

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

THURSDAY, MARCH 4, 2010

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

The subcommittee met at 9:31 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Patty Murray (chairman) presiding.
Present: Senators Murray, Kohl, Specter, Bond, and Collins.

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

**STATEMENT OF HON. RAY LaHOOD, SECRETARY
ACCOMPANIED BY CHRIS BERTRAM, ASSISTANT SECRETARY FOR
BUDGET AND PROGRAMS AND CHIEF FINANCIAL OFFICER**

OPENING STATEMENT OF SENATOR PATTY MURRAY

Senator MURRAY. Good morning, the subcommittee will come to order.

This morning, we're going to be holding our first hearing on the President's budget request for the Department of Transportation.

I want to welcome Secretary Ray LaHood. Thank you so much for being here today.

The transportation budget that we have before us today is important for families, commuters, communities across the country, and it's about more than just dollar amounts and more than just the sum of the programs and provisions; it really is a statement of values and a reflection of priorities. It's an issue that touches every American, every day. It affects the men and women who commute to work and need safe roads or new public transportation options, it affects the parents who strap their young kids into the back seat of the family car and need to be confident that their government has the resources to make sure that passenger vehicles used by American families are safe. It affects communities around the country that are facing immense fiscal challenges and depend on Federal resources to maintain and improve their transportation infrastructure.

The transportation budget has a real impact on real people, people who are struggling in these tough economic times. Last year, we passed a recovery package that is now working to create jobs and rebuild infrastructure and lay down a strong foundation for

long-term economic growth. It was a good start, but we cannot stop working until our economy is steadily growing again and any American who wants a job can find one.

That's why we are building on the Recovery Act with new targeted jobs bills to help workers get back on the job and make investments that strengthen our competitiveness in the long term, including investments in transportation. And its why, as we examine this budget request, we need to make sure that it builds on those efforts and continues moving us forward, creating jobs, and investing in our communities, long term.

Today's hearing comes shortly after the Senate passed an extension of the surface transportation programs. But, unfortunately, as we know, this extension was not passed in time and almost 2,000 DOT employees were furloughed without pay for the first half of this week. The gap in funding didn't just hurt those Federal employees, it also left State governments wondering about the future of funding that they desperately need. In my home State of Washington, a reimbursement payment of \$13.5 million for federally-sponsored projects, that was due on Tuesday, was left in limbo.

Seeing these programs shut off, even just for a short time, is especially troubling since Senator Bond and I have worked so hard to bring stability to the highway safety and transit programs authorized under SAFETEA-LU. Two years ago, we included a transfer of funds to prevent the Highway Trust Fund from going bankrupt. Last year, we provided an additional \$650 million for the highway program, an increase of \$400 million for transit, despite the absence of a new authorization law to provide for such increases.

And now, when our communities need jobs and Federal investments in infrastructure more than ever, they're facing shutdowns of the highway and transit programs and instability in their funding streams. The uncertainty of this brings—undermines essential planning by our States and local jurisdictions. That's why we need to move quickly toward a long-term authorization of the highway, safety, and transit programs, one that brings solvency to the Highway Trust Fund and stability to our States and communities, and I am committed to getting that done in the near future.

Before I get to the budget request, I want to take a few minutes to commend Secretary LaHood and the DOT on meeting some significant challenges this past year. Immediately after the Recovery Act was enacted, the Department began working to distribute highway and transit grants to State and local governments. The law set very aggressive deadlines for all of the programs it funded, and to its credit, the DOT has met each one and it has worked hard to help our State and local governments meet their deadlines, as well. That was absolutely critical as we worked to create jobs, invest in our infrastructure, and accelerate economic recovery. I was very happy with the DOT's work on two programs, in particular, the Inner-City and High-Speed Rail Grants, and TIGER, the program that I helped create, that supports significant projects across almost every mode of transportation. I fought to include those programs in the Recovery Act, because I know that getting commerce and commuters moving is an important part of our recovery efforts. I was proud that my home State of Washington received \$590 mil-

lion for high-speed rail upgrades along the Pacific Northwest Cascades Corridor. And I recently was out in the State and visited the North-South Freeway in Spokane, and the Mercer Street Corridor in Seattle; both projects had been awarded TIGER grants.

The project in Spokane will create about 100 jobs, and the Seattle grant is the final piece required to finish a project that will create thousands of jobs. These are projects that will help families and small businesses in their communities, get workers back on the job, and help lay the foundation for long-term economic growth. And I'm sure Secretary LaHood has seen plenty of great projects like that that are in the works, helping communities across the country.

This subcommittee included an additional \$600 million in the fiscal year 2010 bill to continue provided Federal resources to support these types of regional transportation investments, and I look forward to working with the Department as it moves forward in the coming year to get to a new round of investments out of the door.

But, now, as we look toward this year's budget, it's clear that the DOT is going to have to find ways to do more with less, especially given the President's announcement of an overall cut in non-defense, domestic discretionary spending. But, even in this challenging environment, I'm encouraged by many of the items I do see in the budget request. The request includes increased funding for safety inspectors for aviation, rail, and pipelines, an investment of \$1.1 billion for NextGen efforts at the Federal Aviation Administration, another \$1 billion in grants for inter-city and high-speed rail, and continued investment infrastructure to support our airports, roads, bridges, highways, transit systems, and Amtrak.

I still have some questions about some of the decisions reflected in this budget request. I'm certain Senator Bond has some of his own, as well. For example, why is it necessary to create a new agency at the Department for awarding multimodal grants, especially when we have seen DOT agencies work together on the TIGER grants? And why did the administration choose not to request any funding for positive train control? PTC is an important technology for preventing rail collisions and derailments.

But, the biggest question on my mind, and on the mind of many families I hear from, is whether the Department has been doing enough to oversee the safety of our cars and our trucks. The American people deserve to have faith in the safety of the cars and trucks they drive to work, to school, to soccer practice with their kids every day. Questions have been raised about whether the National Highway Traffic Safety Administration has adequate expertise and resources to investigate safety defects among the 246 million passenger vehicles—246 million passenger vehicles—in the United States.

Given that NHTSA opened and closed four narrowly-focused investigations into sudden, unintended acceleration in Toyota vehicles between 2003 and 2006 without a significant finding of a defect trend, I question whether additional resources would have resolved consumer complaints of sudden, unintended acceleration. NHTSA must ensure the industry is honest in disclosing defects, and timely in alerting drivers, particularly when these defects can result in fatal accidents. To do this, they need to be more strategic

about their workforce and use the expertise of their employees more effectively.

NHTSA finally does have strong leadership in place, with the recent confirmation of Mr. Strickland, as well as from you, Mr. Secretary. I am hopeful that you will reenergize the agency's vehicle safety mission to focus on enforcement and strengthen its electronic expertise. Families across America rely on the DOT to be a leader in improving transportation safety and to provide expertise on what safety issues need to be addressed.

I'm also glad to see a request for additional resources to allow the Federal Transit Administration to oversee transit safety. However, this activity is not yet authorized; and, importantly, the FTA's proposal to oversee transit safety came out only after severe deficiencies were found in the safety of the Washington Metro system, right here in our backyard.

I look forward to hearing from you, Mr. Secretary, on where the greatest risks exist in rail transit and what steps the Department can take to make transit safer for the millions of Americans who rely on it for their daily commutes. Unfortunately, too much of the Department's work is initiated in reaction, now, to a crisis situation. We've seen this before; most recently, the Federal Aviation Administration revisited its safety standards after the tragic crash of the Colgan Air flight, a year ago.

The DOT is doing good work in so many areas, but we can never ignore the core mission of this agency: to make sure the safety of our Nation's transportation system is there for all of our families. Over the course of this hearing this morning, we'll have an opportunity to discuss all of these issues in more—greater detail.

But, Mr. Secretary, thank you again for your participation today, and I look forward to your testimony.

With that, I'd like to turn it over to my partner, Senator Bond, ranking member, for his opening remarks, as well.

OPENING STATEMENT OF SENATOR CHRISTOPHER S. BOND

Senator BOND. Thank you very much, Madam Chair.

And welcome, Mr. Secretary. I'm pleased to join with the chair and Senator Collins in welcoming you to testify on the Department's 2011 budget.

There are plenty of people in Washington who don't think transportation spending is glamorous. They'd rather spend money on anything else other than roads, bridges, and infrastructure. But, in my way of thinking, ensuring America has an updated transportation infrastructure is a key responsibility of government. And I—it's no secret that I am a huge proponent of spending to improve our transportation spending and create jobs and get the infrastructure we need; but it has to be done well. It's an economic climate where we need to invest our scarce resources in areas, like infrastructure, that will not only build roads and bridges, but help rebuild our economy.

But, while investing in our transportation infrastructure is critical, we can't just wish it to be. With a \$12 trillion and growing deficit, we cannot continue to throw Federal funds at projects, willy-nilly. We need a clear-cut, coherent, and detailed blueprint,

detailing how taxpayer dollars will be spent to reach our transportation infrastructure goals.

Unfortunately, the administration proposal misses this mark, once again. In fact, there is little “print” in the administration’s supposed “transportation blueprint.” As I said earlier this year, this budget is making me feel a lot like Bill Murray in “Groundhog’s Day.” Instead of a serious plan to tackle our Nation’s transportation policy challenges, the administration is repeating last year’s mistake.

We’re facing the same issues, Mr. Secretary, which we faced last year when you came before the subcommittee. I understand there are many difficult transportation challenges facing our Nation, but refusing to deal with them, or putting off the tough choices, is not a responsible way to go about it.

Once again, the budget assumes an extension of SAFETEA. We, once again, need to bail out the Highway Trust Fund with general revenue to get us through the fiscal year, much less get us through fiscal year 2011. And, once again, we have to bail out the mass transit account with general funds to get us through fiscal year 2011.

There are no broad reauthorization proposals or solutions to any of these challenges. Instead, this budget actually adds to our already daunting challenges by including various pet project initiatives that would wait, like everything else, for a full reauthorization to occur.

In addition to a lack of realistic decisionmaking, this budget adds to our challenges by failing to provide a national rail plan and a cost-to-complete estimate of what we are trying to accomplish with the \$10.5 billion we’ve already appropriated, much less the additional billions, which I fear will be in the hundreds and hundreds of billions of dollars, this budget requests. Where are we going to spend all of that money? Where are we going to get all of that money? What’s it going to do?

Finally, we have another \$4 billion request for what, this year, is called the National Infrastructure Innovation and Finance Fund. Last year, it was called the National Infrastructure Bank. You might have changed the name of the program, but the details remain the same. By that, I mean there are no details, once again, no legislative language about the specifics of this \$4 billion proposal.

I also must point out what is a general theme of this budget: a continuation of the American Recovery and Reinvestment Act and its broad—and I mean very broad—grantmaking authorities and requests. Your budget asks for Congress to write you a blank check, to the tune of \$527 million in grants, under a new Office of Livability. Your budget also asks Congress to write you another blank check for \$53 million in greenhouse gas and energy reduction grants. Your budget asks Congress to write you another \$1 billion check for high-speed rail. Do you really want us to give you another bunch of pots of money from which to make earmarks, with no accountability? I want to know where is Congress’ role in deciding how these tax dollars will be spent.

As you will recall, Mr. Secretary, Congress gives the—is given, by the Constitution, the responsibility to appropriate money. Why

should all of the decisions about spending our scarce Federal resources be made by unelected and unaccountable bureaucrats with no involvement of the representatives of the people in Congress or a full disclosure to them?

Equally important, where is the transparency in the process? I thought I heard the clear, unambiguous promise that this administration would be the most transparent ever. I've continued to ask questions on exactly how the administration is making their earmark decisions, awarding these transportation grants, what criteria are being used. I continue to get no answer.

It's critical that the process be transparent so Congress, and the taxpayers we serve, knows how taxpayer dollars are being used. It's essential that we shine needed sunlight on the funding of transportation projects to date, and it hasn't happened.

Mr. Secretary, I believe that if this grantmaking process is continued in our bill, it needs to be done in a far more transparent and accountable way. Grants that are applied for by communities and States should be posted on the Internet for every taxpayer to see and evaluate, not just delivered by a lobbyist to the Department of Transportation, with no transparency. Cost shares, the leveraging of funds, should be readily available on the Internet so that we, and our constituents, have access to information about other sources of Federal, State, or private funds that may be used to augment these grant awards.

We have continued to demand that Congress be notified of award decisions 3 days prior to the Department of Transportation's announcement, with backup material and information on the methodology of award selections, including information on how the selected projects fit into our transportation goals. We have not been getting that, and it is very awkward to have to tell our constituents that you didn't even bother to tell us where the grants are going, why they are going there, and how they were selected.

Now, it's unclear to me the extent to which the Department is funding projects for which there are no traditional sources of funding, as you indicated was the priority for the TIGER funds when you testified before our subcommittee last year. Mr. Secretary, last year when I asked you what Congress' role in all of this, you indicated that, "Congress' role ended when the check was signed." I think the American taxpayer deserves more, deserves better. The administration has pledged to provide transparency, lobbying reform across all programs. This commitment must extend to the billions of taxpayer dollars spent on our transportation projects.

Our transportation infrastructure, like our highways, roads, and bridges, are the lifeblood of our economy and key to future economic growth and economic recovery. We cannot afford to pass the buck on difficult challenges; we cannot afford to spend billions of dollars, with no transparency, oversight, or accountability, if we are to create a modern transportation infrastructure, new jobs in our community, safer travel for our families, and economic development across the Nation.

For many of these challenges, there are no easy or popular solutions, but we cannot afford to keep putting the problems down the road, or there won't be a road to drive on.

Mr. Secretary, obviously I look forward to your testimony.

Senator MURRAY. Thank you, Senator Bond.
 Senator Collins, do you have an opening statement?

STATEMENT OF SENATOR SUSAN COLLINS

Senator COLLINS. Thank you, Madam Chairman.

First, let me thank you and the ranking member for your strong leadership on this subcommittee, and your advocacy.

I do have an opening statement which I'm going to submit for the record, but I did just want to take a moment to talk about the TIGER grants that were authorized in the Recovery Act.

It's my understanding that the Department of Transportation received nearly 1,400 TIGER grant applications, totaling \$56.9 billion. The Recovery Act included \$1.5 billion for TIGER grants. I think this—the figures show what an overwhelming demand there is for infrastructure spending along the lines that both of you have outlined.

A project submitted in the State of Maine, alone, totaled \$236.2 million. Obviously, due to the high volume of applications, the vast majority of these projects were not able to be funded. There were two in Maine that were of particular importance. One, I'm going to discuss when the questions come around; it has to do with more than 200 miles of track in northern Maine that the railway in question is seeking to abandon, which would be devastating for northern Maine.

The second is a very innovative program that New Hampshire and Maine have come together on, and that is to repair a major bridge that links the two States. And that, too, is an innovative project that I hope might be able to secure future funding.

But, again, it just is evidence of the overwhelming need for investment in infrastructure. And I look forward to working with you and the ranking member, both of whom are such effective advocates in this area, and as well as with the Secretary.

Thank you.

[The statement follows:]

PREPARED STATEMENT OF SENATOR SUSAN COLLINS

Our Nation continues to face serious economic challenges and the transportation sector is certainly not immune to these hardships. During consideration of the American Recovery and Reinvestment Act, I advocated for a strong investment in transportation funding. Unfortunately, our investment came up short. While we secured over \$48 billion for all modes of transportation, this funding represented less than 7 percent of Recovery Act spending. I find that troubling as investments in transportation infrastructure are strongly needed in all States and a sure way to create good-paying jobs.

Maine was the first State in the Nation to obligate 100 percent of its Recovery Act highway funds. I applaud the quick action of my State to get Recovery Act funds out the door and create much needed jobs. I often hear from my constituents in the construction industry that the investments we made in transportation funding saved the industry from a dismal year and significant lay-offs.

As many of the Recovery Act funds are now spent, the transportation industry faces difficult times ahead if we do not act to make the necessary investments in our transportation infrastructure.

I am particularly pleased that the administration has taken steps to invest in projects of regional and national significance through the creation of a National Infrastructure Innovation and Finance Fund. The high number of applicants for the Transportation Investment Generating Economic Recovery (TIGER) Grant program funded by the Recovery Act shows the need for continued investments in this area.

The Department of Transportation received 1,381 TIGER grant applications totaling \$56.9 billion. The Recovery Act included \$1.5 billion for TIGER grants. The need for funding is great. Projects submitted in Maine alone totaled \$236.2 million. Due to the high volume of requests, most of these projects were funded.

One project in particular that did not receive a TIGER grant is the Montreal, Maine and Atlantic (MMA) Railway in northern Maine. Because of the economic downturn, it is not financially viable for MMA to operate its full 745 miles of rail line, and the company, therefore, has filed to abandon 233 miles in Aroostook County. This will be devastating for Maine's economy. Once a rail line is abandoned, it is almost impossible to bring that line back into service. I look forward to working with the subcommittee and the Secretary to ensure that Maine has the resources we need to maintain our transportation infrastructure.

Senator MURRAY. Thank you very much, Senator Collins.

Mr. Secretary, again, welcome to this morning's hearing, and I will turn it over to you for your opening statement.

STATEMENT OF HON. RAY LAHOOD

Secretary LAHOOD. Thank you very much, Madam Chair, Ranking Member Bond, Senator Collins, for the opportunity to discuss the administration's fiscal year 2011 budget request for the U.S. Department of Transportation.

I've traveled to more than 32 States and 72 cities in the last year, and I've seen firsthand how much our citizens depend on a safe, modern, and reliable transportation system to access jobs, healthcare, and other essential services.

The President's request for next year totals \$79 billion, a \$2 billion increase over fiscal year 2010 levels. These resources will support the President's and DOT's top transportation priorities for safety on the roads, in the air, and also making communities livable and sustainable, and modernizing our infrastructure.

Safety is our highest priority at DOT. Our leadership campaign against the perils of distracted driving, which kills thousands of Americans every year, has been very effective. It's critical we continue to lead the charge on this; that's why we're seeking \$50 million for the National Highway Traffic Safety Administration to develop an incentive-based grant program encouraging more States to pass laws prohibiting the unsafe use of cell phones and texting while driving. The President is also asking for 66 additional personnel assigned to highway and vehicle safety at NHTSA.

Turning to aviation, the President's plan includes \$1 billion for next-generation technology, the program to modernize our air traffic control system. That's a \$270 million, or 32-percent increase, over fiscal 2010 levels. These funds are essential for transitioning from a ground-based radar surveillance system to a more accurate satellite-based one. This system is already in use in the Gulf of Mexico, and we look forward to working on building on our success.

Our groundbreaking investments in high-speed passenger rail service, which have generated tremendous excitement around the country, will go a long way to enhance livability in many communities. Our budget seeks \$1 billion to continue the 5-year, \$5 billion pledge made in this year's budget. I want to thank Congress for its commitment and leadership on high-speed rail; the \$2.5 billion provided to the Department for high-speed rail grants last year, combined with \$8 billion we announced recently, brings us closer to ushering in a new era for passenger rail service in this country.

In the area of transit safety, we're seeking \$30 million to establish a new rail transit safety oversight program within the Federal Transit Administration. This program will carry out a comprehensive safety oversight strategy by establishing common safety standards nationwide, as envisioned in the administration's transit safety bill. This is an important step forward for the rail transit industry, which has suffered recent accidents in Washington, DC, Boston, and San Francisco. This is unacceptable, and we must put strong remedies in place as soon as possible. I urge Congress to pass this legislation this year.

Going forward, we must find new ways to finance infrastructure. We're requesting \$4 billion to establish a new Infrastructure Innovation and Finance Fund. These first-year funds would be used to invest in multimodal transportation projects of regional and national significance. Our crosscutting, outcomes-based approach to funding will enable us to move away from the silo mentality that has long hindered our ability to respond to local and regional needs.

On authorization, the President proposes to continue spending levels with \$42.1 billion for highway and bridges, and \$10.8 billion for transit. This request includes \$150 million to enable the Washington Metropolitan Area Transit Authority to address much-needed safety-related infrastructure improvements. Transportation must not only be safe, but also contribute to livable, sustainable neighborhoods. The President's plan provides record-level investments to make our communities more livable.

Specifically, we're seeking \$527 million for Livable Communities, which will help us build on the tremendous successes we have achieved through our sustainable partnership with HUD and the EPA. Together, we're helping State and local governments make smarter investments in their transportation, energy, and housing infrastructure, with better outcomes for our citizens.

Finally, we're seeking \$30 million to make long-overdue infrastructure improvements at the Merchant Marine Academy, which our Nation depends on to educate and train a new generation of military and civilian maritime leaders. I've been to Kings Point a number of times, and I know these investments will have a lasting, positive effect on this institution.

I look forward to your questions.

[The statement follows:]

PREPARED STATEMENT OF HON. RAY LAHOOD

INTRODUCTION

Chairman Murray, Ranking Member Bond and members of the subcommittee, thank you for the opportunity to appear before you today to discuss the administration's fiscal year 2011 budget request for the U.S. Department of Transportation.

The administration's fiscal year 2011 budget request for the U.S. Department of Transportation reflects the importance of strengthening our Nation's transportation system. In my first year as Transportation Secretary, I have travelled throughout the country and I know first-hand how important a safe and reliable transportation system is to all Americans. The President's request totals \$79 billion, a nearly \$2 billion increase over fiscal year 2010 levels. These resources will support the President's top transportation priorities: improving transportation safety, investing for the future, and promoting livable communities.

HIGHWAY SAFETY

Safety is and will continue to be our top priority, and reducing highway fatalities is one of the Department's High Priority Performance Goals. The budget contains a number of new initiatives to increase road, transit, and aviation safety. One of the most serious issues facing drivers today is distracted driving. We must end the dangerous practice of unsafe cell phone use or texting while driving. Too many lives have been lost already due to distracted driving. Working together, I believe that we can stop this dangerous practice—and save lives. The President's budget requests \$50 million for the National Highway Traffic Safety Administration's (NHTSA) for a new incentive grant program to promote State laws to curtail unsafe cell phone use and eliminate texting while driving. Today, our children don't think twice when they "buckle up"—and our goal is that tomorrow, our future generations won't think twice about putting down their cell phone so that they can drive safely. This new program will work alongside NHTSA's other highway safety programs in making our highways safer for everyone. The President is also asking for funds to support 66 additional personnel for NHTSA to be assigned to highway and vehicle safety issues, and \$7 million for the Federal Motor Carrier Safety Administration for 118 new truck safety personnel.

NEXTGEN

The future of aviation is in our hands. The President's fiscal year 2011 plan includes over \$1 billion—an increase of \$275 million over the fiscal year 2010 levels—for "NextGen"—the program to modernize the air traffic control system. Currently, the Federal Aviation Administration is undertaking a long-term effort to improve the efficiency, safety, and capacity of the aviation system. But while we are talking about the future of aviation, I'm pleased to report that it's happening now. The funds requested under the fiscal year 2011 budget request will support the transformation from a national ground-based radar surveillance system to a more accurate, satellite-based surveillance system. This system is already being used in the Gulf of Mexico, which is improving the safety and accuracy of air traffic services in the gulf. We will be building on the successes of our research and development, to improve capacity to the flying public. We will be developing more efficient routes through the airspaces, and improving aviation weather information. As always, as we launch these critical new applications, we will continue to keep our strong focus on safety. Under my budget request, our vision of a modernized air traffic control system is becoming a reality.

HIGH SPEED RAIL

The budget also continues President Obama's vision to better connect communities with a new, high-speed rail network. The budget includes an additional \$1 billion for High Speed Rail. This request builds on the historic \$8 billion down payment provided through the Recovery Act, and continues the 5 year, \$5 billion pledge made in the fiscal year 2010 budget. The \$2.5 billion provided to the Department for high speed rail grants last year along with our recent announcements of the first awards of the High Speed Rail Program will put us one step closer to making High Speed Rail a reality.

This is an exciting time for the Nation. Looking ahead, high-speed rail will one day provide the traveling public with a practical alternative to flying or driving, particularly in highly congested areas. With trains efficiently connecting city and business centers, travelers will enjoy a new level of convenience not available in many parts of the country today.

RAIL TRANSIT SAFETY

The President's request also includes resources to address rail transit safety. While rail transit is safe, we must take substantive steps now to make it even safer for the future. We are all well aware that rail transit has the potential for catastrophic accidents resulting in multiple injuries, considerable property damage, and heightened public concern. Following the recent tragic accidents in Washington, DC, Boston, and San Francisco, it is clear that we need to strengthen the safety oversight of transit rail operations. Our budget requests \$30 million to establish a new transit safety oversight program within the Federal Transit Administration, which has never before been granted safety oversight authority. This program will implement a comprehensive safety oversight strategy, as proposed in the administration's transit safety bill, to establish common safety standards nationwide and to ensure the safety of our Nation's transit riders.

INVESTING IN TRANSPORTATION INFRASTRUCTURE

As we continue to focus on improving transportation safety, we must also rethink the way we invest in our future transportation infrastructure. That is why the President's plan includes \$4 billion to establish the new National Infrastructure Innovation and Finance Fund (Infrastructure Fund). This is the first year of a 5-year plan to capitalize the fund with \$25 billion. This fund will invest in projects of regional or national significance, and marks an important departure from the Federal Government's traditional way of spending on infrastructure through mode-specific grants.

Instead, the Infrastructure Fund will directly provide resources for projects through grants or loans, or a blend of both, enabling us to effectively leverage non-Federal resources, including private capital. The projects funded under the Infrastructure Fund will be based on demonstrable merit and analytical measures of performance. Only the most worthwhile projects from around the Nation will be selected. Projects eligible for funding from the Infrastructure Fund consist of multimodal projects that include highway, transit, rail, aviation, ports and maritime components. This marks a bold new way of thinking about investments in our transportation infrastructure and will become a key component of the administration's future surface transportation proposal.

The reauthorization of the Nation's surface transportation programs is complex and has critical long-range implications for the future. While the President and the Congress continue to work on a long-term strategy for surface transportation, the President's plan continues the current levels of spending: \$42.1 billion is proposed for highways and bridges and \$10.8 billion for transit. Within this funding, \$1.8 billion is included for "New Starts" and "Small Starts", and \$150 million to enable the Washington Metropolitan Area Transit Authority to focus on badly needed safety-related infrastructure improvements. Reauthorization is a challenging issue facing our Nation and I look forward to working with the Congress to design a new Federal surface transportation program that leads to higher performing investments, increases transportation options, and promotes a sustainable environment.

LIVABILITY

The President's plan also provides a record investment to make our communities more livable. Our budget request allocates over \$500 million toward investments that support the President's multi-agency Partnership for Sustainable Communities. We have joined with the Department of Housing and Urban Development and the Environmental Protection Agency to stimulate comprehensive regional and community planning efforts that integrate transportation, housing, energy and other critical investments. Together, we will help State and local governments make smarter investments in their transportation infrastructure, to better leverage that investment and advance sustainable development.

RECOVERY ACT

February 17 marked the 1-year anniversary of the Recovery Act and I am pleased to report that much has been accomplished to improve transportation infrastructure throughout the Nation. Overall, the Recovery Act provided \$48.1 billion for transportation programs to be used for improvements to our Nation's highways and bridges, transit systems, airports, railways, and shipyards. To date we have obligated \$36 billion on more than 13,700 projects nationwide.

In addition, section 1512 of the legislation calls upon Recovery Act fund recipients to report on the number of jobs created on individual projects. We have now completed two rounds of recipient jobs reporting. Based on the recent October–December 2009 reporting period, we have created about 41,000 direct full time equivalent jobs for transportation programs nationwide. I want to emphasize that the jobs estimates included in this report are only those directly associated with the individual transportation projects and do not include the many other jobs created due to increased demand on supply chains and other supporting services. When these indirect jobs are also taken into account, it is clear that the Recovery Act resources have made a significant impact on jobs and we expect these numbers to hold steady as some of the larger transportation projects continue to come on-line.

CONCLUSION

Finally, I am proud of the proposed investments the President's budget makes in the U.S. Merchant Marine Academy—one of our Nation's five service academies. I have visited the young men and women at Kings Point, and I'm greatly concerned about the conditions of their facilities. They are old and badly in need of basic re-

pair. The President's plan includes \$26 million to make long overdue capital improvements that will help ensure midshipmen have a positive learning environment.

Thank you for the opportunity to appear before you to present the President's fiscal year 2011 budget proposal for the Department of Transportation and discuss some of the successes of the Recovery Act. This plan supports our Nation's key transportation priorities, and makes investments that will benefit all for years to come. I look forward to working with the Congress to ensure the success of our newest initiatives.

I will be happy to respond to your questions.

TOYOTA RECALLS

Senator MURRAY. Secretary, thank you very much.

Let me begin with the safety aspect that I talked about in my opening remarks, which is what Americans really count on to know what is happening. And I'm concerned that, despite the recall of 6 million vehicles here in the United States and 8½ million now worldwide, it's likely that engineers have not yet discovered the problem with the sudden, unintended acceleration in Toyotas. There is speculation that another problem may be in Toyota's electronics or software that manage the throttle operations. And I realize that Toyota and NHTSA are now investigating those possible causes, but I'm concerned because today I'm seeing another news articles that some Toyota owners say they're still having trouble with unintended acceleration after their recalled cars were repaired.

Now, I know this isn't an easy issue, but I want to be sure that we understand how you are making the American people aware of what the problems are, and which problems the recalls can actually resolve, and what issues still need to be resolved. And I wanted to ask you this morning, what advice do you have today for consumers?

Secretary LAHOOD. Well, first of all, they should look at our Web site, DOT.gov. We list all of the cars that have been recalled by Toyota, and every other manufacturer; and if their car is on that list, they should return it to the dealer and have the car repaired.

I don't think we would have had the kind of testimony before the Senate or the House if it hadn't been for our people holding Toyota's feet to the fire. I personally requested Mr. Toyoda come to America, talk to Members of Congress, talk to its customers. I had a personal meeting with him.

We have held Toyota's feet to the fire on these safety issues, and we will continue to do that. We're not going to rest until every Toyota is safe to drive. That's our pledge, because safety is our No. 1 priority.

Senator MURRAY. Well, if the new stories are accurate and the reports are accurate, that the fix is not working, Americans who went online, saw that their car was supposed to go back in, took it back in, and they're still out there driving it, and that didn't work. What are we doing now to fix the problem?

Secretary LAHOOD. We're suggesting to people, if your car is not working properly, take it to the dealer and have them address or fix—

Senator MURRAY. But, that's what they did. They took it in and had it fixed—

Secretary LAHOOD. They need to take it back. They need to take the car back if it's not running properly.

And on the electronics issue, Madam Chair, I want you to know that, we did look into that, and we've listened to Members of Congress and from testimony that was given, both in the House and Senate. We are doing a complete review, looking at every aspect of the electronics in Toyota.

Senator MURRAY. How long will that take?

Secretary LAHOOD. It'll take some time, because we want to look at some studies that were previously done. We want to get the best experts we can; we want to get the best electrical engineers. I don't want to put a time on it, because we want to do it right, we want to do it thoroughly, and we want to make sure that, when we produce answers, it's done with the best possible research and background and review that we can do.

Senator MURRAY. Well, I know it's not an easy problem, but it is very challenging to somebody who owns a car, did the right thing, took it in for a recall, and now they're hearing that perhaps that fix didn't work for them, and now they're sitting there with a car in a driveway and kids waiting to take to school. I mean, they're—

Secretary LAHOOD. Yes.

Senator MURRAY [continuing]. Concerned about it.

Secretary LAHOOD. Well, I want you to know that we're not sitting around on our hands; we're addressing this. There was a woman that testified, at a House hearing, about a Toyota that she owned. We have purchased that vehicle, because she believed the electronics were what caused her to accelerate to a very high speed. We have purchased that vehicle, and we're going to do everything we can to investigate, look into, and check out the electronics on that car.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION BUDGET REQUEST

Senator MURRAY. Okay. Well, the President's budget requested 46 positions for vehicle safety. How many of those positions will be used to hire software engineers?

Secretary LAHOOD. Well, the President is requesting 66 new positions, which will all come to NHTSA. I'll get back to you, for the record.

If the Congress passes our budget, we're going to see where these experts are needed. We know they are needed in our opportunity to really look at cars and complaints and really make sure we have the right staff and also the right professionals to handle the kind of complaints that we're receiving from people.

[The information follows:]

Of the 66 additional personnel requested in the President's fiscal year 2011 budget, 46 positions (46 full time positions-FTPs; 23 full time equivalents-FTEs) would support electrical vehicle safety, light vehicle and heavy duty truck fuel economy and labeling standards, and import surveillance of automotive equipment coming into the United States from foreign countries. NHTSA retains outside experts in electronics and other fields as necessary to supplement its permanent Federal workforce. NHTSA is still assessing the agency's needs to determine what additional staff with expertise in electronics, computer science, or other areas of specialization are needed.

Senator MURRAY. Okay. Also, are you going to be expanding your staff with expertise in electrical and computer engineering for both vehicle safety investigations and regulations?

Secretary LAHOOD. Yes.

Senator MURRAY. You are. Okay.

Secretary LAHOOD. Yes. We do have some electrical engineers on staff, but we feel, now that this issue of the electronics has been raised, more resources are needed. While you all are working on our budget, we may look for some outside help on this, for some electrical engineers who can really help us with this.

Senator MURRAY. Okay. The issue of sudden and unintentional acceleration in Toyotas has focused attention on the actions of Toyota and NHTSA officials, and the relationship between the two entities. Safety advocates have been complaining that NHTSA officials failed to push Toyota to find the root cause of this problem, and worked with vehicle manufacturers to inappropriately limit investigation. Now that you have new leadership at NHTSA, which I'm pleased to see, what actions are being taken now to ensure that there's a strong enforcement where culture exists and is encouraged?

Secretary LAHOOD. There are laws on the books that prohibit former employees of NHTSA working on matters where they were intimately involved at NHTSA. We've checked out the two individuals, and we've determined that they did not come back to us and were involved on issues that they worked on in the Department.

But, I've said at other hearings, Madam Chair, I think this law needs to be tightened up. I think the appearance of it causes great concern for people, and I'm willing to work with Congress to tighten that kind of exiting of employees. I'm willing to work on tightening that up.

But, I will tell you this, it was our people who went to Japan and met with Toyota, because we thought they were a little safety deaf in Japan. We knew their people here in North America were making recommendations, but apparently they weren't hearing it in Japan. That's the reason I got on the phone with Mr. Toyoda and talked to him. I met with him when he came here. I think they get it now, I think they understand they have serious issues.

The perception is that many of their cars, particularly the ones that are listed on the recall list are not safe. There've been some improvements in communication, thanks to the diligent effort of our people at NHTSA, to hold their feet to the fire.

Senator MURRAY. Yes. And, I do understand that NHTSA has widened its investigation and requested documents about how and when Toyota learned of the defects. When do you expect NHTSA to complete that inquiry?

Secretary LAHOOD. It'll be several months. I mean, we've asked for a voluminous amount of material to make sure that what they told us in 2004, 2005, 2006, and even prior to that, was everything they should have told us. The only way we can do that is to look at documents that they have. It's going to take us a while to pore through these documents.

Senator MURRAY. Do you think the Department's authority to level civil enforcement penalties is sufficient?

Secretary LAHOOD. I do.

CHILDREN IN AIR TRAFFIC CONTROL TOWER

Senator MURRAY. All right. Well, we'll be following that very closely. But, before my times up, I wanted to ask you another question on safety. And I, for one, was very disturbed about the report yesterday about a young child who was allowed to direct traffic at the Air Traffic Control Center at New York's Kennedy Airport, apparently speaking with pilots and clearing flights for takeoff. This subcommittee spent a lot of time talking with DOT, and you, and the Federal Aviation Administration about the FAA's culture of safety. How does this incident reflect on the FAA's culture of safety?

Secretary LAHOOD. Well, this is a stunning example of a lack of professionalism, not following the rules, not using common sense. The air traffic controller and his supervisor are on administrative leave, and we are doing a thorough and complete investigation. The idea that a young child would be directing planes in and out of an airport is totally unacceptable. It's an abuse of all of the rules that—

Senator MURRAY. Are there rules in place that children cannot be allowed in control towers?

Secretary LAHOOD. There are, today.

Senator MURRAY. Were there, yesterday? Just out of curiosity.

Secretary LAHOOD. Yes, but they weren't followed.

Senator MURRAY. Yes. Well, I think this is extremely disconcerting. I know during the Nisqually earthquake in Seattle, when air traffic controllers immediately had an emergency where they had to land every single airplane; after 9/11, when we had a serious—

Secretary LAHOOD. Right.

Senator MURRAY [continuing]. Emergency; or a plane goes down—I think every one of the flying public, and all of the public, wants to know that those air traffic controllers' minds are on their jobs. This is extremely demanding, challenging, important safety aspect of our FAA, and I'm hopeful that this will be followed up.

Secretary LAHOOD. Yes. I, too, want to congratulate NATCA. The head of NATCA, which is the union that represents air traffic controllers, spoke out very strongly on this being a violation of every rule and regulation that any controller has been taught.

Senator MURRAY. Okay. Thank you very much, Mr. Secretary.

NATIONAL INFRASTRUCTURE INNOVATION AND FINANCE FUND

Senator Bond.

Senator BOND. Mr. Secretary, I have a lot of questions about details, as I indicated. And let's start with the National Infrastructure Innovation Finance Fund Policy Board. Who's going to be appointed? What's the process? Who will be the selections? Will they come before the Senate for confirmation?

Secretary LAHOOD. You know what, Senator Bond? I don't know all the answers to that. I know that the idea of an infrastructure bank, as it was commonly referred to earlier on, has been kicked around Congress for a long time. The Department of Transportation is trying to find ways to do all the things that we all want to do.

Senator BOND. Right.

Secretary LAHOOD. And without raising the gasoline tax. We feel that the Infrastructure Fund is a way to do that. Specifically, I'll get back to you.

But, if this is enacted into law, and if this comes about, we will work with, obviously, members of this subcommittee and Congress on the way forward for the implementation of it.

[The information follows:]

The details of the National Infrastructure Innovation and Finance Fund's (I-Fund) policy and investment council are still being finalized. The Department will soon issue proposed statutory language for the I-Fund that will include details on the composition of this council.

Senator BOND. Well, I appreciate that, Mr. Secretary, but let me just say, I'm from the "Show Me" State. And before I can support this, I want to know: Who's going to be on it? Who's going to appoint them? What the criteria will be for selecting them? Will Congress have a role? Will they be available for comment on—the people on the board? What are the criteria on which these grants are going to be made?

And just to make it simple, so we don't get any confusion, I am not going to vote for it until I have that path laid out, because if we're going to try to fund that board with \$4 billion, I think that—we have had real problems knowing how money is going out the door, and I am not excited about sending any money—more money out the door unless I know, in advance, how it's going to go.

I don't disagree with you. We need funding—infrastructure, bonding issues—there are a lot of—private-sector cooperation—there are a lot of good ideas, and we will work with you on those ideas. And we have seen where there are a lot of ways—toll roads are very controversial, but a lot of places are getting—they're getting badly needed highways built by toll roads. We want to see those ideas, and work with you on those. But, for my part, no blank checks until we see what you're going to do. And we'll be happy to work with you—

Secretary LAHOOD. Thank you.

Senator BOND [continuing]. But we need to know in advance.

And as I said—I've mentioned earlier—I think, when the administration prepares to make these grants, it would be appropriate for the administration to follow the same policy that Congress makes when we select some things. Posting—for example, posting all of the applications on the Internet, along with the cost shares, funds leveraged. What are the metrics and evaluation criteria on how the projects will be selected?

Congress has, rightly, reformed our earmarking process, and we've tried to make it as transparent as possible. Do you agree it's time for the administration to have the same kind of transparency?

Secretary LAHOOD. Well, Senator, I would say this. I've been around 30 years—I served in Congress for 14, and I was a staffer for 17; I served on the Transportation and Infrastructure Committee. I don't know of a more transparent administration than this one. If there's information you want, Senator, we'll be helpful in getting it to you.

HIGH SPEED RAIL

I will tell you this, Senator, when it comes to the “Show Me” State, high-speed rail did very well; TIGER grants did very well. I was in a room with over 200 people, in Kansas City, announcing a TIGER grant; I heard not one word of complaint about the 40— or about the \$50 million that went to Kansas City for a project that everybody in that room, in that region of your State, was very much for. I heard no complaining about the high-speed rail money that’s going to connect Chicago to St. Louis to Kansas City. High-speed rail is coming to Missouri, thanks to the Economic Recovery Plan, and thanks to, I think, a lot of good staffwork with people in Missouri who want this. I think we’ve been very transparent about this.

Senator BOND. Mr. Secretary, I’ve never had a problem being well received when I brought money. Only thing better is if you’re bringing a free lunch and some beer. And they’ll not object to you coming in when you bring the money. But, what I’m saying is that all of us need to know—and as far as I can tell, there’s been—there has been an almost complete absence of transparency—how you’re selecting them, where are you going? All right, great, it comes down like a gift from Santa Claus. And, sure, my State got some, every State gets some, but we have a right, these days, to know: What were the criteria? What were the applications? Whose were the ones who were disappointed? Who did not get it? How were they selected?

I mean, no question, when you throw money into infrastructure projects—everybody likes money in infrastructure projects. But, we need to see how the process works. And I’ll be damned if I can figure out how that process worked. That’s what I’m just saying. You know, we work very hard to find out what the priorities are, and when we come before our colleagues in Congress to present them, we lay out the—who has applied, we go on the floor and debate them. And I’ve had a lot of debates on why these are good projects—before they ever get the money. But, you know, you come in and—well, I’ll get around to high-speed rail a little bit later on. But, before we put money into these things, we’d like to know that there is going to be advance information; there’s going to be disclosure of—I mean, you don’t let lobbyists in, but obviously they prepare the information, and they bring applications to you. When those applications come in, maybe there are some applications—if you’re going to be making the earmarks, maybe we would like to comment, say, “Here, you’ve got 12 applications from my State, or 250 applications from our intelligence and investigation. Here are several that really meet the needs, and we can tell you why.”

We——

Secretary LAHOOD. Well——

Senator BOND [continuing]. We didn’t know where they were going.

Secretary LAHOOD. Okay. Well, let me respond to some of this. Because——

Senator BOND. Sure.

Secretary LAHOOD. The truth is we put guidance up for the \$1.5 billion, look on our Web site. It’s up there now. We have another

\$600 million that you all provided to us, thankfully, in our budget. We're going to put guidance up.

So, the guidance is up there. Everybody knows what the criteria are and then people begin to submit applications. I don't know of one lobbyist that darkened our door with an application. I don't know of one lobbyist that came to our office with the idea that they were going to have some kind of an edge because they're a lobbyist.

Okay. So, we put the guidance up, and then we took time to review them all. I'll be honest with you, Senator, we heard from a lot of Senators and Members of the House, who called me and said, "How many applications from my State? What are they?" and we heard from Governors, too. So, the idea that nobody weighed in on this from Capitol Hill is not accurate. I got phone calls every day from House Members, from Senators, from Governors, saying: How many applications did you receive from my State? What are they? How much are they for? What are they going to do?" We shared all that information.

Senator BOND. Well, it would be very easy, if you'd just put it on the Web site, save you all those calls.

Secretary LAHOOD. Well, I would have been happy to take a call from you, Senator, about anything in Missouri. And on the——

Senator BOND. Well, I——

Secretary LAHOOD [continuing]. High-speed rail—let me tell you about the high-speed rail. There is a rail plan. We put a rail plan together before we decided to go out and figure out what we were going to do with our \$8 billion. We funded 13 regions in the country. Missouri did very well, by the way, because you're going to be connected with some other States. Then we received these applications, we evaluated them, we met with the people, and we awarded \$8 billion. Thanks to all of you, we have an additional \$2.5 billion this year. If anybody in Missouri had questions about high-speed rail, we sat down with them, we answered them. I talked to your Governor on several occasions about high-speed rail. So, the idea that people don't have access to information is absolutely not accurate. It's not. I'll give you a list of my phone log and show you how many Members of Congress have called me, and how many Governors.

Senator BOND. Well, I remember talking to you back in June. I said, "How are you going to spend the money that you got in the ARRA?" If I remember correctly, you said, "You gave us some money, and we'll spend it." That's what——

Secretary LAHOOD. Well——

Senator BOND [continuing]. We heard.

Secretary LAHOOD [continuing]. You know what, Senator, I'll look back on the record——

Senator BOND. Well——

Secretary LAHOOD [continuing]. But, I doubt if I put it that way.

Senator BOND. Well——

Secretary LAHOOD. We'll get a copy of the record and see.

Senator BOND. Well, this——

Secretary LAHOOD. You know——

Senator BOND [continuing]. This is——

Secretary LAHOOD [continuing]. Look it——

Senator BOND [continuing]. This is——

Secretary LAHOOD [continuing]. I have——
 Senator BOND [continuing]. This is the——
 Secretary LAHOOD [continuing]. Very——
 Senator BOND [continuing]. Question we had——
 Secretary LAHOOD [continuing]. High regard——
 Senator BOND [continuing]. In the S. 128.
 Secretary LAHOOD. Okay. Well, look I have a very high regard
 for Members of Congress, having been one, and I——
 Senator BOND. I—and I——
 Secretary LAHOOD [continuing]. I don't think——
 Senator BOND [continuing]. Have a high regard for you, sir.
 Secretary LAHOOD [continuing]. And I——
 Senator BOND. But——
 Secretary LAHOOD [continuing]. Don't take——
 Senator BOND [continuing]. I'm just saying——
 Secretary LAHOOD [continuing]. Lightly questions——
 Senator BOND. Yes.
 Secretary LAHOOD [continuing]. From Members——
 Senator BOND. There's no information——
 Secretary LAHOOD [continuing]. Of Congress.
 Senator BOND [continuing]. On the waiting. You've got some big,
 broad—I'm going to ask you how you define livability and all those
 things. I mean, wow. You know, it's like saying we're going to op-
 pose pornography. What are you going to oppose? How are you
 going to support livability? We'll get into that in the next round.
 I have a great personal admiration for you; we've been good
 friends for a long time.
 Secretary LAHOOD. Yes, sir.
 Senator BOND. I'm just saying, the system is not working, and
 I need to know, before we put more money in. And more questions
 to follow.
 Thank you.
 Senator MURRAY. Do you need some more coffee, Senator?
 Senator BOND. No.
 Senator COLLINS. I—we could offer to get you some.
 Senator BOND. Thank you, it's working.
 Senator MURRAY. Senator Collins.

FREIGHT RAIL

Senator COLLINS. Thank you Madam Chairman.
 Mr. Secretary, I want to take advantage of this opportunity to
 bring to your attention, and the attention of my colleagues, a very
 serious problem that we're facing in northern Maine. And the best
 way for me to do this is to refer to a map that we're providing to
 each of the members and to you. Thank you, I'm glad that you have
 it.
 First, let me tell you a little bit about the geography. The area
 in question in Maine includes the largest county east of the Mis-
 sissippi in our country. And it is facing the imminent loss of vir-
 tually all the freight rail service for this area. The Montreal,
 Maine, and Atlantic Railway has filed with the Surface Transpor-
 tation Board to abandon 233 miles of rail. It's signified on the map
 by the red line. And, as you can see, it's an enormous area. In fact,

the only freight rail that would remain is a little strip at the very northern border between Madawaska and Van Buren.

This area of our State has an unemployment rate that is almost 10 percent. It's higher than the national average, and it's higher than Maine's overall rate of 8.3 percent. If this rail line is abandoned, it will be devastating to the economy of northern Maine. There are about 20 major shippers that rely on this line. That includes a major paper mill that is in Madawaska; it includes a potato processing plant; and there are a variety of smaller shippers that also rely on the line.

I want to read to you a quotation from the Maine transportation commissioner, because it sums up well just how important this is. "The Maine Department of Transportation feels very strongly that we cannot allow this line to be abandoned. It is inconceivable that the largest county east of the Mississippi"—this is Aroostook County, it's my home county in Maine—"a county whose economy is primarily manufacturing and agrarian-based, would be completely cut off from rail service. That would truly be unprecedented. The outright abandonment of freight rail service would have an immediate and direct negative economic effect on the companies"—and I would add, all the employees—"that are located in this county."

Everyone, Mr. Secretary, is trying to work together—the State, the shippers, the local officials, county officials, State officials—but, it's obviously going to take an investment of capital to save this service. I am so committed to saving freight rail service for northern Maine. As you can see, it's an enormous area of our State. And I want the chairman of this subcommittee, and the ranking member, to understand that a contribution of Federal funding is going to be essential in saving this line. It's going to be one of my top priorities for the bill that we worked so hard on.

Mr. Secretary, I know that the decision on whether or not to allow abandonment does not fall to you, it falls to the Surface Transportation Board. However, the Department does have funding options. And today I'm asking you to work with me, to work with this subcommittee, to work with the State of Maine to come up with a solution. We simply cannot allow 233 miles of line to be abandoned, when there's no other freight service for this large area of Maine. It would have a devastating impact on the economy, an economy that is already very fragile.

So, today I'm asking you to work with me to try to identify solutions where the Federal Government can be a partner in trying to save this necessary freight service.

Secretary LAHOOD. Well, Senator, thank you for your leadership on this. Freight rail is very, very important. It's a big, big component of our transportation system around America, and I know it is for Maine. You'll have my full commitment. What I'd like to offer up is for our rail administrator to go to Maine, as quickly as possible, to meet with all of the stakeholders and all of the people that are involved, and we'll figure out some kind of a funding opportunity to make sure that this line is not closed down, because, it's like an interstate system. You can't close down a part of the interstate that connects so many other parts of the State.

We get it. I'm committed to helping you. I'll have our rail administrator in Maine, whenever we can get all the stakeholders together, and we will work with you on a plan to get this funded.

SAFETEA-LU

Senator COLLINS. Thank you so much. It's so important, and I very much appreciate your commitment.

I want, next, to discuss an issue that my colleagues have talked about, and that is the expiration of the 2005 highway reauthorization law. I'm very proud of the fact that Maine was the first State in the Nation to obligate all of the funding provided by the Recovery Act. That is a credit to Governor Baldacci, to State officials, but it also shows you what an overwhelming need that there is for funding for infrastructure in my State.

And it was brought home recently when a construction company executive came to meet with me. He talked about the fact that he had hired 150 workers as a result of the funding from the stimulus bill, but he's very concerned that there's no long-term highway funding plan on the horizon.

Given the unfortunate reality that it looks unlikely that Congress will pass a highway reauthorization bill this year, what actions are the administration taking to ensure that the Highway Trust Fund has adequate funding?

Secretary LAHOOD. Well, actually, the bill that you all passed—that's pending in the House today, and I think there'll be a vote on it—which extends our program through the end of the year, is an enormous help to the States. These 30-day extensions do them no good. As a matter of fact, States begin to lose money, and it's impossible to hire contractors. I mean, we like the bill that you all passed, and we're encouraging the House to pass it today, because it takes us right up to the end of the calendar year. It gives us time to work with all of you on another authorization bill, to find the money to do all the things we want to do. That bill, alone, is an enormous lift for all of these States.

Senator COLLINS. I couldn't agree with you more that it's a real problem that we're passing just these short-term extensions. I supported and helped advance the bill——

Secretary LAHOOD. Thank you.

Senator COLLINS [continuing]. In question, because—the contractors simply can't plan. And the State does not dare enter into contracts if it's not assured that funding is going to be forthcoming.

And finally, Mr. Secretary, I do want to mention the TIGER grant applications. The demand was enormous for that funding, as you know even better than I—nearly 1,400 applications were submitted, including several from Maine. We're grateful for the port funding that we received. But, there are other projects that are so important—the rail project that I just mentioned—but also what I believe is an innovative project that Maine and New Hampshire brought forth, to rebuild the bridge from Kittery, Maine, to Portsmouth, New Hampshire. The two States collaborated on a TIGER grant application. It has unanimous support from both the Maine and New Hampshire delegations, both of our Governors. And I hope, as you do the second round of TIGER grant applications—I believe it's \$600 million——

Secretary LAHOOD. Yes.

Senator COLLINS [continuing]. More that you have available this year—

Secretary LAHOOD. Yes.

Senator COLLINS [continuing]. That you'll take a hard look at that application. This is a major thoroughfare connecting our two States. It's important for commerce, for tourism, for day-to-day travel by residents. And I urge you to take a close look. It's unusual for two States to collaborate together in filing an application, but that's what we've done.

Secretary LAHOOD. Yes. Senator, let me just suggest that maybe we could work with your staff and get the stakeholders from both of the States together. We could review their application, in anticipation of us posting up our guidance for the next round, and that may be helpful to them. If we could work with your staff to get a few of those people gathered together, we can talk about the previous application and the way forward.

Senator COLLINS. Thank you very much, Mr. Secretary.

Thank you, Madam Chairman.

Senator MURRAY. Thank you, Senator Collins.

PENNSYLVANIA EXPRESSWAY

Senator Specter.

Senator SPECTER. Thank you, Madam Chair, and good morning, Mr. Secretary.

Secretary LAHOOD. Good morning.

Senator SPECTER. Thank you for accepting the position in the administration to provide a breath of bipartisanship. We can use it around here. And thank you for being so accessible and the many trips you have made to Pennsylvania to take a look at our needs that come within the purview of your Department.

As I have mentioned to you in our private conversations, I think that Pennsylvania ought to be getting more on the next round of disbursements. I understand the problems you've had, but the fraction allocated to my State has been relatively small.

Picking up on some of the specifics, a very important project in Pennsylvania is the Mon Valley Expressway, and it connects Uniontown, in Fayette County, to the city of Pittsburgh, and is indispensable for economic growth in that area, an area which has been really hard hit with steel and coal, et cetera.

PENNDOT requested some \$401 million from the stimulus high-speed, but no funding was awarded. And we're searching for the concerns which the U.S. Department of Transportation has. And this is a matter which has to be worked out at the staff level, but I want to make the request, to you, to use the power of the—your office to see if we can't move that along so that we're in a position to answer whatever questions there are. That—the Mon Valley Expressway is really of critical importance to southwestern Pennsylvania.

Turning now to the so-called Lackawanna Cutoff between Scranton and Hoboken, New Jersey, to establish a line which would set the stage for a Wall Street West, which would be very important for Wall Street and very developmental for New Jersey and also for northeastern Pennsylvania, the request was made for \$401 million

from Stimulus High-Speed. And, here again, we do not know what the problems were, and I'd like to get that worked out, at the staff level, so we can figure out to—

Secretary LAHOOD. Yes, sir.

Senator SPECTER [continuing]. Correct whatever problems you see.

The Schuylkill Valley Metro is a project you know, because you came to Norristown and graciously participated in a meeting out there. We have received substantial funding over the years, but it hasn't gone forward. But, there is a fund of \$24 million which has not been obligated. And I wrote you, back on December 23, asking you not to reprogram the money, and I'd appreciate your taking a look at that and honoring our request, because that really is vital to take pressure off the Schuylkill Expressway. And one day we're going to get it worked out with existing sector rail lines called R6 and other lines which can be used to work all the way up to Reading.

The Maglev issue has been on the table for a long time, and there have been plans to allocate \$90 million—half in the west and half in the east. And finally, yesterday—and I thank you—there was a release of the \$950,000 which you and I talked about a long time ago. It was reduced to \$889,200, but thank you for liberating it.

Secretary LAHOOD. Thank you for jogging my memory on it.

Senator SPECTER. Well, I'm glad you have a memory, once jogged, and even gladder, if there is such a word, that we got some of that money.

Mr. Secretary, without carrying on a monologue, where do you see Maglev heading, what kind of a timeframe do you see for a decision to make an allocation of the \$45 million to Pennsylvania?

Secretary LAHOOD. Maglev is very expensive, Senator, and we really need to sit down with the stakeholders and look at their plans and determine what kind of commitment there will be from others. To be honest with you, it is a very expensive project, and we just need to make sure we know where all the money is going to be coming from, and that the plans are in place so that if somebody makes a decision to go ahead with this, that the commitments will be there, not only from us, but from those that want to implement this program.

Senator SPECTER. Mr. Secretary, whom are you looking toward to be at the table? Because I'd like to move ahead, and I would certainly take the lead in organizing the meeting. Who—

Secretary LAHOOD. Well, I think we need to get people in the State that are interested in this program, and members of your delegation who have expressed an interest, together and have a meeting. We'd be happy to help you organize that—or if you want to take the lead. I think we should do that.

Senator SPECTER. Well, I'd be glad to take the lead, and I will follow up with you on that. Maglev is present in other countries. I've rode on a pilot project in Hamburg; it must have been a decade ago. The train is designed to run close to 300 miles an hour. You go from Philadelphia to Pittsburgh in 2 hours and 7 minutes, with intermediate stops in Lancaster, Harrisburg, Altoona, Johnstown, and Greensburg. And you wouldn't have to take your shoes off to

get on the train. It would cut down on a lot of vehicular traffic and have all the ingredients we talked about on high-speed rail—high-speed travel. And I think it is a technology which is expensive, but I think it would be worth it. But, let's pursue the——

Secretary LAHOOD. Yes, sir.

INFRASTRUCTURE FUND

Senator SPECTER [continuing]. The dialogue we've had.

We're working, on the Environment and Public Works Committee, on the highway bill—highway and transit—and we're talking about a figure of \$600 billion. Is that realistic, from the point of view of the administration? I hope so.

Secretary LAHOOD. Well, if you look at the bill that's been put together in the House, it's about a \$450 to \$500 billion bill. Everywhere I've gone, I've said the President wants a robust, comprehensive transportation program. We need to find the money to do it. One of the ways that the President suggested, in the budget that you're all considering, is an infrastructure fund. Some people like it and some people don't, but it would be a fund that would allow for significant outstanding projects around the country.

We need to think outside of the box. The President is not for raising the gasoline tax when unemployment, nationally, is just below 10 percent. So, the Highway Trust Fund is not sufficient to do all the things we all want to do, and we need to think about an infrastructure fund, we need to think about tolling, we need to think about alternatives that help us do the things that we all want to do.

Senator SPECTER. Mr. Secretary, what would the source of the revenue be for the so-called infrastructure fund? Would there be bonds? How would we——

Secretary LAHOOD. That is correct.

Senator SPECTER. How would you—put a little flesh on the bones. How would you proceed on it?

Secretary LAHOOD. There are big, significant projects around the country that people don't have the money for, whether it's a bridge between two States, an interchange, or an extension of an interstate system to connect one State to another. The way I envision it, if Congress allowed this kind of a fund, to receive proposals for significant projects and then work with the States on the cost. The bonds would allow the money, then, to begin to flow, over a period of time.

Senator SPECTER. Well, it certainly would be a——

Secretary LAHOOD. I can tell you this, Senator. The Buy America Bond Program is wildly popular, oversubscribed. This is not exactly the same thing, but I'm just saying alternative funding is what we really need to think about, because there's just not enough money in the Highway Trust Fund.

Senator SPECTER. Well, I've given you some homework, and you've given me some homework. And I'll proceed to look at that. It's the kind of legislation that I would favor and would be inclined to introduce, and we'll proceed.

Well, my red light just went on.

Thank you very much for your——

Secretary LAHOOD. Thank you, sir.

Senator SPECTER [continuing]. Service, Mr. Secretary.
 Thank you, Madam Chair.
 Senator MURRAY. Thank you, Senator Specter.

HIGH SPEED RAIL

Senator Kohl.

Senator KOHL. Thank you very much, Senator Murray.

Secretary LaHood.

Secretary LAHOOD. Yes, sir.

Senator KOHL. On January 28, the White House announced the recipients of \$8 billion in high-speed rail grants, including two projects, as you know, in Wisconsin.

Secretary LAHOOD. Yes.

Senator KOHL. Connecting Wisconsin's major metropolitan areas through high-speed rail will yield both immediate and long-term benefits. Ultimately, this link will help develop both Madison and Milwaukee's economies, creating long-term growth for each city, as well as the cities in between.

In the short-term, the projects will create thousands of jobs, and Wisconsin is anxious to get started, as I'm sure you can well understand. My understanding, Mr. Secretary, is that the Wisconsin Department of Transportation is ready to assign contracts next month, and could begin construction this coming fall. If our goal is quickly creating jobs, then getting money out the door seems to be the most important and the most effective thing that we can do.

I'd like to ask you what the Federal Railroad Administration's timeline is for getting this funding to the States. Will the FRA be able to get the funds to Wisconsin in time for our fall construction season?

I want to be clear, Mr. Secretary, this is about jobs—we all understand that—now and in the future. And I'd like to hope that you will do everything you can to make sure that this process is well expedited and that transportation departments are able to put people to work quickly. Do you have some sense or knowledge about how the FRA might be able to act quickly on the Wisconsin—

Secretary LAHOOD. We want to enter into agreements with these regions, of which, obviously, Wisconsin is ready to go, as quickly as we can so that people can begin working on high-speed rail and Americans can begin to see the results of this economic recovery. Our plan is to do that very quickly, sign these agreements with the States, and begin as soon as the States are ready to go. Our people are, right now, putting together documents and will meet with the stakeholders, like the State of Wisconsin, very, very soon, like within the next 10 days or 2 weeks, to begin to say, "Here are the documents, here's what we think needs to be signed so that you can begin."

Senator, let me just say something that I talked to you about privately. I want to compliment your Governor. I think the reason that Wisconsin is in the high-speed rail business is because Governor Doyle stepped up, a year ago. He came to see me and said, "How do we get into the high-speed rail business? This is something we've been planning." Thanks to the leadership of your delegation and your Governor, you all are going to be at the forefront of the Midwest Region by connecting your State with other States

that are in that region. I want to compliment, not only you and Senator Feingold but also Governor Doyle, because he was early at the starting gate on this. We want to make it happen quickly, because we know there'll be thousands of jobs provided when they start building the train sets and the infrastructure and all the things that will be needed.

Senator KOHL. Well, that is really encouraging to hear. And, of course, you are right about Governor Doyle. He has been out front and has exhibited the foresight to see this coming down the road and seeing that Wisconsin was there in time, fully planned and organized to take advantage. It's nice for me to know that you are fully aware of it and that you want to expedite——

Secretary LAHOOD. Yes, sir.

Senator KOHL [continuing]. You know this particular project just as quickly as you can. I know he'll be happy to hear it. I think people all over our State will be happy to hear it, and I express my appreciation to you.

Secretary LAHOOD. Thank you.

Senator KOHL. Thank you.

TIGER PROGRAM

Senator MURRAY. Thank you very much, Senator Kohl.

Mr. Secretary, DOT has, as you know, recently awarded grants under the TIGER program that we funded under the Recovery Act. And, under that, it was necessary to give priority to projects that could be completed over the next few years. However, the funding that we provided for fiscal year 2010 has a new set of requirements, and it can be used for longer-term projects. I know there are a lot of projects across the country that need this funding. I've talked to you about one in Washington State, the Columbia River Crossing Project that's so important for mobility for cars and trucks and transit and bicycles and pedestrians; it's one of the worst bottlenecks we have on the I-5 corridor.

I wanted to ask you, this morning, how will the different requirements for the 2010 funding affect the kinds of projects that you'll be able to fund under the TIGER program?

Secretary LAHOOD. Right now, Madam Chair, we're probably looking at the same guidance that we provided for the other TIGER grants. And, frankly, we'd like to try and get some of this money out the door this year, so we can continue the progress that we've made with our economic recovery. We know that the \$600 million will provide jobs. That's our goal. That's the reason you put this money in the bill, so people could go to work.

I don't think the guidance will be that much different. We also will probably look at some applications that were very close in the first competition. The projects that if we'd had more than \$1.5 billion, they would have gotten funded. We're advising——

Senator MURRAY. You don't expect to see new requirements, even though we have said this funding can be for longer-term projects.

Secretary LAHOOD. I want to try and get the money out the door as quickly as possible so we can provide jobs.

RAIL TRANSIT SAFETY

Senator MURRAY. Okay. The budget that you submitted includes \$24 million and 100 positions to establish a new Rail Transit Safety Oversight Program. That proposal, obviously, follows on the heel of rail transit accidents in Boston and San Francisco and, tragically, here in Washington, DC, and supports the legislation the administration transmitted to Congress in December. I know you're hopeful that Congress will approve that legislation this year. In the meantime, I wanted to ask you what you've been able to do, within your current authority that you have, to make sure transit systems are safe without that legislation.

Secretary LAHOOD. We're prohibited by law from doing that, Senator. That's the reason we proposed to all of you a bill. Because the law says we can't do it. For some strange reason—I guess it was because, years ago, people thought since we were divvying up the money, we shouldn't have the responsibility for the safety aspect of it.

Senator MURRAY. Can you provide training or technical assistance?

Secretary LAHOOD. Peter Rogoff, our transit administrator, is looking at best practices from around the country, and then trying to make sure that transit systems know what that is. But—

Senator MURRAY. So you really need that legislation.

Secretary LAHOOD. We do, absolutely. We need the legal authority that only a law can give us, to really get into this up to our eyeballs, and really do a good job in making sure that these transit systems are safe.

POSITIVE TRAIN CONTROL

Senator MURRAY. Okay. Positive train control is an important new technology that will help, we believe, and prevent some of these train-to-train collisions and derailments. Recognizing the safety benefits of this technology, the NTSB included positive train control on its most-wanted list for 18 years, and they took it off the list only after Congress mandated its use. For fiscal year 2010, this subcommittee provided \$50 million for a new program that would support the development of positive train control, but you've requested no funding for the program this year. Can you explain to the subcommittee why the budget request doesn't include any funding?

Secretary LAHOOD. Well, we have a rule pending. We believe positive train control is something that is absolutely critical to safety. I'm going to ask Chris—you all know Chris Bertram, go ahead.

Mr. BERTRAM. Yes. We did not include any funding for that. There is, as the Secretary mentioned, a rule pending at OMB that would mandate positive train control.

Senator MURRAY. But, you've requested no funding.

Mr. BERTRAM. Correct.

Senator MURRAY. And you don't believe it needs any funding?

Mr. BERTRAM. I think the FRA will take a look at the money that Congress provided, and evaluate the effectiveness of that.

Senator MURRAY. From last year.

Mr. BERTRAM. From last year, yes.

Senator MURRAY. Okay. Well, I may submit another question on the record on that.

FERRY FUNDING

I wanted to ask you about ferry systems. As you know, ferries are, just, a critical part of transportation systems in my home State, connecting communities between Puget Sound and across the Columbia River system. In fact, the ferry system in my home State is the largest ferry system in the United States, with over 40 percent of U.S. ferry passengers, and about three-fourths of the vehicles, carried nationwide. Last year, I introduced legislation to reauthorize the Federal Ferryboat Discretionary Program and expand the Federal investment in our Nation's ferry system, and that legislation built directly on what we did in SAFETEA-LU to give priority to ferry systems that carry the most passengers and most vehicles and have access to critical areas. I wanted to ask you, Mr. Secretary, this morning, if I have your commitment to work closely with us, following that directive in SAFETEA-LU, to allocate ferry funding in 2010.

Secretary LAHOOD. Absolutely. I had the privilege, when I was in Seattle, to use the ferry system. I know how important it is as a part of the overall comprehensive transportation system in the Northwest, and you have my commitment.

Senator MURRAY. To work on the criteria.

Secretary LAHOOD. Absolutely.

MEXICAN TRUCKS

Senator MURRAY. Great, one last question for you. I wanted to ask you a question on a topic that we talked about at this hearing last year: cross-border trucking with Mexico. Last year, you talked about the work you were doing with the various departments to craft a plan to resume cross-border trucking with Mexico in a way that would address the safety concerns raised during the pilot and in the tariffs that have now been imposed by the Mexican Government. Those tariffs were imposed on over 90 U.S. products and they undermine the competitiveness of many agricultural products in my home State of Washington. If we're not able to find a path forward with Mexico on this issue, these tariffs are going to send American jobs north to Canada as our growers and our processors and our packers are being forced to relocate, and it is threatening the livelihood of many communities in my State.

Now, I appreciate there's a lot of concern about implementing this cross-border trucking, but we've got to work with Mexicans to address this impasse and move forward. I met with Ambassador Kirk a few weeks ago. I wanted to ask you, this morning, to give us an update on your discussions with the administration and with Mexico, to give us a sense of when we will see the plan from the administration.

Secretary LAHOOD. We are finalizing a plan. The reason it's taken so long is because there's a lot of different moving parts, including about five different Cabinet officials. Every time we make a tweak or a change, everybody has to sign off on it. But, we're very near a proposal that we think will meet all of the safety con-

cerns that I heard when I talked to 25 Members of Congress. We're close to talking to all of you about what we think are——

Senator MURRAY. Okay, well, we're——

Secretary LAHOOD [continuing]. Our way of addressing the safety concerns that Congress brought to us.

Senator MURRAY. Okay, Mr. Secretary, I appreciate that. And you and I have had this discussion; I know you're working on it. This is critical to a number of our agricultural industry now in my State. Would you please tell the folks you're talking to in the White House, and others, that we need to get this done?

Secretary LAHOOD. I will.

Senator MURRAY. Thank you, Mr. Secretary.

Secretary LAHOOD. Thank you.

Senator MURRAY. I'm going to turn this over to my ranking member, Senator Bond. I have to get to another hearing. He has kindly agreed to be very nice to you. No.

Secretary LAHOOD. Thank you, Madam Chair, for all of your leadership on transportation. We really appreciate your forward-looking on transportation issues, and it's a joy to work with you and your staff on these things that we all really want to get done. So, thank you for your leadership.

Senator MURRAY. Thank you, Mr. Secretary.

I will turn this over to Senator Bond. He is going to ask his questions and recess the meeting for me. And I really appreciate your doing that.

Thank you.

LIVABILITY

Senator BOND [presiding]. Thank you, Madam Chair. If you will continue to keep the E&W meeting going, I will look forward—I'd have some friendly questions to ask Secretary Chu.

But, Mr. Secretary, let's go back to a couple of the questions we were talking about, about the standards. The TIGER grants, you said, the strategic plan is for safety, economic competitiveness, state of good repair, and livability. What's livability?

Secretary LAHOOD. Communities where people have access to many different forms of transportation and affordable housing and the ability to really have access to all of the things that are important to them, whether it's a grocery store, a drug store—access. It's not dissimilar to the neighborhood, for example, that the Department of Transportation is located in. After the ballpark went there, there was a Metro stop, there were new bus stops, there are new condominiums, there's access to affordable housing. What it is, Senator, it's an opportunity for people who want to live in neighborhoods—maybe they don't want a car—so they can walk to work, they can take mass-transit to work, they can take a bus to work, they can go to a grocery store. These are communities and neighborhoods where people want to live, where they have access to all the things that they want.

Senator BOND. Well, I mean, how do you measure that? I mean, the—I don't think the Department of Transportation is in the business of determining the state of the communities. We do—we try to help build community plans that are locally based community plans, that come to the request from HUD for neighborhood sta-

bilization, economic development; and the plans must come from the localities. And I've supported access—transportation access—the BRT program in Kansas City—bus rapid transit—it's been very important. But, that supplements a local plan, where transportation is just one part of it, where there is a much broader plan for the housing, the facilities, and what the State is doing. And livability, to me—you know, I've got a lot of constituents for whom livability means having a decent highway. They've got to drive on the highway because they live in a rural area and they've got to drive from one town to another town or maybe from one town to a city. And we are killing those people on the roads. We have—we lose three people a day on highways, in Missouri, and at least one-third of those deaths are due to poor highway conditions. This is not a question of convenience; this is a question of staying alive.

So, livability, in some areas, has a different meaning. And I just question—if we're building—if we're looking at all these dollars to go in and build urban livability sections, I think there needs to be broader criteria, as well. That's why I'm questioning—

Secretary LAHOOD. Well, Senator, let me just give you an example in your home State. The \$50 million that we gave to Kansas City is for some of the simplest things that you and I take for granted. In this neighborhood—it's a 150-block neighborhood, in your colleague Congressman Cleaver's district. That money is going to be used to do simple things, like make sure people have a sidewalk to walk on, and to make sure that there are curbs. Now, that may sound silly to you—

Senator BOND. No, it's not—it's—

Secretary LAHOOD [continuing]. But when I went there for the announcement, I took a tour with Mr. Cleaver, and what we found was an abandoned neighborhood, because there are no sidewalks, there are lousy streets, and people can't even drive down the streets. So, what Congressman Cleaver and a whole group of community people did is put together a plan—\$50 million of our money and some HUD money—to build affordable housing so that people that want to stay in this neighborhood can stay in the neighborhood. That's what Livable Communities is all about.

Senator BOND. Mr. Secretary, I have the highest respect for Congressman Cleaver. A former mayor I've worked very closely with. I don't know what's going on in Kansas City. But, when did it become the responsibility of the Federal Department of Transportation to build sidewalks?

Secretary LAHOOD. When you all put it in the—

Senator BOND. I think that—

Secretary LAHOOD. No. When you all put it in the transportation bill for the amenities for neighborhoods, whether—

Senator BOND. This is—

Secretary LAHOOD [continuing]. Its streetscape or medians, or whatever it is, you all did it. I was a part of it. I was a Member of Congress that did it, too.

Senator BOND. To go in and be building sidewalks, when there is a—there are such transportation needs. You—I know that heel-and-toe is transportation, but what I'm saying is, there are other priorities that I think come ahead of that. And I just question how much money is going to be spent on sidewalks, when we need high-

ways and we need bridges. That's where—and I—any—this is a——

Secretary LAHOOD. Senator, if you look at——

Senator BOND. It's a question of priorities.

Secretary LAHOOD. If you look at our portion of the economic recovery—you all provided \$48 billion—the lion's share of it went to highways—\$28 billion; \$8 billion for transit, \$8 billion for high-speed rail, \$1.5 billion for so-called TIGER grants, \$28 billion for highways. That's——

Senator BOND. That is——

Secretary LAHOOD. That's your priority.

Senator BOND. Well, unfortunately——

Secretary LAHOOD. That's where the lion's share of the money went.

Senator BOND [continuing]. It was a drop in the bucket—out of \$787 billion——

Secretary LAHOOD. I'm talking about——

Senator BOND [continuing]. That was far too little—no, but I'm—I think we might be on the same side, on that one. I think it was far too little, because we could have used a whole lot more for highways and bridges.

But, my problem is that every dollar we're spending in that stimulus bill, and a lot of other things we're doing, is going on the deficit. We are borrowing from our children and our grandchildren. And I am kind of embarrassed to tell my son and—if he and his wife have children, tell my grandchildren—"Oh. I'm sorry. We've been spending—we spent your—we spent on your credit card." And I think there is a growing realization that we need to get these deficits under control, and spend only on things that we can justify to our children and grandchildren. That's the problem.

And high-speed rail, again—I don't know if you saw it, but the Wall Street Journal had a—had an article by Wendell Cox, on January 31 called the "Runaway Subsidy Train." Did you see that?

HIGH SPEED RAIL

Secretary LAHOOD. No, sir.

Senator BOND. I'll give you a copy of it.

Secretary LAHOOD. Okay.

Senator BOND. It's very critical, and I think raises questions that need to be answered. It says, "Proponents claim that high-speed rail is profitable, but this is off the mark. Internationally, only two segments have ever broken even—Tokyo to Osaka and Paris to Lyon." And they did that because they had \$4 gasoline—equivalent of \$4 gasoline and highway tolls of \$40 to \$100, respectively. If that—if you want to make it profitable, you have to have those kinds of tolls.

It—the question that I have, generally, about high-speed rail is what's going to be the total cost? I know that—let's see, I guess the estimate in California is that—let's see—California high-speed rail, Los Angeles to San Francisco, \$40 billion to \$60 billion. Totally taxpayer subsidized taxpayer money. Same time, we've got airlines flying there that are not flying on the—they're not being subsidized by the taxpayer dollar. The people who drive on the roads are paying taxes that not only pay for roads, but also help subsidize high-

speed transportation. I want to know what the total cost of all these wonderful high-speed rail plans are and what is the justification. How is it going to be—how are we going to know that these are valuable? There seems to be—there are many, many questions about why—whether some of these routes are going to be much faster than when the trains were, back in the 1930s and 1940s. I know we got \$34 million in Missouri. That's nice. That will probably provide some amenities, like extra sidings for trains to—freight trains, or even passenger trains, if needed, to pull off so they can get passed. But, what are the projections for ridership between St. Louis and Kansas City? How many billions of dollars is it going to cost to build a high-speed rail through there? Can we justify that to the taxpayers—not just to Missouri, but to the Nation—for what we'd have to spend? These are questions I think we have a responsibility to ask when we are working in a deficit situation.

And even if—you know, always glad to see money in Missouri. But, before we continue to spend that money, I want to make sure we're spending it properly. That's the big concern I have. Are we spending it properly?

I'll give you that and—we had another couple of Wall Street Journal editorials that I think—

Secretary LAHOOD. You want me to answer these for the record, Senator, or—

[The information follows:]

Ensuring proper use and distribution of funds remain high priorities for the Department of Transportation. As the Department moves forward in the development of each of the State corridors, we will be working with our State partners to develop reliable cost estimates for programs to develop specific high-speed rail corridors recognizing the challenges associated with predicting costs for projects that might span decades. We will also be looking for the States and other interest parties to become part of both the planning and corridor development process.

Each program will include several projects. As we move to project level decisions that involve commitment of funds for construction, we will be refining cost estimates, refining ridership and benefit estimates, and refining commitments from stakeholders and interested parties. In this merit-based competitive program, those corridor projects that move to construction are the ones that are expected to generate the largest benefits to the U.S. taxpayers.

Senator BOND. Oh, I—

Secretary LAHOOD [continuing]. Do you want me to answer them?

Senator BOND [continuing]. Well, yes, answer these for the record. Or, I mean, if you've got any comment—

Secretary LAHOOD. Okay, all right.

Senator BOND. I'll let you—

Secretary LAHOOD. I know you want to go to another committee meeting, so I'll answer them for the record for you.

Senator BOND. Okay. And if you have any comments on my comments, I'd welcome those now. I mean—

Secretary LAHOOD. Of course, I have comments. Yes. I didn't know if—

Senator BOND. Good. No, I—

Secretary LAHOOD [continuing]. You wanted to go on to another hearing, or not.

Senator BOND. But, this is important, so—but I mean—

Secretary LAHOOD. Yes.

Senator BOND [continuing]. For these things I gave you, if you may want to look at them and have——

Secretary LAHOOD. Okay.

Senator BOND [continuing]. Indepth comment, but——

Secretary LAHOOD. Yes.

Senator BOND [continuing]. You—I want to let you——

Secretary LAHOOD. No, look it——

Senator BOND [continuing]. Have an opportunity——

Secretary LAHOOD. Senator, you know——

Senator BOND [continuing]. For anybody who's still listening, I want you to make sure you have your time to——

Secretary LAHOOD. Sure.

Senator BOND [continuing]. Express your view.

Secretary LAHOOD. I appreciate that.

Senator BOND. Sure, no. That's——

Secretary LAHOOD. No, I appreciate that.

When President Eisenhower signed the Interstate Highway bill, nobody knew where all the lines were going to go, and nobody knew how we were going to pay for all of it. So, I'm not going to sit here and tell you I know where all the money's going to come from for high-speed rail. I know this: Americans want high-speed passenger rail. We did not have one of the 13 regions turn us down in their opportunity to receive some of the \$8 billion. There are so many people around America that want good passenger rail transportation. I can tell you, when the announcement was made in Missouri, there was a big hue and cry that went up. I didn't hear one word of criticism about it from your Governor or any of the elected officials there, because it's going to connect opportunities for people.

You know this as well as I do, Senator. If you build it, they will come. The interstate system is an example of that. What an economic engine the interstate system has been for places all over America. What's happened in Europe and Asia, their governments have made a huge investment and these corridors have become a huge economic engine everywhere that they are.

I can cite chapter and verse. You build a transit line, you build a busline, you build an interstate or a—improve a street—you build it, and they will come.

I know this. There's going to be a lot of private investment. We had a meeting with all of the companies that build train sets, not only in Europe, but in Asia. And we had them come to the Department, and what we said to them——

Senator BOND. Oh man, they—I mean, they—they love it. They're the ones who are going to build it. They're going to—yes, that—they're——

Secretary LAHOOD. Yes, but they're also going to make an investment of some of their money, because they know this is an opportunity to get into the high-speed, inner-city rail——

Senator BOND. Yes, right.

Secretary LAHOOD [continuing]. Business in America.

Senator BOND. Now, they're going to make some money off of it, but how much——

Secretary LAHOOD. They're going to invest——

Senator BOND [continuing]. Is it going to cost—how much is it going to cost—

Secretary LAHOOD [continuing]. The money too, Senator.

Senator BOND [continuing]. The taxpayer?

Secretary LAHOOD. They're going to invest a lot of money, too, Senator—

Senator BOND. And where they do—

Secretary LAHOOD [continuing]. The way they have in Europe—

Senator BOND [continuing]. They're going to invest in—

Secretary LAHOOD [continuing]. And in Asia.

Senator BOND [continuing]. Where they get some money out of it.

Secretary LAHOOD. The—

Senator BOND. I—I've talked to the people who are building toll roads, and they love it, because they know they are going to make money. But, here, as I said, two rail—two high-speed rail lines are profitable—I will—as Governor, I supported Amtrak. I started subsidizing Amtrak, and we could—the State of Missouri, I think, is still subsidizing Amtrak. But have they come in large numbers? No. I've—I rode it, and I've seen how a few people are on it. We have Amtrak from—between Kansas City and St. Louis. Yes. I'd like to see that. But, am I willing, on the thought that they will come, to spend billions of dollars more? I haven't seen it, so far.

And to make that into a high-speed—

Secretary LAHOOD. Well, you were willing to put—

Senator BOND [continuing]. Rail—

Secretary LAHOOD. As Governor, and certainly, as a Senator here, you've been willing to stake a claim on the idea that if we build a bridge between Illinois and Missouri, people are going use it.

Senator BOND. I will put a whole lot more money on that one—

Secretary LAHOOD. I know you will; you already have.

Senator BOND [continuing]. Than on spending billions on—spending billions on high-speed rail. You and I both need that bridge. We want you—

Secretary LAHOOD. The principle is that—

Senator BOND. We want you Illinois people to come over and watch the Cardinals. We're not—

Secretary LAHOOD. Well, I'm looking forward to being with you to dig the first spade of dirt. But, I'm—

Senator BOND. Yes.

Secretary LAHOOD. Senator, you know this. When that bridge is built, people are going to use it. You build it and they will come. I don't think you would have staked a claim to that unless you thought people were going to use it and that it was needed. And I can—

Senator BOND. We've seen the projection—

Secretary LAHOOD. The same principle is true for high-speed inter-city passenger rail.

Senator BOND. I'm sorry, I believe we have an experience with the highways. We know how important they are. We have a good track record. The track record, unless you're looking at Tokyo to Osaka, or Paris to Lyon, is not that good. So, I just would like to

know the total estimated cost, where the funding is going to come from to ensure the things you are starting now, and what commitment, by State, localities, and private companies, are going to meet the required need, before we invest—before we commit to—I don’t care whether it’s St. Louis to Kansas City, St. Louis to Chicago, Chicago to Milwaukee, or Portland to Seattle—how much is it going to cost? What do you project the ridership? How much is that ridership going to be per person? Sometimes those numbers are pretty scary, because it’s the taxpayer dollar that we’re putting at risk. Well—

Secretary LAHOOD. Those are all very good questions—

Senator BOND. Yes.

Secretary LAHOOD [continuing]. And I’ll do my best to answer them.

[The information follows:]

The administration’s support of the high-speed rail program highlights the significance that this intercity passenger rail initiative is expected to have on American way of life and our economy. This initiative will help relieve congestion, is environmentally sound, and ultimately promotes more livable communities across the country. Although the cost of a national high-speed rail system is unknown at this time, the closest analogy that we can make is the Interstate Highway program, which began in 1956. DOT did not estimate the cost to complete the Interstate System, but the benefits to the United States were immeasurable.

The \$8 billion appropriated under ARRA, as well as the \$2.5 billion that was appropriated in fiscal year 2010, and the \$1 billion requested in fiscal year 2011 President’s budget, are reflective of the administration’s commitment to advance the building of the infrastructure necessary to make high-speed intercity passenger rail transportation a reality. These resources are the down payment for this long-term infrastructure effort. We are working closely with the States and the rail industry to develop preliminary estimates and longer-term infrastructure requirements and plans. We commit to keep the subcommittee informed as we validate requirements and assemble more tangible plans.

Senator BOND. Good, good. And I—and I—those are—that’s what I’m asking, because this is not like—we all know what—when you build a highway, when you build a bridge—and you and I know that a good friend of ours, when I was fighting for the highway bill and I proposed a bridge, he complained that there was a—“You should not be using highway money to build a bridge.” Well he happened to come from a very dry State, and I explained to him, “In the Heartland, highways don’t work unless you have a bridge across the river.” So, I fought—I’ve fought that battle. I know—

Secretary LAHOOD. I know.

Senator BOND [continuing]. That battle.

Secretary LAHOOD. I know.

Senator BOND. I know it from both sides. That’s why I raise it.

CYBER SECURITY

Now, I’ve got a very—one very serious question that we are not going to discuss at length in a—in an open hearing. You’ve got \$30 million for cybersecurity. I’m not going to ask you to go into the threats. I’m on the Intel Committee, and I know what the threats are. Do you have a plan for how that money is being spent?

Secretary LAHOOD. Yes, sir. I’ll be happy to come up and brief you on that.

Senator BOND. Okay.

Secretary LAHOOD. I’d like to do that.

Senator BOND. We would like—I think Chairman Feinstein and I, on the Intel Committee, are also——

Secretary LAHOOD. Yes, sir.

Senator BOND [continuing]. On Appropriations. If you would arrange to send your staff up—is the plan completed?

Secretary LAHOOD. It is.

Senator BOND. And who was responsible for preparing it?

Secretary LAHOOD. We have hired a very, very experienced person to deal with this issue.

Senator BOND. Has it been completed, in cooperation with other agencies?

Secretary LAHOOD. Absolutely. It's being coordinated with other agencies, of course.

Senator BOND. Has it—have you coordinated with NSA?

Secretary LAHOOD. Of course.

Senator BOND. Okay. Let me just say—I was hoping that they would be here, but my—all right. Lewis Tucker, on my staff, and David Grannis, on Chairman Feinstein's staff, would like to work with you to prepare a full staff briefing, and then we would like to have an opportunity—Brian Smith, from the Budget Office, in the Intel Committee. This is a very, very important investment, and we want to work with you on it to make sure——

Secretary LAHOOD. Yes, sir.

Senator BOND [continuing]. It is done—that the money that you need is available, that it's well designed, and it's——

Secretary LAHOOD. Yes, sir.

Senator BOND [continuing]. Well carried out, because this is——

Secretary LAHOOD. We will do it.

Senator BOND. No further comments on that one, here, but just know that we appreciate how serious it is.

Secretary LAHOOD. Yes, sir.

ADDITIONAL COMMITTEE QUESTIONS

Senator BOND. And we'd work with you to make sure it's done. At this time I would ask the subcommittee members to submit any additional questions they have for the record.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR PATTY MURRAY

Question. Mr. Secretary, your budget request includes \$4 billion for a new agency at DOT—the Infrastructure Fund, or I-Fund. This proposal goes beyond the TIGER program that we funded in the Recovery Act and the regular 2010 bill. The I-Fund would not only evaluate project applications, but it would also look for projects to fund, whether or not the project even considered applying to DOT.

Giving this authority to DOT would be granting the Department an unprecedented amount of discretion over taxpayer dollars.

Senator Bond and I are both responsible for making sure that DOT conducts its programs with a fair and open process.

Mr. Secretary, how would this kind of authority be consistent with running the Department with transparency and accountability?

Answer. At the Department of Transportation, we are absolutely committed to accountability and full transparency, and the operations of the National Infrastructure Innovation and Finance Fund (NIIF) would be handled in the same manner. The Infrastructure Innovation Fund would take a relatively small portion of the overall Federal expenditure for transportation infrastructure and focus on funding projects

of national and regional significance that help us achieve our national goals, such as economic competitiveness and livability. The ability to dedicate a portion of Federal transportation resources to fund these projects through a merit-based process, based on performance and outcomes of the projects, is an important part of our overall approach to address our most critical transportation infrastructure needs. We have been clear about the criteria we have established to evaluate these projects and about the analysis that we expect applicants to prepare to support them. We would be happy to work with you and your staff to develop appropriate ways of achieving the transparency and accountability that we all agree will be essential in this program.

Question. Why should such an ambitious program be considered before we even know what is in the administration's reauthorization proposal?

Answer. The Department has committed to releasing principles for a reauthorization bill as soon as they are ready. We hope to use the time between now and the end of the year, when the current extension of the surface transportation program runs out, to make progress in developing long-term legislation. The I-Fund's merit based evaluation process will be an important part of our overall approach to address the most critical transportation infrastructure needs. Every project selected through the TIGER discretionary grant and the National Infrastructure Investment (TIGER II) grant process will require specific performance measurements so we can track actual outcomes against the estimates provided in the submitted applications. This will provide a new knowledge that will help inform the Department's other surface transportation programs, as we work to better identify the highest-priority needs, and how to address them, through the Reauthorization process.

Question. In any competitive program, there will always be questions about how funding decisions were made. And the TIGER program was the Department's first experience running a discretionary program of that size.

Mr. Secretary, as you go through the process of awarding TIGER grants funded in 2010, how will you ensure the Department follows a fair and open process?

Answer. DOT has made a significant amount of material available to the public about the criteria used to select projects, description of the process used to evaluate applications and list of the applications received. More than just making information available, DOT has aggressively reached out to the Congress and public to answer questions about the TIGER process, through webinars, conference calls and face-to-face meetings.

The fiscal year 2010 appropriations act provided \$600 million to be awarded by the Department of Transportation for National Infrastructure Investments ("TIGER II Discretionary Grants"). To ensure a fair and open process, the TIGER II Discretionary Grants will be awarded on a competitive basis by measuring grant applications for eligible projects against the selection criteria specified in the program's Federal Register notice (an interim notice was published on April 26 and a final notice was published on June 1).

The "Primary Selection Criteria" include:

—*Long-term Outcomes.*—The Department will give priority to projects that have a significant impact on desirable long-term outcomes for the Nation, a metropolitan area, or a region.

The following long-term outcomes will be given priority:

—*State of Good Repair.*—Improving the condition of existing transportation facilities and systems, with particular emphasis on projects that minimize life-cycle costs;

—*Economic Competitiveness.*—Contributing to the economic competitiveness of the United States over the medium- to long-term;

—*Livability.*—Fostering livable communities through place-based policies and investments that increase transportation choices and access to transportation services for people in communities across the United States;

—*Environmental Sustainability.*—Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions and benefitting the environment; and

—*Safety.*—Improving the safety of U.S. transportation facilities and systems.

—*Job Creation & Economic Stimulus.*—While the TIGER II Discretionary Grant program is not a Recovery Act program, job creation and economic stimulus remain a top priority of this administration; therefore, the Department will give priority (as it did for the TIGER Discretionary Grant program) to projects that are expected to quickly create and preserve jobs and stimulate rapid increases in economic activity, particularly jobs and activity that benefit economically distressed areas.

The "Secondary Selection Criteria" include:

—*Innovation.*—The Department will give priority to projects that use innovative strategies to pursue the long-term outcomes outlined above.

—*Partnership.*—The Department will give priority to projects that demonstrate strong collaboration among a broad range of participants and/or integration of transportation with other public service efforts.

The Department will give more weight to the Long-term Outcomes and Job Creation & Economic Stimulus criteria than to the Innovation and Partnership criteria. Projects that are unable to demonstrate a likelihood of significant long-term benefits in any of the five long-term outcomes will not proceed in the evaluation process. For the Job Creation & Economic Stimulus criterion, a project that is not ready to proceed quickly is less likely to be successful.

Pursuant to the fiscal year 2010 appropriations act, the Department will also strive for an equitable geographic distribution of funds, an appropriate balance in addressing urban and rural needs and investment in a variety of transportation modes.

The June 1, 2010, notice published in the Federal Register provides additional guidance on how the Department will apply the selection criteria.

Question. The Rail Safety Improvement Act of 2008 mandates that railroads implement positive train control over large areas of their track by the end of 2015. Such widespread use of Positive Train Control will require a large investment by the public sector, as well as significant investments by the Federal Government. Mr. Secretary, what are you doing to make sure that railroads are able to meet this mandate?

Answer. The Department has taken a number of steps to assist railroads in meeting the December 31, 2015 mandate. The Federal Railroad Administration (FRA), in partnership with its Railroad Safety Advisory Committee (RSAC), published a final rule on January 12, 2010, that addresses the requirements of the Positive Train Control (PTC) mandate.

A critical step in achieving PTC implementation was the requirement that each applicable railroad submit a PTC implementation plan (PTCIP) by April 16, 2010. Each PTCIP was to map out: (1) the railroad's lines; (2) the lines meeting the criteria requiring PTC; (3) the manner in which the railroad will provide for interoperability within its PTC system of movements of trains of other railroad carriers over its lines; and (4) implementation of PTC on its line segments prioritized by areas of greater risk to areas of lesser risk. FRA received 40 implementation plans and has assembled a team of subject matter experts and is on target to complete the review and approval of the plans within 90 days. To support railroads during their PTC system testing and implementation phase, FRA's PTC Specialists will oversee the testing and implementation and otherwise address PTC-related issues. The PTC Specialists will be further supported by FRA Signal Engineers and Specialists, as well as a small cadre of Senior Engineering staff.

To minimize duplication of effort by railroads and vendors, and facilitate PTC system certification, FRA established a process where railroads may share common PTC system information. For example, railroads using the same PTC product only need to provide railroad-specific information necessary to certify the PTC product on their property.

To address technical issues and facilitate interoperability, in fiscal year 2010, FRA is targeting the \$50 million available under the Railroad Safety Technology Grant Program to address common PTC interoperability questions. This decision maximizes the utility of these limited resources by making investments in projects that benefit the railroad industry, verses using these grant resources to procure PTC equipment for few individual railroads.

Finally, FRA is supporting the railroads and their suppliers by actively participating in meetings, reviewing draft documents, and providing feedback on the implementation of PTC. FRA, with the support of the Railroad Safety Advisory Committee, has crafted regulations that limit the scope of PTC implementation to a level consistent with enhancing the safety of railroad employees and the general public. Individual stakeholders may have strong feelings regarding the most appropriate way to achieve this goal. Consequently, FRA has provided mechanisms to allow individual railroads to demonstrate that the railroads' proposed actions provide an equivalent level of safety for employees and the public.

Question. Mr. Secretary, your budget request redirects \$200 million from the regular highway program, and puts that money into livability grants that would help transportation planning organizations.

I understand the need for these planning grants, but I also believe that we need to invest in our Nation's highways. This past year, Senator Bond and I worked hard to provide an increase of \$600 million for the Federal highway program.

I don't know if that is something we'll be able to do again this year. The budget resolution hasn't been developed, and the subcommittee does not have its allocation yet.

Mr. Secretary, can you please explain your decision in funding livability grants out of the highway program?

Answer. The President's budget marks a bold new way of thinking about investments in our transportation infrastructure and will become a key component of the administration's future surface transportation proposal. The President's budget requests \$200 million to fund a competitive livability program within FHWA, which is compatible with the legislative intent of the Federal-aid Highway Program (FAHP). This benefits State and local governments, helping to modernize outdated planning and regional models and improve data needed to make transportation investment decisions. Because of competition for scarce resources, sometimes innovative solutions can take a back seat to the more pressing needs of maintenance and repair. By targeting some investment funding, DOT hopes to demonstrate that smart investment up front can save communities tax money over time by strengthening communities and lowering infrastructure costs.

The \$200 million request to leverage a proportional takedown from funding authorized for FAHP activities is a wise and much needed investment that will allow for the better leveraging of public funds for future transportation investments. This program will provide transportation practitioners with the tools, resources, and capacity they need to develop transportation systems that provide transportation choices, save people money, protect the environment, and efficiently move goods.

Question. The Department is also requesting a new office within the Office of the Secretary. You are also requesting additional OST staff to work on livability issues, but they would not be a part of this new office.

Congress is working on the reauthorization of most transportation programs. This legislation will also take a look at the Department's overall structure.

Mr. Secretary, why is it necessary to create a new office at this time?

Answer. The Partnership for Sustainable Communities and the DOT's livability initiative are a high priority for this administration. Because this is a new emphasis for the Government, however, there is substantial analysis and policy-making required to remove barriers and align the Federal programs and funding requirements to support the principles of livability. The Livable Communities Program within the Office of the Secretary will house full time employees that support this initiative. The Office will coordinate livability programs across DOT's operating administrations and assess the effectiveness of various programs in supporting livability. It will also assist in coordinating interagency efforts for the Partnership for Sustainable Communities, lead in developing metrics and performance measures for livability, and assist in the selection and management of grant and technical assistance programs for seeking greater input and buy-in from the public.

Question. Mr. Secretary, you have spoken many times on the topic of livability. Often, you talk about the importance of giving our communities a variety of transportation options. And how people shouldn't be forced into driving a car wherever they want to go.

But the biggest initiatives in your budget for livability don't focus on funding specific projects. Instead, your new initiatives are about giving planning organizations access to better data and analytical tools, supporting public outreach efforts, and providing technical assistance.

In the end, different communities will have their own definition of what is livable. For some it's a traditional road that just happens to include room for bicycles and pedestrians. For others, it's nothing short of a new transit line.

How important is the planning process to DOT when it evaluates the livability of a transportation project?

Answer. A livable community is one with transportation choices, housing choices and destinations located close to home. Because coordinating transportation with other investments like housing, water infrastructure and economic development initiatives is at the heart of creating a livable community, a strong planning process is essential to generating the sorts of projects that improve livability. However, these kinds of comprehensive planning efforts require good data, tools and staff, and often this is difficult for struggling communities in difficult budget times.

USDOT is, therefore, proposing to provide communities with the resources necessary to take a comprehensive look at their land-use decisions in conjunction with their housing, transportation, and environmental infrastructure plans. The result will be projects that provide a higher return on investment to the Federal taxpayer.

Question. What standards is the Department using now to judge the livability of transportation projects?

Answer. While the Partnership is working to determine performance measures that can be used for livability projects, the current standards used are those listed in the Notice of Funding Availability (NOFA) for TIGER and TIGER II grants. The livability of transportation projects is judged by: enhanced mobility by creation of more transportation options; improved connectivity; increased accessibility to economically disadvantaged populations, non-drivers, senior citizens, and persons with disabilities; and the result of a planning process which coordinated land use and transportation planning decisions and involved community participation in the project.

Question. DOT's budget request includes \$527 million for new initiatives that would support community livability.

In addition, the Department of Housing and Urban Development is requesting \$150 million as part of the administration's sustainability initiative. This request builds on the funding this subcommittee provided HUD for fiscal year 2010.

Mr. Secretary, I am glad to see that over the past year, DOT has worked hard to coordinate with HUD and the EPA on matters of livability and sustainability. However, it is still unclear how your livability requests fit with the work that HUD started this year.

Can you explain to me how your new initiatives on livability will work with HUD's ongoing livability program?

Answer. In the fiscal year 2011 budget request, the three agencies divided up the roles in order to reduce overlap and redundancy and save taxpayer money. The focuses of the agencies represent which agency will act as the lead on this topic. DOT's program will focus on capacity building. The goal is to increase capacity at all levels of government to integrate transportation, housing, economic development and water infrastructure investments in urban and rural communities. The funds could be used to improve modeling and data collection, provide training, fund household transportation surveys, and support organizational changes to better reflect integrated planning.

On the other hand, HUD's program has a focus on planning. Their goals are to improve regional planning efforts that integrate housing and transportation decisions, and update land use plans and zoning codes. They will be able to award funds to housing, transportation, and environmental stakeholders who are focused on planning efforts.

Without the support to build institutional capacity to do the sort of comprehensive planning that HUD is promoting, communities may simply find an outside contractor to develop the plan without having the internal capacity to implement it and adjust it in the long term. DOT and HUD's programs rely on one another to reach the highest levels of success.

Question. The relationship between DOT and HUD is an important one, and Federal departments should coordinate and work together—whether it's on livability or any other issue area. But we need to make sure that this relationship is sustained by more than the force of personalities.

Mr. Secretary, what are you doing to make this new relationship between DOT and HUD something that will live beyond the current administration?

Answer. Ensuring that this Partnership continues in the long-term—beyond the term of this administration—is a top priority. We are working together to institutionalize changes that will support this priority. We have begun this effort by creating offices at DOT, HUD, and EPA to head up the important work of encouraging livable communities. Our initial goals include joint NOFAs for planning grants and joint funding application review, evaluation and award processes. We also have been identifying institutional barriers and addressing them, such as HUD's ban on multi-family housing on a cleaned up brownfield or replacing the New Starts cost-effectiveness review for a more broad cost-benefit analysis that includes economic development, housing and environmental impacts.

Question. The DOT budget request includes \$1.1 billion for the FAA's effort to modernize the air transportation system—called "NextGen". And an essential part of NextGen is the replacement of radar surveillance with satellite-based technology.

However, for this program to work, each aircraft that uses the air traffic control system must be equipped with compatible technology. The FAA has mandated such equipage by the year 2020, but there is no guarantee that airlines will be able to meet this mandate.

Mr. Secretary, your budget proposal includes no funding to support NextGen equipage.

Do you believe that the airlines can afford to meet the mandate on their own?

Answer. The FAA has not currently mandated any NextGen equipage by aircraft owners and operators. We are in the final stages of considering industry comments on a proposed rule that would mandate Automatic Dependent Surveillance-Broad-

cast (ADS-B) “Out” in certain airspace by 2020. The final rule is expected to be published soon. ADS-B is one of several components of NextGen and is capable of broadcasting (“Out”) and receiving (“In”) information regarding the location of other aircraft. Equipage mandates generally require following rulemaking procedures, including cost benefit analysis and public comments.

The administration has been exploring various options to incentivize NextGen equipage prior to any mandatory due dates. The primary focus of our work has been to accelerate equipage above that which may occur naturally. Operational incentives for early adopters (“best equipped, best served”) could help to alleviate concerns regarding the financial ability of aircraft owners and operators to equip their aircraft with NextGen technologies in the near-term.

Question. Secretary LaHood, I appreciate the work we’ve done together to promote sustainable communities and address climate change. As you may know, about one-half of the emissions in my home State of Washington come from the transportation sector—which is much higher than the national average. So it’s really important to me to work to address this important issue.

That’s why I created the Transit Investments for Greenhouse Gas and Energy Reductions in the Recovery Act. The program was such a huge success and we were able to include fiscal year 2010 funding as well.

Secretary LaHood, can you tell me what lessons have been learned in establishing this new program?

Answer. There is a great deal of interest and demand for such programs and assistance. The Federal Transit Administration (FTA) received over 560 project proposals and reviewed more than \$2 billion in applications for the \$100 million made available through the American Recovery & Reinvestment Act (ARRA) of 2009. Forty three proposals were selected from across the country as part of a nationwide competition, which rated projects on such factors as readiness to implement, applicant capacity, degree of innovation and national applicability.

We also learned that there are a wide variety of technologies or operational efficiencies that can be implemented to reduce the energy and/or greenhouse gas emissions of our transit agencies. For example, among the projects funded within this competitive environment, Alabama will replace gasoline and diesel buses with electric hybrids, Massachusetts will construct wind energy generation turbines and Vancouver, Washington, will install solar panels at transit facilities. Ultimately, there are many innovative ideas that need to be researched and actions that can be taken to assist our transit agencies become more efficient as well as sustainable.

Question. What lessons have been learned from projects selected for Grant Agreements?

Answer. Due to the great variety of selected projects, we are just now beginning to understand some of the challenges we will need to address going forward such as how to more accurately calculate and document energy use and savings claims. We have learned, for example, that transit agencies need help measuring their carbon footprint, and that the source of their energy is ultimately a factor in moving the country forward toward sustainability.

Question. Washington State is very appreciative of the \$590 million you have approved for the NW High Speed Rail Corridor projects in Washington State. As a State, we’ve put a lot of investment into this corridor and these funds are going to help build on this to dramatically improve passenger service.

Our State has nearly \$280 million in projects that can turn dirt and put nearly 2,000 people to work during the 2010 spring and summer construction season. This includes a lot of work that is ready to begin within 60 days.

However, Washington State DOT is waiting for approval from FRA to proceed, and it’s unclear how long this approval process may take. It is very important we get these WA projects underway as well as others around the country and put people to work during this upcoming construction season.

I’d like your commitment to have your staff look into this and work with the Washington State DOT on an acceptable schedule.

Answer. The Federal Railroad Administration (FRA) is working closely with Washington State DOT to implement these projects as quickly as possible. Among the things FRA is collaborating on is completion of the environmental review required under the National Environmental Policy Act (NEPA) and other laws. These environmental approvals are necessary before FRA can complete and execute the grant agreement. FRA is also working with Washington to finalize the scope, schedule, and budget of each of the large projects planned as part of the anticipated \$590 million in infrastructure improvements.

The Department understands the urgency of beginning construction as soon as possible. As a result, FRA has reached out to Washington and the host railroads (BNSF and Sound Transit) to provide them guidance on the appropriate ways in

which they might begin construction of certain projects in advance of the signed grant agreement with the goal of maximizing the likelihood that the State and host railroad could be reimbursed later with grant funds. FRA looks forward to continued progress in our productive on-going collaboration with Washington State.

Question. Two projects in Washington State—the North-South Freeway in Spokane and the Mercer Street Corridor in Seattle—have been awarded TIGER grants recently.

They are both great projects. The project in Spokane will create about 100 jobs—and the Seattle grant is the final piece required to finish a project that will create thousands of jobs.

Would you please comment briefly on the role of infrastructure investment in supporting local and regional economies?

Answer. Infrastructure spending has an immediate, primary, impact in creating employment in the communities while the infrastructure is being built. We estimate that the \$48.1 billion in infrastructure investment funded by the Recovery Act will produce 523,000 job-years of employment, many of which take the form of jobs produced when increased employment at construction sites leads to increased spending at local and regional businesses producing consumer goods and services.

In the longer run, transportation infrastructure investment helps to shape communities' economic options. Manufacturers of high-value, high-volume semiconductors or electronics depend on air shipments to move their products to markets around the globe. Commodity agriculture or raw materials producers depend on access to bulk freight transportation infrastructure. Manufacturers of complex, high value products like automobiles depend on multi-modal freight links.

Equally important are the benefits that good personal transportation options can confer on communities in the era of a global, knowledge-based economy. Livable communities are better able to attract clusters of high-skill, high-paying knowledge-based industries and workers, to the benefit of residents, communities, and the U.S. economy as a whole. Building livable communities requires collaboration across levels of government and between the public and private sector.

One of my highest priorities is to work closely with Congress, other Federal departments, the Nation's Governors, and local officials to help promote more livable communities through sustainable surface transportation programs.

Question. In September 2009, the Department of Transportation Inspector General issued a Management Advisory to PHMSA raising strong concerns with the management and processing of special permits to transport hazardous materials. PHMSA developed an action plan and began a process to review the fitness of special permit holders to rectify the agency's fundamental failure to appropriately review: (1) an applicant's safety history; and (2) an applicant's proposed alternative safety packaging and transport plan.

How many special permits have been reviewed to date? Of those special permits reviewed, how many have been suspended, revoked, or denied?

Answer. From November 1, 2009 to May 11, 2010, there have been 1,155 Special Permit applications reviewed. Of those reviewed, 10 were terminated and 12 were denied.

Question. What is your projected caseload for the processing of special permit applications in fiscal year 2011?

Answer. PHMSA expects a significant increase in the projected caseload of special permits and approvals applications in fiscal year 2011 due to policy changes for trade associations.

PHMSA is in the process of modifying (or terminating when appropriate) special permits and approvals granted to association members collectively. For any special permit issued to association members collectively, PHMSA has started the process of providing notice of modification or termination to the association and each individual member whose name and address is on file with PHMSA. This notice provides information for the individual members to determine whether the activity authorized by the special permit or approval will eventually be incorporated into the regulations or will continue to need a special permit or approval.

When a special permit or approval is not incorporated into the regulation, the individual members must submit an application for a special permit or approval. This will result in an increase in the 2011 caseload that could be up to 20,000–30,000 applications.

As of April 2010, PHMSA has approximately 6,000 pending applications, which include applications received more than 180 days ago in addition to applications received less than 180 days ago. The 6,000 applications on file are divided into 2 categories—Approvals (5,400) and Special Permits (600).

Question. In the President's proposed budget for fiscal year 2011, you are eliminating \$900,000 for contractor support to assist in executing the agency's full-scale review of existing special permits to fulfill the IG's recommendations.

With this proposed cut in funding, will you have the resources necessary to appropriately process the estimated 5,500 special permit holder's requests for approvals consistent with the new PHMSA action plan guidelines and Inspector General recommendations?

Answer. PHMSA's 2011 budget request included \$1.5 million to annualize 20 positions enacted in fiscal year 2010 in support of the special permits and approvals action plan to enhance management and oversight of this hazardous materials safety program.

Question. The Department of Transportation Office of Inspector General is due to issue a second management advisory to PHMSA regarding the review and authorization of explosive classifications and insufficient oversight of the four labs authorized by PHMSA to examine and test explosives.

When will PHMSA be providing its personnel with the necessary guidance for classifying and approving explosives?

Answer. PHMSA has formed a cross-functional team to review all previous guidance, both formal and informal, and existing regulatory provisions for classifying and approving explosives. The team has developed a draft guidance manual that covers three separate audiences: (1) guidance for persons applying for an explosive classification recommendation; (2) guidance for the authorized explosive test laboratories for testing and examination; (3) Standard Operating Procedures for PHMSA related to approving authorized test agencies, and evaluating and approving explosive classifications. This guidance manual is under review and will be formalized by September 2010.

Question. How many explosives classifications and approvals has the agency processed annually for the past 5 fiscal years?

Answer. See table.

Approval Type	2005	2006	2007	2008	2009	2010 (YTD)
Explosives	733	1,626	1,752	1,930	1,681	1,364
Fireworks	505	5,201	4,933	4,599	2,579	2,265

Question. What processes and internal certifications will you develop to ensure that all authorized testing labs comply with PHMSA guidance for classifying and approving explosives?

Answer. As of March 2010 PHMSA requires on-site inspections by PHMSA for all new and renewal approvals applications for all certification agencies. The on-site inspection will determine whether the certification agency, including explosive testing labs, is fit and capable of operating in accordance with the specifications outlined in the approval. The inspection will include review of the specific requirements and criteria under the requested special permit or approval, including:

- Test procedures and equipment
- Internal quality assurance/control measures
- Spatial Requirements
- Security policies/procedures
- Personnel and subcontract qualifications
- Employee training and certifications
- Independent and impartial operations

The four PHMSA authorized explosive examination laboratories were inspected between March and April 2010. The PHMSA inspection team found all four laboratories fit to perform the examination and shipping classification recommendation functions authorized under approval. Some minor violations related to training, marking, labeling, and reporting were noted, which the audit team determined not to adversely impact their fitness capability under the approvals.

Question. How are you improving your oversight of PHMSA's approved explosives testing labs and who specifically will be accountable for the lab's safety reviews, fitness inspections, and regulatory compliance?

Answer. The Special Permits and Approvals Office is responsible and accountable for certification agency oversight. PHMSA is developing more detailed application, inspection, reporting, and accountability provisions to ensure impartial and quality performance of the laboratories. We plan to require each laboratory to reapply under these new terms. These guidelines require an initial inspection from PHMSA staff prior to issuing the approval, and compliance inspections by our enforcement staff.

Question. Please use the attached table to provide a complete listing by year of employees who received retention bonuses during the years 2006–2010. For each

year, please include each employee's name, title, grade, salary, and retention bonuses.

Answer. The information for fiscal year 2007–2010 is provided below. Data prior to fiscal year 2007 is not readily available due to FAA's conversion to the Delphi accounting system in 2006.

Some employees have more than one entry for a given fiscal year. Since retention bonuses are calculated using base salary, if that changes during the course of a year then separate retention bonus amounts must be calculated against each separate base salary. Adding the multiple retention bonus amounts listed equals the employee's total retention bonus earned for that year. The amounts in the "Salary" column, however, are not additive.

Employee Name	Title	Grade	Salary	Retention Bonus
Fiscal Year 2007:				
BORO, THOMAS R.	SUPV PERSONNEL MANAGEMENT SPEC	J	\$104,500	\$8,068.20
			106,200	22,408.60
CLAYTON, ROBERT J.	SUPV PERSONNEL MANAGEMENT SPEC	K	127,000	15,877.40
DIX, MARY E.	DEP ASST ADMIN FOR HR MGMT	02	146,193	2,849.76
			148,678	9,660.00
GIBSON, VENTRIS C.	ASST ADMIN FOR HUMAN RESOURCE MGMT.	01	155,653	11,592.00
GOMES, GARY R.	SUPV AVIATION SAFETY INSPE	K	124,800	556.80
	SUPV AVIATION SAFETY INSPECTOR	K	124,800	2,153.28
JUBA, EUGENE	SR VICE PRESIDENT FOR FINANCE	01	164,100	11,592.00
KERWIN, PETER J.	SUPV AVIATION SAFETY INSPECTOR	K	127,000	16,279.20
MINIACE, JOSEPH N.	DEP ASST ADM STRATEGIC LABOR MGT REL.	02	145,785	3,864.00
PUNWANI, RAMESH	ASST ADMIN FOR FINANCIAL SERVICES	01	161,400	11,082.40
			164,100	30,590.00
RITMAN, ALLISON W.	SUPERVISORY ACCOUNTANT	K	127,000	2,771.20
	SUPV ACCOUNTANT	K	124,792	674.48
			127,000	519.60
WILLETT, ANTHONY J.	PROGRAM MANAGER	K	127,000	2,771.31
WILLIAMS, CLIFFORD J.	AIRWAY TRANSPORTATION SYS SPEC	H	61,335	11,254.00
WILLIAMS, HAROLD F., III	AIRWAY TRANSPORTATION SYS SPEC	H	78,657	14,433.00
Fiscal Year 2007 Total				178,997.23
Fiscal Year 2008:				
AMANN, GORDON K.	AIR TRAFFIC CONTROL SPEC (C)	LH	110,711	3,527.82
ANDERSON, THEODORE H.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	148,960	920.16
ANGLE, THEODORE W.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	3,268.44
AUSTIN, THOMAS P.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	4,139.19
BACILE, MICHAEL J.	AIR TRAFFIC CONTROL SPEC	KH	120,165	3,910.20
BAHLER, GARY C.	AIR TRAFFIC CONTROL SPEC (T)	LH	126,402	4,027.86
BALL, RANDALL R.	AIR TRAFFIC CONTROL SPEC (T)	LH	140,319	3,445.26
BARBIERI, JOHN R.	AIR TRAFFIC CONTROL SPEC	KH	120,165	3,910.20
BEADLE, MARK R.	AIR TRAFFIC CONTROL SPEC (T)	HH	91,568	1,417.98
BERRA, PATRICK M.	AIR TRAFFIC CONTROL SPEC (T)	FH	90,802	2,068.08
BIGGERS, JACK H.	AIR TRAFFIC CONTROL SPEC	KH	120,165	2,346.12
BLACK, NELSON K.	AIR TRAFFIC CONTROL SPEC (T)	FH	74,705	2,187.54
BLAIS, MICHAEL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	126,400	6,265.56
BLITTERSDORF, JEFFREY E. ...	AIR TRAFFIC CONTROL SPEC	GH	83,814	1,908.90
BOELTER, TIMOTHY T.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	4,027.86
BONE, MICHAEL D.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	3,094.98
BORO, THOMAS R.	MANAGER, LABOR & EMPLOYEE REL BRACH.	J	106,200	1,179.40
			109,000	23,278.80
	SUPV PERSONNEL MANAGEMENT SPEC	J	106,200	8,255.80
BOWE, JOHN R.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	4,475.40
BOYLE, DANIEL P.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	4,088.88
BROKER, BARBARA A.	AIR TRAFFIC CONTROL SPEC (T)	LH	119,178	3,797.82
BURTON, CARL JR	SUPV AIR TRAFFIC CONTROL SPEC	KJ	141,029	460.08
BURZYCH, CRAIG A.	AIR TRAFFIC CONTROL SPEC (T)	LH	126,402	1,342.62
BUSSE, JUDITH A.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	140,908	460.08
BYRNE, JOHN J.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	142,230	2,760.48
BYTHEWAY, DAVID L.	AIR TRAFFIC CONTROL SPEC (T)	HH	104,010	3,745.80
CARMICHAEL, DAVID L.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,122	3,238.62

Employee Name	Title	Grade	Salary	Retention Bonus
CARVER, STEVEN T.	SUPV COMPUTER SPEC	K	115,015	21,187.20
CATOE, RALPH D.	AIR TRAFFIC CONTROL SPEC (T)	IH	102,216	1,995.48
CERAMI, JOSEPH S.	AIR TRAFFIC CONTROL SPEC (C)	LH	130,011	4,137.39
CLAYTON, ROBERT J.	SUPV HUMAN RESOURCES SPECIALIST	K	130,000	24,096.00
	SUPV PERSONNEL MANAGEMENT SPEC	K	127,000	10,103.80
			130,000	6,024.00
CLEAVER, MICHAEL D.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	139,353	1,360.26
			141,030	3,671.04
COLFER, STEVEN L.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	5,978.83
CONTRERAS, CARLOS	AIR TRAFFIC CONTROL SPEC (C)	LH	115,783	3,689.82
COPPA, MICHAEL F.	AIR TRAFFIC CONTROL SPEC (T)	HH	102,216	4,320.00
DOBRINICH, DAVID A.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	147,123	460.08
			148,893	3,680.64
DOEGE, BLANE S.	AIR TRAFFIC CONTROL SPEC	LH	125,928	1,719.60
DRESSLER, ROBERT K.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	5,651.88
DRISCOLL, CHARLES F.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	4,922.94
DYER, STANLEY J.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	144,045	2,970.36
EWING, MICHAEL L.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	3,268.44
FRAWLEY, EDWARD J.	SUPV AIR TRAFFIC CONTROL SPEC	LJ	160,414	1,980.24
			162,344	3,960.48
FREDRICKSON, THOMAS E.	AIR TRAFFIC CONTROL SPEC (T)	KH	128,892	1,677.60
FUNKHOUSER, BRADLEY C.	AIR TRAFFIC CONTROL SPEC (C)	JH	120,954	1,574.16
GALASSINI, DEBRA A.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	3,912.84
GIBBS, BRENDA E.	AIR TRAFFIC CONTROL SPEC	KH	120,165	3,910.20
GIBSON, VENTRIS C.	ASST ADMIN FOR HUMAN RESOURCE	01	155,653	6,762.00
	MGMT.		159,544	7,920.96
GISH, EDMUND C.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	164,168	920.16
GOODNOUGH, DAVID W.	AIR TRAFFIC CONTROL SPEC (T)	GH	90,802	609.96
GRATYS, JOHN G.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	140,908	2,760.48
GRIFFIN, CHARLES W.	AIR TRAFFIC CONTROL SPEC (T)	LH	118,733	1,249.38
GRIMM, CYNTHIA J.	AIR TRAFFIC CONTROL SPEC (T)	LH	121,658	6,030.36
GROENE-BRASS, LISA C.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,617	2,109.66
GROFF, BRYAN W.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,122	4,626.60
HAGEN, SHAWN C.	AIR TRAFFIC CONTROL SPECIALIST (T)	LH	61,328	860.40
HALL, MICHAEL A.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	1,400.76
HASENPFLUG, JEFFREY D.	AIR TRAFFIC CONTROL SPEC	JH	129,058	3,554.40
HOCKING, ROBERT G.	AIR TRAFFIC CONTROL SPEC (C)	LH	110,605	4,738.60
HOFFMAN, ROBERTA S.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	5,063.52
HORNER, WILLIAM T.	AIR TRAFFIC CONTROL SPEC (T)	KH	125,405	4,080.60
HOUSE, MARK S.	DIR FIN ANALYSIS & PROCESS REENGI-	02	144,848	4,830.00
	NEER.		148,469	18,812.28
HURLEY, WILLIAM J., JR	AIR TRAFFIC CONTROL SPEC (T)	HH	90,042	1,757.88
HYLAND, JOHN L.	AIR TRAFFIC CONTROL SPEC (C)	JH	117,682	1,148.76
JEANES, JOSEPH A.	AIR TRAFFIC CONTROL SPEC (T)	IH	116,303	4,162.62
JONES, MELVIN B.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	3,537.12
JUBA, EUGENE	SR VICE PRESIDENT FOR FINANCE	01	164,100	6,762.00
			168,200	19,802.40
KERWIN, PETER J.	SUPV AVIATION SAFETY INSPECTOR	K	127,000	5,997.60
			130,000	887.52
KEYES, ROBERT C.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	4,142.88
KHATCHERIAN, PAUL	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	142,230	2,300.40
KOOS, MARK	AIR TRAFFIC CONTROL SPEC (C)	LH	135,543	1,380.30
KUHN, GEORGE W.	AIR TRAFFIC CONTROL SPEC (C)	LH	111,843	3,564.00
KUZANEK, DWIGHT M.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	4,782.36
LADNIER, DARRYL A.	AIR TRAFFIC CONTROL SPEC	KH	113,300	1,105.92
LANGSTON, MILES H., JR	AIR TRAFFIC CONTROL SPEC (T)	KH	125,405	2,448.36
LAWRENCE, TONY H.	AIR TRAFFIC CONTROL SPEC (T)	LH	125,928	429.90
LEWIS, KEITH C.	AIR TRAFFIC CONTROL SPEC (T)	LH	118,733	1,249.38
LIGNELLI, ROBERT J.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	4,089.96
LIZZIO, MICHAEL J.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	131,855	2,300.05
LOVETT, STEVEN B.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	142,837	1,394.28
			144,556	3,762.72
MARKS, ROBERT L.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,329	3,861.54
MATHEIS, ULRICH R.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	5,059.01
MAURICE, LOURDES Q.	CHIEF SCIENTIFIC & TECHNICAL ADVISOR ..	03	138,516	5,777.28
MCCONAHAY, KENNETH C.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	2,693.52

Employee Name	Title	Grade	Salary	Retention Bonus
MCCORMICK, MICHAEL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	1,362.96
MIETH, DOUGLAS R.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	4,139.19
MINER, MATHEW M.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	1,400.76
MINIACE, JOSEPH N.	DEP ASST ADM STRATEGIC LABOR MGT REL.	02	145,785	9,016.00
			149,430	21,122.56
MISNER, JOHN E.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	2,685.24
MOFFAT, JAY	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	3,043.32
MOLICA, ANTHONY J.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,235	664.32
MORALES, DAVID A.	AIR TRAFFIC CONTROL SPEC (T)	EH	70,600	1,378.44
MORRISON, ROBERT M.	SUP ATCS (C/T-I)	K	130,000	5,640.00
NASH, CHARLES F.	AIR TRAFFIC CONTROL SPEC (T)	GH	83,814	1,090.80
NELSON, BARRY J.	AIR TRAFFIC CONTROL SPEC (T)	EH	76,950	1,759.32
NEMCEK, RICHARD M.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	4,027.86
NICHOLAS, ROBERT M.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	5,059.01
OSEKOWSKI, CRAIG P.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	144,738	470.94
			146,480	3,813.12
PALLONE, MARK A.	AIR TRAFFIC CONTROL SPEC (T)	LH	125,928	859.80
PARMAN, DENNIS J.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	1,747.20
PASSIALES, JAMES J.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	127,548	2,709.72
PATT, LAWRENCE K.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	4,997.52
PETRE, PHILIP J.	SUPV AIR TRAFFIC CONTROL SPEC (T)	KJ	127,159	2,482.56
PRATT, THOMAS J.	SUPV AVIATION SAFETY INSPECTOR	K	127,000	1,864.28
			130,000	18,642.80
PUGH, DENNIS W.	AIR TRAFFIC CONTROL SPEC (T)	GH	83,814	2,533.68
PUNWANI, RAMESH	ASST ADMIN FOR FINANCIAL SERVICES	01	164,100	11,270.00
			168,200	31,353.80
QUINN, GLENN P.	AIR TRAFFIC CONTROL SPEC (T)	KH	127,032	447.48
RAWLINGS, KEVIN S.	AIR TRAFFIC CONTROL SPEC (T)	HH	94,798	3,393.06
RAY, MARK A.	AIR TRAFFIC CONTROL SPEC (C)	LH	137,237	4,140.18
REGRUTO, SANDRA G.	AIR TRAFFIC CONTROL SPEC (T)	FH	81,884	4,368.00
REINERT, KURT A.	AIR TRAFFIC CONTROL SPEC (T)	FH	84,643	3,029.40
RHEA, RODNEY R.	AIR TRAFFIC CONTROL SPEC	GH	83,814	1,908.90
RITMAN, ALLISON W.	MANAGING DIR OF FINC RPTNG & CON- TROLS.	02	135,93	3,212.66
		K	130,000	180.72
	SUPERVISORY ACCOUNTANT	K	127,000	1,212.42
			130,000	180.72
ROESKE, DAVID W.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	4,027.86
ROY, KIM A.	AIR TRAFFIC CONTROL SPEC (T)	KH	127,032	447.48
RUIZ, DAVID R.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	4,997.52
SACKETT, GREGORY A.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	146,290	951.96
			148,050	3,853.92
SANOCKI, MICHAEL H.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	5,984.16
SCOTT, ROBERT E.	AIR TRAFFIC CONTROL SPEC (C)	LH	109,000	1,929.60
SEACAT, GARY D.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,617	301.38
SICKLES, STEPHAN J.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	4,202.28
SMITH, TERRY R.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,329	429.06
SNYDER, FREDERICK J., JR ...	AIR TRAFFIC CONTROL SPEC (C)	KH	125,568	1,435.32
SNYDER, THOMAS G.	AIR TRAFFIC CONTROL SPEC	GH	83,814	1,636.20
STANKOWICZ, JOSEPH M.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	4,139.19
STAROS, JOHN D.	AIR TRAFFIC CONTROL SPEC (T)	LJ	128,572	2,731.32
STEINBERG, FREDERICK W. ...	AIR TRAFFIC CONTROL SPEC (T)	GH	84,550	2,577.12
STEINWEDEL, ROBERT P.	AIR TRAFFIC CONTROL SPEC	KH	120,165	2,346.12
STRONG, ROBERT L.	AIR TRAFFIC CONTROL SPEC	JH	125,568	864.60
SWITCH, JAY M.	AIR TRAFFIC CONTROL SPEC	KH	120,165	3,519.18
TIGHE, GRACE	AIR TRAFFIC CONTROL SPEC (T)	GH	93,531	2,738.88
TOTH, DANIEL A.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	3,580.32
VANDERWEEL, PETER J.	AIR TRAFFIC CONTROL SPEC (T)	IH	116,303	1,135.26
VELLA, ANTHONY C.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	4,997.52
VERONICO, JAMES N.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	6,435.94
WALSH, STEPHEN G.	AIR TRAFFIC CONTROL SPEC	GH	88,474	1,151.52
WAWRZYSKI, DAVID B.	AIR TRAFFIC CONTROL SPEC (T)	LH	125,928	1,324.98
WAZOWICZ, PAUL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	5,976.23
WHEELER, DAVID A.	AIR TRAFFIC CONTROL SPEC (T)	KH	127,941	2,497.68
WHITE, LARRY D.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,617	1,205.52
WHITMAN, STEPHEN S.	AIR TRAFFIC CONTROL SPEC (C)	LH	137,237	4,140.18
WIEGMANN, DARRYL L.	AIR TRAFFIC CONTROL SPEC (T)	LH	143,599	1,380.24

Employee Name	Title	Grade	Salary	Retention Bonus
WILLENBRINK, WAYNE C.	AIR TRAFFIC CONTROL SPEC (T)	GH	93,531	3,347.52
WILLETT, ANTHONY J.	PROGRAM MANAGER	K	127,000	6,466.41
			130,000	19,276.80
WILLIAMS, CLIFFORD J.	AIRWAY TRANSPORTATION SYS SPEC	H	61,335	3,310.00
			61,337	1,324.00
			63,226	4,279.41
WILLIAMS, HAROLD F., III	AIRWAY TRANSPORTATION SYS SPEC	H	78,657	4,245.00
			78,660	1,698.00
			81,770	5,533.65
WISHOWSKI, DONALD A.	AIR TRAFFIC CONTROL SPEC (C)	LH	140,842	5,981.04
WITTMAN, MARK A.	AIR TRAFFIC CONTROL SPEC	JH	122,080	2,101.50
WOLVIN, MICHAEL S.	AIR TRAFFIC CONTROL SPEC (T)	HH	100,334	1,958.76
WYNKOOP, DOUGLAS J.	AIR TRAFFIC CONTROL SPEC (T)	LH	123,598	2,109.60
ZAROBA, PAUL B.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	3,094.98
Fiscal Year 2008 Total				719,405.04
Fiscal Year 2009:				
ALLEGRI, KEVIN J.	AIR TRAFFIC CONTROL SPEC	GH	68,424	3,583.68
ALLSOP, KEVIN L.	AIR TRAFFIC CONTROL SPEC (T)	FH	93,531	6,121.74
ANDERSON, THEODORE H.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	148,960	3,220.56
			155,663	21,165.10
ANGLE, THEODORE W.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	466.92
AUSTIN, THOMAS P.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	20,337.73
		LI	135,772	464.75
BACILE, MICHAEL J.	AIR TRAFFIC CONTROL SPEC	KH	120,165	16,858.32
BAHLER, GARY C.	AIR TRAFFIC CONTROL SPEC (T)	LH	126,402	19,792.56
BALL, RANDALL R.	AIR TRAFFIC CONTROL SPEC (T)	LH	140,319	22,292.10
BARBIERI, JOHN R.	AIR TRAFFIC CONTROL SPEC	KH	120,165	16,858.32
BEADLE, MARK R.	AIR TRAFFIC CONTROL SPEC (T)	HH	91,568	4,099.62
BERRA, PATRICK M.	AIR TRAFFIC CONTROL SPEC (T)	FH	90,802	10,068.36
BIGGERS, JACK H.	AIR TRAFFIC CONTROL SPEC	KH	120,165	18,441.12
BINNER, ROGER A.	AIR TRAFFIC CONTROL SPEC	LH	140,319	993.24
BLACK, NELSON K.	AIR TRAFFIC CONTROL SPEC (T)	FH	74,705	12,682.62
BLAIS, MICHAEL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	126,400	17,506.86
BLINK, CHARLES L.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,235	6,636.84
BLITTERSDORF, JEFFREY E. ...	AIR TRAFFIC CONTROL SPEC	GH	83,814	13,683.72
BOELTER, TIMOTHY T.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	19,792.57
BONE, MICHAEL D.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	20,897.58
BORO, THOMAS R.	MANAGER, LABOR & EMPLOYEE REL BRACH.	J	109,000	7,351.20
			110,800	23,917.20
BOWE, JOHN R.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	19,335.42
BOYLE, DANIEL P.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	19,642.56
BRANNIGAN, TIMOTHY W.	AIR TRAFFIC CONTROL SPEC	GH	67,342	3,527.04
BROKER, BARBARA A.	AIR TRAFFIC CONTROL SPEC (T)	LH	119,178	19,088.10
BROMLEY, DANA L.	AIR TRAFFIC CONTROL SPEC	GH	79,154	4,663.44
BRYAN, JEFFREY L.	AIR TRAFFIC CONTROL SPEC	IH	104,966	5,154.30
BURTON, CARL JR	SUPV AIR TRAFFIC CONTROL SPEC	KJ	141,029	3,220.56
			147,375	3,310.30
BURZYCH, CRAIG A.	AIR TRAFFIC CONTROL SPEC (T)	LH	126,402	22,987.74
BUSSE, JUDITH A.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	140,908	3,220.56
			147,248	20,319.36
BYRNE, JOHN J.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	142,230	3,220.56
			148,630	18,749.30
BYTHEWAY, DAVID L.	AIR TRAFFIC CONTROL SPEC (T)	HH	104,010	15,799.32
CARGIULO, LUIS P., JR	HUMAN RESOURCES SPECIALIST	I	84,626	5,836.80
CARMICHAEL, DAVID L.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,122	20,761.38
CARVER, STEVEN T.	SUPV COMPUTER SPEC	K	115,015	7,945.20
CATOE, RALPH D.	AIR TRAFFIC CONTROL SPEC (T)	IH	102,216	15,686.34
CERAMI, JOSEPH S.	AIR TRAFFIC CONTROL SPEC (C)	LH	130,011	20,346.93
CHAMBERLIN, MARK J.	AIR TRAFFIC CONTROL SPEC (T)	GH	86,141	2,256.00
CHIASSON, MICHAEL P.	SUPV AIR TRAFFIC CONTROL SPEC	IJ	118,893	3,502.44
CLAYTON, ROBERT J.	SUPV HUMAN RESOURCES SPECIALIST	K	130,000	10,542.00
			132,200	18,715.20
CLEAVER, MICHAEL D.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	141,030	3,212.16
			147,376	18,650.94

Employee Name	Title	Grade	Salary	Retention Bonus
COLFER, STEVEN L.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	18,459.37
CONTRERAS, CARLOS	AIR TRAFFIC CONTROL SPEC (C)	LH	115,783	18,544.14
COPPA, MICHAEL F.	AIR TRAFFIC CONTROL SPEC (T)	HH	102,216	14,824.80
DOBRINICH, DAVID A.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	148,893	3,220.56
			155,593	17,292.12
DOEGE, BLANE S.	AIR TRAFFIC CONTROL SPEC	LH	125,928	20,766.60
DRESSLER, ROBERT K.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	17,450.46
DRISCOLL, CHARLES F.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	18,878.28
DUNPHY, DANIEL P.	AIR TRAFFIC CONTROL SPEC (T)	IH	110,732	18,817.68
DUTTON, RANDELL L.	AIR TRAFFIC CONTROL SPEC	IH	114,201	4,111.80
DYER, STANLEY J.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	144,045	3,465.42
			150,527	19,157.28
EWING, MICHAEL L.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	21,616.32
FRAWLEY, EDWARD J.	SUPV AIR TRAFFIC CONTROL SPEC	LJ	162,344	3,465.42
			166,959	21,618.78
FREDRICKSON, THOMAS E.	AIR TRAFFIC CONTROL SPEC (T)	KH	128,892	20,628.72
FUNKHOUSER, BRADLEY C.	AIR TRAFFIC CONTROL SPEC (C)	JH	120,954	18,961.92
GALASSINI, DEBRA A.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	19,665.85
GIBBS, BRENDA E.	AIR TRAFFIC CONTROL SPEC	KH	120,165	20,005.20
GIBSON, VENTRIS C.	ASST ADMIN FOR HUMAN RESOURCE MGMT.	O1	159,544	6,930.84
			164,011	9,159.48
GISH, EDMUND C.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	164,168	3,220.56
			166,959	21,165.09
GOODNOUGH, DAVID W.	AIR TRAFFIC CONTROL SPEC (T)	GH	90,802	15,297.96
GOSS, NORBERT L., JR	AIR TRAFFIC CONTROL SPEC (T)	GH	74,501	4,876.50
GRATYS, JOHN G.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	140,908	3,220.56
			147,248	18,749.30
GREEN, JEFFREY S.	AIR TRAFFIC CONTROL SPECIALIST (T)	EH	65,107	4,261.14
GRIEST, DIANE L.	SUPV AIR TRAFFIC CONTROL SPEC	LJ	159,567	920.16
			166,747	8,985.10
GRIFFIN, CHARLES W.	AIR TRAFFIC CONTROL SPEC (T)	LH	118,733	20,563.98
GRIMM, CYNTHIA J.	AIR TRAFFIC CONTROL SPEC (T)	LH	121,658	17,285.04
GROENE-BRASS, LISA C.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,617	13,605.30
GROFF, BRYAN W.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,122	24,295.19
HABER, SELIM	GENERAL ENGINEER	K	132,200	4,539.36
HALL, MICHAEL A.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	22,599.24
HARDIMAN, MATTHEW J.	AIR TRAFFIC CONTROL SPEC	GH	67,342	3,527.04
HASENPFLUG, JEFFREY D.	AIR TRAFFIC CONTROL SPEC	JH	129,058	20,105.28
HAYNES, DARRYL A.	AIR TRAFFIC CONTROL SPEC	JH	130,974	5,014.02
HEINTZ, ROBERT B.	AIR TRAFFIC CONTROL SPEC	GH	68,970	3,612.48
HOFFMAN, ROBERTA S.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	19,417.08
HOLDGATE, FREDERICK I.	AIR TRAFFIC CONTROL SPEC	GH	85,520	4,479.36
HOLLAND, JEFFERY K.	AIR TRAFFIC CONTROL SPEC	IH	104,966	4,467.06
HORNER, WILLIAM T.	AIR TRAFFIC CONTROL SPEC (T)	KH	125,405	17,593.33
HOTRUM, GLENN M.	AIR TRAFFIC CONTROL SPEC (T)	LH	115,133	21,978.01
HOUSE, MARK S.	DIR FIN ANALYSIS & PROCESS REENGI- NEER.	O2	148,469	6,930.84
			152,626	8,141.76
HURLEY, WILLIAM J., JR	AIR TRAFFIC CONTROL SPEC (T)	HH	90,042	13,817.04
HYLAND, JOHN L.	AIR TRAFFIC CONTROL SPEC (C)	JH	117,682	18,065.64
IMUNDO, RICO F.	SUPV TRAFFIC MANGEMENT COORDINA- TOR.	JJ	124,448	8,698.20
JEANES, JOSEPH A.	AIR TRAFFIC CONTROL SPEC (T)	IH	116,303	15,551.70
JONES, MELVIN B.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	19,553.16
JUBA, EUGENE	SR VICE PRESIDENT FOR FINANCE	O1	168,200	6,930.84
			171,100	8,141.76
KELLY, THOMAS C.	SUPV AIR TRAFFIC CONTROL SPEC	LJ	164,740	8,740.19
KEYES, ROBERT C.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	20,340.76
KHATCHERIAN, PAUL	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	142,230	3,220.56
			148,630	19,235.03
KOOS, MARK	AIR TRAFFIC CONTROL SPEC (C)	LH	135,543	23,631.42
KRAKOWSKI, HENRY P.	CHIEF OPERATING OFFICER	1A	211,000	25,762.24
KUHN, GEORGE W.	AIR TRAFFIC CONTROL SPEC (C)	LH	111,843	17,512.20
KUZANEK, DWIGHT M.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	6,558.36
	SUPV AIR TRAFFIC CONTROL SPECIALIST		122,788	11,780.10
LADNIER, DARRYL A.	AIR TRAFFIC CONTROL SPEC	KH	113,300	18,876.12
LAMBERT, DAWN E.	SUPV AIR TRAFFIC CONTROL SPEC	LJ	132,494	2,344.50

Employee Name	Title	Grade	Salary	Retention Bonus
LANGSTON, MILES H., JR	AIR TRAFFIC CONTROL SPEC (T)	KH	125,405	19,245.24
LASH, WILLIAM C.	AIR TRAFFIC CONTROL SPEC (C)	LH	125,928	23,062.80
LAWRENCE, TONY H.	AIR TRAFFIC CONTROL SPEC (T)	LH	125,928	22,082.58
LESTER, CRAIG S.	AIR TRAFFIC CONTROL SPEC (T)	FH	90,802	2,972.40
LEWIS, KEITH C.	AIR TRAFFIC CONTROL SPEC (T)	LH	118,733	20,142.60
LEWIS, TIMOTHY R.	AIR TRAFFIC CONTROL SPEC	KH	123,598	6,068.70
LICON, RUBEN	AIR TRAFFIC CONTROL SPEC	LH	129,524	23,162.28
LIGNELLI, ROBERT J.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	19,633.32
LIZZIO, MICHAEL J.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	131,855	3,220.07
LOVETT, STEVEN B.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	144,556	3,292.38
			151,061	16,390.45
MANCHESTER, RICHARD D. ...	AIR TRAFFIC CONTROL SPEC	GH	68,424	3,583.68
MARKS, ROBERT L.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,329	18,550.38
MATHEIS, ULRICH R.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	19,398.55
MAURICE, LOURDES Q.	CHIEF SCIENTIFIC & TECHNICAL ADVISOR ..	03	138,516	4,493.44
			142,394	7,391.12
MCCARTNEY, WILLIAM A.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	23,162.28
MCCONAHAY, KENNETH C.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	21,228.84
MCCORMICK, MICHAEL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	22,432.56
MCKEE, DAVID C.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,329	22,435.92
MICHAEL, GLENN W.	CAST OUTREACH PROGRAM MGR	K	132,200	9,951.36
MIETH, DOUGLAS R.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	20,337.73
MINER, MATHEW M.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	23,055.72
MINIACE, JOSEPH N.	DEP ASST ADM STRATEGIC LABOR MGT	02	149,430	9,241.12
	FREL.		153,614	9,498.72
MISNER, JOHN E.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	21,163.99
MOFFAT, JAY	AIR TRAFFIC CONTROL SPEC (T)	LH	122,788	20,114.46
MOLICA, ANTHONY J.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,235	1,992.96
MOORE, DIANNA H.	MANAGEMENT AND PROGRAM ANA	I	63,698	7,525.44
MOORE, GEORGE E.	AIR TRAFFIC CONTROL SPEC	LH	129,524	23,162.28
MORALES, DAVID A.	AIR TRAFFIC CONTROL SPEC (T)	EH	70,600	10,603.92
MORRISON, ROBERT M.	SUP ATCS (C/T-I)	K	130,000	5,640.00
NASH, CHARLES F.	AIR TRAFFIC CONTROL SPEC (T)	GH	83,814	13,374.99
NELSON, BARRY J.	AIR TRAFFIC CONTROL SPEC (T)	EH	76,950	13,889.89
NELSON, MATTHEW F.	AIR TRAFFIC CONTROL SPEC (T)	JH	114,418	5,243.28
NEMCEK, RICHARD M.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	19,792.56
NICHOLAS, ROBERT M.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	19,398.55
OSEKOWSKI, CRAIG P.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	146,480	3,336.48
			153,072	18,142.81
OTERO, CARLOS V.	SUPV AIR TRAFFIC CONTROL SPEC	GJ	95,385	4,995.84
PALLONE, MARK A.	AIR TRAFFIC CONTROL SPEC (T)	LH	125,928	21,643.92
PARMAN, DENNIS J.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	21,546.42
PASSIALES, JAMES J.	SUPV AIR TRAFFIC CONTROL SPEC (C)	LJ	127,548	3,161.34
			133,287	18,748.44
PATT, LAWRENCE K.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	18,717.90
PETRE, PHILIP J.	SUPV AIR TRAFFIC CONTROL SPEC (T)	KJ	127,159	2,896.32
			132,881	870.00
PRATT, THOMAS J.	SUPV AVIATION SAFETY INSPECTOR	K	130,000	3,728.56
PUGH, DENNIS W.	AIR TRAFFIC CONTROL SPEC (T)	GH	83,814	12,414.60
PUNWANI, RAMESH	ASST ADMIN FOR FINANCIAL SERVICES	01	168,200	11,551.40
			171,100	16,962.00
QUINN, GLENN P.	AIR TRAFFIC CONTROL SPEC (T)	KH	127,032	23,860.08
RABINOWITZ, BRIAN R.	AIR TRAFFIC CONTROL SPEC	GH	49,145	2,402.18
RAWLINGS, KEVIN S.	AIR TRAFFIC CONTROL SPEC (T)	HH	94,798	16,090.15
RAY, MARK A.	AIR TRAFFIC CONTROL SPEC (C)	LH	137,237	20,343.60
REGRUTO, SANDRA G.	AIR TRAFFIC CONTROL SPEC (T)	FH	81,884	12,531.12
REINERT, KURT A.	AIR TRAFFIC CONTROL SPEC (T)	FH	84,643	14,089.09
RHEA, RODNEY R.	AIR TRAFFIC CONTROL SPEC	GH	83,814	14,232.48
RITMAN, ALLISON W.	MANAGING DIR OF FINC RPTNG & CON-	02	135,933	755.92
	TROLS.			
RITMILLER, JOHN M.	AIR TRAFFIC CONTROL SPEC (C)	LH	129,524	1,833.60
RIXEY, WILLIAM S.	AIR TRAFFIC CONTROL SPEC	GC	33,700	147.12
		GG	44,500	1,748.16
	AIR TRAFFIC CONTROL SPEC (T)	GC	33,700	147.12
	AIR TRAFFIC CONTROL SPECIALIST	GG	44,500	194.24
ROESKE, DAVID W.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	19,792.56

Employee Name	Title	Grade	Salary	Retention Bonus
ROY, KIM A.	AIR TRAFFIC CONTROL SPEC (T)	KH	127,032	23,860.09
RUBIN, BARRY E.	AIR TRAFFIC CONTROL SPEC (C)	JH	104,612	4,451.46
RUIZ, DAVID R.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	18,502.42
SACKETT, GREGORY A.	SUPV AIR TRAFFIC CONTROL S	KJ	154,712	17,815.20
		KK	160,900	508.86
	SUPV AIR TRAFFIC CONTROL SPEC	KJ	148,050	3,372.18
		KK	160,900	2,544.30
SANOCKI, MICHAEL H.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	18,460.14
SCAVILLA, JASON R.	AIR TRAFFIC CONTROL SPEC (.....	GH	49,373	2,586.24
SCOTT, ROBERT E.	AIR TRAFFIC CONTROL SPEC (C)	LH	109,000	2,701.44
			110,800	16,128.96
SEACAT, GARY D.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,617	16,041.54
SECIA, PAULA E.	AVIATION ASSISTANT	E	35,687	1,869.12
SICKLES, STEPHAN J.	AIR TRAFFIC CONTROL SPEC (T)	LH	133,122	19,797.72
SLOSEK, CARRIE A.	AIR TRAFFIC CONTROL SPEC	GH	67,342	3,527.04
SMITH, TERRY R.	AIR TRAFFIC CONTROL SPEC (T)	LH	122,329	22,840.98
SNYDER, FREDERICK J., JR ...	AIR TRAFFIC CONTROL SPEC (C)	KH	125,568	23,647.86
SNYDER, THOMAS G.	AIR TRAFFIC CONTROL SPEC	GH	83,814	14,234.16
STANKOWICZ, JOSEPH M.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	20,337.74
STAROS, JOHN D.	SUPV AIR TRAFFIC CONTROL SPEC (T)	LJ	128,572	3,186.54
			134,357	18,898.92
STEINBERG, FREDERICK W. ...	AIR TRAFFIC CONTROL SPEC (T)	GH	84,550	14,271.84
STEINWEDEL, ROBERT P.	AIR TRAFFIC CONTROL SPEC	KH	120,165	18,441.12
STRONG, ROBERT L.	AIR TRAFFIC CONTROL SPEC	JH	125,568	22,650.24
STYER, MICHAEL J.	AIR TRAFFIC CONTROL SPEC	LH	129,524	10,254.72
SUTPHEN, SCOTT S.	AIR TRAFFIC CONTROL SPEC (T)	HH	89,675	3,815.76
SWITCH, JAY M.	AIR TRAFFIC CONTROL SPEC	KH	120,165	20,400.90
TIGHE, GRACE	AIR TRAFFIC CONTROL SPEC (T)	GH	93,531	13,122.96
TOOREN, JUERGEN G.	SUPV FOREIGN AFFAIRS SPECIALIST	L	150,327	10,828.48
TOPHAM, PATRICK M.	SUPV AIR TRAFFIC CONTROL SPEC	GL	98,746	5,171.52
TOTH, DANIEL A.	AIR TRAFFIC CONTROL SPEC (C)	LH	126,402	20,249.70
VANDERWEEL, PETER J.	AIR TRAFFIC CONTROL SPEC (T)	IH	116,303	18,615.54
VELLA, ANTHONY C.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	18,712.56
VERONICO, JAMES N.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	17,982.62
WACHTER, MARK V.	AIR TRAFFIC CONTROL SPEC	GG	48,100	2,519.04
WALSH, STEPHEN G.	AIR TRAFFIC CONTROL SPEC	GH	88,474	15,028.93
WAWRZYNSKI, DAVID B.	AIR TRAFFIC CONTROL SPEC (T)	LH	125,928	21,808.38
WAZOWICZ, PAUL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	18,003.53
WEBER, GLENN M.	AIR TRAFFIC CONTROL SPEC (T)	GH	83,814	1,097.52
WHEELER, DAVID A.	AIR TRAFFIC CONTROL SPEC (T)	KH	127,941	20,052.10
WHITE, LARRY D.	AIR TRAFFIC CONTROL SPEC (T)	HH	92,617	14,823.42
WHITMAN, STEPHEN S.	AIR TRAFFIC CONTROL SPEC (C)	LH	137,237	20,343.60
WIEGMANN, DARRYL L.	AIR TRAFFIC CONTROL SPEC (T)	LH	143,599	23,899.93
WILKS, RANDY O.	AIR TRAFFIC CONTROL SPEC	KH	123,598	2,427.48
WILLENBRINK, WAYNE C.	AIR TRAFFIC CONTROL SPEC (T)	GH	93,531	13,119.24
WILLETT, ANTHONY J.	PROGRAM MANAGER	K	130,000	6,746.88
			132,200	14,972.11
WILLIAMS, CLIFFORD J.	AIRWAY TRANSPORTATION SYS SPEC	H	63,226	1,728.23
			65,692	5,160.98
WILLIAMS, HAROLD F., III	AIRWAY TRANSPORTATION SYS SPEC	H	81,770	2,234.75
			85,646	6,729.16
WISHOWSKI, DONALD A.	AIR TRAFFIC CONTROL SPEC (C)	LH	140,842	18,042.66
WITTMAN, MARK A.	AIR TRAFFIC CONTROL SPEC	JH	122,080	19,881.80
WOLVIN, MICHAEL S.	AIR TRAFFIC CONTROL SPEC (T)	HH	100,334	15,397.08
WYNKOOP, DOUGLAS J.	AIR TRAFFIC CONTROL SPEC (T)	LH	123,598	19,951.20
ZAROBA, PAUL B.	AIR TRAFFIC CONTROL SPEC (T)	LH	129,524	20,004.30
Fiscal Year 2009 Total				2,998,201.46
Fiscal Year 2010:				
ALLEGRIINI, KEVIN J.	AIR TRAFFIC CONTROL SPEC	GH	68,424	2,090.48
			70,477	2,467.20
ALLSOP, KEVIN L.	AIR TRAFFIC CONTROL SPEC (T)	FH	93,531	10,408.26
BINNER, ROGER A.	AIR TRAFFIC CONTROL SPEC	LH	140,319	3,476.34
			145,974	4,132.80
BLACK, NELSON K.	AIR TRAFFIC CONTROL SPEC (T)	FH	74,705	1,711.92

Employee Name	Title	Grade	Salary	Retention Bonus
BLINK, CHARLES L.	AIR TRAFFIC CONTROL SPEC (T)	HH	77,715	2,040.48
BLITTERSDORF, JEFFREY E. ...	AIR TRAFFIC CONTROL SPEC	GH	92,235	9,041.74
			83,814	1,920.66
			87,191	2,289.12
BORO, THOMAS R.	HUMAN RESOURCES SPECIALIST (ER/LR) ...	J	110,800	7,552.80
			114,100	10,435.21
	MANAGER, LABOR & EMPLOYEE REL BRACH.	J	110,800	1,258.80
BRANNIGAN, TIMOTHY W.	AIR TRAFFIC CONTROL SPEC	GH	67,342	2,057.44
			69,362	2,428.16
BROMLEY, DANA L.	AIR TRAFFIC CONTROL SPEC	GH	79,154	1,813.56
			82,344	9,179.40
BRYAN, JEFFREY L.	AIR TRAFFIC CONTROL SPEC	IH	104,966	2,405.34
			109,196	11,143.44
CARGIULO, LUIS P., JR	HUMAN RESOURCES SPECIALIST	I	84,626	6,809.60
			86,742	8,024.00
CERAMI, JOSEPH S.	AIR TRAFFIC CONTROL SPEC (C)	LH	130,011	464.62
CHAMBERLIN, MARK J.	AIR TRAFFIC CONTROL SPEC (T)	GH	86,141	1,974.00
			89,612	2,352.96
CHIASSON, MICHAEL P.	SUPV AIR TRAFFIC CONTROL SPEC	IJ	118,893	2,724.12
			121,865	3,199.68
CLEAVER, MICHAEL D.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	147,376	3,376.80
			151,944	3,989.28
CONDLEY, GARY R.	FAA ACADEMY SUPERINTENDENT	O2	146,505	8,014.00
DUTTON, RANDELL L.	AIR TRAFFIC CONTROL SPEC	IH	114,201	2,616.60
			118,803	12,967.44
FLEMMING, JOHNNIE M.	DIRECTOR OF HUMAN RESOURCES	K	132,200	2,884.80
			136,200	11,920.00
FRAWLEY, EDWARD J.	SUPV AIR TRAFFIC CONTROL SPEC	LJ	166,959	3,562.02
			171,133	4,132.80
GIBBS, BRENDA E.	AIR TRAFFIC CONTROL SPEC	KH	120,165	2,753.52
			125,008	3,282.24
GOSS, NORBERT L., JR	AIR TRAFFIC CONTROL SPEC (T)	GH	74,501	8,291.10
GREEN, JEFFREY S.	AIR TRAFFIC CONTROL SPECIALIST (T)	EH	65,107	178.49
GRIEST, DIANE L.	SUPV AIR TRAFFIC CONTROL SPEC	IJ	166,747	15,580.07
GROFF, BRYAN W.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,122	3,297.84
			138,487	3,956.64
HABER, SELIM	GENERAL ENGINEER	K	132,200	2,269.68
HARDIMAN, MATTHEW J.	AIR TRAFFIC CONTROL SPEC	GH	67,342	2,057.44
			69,362	2,428.16
HAYNES, DARRYL A.	AIR TRAFFIC CONTROL SPEC	JH	130,974	3,190.74
			136,252	3,817.44
HEINTZ, ROBERT B.	AIR TRAFFIC CONTROL SPEC	GH	68,970	2,107.28
			71,039	2,487.04
HOLDGATE, FREDERICK I.	AIR TRAFFIC CONTROL SPEC	GH	85,520	2,612.96
			88,086	3,083.52
HOLLAND, JEFFERY K.	AIR TRAFFIC CONTROL SPEC	IH	104,966	2,405.34
			109,196	11,889.73
IMUNDO, RICO F.	SUPV TRAFFIC MANGEMENT COORDINA- TOR.	JJ	124,448	15,107.41
JEANES, JOSEPH A.	AIR TRAFFIC CONTROL SPEC (T)	IH	116,303	761.40
JEFF-CARTIER, JOLAINA	HUMAN RESOURCES SPECIALIST (LR)	J	87,349	2,071.29
KELLY, THOMAS C.	SUPV AIR TRAFFIC CONTROL SPEC	IJ	164,740	920.02
		LK	164,740	14,260.30
KRAKOWSKI, HENRY P.	CHIEF OPERATING OFFICER	IA	211,000	15,007.52
LAMBERT, DAWN E.	SUPV AIR TRAFFIC CONTROL SPEC	IJ	132,494	3,282.30
			136,601	2,000.23
LESTER, CRAIG S.	AIR TRAFFIC CONTROL SPEC (T)	FH	90,802	2,080.68
			94,461	2,480.16
LEWIS, TIMOTHY R.	AIR TRAFFIC CONTROL SPEC	KH	123,598	2,832.06
			128,579	13,120.57
MANCHESTER, RICHARD D. ...	AIR TRAFFIC CONTROL SPEC	GH	68,424	2,090.48
			70,477	2,467.20
MCKEE, STEVEN W.	HUMAN RESOURCES SPECIALIST	I	93,300	9,156.00
MICHAEL, GLENN W.	CAST OUTREACH PROGRAM MGR	K	132,200	4,353.72
			136,200	2,580.32

Employee Name	Title	Grade	Salary	Retention Bonus
MOORE, DIANNA H.	MANAGEMENT AND PROGRAM ANA	I	63,698	4,052.16
			66,437	3,645.12
NELSON, MATTHEW F.	AIR TRAFFIC CONTROL SPEC (T)	JH	114,418	2,621.64
			119,030	11,771.53
NICHOLAS, ROBERT M.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	464.75
OSEKOWSKI, CRAIG P.	SUPV AIR TRAFFIC CONTROL SPEC	KJ	153,072	501.06
OTERO, CARLOS V.	SUPV AIR TRAFFIC CONTROL SPEC	GJ	95,385	2,914.24
			98,342	3,442.56
PARDEE, JAY J.	DIR, OFF OF ACCIDENT INVEST & PREV	O2	162,695	7,232.40
RABINOWITZ, BRIAN R.	AIR TRAFFIC CONTROL SPEC	GH	49,145	1,257.39
			52,469	915.53
		LH	68,496	338.00
RAWLINGS, KEVIN S.	AIR TRAFFIC CONTROL SPEC (T)	HH	94,798	2,172.24
			98,618	2,589.12
REINERT, KURT A.	AIR TRAFFIC CONTROL SPEC (T)	FH	84,643	1,939.56
			88,054	2,312.16
RHEA, RODNEY R.	AIR TRAFFIC CONTROL SPEC	GH	83,814	1,920.66
			87,191	2,289.12
RITMILLER, JOHN M.	AIR TRAFFIC CONTROL SPEC (C)	LH	129,524	3,208.80
			134,744	3,849.60
RIXEY, WILLIAM S.	AIR TRAFFIC CONTROL SPECIALIST	GH	48,100	1,469.44
			52,469	1,836.80
RUBIN, BARRY E.	AIR TRAFFIC CONTROL SPEC (C)	JH	104,612	2,396.94
			108,828	11,134.56
SACKETT, GREGORY A.	SUPV AIR TRAFFIC CONTROL S	KJ	154,712	3,545.22
			161,365	4,132.80
SANOCKI, MICHAEL H.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	465.24
SCAVILLA, JASON R.	AIR TRAFFIC CONTROL SPEC (.....	GH	49,373	1,508.64
			52,469	1,836.80
SCHMITT, RICHARD A.	SATCS, OPERATIONS SUPERVISOR	GJ	85,247	1,678.68
SECIA, PAULA E.	AVIATION ASSISTANT	E	35,687	1,090.32
			36,793	1,288.32
SLOSEK, CARRIE A.	AIR TRAFFIC CONTROL SPEC	GH	67,342	2,057.44
			69,362	2,428.16
SNYDER, THOMAS G.	AIR TRAFFIC CONTROL SPEC	GH	83,814	1,920.66
			87,191	2,289.12
STANKOWICZ, JOSEPH M.	AIR TRAFFIC CONTROL SPEC (C)	LH	133,625	464.75
STYER, MICHAEL J.	AIR TRAFFIC CONTROL SPEC	LH	129,524	12,934.56
SUTPHEN, SCOTT S.	AIR TRAFFIC CONTROL SPEC (T)	HH	89,675	2,054.64
			93,289	10,156.92
SWITCH, JAY M.	AIR TRAFFIC CONTROL SPEC	KH	120,165	2,753.52
			125,008	3,282.24
TOOREN, JUERGEN G.	SUPV FOREIGN AFFAIRS SPECIALIST	L	150,327	3,989.44
TOPHAM, PATRICK M.	SUPV AIR TRAFFIC CONTROL SPEC	GL	98,746	3,016.72
			101,807	3,118.64
VERONICO, JAMES N.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	464.62
WACHTER, MARK V.	AIR TRAFFIC CONTROL SPEC	GG	48,100	1,469.44
			49,543	1,734.40
WALSH, STEPHEN G.	AIR TRAFFIC CONTROL SPEC	GH	88,474	2,027.34
			92,039	2,416.80
WAZOWICZ, PAUL J.	AIR TRAFFIC CONTROL SPEC (T)	LH	130,011	20.24
WEBER, GLENN M.	AIR TRAFFIC CONTROL SPEC (T)	GH	83,814	1,920.66
			87,191	2,289.12
WICKS, EDWIN D.	HUMAN RESOURCES SPECIALIST	I	93,300	7,518.40
WIETHORN, MICHAEL R.	AIR TRAFFIC CONTROL SPEC	KH	113,300	385.26
			117,866	3,213.60
WILKS, RANDY O.	AIR TRAFFIC CONTROL SPEC	KH	123,598	2,832.06
			128,579	3,375.84
WILLIAMS, CLIFFORD J.	AIRWAY TRANSPORTATION SYS SPEC	H	65,692	2,007.04
			67,334	2,357.12
WILLIAMS, HAROLD F., III	AIRWAY TRANSPORTATION SYS SPEC	H	85,646	2,616.88
			87,787	3,073.28
Fiscal Year 2010 Total				519,137.07

Question. Other than FAA, do any other offices within DOT provide retention bonuses? If so, under what circumstances and restrictions?

Answer. Yes. The following agencies have provided retention bonuses: FHWA, NHTSA, FRA, PHMSA, SLSDC, OST, RITA, OIG, and STB.

The Department of Transportation follows the guidelines in DPM 575-1, Payment of Recruitment and Relocation Bonuses and Retention Allowances. Retention incentives are used to retain current employees with unique competencies that are critical to the Department's mission. In most cases, retention incentives are used to keep individuals who are eligible for and who have indicated they will be retiring. However, they may also be used to retain staff with unique and very marketable competencies who could otherwise earn a higher salary in the private sector.

Question. The budget includes \$24 million and 100 positions to establish a new Rail Transit Safety Oversight Program. This proposal follows on the heels of rail transit accidents in Boston, Los Angeles, San Francisco, and Washington, DC and supports the legislation the administration transmitted to Congress in December.

In the meantime, however, what can FTA do within its current authority to ensure transit systems are safe, without new legislation, be it through training, technical assistance or other efforts?

Answer. Even without authorization legislation in place, FTA could still take important steps to stand up its safety program if Congress provides the necessary funds, including:

- Hiring new program staff (as opposed to field safety inspectors) with special expertise in areas of safety, engineering, and behavioral experts.

- Undertaking research and demonstration projects in the area of transit safety.

Moreover, FTA currently is taking steps to strengthen State Safety Oversight Agencies (SSOAs). FTA provides stakeholder outreach (informational exchanges, best practices, lessons learned, program guidance) through a variety of efforts, including:

- Two State Safety Oversight workshops per year including one for SSOAs and one for both SSOAs and Rail Transit Agencies.

- Two Safety & Security Roundtables per year co-sponsored by TSA and attended by safety and security officials from the largest 50 transit agencies.

- FTA's Safety and Security Web site, which contains resource documents, program guidance, training course listings.

- “Dear Colleague” letters issued to industry stakeholders about best practices.

Question. Please explain the need for Federal regulation and oversight of rail transit safety. What information does FTA have on the current performance of the State Safety Oversight Agencies in overseeing safety on rail transit systems, including their safety standards, level of oversight, and ability to enforce compliance? What kind of enforcement actions would FTA be able to take?

Answer. Concerning the need for Federal regulation and oversight, FTA does not have regulatory authority or the resources to oversee safety performance of transit agencies. This responsibility currently resides at the State and local levels. Without field verification audits, FTA cannot confirm that (1) rail transit agencies have adopted the appropriate safety standards for track, vehicles, signals and train control, operating practices, and electrification systems and (2) that the adopted standards are being implemented. Nor do we have the authority to require States and rail transit agencies to address critical safety issues, such as fatigue (hours of service), medical qualification (to include sleep apnea and other sleep disorders), incorporation of automatic systems and technology into track inspection, and information management systems to enhance communication between and across operating and maintenance departments regarding the reporting and analysis of safety hazards and concerns.

In December 2009, FTA transmitted to Congress authorization legislation that would expand FTA's responsibilities to help ensure the safety of the Nation's transit systems. The legislation would allow FTA to create an oversight program focused on transit safety, with the ability to develop safety regulatory standards and with increased enforcement authority. We urge Congress to take up this important legislation as soon as possible.

Regarding State safety oversight (SSO) agencies, FTA obtains information on the requirements, activities, and performance of the SSO agencies and the rail transit agencies from several sources including:

- The SSO Initial Submission.*—Made prior to entering the program. FTA uses a checklist to review the initial submission and corresponds with the SSO agency until all open issues are resolved. At the current time, all 27 SSO agencies have Program Standards that have passed the basic initial submission review and approval process.

- The SSO Annual Submission.*—Made to FTA by March 15 of each year. This report includes information on the personnel devoted to implementing the SSO program, the training received that year by personnel, the use of contractors to support the State's SSO program, as well as the accidents that were investigated at the rail transit agency.
- SSO 3-Year Reviews.*—Each State also submits any 3-year reviews completed at the rail transit agencies in its jurisdiction. FTA uses this information to develop its Rail Transit Safety Statistics Report and to track the level of effort expended by each State to meet 49 CFR part 659 requirements. Three-year review reports also provide valuable snapshots of the rail transit agencies and their activities to implement their System Safety Program Plans.
- Periodic Submission.*—FTA has the authority to collect information from the State safety oversight agencies periodically to address special requests. Working with the States, FTA collects information on specific rail transit agency issues in response to publicly submitted complaints. For example, FTA has used this authority to investigate complaints involving rail transit agencies in Atlanta, Detroit and Memphis. In addition, FTA works with the States to get information from rail transit agencies in special studies, such as on fatigue management, track inspection, on-site reviews and audits, or managing safety in extensions and major capital projects.
- Audit Program.*—FTA audits each State no less than once every 3 years. As part of the audit process, FTA requests an extensive list of materials that the State collects from the rail transit agency, including the rail transit agency System Safety Program Plan, hazard tracking log, all accident investigations completed in the last year prior to the audit, all internal audit reports, and any special studies or investigations performed by the rail transit agency or the State. Each audit report provides an in-depth look at how each State is implementing 49 CFR part 659. As appropriate, in certain cases, FTA can also make determinations regarding how well the rail transit agency is performing specific safety functions, such as internal auditing, hazard identification and analysis, accident investigation and corrective action management. FTA does not, however, conduct independent inspections to verify that track, vehicles, and equipment are being operated and maintained within specified standards. Nor does FTA review or approve any standards adopted by the rail transit agency.
- National Transit Database.*—FTA compares the accidents and safety information being reported by the rail transit agencies to the Safety and Security Reporting Module of the national Transit Database with the information being reported to the States to ensure that States are notified of the accidents they should be notified of and that information is reported accurately to the NTD.

Collectively, information received from these sources provides FTA with a reasonable picture regarding the level of staffing, expertise, training and activity being performed to carry out safety functions in the States and the rail transit agencies. Further, we have a strong analytic handle on the types and frequency of accidents occurring in the rail transit industry, their causes and the typical actions being taken to prevent recurrence. It is the information culled from these sources that has contributed to the administration's conclusion that the status quo is inadequate and is in dire need of reform.

Question. FTA has requested \$30 million in fiscal year 2011 for this new program. What does FTA project this program will cost in subsequent years and how does it plan to use these funds?

Answer. As you know, the fiscal year 2011 budget includes \$30 million and 130 FTE to support policies and activities included in the administration's transit safety legislation, the "Public Transportation Safety Program Act of 2009" transmitted to Congress on December 7, 2009. We believe these resources will enable FTA to institute an effective regulatory system for the rail transit industry. Looking ahead, we will assess any potential additional resource requirements as part of the fiscal year 2012 budget.

Question. What is FTA doing to help the Washington Metropolitan Area Transit Authority get back on track in terms of safety? Do you believe the Tri-State Oversight Committee as currently organized, can provide appropriate oversight of WMATA?

Answer. FTA's greatest contribution has been the audit we recently conducted in December 2009 of both Tri-State Oversight Committee (TOC) and WMATA. This audit enabled us to identify priority actions to support both agencies in strengthening their safety programs. TOC and WMATA recently submitted their initial plans for addressing the audit findings and we believe positive steps are being taken as a result of our action. Moving forward, FTA has planned quarterly meetings on-

site with WMATA and TOC to review their progress in addressing and closing our audit findings.

In terms of technical assistance, through the Transportation Safety Institute (TSI) FTA has provided safety training, including training on internal auditing and hazard management on site at WMATA in late 2009. We are currently working with WMATA to schedule additional training deliveries for their employees in the next few months including the following courses.

- Instructors Course for Rail Trainers
- Current Trends in Transit Rail System Safety
- Transit System Security
- Effectively Managing Transit Emergencies
- Transit Rail Incident Investigation
- Transit Rail System Safety.

In June, FTA is bringing a new Track Inspection Refresher Training Workshop to WMATA with three offerings. This 2-day workshop is designed to reinforce critical skills and safety practices of employees in WMATA's track inspection program.

FTA has also participated with WMATA, TOC and the Federal Railroad Administration (FRA) in supporting WMATA's Roadway Worker Protection Working Group to overhaul and improve WMATA's existing rules and procedures for protecting workers on the right of way.

In terms of funding, the Passenger Rail Improvement Act of 2008 authorized a special appropriation for WMATA of \$150 million per year. Congress appropriated as much in fiscal year 2010 and FTA requested funding for fiscal year 2011. Under this program, the Secretary will use his authority to approve grants to ensure that available funds first address WMATA's most critical safety needs. Maintenance and repair needs are also addressed through formula grants funded from both the Urbanized Area and the Fixed Guideway Modernization programs. These grants are in addition to the \$150 million appropriation.

Regarding the Tri-State Oversight Committee's oversight, we recognize that the current three jurisdiction committee organization presents challenges to the TOC in effectively carrying out its important safety oversight mission. It has suffered from inadequate resources, lack of authority and lack of permanent technical staff.

The Obama administration's Public Transportation Safety Act of 2009 that was submitted to Congress this past December will address these and other shortcomings of the current SSO framework on a National basis.

As far as TOC's current status, we appreciate that the Commonwealth of Virginia, the State of Maryland, and the District of Columbia have come together to address some of the challenges TOC confronts with its current legal and organizational structure. In response to an FTA finding from the December audit, TOC jurisdictions have created a TOC Executive Committee. This committee recently had its first meeting, and took action with both the WMATA Interim General Manager and the WMATA Board to request monthly safety reporting and to ensure that WMATA follows its hazard reporting and accident notification thresholds. These are good first steps.

In addition, Virginia Governor Bob McDonnell, Maryland Governor Martin O'Malley and Washington, DC Mayor Adrian Fenty recently released a white paper documenting their proposal for enhancing TOC's existing authority and resources. Phase 2 of this plan calls on the jurisdictions to create a distinct legal entity—the Metro Safety Commission—that would have additional authorities beyond the existing program.

The best long term solution to the problems faced by TOC and the 26 other SSO agencies around the Nation are for Congress to take prompt action on the Obama administration's safety reform proposal.

Question. In January, the Department announced it will now consider other important factors in addition to reduced commuting time when evaluating new transit projects. Cutting commuting times is clearly important, but this change signals a more holistic approach that considers the impact on congestion, the environment, and local economies. All contribute to making the places we live and work more vibrant and sustainable.

When will the draft rule to be made public?

Answer. FTA published an Advance Notice of Proposed Rulemaking (ANPRM) in the Federal Register on Thursday, June 3, 2010, asking for public comment on how to change the way major transit project proposals seeking Federal funding are rated and evaluated.

Question. How will this change affect the importance of cost effectiveness when the Department considers future transit projects?

Answer. Cost-effectiveness will continue to be evaluated as one of the six statutory project justification criteria, but will not be the only consideration in making

funding recommendations. Through a rulemaking, FTA will develop measures for better capturing the environmental, community and economic development benefits provided by transit projects, including a revised cost effectiveness measure that will recognize these benefits. This Advance Notice of Proposed Rulemaking (ANPRN) will invite feedback on what benefits should be included in the evaluation process and issues related to baseline alternatives, travel demand modeling, and New Starts and Small Starts streamlining. The New Starts and Small Starts projects funded in the fiscal year 2011 budget were selected using the current project rating criteria. The earliest any revised rating criteria could be utilized would be for the fiscal year 2013 budget.

Question. What is the Department's opinion on allowing transit agencies discretion to use transit assistance funding for operating costs during these difficult economic times?

Answer. Secretary LaHood has stated that DOT will work with Members of the House and Senate this year to see if we can allow transit agencies more flexibility to use a portion of their Federal funds to cover operating costs during these tough economic times. However, he has also stated that this cannot be open-ended, and that such assistance would be temporary, not the normal course of business.

Question. What is the estimated capital needs backlog of transit systems?

Answer. There is no one single estimate or a simple method to determine the capital backlog needs of the Nation's transit systems. That said, we know that transit agencies in general are facing significant funding shortfalls. For example, an April 2009 FTA report to Congress identified a \$50 billion repair and replacement backlog at the seven largest rail transit agencies in the country. Moreover, when you expand the universe from the 7 largest rail operators to 690 separate rail and bus systems, the estimated funding shortfall to bring the entire transit system in a state of good repair grows from \$50 billion to \$78 billion.

FTA is proposing to merge its Bus and Bus Facilities and Fixed Guideway Modernization programs into a new \$2.9 billion Bus and Rail State of Good Repair program to better address the tens of billions of dollars in rail and bus transit assets that are in marginal or poor condition. The funding request represents an 8 percent increase above the equivalent 2010 appropriation, which is significantly more than is proposed for most other FTA programs—all in a budget that increases funding for the FTA by just 1 percent.

Question. Transit rail passenger cars purchased across the United States are relatively unique. A few cars can be used on different systems, for example, Virginia Railway Express (VRE) can use Chicago Metra commuter cars, but many others are designed specifically for their systems' infrastructure and preferences. This uniqueness may increase the costs to procure transit rail cars as it results in smaller orders, sometimes limiting the economies of scale that could be obtained from larger orders.

Has FTA considered supporting efforts to increase standardization in rail cars or new systems, to help keep the cost of transit rail cars down? Why or why not? Might this also have safety benefits?

Answer. FTA is supporting the efforts of the American Public Transportation Association (APTA) in developing consensus standards for the North American rolling stock industry. APTA, as a Standards Development Organization (SDO), has developed standards for commuter rail cars, light rail vehicles, buses, and other rolling stock funded in part by FTA. While FTA encourages the use of these standards by our grantees we do not have regulatory authority to require their use.

FTA's financial assistance has also enabled APTA to support development of rail car crashworthiness standards by another SDO—the American Society of Mechanical Engineers.

Conceivably standardization in rail cars and new systems, such as improved crashworthiness standards and crash avoidance systems, will have safety benefits, but there may be additional costs associated with achieving standardization, at least initially.

FTA is statutorily prohibited from directly establishing transit vehicle standards. As a result, FTA has been unable to implement recommendations from the National Transportation Safety Board related to transit vehicle crashworthiness, event recorders and other vehicle safety features. As a result of this limited authority to improve safety, Secretary LaHood delivered the Obama administration's legislative proposal entitled the Public Transportation Safety Act of 2009 to the Congress this past December. We take this opportunity to urge Congress to take prompt action on this proposal.

Question. Has FTA taken steps to support transit agencies' efforts through joint procurement, etc? If so, what are some examples of these steps?

Answer. Yes, in addition to supporting the APTA standards development efforts, FTA has conducted research into joint vehicle procurements and procurement incentive systems for our section 5307 and 5311 Formula Grants. Specification standardization and joint vehicle procurements have been promoted by FTA on a limited basis with mixed results.

FTA recently completed a study for Congress that included an FTA concept for a shared procurement for FTA funded rolling stock. See FTA's Report to Congress on the Results of the Cooperative Procurement Pilot Program at: http://www.fta.dot.gov/publications/publications_11548.html.

Based on the results of the five completed final projects, FTA found the following:

- The additional Federal share allowed in the pilot program did not sufficiently induce greater use of pooled procurement;
- Savings from cooperative procurement are more likely to be realized by agencies purchasing a small number of vehicles. Agencies already purchasing a significant number of vehicles are less likely to achieve savings through additional economies of scale; and
- Difficulties in forming consortiums, the administrative burden placed on lead agencies and the reluctance of the other participating agencies to relinquish control over the process to the lead agencies pose considerable obstacles to the use of cooperative procurements.

In an August 2008 study, FTA addressed joint vehicle procurements in its Report to Congress on Incentives in Federal Transit Formula Grant Programs, http://www.fta.dot.gov/publications/publications_8674.html.

Some of the findings from this report were the following:

- Barriers and difficulties that contributed to the limited implementation of these procurement systems include:
 - Transit Culture*.—"Agencies Believe They Are Unique . . . The agencies are justifiably proud of their corporate cultures and heritage, and their pride may have many positive effects. However, if the industry is to realize the full benefits of standards, the systems must weigh their traditions against the benefits of standards and make the collective effort that is necessary to settle on safety standards and adhere to economical design standards."
 - Joint procurements involve significant administrative efforts because the agencies must reconcile their requirements and practices to each other's.
 - Conflicting legal issues, differing operating requirements, and differing professional opinions must be resolved.

Question. What other options or authorities might FTA consider seeking to reduce transit railcar costs?

Answer. As mentioned previously, FTA has focused on developing standards and specifications to reduce the capital and operating costs of new rail vehicles. In recent years, FTA has funded APTA's efforts to develop technical requirements for the design and procurement of new LRV type vehicles. APTA is responsible for coordinating and managing this effort.

Question. On September 10, 2009, FTA issued an Advance Notice of Proposed Rulemaking on capital project management. FTA is considering whether to require some type of financial plan for all fixed guideway capital projects. Further, it is considering the extent to which it should use Project Management Oversight Contractors (PMOCs) to oversee projects other than Major Capital Projects (those costing \$100 million, among other requirements). Finally, transit properties over time have indicated that Federal oversight can increase the time, and thus the cost, it takes to build a new rail transit line or extension.

How will these potential changes impact the PMOC and FMOC budgets as well as the funds necessary to oversee PMOCs and FMOCs?

Answer. Several items included in FTA's ANPRM on capital projects management were aimed at soliciting comments and suggestions from the industry on how to improve overall project management of major capital projects based on experiences to date. FTA is currently reviewing input provided by stakeholders as it prepares the Notice of Proposed Rulemaking, and has not determined what additional oversight, if any, is necessary. Looking ahead, FTA will consider resource requirements for its oversight program as it develops its fiscal year 2012 budget.

FTA oversight of public transportation systems is necessary to safeguard the taxpayer's investment. FTA has designed its oversight process to minimize the intrusion on grantees while protecting tax payers' dollars. One tool that has provided tangible benefits is FTA's risk-informed project management system, which assists grantees in identifying costly risks at a stage of development which subsequently allows grantees to mitigate those risks and avoid enormous costs. The latest innovation by FTA is the incorporation of the New Starts Engineering Workshop into our outreach program. This workshop is designed to provide a roadmap for prospective

and existing capital project sponsors on how to prepare for FTA's project management oversight review process. FTA believes that outreach of this kind will assist the grantees in being better prepared to make quality submittals and shorten the time it takes for oversight reviews.

Question. FTA is proposing that funding guidelines for major transit projects be based on livability issues such as economic development opportunities and environmental benefits, in addition to cost and time saved, which are currently the primary criteria. This would change how projects are selected to receive Federal financial assistance in the FTA New Starts and Small Starts programs. In making funding decisions, the FTA will now evaluate the environmental, community and economic development benefits provided by transit projects, as well as the congestion relief benefits from such projects.

Will the proposed changes in economic development criteria increase the number of projects that may be eligible for New Starts or increase the back log?

Answer. Because the New Starts program is a complex program and the new criteria under development have not been finalized, it is not possible to predict how potential changes to the evaluation criteria would impact the number of projects eligible for funding in the future. That said, the aim of making these changes is to more fully recognize the various types of benefits that are generated by investments in transit services and to ensure that all prospective projects receive due consideration.

Question. How will FTA determine the value of the economic development opportunities and community and environmental benefits when making funding decisions?

Answer. As announced by Secretary LaHood on January 13, FTA plans to use the rulemaking process to better capture in its evaluation and rating process the wide range of benefits New Starts projects can provide. On Thursday, June 3, FTA published an Advance Notice of Proposed Rulemaking (ANPRM) in the Federal Register asking for public comment on how to change the way major transit project proposals seeking Federal funding are rated and evaluated.

Question. In October 2008, FTA issued a report "Transit State of Good Repair: Beginning the Dialogue" highlighting the importance of maintaining the condition of our transit and the fact that much of existing bus and rail assets are in poor or marginal condition. The fiscal year 2011 budget request includes \$2.3 million for bus and rail state of good repair program activities (along with decreases in fixed guideway modernization and bus and bus facility grants).

How does FTA plan to implement this "program" and distribute the funds, and how would it differ from the way funds in the existing programs are distributed?

Answer. Under the proposed State of Good Repair program, funds would be distributed by formula. Though the specifics of such a formula have yet to be developed, the goal would be allocate funds to both rail and bus transit systems by formula. FTA looks forward to working with Congress on developing the program as Congress begins work on 2011 appropriations legislation.

Question. How will this program help rail transit agencies replace aging transit car fleets?

Answer. One of FTA's highest priorities is to maintain our Nation's transit assets in a state of good repair (SGR) so they can provide safer and more efficient service. This new focus will involve emphasizing the SGR activities in our existing programs, initiating new activities to address unique local needs, and providing analysis products that will help decisionmakers better understand their options for managing the condition of their aging infrastructure. Accordingly, for fiscal year 2011 FTA has proposed to merge its Bus and Bus Facilities and Fixed Guideway Modernization programs into a new \$2.9 billion Bus and Rail State of Good Repair program. The funding request represents an 8 percent increase above the equivalent fiscal year 2010 appropriation, which is significantly more than is proposed for most other FTA programs. The fiscal year 2011 budget also requests \$4.61 billion for the Urbanized Area Formula Grant Program for allocation of funds to urbanized areas (UZAs) around the Nation for maintenance and capital investment in bus and rail systems.

We also very much appreciate that in fiscal year 2010 Congress supported FTA using \$5 million in research funding to help improve transit asset management practices. This critical funding will fund enhanced data collection, asset management, technical assistance, and a pilot SGR project. Because FTA is currently exploring how transit agencies should implement SGR practices, it has not determined whether having an asset management plan should be a necessary criterion for receiving Federal funds.

Question. What is known about the effects of aging infrastructure on rail transit safety?

Answer. Rail transit is statistically among the safest modes of transportation. A rail transit passenger is over 100 times less likely to be killed in an accident than is an automobile passenger. That said, FTA is aware that there is a backlog of rail transit infrastructure maintenance and renewal. FTA's previous study of the seven largest rail transit systems estimated a \$50 billion shortfall, but did not correlate the investment shortfall to safe operations. There is an obvious intrinsic correlation and transit agencies must carefully manage their operations and maintenance to keep the system safe in spite of aging infrastructure. If done properly, this will affect frequently service before it affects safety. For example, track infrastructure may have more defects as it ages, but operations can continue safely at lower speeds. Given the extent that rail transit operators are relying on older equipment and capital stock, the need to enact transit safety legislation is all the more urgent.

SUBCOMMITTEE RECESS

Senator BOND. Well, with no further questions, the hearing stands—is in recess.

And March 11 at 9:30, we'll take testimony from Secretary Donovan on the budget request for 2011 Housing and Urban Development.

[Whereupon, at 11:16 a.m., Thursday, March 4, the subcommittee was recessed, to reconvene at 9:30 a.m. Thursday, March 11.]