTION.—The study and the Office of the Inspector General reviews shall not be subject to section 3506 or 3507 of title 44, United States Code.

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TITLE 49, UNITED STATES CODE

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SUBTITLE III—GENERAL AND INTERMODAL PROGRAMS

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CHAPTER 53—PUBLIC TRANSPORTATION

* * * * *

§ 5303. Metropolitan transportation planning

(a) POLICY.—It is in the national interest—

(1) to encourage and promote the safe and efficient management, operation, and development of resilient surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and

(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 5304(d).

(b) DEFINITIONS.—In this section and section 5304, the following definitions apply:

(1) METROPOLITAN PLANNING AREA.—The term “metropolitan planning area” means the geographic area determined by agreement between the metropolitan planning organization for the area and the Governor under subsection (e).

(2) METROPOLITAN PLANNING ORGANIZATION.—The term “metropolitan planning organization” means the policy board of an organization established as a result of the designation process under subsection (d).

(3) NONMETROPOLITAN AREA.—The term “nonmetropolitan area” means a geographic area outside designated metropolitan planning areas.

(4) NONMETROPOLITAN LOCAL OFFICIAL.—The term “nonmetropolitan local official” means elected and appointed officials of general purpose local government in a nonmetropolitan area with responsibility for transportation.

(5) REGIONAL TRANSPORTATION PLANNING ORGANIZATION.—The term “regional transportation planning organization” means a policy board of an organization established as the result of a designation under section 5304(l).

(6) TIP.—The term “TIP” means a transportation improvement program developed by a metropolitan planning organization under subsection (j).

(7) URBANIZED AREA.—The term “urbanized area” means a geographic area with a population of 50,000 or more, as determined by the Bureau of the Census.

(c) GENERAL REQUIREMENTS.—

(1) DEVELOPMENT OF LONG-RANGE PLANS AND TIPS.—To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

(2) CONTENTS.—The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways, bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

(3) PROCESS OF DEVELOPMENT.—The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

(d) DESIGNATION OF METROPOLITAN PLANNING ORGANIZATIONS.—

(1) IN GENERAL.—To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals—

(A) by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city (based on population) as determined by the Bureau of the Census); or

(B) in accordance with procedures established by applicable State or local law.

(2) STRUCTURE.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2012, each metropolitan planning organization that serves an area designated as a transportation management area shall consist of—

(A) local elected officials;

(B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and

(C) appropriate State officials.

(3) REPRESENTATION.—

(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).

(4) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities—

(A) to develop the plans and TIPs for adoption by a metropolitan planning organization; and

(B) to develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

(5) CONTINUING DESIGNATION.—A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (6).

(6) REDESIGNATION PROCEDURES.—

(A) IN GENERAL.—A metropolitan planning organization may be redesignated by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing planning area population (including the largest incorporated city (based on population) as determined by the Bureau of the Census) as appropriate to carry out this section.

(B) RESTRUCTURING.—A metropolitan planning organization may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.

(7) DESIGNATION OF MORE THAN 1 METROPOLITAN PLANNING ORGANIZATION.—More than 1 metropolitan planning organization may be designated within an existing metropolitan planning area only if the Governor and the existing metropolitan

planning organization determine that the size and complexity of the existing metropolitan planning area make designation of more than 1 metropolitan planning organization for the area appropriate.

(e) METROPOLITAN PLANNING AREA BOUNDARIES.—

(1) IN GENERAL.—For the purposes of this section, the boundaries of a metropolitan planning area shall be determined by agreement between the metropolitan planning organization and the Governor.

(2) INCLUDED AREA.—Each metropolitan planning area—

(A) shall encompass at least the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan; and

(B) may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of the Census.

(3) IDENTIFICATION OF NEW URBANIZED AREAS WITHIN EXISTING PLANNING AREA BOUNDARIES.—The designation by the Bureau of the Census of new urbanized areas within an existing metropolitan planning area shall not require the redesignation of the existing metropolitan planning organization.

(4) EXISTING METROPOLITAN PLANNING AREAS IN NONATTAINMENT.—

(A) IN GENERAL.—Notwithstanding paragraph (2), except as provided in subparagraph (B), in the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.) as of the date of enactment of the SAFETEA-LU, the boundaries of the metropolitan planning area in existence as of such date of enactment shall be retained.

(B) EXCEPTION.—The boundaries described in subparagraph (A) may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in subsection (d)(6).

(5) NEW METROPOLITAN PLANNING AREAS IN NONATTAINMENT.—In the case of an urbanized area designated after the date of enactment of the SAFETEA-LU, as a nonattainment area for ozone or carbon monoxide, the boundaries of the metropolitan planning area—

(A) shall be established in the manner described in subsection (d)(1);

(B) shall encompass the areas described in paragraph (2)(A);

(C) may encompass the areas described in paragraph (2)(B); and

(D) may address any nonattainment area identified under the Clean Air Act (42 U.S.C. 7401 et seq.) for ozone or carbon monoxide.

(f) COORDINATION IN MULTISTATE AREAS.—

(1) IN GENERAL.—The Secretary shall encourage each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate metropolitan planning organi-

zations to provide coordinated transportation planning for the entire metropolitan area.

(2) INTERSTATE COMPACTS.—The consent of Congress is granted to any 2 or more States—

(A) to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section as the activities pertain to interstate areas and localities within the States; and

(B) to establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.

(3) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

(g) MPO CONSULTATION IN PLAN AND TIP COORDINATION.—

(1) NONATTAINMENT AREAS.—If more than 1 metropolitan planning organization has authority within a metropolitan area or an area which is designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and the State in the coordination of plans and TIPs required by this section.

(2) TRANSPORTATION IMPROVEMENTS LOCATED IN MULTIPLE MPOS If a transportation improvement, funded under this chapter or title 23, is located within the boundaries of more than 1 metropolitan planning area, the metropolitan planning organizations shall coordinate plans and TIPs regarding the transportation improvement.

(3) RELATIONSHIP WITH OTHER PLANNING OFFICIALS.—

(A) IN GENERAL.—The Secretary shall encourage each metropolitan planning organization to consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to the maximum extent practicable, with such planning activities.

(B) REQUIREMENTS.—Under the metropolitan planning process, transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the metropolitan area that are provided by—

- (i) recipients of assistance under this chapter;
- (ii) governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the Department of Transportation to provide nonemergency transportation services; and
- (iii) recipients of assistance under section 204 of title 23.

(h) SCOPE OF PLANNING PROCESS.—

(1) IN GENERAL.—The metropolitan planning process for a metropolitan planning area under this section shall provide for consideration of projects and strategies that will—

(A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;

(B) increase the safety of the transportation system for motorized and nonmotorized users;

(C) increase the security of the transportation system for motorized and nonmotorized users;

(D) increase the accessibility and mobility of people and for freight;

(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

(F) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;

(G) promote efficient system management and operation;

(H) emphasize the preservation of the existing transportation system; and

(I) improve the resiliency and reliability of the transportation system.

(2) PERFORMANCE-BASED APPROACH.—

(A) IN GENERAL.—The metropolitan transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals described in section 150(b) of title 23 and the general purposes described in section 5301.

(B) PERFORMANCE TARGETS.—

(i) SURFACE TRANSPORTATION PERFORMANCE TARGETS.—

(I) IN GENERAL.—Each metropolitan planning organization shall establish performance targets that address the performance measures described in section 150(c) of title 23, where applicable, to use in tracking progress towards attainment of critical outcomes for the region of the metropolitan planning organization.

(II) COORDINATION.—Selection of performance targets by a metropolitan planning organization shall be coordinated with the relevant State to ensure consistency, to the maximum extent practicable.

(ii) PUBLIC TRANSPORTATION PERFORMANCE TARGETS.—Selection of performance targets by a metropolitan planning organization shall be coordinated, to the maximum extent practicable, with providers of public transportation to ensure consistency with sections 5326(c) and 5329(d).

(C) TIMING.—Each metropolitan planning organization shall establish the performance targets under subparagraph (B) not later than 180 days after the date on which the relevant State or provider of public transportation establishes the performance targets.

(D) INTEGRATION OF OTHER PERFORMANCE-BASED PLANS.—A metropolitan planning organization shall integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed by recipients of assistance under this chapter, required as part of a performance-based program.

(3) FAILURE TO CONSIDER FACTORS.—The failure to consider any factor specified in paragraphs (1) and (2) shall not be reviewable by any court under this chapter, title 23, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a transportation plan, a TIP, a project or strategy, or the certification of a planning process.

(i) DEVELOPMENT OF TRANSPORTATION PLAN.—

(1) REQUIREMENTS.—

(A) IN GENERAL.—Each metropolitan planning organization shall prepare and update a transportation plan for its metropolitan planning area in accordance with the requirements of this subsection.

(B) FREQUENCY.—

(i) IN GENERAL.—The metropolitan planning organization shall prepare and update such plan every 4 years (or more frequently, if the metropolitan planning organization elects to update more frequently) in the case of each of the following:

(I) Any area designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)).

(II) Any area that was nonattainment and subsequently designated to attainment in accordance with section 107(d)(3) of that Act (42 U.S.C. 7407(d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 U.S.C. 7505a).

(ii) OTHER AREAS.—In the case of any other area required to have a transportation plan in accordance with the requirements of this subsection, the metropolitan planning organization shall prepare and update such plan every 5 years unless the metropolitan planning organization elects to update more frequently.

(2) TRANSPORTATION PLAN.—A transportation plan under this section shall be in a form that the Secretary determines to be appropriate and shall contain, at a minimum, the following:

(A) IDENTIFICATION OF TRANSPORTATION FACILITIES.—

(i) IN GENERAL.—An identification of transportation facilities (including major roadways, public transportation facilities, intercity bus facilities, multimodal

and intermodal facilities, nonmotorized transportation facilities, and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions.

(ii) FACTORS.—In formulating the transportation plan, the metropolitan planning organization shall consider factors described in subsection (h) as the factors relate to a 20-year forecast period.

(B) PERFORMANCE MEASURES AND TARGETS.—A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with subsection (h)(2).

(C) SYSTEM PERFORMANCE REPORT.—A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in subsection (h)(2), including—

(i) progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports; and

(ii) for metropolitan planning organizations that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets.

(D) MITIGATION ACTIVITIES.—

(i) IN GENERAL.—A long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

(ii) CONSULTATION.—The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

(E) FINANCIAL PLAN.—

(i) IN GENERAL.—A financial plan that—

(I) demonstrates how the adopted transportation plan can be implemented;

(II) indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan; and

(III) recommends any additional financing strategies for needed projects and programs.

(ii) INCLUSIONS.—The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

(iii) COOPERATIVE DEVELOPMENT.—For the purpose of developing the transportation plan, the metropolitan planning organization, transit operator, and State shall cooperatively develop estimates of funds that will be available to support plan implementation.

(F) OPERATIONAL AND MANAGEMENT STRATEGIES.—Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.

(G) CAPITAL INVESTMENT AND OTHER STRATEGIES.—Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to natural disasters.

(H) TRANSPORTATION AND TRANSIT ENHANCEMENT ACTIVITIES.—Proposed transportation and transit enhancement activities, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated.

(3) COORDINATION WITH CLEAN AIR ACT AGENCIES.—In metropolitan areas that are in nonattainment for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), the metropolitan planning organization shall coordinate the development of a transportation plan with the process for development of the transportation control measures of the State implementation plan required by that Act.

(4) OPTIONAL SCENARIO DEVELOPMENT.—

(A) IN GENERAL.—A metropolitan planning organization may, while fitting the needs and complexity of its community, voluntarily elect to develop multiple scenarios for consideration as part of the development of the metropolitan transportation plan, in accordance with subparagraph (B).

(B) RECOMMENDED COMPONENTS.—A metropolitan planning organization that chooses to develop multiple scenarios under subparagraph (A) shall be encouraged to consider—

(i) potential regional investment strategies for the planning horizon;

(ii) assumed distribution of population and employment;

(iii) a scenario that, to the maximum extent practicable, maintains baseline conditions for the performance measures identified in subsection (h)(2);

(iv) a scenario that improves the baseline conditions for as many of the performance measures identified in subsection (h)(2) as possible;

(v) revenue constrained scenarios based on the total revenues expected to be available over the forecast period of the plan; and

(vi) estimated costs and potential revenues available to support each scenario.

(C) METRICS.—In addition to the performance measures identified in section 150(c) of title 23, metropolitan planning organizations may evaluate scenarios developed under this paragraph using locally-developed measures.

(5) CONSULTATION.—

(A) IN GENERAL.—In each metropolitan area, the metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan.

(B) ISSUES.—The consultation shall involve, as appropriate—

(i) comparison of transportation plans with State conservation plans or maps, if available; or

(ii) comparison of transportation plans to inventories of natural or historic resources, if available.

(6) PARTICIPATION BY INTERESTED PARTIES.—

(A) IN GENERAL.—Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

(B) CONTENTS OF PARTICIPATION PLAN.—A participation plan—

(i) shall be developed in consultation with all interested parties; and

(ii) shall provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan.

(C) METHODS.—In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

(i) hold any public meetings at convenient and accessible locations and times;

(ii) employ visualization techniques to describe plans; and

(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable oppor-

tunity for consideration of public information under subparagraph (A).

(7) PUBLICATION.—A transportation plan involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, approved by the metropolitan planning organization and submitted for information purposes to the Governor at such times and in such manner as the Secretary shall establish.

(8) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—Notwithstanding paragraph (2)(E), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(E).

(j) METROPOLITAN TIP.—

(1) DEVELOPMENT.—

(A) IN GENERAL.—In cooperation with the State and any affected public transportation operator, the metropolitan planning organization designated for a metropolitan area shall develop a TIP for the metropolitan planning area that—

(i) contains projects consistent with the current metropolitan transportation plan;

(ii) reflects the investment priorities established in the current metropolitan transportation plan; and

(iii) once implemented, is designed to make progress toward achieving the performance targets established under subsection (h)(2).

(B) OPPORTUNITY FOR COMMENT.—In developing the TIP, the metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

(C) FUNDING ESTIMATES.—For the purpose of developing the TIP, the metropolitan planning organization, public transportation agency, and State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.

(D) UPDATING AND APPROVAL.—The TIP shall be—

(i) updated at least once every 4 years; and

(ii) approved by the metropolitan planning organization and the Governor.

(2) CONTENTS.—

(A) PRIORITY LIST.—The TIP shall include a priority list of proposed Federally supported projects and strategies to be carried out within each 4-year period after the initial adoption of the TIP.

(B) FINANCIAL PLAN.—The TIP shall include a financial plan that—

(i) demonstrates how the TIP can be implemented;

(ii) indicates resources from public and private sources that are reasonably expected to be available to carry out the program;

(iii) identifies innovative financing techniques to finance projects, programs, and strategies; and

(iv) may include, for illustrative purposes, additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available.

(C) DESCRIPTIONS.—Each project in the TIP shall include sufficient descriptive material (such as type of work, term, length, and other similar factors) to identify the project or phase of the project.

(D) PERFORMANCE TARGET ACHIEVEMENT.—The transportation improvement program shall include, to the maximum extent practicable, a description of the anticipated effect of the transportation improvement program toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to those performance targets.

(3) INCLUDED PROJECTS.—

(A) PROJECTS UNDER THIS CHAPTER AND TITLE 23.—A TIP developed under this subsection for a metropolitan area shall include the projects within the area that are proposed for funding under this chapter and chapter 1 of title 23.

(B) PROJECTS UNDER CHAPTER 2 OF TITLE 23.—

(i) REGIONALLY SIGNIFICANT PROJECTS.—Regionally significant projects proposed for funding under chapter 2 of title 23 shall be identified individually in the transportation improvement program.

(ii) OTHER PROJECTS.—Projects proposed for funding under chapter 2 of title 23 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

(C) CONSISTENCY WITH LONG-RANGE TRANSPORTATION PLAN.—Each project shall be consistent with the long-range transportation plan developed under subsection (i) for the area.

(D) REQUIREMENT OF ANTICIPATED FULL FUNDING.—The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or the identified phase within the time period contemplated for completion of the project or the identified phase.

(4) NOTICE AND COMMENT.—Before approving a TIP, a metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

(5) SELECTION OF PROJECTS.—

(A) IN GENERAL.—Except as otherwise provided in subsection (k)(4) and in addition to the TIP development re-

quired under paragraph (1), the selection of Federally funded projects in metropolitan areas shall be carried out, from the approved TIP—

(i) by—

(I) in the case of projects under title 23, the State; and

(II) in the case of projects under this chapter, the designated recipients of public transportation funding; and

(ii) in cooperation with the metropolitan planning organization.

(B) MODIFICATIONS TO PROJECT PRIORITY.—Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved TIP in place of another project in the program.

(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

(A) NO REQUIRED SELECTION.—Notwithstanding paragraph (2)(B)(iv), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv).

(B) REQUIRED ACTION BY THE SECRETARY.—Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv) for inclusion in an approved TIP.

(7) PUBLICATION.—

(A) PUBLICATION OF TIPS.—A TIP involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review.

(B) PUBLICATION OF ANNUAL LISTINGS OF PROJECTS.—

(i) IN GENERAL.—An annual listing of projects, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the State, transit operator, and metropolitan planning organization for public review.

(ii) REQUIREMENT.—The listing shall be consistent with the categories identified in the TIP.

(k) TRANSPORTATION MANAGEMENT AREAS.—

(1) IDENTIFICATION AND DESIGNATION.—

(A) REQUIRED IDENTIFICATION.—The Secretary shall identify as a transportation management area each urbanized area (as defined by the Bureau of the Census) with a population of over 200,000 individuals.

(B) DESIGNATIONS ON REQUEST.—The Secretary shall designate any additional area as a transportation management area on the request of the Governor and the metropolitan planning organization designated for the area.

(2) **TRANSPORTATION PLANS.**—In a transportation management area, transportation plans shall be based on a continuing and comprehensive transportation planning process carried out by the metropolitan planning organization in cooperation with the State and public transportation operators.

(3) **CONGESTION MANAGEMENT PROCESS.**—

(A) **IN GENERAL.**—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under this chapter and title 23 through the use of travel demand reduction (including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects, and operational management strategies.

(B) **SCHEDULE.**—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but no sooner than 1 year after the identification of a transportation management area.

(C) **CONGESTION MANAGEMENT PLAN.**—A metropolitan planning organization serving a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

(D) **PARTICIPATION.**—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.

(4) **SELECTION OF PROJECTS.**—

(A) **IN GENERAL.**—All Federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area under title 23 (excluding projects carried out on the National Highway System) or under this chapter shall be selected for implementation from the approved TIP by the metropolitan

planning organization designated for the area in consultation with the State and any affected public transportation operator.

(B) NATIONAL HIGHWAY SYSTEM PROJECTS.—Projects carried out within the boundaries of a metropolitan planning area serving a transportation management area on the National Highway System shall be selected for implementation from the approved TIP by the State in cooperation with the metropolitan planning organization designated for the area.

(5) CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall—

(i) ensure that the metropolitan planning process of a metropolitan planning organization serving a transportation management area is being carried out in accordance with applicable provisions of Federal law; and

(ii) subject to subparagraph (B), certify, not less often than once every 4 years, that the requirements of this paragraph are met with respect to the metropolitan planning process.

(B) REQUIREMENTS FOR CERTIFICATION.—The Secretary may make the certification under subparagraph (A) if—

(i) the transportation planning process complies with the requirements of this section and other applicable requirements of Federal law; and

(ii) there is a TIP for the metropolitan planning area that has been approved by the metropolitan planning organization and the Governor.

(C) EFFECT OF FAILURE TO CERTIFY.—

(i) WITHHOLDING OF PROJECT FUNDS.—If a metropolitan planning process of a metropolitan planning organization serving a transportation management area is not certified, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the metropolitan planning organization for projects funded under this chapter and title 23.

(ii) RESTORATION OF WITHHELD FUNDS.—The withheld funds shall be restored to the metropolitan planning area at such time as the metropolitan planning process is certified by the Secretary.

(D) REVIEW OF CERTIFICATION.—In making certification determinations under this paragraph, the Secretary shall provide for public involvement appropriate to the metropolitan area under review.

(1) REPORT ON PERFORMANCE-BASED PLANNING PROCESSES.—

(1) IN GENERAL.—The Secretary shall submit to Congress a report on the effectiveness of the performance-based planning processes of metropolitan planning organizations under this section, taking into consideration the requirements of this subsection.

(2) REPORT.—Not later than 5 years after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall submit to Congress a report evaluating—

(A) the overall effectiveness of performance-based planning as a tool for guiding transportation investments;

(B) the effectiveness of the performance-based planning process of each metropolitan planning organization under this section;

(C) the extent to which metropolitan planning organizations have achieved, or are currently making substantial progress toward achieving, the performance targets specified under this section and whether metropolitan planning organizations are developing meaningful performance targets; and

(D) the technical capacity of metropolitan planning organizations that operate within a metropolitan planning area with a population of 200,000 or less and their ability to carry out the requirements of this section.

(3) PUBLICATION.—The report under paragraph (2) shall be published or otherwise made available in electronically accessible formats and means, including on the Internet.

(m) ABBREVIATED PLANS FOR CERTAIN AREAS.—

(1) IN GENERAL.—Subject to paragraph (2), in the case of a metropolitan area not designated as a transportation management area under this section, the Secretary may provide for the development of an abbreviated transportation plan and TIP for the metropolitan planning area that the Secretary determines is appropriate to achieve the purposes of this section, taking into account the complexity of transportation problems in the area.

(2) NONATTAINMENT AREAS.—The Secretary may not permit abbreviated plans or TIPs for a metropolitan area that is in nonattainment for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.).

(n) ADDITIONAL REQUIREMENTS FOR CERTAIN NONATTAINMENT AREAS.—

(1) IN GENERAL.—Notwithstanding any other provisions of this chapter or title 23, for transportation management areas classified as nonattainment for ozone or carbon monoxide pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.), Federal funds may not be advanced in such area for any highway project that will result in a significant increase in the carrying capacity for single-occupant vehicles unless the project is addressed through a congestion management process.

(2) APPLICABILITY.—This subsection applies to a nonattainment area within the metropolitan planning area boundaries determined under subsection (e).

(o) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to confer on a metropolitan planning organization the authority to impose legal requirements on any transportation facility, provider, or project not eligible under this chapter or title 23.

(p) FUNDING.—Funds apportioned under section 104(b)(5) of title 23 or section 5305(g) shall be available to carry out this section.

(q) CONTINUATION OF CURRENT REVIEW PRACTICE.—Since plans and TIPs described in this section are subject to a reasonable opportunity for public comment, since individual projects included in plans and TIPs are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning plans and TIPs described in this section have not been reviewed under that Act as of January 1, 1997, any decision by the Secretary concerning a plan or TIP described in this section shall not be considered to be a Federal action subject to review under that Act.

(r) BI-STATE METROPOLITAN PLANNING ORGANIZATION.—

(1) DEFINITION OF BI-STATE MPO REGION.—In this subsection, the term “Bi-State Metropolitan Planning Organization” has the meaning given the term “region” in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96-551; 94 Stat. 3234).

(2) TREATMENT.—For the purpose of this title, the Bi-State Metropolitan Planning Organization shall be treated as—

(A) a metropolitan planning organization;

(B) a transportation management area under subsection (k); and

(C) an urbanized area, which is comprised of a population of 145,000 *and 25 square miles of land area* in the State of California and a population of 65,000 *and 12 square miles of land area* in the State of Nevada.

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SUBTITLE IV—INTERSTATE TRANSPORTATION

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PART B—MOTOR CARRIERS, WATER CARRIERS, BROKERS, AND FREIGHT FORWARDERS

* * * * *

CHAPTER 145—FEDERAL-STATE RELATIONS

§ 14501. Federal authority over intrastate transportation

(a) MOTOR CARRIERS OF PASSENGERS.—

(1) LIMITATION ON STATE LAW.—No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to—

(A) scheduling of interstate or intrastate transportation (including discontinuance or reduction in the level of service) provided by a motor carrier of passengers subject to jurisdiction under subchapter I of chapter 135 of this title on an interstate route;

(B) the implementation of any change in the rates for such transportation or for any charter transportation ex-

cept to the extent that notice, not in excess of 30 days, of changes in schedules may be required; or

(C) the authority to provide intrastate or interstate charter bus transportation.

This paragraph shall not apply to intrastate commuter bus operations, or to intrastate bus transportation of any nature in the State of Hawaii.

(2) MATTERS NOT COVERED.—Paragraph (1) shall not restrict the safety regulatory authority of a State with respect to motor vehicles, the authority of a State to impose highway route controls or limitations based on the size or weight of the motor vehicle, or the authority of a State to regulate carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization.

(b) FREIGHT FORWARDERS AND BROKERS.—

(1) GENERAL RULE.—Subject to paragraph (2) of this subsection, no State or political subdivision thereof and no intrastate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to intrastate rates, intrastate routes, or intrastate services of any freight forwarder or broker.

(2) CONTINUATION OF HAWAII'S AUTHORITY.—Nothing in this subsection and the amendments made by the Surface Freight Forwarder Deregulation Act of 1986 shall be construed to affect the authority of the State of Hawaii to continue to regulate a motor carrier operating within the State of Hawaii.

(c) MOTOR CARRIERS OF PROPERTY.—

(1) GENERAL RULE.—Except as provided in [paragraphs (2) and (3)] *paragraphs (3) and (4)*, a State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law related to a price, route, or service of any motor carrier (other than a carrier affiliated with a direct air carrier covered by section 41713(b)(4)) or any motor private carrier, broker, or freight forwarder with respect to the transportation of property.

(2) ADDITIONAL LIMITATIONS.—

(A) *A State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law prohibiting employees whose hours of service are subject to regulation by the Secretary under section 31502 from working to the full extent permitted or at such times as permitted under such section, or imposing any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted under such section, including any related activities regulated under part 395 of title 49, Code of Federal Regulations.*

(B) *Nothing in this paragraph shall be construed to limit the provisions of paragraph (1).*

[(2)] (3) MATTERS NOT COVERED.—[Paragraph (1)] *Paragraphs (1) and (2)*—

(A) shall not restrict the safety regulatory authority of a State with respect to motor vehicles, the authority of a State to impose highway route controls or limitations based on the size or weight of the motor vehicle or the hazardous nature of the cargo, or the authority of a State to regulate motor carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization;

(B) does not apply to the intrastate transportation of household goods; and

(C) does not apply to the authority of a State or a political subdivision of a State to enact or enforce a law, regulation, or other provision relating to the regulation of tow truck operations performed without the prior consent or authorization of the owner or operator of the motor vehicle.

[(3)] (4) STATE STANDARD TRANSPORTATION PRACTICES.—

(A) CONTINUATION.—**[(Paragraph (1)] Paragraphs (1) and (2)** shall not affect any authority of a State, political subdivision of a State, or political authority of 2 or more States to enact or enforce a law, regulation, or other provision, with respect to the intrastate transportation of property by motor carriers, related to—

- (i) uniform cargo liability rules,
- (ii) uniform bills of lading or receipts for property being transported,
- (iii) uniform cargo credit rules,
- (iv) antitrust immunity for joint line rates or routes, classifications, mileage guides, and pooling, or
- (v) antitrust immunity for agent-van line operations (as set forth in section 13907),

if such law, regulation, or provision meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—A law, regulation, or provision of a State, political subdivision, or political authority meets the requirements of this subparagraph if—

- (i) the law, regulation, or provision covers the same subject matter as, and compliance with such law, regulation, or provision is no more burdensome than compliance with, a provision of this part or a regulation issued by the Secretary or the Board under this part; and
- (ii) the law, regulation, or provision only applies to a carrier upon request of such carrier.

(C) ELECTION.—Notwithstanding any other provision of law, a carrier affiliated with a direct air carrier through common controlling ownership may elect to be subject to a law, regulation, or provision of a State, political subdivision, or political authority under this paragraph.

[(4)] (5) NONAPPLICABILITY TO HAWAII.—This subsection shall not apply with respect to the State of Hawaii.

[(5)] (6) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to prevent a State from requiring that, in the case of a motor vehicle to be towed from

private property without the consent of the owner or operator of the vehicle, the person towing the vehicle have prior written authorization from the property owner or lessee (or an employee or agent thereof) or that such owner or lessee (or an employee or agent thereof) be present at the time the vehicle is towed from the property, or both.

(d) PRE-ARRANGED GROUND TRANSPORTATION.—

(1) IN GENERAL.—No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard or other provision having the force and effect of law requiring a license or fee on account of the fact that a motor vehicle is providing pre-arranged ground transportation service if the motor carrier providing such service—

(A) meets all applicable registration requirements under chapter 139 for the interstate transportation of passengers;

(B) meets all applicable vehicle and intrastate passenger licensing requirements of the State or States in which the motor carrier is domiciled or registered to do business; and

(C) is providing such service pursuant to a contract for—

(i) transportation by the motor carrier from one State, including intermediate stops, to a destination in another State; or

(ii) transportation by the motor carrier from one State, including intermediate stops in another State, to a destination in the original State.

(2) INTERMEDIATE STOP DEFINED.—In this section, the term “intermediate stop”, with respect to transportation by a motor carrier, means a pause in the transportation in order for one or more passengers to engage in personal or business activity, but only if the driver providing the transportation to such passenger or passengers does not, before resuming the transportation of such passenger (or at least 1 of such passengers), provide transportation to any other person not included among the passengers being transported when the pause began.

(3) MATTERS NOT COVERED.—Nothing in this subsection shall be construed—

(A) as subjecting taxicab service to regulation under chapter 135 or section 31138;

(B) as prohibiting or restricting an airport, train, or bus terminal operator from contracting to provide preferential access or facilities to one or more providers of pre-arranged ground transportation service; and

(C) as restricting the right of any State or political subdivision of a State to require, in a nondiscriminatory manner, that any individual operating a vehicle providing pre-arranged ground transportation service originating in the State or political subdivision have submitted to pre-licensing drug testing or a criminal background investigation of the records of the State in which the operator is domiciled, by the State or political subdivision by which the operator is licensed to provide such service, or by the motor carrier

providing such service, as a condition of providing such service.

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TITLE 46, UNITED STATES CODE

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Subtitle II—Vessels and Seamen

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PART G—MERCHANT SEAMEN PROTECTION AND RELIEF

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CHAPTER 103—FOREIGN AND INTERCOASTAL VOYAGES

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§ 10313. Wages

(a) A seaman's entitlement to wages and provisions begins when the seaman begins work or when specified in the agreement required by section 10302 of this title for the seaman to begin work or be present on board, whichever is earlier.

(b) Wages are not dependent on the earning of freight by the vessel. When the loss or wreck of the vessel ends the service of a seaman before the end of the period contemplated in the agreement, the seaman is entitled to wages for the period of time actually served. The seaman shall be deemed a destitute seaman under section 11104 of this title. This subsection applies to a fishing or whaling vessel but not a yacht.

(c) When a seaman who has signed an agreement is discharged improperly before the beginning of the voyage or before one month's wages are earned, without the seaman's consent and without the seaman's fault justifying discharge, the seaman is entitled to receive from the master or owner, in addition to wages earned, one month's wages as compensation.

(d) A seaman is not entitled to wages for a period during which the seaman—

- (1) unlawfully failed to work when required, after the time fixed by the agreement for the seaman to begin work; or
- (2) lawfully was imprisoned for an offense, unless a court hearing the case otherwise directs.

(e) After the beginning of the voyage, a seaman is entitled to receive from the master, on demand, one-half of the balance of wages earned and unpaid at each port at which the vessel loads or delivers cargo during the voyage. A demand may not be made before the expiration of 5 days from the beginning of the voyage, not more than once in 5 days, and not more than once in the same port on the same entry. If a master does not comply with this subsection, the seaman is released from the agreement and is entitled to payment of all wages earned. Notwithstanding a release signed by a seaman under section 10312 of this title, a court having jurisdiction may set aside, for good cause shown, the release and take action

that justice requires. This subsection does not apply to a fishing or whaling vessel or a yacht.

(f) At the end of a voyage, the master shall pay each seaman the balance of wages due the seaman within 24 hours after the cargo has been discharged or within 4 days after the seaman is discharged, whichever is earlier. When a seaman is discharged and final payment of wages is delayed for the period permitted by this subsection, the seaman is entitled at the time of discharge to one-third of the wages due the seaman.

(g)(1) Subject to paragraph (2), when payment is not made as provided under subsection (f) of this section without sufficient cause, the master or owner shall pay to the seaman 2 days' wages for each day payment is delayed.

(2) The total amount required to be paid under paragraph (1) with respect to [all claims in a class action suit by seamen] *each claim by a seaman* on a passenger vessel capable of carrying more than 500 passengers for wages under this section against a vessel master, owner, or operator or the employer of [the seamen] *the seaman* shall not exceed ten times the unpaid wages that are the subject of the claims.

(3) A [class action] suit for wages under this subsection must be commenced within three years after the later of—

(A) the date of the end of the last voyage for which the wages are claimed; or

(B) the receipt[, by a seaman who is a claimant in the suit,] *by the seaman* of a payment of wages that are the subject of the suit that is made in the ordinary course of employment.

(h) Subsections (f) and (g) of this section do not apply to a fishing or whaling vessel or a yacht.

(i) This section applies to a seaman on a foreign vessel when in a harbor of the United States. The courts are available to the seaman for the enforcement of this section.

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CHAPTER 105—COASTWISE VOYAGES

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§ 10504. Wages

(a) After the beginning of a voyage, a seaman is entitled to receive from the master, on demand, one-half of the balance of wages earned and unpaid at each port at which the vessel loads or delivers cargo during the voyage. A demand may not be made before the expiration of 5 days from the beginning of the voyage, not more than once in 5 days, and not more than once in the same port on the same entry. If a master does not comply with this subsection, the seaman is released from the agreement required by section 10502 of this title and is entitled to payment of all wages earned. Notwithstanding a release signed by a seaman under section 10312 of this title, a court having jurisdiction may set aside, for good cause shown, the release and take action that justice requires. This subsection does not apply to a fishing or whaling vessel or a yacht.

(b) The master shall pay a seaman the balance of wages due the seaman within 2 days after the termination of the agreement re-

quired by section 10502 of this title or when the seaman is discharged, whichever is earlier.

(c)(1) Subject to subsection (d), and except as provided in paragraph (2), when payment is not made as provided under subsection (b) of this section without sufficient cause, the master or owner shall pay to the seaman 2 days' wages for each day payment is delayed.

(2) The total amount required to be paid under paragraph (1) with respect to **[all claims in a class action suit by seamen]** *each claim by a seaman* on a passenger vessel capable of carrying more than 500 passengers for wages under this section against a vessel master, owner, or operator or the employer of **[the seamen]** *the seaman* shall not exceed ten times the unpaid wages that are the subject of the claims.

(3) A **[class action]** suit for wages under this subsection must be commenced within three years after the later of—

(A) the date of the end of the last voyage for which the wages are claimed; or

(B) the receipt**[, by a seaman who is a claimant in the suit,]** *by the seaman* of a payment of wages that are the subject of the suit that is made in the ordinary course of employment.

(d) Subsections (b) and (c) of this section do not apply to:

(1) a vessel engaged in coastwise commerce.

(2) a yacht.

(3) a fishing vessel.

(4) a whaling vessel.

(e) This section applies to a seaman on a foreign vessel when in harbor of the United States. The courts are available to the seaman for the enforcement of this section.

(f) DEPOSITS IN SEAMAN ACCOUNT.—On written request signed by the seaman, a seaman employed on a passenger vessel capable of carrying more than 500 passengers may authorize, the master, owner, or operator of the vessel, or the employer of the seaman, to make deposits of wages of the seaman into a checking, savings, investment, or retirement account, or other account to secure a payroll or debit card for the seaman if—

(1) the wages designated by the seaman for such deposit are deposited in a United States or international financial institution designated by the seaman;

(2) such deposits in the financial institution are fully guaranteed under commonly accepted international standards by the government of the country in which the financial institution is licensed;

(3) a written wage statement or pay stub, including an accounting of any direct deposit, is delivered to the seaman no less often than monthly; and

(4) while on board the vessel on which the seaman is employed, the seaman is able to arrange for withdrawal of all funds on deposit in the account in which the wages are deposited.

* * * * *

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

TITLE I—DEPARTMENT OF TRANSPORTATION

Language is included under Office of the Secretary, ‘Salaries and expenses’ specifying certain amounts for individual offices of the Office of the Secretary and official reception and representation expenses; specifying transfer authority among offices; allowing up to \$2,500,000 in user fees to be credited to the account; and prohibiting the establishment of Assistant Secretary of Public Affairs.

Language is included under the Office of the Secretary, ‘Research and technology’ which limits the availability of funds, changes the availability of funds, allows funds received from other entities to be credited to the account, and deems the title of the office.

Language is included under the Office of the Secretary, ‘National Infrastructure Investments’ which limits the availability of funds, provides for the distribution of funds, specifies that funds are available only for certain activities, allows the use of funds for administrative costs, ensures equitable geographic distribution of funds, specifies amounts for grants, limits that amount that may be awarded to a single state, specifies an amount for the federal cost share, provides priority to projects that require a contribution of Federal funds, specifies a percentage for administration and oversight, minimum grants size and Federal cost share for rural projects, and specifies that projects must comply with certain requirements in the United States Code.

Language is included under the Office of the Secretary, ‘Financial management capital’ which provides funds to upgrade DOT’s financial systems and processes, and changes the availability of funds.

Language is included under the Office of the Secretary, ‘Cyber security initiatives’ which provides funds for information technology security upgrades, and changes the availability of funds.

Language is included under the Office of the Secretary, ‘Transportation planning, research, and development’ which provides funds for conducting transportation planning, research, systems development, development activities and making grants, and changes the availability of funds.

Language is included that limits operating costs and capital outlays of the Working Capital Fund for the Department of Transportation; provides that services shall be provided on a competitive basis, except for non-DOT entities; restricts the transfer for any funds to the Working Capital Fund with approval; and limits special assessments or reimbursable agreements levied against any program, project or activity funded in this Act to only those assessments or reimbursable agreements that are presented to and approved by the House and Senate Committees on Appropriations.

Language is included under the Office of the Secretary, ‘Minority business resource center’ which limits the amount of loans that can be subsidized, and provides funds for administrative expenses.

Language is included under Office of the Secretary, 'Small and disadvantaged business utilization and outreach' specifying that funds may be used for business opportunities related to any mode of transportation, and limits the availability of funds.

Language is included under the Office of the Secretary, 'Payments to air carriers' that allows the Secretary of Transportation to consider subsidy requirements when determining service to a community, eliminates the requirement that carriers use at least 15-passenger aircraft, prohibits funds for communities within a certain distance of a small hub airport without a cost-share, allows amounts to be made available from the Federal Aviation Administration, and allows the reimbursement of such amounts from overflight fees.

Section 101 prohibits the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102 allows the Department to use the Working Capital Fund to provide transit benefits to Federal employees.

Section 103 sets administrative requirements of the Department's Credit Council.

Language is included under the Federal Aviation Administration, 'Operations' that specifies funds for certain activities; derives funds from the Airport and Airway Trust Fund; specifies amounts for certain activities; specifies transfer authorities among activities; requires various staffing plans by a certain date with financial penalties for late submissions; permits the use of funds to enter into a grant agreement with a nonprofit standard setting organization to develop aviation safety standards; prohibits the use of funds for new applicants of the second career training program; prohibits funds to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law; credits funds received from other entities for expenses incurred in the provision of agency services; specifies funds for the contract tower programs; and prohibits funds from certain activities coordinated through the Working Capital Fund.

Language is included under Federal Aviation Administration, 'Facilities and equipment' that funds various activities from the Airport and Airway Trust Fund, limits the availability of funds, allows certain funds received for expenses incurred in the establishment and modernization of air navigation facilities to be credited to the account, and that requires the Secretary of Transportation to transmit a comprehensive capital investment plan for the Federal Aviation Administration, with financial penalties for a late submission.

Language is included under Federal Aviation Administration, 'Research, engineering, and development' that provides funds from the Airport and Airway Trust Fund; that limits the availability of funds; and that allows certain funds received for expenses incurred in research, engineering and development to be credited to the account.

Language is included under Federal Aviation Administration, 'Grants-in-aid for airports' that provides funds from the Airport

and Airway Trust Fund, changes the availability of funds, prohibits the availability of funds for certain activities, and limits the availability of funds for certain activities.

Section 110 limits the number of technical workyears at the Center for Advanced Aviation Systems Development to 600 in fiscal year 2017.

Section 111 prohibits FAA from requiring airport sponsors to provide the agency 'without cost' building construction, maintenance, utilities and expenses, or space in sponsor-owned buildings, except in the case of certain specified exceptions.

Section 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits the FAA from paying Sunday premium pay except in those cases where the individual actually worked on a Sunday.

Section 115 prohibits FAA from using funds to purchase store gift cards or gift certificates through a government-issued credit card.

Section 116 requires approval from the Assistant Secretary for Administration of the Department of Transportation for retention bonuses for any FAA employee.

Section 117 requires the Secretary to block the display of an owner or operator's aircraft registration number in the Aircraft Situational Display to Industry program, upon the request of an owner or operator.

Section 118 prohibits funds for more than 9 political appointees at the Federal Aviation Administration.

Section 119 prohibits funds to increase fees pursuant to Section 44721 of title 49, U.S.C. until the FAA submits a report to the House and Senate Committees on Appropriations.

Section 119A prohibits funds to close a regional operations center or reduce services unless the Administrator notifies the House and Senate Committees on Appropriations.

Section 119B prohibits funds to change weigh restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

Language is included under the Federal Highway Administration, 'Limitation on administrative expenses' that, contingent on enactment of authorization legislation, limits the amount to be paid, together with advances and reimbursements received, for the administrative expenses of the agency. In addition to this limitation, an amount is specified that is to be made available to the Appalachian Regional Commission for administrative expenses.

Language is included under the Federal Highway Administration, 'Federal-aid highways' that, contingent on enactment of authorization legislation, limits the obligations for Federal-aid highways and highway safety construction programs; allows the Secretary to charge, collect and spend fees for the costs of underwriting and servicing Federal credit instruments; and provides that such amounts are in addition to administrative expenses, and not subject to any obligation limitation or limitation on administrative

expenses under section 608 of title 23, U.S.C., and available until expended.

Language is included under the Federal Highway Administration, 'Federal-aid highways' that, contingent on enactment of authorization legislation, liquidates contract authority from the Highway Trust Fund.

Section 120 distributes obligation authority among Federal-aid highways programs, contingent on enactment of authorization legislation.

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

Section 122 provides requirements for any waiver of the Buy America Act.

Section 123 requires Congressional notification before the Department provides credit assistance under sections 603 and 604 of title 23, U.S.C.

Language is included under the Federal Motor Carrier Safety Administration, 'Motor carrier safety operations and programs' that, contingent on enactment of authorization legislation, provides a limitation on obligations and liquidation of contract authorization; changes the availability of funds; and specifies amounts available for specific activities.

Language is included under the Federal Motor Carrier Safety Administration, 'Motor carrier safety grants' that, contingent on enactment of authorization legislation, provides a limitation on obligations and liquidation of contract authorization and specifies amounts available for various programs.

Section 130 provides that funds appropriated are subject to terms and conditions included in prior appropriations Acts regarding Mexico-domiciled motor carriers.

Section 131 requires the Federal Motor Carrier Safety Administration to send notices of certain violations such that the receipt of such notice is confirmed.

Section 132 suspends enforcement of recent changes to the restart provisions of the hours of service regulation unless certain conditions are met.

Section 133 prohibits funds from being used for a wireless roadside inspection program unless certain conditions are met.

Section 134 clarified the preemption of state and local laws and regulations by federal laws, and regulations related to motor carrier driver hours of service, and makes such preemption retroactive to the date of enactment of Public Law 103-305.

Section 135 prohibits funds from being used to amend or revise regulations relating to safety fitness determinations for motor carriers unless certain conditions are met.

Language is included under National Highway Traffic Safety Administration, 'Operations and research' that provides funds for vehicle safety activities.

Language is included under National Highway Traffic Safety Administration, 'Operations and research' that, contingent on enactment of authorization legislation, provides a limitation on obligations and a liquidation of contract authorization from the Highway Trust Fund; specifies amounts for various programs; and makes available unobligated balances of prior year contract authority.

Language is included under the National Highway Traffic Safety Administration ‘Highway traffic safety grants’ that, contingent on enactment of authorization legislation, provides a limitation on obligations; changes the availability of funds; provides a liquidation of contract authorization from the Highway Trust Fund; specifies the amounts for various programs; prohibits and limits funds for specific purposes; and requires certain Congressional notifications.

Section 140 provides funding for travel and related expenses for state management reviews and highway safety core competency development training.

Section 141 exempts obligation authority that was made available in previous public laws from limitations on obligations set in this Act.

Section 142 prohibits funding for the national roadside survey.

Section 143 prohibits funding for mandated global positioning system tracking.

Language is included under Federal Railroad Administration, ‘Safety and operations’ that provides and changes the availability of funds.

Language is included under Federal Railroad Administration, ‘Railroad research and development’ that provides and changes the availability of funds.

Language is included under Federal Railroad Administration, ‘Railroad rehabilitation and improvement financing program’ authorizing the Secretary to issue direct loans and loan guarantees under sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act and prohibits new direct loans or loan guarantee commitments in 2017 that use Federal funds for the credit risk premium, except for funding awards under section 3028(c) of Public Law 114–94.

Language is included under the Federal Railroad Administration, ‘Federal-State partnership for the state of good repair grants’ that provide funds, changes the availability of funds, and allows the Secretary to withhold funding for a specified purpose.

Language is included under the Federal Railroad Administration, ‘Consolidated rail infrastructure and safety improvement grants’ that provide funds, changes the availability of funds, and allows the Secretary to withhold funding for a specified purpose.

Language is included under the Federal Railroad Administration, ‘Northeast corridor grants to the national railroad passenger corporation’ that provides and specifies a funding level for activities.

Language is included under the Federal Railroad Administration, ‘National network grants to the national railroad passenger corporation’ that provides and specifies a funding level for activities.

Section 150 limits overtime to \$35,000 per employee; allows Amtrak’s president to waive this restriction for specific employees for safety or operational efficiency reasons; requires quarterly notification to the House and Senate Committees on Appropriations on waivers granted for overtime and specified information related to overtime; requires the president of Amtrak to provide a report that includes specified information on overtime payments incurred for 2016 and two prior years.

Language is included under Federal Transit Administration, ‘Administrative expenses’ specifying amounts for certain activities,

prohibiting a permanent office of transit security, and directing the submission of the annual report on new starts.

Language is included under Federal Transit Administration, 'Transit formula grants' that provides a limitation on obligations from the Highway Trust Fund, provides for the liquidation of contract authority, and changes the availability of funds.

Language is included under Federal Transit Administration 'Technical assistance and training' that specifies amounts for certain activities.

Language is included under Federal Transit Administration, 'Capital investment grants' that changes the availability of funds.

Language is included under Federal Transit Administration, 'Washington metropolitan area transit authority' that changes the availability of funds, requires the Secretary to review projects before a grant is made, requires the Secretary to determine that WMATA has placed the highest priority on safety investments and has eliminated financial management issues, and allows the Secretary to waive the requirement for cellular phone service.

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows funds appropriated for capital investment grants and bus and bus facilities not obligated by a certain date, plus other recoveries to be available for other projects under 49 U.S.C. 5309.

Section 162 allows for the transfer of prior year appropriations from older accounts to be merged into new accounts with similar, current activities.

Section 163 prohibits a full funding grant agreement for a project with a new starts share greater than 50 percent.

Section 164 prohibits funds for a certain fixed guideway project in Houston, Texas.

Language is included under the Saint Lawrence Seaway Development Corporation that authorizes expenditures, contracts, and commitments as may be necessary.

Language is included under the Saint Lawrence Seaway Development Corporation 'Operations and maintenance' that provides funds derived from the Harbor Maintenance Trust Fund.

Language is included under Maritime Administration, 'Maritime security program' that provides funds to preserve a U.S. flag merchant fleet.

Language is included under Maritime Administration, 'Operations and training' that provides specific funds for a national security multi-mission vessel design, training ship fuel assistance payments, maritime environment and technology assistance, Student Incentive Program payments, capital improvements at the United States Merchant Marine Academy, and the State Maritime Schools Schoolship Maintenance and Repair; directs allotment holders; and limits funds until the Secretary completes a plan detailing how funding will be expended at the Academy.

Language is included under Maritime Administration, 'Maritime guaranteed loan (title XI) program account' that provides for the transfer to "Operations and training."

Section 170 allows the Maritime Administration to furnish utilities and services and make repairs to any lease, contract, or occupancy involving government property under the control of MARAD.

Section 171 continues a provision regarding MARAD ship disposal.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Operational expenses' which provides funding for operations.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Hazardous materials safety' which funds hazardous and materials safety functions, limits the period of availability, allows up to \$800,000 in fees collected under 49 U.S.C. 5108(g) to be deposited in the general fund of the Treasury as offsetting receipts, and credits to the appropriation for the account funds received from states, counties, other public authorities, and private sources for certain expenses.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Pipeline safety' which specifies the amounts derived from the pipeline safety fund and the oil spill liability trust fund, limits the period of availability, and specifies a minimum funding level for the one-call state grant program.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Emergency preparedness grants' which specifies the amount derived from the Emergency Preparedness Fund, limits the availability of some funds, allows up to four percent of funds made available for administrative costs, and prohibits funds from being obligated by anyone other than the Secretary or a designee of the Secretary.

Language is included under Office of Inspector General, 'Salaries and expenses' that provides the Inspector General with all necessary authority to investigate allegations of fraud by any person or entity that is subject to regulation by the Department of Transportation, the authority to investigate unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents, and allows funds to be available from forfeiture proceedings.

Section 180 provides authorization for DOT to maintain and operate aircraft, hire passenger motor vehicles and aircraft, purchase liability insurance, buy uniforms, or allowances therefor.

Section 181 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate permitted for an Executive Level IV.

Section 182 prohibits more than 110 political and Presidential appointees in DOT and restricts the detailing of these personnel outside of DOT.

Section 183 prohibits recipients of funds in this Act from disseminating personal information obtained by state DMVs in connection to motor vehicle records with an exception.

Section 184 stipulates that revenue collected by FHWA and FRA from States, counties, municipalities, other public authorities, and private sources for training be transferred into specific accounts within the agency with an exception.

Section 185 prohibits DOT from using funds for grants of \$1,000,000 or more from FHWA, FAA, FRA, FTA, MARAD or "National Infrastructure Investments", unless DOT gives a 3-day ad-

vance notice to Congress. Also requires notice of any “quick release” of funds from FHWA’s emergency relief program, and prohibits notifications from involving funds not available for obligation.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of DOT.

Section 187 allows amounts from improper payments to a third party contractor that are lawfully recovered by DOT to be made available to cover expenses incurred in recovery of such payments.

Section 188 requires that reprogramming actions have to be approved or denied by the House and Senate Committees on Appropriations, and reprogramming notifications shall be transmitted solely to the Appropriations Committees.

Section 189 allows funds appropriated to modal administrations to be obligated for the Office of the Secretary for costs related to assessments only when such funds provide a direct benefit to that modal administration.

Section 190 allows the use of the Working Capital Fund to carry out the Federal Transit Pass program.

Section 191 prohibits the use of funds to implement any geographic, economic, or other hiring preference not otherwise authorized by law, unless certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 192 prohibits funds for California High Speed Rail.

Section 193 modifies penalty wages regarding foreign and inter-coastal voyages and coastwise voyages.

Section 194 prohibits funds used in contravention of 24305(c)(4) of title 49, U.S.C. regarding Amtrak food and beverage service.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Language is included under Department of Housing and Urban Development, ‘Management and administration’ which designates funds for ‘Executive offices’; designates funds for ‘Administrative support offices’; specifies funding for shared service agreements, the office of the chief financial officer, the office of the general counsel, the office of administration, the office of the chief human capital office, the office of field policy and management, the office of the chief procurement officer, the office of the departmental equal employment opportunity, the office of strategic planning and management, and the office of the chief information officer; provides flexibility to transfer any remaining funds to any office under the same heading or under the heading ‘Program office salaries and expenses’; limits official reception and representation expenses to \$25,000; allows funds to be used for certain administrative and non-administrative expenses; and allows funds to be used for advertising and promotional activities that directly support program activities funded in this title.

Language is included under Department of Housing and Urban Development, ‘Program office salaries and expenses’ which specifies funds for the office of public and indian housing, the office of community planning and development, the office of housing, the office of risk and regulatory affairs, the office of policy development and

research, the office of fair housing and equal opportunity, and the office of lead hazard control and healthy homes.

Language is included under Department of Housing and Urban Development, 'Tenant-based rental assistance' which specifies funds for certain programs, activities and purposes and limits the use and availability of certain funds; specifies the methodology for allocation of renewal funding; directs the Secretary to provide renewal funding based on validated voucher system leasing and cost data for the prior year; prohibits funds to exceed a public housing agency's authorized level of units under contract, except for those participating in the Moving to Work demonstration; directs the Secretary, to the extent necessary, to prorate each public housing agency's (PHA) allocation; directs the Secretary to notify PHAs of their annual budget the later of 60 days after enactment of the Act or March 1, 2017; allows the Secretary to extend the notification period with the prior approval of the House and Senate appropriations committees; specifies the amounts available to the Secretary to allocate to PHAs that need additional funds and for fees; specifies the amount for additional rental subsidy due to unforeseen emergencies and portability; provides funding for public housing agencies with vouchers that were not in use during the previous 12 month period in order to be available to meet a commitment pursuant to section 8(o)(13); provides funding for incremental vouchers for homeless veterans; provides funding for public housing agencies that despite taking reasonable measures, would otherwise be required to terminate assistance for families as a result of insufficient funding; and provides for adjustments in allocations for PHAs that participate in the Small Area Fair Market Rent demonstration.

Language is included under Department of Housing and Urban Development, 'Tenant-based rental assistance' which provides funds for tenant protection vouchers; sets certain conditions for the Secretary to provide such vouchers; provides funds for residents of multifamily properties that would not otherwise have been eligible for tenant-protection vouchers; sets eligibility requirements for multi-family properties to participate in the program; sets conditions for the reissuance of vouchers, and allows the Secretary to use unobligated and recaptured funds from prior years.

Language is included under Department of Housing and Urban Development, 'Tenant-based rental assistance' which provides funds for administrative and other expenses of public housing agencies to administer the section 8 tenant-based rental assistance program; sets an amount to be available to PHAs that need additional funds to administer their section 8 programs, including fees to administer tenant protection assistance, disaster related vouchers, Veterans Affairs Supportive Housing vouchers and other special purpose vouchers; provides for the distribution of funds; provides for a uniform percentage decrease of amounts to be allocated if funds are not sufficient; establishes that 'Moving to Work' (MTW) agencies be funded pursuant to their MTW agreements; provides funds for section 811 mainstream vouchers; and specifies that the Secretary shall track special purpose vouchers.

Language is included under Department of Housing and Urban Development, 'Housing certificate fund' which rescinds prior year

funds and allows the Secretary to use recaptures to fund project-based contracts and contract administrators.

Language is included under Department of Housing and Urban Development, 'Public housing capital fund' which specifies the total amount available for certain activities; limits the availability of funds; limits the delegation of certain waiver authorities; specifies an amount for ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center; specifies an amount for emergency capital needs; specifies an amount for supportive services; specifies the amount for a Jobs-plus Pilot initiative and specifies that the initiative shall provide competitive grants; specifies that the Secretary may waive or specify alternative requirements; and specifies that the Secretary shall public notice of any waiver or alternative requirement; establishes a limitation on amounts that can be transferred; makes funds available for bonuses for high performing PHAs; and establishes requirements for notification of public housing agencies' formula allocations.

Language is included under Department of Housing and Urban Development, 'Choice Neighborhoods Initiative' which allows the Secretary to make competitive grants for neighborhood rehabilitation; changes the availability of funds; allows funds to be used for services, development, and housing; declares funds not for "public housing"; requires a period of affordability; requires local planning and cost share; allows local governments, tribal entities, public housing authorities and non-profits to be grantees; allows for-profits to partner and apply with a public entity; requires grantees to partner with local organizations; establishes conditions for environmental review; requires grantees to create partnerships with other local organizations; requires the Secretary to consult with other federal agencies; and allows prior year program funds and HOPE VI funds to be used for this program.

Language is included under Department of Housing and Urban Development, 'Family self-sufficiency' which allows the Secretary to waive or specify certain requirements, establishes entities eligible to compete for funding, allows the establishment of escrow funds, and allows the use of residual receipt accounts to hire coordinators.

Language is included under Department of Housing and Urban Development, 'Native American housing block grants' which limits the availability of funds; specifies the formula for allocation; specifies amounts for training and technical assistance; specifies an amount to support the inspection of Indian housing units; specifies an amount to guarantee notes and obligations as defined in section 502 of the Congressional Budget Act of 1974; specifies that grantees are to be notified of their allocation within 60 days of enactment; and makes adjustments to certain recipient allocations under certain conditions without a regulation.

Language is included under Department of Housing and Urban Development, 'Indian housing loan guarantee fund program account' which specifies the amount and availability of funds to subsidize total loan principal, specifies how to define the costs of modifying loans, and provides a dedicated amount for administrative expenses.

Language is included under Department of Housing and Urban Development, 'Housing opportunities for persons with AIDS' which limits availability of funds and sets forth certain requirements for the allocation of funds, renewal of contracts, and grantee notification.

Language is included under Department of Housing and Urban Development, 'Community development fund' which limits the use and availability of certain funds; specifies the allocation of certain funds; prohibits grant recipients from selling, trading or transfer funds; prohibits the provision of funds to for-profit entities unless certain conditions are met; specifies the amount made available for grants to federally-recognized Indian tribes; prohibits funding for grants under the Economic Development Initiative, Neighborhood Initiatives, Rural Innovation Fund, and Section 107 of the Housing and Community Development Act of 1974; and requires grantee notification of formula allocations within 60 days of enactment.

Language is included under Department of Housing and Urban Development, 'Community development loan guarantees program account' which limits the principal amount of loan guarantees, directs the Secretary to collect fees from borrowers adequate to result in credit subsidy cost of zero, and rescinds all unobligated balances of budget authority previously appropriated or recaptured under the account.

Language is included under Department of Housing and Urban Development, 'Home investment partnerships program' which limits the availability of funds; specifies the allocation of certain funds for certain purposes; specifies multiple oversight requirements from prior acts that are not effective for projects committed on or after August 23, 2013 and shall instead be governed by the Final Rule entitled 'Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards'; transfers amounts allocated to the housing trust fund program to the home investment partnership program; and prohibits funds from being credited to the housing trust fund.

Language is included under Department of Housing and Urban Development, 'Self-help and assisted homeownership opportunity program' which specified funding amounts for certain programs, limits the period of availability, and specifies certain amounts for rural activities and organizations.

Language is included under Department of Housing and Urban Development, 'Homeless assistance grants' which limits the availability of funds; specifies the allocation of certain funds for certain purposes; specifies matching requirements; requires the Secretary to establish minimum performance thresholds for projects, prohibits the Secretary from funding continuum of care contract renewals unless certain requirements are met; requires the Secretary to prioritize funding to grant applicants that demonstrate a capacity to reallocate funding to higher performing projects; requires grantees to integrate homeless programs with other social service providers; allows certain funds to be administered by private non-profit organizations; allows unobligated balances and recaptures from certain project-based rental assistance grants and shelter plus care renewals to be used; and requires notification of formula allocations within 60 days of enactment.

Language is included under Department of Housing and Urban Development, 'Project-based rental assistance' which limits the availability of funds and specifies the allocation of certain funds for certain purposes; specifies a certain amount for contract administrators to administer certain programs; allows certain recaptured funds to be used for contracts or contract administrators; and allows the Secretary to recapture residual receipts from certain properties.

Language is included under Department of Housing and Urban Development, 'Housing for the elderly' which limits the availability of funds; specifies the allocation of certain funds; designates certain funds to be used only for certain grants; allows funds to be used for specified inspections or inspection-related activities; allows funds to be used to renew certain contracts; allows the Secretary to waive certain provisions governing contract terms; allows excess funds held in residual receipts accounts, after contract termination, to be deposited in this account, and limits the availability and use of these funds.

Language is included under Department of Housing and Urban Development, 'Housing for persons with disabilities' which limits the availability of funds; specifies the allocation of certain funds; allows funds to be used for inspections or inspection-related activities; allows funds to be used to renew certain contracts; allows funds held in residual account, after contract termination, to be deposited in this account, and limits the availability and use of these funds.

Language is included under Department of Housing and Urban Development, 'Housing counseling assistance' that provides funds for described purposes, limits the availability of funds, specifies amounts to be used for specified purposes, requires the Secretary to make grants within a specified time frame, and allows multiyear agreements subject to the availability of annual appropriations.

Language is included under Department of Housing and Urban Development, 'Rental housing assistance' that limits the availability of funds and allows the Secretary to use specified unobligated balances, including recaptures, carryover and other specified remaining funds for specified purposes.

Language is included under Department of Housing and Urban Development, 'Payment to manufactured housing fees trust fund' that limits the availability of funds from specified sources; permits fees to be assessed, modified, and collected; permits temporary borrowing authority from the general fund of the Treasury; provides that general fund amounts from collections offset the appropriation so that the resulting appropriation is a specified amount; requires fees collected to be deposited into the Manufactured Housing Fees Trust Fund; allows fees to be used for necessary expenses; and allows the Secretary to use approved service providers.

Language is included under the Department of Housing and Urban Development, 'Mutual mortgage insurance program account' which limits new commitments to issue guarantees, limits the obligations to make direct loans, specifies funds for specific purposes, allows for additional contract expenses as guaranteed loan commitments exceed certain levels, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'General and special risk program account' which sets a loan principal limitation on new commitments to guarantee loans, limits the obligations to make direct loans, specifies funds for specific purposes, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'Government national mortgage association' which limits new commitments to issue guarantees, provides funds for salaries and expenses, allows specified receipts to be credited as offsetting collections, allows for additional contract expenses as guaranteed loan commitments exceed certain levels, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'Policy development and research' which limits the availability of funds, specifies authorized uses, and directs the submission of a spend plan.

Language is included under Department of Housing and Urban Development, 'Fair housing and equal opportunity' which limits the availability of funds, authorizes the Secretary to assess and collect fees, places restrictions on the use of funds for lobbying activities, and provides funds for programs that support the assistance of persons with limited English proficiency.

Language is included under Department of Housing and Urban Development, 'Office of lead hazard control and healthy homes' which limits the availability of funds, specifies the amount of funds for specific purposes, specifies the treatment of certain grants, and specifies a matching requirement for grants.

Language is included under Department of Housing and Urban Development, 'Information technology fund' which limits the availability and purpose of funds, including funds transferred.

Language is included under Department of Housing and Urban Development, 'Office of Inspector General' which specifies the use of funds and directs that the IG shall have independent authority over all personnel issues within the office.

Section 201 splits overpayments evenly between Treasury and State HFAs.

Section 202 prohibits funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 corrects anomalies in the HOPWA formula affecting New York, New Jersey, and North Carolina.

Section 204 requires any grant or cooperative agreement to be made on a competitive basis, unless otherwise provided, in accordance with Section 102 of the Department of Housing and Urban Development Reform Act of 1989.

Section 205 relates to the availability of funds for services and facilities for GSEs and others subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 206 prohibits the use of funds in excess of the budget estimates, unless provided otherwise.

Section 207 relates to the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 208 requires the Secretary to provide quarterly reports on uncommitted, unobligated, recaptured, and excess funds in each departmental program and activity.

Section 209 requires the Administration's budget and HUD's budget justifications for fiscal year 2018 be submitted in the identical account and sub-account structure provided in this Act.

Section 210 exempts PHA Boards in Alaska, Iowa, Mississippi and the County of Los Angeles from certain public housing resident representation requirements. Affected entities under this section are reminded of their requirement to maintain a tenant advisory board, as prescribed under this section. HUD is required to ensure compliance with this requirement and should take enforcement actions if this requirement is not fulfilled.

Section 211 exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 212 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred and other conditions are met.

Section 213 sets forth requirements for Section 8 voucher assistance eligibility and includes consideration for persons with disabilities.

Section 214 distributes Native American Housing Block Grants to the same Native Alaskan recipients as in fiscal year 2005.

Section 215 authorizes the Secretary to insure mortgages under Section 255 of the National Housing Act.

Section 216 instructs HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 217 allows the Section 108 loan guarantee program to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State.

Section 218 allows PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 219 restricts the Secretary from imposing any requirements or guidelines relating to asset management that restrict or limit the use of capital funds for central office costs, up to the limit established in QHWRA.

Section 220 requires that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such employee has received certain training.

Section 221 requires the Secretary to publish all notice of funding availability that is competitively awarded on the internet for fiscal year 2017.

Section 222 limits attorney fees and requires the Department to submit a spend plan to the House and Senate Committees on Appropriations.

Section 223 allows the Secretary to transfer up to 10 percent of funds or \$4,000,000, whichever is less, appropriated under the headings "Administrative Support Offices" or "Program Office Salaries and Expenses" to any other office funded under such headings.

Section 224 allows the Disaster Housing Assistance Programs to be considered a program of HUD for the purpose of income verifications and match requirements.

Section 225 requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 226 places a salary and bonus limit on public housing agency officials and employees.

Section 227 prohibits the use of funds for the doctoral dissertation research grant program at HUD.

Section 228 requires the Secretary to notify the House and Senate Committees on Appropriations at least 3 full business days before grant awards are announced.

Section 229 prohibits funds to be used to require or enforce the Physical Needs Assessment (PNA).

Section 230 prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 231 prohibits the use of funds to terminate the status of a unit of general local government as a metropolitan city with respect to grants.

Section 232 allows funding for research, evaluation, and statistical purposes that is unexpended at the time of completion of the contract, grant, or cooperative agreement to be reobligated for additional research.

Section 233 prohibits funds to be used for financial awards for employees subject to administrative discipline.

Section 234 permits HUD to consolidate funds used to manage disaster recovery grants. Section 235 permits HUD to provide one year transition grants under the continuum of care program.

Section 236 prohibits funds to enforce Executive Order 13690 regarding flood risk management.

Section 237 rescinds unobligated balances from salaries and expenses accounts.

TITLE III—RELATED AGENCIES

Language is included for the Access Board, ‘Salaries and expenses’ that limits funds for necessary expenses and allows for the credit to the appropriation of funds received for publications and training expenses.

Language is included for the Federal Maritime Commission, ‘Salaries and expenses’ that provides funds for services authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, uniforms and allowances; and limits funds for official reception and representation expenses.

Language is included for the National Railroad Passenger Corporation, Office of Inspector General, ‘Salaries and expenses’ that provides funds for an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law; promotes economy, efficiency and effectiveness at Amtrak; allows the IG to enter into contracts; select, appoint or employ officers and employees to carry out its functions; and requires the IG to submit its budget request concurrently with the President’s budget and in a similar format.

Language is included under National Transportation Safety Board, ‘Salaries and expenses’ that provides funds for hire of passenger motor vehicles and aircraft, services authorized by 5 U.S.C. 3109, uniforms or allowances therefore, limits funds for official reception and representation expenses and allows funds to be used to pay for costs associated with a capital lease.

Language is included in the Neighborhood Reinvestment Corporation (NRC), ‘Payment to the neighborhood reinvestment corporation’ that specifies the allocation of funds.

Language is included for the United States Interagency Council on Homelessness, ‘Operating expenses’ that provides funds for salaries, travel, hire of passenger motor vehicles, rental of conference rooms, and the employment of experts and consultants.

Language is included under Surface Transportation Board, ‘Salaries and expenses’ allowing the collection of \$1,250,000 in fees established by the Chairman of the Surface Transportation Board, and providing that the sum appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such fees are received.

TITLE IV—GENERAL PROVISIONS, THIS ACT

Section 401 prohibits pay and other expenses for non-Federal parties intervening in regulatory or adjudicatory proceedings.

Section 402 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 403 limits consulting service expenditures in procurement contracts to those contained in the public record.

Section 404 prohibits employee training not directly related to the performance of official duty.

Section 405 specifies requirements for reprogramming funds.

Section 406 provides that fifty percent of unobligated balances for salaries and expenses may remain available for certain purposes, subject to the approval of the House and Senate Committees on Appropriations.

Section 407 prohibits the use of funds for any project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Section 408 prohibits funds from being transferred to any department, agency, or instrumentality of the U.S. Government, except where transfer authority is provided in this Act.

Section 409 prohibits funds in this Act from being used to permanently replace an employee intent on returning to his or her past occupation after completion of military service.

Section 410 prohibits funds in this Act from being used, unless the expenditure is in compliance with the Buy American Act.

Section 411 prohibits funds from being appropriated or made available to any person or entity that has been convicted of violating the Buy American Act.

Section 412 prohibits funds for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41 CFR.

Section 413 prohibits funds from being used for the approval of a new foreign air carrier permit or exemption application if that approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

Section 414 restricts the number of employees that agencies funded in this Act may send to international conferences.

Section 415 prohibits funds from being used to lease or purchase new light duty vehicles for any executive fleet or an agency’s fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

Section 416 caps the amount of fees the Surface Transportation Board can charge or collect for rate or practice complaints filed with the Board at the amount authorized for district court civil suit filing fees.

Section 417 rescinds unobligated salaries and expenses balances from various accounts.

Section 418 establishes a spending reduction account.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned (dollars in thousands):

APPROPRIATIONS NOT AUTHORIZED BY LAW AND EXPIRING AUTHORIZATIONS

[Dollars in Thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Title I—Department of Transportation¹				
Federal Aviation Administration ²				
Operations	2016	\$9,740,700	\$9,909,724	\$9,994,352
Facilities and Equipment	2016	2,600,000	2,855,000	2,838,000
Research, Engineering, and Development	2016	156,750	166,000	167,500
Grant-in-Aid for Airports	2016	3,350,000	3,350,000	3,350,000
Federal Railroad Administration				
Safety and Operations	2013	293,000	178,596	207,000
Maritime Administration				
Operations and Training ³	2016	184,287	171,155	175,079
Ship Disposal ³	2016	8,000	5,000	10,000
Maritime Security Program ³	2016	210,000	210,000	300,000
Title XI ³	2016	31,135	8,135	3,000
Pipeline and Hazardous Materials Safety Administration				
Pipeline Safety	2015	109,252	145,500	150,000
Office of the Secretary				
National Infrastructure Investments	2016	500,000	500,000	450,000
Payments to Air Carriers	2016	155,000	175,000	150,000

¹ Excludes accounts that have never had authorized appropriation amounts, such as Transportation Investments Generating Economic Recovery (TIGER) grants.

² Authorization levels are annualized. The Airport and Airway Extension Act of 2016 (P.L. 114–141) extends FAA authorities through July 15, 2016.

³ Reflects authorized amounts associated with maintaining national security aspects of the merchant marine per P.L. 114–92.

Title II—Department of Housing and Urban Development

Rental Assistance:				
Section 8 Voucher Renewals and Administrative Expenses	1994	8,446,173	5,458,106	19,961,675
Public Housing Capital Fund	2003	3,000,000	2,712,555	1,900,000
Public Housing Operating Fund	2003	2,900,000	3,576,600	4,500,000
Native American Housing Block Grants	2013	Such sums as necessary	616,001	655,000
Indian Housing Loan Guarantee Fund	2012	Such sums as necessary	6,000	5,500
Housing Opportunity for Persons with Aids	1994	156,300	156,000	335,000
Community Development Fund	1994	4,168,000	4,877,389	3,060,000
Community Development Loan Guarantee Limitation	1994	Not Applicable	Not Applicable	[300,000]
Home Investment Partnerships Program	1994	2,173,612	1,275,000	950,000
Self-Help Homeownership Opportunity Program	2001	Such sums as necessary	48,000	50,000

Homeless Assistance	2011	Such sums as necessary	1,901,190	2,487,000
Housing for the Elderly	2003	Such sums as necessary	783,286	505,000
Housing for Persons with Disabilities	2015	300,000	135,000	154,000
FHA General and Special Risk Program Account:				
Limitations on Guaranteed Loans	1995	---	[20,885,072]	[30,000,000]
Limitation on Direct Loans	1995	---	[220,000]	[5,000]
GNMA Mortgage Backed Securities Loan Guarantee Program Account:				
Limitations on Guaranteed Loans	1996	[110,000,000]	[110,000,000]	[500,000,000]
Administrative Expenses	1996	---	9,101	23,000
Policy Development and Research	1994	36,470	35,000	80,000
Fair Housing Activities, Fair Housing Program	1994	26,000	20,481	65,300
Lead Hazard Reduction Program	1994	250,000	150,000	130,000
Salaries and Expenses	1994	1,029,496	916,963	1,345,900

Title III—Related Agencies

Access Board	2003	5,401	5,401	8,190
National Transportation Safety Board	2008	96,625	91,000	106,000

PROGRAM DUPLICATION

Pursuant to section 3(g)(2) of H. Res. 5 (114th Congress), no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DIRECTED RULE MAKING

The bill does not direct any rule making.

COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and Section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority provided in the bill with the appropriate allocations under section 302(b) of the Budget Act:

BUDGETARY IMPACT OF FY 2017 TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93–144, AS AMENDED

[In millions of dollars]

	302(b) Allocation		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies				
Mandatory				(1)
Discretionary	58,190	119,992	58,190	119,991

¹ Includes outlays from prior-year budget authority.

FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections prepared by the Congressional Budget Office of outlays associated with the budget authority provided in the accompanying bill:

	302(b) Allocation		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Projection of outlays associated with the recommendation:				
2017	n.a.	n.a.	n.a.	42,126 ¹
2018	n.a.	n.a.	n.a.	36,589
2019	n.a.	n.a.	n.a.	14,942
2020	n.a.	n.a.	n.a.	6,457
2021 and future years	n.a.	n.a.	n.a.	8,092

¹ Excludes outlays from prior-year budget authority.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to section 308(a)(1)(C) of the Congressional Budget Act of 1974, the amounts of financial assistance to State and local governments is as follows:

	302 (b) Allocation		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Financial assistance to State and local governments for 2017	n.a.	n.a.	33,918	31,856 ¹

¹ Excludes outlays from prior-year budget authority.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses.....	108,750	114,396	112,000	+3,250	-2,396
Immediate Office of the Secretary.....	(2,734)	---	(2,758)	(+24)	(+2,758)
Immediate Office of the Deputy Secretary.....	(1,025)	---	(1,040)	(+15)	(+1,040)
Office of the General Counsel.....	(20,609)	---	(20,772)	(+163)	(+20,772)
Office of the Under Secretary of Transportation for Policy.....	(9,941)	---	(10,033)	(+92)	(+10,033)
Office of the Assistant Secretary for Budget and Programs.....	(13,697)	---	(14,019)	(+322)	(+14,019)
Office of the Assistant Secretary for Governmental Affairs.....	(2,546)	---	(2,546)	---	(+2,546)
Office of the Assistant Secretary for Administration.....	(25,925)	---	(29,356)	(+3,431)	(+29,356)
Office of Public Affairs.....	(2,029)	---	(2,142)	(+113)	(+2,142)
Office of the Executive Secretariat.....	(1,737)	---	(1,760)	(+23)	(+1,760)
Office of Small and Disadvantaged Business Utilization.....	(1,434)	---	---	(-1,434)	---
Office of Intelligence, Security, and Emergency Response.....	(10,793)	---	(11,089)	(+296)	(+11,089)
Office of the Chief Information Officer.....	(16,280)	---	(16,485)	(+205)	(+16,485)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research and Technology.....	13,000	18,007	13,000	---	-5,007
National Infrastructure Investments.....	500,000	1,250,000	450,000	-50,000	-800,000
National Surface Transportation and Innovative Finance Bureau.....	---	3,000	3,000	+3,000	---
Financial Management Capital.....	5,000	4,000	4,000	-1,000	---
Cyber Security Initiatives.....	8,000	15,000	15,000	+7,000	---
DATA Act Compliance.....	---	4,000	---	---	-4,000
U.S. Digital Services.....	---	1,000	---	---	-1,000
Office of Civil Rights.....	9,678	9,751	9,751	+73	---
Transportation Planning, Research, and Development....	8,500	17,043	12,000	+3,500	-5,043
Working Capital Fund.....	(190,039)	---	(190,389)	(+350)	(+190,389)
Minority Business Resource Center Program.....	933	941	941	+8	---
(Limitation on guaranteed loans).....	(18,367)	---	(18,367)	---	(+18,367)
Small and Disadvantaged Business Utilization and Outreach /Minority Business Outreach.....	3,084	4,646	4,646	+1,562	---
Payments to Air Carriers (Airport & Airway Trust Fund)	175,000	150,000	150,000	-25,000	---
Administrative Provisions					
Working Capital Fund (Sec. 104) (reappropriation).....	---	12,000	---	---	-12,000
Total, Office of the Secretary.....	831,945	1,603,784	774,338	-57,607	-829,446

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Aviation Administration					
Operations.....	9,909,724	9,994,352	9,994,352	+84,628	---
Air traffic organization.....	(7,505,293)	---	(7,539,785)	(+34,492)	(+7,539,785)
Aviation safety.....	(1,258,411)	---	(1,291,982)	(+33,571)	(+1,291,982)
Commercial space transportation.....	(17,800)	---	(19,826)	(+2,026)	(+19,826)
Finance and management.....	(760,500)	---	(770,342)	(+9,842)	(+770,342)
NextGen.....	(60,089)	---	(60,155)	(+66)	(+60,155)
Security and Hazardous Materials Safety.....	(100,880)	---	(107,161)	(+6,281)	(+107,161)
Staff offices.....	(206,751)	---	(205,101)	(-1,650)	(+205,101)
Facilities and Equipment (Airport & Airway Trust Fund)	2,855,000	2,838,000	2,838,000	-17,000	---
Research, Engineering, and Development (Airport & Airway Trust Fund).....	166,000	167,500	167,500	+1,500	---
Grants-in-Aid for Airports (Airport and Airway Trust Fund)(Liquidation of contract authorization).....	(3,600,000)	(3,500,000)	(3,750,000)	(+150,000)	(+250,000)
(Limitation on obligations).....	(3,350,000)	(2,900,000)	(3,350,000)	---	(+450,000)
Administration.....	(107,100)	(107,691)	(107,691)	(+591)	---
Airport cooperative research program.....	(15,000)	(15,000)	(15,000)	---	---
Airport technology research.....	(31,000)	(31,375)	(31,375)	(+375)	---
Small community air service development program.....	(5,000)	(5,000)	---	(-5,000)	(-5,000)
Total, Federal Aviation Administration.....	12,930,724	12,999,852	12,999,852	+69,128	---
Limitations on obligations.....	(3,350,000)	(2,900,000)	(3,350,000)	---	(+450,000)
Total budgetary resources.....	(16,280,724)	(15,899,852)	(16,349,852)	(+69,128)	(+450,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Highway Administration					
Limitation on Administrative Expenses.....	(429,000)	(435,795)	(435,795)	(+6,795)	---
Federal-Aid Highways (Highway Trust Fund):					
(Liquidation of contract authorization).....	(43,100,000)	(44,005,100)	(44,005,100)	(+905,100)	---
(Limitation on obligations).....	(42,361,000)	(43,266,100)	(43,266,100)	(+905,100)	---
(Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---	---
21st Century Regions Grant Program (legislative proposal)(Liquidation of contract authorization)....	---	(5,500,000)	---	---	(-5,500,000)
(Limitation on obligations).....	---	(5,500,000)	---	---	(-5,500,000)
Future Freight Systems Grant Program (legislative proposal)(Liquidation of contract authorization)....	---	(2,000,000)	---	---	(-2,000,000)
(Limitation on obligations).....	---	(2,000,000)	---	---	(-2,000,000)
Rescission of contract authority (Highway Trust Fund).	---	-2,436,000	---	---	+2,436,000
Total, Federal Highway Administration.....	---	-2,436,000	---	---	+2,436,000
Limitations on obligations.....	(42,361,000)	(50,766,100)	(43,266,100)	(+905,100)	(-7,500,000)
Exempt contract authority.....	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources.....	(43,100,000)	(49,069,100)	(44,005,100)	(+905,100)	(-5,064,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund)(Liquidation of contract authorization)...	(267,400)	(277,200)	(277,200)	(+9,800)	---
(Limitation on obligations).....	(267,400)	(277,200)	(277,200)	(+9,800)	---
Safety Investments (legislative proposal) (Liquidation of contract authorization).....	---	(150,000)	---	---	(-150,000)
(Limitation on obligations).....	---	(150,000)	---	---	(-150,000)
Motor Carrier Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization).....	(313,000)	(367,000)	(367,000)	(+54,000)	---
(Limitation on obligations).....	(313,000)	(367,000)	(367,000)	(+54,000)	---
Total, Federal Motor Carrier Safety Administration.....					
Limitations on obligations.....	(580,400)	(794,200)	(644,200)	(+63,800)	(-150,000)
Total budgetary resources.....	(580,400)	(794,200)	(644,200)	(+63,800)	(-150,000)
National Highway Traffic Safety Administration					
Operations and Research (general fund).....	152,800	---	187,055	+34,255	+187,055
Vehicle Safety.....	---	250,000	---	---	-250,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operations and Research (Highway Trust Fund)					
(Liquidation of contract authorization).....	(142,900)	(145,900)	(145,900)	(+3,000)	---
(Limitation on obligations).....	(142,900)	(145,900)	(145,900)	(+3,000)	---
Subtotal, Operations and Research.....	295,700	395,900	332,955	+37,255	-62,945
Autonomous Vehicle Development (Legislative proposal)(Liquidation of contract authorization)....	---	(200,000)	---	---	(-200,000)
(Limitation on obligations).....	---	(200,000)	---	---	(-200,000)
Highway Traffic Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization).....	(573,332)	(585,372)	(585,372)	(+12,040)	---
(Limitation on obligations).....	(573,332)	(585,372)	(585,372)	(+12,040)	---
Highway safety programs (23 USC 402).....	(243,500)	(252,300)	(252,300)	(+8,800)	---
National priority safety programs (23 USC 405) ..	(274,700)	(277,500)	(277,500)	(+2,800)	---
High visibility enforcement.....	(29,300)	(29,500)	(29,500)	(+200)	---
Administrative expenses.....	(25,832)	(26,072)	(26,072)	(+240)	---
Total, National Highway Traffic Safety Administration.....	152,800	250,000	187,055	+34,255	-62,945
Limitations on obligations.....	(716,232)	(931,272)	(731,272)	(+15,040)	(-200,000)
Total budgetary resources.....	(869,032)	(1,181,272)	(918,327)	(+49,295)	(-262,945)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Railroad Administration					
Safety and Operations.....	199,000	213,298	207,000	+8,000	-6,298
Railroad Research and Development.....	39,100	53,500	43,100	+4,000	-10,400
Railroad Safety Grants.....	50,000	---	---	-50,000	---
Rail Service Improvement Program (legislative proposal).....	---	3,700,000	---	---	-3,700,000
Federal State Partnership for State of Good Repair.....	---	---	25,000	+25,000	+25,000
Consolidated Rail Infrastructure and Safety Improvements.....	---	---	25,000	+25,000	+25,000
Subtotal.....	288,100	3,966,798	300,100	+12,000	-3,666,698
National Railroad Passenger Corporation:					
Operating Grants to the National Railroad Passenger Corporation.....	288,500	---	---	-288,500	---
Capital and Debt Service Grants to the National Railroad Passenger Corporation.....	1,101,500	---	---	-1,101,500	---
Current Passenger Rail Service.....	---	2,300,000	420,000	+420,000	-2,300,000
Northeast Corridor Grants.....	---	---	1,000,000	+1,000,000	+420,000
National Network.....	---	---	---	---	+1,000,000
Subtotal.....	1,390,000	2,300,000	1,420,000	+30,000	-880,000
Administrative Provisions					
Rail unobligated balances (rescission) (Sec. 152).....	-1,960	---	---	+1,960	---
RRIF application expenses (Sec. 152).....	1,960	---	---	-1,960	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rail unobligated balances (rescission) (Sec. 153).....	-19,163	---	---	+19,163	---
Northeast Corridor Capital grants (Sec. 153).....	19,163	---	---	-19,163	---
Total, Federal Railroad Administration.....	1,678,100	6,266,798	1,720,100	+42,000	-4,546,698
Federal Transit Administration					
Administrative Expenses.....	108,000	115,017	110,665	+2,665	-4,352
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)..... (Limitation on obligations).....	(10,400,000) (9,347,605)	(10,800,000) (9,733,706)	(10,800,000) (9,733,706)	(+400,000) (+386,101)	---
Supplementary Transit Formula Grants (legislative proposal) (Liquidation of contract authorization).... (Limitation on obligations).....	---	(5,860,000) (5,860,000)	---	---	(-5,860,000) (-5,860,000)
Technical Assistance and Training.....	---	---	5,000	+5,000	+5,000
Rapid-Growth Transit Program (legislative proposal) (Liquidation of contract authorization)..... (limitation on obligations).....	---	(525,000) (525,000)	---	---	(-525,000) (-525,000)
Capital Investment Grants.....	2,177,000	3,500,000	2,500,470	+323,470	-999,530
Washington Metropolitan Area Transit Authority Capital and Preventive Maintenance.....	150,000	150,000	150,000	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Administrative Provisions					
Rescission (Sec. 166).....	-25,398	---	---	+25,398	---
Total, Federal Transit Administration.....	2,409,602	3,765,017	2,766,135	+356,533	-998,882
Limitations on obligations.....	(9,347,605)	(16,118,706)	(9,733,706)	(+386,101)	(-6,385,000)
Total budgetary resources.....	(11,757,207)	(19,883,723)	(12,499,841)	(+742,634)	(-7,383,882)
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust Fund).....	28,400	36,028	36,028	+7,628	---
Maritime Administration					
Maritime Security Program.....	210,000	211,000	300,000	+90,000	+89,000
Operations and Training.....	171,155	194,146	175,079	+3,924	-19,067
Assistance to Small Shipyards.....	5,000	---	---	-5,000	---
Ship Disposal.....	5,000	20,000	10,000	+5,000	-10,000
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses.....	3,135	3,000	3,000	-135	---
Guaranteed loans subsidy.....	5,000	---	---	-5,000	---
Rescission.....	---	-5,000	-5,000	-5,000	---
Total, Maritime Administration.....	399,290	423,146	483,079	+83,789	+59,933

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Pipeline and Hazardous Materials Safety Administration					
Operational Expenses:					
General Fund.....	21,000	23,688	21,000	---	-2,688
Hazardous Materials Safety:					
General Fund.....	55,619	68,249	57,000	+1,381	-11,249
Pipeline Safety:					
Pipeline Safety Fund.....	124,500	153,443	128,000	+3,500	-25,443
Oil Spill Liability Trust Fund.....	22,123	19,500	22,000	-123	+2,500
Pipeline Safety Design Review Fund.....	---	2,000	---	---	-2,000
Pipeline Safety information grants (by transfer) ..	---	(1,500)	---	---	(-1,500)
Subtotal.....	146,623	174,943	150,000	+3,377	-24,943
Subtotal, Pipeline and Hazardous Materials Safety Administration.....	223,242	266,880	228,000	+4,758	-38,880
Pipeline safety user fees.....	-124,500	-153,000	-128,000	-3,500	+25,000
Pipeline Safety Design Review fee.....	---	-2,000	---	---	+2,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Emergency Preparedness Grants:					
Limitation on emergency preparedness fund.....	(28,318)	(28,318)	(28,318)	---	---
(Emergency preparedness fund).....	(188)	(188)	(188)	---	---
Total, Pipeline and Hazardous Materials Safety Administration.....	98,742	111,880	100,000	+1,258	-11,880
Office of Inspector General					
Salaries and Expenses.....	87,472	90,152	90,152	+2,680	---
Total, title I, Department of Transportation....	18,617,075	23,110,657	19,156,739	+539,664	-3,953,918
Appropriations.....	(18,663,596)	(25,551,657)	(19,161,739)	(+498,143)	(-6,389,918)
Rescissions.....	(-46,521)	(-5,000)	(-5,000)	(+41,521)	---
Rescissions of contract authority.....	---	(-2,436,000)	---	---	(+2,436,000)
(By transfer).....	---	(1,500)	---	---	(-1,500)
Limitations on obligations.....	(56,355,237)	(71,510,278)	(57,725,278)	(+1,370,041)	(-13,785,000)
Total budgetary resources.....	(74,972,312)	(94,620,935)	(76,882,017)	(+1,909,705)	(-17,738,918)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices.....	13,800	14,479	14,000	+200	-479
Administration Support Offices.....	559,100	520,062	516,000	-43,100	-4,062
Program Office Salaries and Expenses:					
Public and Indian Housing.....	205,500	220,932	216,000	+10,500	-4,932
Community Planning and Development.....	104,800	110,259	109,000	+4,200	-1,259
Housing.....	375,000	393,148	387,000	+12,000	-6,148
Policy Development and Research.....	23,100	24,500	23,000	-100	-1,500
Fair Housing and Equal Opportunity.....	72,000	74,235	72,000	---	-2,235
Office of Lead Hazard Control and Healthy Homes.....	7,000	7,826	8,000	+1,000	+174
Subtotal.....	787,400	830,900	815,000	+27,600	-15,900
Total, Management and Administration.....	1,360,300	1,365,441	1,345,000	-15,300	-20,441
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals.....	17,681,451	18,447,000	18,311,675	+630,224	-135,325
Tenant protection vouchers.....	130,000	110,000	110,000	-20,000	---
Administrative fees.....	1,650,000	2,077,000	1,650,000	---	-427,000
Incremental rental vouchers.....	---	88,000	---	---	-88,000
Sec. 811 mainstream voucher renewals.....	107,074	110,000	110,000	+2,926	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Tribal veterans affairs supportive housing renewals.....	---	---	7,000	+7,000	+7,000
Veterans affairs supportive housing.....	60,000	7,000	---	-60,000	-7,000
Special purpose vouchers.....	---	15,000	---	---	-15,000
Policy Development and Research (transfer out).....	---	(-28,325)	---	---	(+28,325)
Subtotal (available this fiscal year).....	19,628,525	20,854,000	20,188,675	+560,150	-665,325
Advance appropriations.....	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances.....	-4,000,000	-4,000,000	-4,000,000	---	---
Total, Tenant-based Rental Assistance appropriated in this bill.....	19,628,525	20,854,000	20,188,675	+560,150	-665,325
Public Housing Capital Fund.....	1,900,000	1,865,000	1,900,000	---	+35,000
Policy Development and Research (transfer out).....	---	(-9,325)	---	---	(+9,325)
Public Housing Operating Fund.....	4,500,000	4,569,000	4,500,000	---	-69,000
Policy Development and Research (transfer out).....	---	(-22,844)	---	---	(+22,844)
Choice Neighborhoods.....	125,000	200,000	100,000	-25,000	-100,000
Policy Development and Research (transfer out).....	---	(-1,000)	---	---	(+1,000)
Family Self-Sufficiency.....	75,000	75,000	75,000	---	---
Policy Development and Research (transfer out).....	---	(-375)	---	---	(+375)
Native American Housing Block Grants.....	650,000	700,000	655,000	+5,000	-45,000
Policy Development and Research (transfer out).....	---	(-3,500)	---	---	(+3,500)
Native Hawaiian Housing Block Grant.....	---	500	---	---	-500

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(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Indian Housing Loan Guarantee Fund Program Account.....	7,500	5,500	5,500	-2,000	---
(Limitation on guaranteed loans).....	(1,190,476)	(1,341,463)	(1,341,463)	(+150,987)	---
Total, Public and Indian Housing.....	26,886,025	28,269,000	27,424,175	+538,150	-844,825
Community Planning and Development					
Housing Opportunities for Persons with AIDS.....	335,000	335,000	335,000	---	---
Policy Development and Research (transfer out).....	---	(-1,675)	---	---	(+1,675)
Community Development Fund:					
CDBG formula.....	3,000,000	2,800,000	3,000,000	---	+200,000
Indian CDBG.....	60,000	80,000	60,000	---	-20,000
Subtotal.....	3,060,000	2,880,000	3,060,000	---	+180,000
Policy Development and Research (transfer out).....	---	(-14,400)	---	---	(+14,400)
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans).....	(300,000)	(300,000)	(300,000)	---	---
HOME Investment Partnerships Program.....	950,000	940,000	950,000	---	+10,000
Policy Development and Research (transfer out).....	---	(-4,750)	---	---	(+4,750)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Self-help and Assisted Homeownership Opportunity Program.....	55,700	10,000	50,000	-5,700	+40,000
Homeless Assistance Grants.....	2,250,000	2,664,000	2,487,000	+237,000	-177,000
Total, Community Planning and Development.....	6,650,700	6,829,000	6,882,000	+231,300	+53,000
Housing Programs					
Rental Assistance Demonstration.....	---	50,000	---	---	-50,000
Policy Development and Research (transfer out)....	---	(-250)	---	---	(+250)
Project-based Rental Assistance:					
Renewals.....	10,405,000	10,581,000	10,686,000	+261,000	+85,000
Contract administrators.....	215,000	235,000	235,000	+20,000	---
Policy Development and Research (transfer out)....	---	(-28,325)	---	---	(+28,325)
Subtotal (available this fiscal year).....	10,620,000	10,816,000	10,901,000	+281,000	+85,000
Advance appropriations.....	400,000	400,000	400,000	---	---
Less appropriations from prior year advances.....	-400,000	-400,000	-400,000	---	---
Total, Project-based Rental Assistance appropriated in this bill.....	10,620,000	10,816,000	10,901,000	+281,000	+85,000
Housing for the Elderly.....	432,700	505,000	505,000	+72,300	---
Policy Development and Research (transfer out)....	---	(-2,525)	---	---	(+2,525)
Housing for Persons with Disabilities.....	150,600	154,000	154,000	+3,400	---
Policy Development and Research (transfer out)....	---	(-770)	---	---	(+770)
Housing Counseling Assistance.....	47,000	47,000	55,000	+8,000	+8,000
Policy Development and Research (transfer out)....	---	(-235)	---	---	(+235)

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(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rental Housing Assistance.....	30,000	20,000	20,000	-10,000	---
Manufactured Housing Fees Trust Fund.....	10,500	11,500	11,500	+1,000	---
Offsetting collections.....	-10,500	-11,500	-11,500	-1,000	---
Total, Housing Programs.....	11,280,300	11,592,000	11,635,000	+354,700	+43,000
Federal Housing Administration					
Mutual Mortgage Insurance Program Account:					
(Limitation on guaranteed loans).....	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans).....	(5,000)	---	(5,000)	---	(+5,000)
Offsetting receipts.....	-7,003,000	-7,437,000	-7,437,000	-434,000	---
Proposed offsetting receipts (HECM).....	-97,000	-97,000	-97,000	---	---
Additional offsetting receipts (Sec. 238).....	---	-30,000	---	---	+30,000
Administrative contract expenses.....	130,000	160,000	130,000	---	-30,000
Policy Development and Research (transfer out).....	---	(-800)	---	---	(+800)
General and Special Risk Program Account:					
(Limitation on guaranteed loans).....	(30,000,000)	(30,000,000)	(30,000,000)	---	---
(Limitation on direct loans).....	(5,000)	(5,000)	(5,000)	---	---
Offsetting receipts.....	-657,000	-464,000	-464,000	+193,000	---
Total, Federal Housing Administration.....	-7,627,000	-7,868,000	-7,868,000	-241,000	---

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(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Government National Mortgage Association					
Guarantees of Mortgage-backed Securities Loan					
Guarantee Program Account:					
(Limitation on guaranteed loans).....	(500,000,000)	(500,000,000)	(500,000,000)	---	---
Administrative expenses.....	23,000	23,000	23,000	---	---
Offsetting receipts.....	-118,000	-101,000	-101,000	+17,000	---
Offsetting receipts.....	-747,000	-1,102,000	-1,102,000	-355,000	---
Proposed offsetting receipts (HECM)	-21,000	-21,000	-21,000	---	---
Additional contract expenses.....	1,000	1,000	1,000	---	---
Total, Gov't National Mortgage Association.....	-862,000	-1,200,000	-1,200,000	-338,000	---
Policy Development and Research					
Research and Technology.....	85,000	65,000	80,000	-5,000	+15,000
(By transfer).....	---	(120,000)	---	---	(-120,000)
Total (including transfer).....	85,000	185,000	80,000	-5,000	-105,000
Fair Housing and Equal Opportunity					
Fair Housing Activities.....	65,300	70,000	65,300	---	-4,700
Policy Development and Research (transfer out).....	---	(-350)	---	---	(-350)
Office of Lead Hazard Control and Healthy Homes					
Lead Hazard Reduction.....	110,000	110,000	130,000	+20,000	+20,000
Policy Development and Research (transfer out).....	---	(-550)	---	---	(-550)

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(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Information Technology Fund.....	250,000	286,000	100,000	-150,000	-186,000
Office of Inspector General.....	126,000	129,000	128,082	+2,082	-918
General Provisions					
Unobligated balances (Sec. 237) (rescission).....	---	---	-27,000	-27,000	-27,000
Unobligated balances (rescission).....	-14,000	---	---	+14,000	---
HUD disaster administration (by transfer) (emergency) (Sec. 234).....	---	(5,000)	(5,000)	(+5,000)	---
=====					
Total, title II, Department of Housing and Urban Development.....	38,310,625	39,647,441	38,694,557	+383,932	-952,884
Appropriations.....	(42,578,125)	(44,510,941)	(43,555,057)	(+976,932)	(-955,884)
Rescissions.....	(-14,000)	---	(-27,000)	(-13,000)	(-27,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts.....	(-8,643,000)	(-9,252,000)	(-9,222,000)	(-579,000)	(+30,000)
Offsetting collections.....	(-10,500)	(-11,500)	(-11,500)	(-1,000)	---
(by transfer).....	---	120,000	---	---	-120,000
(by transfer, emergency).....	---	5,000	5,000	+5,000	---
(transfer out).....	---	-119,999	---	---	+119,999
(Limitation on direct loans).....	(10,000)	(5,000)	(10,000)	---	(+5,000)
(Limitation on guaranteed loans).....	(931,490,476)	(931,641,463)	(931,641,463)	(+150,987)	---
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
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	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - OTHER INDEPENDENT AGENCIES					
Access Board.....	8,023	8,190	8,190	+167	---
Federal Housing Finance Agency, Office of Inspector General (legislative proposal)(transfer out).....	---	(-50,000)	---	---	(+50,000)
Office of Inspector General (legislative proposal)(by transfer).....	---	(50,000)	---	---	(-50,000)
Federal Maritime Commission.....	25,660	27,490	27,490	+1,830	---
National Railroad Passenger Corporation Office of Inspector General.....	24,499	23,274	23,274	-1,225	---
National Transportation Safety Board.....	105,170	106,000	106,000	+830	---
Neighborhood Reinvestment Corporation.....	175,000	140,000	140,000	-35,000	---
Surface Transportation Board.....	32,375	42,401	37,000	+4,625	-5,401
Offsetting collections.....	-1,250	-1,250	-1,250	---	---
Subtotal.....	31,125	41,151	35,750	+4,625	-5,401
United States Interagency Council on Homelessness.....	3,530	3,600	2,000	-1,530	-1,600
Total, title III, Other Independent Agencies....	373,007	349,705	342,704	-30,303	-7,001

TITLE IV - GENERAL PROVISIONS - THIS ACT

Unobligated balances (Sec. 417) (rescission).....	---	---	-4,000	-4,000	-4,000
Community Development Fund (disaster relief category).	300,000	---	---	-300,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	57,600,707	63,107,803	58,190,000	+589,293	-4,917,803
Appropriations.....	(61,615,978)	(70,413,553)	(63,060,750)	(+1,444,772)	(-7,352,803)
Rescissions.....	(-60,521)	(-5,000)	(-36,000)	(+24,521)	(-31,000)
Rescissions of contract authority.....	---	(-2,436,000)	---	---	(+2,436,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Disaster relief category.....	(300,000)	---	---	(-300,000)	---
Offsetting receipts.....	(-8,643,000)	(-9,252,000)	(-9,222,000)	(-579,000)	(+30,000)
Offsetting collections.....	(-11,750)	(-12,750)	(-12,750)	(-1,000)	---
(by transfer).....	---	171,500	---	---	-171,500
(by transfer, emergency).....	---	5,000	5,000	+5,000	---
(transfer out).....	---	-169,999	---	---	+169,999
(Limitation on obligations).....	(56,355,237)	(71,510,278)	(57,725,278)	(+1,370,041)	(-13,785,000)
Total budgetary resources.....	(113,955,944)	(134,618,081)	(115,915,278)	(+1,959,334)	(-18,702,803)

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: May 24, 2016

Measure: Department of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, FY 2017

Motion by: Mr. Price

Description of Motion: To strike sections 132, 134, 135, 192, 193 and 194 of the bill.

Results: Defeated 19 yeas to 28 nays

Members Voting Yea

Mr. Bishop
 Ms. DeLauro
 Mr. Farr
 Mr. Honda
 Mr. Israel
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Pingree
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Crenshaw
 Mr. Cuellar
 Mr. Culberson
 Mr. Dent
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Mr. Graves
 Dr. Harris
 Mr. Jenkins
 Mr. Joly
 Mr. Joyce
 Mr. Palazzo
 Mr. Rigell
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Simpson
 Mr. Stewart
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 2

Date: May 24, 2016

Measure: Department of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, FY 2017

Motion by: Mrs. Lowey

Description of Motion: To provide additional funds for the prevention, preparation, and response to the Zika outbreak.

Results: Defeated 19 yeas to 28 nays

Members Voting Yea

Mr. Bishop
Mr. Cuellar
Ms. DeLauro
Mr. Farr
Mr. Honda
Mr. Israel
Ms. Kaptur
Mr. Kilmer
Ms. Lee
Mrs. Lowey
Ms. McCollum
Ms. Pingree
Mr. Price
Mr. Quigley
Ms. Roybal-Allard
Mr. Ruppberger
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
Mr. Amodei
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mr. Fleischmann
Mr. Fortenberry
Mr. Frelinghuysen
Mr. Graves
Dr. Harris
Mr. Jenkins
Mr. Jolly
Mr. Joyce
Mr. Palazzo
Mr. Rigell
Mrs. Roby
Mr. Rogers
Mr. Rooney
Mr. Simpson
Mr. Stewart
Mr. Valadao
Mr. Womack
Mr. Yoder
Mr. Young

MINORITY VIEWS

The Transportation, Housing and Urban Development and Related Agencies (T-HUD) bill provides \$58.19 billion for transportation, housing and community development investments. Chairman Diaz-Balart has led an open and collaborative process this spring, culminating with the fiscal year 2017 T-HUD bill. The Chairman has continued to accommodate Subcommittee Members on both sides of the aisle, and it's been a pleasure working with him again this year.

This year's mark includes funding for critical transportation, housing, and community development programs at the Department of Transportation (DOT), Department of Housing and Urban Development (HUD), and related agencies. It represents an increase over current funding levels and reflects a much more favorable allocation than when we started this process last year. In addition, Federal Housing Administration and Ginnie Mae receipts are estimated to provide an additional \$579 million in revenue for Fiscal Year 2017. When added to the \$889 million increase in the allocation, this bill provides \$1.4 billion in additional budgetary resources compared to FY 2016. These investments are badly needed. Across the country, our infrastructure is crumbling and chronically underfunded. This funding will put people to work improving our roads and bridges, investing in neighborhoods, and removing toxins from the homes of those most in need.

The passage of the Fixing America's Surface Transportation Act (FAST Act) gives some certainty to the surface transportation programs funded in this bill, and we are hopeful that a bipartisan, multi-year reauthorization of the Federal Aviation Administration (FAA) that preserves Federal oversight of the air traffic control organization can do the same for aviation.

The bill includes \$450 million for the National Infrastructure Investments (TIGER) program and \$100 million for the Choice Neighborhoods Initiative. Both programs remain critical in our efforts to improve and modernize our nation's transportation and housing infrastructure, and we will continue to work with the Chairman as well as our Senate colleagues to ensure maximum funding for these programs as the process moves forward.

We would also like to highlight substantial increases in funding for several other important programs under our Subcommittee's purview. First, the Federal Transit Administration's Capital Investment Grants program would receive an increase of \$323 million, allowing us to fund all existing grant agreements. Also, HUD's Homeless Assistance Grants program would receive an increase of \$237 million, which would provide a significant boost to local anti-homelessness efforts across the country by putting proven solutions to work.

With regard to housing, the \$20 million increase for Lead Hazard Control would reduce lead poisoning rates and improve educational and behavioral outcomes for children. Now is not the time to slow our momentum in eliminating household toxins.

The bill provides notable funding increases for housing counseling assistance as well as consumer safety and recall activities at National Highway Traffic Safety Administration. It funds the Driver Alcohol Detection System for Safety program, a collaborative research partnership with auto manufacturers to develop alcohol-detection technologies that will one day be used to curb drunk driving. We must continue our commitment to stopping drunk driving once and for all, making the roads safer for all Americans. Further, the bill provides full funding for the Federal Aviation Administration and ongoing NextGen implementation, would fund Amtrak adequately, and would guarantee that all existing tenants in HUD-supported housing can continue to receive assistance.

The bill advances the Safe Transportation of Energy Products. It provides funding for the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration, and provides agencies with the tools to anticipate and prevent potential dangers before they arise.

There are still areas of pressing need left unaddressed. Having a modest budget agreement that avoids the worst impacts of sequestration is better than the alternative, but it is not enough. We still have a massive public housing capital backlog, decaying highways and bridges, and congested roads and airports. We have not constructed new rental units for the elderly or the disabled under sections 202 and 811 for several years. And we are still far short of the comprehensive neighborhood renovation HOPE VI used to make possible. We cannot make the bold investments that are necessary to address these problems without a comprehensive, bipartisan budget deal to address the main drivers of our deficits—namely, tax expenditures and mandatory programs.

The amendment offered by Representative Serrano underscores this situation. Despite \$1.9 billion in resources for the Public Housing Capital Fund, an increase over the President's request, the need is far greater. Estimates show that this account would need around \$3 billion to keep up with the capital needs that accrue in just one year. As a result, public housing authorities struggle to keep pace with maintenance needs and to remove toxins like mold and lead paint from public housing units.

While the T-HUD bill has a decent allocation and many bright spots, poisonous policy riders that roll back worker protections and threaten transportation safety have no place in an appropriations bill and serve as a roadblock to final passage. Each of these riders would change existing policy, without being subject to thorough debate. Many of these issues were examined by the relevant authorizing committees during consideration of the FAST Act and were either resolved or deliberately excluded from the final legislation.

The bill includes three Federal Motor Carrier Safety Administration (FMCSA) policy riders. First, it continues to suspend enforcement of the 34-hour restart provision of DDT's hours of service rule. Unfortunately, this rider represents a continuation of ongoing efforts to ensure that DOT is never able to enforce the restart pro-

visions in the hours of service rule that are designed to reduce driver fatigue and increase safety on our highways. Second, the bill includes a provision to preempt state laws that provide meal and rest breaks for truckers who are subject to federal hours of service regulations, including intrastate truck drivers, and would make these changes retroactive to 1994. The language is unacceptably broad and would apply to intrastate truck drivers as well as those who routinely cross state lines. The bill also would prohibit funds from being used to amend, revise, or otherwise modify FMCSA's new Safety Fitness Determination regulations until the DOT Inspector General certifies that the Department has addressed certain safety evaluation concerns as required by the FAST Act. The new rule would allow the Department to greatly expand the number of motor carriers that are assessed each month, making our roadways safer. We should not unnecessarily delay the Safety Fitness Determination rule.

Additionally, the bill contains a provision barring the use of any funds for high-speed rail in California. While California has encountered challenges constructing their high-speed rail line, riders like this do nothing to help and only make matters worse. The bill also alters existing law to place a cap on the penalty wages that must be paid to seafarers, including cruise line employees, when ship owners willfully or arbitrarily withhold their pay. Capping these penalties would not only harm workers, but also reward unscrupulous ship owners at the expense of those who play by the rules. This issue is being considered in the context of reauthorization of the Maritime Administration. We should let the authorizers resolve this. Finally, the bill contains a provision prohibiting funds from being used if Amtrak food and beverage service revenues do not at least equal the cost of providing these services. This language conflicts with a provision in the recently enacted FAST Act that allows Amtrak five years to come into compliance with the food and beverage revenue requirement.

As the saying goes, "the dose makes the poison." We are concerned that amendments that have been adopted by the House during consideration of the T-HUD bill in previous years will attract a veto threat and will imperil Democratic support. The adoption of riders that would weaken fair housing law, labor rights, worker protections, or anti-discrimination laws, or would draw this bill into ideological debates, would undermine bipartisan work and result in a product that we could no longer support. We reject the notion that we must swallow a few poison pills in order to fund programs at an adequate level.

We are disappointed that the Committee rejected an amendment to strike these provisions in full committee. The Administration has continued to express its general opposition to the inclusion of ideological riders in appropriations legislation. Numerous safety, labor, public health, and law enforcement groups, including crash victims and their families, have also expressed their concerns with these riders, which present an additional hurdle to getting the bill enacted.

We are also concerned that the Committee rejected an amendment to extend the authorization of the United States Interagency Council on Homelessness (USICH). Because it is a third party,

USICH can look across agencies of government and find ways to improve service delivery and can recommend ways for requirements to be streamlined. The USICH ensures that the programs of 19 Federal agencies work together and, most importantly, work for the person experiencing homelessness; its charter should be extended.

Finally, with each passing day, the Zika public health crisis grows more acute. We are disappointed the Committee again failed to pass an amendment that would provide the President's full \$1.9 billion request for emergency supplemental funding to mount a robust and aggressive response to the Zika virus, without stealing the funding from other urgent public health priorities. This funding is desperately needed to invest in vaccine and diagnostic research and development; enhance mosquito vector control; build public health infrastructure; and begin aggressive public outreach and information campaigns in U.S. states and territories, the Caribbean, and Central and South America.

Given the fiscal constraints, it is a welcome development that this bill not only maintains core programs at both DOT and HUD, but also provides targeted funding increases for a number of important programs. The Chairman has made reasonable efforts to accommodate Democratic priorities, and we look forward to working closely with him as the process moves forward.

NITA M. LOWEY.
DAVID PRICE.



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